

Mihi

Kia hora te marino

Kia whakapapa pounamu te moana

Hei huarahi mā tātau i te rangi nei

Aroha atu, aroha mai

Tātau i a tātau katoa

May peace be wide-spread

May the sea be like greenstone

A pathway for us all this day

Give love, receive love

Let us show respect for each other

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Designations	Designations

Purpose

The Napier District Plan (the District Plan) is prepared by the Napier District Council to assist it to meet its obligations under the Resource Management Act 1991 (the Act). The Act provides the regulatory framework which manages the use, development and protection of land and other natural and physical resources in New Zealand.

The purpose, function and contents of the District Plan are directed towards achieving the purpose of the Act (defined by Part 2), which is 'to promote the sustainable management of natural and physical resources' (under Section 5 of the Act).

The District Plan contains objectives, policies, rules and standards about how the people of the Napier District can use, develop and subdivide their land. The key function of the district council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the district. The District Plan therefore seeks to manage and protect the natural and physical resources that are important to the community, and to ensure that environmental qualities and values are safeguarded for future generations to enjoy.

The rules of the District Plan set out the activities that you are allowed to do as of right (permitted activities) and the types of activities that require a resource consent.

Description of the District

Ahuriri Napier – Our City

Napier City is the gateway to the Hawke's Bay region, accessible by air, land and sea. Napier is a tourist destination of great acclaim, and home to those who take pride in its appearance, heritage and lifestyle.

Founded in 1855 by the government, Napier, also known by its Māori name of Ahuriri, is the oldest settlement in Hawke's Bay. The City was established around Mataruahou, a large island between the sea and an inner harbour, an ideal location for a port, which was why Napier became the leading City of the region.

Street after street of stunning Art Deco homes and buildings have made Napier famous as one of the most complete collections of Art Deco buildings in the world. In 1931, a massive earthquake rocked Hawke's Bay for more than three minutes, killing 256 and destroying the commercial centre of Napier, and its original Victorian façade.

Rebuilding began almost immediately, and new buildings reflected the architectural styles of the times: Stripped Classical, Spanish Mission and Art Deco. Napier is often referred to as a 1930s Californian film set, pristinely living up to its destination status with clean streets, manicured public gardens and beautifully restored buildings. Every February, sunny Napier celebrates its heritage with the Art Deco Festival, a stylish celebration of all things 1930s, including vintage cars, fashion and music.

Napier is home to many fine wineries, fabulous restaurants, bars and cafes. Boutique specialist retail and tourist attractions, alongside the best high-street brands and galleries drive a bustling local economy.

The famous Marine Parade serves as a scenic and popular bridge between the city and the Pacific Ocean, with family-centred activities that provide hours of entertainment for children and parents.

Napier has a low scale built environment, surrounded by rural areas that provide for rural lifestyles and form an important backdrop to the City as well as supporting a regional economy that is linked to viticulture, manufacturing and primary production.

The Art Deco built heritage is of primary importance to the City and plays an economic role bringing tourists to the city. The district also has places with recreational values and ecological, archaeological, spiritual and cultural significance. The foreshore and estuary are an important focus for the City and provide important recreation and conservation areas.



Te Matau-a-Māui Hawke's Bay – Our District

Our People

The population of Napier City is in the order of 65,000 (the official population as at June 2019); with an estimated density of 6 people per hectare.

Napier's largest industry sectors in GDP terms are commercial/business services, wholesale, retail and hospitality services, processing and manufacturing, and health, education and community services.

Napier is a cosmopolitan centre with a mix of people making the city their home. Napier has a proud social history as a Government designated Pilot City, active arts and culture scene, community sports hub, and tertiary education centre for the East Coast through the Eastern Institute of Technology.

The mana whenua iwi is Ngāti Kahungunu. Mana whenua hapū of Te Whanganui –a-Orotu are:

- Ngāti Māhū
- Ngāti Tū
- Ngāti Hinepare
- Ngāti Matepū
- Ngāi Tāwhao
- Ngāti Te Ruruku
- Ngāti Hāwea

While there are no traditional hapū marae within the Napier City Council area, they satellite the city boundary and provide a place for the cultural, emotional, physical, material sustenance and expression of the hapū. While the physical presence of marae may be outside of the Napier city boundary, the mana whenua status extends beyond the marae gate to land, environmental,

resource management, social and cultural issues in Ahuriri Napier. Further information on mana whenua of Ahuriri can be found in the Mana Whenua chapter.

Statutory Context

The district plan should be fit for purpose, sustainably managing the use, development and protection of our resources in a way or at a rate that anticipates and manages issues from the time the plan becomes operative until the next 10-year review in 2030.

The relevant statutory provisions contained in RMA Part 2 include RMA section 5 which is to promote the sustainable management of natural and physical resources. RMA section 6 which is to recognise and provide for matters of national importance, and RMA section 7 which is to have particular regard to 'other matters' including the intrinsic values of ecosystems, the maintenance and enhancement of amenity values, the maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources and the effects of climate change. RMA section 8 is to take the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) into account.

RMA Part 3 describes the statutory presumption for land use and the matters that are either permitted or controlled under the RMA subject to rules in plans, the duty to adopt the best practicable option to ensure noise levels are not unreasonable, and the general duty to avoid, remedy or mitigate adverse effects on the environment. The permissive presumption in the RMA applies to almost all activities that the district council controls. The use of land such as construction of buildings, earthworks, vegetation clearance, drilling, or building or demolishing structures follow the permissive presumption. These are allowed unless specifically restricted by a rule in the district plan.

RMA Part 5 sets out the functions of the council, purpose of the district plan and obligations in relation to the statutory and non-statutory planning instruments. The purpose of a district plan is to assist the council to carry out its functions to achieve the purpose of the RMA. When preparing a district plan under the RMA the Council must fulfil a number of statutory requirements.

Statutory and non-statutory documents

The RMA provides for a hierarchy of planning and policy instruments that provide national, regional and district policy direction. These include the NZ coastal policy statement (NZCPS), national policy statements (NPS), national environmental standards (NES), regional policy statements (RPS), and district and regional plans.

National Policy Statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

National policy statements contain provisions that deal with matters of national significance and are prepared by central government. New Zealand currently has four approved national policy statements. A list of the RMA legislative tools is available on the Ministry for the Environment (MFE) website.

The RMA requires that the district plan give effect to both national policy statements and the Regional Policy Statement; to have regard to management plans and strategies prepared under

other Acts; to have regard to the New Zealand Heritage List/Rārangī Kōrero and whether the district plan needs to be consistent with the plans of adjacent Councils, and to take into account any relevant planning document recognised by an iwi authority and lodged with the Council.

Where the objectives and policies in the higher order planning instruments use directive language, or terms with legal meaning developed through case law, the district plan must implement that direction in order to give effect to the NZCPS, NPS and RPS.

National policy statements and New Zealand Coastal Policy Statement

1. **New Zealand Coastal Policy Statement 2010 (NZCPS)** states objectives and policies in order to achieve the purpose of this Act in relation to the coastal environment of New Zealand. There are 7 objectives and 29 policies. Only those objectives and policies that apply to the coastal environment are relevant to the district plan. The integrity, form, functioning and resilience of the coastal environment is to be safeguarded, ecosystems sustained, natural character, natural features and landscape values are to be protected, the role of tangata whenua as kaitiaki is to be recognised, public open space qualities and recreation opportunities are to be maintained and enhanced, the well-being of people and communities provided for, coastal hazards risks are to be managed, and international obligations, particularly in relation to migratory species, are to be provided for.
2. **National Policy Statement for Freshwater Management 2014 (NPS-FM)** (amended 2017 and under review) states objectives and policies for matters of national significance that are relevant to freshwater management in achieving the purpose of this Act. There are 15 objectives and 28 policies relevant to the management of freshwater. The district council has no functions for the management of the quality and quantity of fresh water. Only the objectives and policies that apply to Te Mana o te Wai, the objective relating to integrated management, and the objective and policies that deal with tangata whenua roles and interests are relevant to the district plan.
3. **National Policy Statement Urban Development Capacity 2016 (NPS UDC)** states objectives and policies for matters of national significance that are relevant to providing sufficient urban development capacity relative to population growth, that is supported by infrastructure to achieve the purpose of this Act. There are 8 objectives and 29 policies, all of which are relevant to the district plan.
4. **National Policy Statement on Electricity Transmission 2008 (NPSET)** states the objective and policies to enable the management of the effects of the electricity transmission network and of other activities on the network under the Resource Management Act 1991. There is 1 Objective and 14 Policies; and a direction to identify the electricity transmission network on the relevant planning maps.
5. **Proposed National Policy Statement on Indigenous Biodiversity** states the objectives and policies to maintain New Zealand's indigenous biological diversity. There are 6 Objectives and 15 Policies. Local authorities are to assess and classify areas of significant indigenous vegetation and /or significant habitat of indigenous fauna, and take a precautionary approach to its management and to manage subdivision, use, and protection outside of an SNA to ensure indigenous biodiversity is maintained. Regional and district councils are to work with tangata whenua to agree a process to identify, map and describe taonga, as agreed with tangata whenua; and to promote restoration of wetlands, Significant Natural Areas (SNA), areas providing connectivity and former wetlands. There is a direction to include a requirement that the assessment of environmental effects includes specific matters.

6. **Hawkes Bay Regional Resource Management Plan 2006 (RRMP) Mahere Penapena Rawa** is a combined regional policy statement and regional plan. The purpose of the regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region. Chapters 2 and 3 contain the regional policy statement objectives, regionally significant issues, and objectives and policies. Chapter 4 contains the non-regulatory methods for implementing the RPS. Chapters 5 and 6 contain provisions that establish which local authority (i.e. the regional council or territorial authority) shall have responsibility for developing objectives, policies, and rules relating to the control of the use of land for natural hazards, and the storage, use, disposal, or transportation of hazardous substances; as well as procedures for cross boundary issues. The plan also has schedules and maps.
7. **Regional Coastal Environment Plan 2014 (RCEP) Mahere Taiao Taha Moana ā-Rohe** is to assist the regional council, in conjunction with the Minister of Conservation, to achieve the purpose of the RMA in relation to the coastal marine area. The RCEP incorporates the regional coastal plan (as required to be prepared by regional councils) as well as issues that arise in the landward component of the coastal environment. Part B sets out the specific objectives, policies and anticipated environmental result to deal with Matters of National Importance. Part C establishes an overall framework with objectives for the management of the area of the coastal environment that is not within the CMA; including coastal hazards. Part D sets out the objectives and policies that apply to the coastal marine area. Part E contains the regional rules. Part F contains the non-regulatory methods. Part G contains the administrative matters. The plan also has schedules and maps.

Statutory Plans and Documents prepared by other Organisations

Napier City shares its boundary with the Hastings District Council. There are issues that both councils have in common, such as genetically modified substances and activities on the surface of water. The provisions in the proposed and operative Hastings District Plan have informed the policy approach for the draft Napier District Plan.

In preparing the district plan, regard must be had to management plans and strategies prepared under other Acts; and any relevant entry on the New Zealand Heritage List/Rārangī Kōrero. Some of these are summarised below.

1. **The East Coast Hawke's Bay Conservation Management Strategy** is a statutory document prepared by the Department of Conservation in accordance with Part IIIA of the Conservation Act 1987, which sets out and implements general policies and establishes objectives for the integrated management of natural (including land and species) and historic resources.
2. **The New Zealand Heritage List/Rārangī Kōrero** identifies some of the significant and valued historical and cultural heritage places in Napier City.

Iwi Planning Documents

In preparing the district plan the Council must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

The Relationship with Other Plans and Documents

Ahuriri Estuary and Coastal Edge Masterplan July 2018 is “*an is an exciting vision for - a vibrant, healthy and resilient Ahuriri estuary and coastal edge*” and identifies the Ahuriri Masterplan projects included in the ten years of the proposed LTP Capital Programme.

The Heretaunga Plains Urban Development Strategy is the result of a collaborative approach by the Hastings District Council, Napier City Council and Hawke's Bay Regional Council towards managing urban growth on the Plains from 2015 to 2045. The joint Strategy was first adopted in 2010, then a reviewed version re-adopted by the three councils in early 2017 (HPUDS2017). This non-statutory strategy brought together previous separate urban development strategies that both Hastings and Napier had in place from the 1990's through to 2015. The revised HPUDS2017 updates the original joint strategy to accommodate and adapt to new growth projects, demographic changes and market drivers for housing and business land needs projected over the next 30 years.

Council Strategies, Policies, Bylaws and Code of Practice

The Council has developed a large number of strategies and policies to which regard must be had in preparing the Plan. These can be viewed on Napier City Council website.

Napier City has a management plan for the recreation reserves it manages on behalf of the community. The Napier City Council Reserves Management Plan deals with all reserves. The objectives and policies are divided into two sections, one General for all Reserves and an overall set for each group of Reserves with common characteristics e.g. Sportsgrounds, Public Gardens. Some reserves of special character have specific objectives and policies.

The Stormwater Bylaw 2020 is one of Napier City Council's tools to protect our urban waterways from pollution. The Bylaw gives Council powers and responsibilities pursuant to the Local Government Act 2002. These powers are used in an effort to ensure that only rain water is discharged to the system.

The Code of Practice for Subdivision and Land development sets the standards for subdivision or land development within the Napier City. The code identifies the minimum requirements for infrastructural design and construction; and includes the mandatory requirements and minimum levels of engineering and infrastructural standards.

Other Plans and Strategies

A number of regional and other strategies are relevant to, and have been considered in, the preparation of the District Plan. They include:

City Vision 2015 that sets out the vision and strategic framework to guide Napier to an integrated and exciting future, where opportunities are grasped with both hands, and our city is both beautiful and memorable.

TANK key reports: HBRC Ahuriri Estuary Environmental Evaluation 2004 which includes conservation recommendations for the estuary, tidal flats and outfall channels

General Approach

Draft District Plan

A draft District Plan has been prepared as part of the district plan review process. The district plan staircase sets out the process: Step 3 – draft district plan released for community feedback.



Structure of the District Plan

The structure of the district plan is prescribed by the National Planning Standards (November 2019). The District Plan has the following interrelated parts:

Part 1 - Introduction and General Provisions

The introduction and general provisions chapters explain the legislative context of the District Plan, the planning framework, and outlines how the plan works and tangata whenua perspectives and values.

Part 2 - District-wide Matters

The district wide chapters set out the strategic direction for the district plan, which includes the District Plan Review Key Outcomes, principles and strategic objectives. The objectives and policies in the District Plan are to be read and achieved in a manner consistent with the strategic objectives.

This section contains the chapters that implement the matters of national importance in RMA section 6 by identifying and managing the significant historic, cultural, ecological and natural values, natural character and public access. There are overlays that deal with historic heritage, sites of significance to Māori, outstanding natural features and landscapes, and significant natural areas. There are also noise overlays that apply to areas such as the Port and Airport. The overlays contain additional controls that apply to specific identified values or areas.

This section of the plan also contains the general district plan provisions that apply to topics that occur throughout the district and need a more focused management approach such as subdivision, energy and transport, hazards and risks. The other objectives, policies and rules that are found in this section and apply across the district include: activities on the surface of water, coastal environment, earthworks, light, noise, signs, and temporary activities.

Part 3 - Area-specific Matters

This section of the plan contains the area (or spatially) based planning controls.

Zones

All sites in Napier City are subject to a particular zone, which is identified on the planning maps. The zones identified in the plan include Residential zones, Rural zones, Commercial and mixed use zones, Industrial zones, Open space and recreation zones, and Special purpose zones. This section of the district plan has the Resource Management Issues, Objectives, Policies, Rules, and Assessment criteria that which manage activities in the relevant zone.

Each zone spatially defines and manages an area with common environmental characteristics or where particular environmental outcomes are sought. The zones enable similar, compatible activities or effects to be located in appropriate areas together, while managing those that are incompatible. Within each zone there may be sub-zones that have more specific objectives, policies and rules where there are particular issues to be addressed, characteristics or outcomes being sought in an area.

Precincts (PREC):

A Precinct is an area where specific plan provisions apply, together with those in an underlying zone. Where there is a conflict between the two, then the Precinct provisions are applied and over-ride the underlying zone provisions. A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s) (e.g. for the port or the airport).

Development Areas (DEV)

A development area identifies and manages areas where a structure plan applies; and where specific requirements must be met to ensure the areas are suitable for urban growth purposes. Additional provisions apply to enable integrated and coordinated growth in accordance with the structure plan for each area.

The purpose of a structure plan is to establish land use and related requirements for infrastructure networks; including the cycle, pedestrian, road, water, wastewater and open space infrastructure needs to support the urban growth.

Structure plans may identify, investigate, and address matters related to:

- Supply of urban land to meet the growth projects
- Any natural and physical features within the defined area
- Types of land use and activity
- The layout of transport networks and facilities
- The location of public access, parks, resources and open spaces, and if identified by criteria the location of significant natural and cultural areas
- The location and type of infrastructure that is to be provided.

Control Areas

In addition to zones, precincts and development areas, there are “control areas” which may apply a different rule to a specific area e.g. Orotu Drive Height Restriction Control Area.

Designations

The designation chapters use a unique identifier to identify land (a single site, area or along a linear route) that is the subject of Notice of Requirement that describes and authorises public works (such as a school, police station, state highway, railway line), and/or sets aside land for future public works. A designation may be included in the District Plan under section 168, section 168A or clause 4 of Schedule 1 of the Act. This mechanism is used by Ministers of the Crown, network utility operators and local authorities who are approved as requiring authorities under the RMA. Requiring authorities can only make a designation where they are financially responsible for the project, work or operation on the designated land. Other people must obtain the prior written consent of the requiring authority, do anything in relation to the designated land that would prevent or hinder the public work, project or work.

The District Plan rules do not apply to a public work, project or work undertaken by a requiring authority that is consistent with the purpose of the designation. A designation enables a requiring authority to undertake works in the designated area without the need for resource consent (but lodging an Outline Plan), unless works will be undertaken that are outside the scope of the designation.

If the land is used for a purpose that is not consistent with the purpose of the designation, then the provisions of the District Plan do apply and a resource consent may be required.

Appendices and Maps

These contain technical information and data, such as schedules of historic heritage, identified outstanding natural features and landscapes, significant natural areas and habitats of indigenous fauna, and design guides.

Planning Maps

Electronic planning maps spatially define zones, areas, overlays and features referred to within the District Plan chapters. Although most rules apply spatially, there are some that do not.

The legend of the map contains colours, polygons, and shading that is used to identify the relevant parts of the plan that apply to a property, including the zone, any precincts, any overlays, any specific control areas, symbols or Development Areas.

Cross Boundary Matters

Introduction

The Council has the option of including the processes for dealing with issues that cross territorial authority boundaries in the district plan.

Napier City is bordered by the Hastings District on all of the landward boundaries. It also shares boundaries with the Hawke's Bay Regional Council in respect of areas to the seaward side of mean high water springs and the coastal marine area boundary. The Hawke's Bay Regional Coastal Plan covers this area. Jurisdictional matters can be complex where some types of development cross jurisdictional boundaries. For example, the area of operations for the Port of Napier extend below the mean high water springs mark and into the area managed by the regional council. The Port Management Area as included in the operative Hawke's Bay Regional Coastal Plan and has been included in the district plan maps for information purposes only. The landward boundary of the Port Management Area is mean high water springs. The Port Management Area is solely within the coastal marine area and is identified in the regional coastal plan for the purpose of managing activities and the effects of activities within and near the Port of Napier.

There are a number of issues that are considered to be common to both territorial authorities (Napier City and Hastings District councils), particularly as the Heretaunga Plains is a single topographically similar area administered by the two authorities. A regional approach has been taken to accommodating industrial growth, and a consistent approach has been taken to the management of cross boundary issues.

Potential cross-boundary issues include:

- Noise
- Natural hazards
- Water quality and runoff effects
- Built structures which cross the mean high water springs boundary
- Activities on the Surface of Water of the Esk and Tutaekuri Rivers
- Land uses involving Genetically Modified Organisms
- Built structures (including roads and roading infrastructure) which cross zone, district and regional boundaries
- Providing for seasonal worker's accommodation
- Transport and other linear networks that extent beyond the district
- The effects of urban growth and land uses on productive land
- Reclamation activities within the coastal marine area, especially within the Port of Napier area

There is also the potential for effects of activities to cross property boundaries where different zones apply within the City. Cross boundary issues, in this instance, occur when the environmental effects of one resource use in a particular zone are experienced in another zone. For example, issues arising between zones within Napier City could include:

- Noise
- Visual Amenity
- Signage
- Light Spill
- Vibration

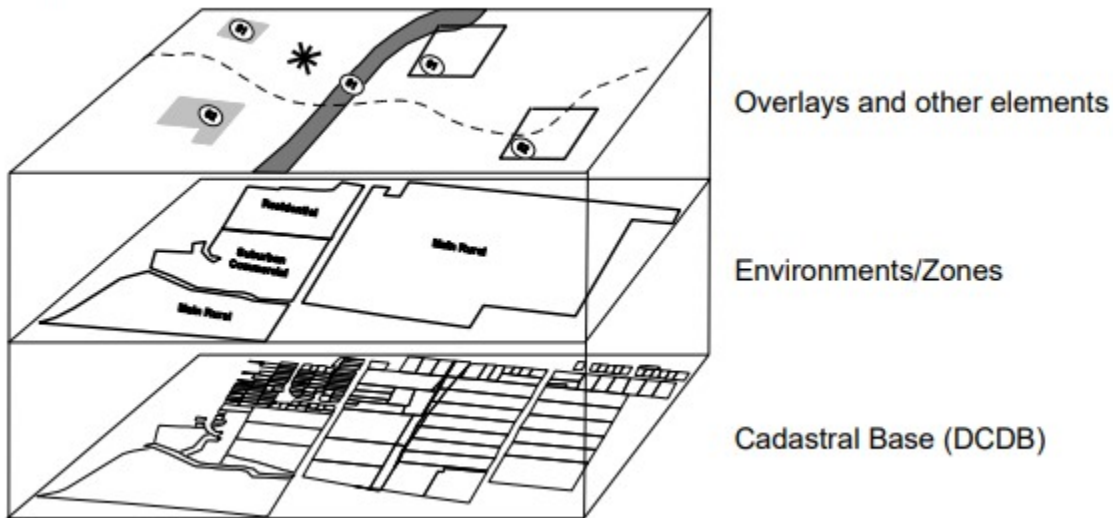
- Vehicle Parking, Access, Loading and Manoeuvring, etc.

Processes Adopted

The Council has adopted the following methods to deal with cross boundary issues:

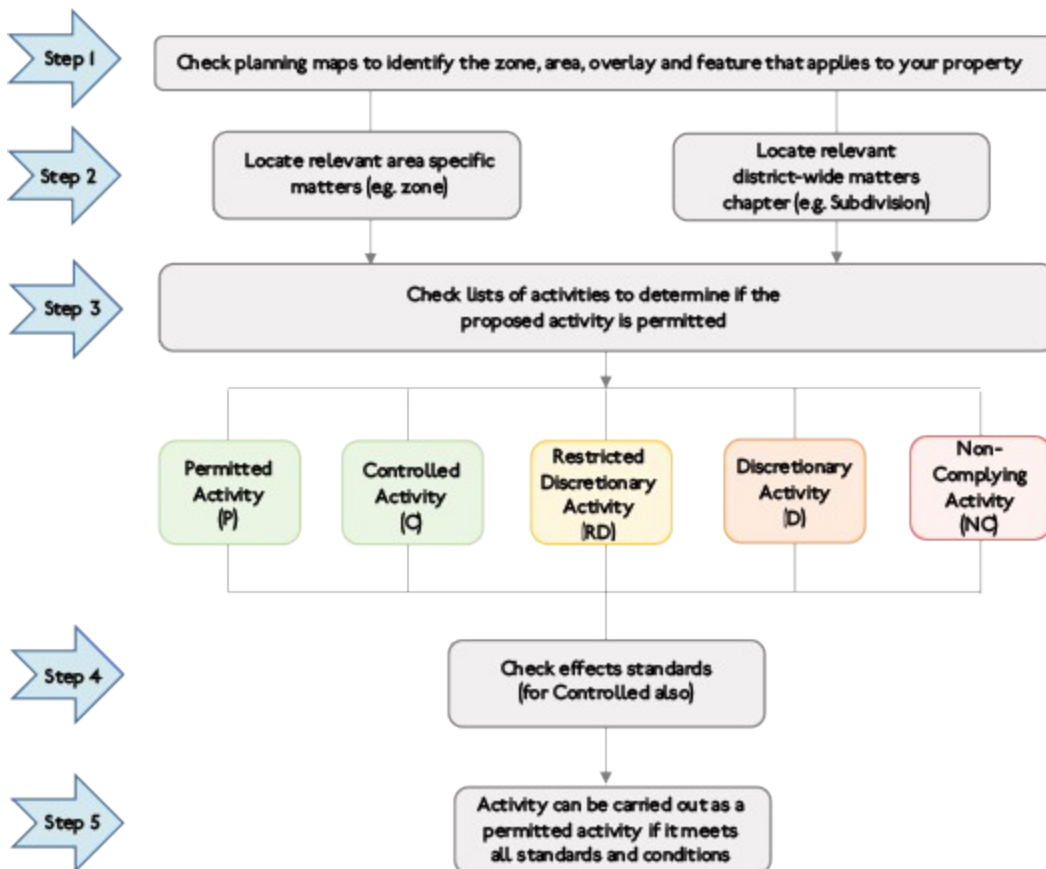
- a. Taking a consistent approach to the management philosophy of cross boundary issues. This would mean that objectives and policies in the district plan would not be inconsistent with those of the adjoining authorities for like issues. This is particularly important where consents may be required from each of the adjacent authorities.
- b. Maintaining dialogue with the adjoining authorities on issues of commonality.
- c. Holding joint hearings with other local authorities where appropriate.
- d. Sharing research information and considering joint monitoring programmes.
- e. Performance standards are included within this district plan to reduce the effects of resource use in one zone on another zone. Performance standards may address inter-zone effects of land uses, minimises the effects of cross boundary issues and promotes complementary, efficient and effective management of natural and physical resources.

Relationships Between Spatial Layers



Administrative Provisions

How to use the district plan



Step 1: Check the zone that applies and whether any notation, overlay or designation applies

View the ePlan and identify the site on the planning maps by entering the address of your site. Use the planning maps and property sidebar to identify what zone your site is located in and any special notations, structure plans, designations, precincts or overlays that are on or adjacent to your site; and to access specific district plan chapters that apply.

Step 2: Confirm the activity status

Having noted what zone your site is located in and any relevant overlays, refer to the applicable chapter(s) containing the rules for that particular zone and any precinct or overlay(s). Go to the relevant chapters for the zone that the property is located in. Check for any special feature or designation that applies and for any general rules that apply. Where necessary you could refer to the abbreviations and definitions to interpret those rules and standards.

Check the relevant chapter that contains the rules for your zone. In the zone chapter, check the Activity Status Table and the Standards for the activity you wish to undertake. Every activity will be indicated as being either a permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited activity.

If your site is in a precinct or has an overlay, also refer to the relevant district wide rules and/or diagrams and chapters. Check the rules and Standards that apply to your activity. If there is a conflict between the rules of the zone and the district wide rules, the district wide rules have precedence.

Step 3: Identify the activity class or classes.

Determine all of the different land use/activities involved. Some land uses may also involve subdivision of land; multi-unit development; network utilities; construction or relocation of buildings; signs; earthworks (includes excavations and filling); hazardous substances; sale of liquor; etc. The objectives and places that apply to the zone describe the outcome being sought; the policy approach and the assessment criteria the Council will use in the event that you need to make a resource consent application.

If your activity is permitted you can proceed without obtaining resource consent.

Step 4: Seek advice or have a pre-application meeting with the Council

If, after reading the district plan, you are unsure about whether or not a consent is required, or you are unsure about any aspect of the standards and rules, please contact the Council. Make sure you are familiar with the Plan provisions that relate to your site and all of the activities you wish to undertake. This will make it easier for Council staff to give you more advice about the consenting requirements. Often the advice of an independent planning consultant, surveyor, architect or solicitor will be helpful. It is possible to request the council to issue a certificate of compliance under RMA section 139 for an activity that can be done lawfully in a particular location without a resource consent. A certificate of compliance states that the activity can be done lawfully in a particular location without a resource consent. There may be existing use rights where a land use was lawfully established and has not been discontinued for more than 12 months. You may request an 'existing use certificate' to be issued by the Council under RMA sections 10 and 139A.

Step 5: Apply for resource consent

If your activity is classified as controlled, restricted discretionary, discretionary, or non-complying you will need to apply to the Council for a resource consent.

If your activity is classified as controlled or restricted discretionary the District Plan includes the matters that the Council has retained control, or discretion, over when it considers the resource consent application. There are also general matters of control and discretion that also apply. These are identified together with the rules categories identified in sections 5.1.3 and 5.1.4. The Council will also have regard to the objectives, policies and the assessment criteria of the district plan.

Applications for resource consents must be made in writing to the Council, and are to be made on the Forms prescribed in the RMA. Application forms, and information brochures detailing the information that must accompany an application, are available from Council offices or online at the Council's website and fees are payable .

Objectives and Policies in the district plan

District Plans must state the objectives for the district, which are designed to achieve the purpose of the RMA, and the policies and rules (if any) to implement those objectives.

The objectives in the plan address the issues that have been identified, and are to describe the outcome being sought. The policies are more specific and describe how it is proposed to implement objectives. The objectives and policies establish a framework for decision making and how the Council will undertake its functions and responsibilities under the Act

Classes of activities

Rules are the methods by which the Council achieves its objectives and policies. Activities are either provided for as a permitted activity, or are managed in the district plan through the resource consent process. The rules are categorised under the following classes of activity:

Permitted: no resource consent is required provided all of the standards in the plan are met. The requirements in the Council's Bylaws and Codes, such as the Code of Practice for Subdivision and Land Development, still apply, as does the requirements to comply with other legislation (for example: Building Act 1991).

Controlled: a resource consent is required and the Council must grant consent. The Council may impose conditions; but only in respect of those matters that the rule in the plan states the Council shall exercise its control over.

Restricted Discretionary: a resource consent is required. The Council may decline or grant consent with or without conditions relating to the specific matters that the rule in the plan specifies that the Council has retained discretion over.

Discretionary: a resource consent is required. The Council may decline or grant consent with or without conditions. In declining or granting consent, the Council's discretion is unrestricted and all effects and other matters may be considered.

Non-Complying: a resource consent may be granted or declined. In declining or granting consent, the Council's discretion is unrestricted and all effects and other matters may be

considered. A resource consent can only be granted if the consent authority is satisfied that either the adverse effects of the activity on the environment will be minor; or the activity will not be contrary to the objectives and policies of the relevant plan and any relevant proposed or operative plan.

Prohibited: no application can be made for the activity, and no resource consent can be granted. The activity cannot be carried out unless a plan change is sought to change the activity status.

Activity status	Is resource consent required?	What can Council consider?
Permitted	No	N/A.
Controlled	Yes, and consent must be granted	The 'matters over which control is reserved'.
Restricted Discretionary	Yes, and consent may be granted or declined	The 'matters over which discretion is restricted'.
Discretionary	Yes, and consent may be granted or declined	Any relevant matter.
Non-Complying	Yes, and consent may be granted or declined	Any relevant matter and consent can only be granted if the consent authority is satisfied that: <ul style="list-style-type: none"> the adverse effects of the activity on the environment will be minor; or the activity will not be contrary to the objectives and policies of the relevant plan and any relevant proposed plan.
Prohibited	No	No resource consent can be granted and the activity cannot be carried out unless a plan change is sought to change the activity status.

Additional Matters of Control, Matters of Discretion and Matters for Discretionary and Non-Complying Activities.

Additional matters of control and discretion

The following matters are additional matters over which control has been reserved for all controlled activities, and to which discretion has been restricted for all restricted discretionary activities, and will also apply with respect to discretionary and non-complying activities.

- i. bonds or covenants or both, to ensure performance or compliance with any conditions imposed,

- including provision for variation, cancellation or renewal of covenants;
- ii. administrative charges to be paid to the Council in respect of processing applications, administration, monitoring and supervision of resource consents, as set out in the Fees and Charges Schedule of the Long Term Plan;
 - iii. a requirement that the holder of a consent supply information relating to the exercise of the consent, as detailed in s108(3) and (4) of the Resource Management Act;
 - iv. works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including the creation, extension or upgrading of services and systems, planting or replanting, or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse environmental effects;
 - v. the duration of a resource consent under s123 of the Resource Management Act;
 - vi. lapsing of a resource consent under s125 of the Resource Management Act;
 - vii. change and cancellation of a consent under s126 and s127 of the Resource Management Act;
 - viii. notice that some or all conditions may be reviewed at some time in the future under s128 of the Resource Management Act;
 - ix. whether any land use or subdivision consent should attach to the land to which it relates and be enjoyed by the owners and occupiers for the time being under s134 of the Resource Management Act;
 - x. the matters on which conditions can be imposed on subdivision consents under s220 of the Resource Management Act; and
 - xi. consent notices to secure compliance with continuing conditions under s221 of the Resource Management Act.

Notification

The rules in the district plan may specify activities for which consent applications must be notified or specify that giving public notification of an application for a resource consent is precluded; or where giving limited notification of an application for a resource consent is precluded.

Activities with multiple activity status' under the rules (Bundling)

The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal. When a proposal involves several activities that are subject to multiple rules with different activity statuses, and/or involves an activity/activities across multiple zones, precincts, areas, overlays or features, and it is appropriate to "bundle" the activities, the proposal will be assessed on the basis of the most restrictive activity status.

Permitted baseline

The permitted baseline test will not be applied where:

- a. the application of the baseline would be inconsistent with Part 2 of the RMA
- b. the permitted activity baseline has uncertainties, or is fanciful or not credible
- c. the application of the baseline would be inconsistent with objectives and policies in the plan

Zoning of roads, railways and rivers

All public roads, including state highways, railways and rivers are zoned the same as the zoning of adjoining sites. Where a different zone applies on either side of the road, railway or river then the zoning will apply to the centreline of the road, railway or river.

The Coastal Marine Area, Waterbodies and the Ahuriri Estuary

The Coastal Marine Area (CMA), Waterbodies and the Ahuriri Estuary are shown in blue in the plan to assist with identifying jurisdictional boundaries. Napier City Council manages 'Activities on the Surface of Water' in freshwater outside of the CMA. The Regional Council manages all other use, development and protection of water and the CMA.

Definitions

ABRASIVE BLASTING	means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.
ACCESS STRIP	has the same meaning as in section 2 of the RMA (as set out in the box below) means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of that Act)
ACCESSORY BUILDING	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.
ACTIVE FRONTAGES	Ground floors with windows and doors onto the street which create interest and activity
ADDITION	means any works undertaken to an existing building which has the effect of increasing the gross floor area of that building
AERIAL	a device that receives or transmits radiocommunication or telecommunication signals, but not a small cell unit.
AIRCRAFT OPERATION	means ground movements, take offs and landings, but exclude: a. Aircraft landing or taking off in an emergency; b. Emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency; c. Aircraft using the airport due to unforeseen circumstances as an essential alternative to landing at the planned destination airport; d. Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Act 1983; e. Flights certified by the Minister of Defence as necessary for reasons of National security in accordance with section 4 of the Civil Defence Act 1983; and f. Aircraft undertaking firefighting or search and rescue duties.
AIRPORT ACTIVITY	means the following use of land and/or buildings related to or ancillary to the function and operation of the Hawke's Bay Airport: a. Any activity associated with Aircraft Operation (excluding aircraft operation); b. Runways, taxiways, aprons and other aircraft movement areas; c. Airport terminals, hangars and control towers; d. Rescue, fire, police and medical facilities; e. Fuel installations and fuel servicing facilities; f. Navigation and safety aids, meteorological stations, lighting and telecommunications facilities; g. Maintenance and servicing facilities, including testing of aircraft engines (in situ or otherwise); h. Catering and preparation of food; i. Cafes within terminal buildings; j. Retail activities within terminal buildings; k. Freight and luggage facilities; l. Activities and facilities directly associated with servicing the needs of airport passengers, visitors and employees; m. Quarantine and incineration facilities, border control and immigration facilities and aviation security; n. Airport navigational, control and safety equipment;

	<ul style="list-style-type: none"> o. Aircraft training facilities, including associated educational and accommodation facilities; p. Warehouses and storage facilities; q. Access roads, walkways and cycleways; r. Vehicle parking and storage, rental vehicle activities, vehicle valet activities and public transport facilities; s. Stormwater facilities, infrastructure and utility activities; t. Monitoring and site investigation activities; u. Signs, artwork, sculptures, flags and landscaping; v. Administration and offices associated with any of the foregoing activities; w. Any ancillary activities, buildings and structures related to the above.
ALLOTMENT	<p>has the same meaning as in section 218 of the RMA (as set out in the box below)</p> <p>means—</p> <ul style="list-style-type: none"> a. any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not— <ul style="list-style-type: none"> i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or b. any parcel of land or building or part of a building that is shown or identified separately— <ul style="list-style-type: none"> i. on a survey plan; or ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or c. any unit on a unit plan; or d. any parcel of land not subject to the Land Transfer Act 1952.
AMATEUR RADIO	radio-communication services for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, by duly authorised persons interested in radio technique solely with a personal aim and without pecuniary interest.
AMENITY VALUES	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes</p>
AMENITY VALUES	has the same meaning as in section 2 of the RMA (as set out in the box below) means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.
ANCILLARY ACTIVITY	means an activity that supports and is subsidiary to a primary activity.
ANCILLARY ACTIVITY	means an activity that either provides support to, or is incidental and subsidiary to, the primary activity on the same site
ANTENNA DISH	a device that receives and transmits radiocommunication or telecommunication signals, but not a small cell unit.
AQUIFER	means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water.
BED	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>means—</p> <ul style="list-style-type: none"> a. in relation to any river— <ul style="list-style-type: none"> i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover

	<p>at its annual fullest flow without overtopping its banks:</p> <p>ii. in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and</p> <p>b. in relation to any lake, except a lake controlled by artificial means,—</p> <p>i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;</p> <p>ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</p> <p>c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</p>
BEST PRACTICABLE OPTION	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</p> <p>a. the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</p> <p>b. the financial implications, and the effects on the environment, of that option when compared with other options; and</p> <p>c. the current state of technical knowledge and the likelihood that the option can be successfully applied.</p>
BEST PRACTICABLE OPTION	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</p> <p>a. the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</p> <p>b. the financial implications, and the effects on the environment, of that option when compared with other options; and</p> <p>c. the current state of technical knowledge and the likelihood that the option can be successfully applied</p>
BORE	<p>a. means any hole constructed into the ground that is used to—</p> <p>i. investigate or monitor conditions below the ground surface; or</p> <p>ii. abstract liquid substances from the ground; or</p> <p>iii. discharge liquid substances into the ground; but</p> <p>b. it does not include test pits and soak holes</p>
BOUNDARY	means the legal perimeter of a site
BOUNDARY ADJUSTMENT	means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.
BUILDING	<p>means a temporary or permanent movable or immovable physical construction that is:</p> <p>a. partially or fully roofed, and</p> <p>b. is fixed or located on or in land, but</p> <p>c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.</p>
BUILDING	means any structure, whether temporary or permanent, moveable or fixed, that is enclosed, with 2 or more walls and a roof, or any structure that is similarly enclosed
BUILDING ACTIVITIES	<p>Means undertaking or carrying out any of the following building works:</p> <ul style="list-style-type: none"> ● erection of a structure – erection of new buildings and structures; ● alterations to a structure – internal and external alterations to existing buildings or structures that do not have the effect of increasing the gross floor area of a building or the height of a building or structure;

	<ul style="list-style-type: none"> • Additions to a structure – additions to existing buildings or structures that have the effect of increasing the gross floor area of a building or the height of a building or structure; • Demolition or removal of a structure – total or partial demolition of an existing building or structure or the removal of an existing building or structure to a different area within the same site; • Relocation of a structure – relocation of a building or structure onto a new site, and/or repositioning or relocating a building or structure to a different area within the same site; and • Access ways or driveways between the road boundary and the building platform.
BUILDING COVERAGE	means the percentage of the net site area covered by the building footprint.
BUILDING DAMAGE FROM VIBRATION	means any permanent effect of vibration that reduces the serviceability of a structure or one of its components
BUILDING FOOTPRINT	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.
CLEANFILL	means an area used for the disposal of exclusively inert, non-decomposing material
CLEANFILL AREA	means an area used exclusively for the disposal of cleanfill material.
CLEANFILL MATERIAL	means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: <ul style="list-style-type: none"> a. combustible, putrescible, degradable or leachable components; b. hazardous substances and materials; c. products and materials derived from hazardous waste treatment, stabilisation or disposal practices; d. medical and veterinary wastes, asbestos, and radioactive substances; e. contaminated soil and other contaminated materials; and f. liquid wastes.
COASTAL MARINE AREA	has the same meaning as in section 2 of the RMA (as set out in the box below) means the foreshore, seabed, and coastal water, and the air space above the water— <ul style="list-style-type: none"> a. of which the seaward boundary is the outer limits of the territorial sea; b. of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of— <ul style="list-style-type: none"> i. 1 kilometre upstream from the mouth of the river; or ii. the point upstream that is calculated by multiplying the width of the river mouth by 5
COASTAL WATER	has the same meaning as in section 2 of the RMA (as set out in the box below) means seawater within the outer limits of the territorial sea and includes — <ul style="list-style-type: none"> a. seawater with a substantial fresh water component; and b. seawater in estuaries, fiords, inlets, harbours, or embayments.
COMMERCIAL ACTIVITY	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).
COMMERCIAL MOTORISED WATER RECREATION ACTIVITIES	means the use of any craft on the surface of water by a person, either as a passenger or driver that is propelled or driven otherwise than solely by oars, paddles or the wind, in which the use of that craft is operated for profit.
COMMUNAL OPEN	means, in relation to developments of five or more residential units or

SPACES	Papakāinga developments, a specified quantity of landscaped land freely available to all residents on the site, exclusive of driveways, buildings, and the private outdoor living space requirements of individual household units.
COMMUNITY CORRECTIONS ACTIVITY	means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.
COMMUNITY FACILITY	means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.
CONTAMINANT	has the same meaning as in section 2 of the RMA (as set out in the box below) includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat— a. when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or b. when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.
CONTAMINATED LAND	has the same meaning as in section 2 of the RMA (as set out in the box below) means land that has a hazardous substance in or on it that— a. has significant adverse effects on the environment; or b. is reasonably likely to have significant adverse effects on the environment.
COVERAGE	means the percentage of the net site area covered by the footprint of structures as identified in the relevant rule
CPTED	Crime Prevention Through Environmental Design
CULTIVATION	means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock), for the purpose of sowing, growing or harvesting of pasture or crops.
DISCHARGE	has the same meaning as in section 2 of the RMA (as set out in the box below) includes emit, deposit, and allow to escape.
DRAIN	means any artificial watercourse, designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes.
DRINKING WATER	means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene.
DRY ABRASIVE BLASTING	means abrasive blasting using materials to which no water has been added.
DUST	means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood.
EARTHWORKS	means the disturbance of land by moving, placing or replacing earth, or by excavation or cutting; filling or backfilling and the removal of or importation of earth (including topsoil) to and from any site, but does not

	<p>include:</p> <ul style="list-style-type: none"> • tilling or cultivating of soil, harvesting and maintaining of crops for land based primary production; • land disturbance associated with the internments in burial grounds, cemeteries, or urupa; • land disturbance associated with domestic scale gardening, and; • land disturbance associated with the construction or maintenance of fences, poles and service connections. <p>The volume of earthworks is the sum of both cut and fill operations.</p>
EDUCATIONAL FACILITY	<p>a. means the use of land or building for the primary purpose of regular teaching or training in accordance with a pre-set syllabus by suitably qualified or experienced instructors; but</p> <p>b. does not include any industrial activity</p>
EDUCATIONAL FACILITY	means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities.
EFFECT	<p>has the same meaning as in section 3 of the RMA (as set out in the box below)</p> <p>includes—</p> <ul style="list-style-type: none"> a. any positive or adverse effect; and b. any temporary or permanent effect; and c. any past, present, or future effect; and d. any cumulative effect which arises over time or in combination with other effects— <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes—</p> <ul style="list-style-type: none"> e. any potential effect of high probability; and f. any potential effect of low probability which has a high potential impact.
ENVIRONMENT	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>includes—</p> <ul style="list-style-type: none"> a. ecosystems and their constituent parts, including people and communities; and b. all natural and physical resources; and c. amenity values; and d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.
ESPLANADE RESERVE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>means a reserve within the meaning of the Reserves Act 1977—</p> <ul style="list-style-type: none"> a. which is either— <ul style="list-style-type: none"> i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or ii. a reserve vested in the Crown or a regional council under section 237D; and b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.
ESPLANADE STRIP	has the same meaning as in section 2 of the RMA (as set out in the box below) means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.
FERTILISER	means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or

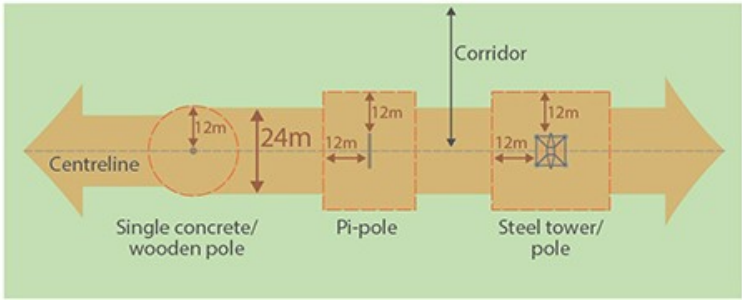
	<p>quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</p> <ol style="list-style-type: none"> nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or fertiliser additives to facilitate the uptake and use of nutrients; or non-nutrient attributes of the materials used in fertiliser. <p>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</p>
FOOTPRINT	means the total area of structures at ground floor level and the area of any section of any of those structures that protrudes directly above the ground
FRESHWATER	has the same meaning as fresh water in section 2 of the RMA (as set out in the box below) means all water except coastal water and geothermal water.
FUNCTIONAL NEED	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.
GAS TRANSMISSION NETWORK	any gas or liquid petroleum pipeline with a pressure greater than 2,000 kilopascals, inclusive of any incidental above or below ground equipment which forms part of the transmission network.
GREEN INFRASTRUCTURE	<p>means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to:</p> <ol style="list-style-type: none"> provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and provide services to people and communities, such as storm water or flood management or climate change adaptation.
GREYWATER	means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste.
GROSS FLOOR AREA	<p>means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells),</p> <ol style="list-style-type: none"> where there are exterior walls, measured from the exterior faces of those exterior walls where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, measured from the edge of the floor.
GROUND LEVEL	<p>means—</p> <ol style="list-style-type: none"> the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created) if the ground level cannot be identified under paragraph (a), the existing surface level of the ground if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.
GROUNDWATER	means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground.
HABITABLE ROOM	means any room in a residential unit, visitor accommodation, educational facility, commercial activity or healthcare facility used for the purposes of

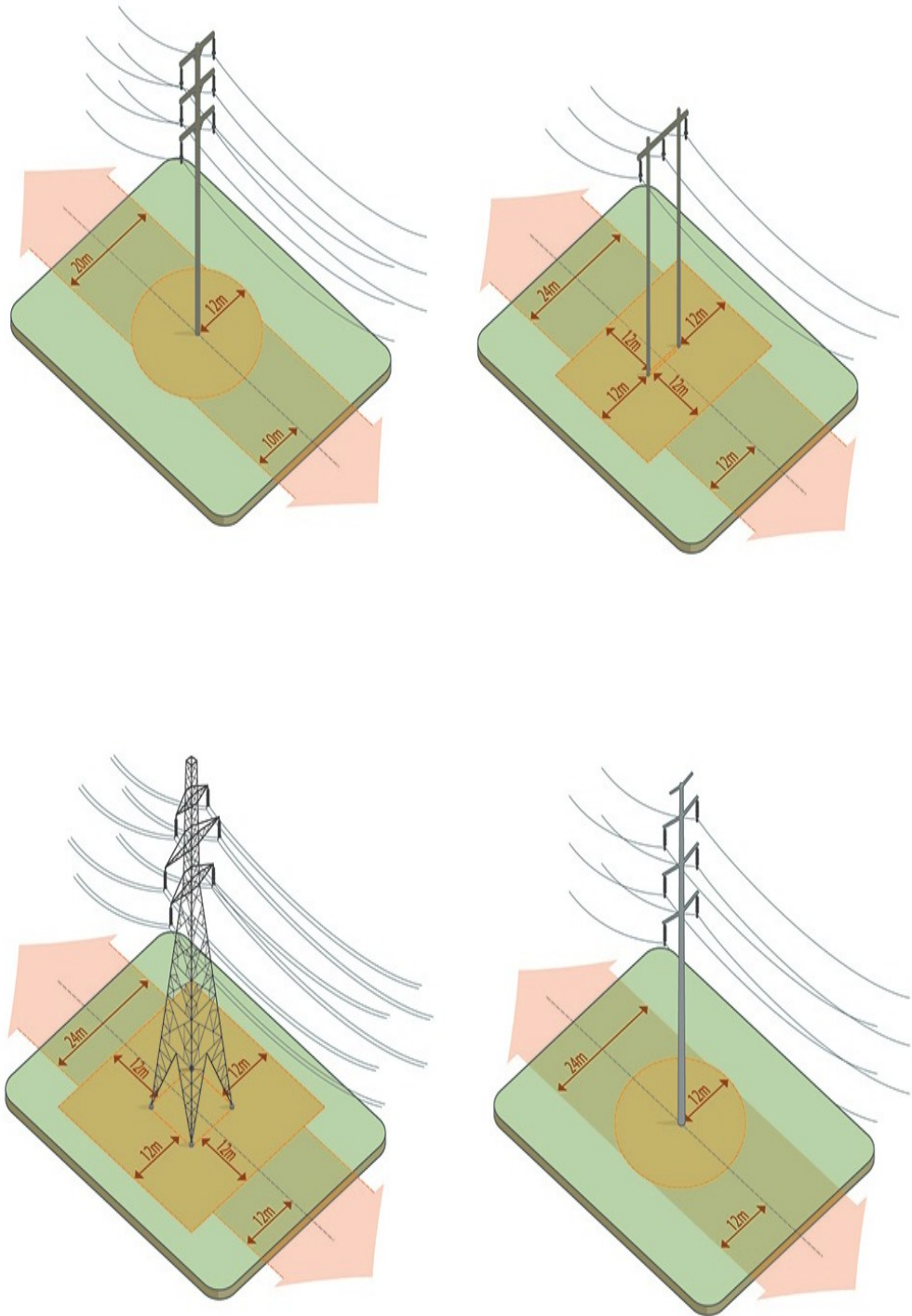
	teaching or respite care or used as a living room, dining room, sitting room, bedroom, or similarly occupied room
HAPŪ	Sub-tribe, usually a number of whanau with a common ancestor.
HAUORA	is a Māori view of health, an integrated concept, and covers the physical, mental, social and spiritual needs that everyone has. Māori believe that each of these four concepts supports the others
HAZARDOUS SUBSTANCE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance—</p> <ol style="list-style-type: none"> a. with 1 or more of the following intrinsic properties: <ol style="list-style-type: none"> i. explosiveness: ii. flammability: iii. a capacity to oxidise: iv. corrosiveness: v. toxicity (including chronic toxicity): vi. ecotoxicity, with or without bioaccumulation; or b. which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).
HEIGHT	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.
HEIGHT IN RELATION TO BOUNDARY	<p>means the height of a structure, building or feature, relative to its distance from either the boundary of a:</p> <ol style="list-style-type: none"> a. site, or b. other specified reference point.
HEIGHT IN RELATION TO BOUNDARY	means the maximum height of a structure relative to its distance from the boundary of a site or other specified location
HISTORIC HERITAGE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <ol style="list-style-type: none"> a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: <ol style="list-style-type: none"> i. archaeological: ii. architectural: iii. cultural: iv. historic: v. scientific: vi. technological; and b. includes— <ol style="list-style-type: none"> vii. historic sites, structures, places, and areas; and viii. archaeological sites; and ix. sites of significance to Māori, including wāhi tapu; and x. surroundings associated with the natural and physical resources.
HOME BUSINESS	<p>means a commercial activity that is:</p> <ol style="list-style-type: none"> a. undertaken or operated by at least one resident of the site; and b. is incidental to the use of the site for a residential activity.
INDUSTRIAL ACTIVITY	means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.
INDUSTRIAL WASTE AND TRADE WASTE	means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial,

	industrial or trade process, but excludes sewage and greywater.
INFRASTRUCTURE	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>means—</p> <ol style="list-style-type: none"> a. pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy; b. a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; c. a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; d. facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— <ol style="list-style-type: none"> i. uses them in connection with the generation of electricity for the person's use; and ii. does not use them to generate any electricity for supply to any other person; e. a water supply distribution system, including a system for irrigation; f. a drainage or sewerage system; g. structures for transport on land by cycleways, rail, roads, walkways, or any other means; h. facilities for the loading or unloading of cargo or passengers transported on land by any means; i. an airport as defined in section 2 of the Airport Authorities Act 1966; j. a navigation installation as defined in section 2 of the Civil Aviation Act 1990; k. facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988; l. anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166
INTENSIVE INDOOR PRIMARY PRODUCTION	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.
INTENSIVE PRIMARY PRODUCTION	means primary production activities that involve the production of fungi, livestock or poultry that principally occur within buildings
IWI	Tribe or grouping of people with tribal affiliations.
IWI AUTHORITY	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>Means the authority which represents an iwi and which is recognised by that iwi as having authority to do so</p>
KAIMOANA	Means seafood
KAINGA	Means settlement, home or place of residence
KAITIAKI	<ol style="list-style-type: none"> 1. Guardians. 2. Behaviours, practices and protocols exercised by tangata whenua in the sustainable management of physical and natural resources.
KAITIAKITANGA	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship</p>
KARAKIA	Māori incantations and/or prayers
KAUMĀTUA	Elderly man or woman - a person of status within the whānau

KAUPAPA MĀORI	<ol style="list-style-type: none"> 1. Values, principles, key concepts or beliefs unique to <i>te ao Māori</i> (Māori world). 2. A kaupapa Māori-based approach designed to assesses the impacts (potential and/or actual) of projects, policies, proposals, etc. on a targeted Māori audience.
KĀWANATANGA	Authority or government
KIATIAKITANGA	Has the same meaning as in the Resource Management Act 1991 and any subsequent amendments.
KŌHANGA REO	Pre-schooling environment where learning takes place in te reo Māori and tikanga Māori.
KOTAHITANGA	Behaviours and practices that promote encourage working together.
LA90	has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
LAEQ	has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics -Measurement of Environmental Sound.
LAF(MAX)	has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement Of Environmental Sound.
LAKE	has the same meaning as in section 2 of the RMA (as set out in the box below) means a body of fresh water which is entirely or nearly surrounded by land.
LAND	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <ol style="list-style-type: none"> a. includes land covered by water and the airspace above land; and b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.
LAND DISTURBANCE	means alteration or disturbance of land, (or any matter constituting the land including, soil, clay, sand and rock), that does not permanently alter the profile, contour or height of the land.
LANDFILL	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.
LDN	has the same meaning as the 'Day night level, or day-night average sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
LIGHT MANUFACTURING AND SERVICING	means the manufacturing, assembling, testing, fabricating, processing, packing, service and repair of articles, goods or produce that does not involve the use of heavy machinery, is carried out indoors (apart from required parking and manoeuvring) and that is unlikely to give rise to significant adverse effects beyond the site and will not generally require the use, storage or handling of large quantities of hazardous substances nor require air discharge consents.
LPEAK	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.
MAHI	work
MAHINGA KAI	Places where food was produced or procured.
MAINTENANCE (NETWORK)	any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the

UTILITIES)	replacement of an existing line, building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. Also includes the addition of extra lines to existing or replacement poles or other support structures.
MAINTENANCE (RENEWABLE ENERGY)	the undertaking of work necessary to keep a renewable electricity generation activity operating at an efficient and safe level (e.g. activities include erosion, sediment and flood control, weed control, access requirements, maintenance of plant, machinery or structures and monitoring of operations).
MANA WHENUA	Customary authority and title exercised by an iwi or hapū over land and other taonga within the tribal rohe.
MANĀĀKITANGA	Hospitality, kindness, generosity, support - the process of showing respect, generosity and care for others.
MĀORI CULTURAL TOURISM ACTIVITIES	Means Commercial Activities directly relating to Māori Cultural experiences, Performing & Visual Arts, Museums and Galleries, Souvenirs & Gifts
MARAE	means a site reserved under the Maori Affairs Act 1953 which is owned or administered by legally appointed trustees or a trust body for the common benefit of a defined group of Māori people.
MAST	see definition of 'Pole'.
MĀTAURANGA	Knowledge, wisdom, understanding, skill - sometimes used in the plural.
MĀTAURANGA MĀORI	As defined in the Draft National Policy Statement for Indigenous Biodiversity 2019; Māori customary knowledge, traditional knowledge or intergenerational knowledge.
MAUNGA	Mountain
MAURI / MOURI	The essence or quality of being alive, living.
MHWS	mean high water springs
MINING	has the same meaning as in section 2of the RMA and Crown Minerals Act 1991 (as set out in the box below) a. means to take, win, or extract, by whatever means,— i. a mineral existing in its natural state in land; or ii. a chemical substance from a mineral existing in its natural state in land; and b. includes— i. the injection of petroleum into an underground gas storage facility; and ii. the extraction of petroleum from an underground gas storage facility; but c. does not include prospecting or exploration for a mineral or chemical substance referred to in paragraph (a)
MINOR RESIDENTIAL UNIT	means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site, which can be attached to the principal building or be a detached stand-alone building.
NATIONAL GRID	as defined in the National Policy Statement on Electricity Transmission (2008) and as identified as the 'National Grid Line' on the Planning Maps.

<p>NATIONAL GRID SUBDIVISION CORRIDOR</p>	<p>the area measured either side of the centreline of above ground National Grid line as follows:</p> <ul style="list-style-type: none"> • 14m for 110kV national grid lines on single poles • 32m for 110kV transmission lines on towers  <p>The diagram illustrates the National Grid Subdivision Corridor. It shows a central 'Centreline' with a double-headed arrow. To the left is a 'Single concrete/ wooden pole' with a 12m setback from the centreline. To the right are two types of towers: a 'Pi-pole' and a 'Steel tower/ pole', both with 12m setbacks from the centreline. The total width of the corridor is 24m for single poles and 32m for towers. A vertical arrow labeled 'Corridor' indicates the width.</p> <p>The National Grid Subdivision Corridor and National Grid Yard do not apply to underground cables or any underground transmission lines (or sections of line) that are designated by Transpower. The measurement of setback distances from National Grid lines is to be taken from the centreline of the two support structures at each end of the span.</p>
<p>NATIONAL GRID YARD</p>	<p>the area located within 12m in any direction from the outer visible edge of a National Grid support structure foundation or the area located within 10m either side of the centreline of an overhead 110kV National Grid line on single poles or the area located within 12m either side of the centreline of any overhead National Grid line on pi-poles or towers (including tubular steel towers where these replace steel lattice towers). The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated by Transpower New Zealand. The measurement of setback distances from National Grid lines shall be taken from the centreline of the transmission line and from the outer edge of any support structure. The centreline at any point is a straight line between the centre points of the two support structures at each end of the span.</p>



NATURAL AND PHYSICAL RESOURCES

has the same meaning as in section 2 of the RMA (as set out in the box below) Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

NAUTRAL HAZARD

has the same meaning as in section 2 of the RMA (as set out in the box below) means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life,

	property, or other aspects of the environment.
NET FLOOR AREA	<p>a. means the sum of any gross floor area; and</p> <p>b. includes—</p> <ol style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock storage or preparation areas; but <p>c. excludes—</p> <ol style="list-style-type: none"> i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a building; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. building service rooms; vii. parking areas and basement areas used for parking, manoeuvring and access; and viii. non-habitable floor spaces in rooftop structures.
NET SITE AREA	<p>means the total area of the site, but excludes:</p> <ol style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site used for access to the site; d. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.
NET SITE AREA	<p>means the total area of the site, but does not include:</p> <ol style="list-style-type: none"> a. any area of land that legally provides access to another site; b. any area of land used primarily for legal access to a rear site; c. any area of land subject to a designation that is intended to be taken or acquired under the Public Works Act 1981
NETWORK UTILITY	a project, work, system or structure that is a network utility operation undertaken by a network utility operator.
NETWORK UTILITY OPERATOR	<p>has the same meaning as in s166 of the RMA (as set out in the box below)</p> <p>means a person who—</p> <ol style="list-style-type: none"> a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or b. operates or proposes to operate a network for the purpose of— <ol style="list-style-type: none"> i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or e. undertakes or proposes to undertake a drainage or sewerage system; or f. constructs, operates, or proposes to construct or operate, a road or railway line; or g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,— <p>and the words network utility operation have a corresponding meaning</p>
NGĀ WHĀINGA	Aims, goals, objectives.

NOISE	has the same meaning as in section 2 of the RMA (as set out in the box below) includes vibration.
NOISE RATING LEVEL	means a derived noise level used for comparison with a noise limit.
NOTIONAL BOUNDARY	means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.
OFFICIAL SIGN	means all signs required or provided for under any statute or regulation, or are otherwise related to aspects of public safety.
OPERATION (RENEWABLE ENERGY)	the working of a renewable electricity generation activity on a day-to-day basis to generate and transmit electricity.
OPERATIONAL NEED	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.
OUTDOOR LIVING SPACE	means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.
PAPAKĀINGA	means residential housing on land identified under PAK: Papakāinga, or when used in any other context of the Plan means housing established on Māori land primarily for the use of Māori people
PĀTAKA	Food storehouse / pantry
PEAK PARTICLE VELOCITY	means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position.
POU HAKI	Flag pole.
PRIMARY PRODUCTION	means: <ul style="list-style-type: none"> a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but d. excludes further processing of those commodities into a different product.
PRINCIPAL LIVING AREA	means any room in any residential building other than a room used principally as a laundry or bathroom.
PŪKENGĀ	A person skilled or versed in the customary and traditional knowledge, tikanga, arts, histories and genealogies of a particular iwi or hapū.
QUARRY	means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities.
QUARRYING ACTIVITIES	means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.
RAFT	has the same meaning as in section 2 of the RMA (as set out in the box below) means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situated on lakes subject to artificial control which have

	been installed to ensure the safe operation of electricity generating facilities.
RĀHUI	Restriction on access; prohibition
RANGATIRATANGA	Behaviours and practices that demonstrate both traditional and contemporary expressions of Māori leadership. Right to exercise authority, chiefly autonomy.
RATING LEVEL	means a derived noise level used for comparison with a noise limit
RECLAMATION	means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and a. includes the construction of any causeway, but b. excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.
RECREATIONAL ACTIVITY	means any land and/or BUILDINGS whose primary use is for passive or active leisure, whether competitive or non-competitive, casual or organised, including shelter, cycleways and walkways outside roads, PUBLIC CONVENIENCES, the use of outdoor school grounds between the hours of sunrise and sunset, and other ACCESSORY BUILDINGS.
RENEWABLE ELECTRICITY GENERATION ACTIVITIES	the construction, operation, maintenance and upgrading of structures associated with renewable electricity generation. Includes small and community-scale distributed renewable electricity generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.
RENEWABLE ENERGY	means energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave, and ocean current sources.
RENOURISHMENT	a process by which soil, sediment, or other earth materials appropriate to the context, is replaced by earth materials from another source
RESEARCH AND INNOVATION ACTIVITIES	means activities involved in the research, development, manufacture and commercial application of advanced technology, including but not limited to, agritechology, biotechnology, chemical processes, food technology, laser physics, information technology, energy technology, transportation technology, manufacturing technology, medical technology, materials technology, telecommunications and data management and processing, soil, air and water research, infrastructure systems and management, and activities required to serve the aforementioned activities (including ancillary and accessory administrative functions).
RESIDENTIAL ACTIVITY	means the use of land and buildings by people for the primary purpose of living accommodation
RESIDENTIAL UNIT	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.
RETIREMENT VILLAGE	means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.
REVERSE SENSITIVITY	means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity

RIVER	has the same meaning as in section 2 of the RMA (as set out in the box below) means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).
ROAD	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989</p> <p>Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which—</p> <ol style="list-style-type: none"> immediately before the commencement of this Part was a road or street or public highway; or immediately before the inclusion of any area in the district was a public highway within that area; or is laid out by the council as a road or street after the commencement of this Part; or is vested in the council for the purpose of a road as shown on a deposited survey plan; or is vested in the council as a road or street pursuant to any other enactment;— and includes— except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988: every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;— <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roding Powers Act 1989</p> <p>Section 2(1) of the Government Roding Powers Act 1989 motorway definition motorway—</p> <ol style="list-style-type: none"> means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level
ROHE	A territory or boundary that defines the area within which a tangata whenua group claims traditional association and mana whenua.
RONGOĀ	Traditional Māori medicine
ROOT PROTECTION AREA	<p>means the circular area surrounding a tree, which is the greater of the radius, measured from the base of the trunk to:</p> <ol style="list-style-type: none"> the outer extent of the branch spread; or half the height of the tree. <p><i>If this definition is included in the final standard, a diagram similar to the CCC Replacement District Plan dripline definition will be included, eg.:</i> FIGURE</p>

RURAL INDUSTRY	means an industrial activity where the principal function supports primary production or aquaculture activities
RURAL INDUSTRY	means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.
SENSITIVE ACTIVITIES	Means any: <ol style="list-style-type: none"> 1. residential activity 2. visitor accommodation 3. community facility 4. educational facility 5. Health care facility 6. Marae 7. Place of assembly
SETBACK	means the distance between a structure or activity and the boundary of its site, or other feature specified in the Plan
SEWAGE	means any water that contains any toilet or urinal waste, or any waste in water from industrial or commercial processes
SEWAGE	means human excrement and urine.
SIGN	means any device, character, graphic or electronic display, whether temporary or permanent; which <ol style="list-style-type: none"> a. is for the purposes of— <ol style="list-style-type: none"> i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; and b. is projected onto, or fixed or attached to, any, structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice.
SIGNIFICANT HAZARDOUS FACILITIES	Means any facility which involves one or more of the following activities: <ul style="list-style-type: none"> • Manufacturing of hazardous substances (including industries manufacturing agrochemicals, fertilisers, acids/alkalis or paints) • Oil and gas exploration and extraction facilities • The storage/use of more than 100,000l of petrol • The storage/use of more than 50,000l of diesel • The storage/use of more than 6 tonnes of LPG • Galvanising plants • Electroplating and metal treatment facilities • Tanneries • Freezing works and rendering plants • Wastewater treatment plants • Metal smelting and refining (including battery refining or recycling) • Milk treatment plants • Fibreglass manufacturing • Polymer foam manufacturing • Asphalt/bitumen manufacture or storage • Landfills
SITE	means: <ol style="list-style-type: none"> a. an area of land comprised in a single computer freehold register (record of title as per Land Transfer Act 2017); or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be administered separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate computer freehold register could be issued without further consent of the Council; or d. in the case of land subdivided under the Unit Title Act 1972 or the cross lease system, a site is deemed to be the whole of the land subject to the unit development or cross lease; or

	e. an area of adjacent land comprised in two or more computer freehold registers where an activity is occurring or proposed.
SITE	means: <ul style="list-style-type: none"> a. an area of land comprised in a single record of title as per Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title as per Land Transfer Act 2017 could be issued without further consent of the Council; or d. except that in relation to each of sub clauses (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or 2010 or a cross lease system, a site is the whole of the land subject to the unit development or cross lease.
SMALL SCALE RENEWABLE ELECTRICITY GENERATION ACTIVITY	small scale and community scale renewable electricity generation at a capacity of no greater than 20 kW for the purpose of using or generating electricity on a particular site, or supplying an immediate community, or connecting into the distribution network, and includes generation using solar, wind, hydro and biomass energy resource.
SPECIAL AUDIBLE CHARACTERISTIC	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.
STORMWATER	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within.
STRUCTURE	means any building, equipment, device or other facility made by people and which is fixed to or located on land; and includes any raft, but excludes motorised vehicles that can be moved under their own power
SUBDIVISION	has the same meaning as “subdivision of land” in section 218 of the RMA (as set out in the box below) means— <ul style="list-style-type: none"> a. the division of an allotment— <ul style="list-style-type: none"> i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.
SUSTAINABLE MANAGEMENT	has the same meaning as in section 5 of the RMA (as set out in the box below) means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while— <ul style="list-style-type: none"> a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

	<ul style="list-style-type: none"> b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.
SWALE	means an area of land that has been shaped to allow a watercourse to form during stormwater collection
TAIAO	The natural world or environment
TAIAPA	Fence
TANGATA WHENUA	has the same meaning as in section 2 of the RMA (as set out in the box below) in relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area
TAONGA	means a treasure, prized and protected as a sacred possession of the relevant hapū which exercised kaitikaki over it.
TAPU	Under spiritual protection or restriction
TAURANGA WAKA	Canoe landing sites / parking spaces
TEMPORARY EVENTS	Temporary events means the short term or intermittent use of any land or building for an activity not carried out on the site on a regular basis, or the carrying out of an activity outside the limits on hours or scale prescribed in Plan standards. It includes temporary military training activity, but does not include short term social or cultural gatherings where these are ancillary to a permitted activity or in compliance with the standards and terms for permitted activities. Any event for which a Special Licence under the Sale of Liquor Act is required shall be deemed to be a temporary event.
TEMPORARY MILITARY TRAINING ACTIVITY	means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are: <ul style="list-style-type: none"> a. the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; b. the protection of the interests of New Zealand, whether in New Zealand or elsewhere; c. the contribution of forces under collective security treaties, agreements, or arrangements; d. the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations; e. the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; f. the provision of any public service.
TERRITORIAL AUTHORITY	has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below) means a city council or a district council named in Part 2 of Schedule 2.
TIKANGA MĀORI	Means Māori customary values and practices.
UPGRADING (RENEWABLE ENERGY)	the upgrade, replacement or renewal of existing plant, machinery or structures to gain efficiency in generating and transmitting electricity provided this does not increase the consented or authorised footprint of the activity. Includes work involving all structures, infrastructure and buildings, access roads and tracks, earthworks and the deposit of materials. A gain in efficiency of generation under this definition includes and increase in installed generation capacity of the consented or authorised footprint by replacement of turbines that have higher energy generation capacity.
URUPĀ	Human burial sites or places associated with death such as burial

	grounds and caves
VISITOR ACCOMMODATION	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.
WĀHI TAPU	Places or things that are sacred or spiritually endowed, and includes but is not limited to pā, area (tracks), urupā, battle sites and tauranga waka (canoe landings).
WAIATA	To sing / song
WAIKUA	Spirit / spiritual essence.
WAKA	Canoe
WĀNANGA	To meet and discuss; conference or educational forum; formal tertiary education provider; traditional Māori learning environment.
WASTEWATER	means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.
WATER	has the same meaning as in section 2 of the RMA (as set out in the box below) <ul style="list-style-type: none"> a. means water in all its physical forms whether flowing or not and whether over or under the ground: b. includes fresh water, coastal water, and geothermal water: c. does not include water in any form while in any pipe, tank, or cistern.
WATER SENSITIVE DESIGN	means an interdisciplinary approach to land use and development planning, design and implementation which integrates land use and water management, to minimise adverse effects on freshwater systems and coastal environments, particularly from stormwater runoff
WATERBODY	has the same meaning as in section 2 of the RMA (as set out in the box below) means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.
WET ABRASIVE BLASTING	means abrasive blasting using material to which water has been added.
WETLAND	has the same meaning as in section 2 of the RMA (as set out in the box below) includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
WHAKAPAPA	A line of descent from one's ancestors; genealogy, genealogical table, lineage, descent.
WHANAUNGATANGA	Relationship, kinship, sense of family connection - a relationship through shared experiences and working together which provides people with a sense of belonging.
WHAREKAI	Dining hall, eating house, restaurant/cafe
WHARENUI	Traditional Māori meeting house
WHENUA	Land
WIND MONITORING MAST	a mast for the purpose of wind resource measurement. This includes guy wires, radio telemetry equipment (for transmitting meteorological data), and meteorological instruments erected at varying heights, including: <ul style="list-style-type: none"> • anemometers to measure the average wind speed, wind gust speeds, turbulence intensity and wind shear • wind vanes to measure wind direction • other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

Abbreviations

Abbreviation	Full term
Ahuriri Estuary	Te Whanganui-a-Orotū
AEP	Annual exceedance probability
AANC	Annual Aircraft Noise Contours (Ldn) produced annually by CIAL based on the previous year's aircraft operations.
AS/NZS 1547:2000	Australian Standard/New Zealand Standard On-site domestic wastewater management.
CBD	Central Business District
CE	Coastal Environment
CMA	Coastal Marine Area
dBI	decibel
Draft NDP	Draft Napier City District Plan
FTE	full-time equivalent
FDS NPS UD 2020	Future Development Strategy required by subpart 4 of Part 3 of the National Policy Statement on Urban Development 2020
GIZ	General industrial zone
GFA	Gross floor area
HBA	Hawkes Bay Airport
HBA NPS UD 2020	Housing and Business Development Capacity Assessment required by subpart 5 of Part 3 of the National Policy Statement on Urban Development 2020
HB RCEP	Hawke's Bay Regional Coastal Environment Plan 2014
HBEM	Hawkes Bay Civil Defence Emergency Management
HBRC	Hawkes Bay Regional Council
HDC	Hastings District Council
HNZPT	Heritage New Zealand Pouhere Taonga
HSNO	Hazardous Substances and New Organisms Act 1996
ICOMOS	International Council on Monuments and Sites
IPENZ	Institution of Professional Engineers New Zealand / Engineering New Zealand
ISO	International Organisation for Standardisation
LIZ	Light industrial zone
LSNA	Locally significant natural area
LPG	Liquefied petroleum gas

MHWS	Mean High Water Springs
NCC	Napier City Council
NFL	Natural features and landscapes
NES	National Environmental Standards
NESCS	Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
NOR or Notice of Requirement	Notice of Requirement for a Designation pursuant to RMA section 168 or 168A
NPS	National Policy Statement
NZAA	New Zealand Archaeological Association
NZCPS	New Zealand Coastal Policy Statement
NZCEP	New Zealand Electrical Code of Practice
NZS	New Zealand Standard
NZTA	New Zealand Transport Authority
NZS 4431:1989	New Zealand Standard Code of Practice for Earth Fill for Residential Development.
NZS 6802:2008	New Zealand Standard Acoustics – Environmental Noise
NZS 6803:1999	New Zealand Standard Acoustics – Construction Noise.
NZTA	New Zealand Transport Agency
OLS	Obstacle Limitation Surfaces (Civil Aviation regulations)
ONC	outstanding natural character in the coastal environment.
ONF	outstanding natural feature
ONL	outstanding natural landscape.
PAS	Publicly Available Specification
QEII NT	Queen Elizabeth II National Trust
RSE	Recognised Seasonal Employer workers (Seasonal Workers)
RCEP	Operative Hawke's Bay Regional Coastal Environment Plan made operative 8 November 2014
REPA	Runway End Protection Area
RMA	Resource Management Act 1991 and its amendments
RAL	rural amenity landscape
s. (of an act)	section of an Act (in respect of a legal reference - e.g. RMA s.5)
SLR	sea-level rise
SNA	Significant natural area

Glossary of Te Reo Māori terms

Hapū	Sub-tribe, usually a number of whanau with a common ancestor.
Hauora	Health, be fit and well
Iwi	Tribe or grouping of people with tribal affiliations.
Kaimoana	Means seafood
Kainga	Means settlement, home or place of residence
Kaitiaki and Kaitiakitanga	Guardians. Behaviours, practices and protocols exercised by tangata whenua in the sustainable management of physical and natural resources.
Karakia	Māori incantations and/or prayers
Kaumātua	Elderly man or woman - a person of status within the whānau.
Kaupapa Māori	Values, principles, key concepts or beliefs unique to <i>te ao Māori</i> (Māori world). Māori approach, Māori topic, Māori customary practice, Māori institution, Māori agenda, Māori principles, Māori ideology – can be a philosophical doctrine, incorporating the knowledge, skills, attitudes and values of Māori society
Kāwanatanga	Authority or government
Kōhanga Reo	Pre-schooling environment where learning takes place in te reo Māori and tikanga Māori; language nest
Kotahitanga	Behaviours and practices that promote encourage working together.
Mahi	work
Mahinga Kai	Places where food was produced or procured. Eg garden, cultivation, food-gathering place.
Mana Whenua	The iwi or hapū that are affiliated by ancestor /whakapapa bloodline to the land. Customary authority and title exercised by an iwi or hapū over land and other taonga within the tribal rohe.
Manāākitanga	Hospitality, kindness, generosity, support - the process of showing respect, generosity and care for others.
Marae	Facilities used for the provisions of a focal point for social, cultural and economic activity for Maori and the wider community
Mātauranga	Knowledge, wisdom, understanding, skill - sometimes used in the plural.
Mātauranga Māori	As defined in the Draft National Policy Statement for Indigenous Biodiversity 2019; Māori customary knowledge, traditional knowledge or intergenerational knowledge.
Maunga	Mountain.

Mauri / Mouri	The essence or quality of being alive, living.
Ngā Whāinga	Aims, goals, objectives.
Pātaka	Food storehouse / pantry
Papakainga	Residential housing on land identified as Maori land or when used in any other context of the Plan means housing established on Maori land primarily for the use of Maori people. Communal Maori Land.
Pou Haki	Flag pole.
Pūkenga	A person skilled or versed in the customary and traditional knowledge, tikanga, arts, histories and genealogies of a particular iwi or hapū.
Rāhui	Restriction on access; prohibition
Rangatiratanga and Tino Rangatiratanga	Behaviours and practices that demonstrate both traditional and contemporary expressions of Māori leadership. Right to exercise authority, chiefly autonomy.
Rohe	A territory or boundary that defines the area within which a tangata whenua group claims traditional association and mana whenua.
Rongoā	Traditional Māori medicine.
Taiapa	Fence.
Taiao	The natural world or environment
Tangata Whenua	Non-Maori / Maori that do not affiliate by ancestor /whakapapa bloodline to the land
Taonga	Treasure or property that are prized and protected as sacred possessions of tangata whenua as determined by tangata whenua.
Tapu	Under spiritual protection or restriction
Tauranga Waka	Canoe landing sites / parking spaces
Tikanga Māori	Means Māori customary values and practices.
Urupā	Human burial sites or places associated with death such as burial grounds and caves
Wāhi Tapu	Places or things that are sacred or spiritually endowed, and includes but is not limited to pā, area (tracks), urupā, battle sites and tauranga waka (canoe landings).
Waiata	To sing / song.
Wairua	Spirit / spiritual essence.
Waka	Canoe.
Whakapapa	A line of descent from one's ancestors; genealogy, genealogical table, lineage, descent.
Wānanga	To meet and discuss; conference or educational forum; formal tertiary education provider; traditional Māori learning environment.
Whanaungatanga	Relationship, kinship, sense of family connection - a relationship through shared experiences and working together which provides people with a

	sense of belonging.
Wharekai	Dining hall, eating house, restaurant/cafe
Wharenui	Traditional Māori meeting house
Whenua	Land

National Policy Statements and NZ Coastal Policy Statement

National Policy Statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act's policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on resource consent applications, alongside other considerations.

The following table provides an overview of whether any relevant review(s) have been undertaken in relation to NPSs and the NZCPS.

National Policy Statement for Freshwater Management 2014 (amended in August 2017)	The policy statement has been reviewed.
National Policy Statement on Urban Development Capacity 2016	The policy statement has not yet been reviewed.
National Policy Statement for Renewable Electricity Generation 2011	The policy statement has not yet been reviewed.
New Zealand Coastal Policy Statement 2010	The policy statement has not yet been reviewed.
National Policy Statement on Electricity Transmission 2008	The policy statement has not yet been reviewed.

National Environmental Standards

National Environmental Standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn't comply with an NES, it is likely to require a resource consent. NESs must be observed and enforced by local authorities.

The following NESs are currently in force:

1. Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017
2. Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008
3. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011
4. Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009
5. Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007
6. Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011)

Regulations

The regulations in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed in the National Environmental Standards chapter). These regulations are:

These regulations are:

1. Resource Management (Discount on Administrative Charges) Regulations 2010
2. Resource Management (Exemption) Regulations 1996
3. Resource Management (Exemption) Regulations 2017
4. Resource Management (Forms, Fees, and Procedure) Regulations 2003
5. Resource Management (Infringement Offences) Regulations 1999
6. Resource Management (Marine Pollution) Regulations 1998
7. Resource Management (Measurement and Reporting of Water Takes) Regulations 2010
8. Resource Management (Network Utility Operations) Regulations 2016
9. Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991

TW - Tangata Whenua - Mana Whenua

KO NGĀ KUPU WHAKATAKI INTRODUCTION

KUPU WHAKATAKI /MIHI

Kei ngā mana, kei ngā reo, kei ngā tapu, tēnei ka mihi ki a koutou katoa e panui ana ēnei o ngā kōrero o a tātou tūpuna whenua o Te Whanganui a orotu ki Ngāti Kahungunu.

‘E kore e monehunehu te pūmahara,
Mo ngā momo rangatira o neherā
Nā rātou I toro te Nukuroa
O te Moananui-a-kiwa me Papatuanuku
Ko ngā tohu o rātou tapuwae
I kākahutia I runga I te mata o te whenua
He taonga, he tapu’

‘Let us not forget those special class of people that traversed the many lands, oceans and seas, for it is them whom we consider are our most treasured and sacred’

Tēnei ka tangi ki ngā rauōpiopio e hinga mai nei, e hinga mai rā I te ao, I te pō, I tēnā marae, I tēna maunga, I tēna takiwa, I tēnā rohe. E ngā mate huhua, hāere ki te okiokinga o ngā mātua tūpuna, koutou ki a koutou, waihoki, tātou ngā kanohi ora, tēna hoki tātou katoa.

Ko te whakamahuki nei e hangai ana ki te mana whenua, ngā hapū tokowhitu o Te Whanganui a Orotu, me ona marae e whaktīnanahia ngā tikanga a kui mā, a koro mā.
He mihi ano hoki ki ngā kaunihera katoa o Ngāti Kahungunu mai I Paritu ki Turakirae.

KO NGĀ TURE A TE KĀWANATANGA STATUTORY CONTEXT

Māori World View

Linkages between the natural world and Māori are explained through genealogy, tribal narratives and mythology. These stories describe various parts of the living and non-living and non-living worlds as being ancestors of people living today. Collectively, these relationships are known as whakapapa, and they represent how Māori place themselves within the world, and how they understand and interact with Local Council.

Mana whenua have a special cultural and spiritual relationship with the environment of Te Whanganui a Orotū/ Ahuriri Napier City, which is of national importance under the Resource Management Act 1991.

Our natural environment-whenua, waters, coasts, oceans, flora and fauna- and how we engage with it, it is crucial to our identity as hapū, as iwi and as mana whenua, our sense of unique culture and our ongoing ability to keep our tikanga, kawa, mahinga kai practices alive. It includes our commemoration of the places our tūpuna moved through in Te Whanganui a Orotū/Ahuriri, and the particular mahinga kai resources and practices we used to maintain our ahi kā anchoring our whakapapa to this landscape. Wherever we are in the world, these things give us our tūrangawaewae.

The Resource Management Act 1991 address matters specifically Māori in:

Section 6 – **Matters of national importance;**

Section 7 – Kaitiakitanga;**Section 8 – Treaty of Waitangi;**

Section 35A – Council has a duty to keep and maintain for each hapū and iwi within its region or district a record of the contact details of each Iwi Authority within the district and any groups that represent hapū. The records must include the planning documents that are recognised by each Iwi Authority and lodged with the local authority, and any area of the district over which one or more hapū or iwi exercise kaitiakitanga.

Section 36A – states there is no duty to consult any person about resource consent applications and notices of requirement. This applies both to applicants and local authorities. Nevertheless, for many resource consent applications and notices of requirement, consultation with mana whenua will play a significant role in assessing the effects on māori cultural values and the matters set out in Part II of the RMA. Consultation with mana whenua is mandatory when developing plans and policy statements. Clause 3B of the First Schedule to the RMA sets out a process for consulting with mana whenua:

First Schedule - A requirement to consult with iwi in the preparation of plans and policies.

Section 6 – Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- a. the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- b. the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development
- c. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna
- d. the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers
- e. the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga
- f. the protection of historic heritage from inappropriate subdivision, use, and development
- g. the protection of protected customary rights
- h. the management of significant risks from natural hazards.

Section 7 – Kaitiakitanga

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:

- a. kaitiakitanga
- b. the ethic of stewardship

Section 8 – Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Te Tiriti o Waitangi the Treaty of Waitangi.

Mana Whakahono-a-rohe

Iwi and Hapū Management Plans

Iwi and hapū management plans inform the statutory planning process and are tools for understanding the concerns that iwi and hapū may have in relation to council planning and management of natural resources.

Council 'shall have regard to' iwi management plans within its planning process but are not obligated to follow any policies in the document. Neither is Council required to consider an iwi management plan when deciding whether a resource consent should be issued.

When mutually appropriate and approved between the parties, iwi management plans could be aligned with and incorporated into the Regional Plan and the District Plan.

Iwi and hapū managements plans currently lodged with the Hawke's Bay Regional Council within the area of interest are:

- Kahungunu ki uta, Kahungunu ki tai, Marine and Freshwater Fisheries Plan;
- Tūtaekurī Awa Management and Enhancement Plan;

These plans express the values of importance to the Iwi and Hapū in the area they represent. Many values are held in common although there may be specific values associated with hapū and specific areas of significance. Iwi hapū management plans are not just the business of the Regional Council but may be of interest to the Napier City Council within its planning framework.

The Local Government Act 2002

Section 77 (1) c of the Local Government Act reads 'if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.'

Heritage New Zealand Pouhere Taonga Act 2014

All archaeological sites are protected from unauthorised damage, modification or destruction under the Heritage New Zealand Pouhere Taonga Act 2014 and their contents may be protected under the Protected Objects Act 1975. Any interference with an archaeological site is an offence punishable by a fine of up to \$100,000.

It is framed to assist Council in the use of the information which may include consideration of:

- sorts of activities where cultural values may be considered eg earthworks, subdivision
- determining whether activities may be inappropriate for a site eg urupa

- sites and areas of significance and significant landscape eg Pukekura
- development and redevelopment of public space
- existing and potential cultural use of sites/areas
- Water management: the use, extraction, discharge into waterways directly or indirectly
- to prevent contamination and further loss of mahinga kai or significant cultural sites.

KO NGĀ MĀTĀPONO A TE TIRITI O WAITANGI PRINCIPLES OF THE TREATY OF WAITANGI

The Principle of Te Tino Rangatiratanga

Te tino rangatiratanga *full chiefly authority* over resources including lands, forests, fisheries and other taonga were guaranteed to Māori under Article II of the Treaty. Tino rangatiratanga includes tribal self-regulation of resources in accordance with their own customary preferences. Tino rangatiratanga was not, nor was it ever intended to be, relinquished or given away by Māori to the Crown.

The Principle of Partnership

The Treaty signified a partnership between Māori tribes and the Crown. The exchange of promises under Articles I and II of the Treaty is seen as an exchange of gifts. The gift of the right to make laws and the promise to do so, and to accord the Māori interest an appropriate priority. Utmost good faith, reasonable co-operation and compromise are fundamental to this concept of a partnership.

The Principle of Kāwanatanga

Kāwanatanga, as ceded by Māori under Article I of the Treaty, gave the Crown the right to govern and to make laws applying to everyone. The delegation of resource management powers by the Crown to local authorities under the Act means that those authorities can make policies, set objectives and make rules affecting the management of natural and physical resources, subject to the guarantee of tino rangatiratanga to Māori and recognition of the partnership

The Principle of Active Partnership and Consultation

The spirit of the Treaty calls for Māori to have a much greater say in the management of the environment. Effective, early and meaningful consultation is an integral and necessary component and forerunner to greater participation by Māori in resource management decision - making.

The Principle of Active Protection

The guarantee of tino rangatiratanga given in Article II is consistent with an obligation to actively protect Māori in the use of their lands, water and other taonga, to the fullest extent practicable. In the context of resource management, the various elements which underlie and are fundamental to a spiritual association with the environment, including mauri, tapu, mana, tikanga and wairua, may all fairly be described as taonga that have been retained by Māori in accordance with Article II of the Treaty. The principle of active protection therefore extends to the spiritual values and beliefs of Māori.

The Principle of Hapū/Iwi Resource Development

Article III of the Treaty gave to Māori the same rights and duties as other New Zealand citizens. The Treaty guaranteed to Māori retention of their property rights under Article II and the choice of developing those rights under Article III. To Māori, the efficient use and development of what are in many ways

currently under-utilised hapū/iwi resources is a very important principle of the Treaty in the context of resource management under the Act.

TĀNGATA WHENUA: KO NGĀ WHAKAPAPA ME NGĀ PŪRĀKAU O NEHERĀ TĀNGATA WHENUA GENEALOGY AND HISTORICAL CHRONOLOGY

Tāngata whenua history commences with the creation of the universe through to the separation of Ranginui *Sky Father* and Papatūānuku *Earth Mother*, the start of the world and environment that we know today.

In specific relation to Te Whanganui-a-Orotū, there are three clear phases of history that define mana whenua today:

- a. Ngāi Tangaroa and the descendants of Rangi and Papa through the Lord of the Ocean, Tangaroa.
- b. Iwi Taketake or Tāngata Whenua are the first human inhabitants who established settlement around Te Whanganui-a-Orotū over the 10th-15th centuries
- c. Mana Whenua are the descendants of the migration of Ngāti Rākaihikuroa and Ngāi Tamawāhine from Tūranganui Gisborne in the 16th. The intermarriage of this wave of migration with the Iwi Taketake secured mana whenua status for what is now known as Ngāti Kahungunu.

PRE-HISTORY

Te Arohā o Ranginui ki a Papatūānuku

Tāngata whenua descend from Ranginui *Sky Father* and Papatūānuku *Earth Mother*.

Te Whanganui-a-Orotū mana whenua descend from **Ngāi Tangaroa** – People of the Ocean – through Māhū-tāpoa-nui, Māui, Pānia and her son Moremore.,

Moremore is a taniwha *guardian* who was the son of Pānia and Karitoki of Te Ira Tāngata *humankind* in the waters off Hukarere Bluff Hill. Moremore serves mana whenua as a katiaki *caretaker*, patrolling coastal waters, inner harbours, and rivers of Te Matau-a-Māui.

CIRCA 11TH-12TH CENTURY

Te Tini-o-Māui

The great ocean voyaging brothers Māui Mua, Māui Roto, Māui Pae, Māui Taha, and Māui Tikitiki-a-Taranga belong to **Ngāi Tangaroa** through their father Tangaroa-i-te-rupetu. Māui Tikitiki-a-Taranga is a ‘discoverer’ of Aotearoa, alongside the great voyager Kupe, whose place names are identified in the south Wairarapa area.

Māui Tikitiki-a-Taranga circumnavigated the north and south islands in the waka Nukutaimemeha, bestowing place names along the journey. Māui travelled through Hawke Bay and mana whenua perpetuate many place names bestowed by Māui:

Te Ika-a-Māui – The Fish of Māui – The North Island
 Te Matau-a-Māui – The Hook of Māui – Hawke’s Bay – Constellation of Scorpio
 Te Kauae-a-Māui – The Jawbone of Māui – Cape Kidnappers

The place names of Māui detail his directional journey and serve as navigational instructions for those who would follow his voyage to become tāngata whenua

Te Tini-o-Hā

Mana whenua attribute Māhū-tāpoa-nui as the eponymous ancestor of Te Tini-o-Hā and **Ngāti Whatumāmoa**. Māhū-tāpoa-nui was of Ngāi Tangaroa through Tangaroa-a-kore and is said to have been brought ashore from his ocean home by other ancestors.

Māhū-tāpoa-nui is predominantly associated with Wairoa and Waikaremoana, and was a prolific traveller of Te Ika-a-Māui. Māhū-tāpoa-nui is associated with the naming of the Ngaruroro river, who witnessed ūpokororo *graylings* creating a wave-like action on the water when his dog disturbed their shoal; ūpokororo; ngaru *wave*; Ngaru-roro.

Māhū-tāpoa-nui is commemorated in the name Ōmāhū.

Whatumāmoa descends seven generations from Māhū-tāpoa-nui, and through his father Orotū, is one of the first tāngata whenua hapū to be permanently established at Te Whanganui-a-Orotū.

Te Tini-o-Toi

Four generations following the voyage of Māui Tikitiki-a-Taranga, a descendant of Māui Pae named Toi, lived in Hawaiiiki now known as Rangiatea, Tāhiti. He was known as Toi-te-hua-tahi as he was the first born, and was originally from Samoa. He was also known as Toi-kai-rākau as a vegetarian.

Sailing races were common between the competing islands Ahu and Tuhua. The races could take a year to complete and in one instance, Whātonga, a grandson of Toi had just completed the race when his waka was enveloped in fog and blown back out to sea, not to return.

Toi embarked on a rescue mission to Samoa and Rarotonga. Not finding Whātonga, Toi decided to follow the navigational directions of the voyager Kupe to the land in the south. After a short stay at the Chatham Islands and at Whangaroa, Toi eventually made his home above the modern town of Whakatāne. Te Whanganui-a-Toi is the name for the Bay of Plenty.

The many descendants of Toi populated the Whakatāne district to the point where some were required to find new homes. Some descendants of Awanuiarangi, son of Toi, made their way eventually to settle at Te Whanganui-a-Orotū. These people were **Ngāti Awa** and **Ngāti Maruiwi**.

CIRCA 13TH CENTURY

Ngā Uri-o-Whātonga | Kurahaupō Waka

After being blown out to sea Whātonga had become stranded on an island under the mantle of a chief named Rangiatea. After some time Whātonga married the daughter of Rangiatea and returned to Hawaiiiki. To show Rangiatea they had arrived safely, Whātonga put a halo around the moon. This lunar halo was called Kurahaupō.

On knowledge of the rescue mission of Toi, Whātonga decided to find his grandfather. So he changed the name of his waka from Te Hauau to Kurahaupō and set forth to the land of Kupe and Māui.

The Kurahaupō came to Te Reinga and sailed down the west coast to Taranaki, where they were told that Toi had established a pā on the east coast. Whātonga found Toi at Whakatāne and stayed with him there for some time, before moving to Nukutaurua at Māhia-mai-tāwhiti, and eventually to Te

Kauae-a-Māui Cape Kidnappers.

The name Heretaunga derives from the mooring of the Kurahaupō waka when it arrived to Te Matau-a-Māui, captained by Whātonga.

Ngāi Tara descend from Tara-ika, son of Whātonga and his first second wife Hotuwaipara. Tara was born at Te Kauae-a-Māui and is named Tara-ika due to Hotuwaipara pricking her finger with a fish spike shortly before he was born.

Through his third wife Reretua, Whātonga had a grandson named Rangitāne. Reretua was a descendant of Kupe, whose people were migrating north from the Wairarapa.

Rangitāne established Tāne-nui-a-rangi Pā on the south bank of the Ngaruroro river on the Heretaunga plains. The descendants of Rangitāne under the tribal name of Rangitāne occupied country in Te Matau-a-Māui, Manawatū, Horowhenua, Ōtaki, and Paekākāriki.

The Ngāi Tara and Rangitāne who remained in Heretaunga occupied land south of the Ngaruroro river with coastal settlements at Te Kauae-a-Māui, Rangaiika, Waimārama and Kairākau.

CIRCA 14TH CENTURY

Ngāti Whatumāmoa

Ngāti Whatumāmoa are acknowledged as first settlers of Te Whanganui-a-Orotū.

Seven generations after Māhū-tāpoa-nui, one of his direct descendants, Orotū, permanently established his people at Te Whanganui-a-Orotū; the former lake takes its name from this ancestor. Orotū established pā kāinga on Tūteranuku island and another at Tīheruheru on the mainland at Poraiti. Orotū left Te Whanganui-a-Orotū to Ngāti Whatumāmoa and continued his migration south to Te Ūpoko-o-te-Ika *Wellington* and then on to Te Waipounamu *The South Island*.

Ngāti Whatumāmoa developed in relative peace and stability over two centuries. Heipīpī Pā was their principal citadel, built and expanded across the Petane Range above Bayview over many generations.

By the 16th century Heipīpī Pā was under the mantle of the tohunga chief Tūnui-a-rangi, who was a great grandson of Pānia. Tūnui-a-rangi was often seen riding the back of the whale Ruamano off the shore of Heipīpī Pā.

Te Tini-o-Awa

Ngāti Awa was founded in the 14th century by Koaupari, taking the name of his grandfather Awanuiarangi. Awanuiarangi was a son of Toi, and therefore a brother of Whātonga. Due to population growth and expansion of Te Tini-o-Toi across Whakatāne-Waimana, Koaupari spent much of his life leading his people in search of a place to settle.

Koaupari was a contemporary of Whatumāmoa, and after constant nomadic movement, Koaupari settled his people at the southern end of Te Whanganui-a-Orotū with the establishment of Ōtātara Pā.

Ngāti Maruiwi derive from Maruiwi, elder brother of Koaupari. Maruiwi and his people also had a need to leave Waimana with an outlook to joining his brother Koaupari at Te Whanganui-a-Orotū. Many battles were fought as Ngāti Maruiwi migrated south, with a last stand at Te Pōhue. From the events at Te Pōhue, only seven of their tribe survived to take refuge at Ōtātara Pā under the mantle of Koaupari.

Ngāti Awa and Ngāti Maruiwi occupied Ōtātara Pā for at least seven generations and over that time the pā grew to be the largest fortified town in Aotearoa, covering 40 hectares with the inclusion of Hikurangi Pā.

Ngāti Whatumāmoa, Ngāti Awa and Ngāti Maruiwi occupied land north of the Ngaruroro river, with Heipī Pā protecting the northern end of Te Whanganui-a-Orotū and Ōtātara Pā protecting the southern end. Over seven generations' further pā were established in and around Te Whanganui-a-Orotū.

Ngāti Whatumāmoa, Ngāti Awa, Ngāti Maruiwi, Ngāi Tara and Rangitāne are considered Iwi Taketake *Original People* or Tāngata Whenua *People of the Land*. These distinct tribes lived in relatively peaceful and stable co-existence for at least two centuries until the migration of Ngāti Rākohikuroa and expansion of the Ngāti Kahungunu into Ahuriri-Heretaunga.

Te Waka Tapu o Takitimu

The sacred waka Takitimu has an illustrious history dating back to the time of Whātonga while he was residing in Samoa. Takitimu came to Aotearoa in what is the 'great migration' of the 14th century, when the Polynesian islands were at war with some needing to find new homes.

Against a backdrop of war and population growth, Takitimu was prepared for its final journey to Aotearoa after at least two centuries of service.

Takitimu stopped at Kaitaia, Tauranga where the captain Tamatea Arikinui disembarked and settled, Whangaōkena, Ūawa, Tūranganui, Māhia-mai-tāwhiti, Whakaari, Waimārama, and then on to the south island.

The passengers aboard the Takitimu were of a high priest caste and were all male. As Takitimu travelled along the eastern seaboard, passengers would disembark and eventually intermarried with the tāngata whenua Ngāti Whatumāmoa, Ngāi Tara and Rangitāne.

CIRCA 15th CENTURY

Takitimu II

A grandson of Tamatea Arikinui captained a waka, which also carried the name Takitimu; his name was Tamatea Urehaea, recognised by his circumcision; ure-haea.

The voyage of Takitimu II retraced the journey of the first Takitimu around Aotearoa, and on this journey the waka stopped at Te Whanganui-a-Orotū, where Tamatea Urehaea and his son Kahungunu stayed for some time with tāngata whenua at Roro-o-Kurī island, the placename Ō-Kahungunu commemorates the visit.

While at Te Whanganui-a-Orotū, Tamatea Urehaea composed a waiata *song* in honour of the pātaka kai *food storehouse* that is the inner harbour lake.

*Te karoro tangi tararau mai i runga o Tapu-te-Ranga
Te pātiki tahanui o Otiere e
Te pāua pātōtō mai i runga o Tāhinga
Te pūpū tangi mai i runga o Matakārohirohi e
Te kiore peke nui o Rimariki
Te aruhe maomaonui o Pukekohu e.*

The seagulls screeching cries above Tapu-te-Ranga
The thick-sided flounders of Otiere
The abalone knocking on the rocks of Tāhinga
The periwinkles crying on Matakārohirohi
The high jumprats of Rimariki
The fernroots of Pukekohu in need of cooking.

16th CENTURY

Events of the 16th century were to change the settlement landscape of Te Whanganui-a-Orotū in favour of the migration of Ngāti Rākaihikuroa and Ngāi Tamawāhine from Tūrangānuī following the murder of twin brothers Tara-ki-Uta and Tara-ki-Tai.

At the time of the Ngāti Rākaihikuroa and Ngāi Tamawāhine migration, unity of Te Whanganui-a-Orotū people was strong through the chief Tūrauwhā, whose mother Kuratawhiti, was of the Ngāti Whatumāmoa, and whose father Kearoa, was of the Ngāti Awa people.

The chief strategist and political leader for the Ngāti Rākaihikuroa was Taraia, assisted by his cousins Te Aomatarahi and Tāwhao as the military leaders. Under this leadership the migration made their way to Māhia-mai-tāwhiti, thence to Wairoa and Aropaoanui, and thence to Heipīpī Pā.

At the time of Taraia, Heipīpī Pā was under the mantle of the powerful tohunga Tūnui-a-rangi. Heipīpī Pā was taken through subterfuge as the warriors of Taraia disguised themselves as stranded blackfish on the foreshore, hiding underneath their cloaks in the early morning light. On seeing this phenomenon, the people came out from Heipīpī to collect these gifts from Tangaroa. The waiting warriors sprung up in an ambush and proceeded to capture and kill those from the pā. Tūnui-a-Rangi noticed this deceit and cast his incantations over the warriors, allowing the captives to slip out of the hands of the raiders. Tūnui-a-rangi met Taraia face-to-face and they rubbed noses and made peace.

Following Heipīpī, attention turned to Ōtātara Pā, which was under the mantle of the chief Tūrauwhā. The story of how Taraia laid siege to the twin pā of Ōtātara and how he finally captured Hikurangi: the upper pā is well known. Tūrauwhā managed to hold Ōtātara and an uneasy peace treaty was established. Taraia returned to Wairoa to gather the women and children and set up camp at the mouth of the Ngaruroro river, where he named the area Te Ipu-o-Taraia *The Drinking Cup of Taraia*.

He paid a second visit to Ōtātara taking the women and children as well this time. Seen from a distance they looked like a bigger war party than the first one. Tūrauwhā was alarmed and withdrew to Tuhirangi, his country retreat across the Tutaekuri river.

By this action, Tūrauwhā surrendered his mana to Taraia and Ngāti Rākaihikuroa and Ngāti Kahungunu, and allowed them to occupy strategic sites controlling the main food sources. A saying survives from this time ***“The land belongs to Tūrauwhā, but the mana belongs to Taraia”***. **This saying establishes mana whenua known today, strengthened through marriage alliances between the people of Taraia and Tūrauwhā.**

During the winter following the invasion, Tūrauwhā and his family survived on kererū and other birds at Puketitiri. He had three children by his Ngāti Whatumāmoa wife Kuratawhiti II. They were Tūmāhuki, Pāhau and Rākaitekura. The majority of his followers fled the province to places like upper Manawatū, Pohangina and Taranaki.

When the bird-snaring season ended, Tūrauwhā and his remaining followers returned to the shellfish beds at Poraiti where they threw themselves on the mercy of Taraia. He agreed for them to re-occupy Tuhirangi Pā on condition that they bring up his nephew Rangituehu to be a chief over them. In due course, Rangituehu married Rākaitekura, the daughter of Tūrauwhā. The marriage was believed to

have been arranged by Tūrauwhā and Taraia.

Taraia and his wife Hinepare made Tahunamoā Pā their permanent place of residence. Tahunamoā Pā was on the northern bank of the Tūtaekurī river near the current Waiohiki marae.

Merging of the bloodlines made it less likely that there would be continuing pockets of resistance to Ngāti Rākaihikuroa and Ngāi Tamawāhine, and established the mana whenua of Te Whanganui-a-Orotū, which continues today.

MANA WHENUA: NGĀ HAPŪ O TE WHANGANUI-A-OROTŪ THE PEOPLE OF TE WHANGANUI-A-OROTŪ

“The land belongs to Tūrauwhā, but the mana belongs to Taraia”. This saying establishes the mana whenua status known today, strengthened through marriage alliances between the people of Taraia and Tūrauwhā.

Mana whenua seven hapū of Te Whanganui-a-Orotū descend from the intermarriage of Ngāti Whatumāmoa, Ngāti Awa, Ngāi Tara and Rangitāne with the Ngāti Rākaihikuroa and Ngāi Tamawāhine.

Nga Hapū tokowhītu i mau tonu ana te Ahikaaroa

Recognised Mana Whenua are the seven Hapū Treaty Settlement of Te Whanganui-a-Orotū are:

Ngāti Māhū

Ngāti Māhū trace back to the eponymous ancestor Māhū-tāpoa-nui. They were known as the descendants of Tūrauwhā through his son Tumahuki. Ngāti Māhū interests are on the Tūtaekurī River both upstream and downstream of the junction with the Mangaone River, as well as in and around Te Whanganui-ā-Orotū. From this locality their land interests extend westward to the Kaweka Ranges. Due to the sharing of whakapapa ties, Ngāti Māhū interests became closely intertwined with Ngāti Hinepare.

Ngāti Tū

The eponymous ancestor for Ngāti Tū is Tūkapua I, a descendant of the Ngāti Awa ancestor Koaupari who had come to Ahuriri. An important connection for this hapū is the marriage of Pānia, daughter of Tūkapua, with Tikorua, the grandson of Kahungunu. Ngāti Tū, along with Ngāti Matepū and Ngāi Te Ruruku, came to occupy territory bordering the northern end of Te Whanganui-a-Orotū. Within this area, Ngāti Tū are more closely identified with the northern end of Whareponga Bay, over the Māpōriki Ridge to the Waipatupatu Inlet and over College Hill into the Esk Valley.

Ngāti Hinepare

The eponymous ancestor of this hapū is Hinepare, wife of Taraia I. Ngāti Hinepare was founded by Hikateko, son of Hineiao and Rangitaumaha, and Hikateko is the source ancestor. The interests of Ngāti Hinepare extend over the Puketitiri district to the eastern slopes of the Kāweka Ranges, towards the headwaters of the Wharerangi Valley, down to the Tūtaekurī River, and westward along both sides of the Mangaone River. Ngāti Hinepare also have interests in and around Te Whanganui-a-Orotū. In later times, their interests intertwined with those of Ngāti Māhū and Ngāi Tāwhao.

Ngāti Matepū

The source ancestors of Ngāti Matepū, Te Atawhaki and Te Putanga-o-te-rangi, were descendants of Kahutāpere II of Ngāti Kahungunu and his wife Hine-te-rangi of Ngāti Awa. Kahutāpere II accompanied the Ngāti Rākaihikuroa migration. The hapū was initially known as Ngāti Hine-te-rangi but adopted the name Ngāti Matepū during the early 19th century following their defeat at island pā including Te Iho-o-te-rei. Ngāti Matepū interests extend to the head of the Wairoaiti and Whareponga Valleys at the northern end of Te Whanganui-a-Orotū, and also probably the Lucky Hill Basin adjoining the Wairoaiti Valley.

Ngāi Tāwhao

This hapū is named after the eponymous ancestor Tāwhao, one of three brothers, chiefs of Ngāti Tamawāhine who accompanied the Ngāti Rākaihikuroa migration. Ngāi Tāwhao became specifically associated with Puketītiri and land inland from Te Ranga-a-Tāwhao, a pou marker situated on the Mōhaka River near the confluence with the Mangatutu Stream. Ngāi Tāwhao have interests in and around Te Whanganui-a-Orotū, as well as interests extending over the land west of Te Whanganui-a-Orotū up into the area behind Puketītiri.

Ngāti Pārau

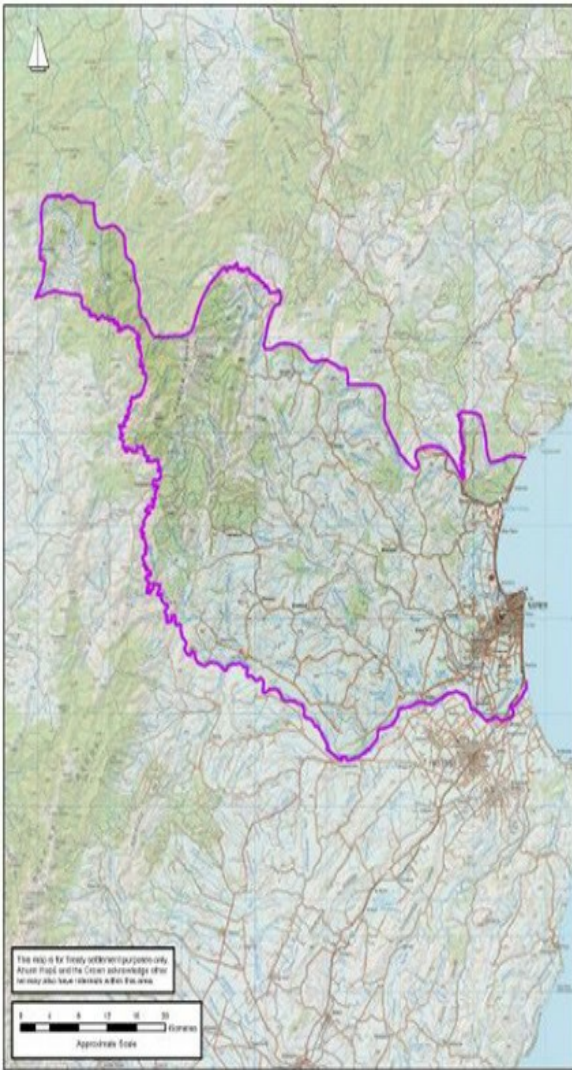
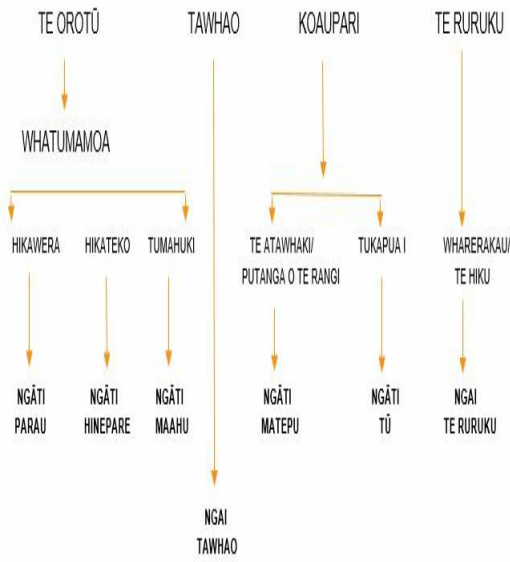
Ngāti Pārau are the descendants of Hikawera II (the son of Te Huhuti and Whatuiāpiti) through his two sons, Tuku-a-te-rangi (from his marriage to Te Uiraiwaho) and Te Kererū (from his marriage to Te Rangimōkai). Hikawera II inherited extensive land interests through the tuku whenua of Rangitaumaha. Ngāti Pārau have interests in and around Te Whanganui-ā-Orotu, Te Whare-o-Maraenui and Awatōtō.

Ngāi Te Ruruku

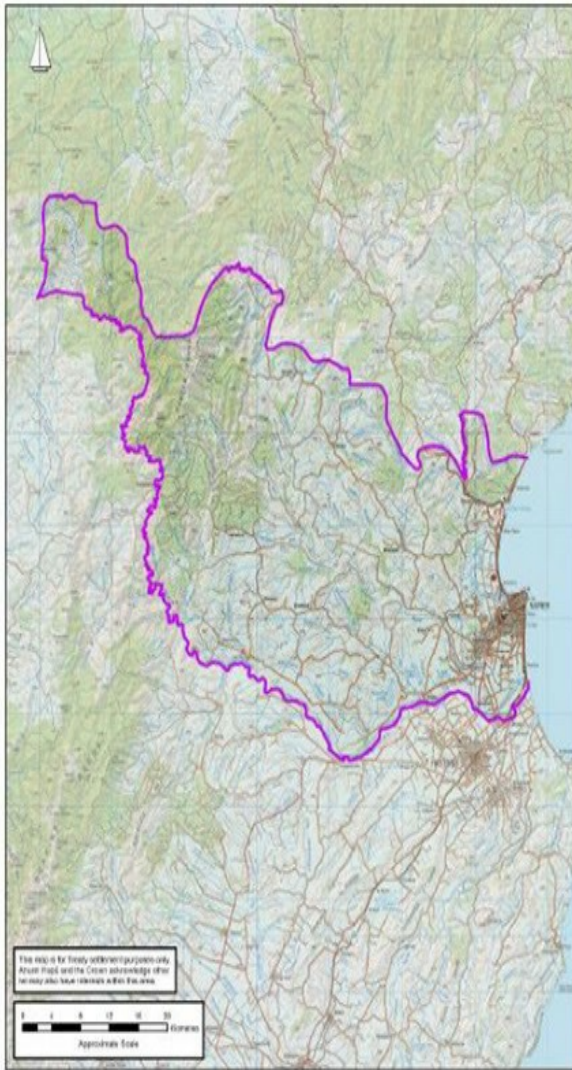
Ngāi Te Ruruku are the descendants of Wharerākau and Te Hiku, who were descendants of the eponymous ancestor Te Ruruku. Te Ruruku was active in the late eighteenth century. Born at Wairoa, he was given certain lands between Arapaoanui and Te Whanganui-a-Orotū by Marangatūhetaua, the chief of Ngāti Tū, in return for military services. Ngāi Te Ruruku have interests at the northern end of Te Whanganui-ā-Orotu, which are intermingled with those of Ngāti Matepū and Ngāti Tū.

Whakapapa

Here is the genealogy of Principle Ancestors that links each of the Seven Hapū of Te Whanganui a Orotū



Map of Claim Area



NGĀ MARAE O TE WHANGANUI-A-OROTŪ

The marae is the traditional centre of community activity for hapū. Ngā hapū o Te Whanganui-a-Orotū place immense value on their marae, its physical facilities and cultural functions.

While there are no traditional hapū marae within the Napier City Council area, they satellite the city boundary and provide a place for the cultural, emotional, physical, material sustenance and expression of the hapū. While the physical presence of marae may be outside of the Napier city boundary, the mana whenua status extends beyond the marae gate to land, environmental, resource management, social and cultural issues in Ahuriri Napier.

Marae Reservations usually have Trustees appointed by the Māori Land Court after selection through the marae and/or hapū process. Marae may have one or more hapū, and hapū may have one or more marae. The Trustees may delegate committees to manage the operations of the marae and other aspects of the Marae complex and functions eg urupā, kōhanga reo.

Ngā Marae o Te Whanganui-a-Orotū:

These Marae are part of the Treaty Settlement Claim, *those bolded belong to the corresponding hapū or sub-tribe*

Marae	Affiliated Hapū	Location
Tangoio Marae	Ngāti Tū (Marangatūhetaua) Ngāi Tauira Ngāti Kurumōkihi Ngāi Te Ruruku	1 Tangoio Settlement Road, SH 2, Tangoio
Wharerangi Marae	Ngāi Tāwhao Ngāti Hinepare Ngāti Māhū	651 Puketītiri Road, Puketapu
Pētane Marae	Ngāti Matepū (Ngāti Hineterangi) Ngāi Te Ruruku Ngāti Whakaari	59 Taitis Road, Bayview
Timi Kara Marae	Ngāti Hinepare Ngāti Māhū	10 Mōteo Marae Road, Mōteo
Hamuera Marae	Ngāti Hinepare Ngāti Māhū	48 Mōteo Marae Road, Mōteo
Waiohiki Marae	Ngāti Pārau (Ngāti Hikawera) Ngāti Hinewera Ngāi Tahu Ahi	44 Waiohiki Road, Waiohiki
Kohupātiki Marae	Ngāti Hāwea Ngāti Toaharapaki Ngāti Hori Ngāti Hinemoa	73 Kohupātiki Road, Clive

TĀNGATA WHENUA MARAE

There are a number of marae structures that may not fit the traditional construct of hapū marae as described earlier. These Marae fit well under the mantle of tāngata whenua and have a distinct role within Ahuriri Māori society and the Napier communities they serve.

Whānau Marae

Whānau marae are land and building complexes that serve the purpose of a marae where a whānau wishes to express their own tikanga and cultural values. Whānau marae may be, but are not necessarily, marae of the mana whenua; and may be registered with the Māori Land Court. There are two such Marae Reservations in Napier:

Marae	Affiliation	Location
Te Poho-o-Tangīianui	Established as Napier's first urban Marae (c.1983) Te Poho-o-Tangīianui.	95 Auckland Road, Greenmeadows

	A registered Kohanga Reo operates on site.	
Ngā Pakiaka ki te Iwi	Marae reservation for the benefit of Ngāti Kahungunu whānau whānui. A registered Kohanga Reo operates on site.	10 Lowry Terrace, Marewa

Ngā Hau e Whā Marae

Community marae – are established by community, to address the cultural needs of whānau who live away from their tribal area and hapū marae. Community marae are not solely for Māori but for all the community. Pukemokimoki Marae is Napier’s community marae. The land of Pukemokimoki Marae is Council owned and not a registered Maori Land Title.

Marae	Affiliation	Location
Pukemokimoki Marae	Maraenui Community and all Ahuriri Māori. A registered Kohanga Reo operates on site.	191 Riverbend Road, Maraenui

Institutional Marae – Places of learning

The institutional marae for the Eastern Institute of Technology is ‘Te Ara o Tāwhaki’, which translates as ‘the pathway of Tāwhaki’, a legendary figure who journeyed to the tenth heaven to attain the knowledge of karakia. Tāwhaki championed knowledge by bringing the knowledge of karakia back to earth to benefit mankind. The wharenuī was built and opened in 1994.

MANA WHENUA AUTHORITIES AND REPRESENTATION

The Council acknowledges representation of whānau, hapū, marae, and engages with Iwi Authorities, Hapū Authorities, and corporate entities, with any express mandate, when they advocate for and represent the interests of whānau, hapū, marae, in all matters to do with land use. It is on this basis that effective consultation and partnership are sought to give effect to the Resource Management Act.

Four Mana Whenua Authorities in Ahuriri Napier represent mana whenua interests for the purposes of the Resource Management Act:

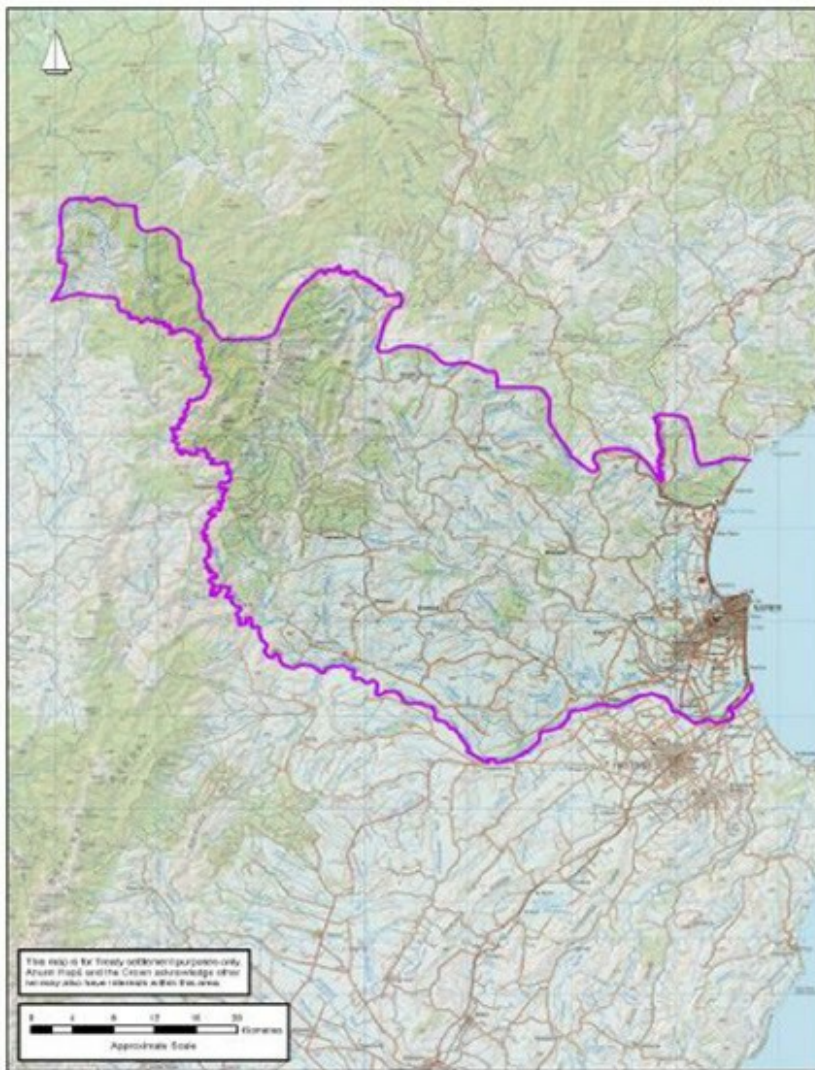
1. Te Taiwhenua o Te Whanganui-a-Orotū
2. Ngāti Pārau Hapū Trust
3. Maungaharuru-Tangitū Trust
4. Heretaunga Tamatea Settlement Trust

Mana Ahuriri Trust

Mana Ahuriri Trust is a Private Trust set up to receive the proceeds of the Ahuriri Deed of Settlement from the Crown. Its members in 2015 refreshed the mandate of the nine (9) named initial Trustees in the ratification process to receive and manage the settlement on their behalf.

Mana Ahuriri Trust is currently waiting on an introduction date for their settlement legislation Bill into the House of Parliament. Once this process begins and settlement date reached the proceeds of the

settlement will transfer to Mana Ahuriri Trust to manage. Mana Ahuriri has a Trust Deed which was registered in September 2016 and within this Trust Deed members have ratified the rules under which governance will manage the settlement affairs of the organisation.



Claim Area

The area covered by the Ahuriri Hapū Deed of settlement is captured within the purple outline as shown on the above map.

Purpose of Mana Ahuriri Trust

The Trust was established to receive, manage, hold and administer the Trust's assets on behalf of and for the benefit of the present and future beneficiaries of Mana Ahuriri in accordance with its Deed.

A beneficiary is an individual registered member of Mana Ahuriri Trust who holds whakapapa to one or more of the following Hapū

- Ngāti Hinepare
- Ngāti Maahu
- Ngai Tawhao
- Ngāti Paarau
- Ngāti Tū

- Ngāti Matepu
- Ngāi Te Ruruku

Te Taiwhenua o Te Whanganui-a-Orotū

Te Taiwhenua o Te Whanganui-a-Orotū represents mana whenua and mataawaka as an Iwi Authority through the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 under the auspices of Ngāti Kahungunu Iwi Inc.

The purpose of Te Taiwhenua is:

To enhance the spiritual, cultural, social, and economic wellbeing of the hapū and marae within its area of interest, and to provide kaitiaki responsibilities of ensuring the restoration and maintenance of the socio cultural and natural environment.

Te Taiwhenua o Te Whanganui-a-Orotū gains its membership from mana whenua marae within their area of interest:

Marae	Affiliated Hapū
Te Hāroto Marae	Ngāti Hineuru
Tangoio Marae	Ngāti Tū (Maratūhetaua) Ngāi Tauira Ngāti Kurumōkihi Ngāi Te Ruruku
Pētane Marae	Ngāti Matepū (Ngāti Hineterangi) Ngāi Te Ruruku Ngāti Whakaari
Wharerangi Marae	Ngāi Tāwhao Ngātiu Hinepare Ngāti Māhū
Timi Kara Marae	Ngāti Hinepare Ngāti Māhū
Hamuera Marae	Ngāti Hinepare Ngāti Māhū
Waiohiki Marae	Ngāti Pārau (Ngāti Hikawera) Ngāti Hinewera Ngāi Tahu Ahi
Kohupātiki Marae	Ngāti Hāwea Ngāti Toaharapaki Ngāti Hori Ngāti Hinemoa

The values and principles which guide the role of Te Taiwhenua as kaitiaki, in environmental management:

Mana Motuhake – active leadership and decision making

Maumaharatanga – remembrance of spiritual and cultural sites of significance

Kaitiakitanga – cultivating a sustainable healthy environment and healthy lifestyle for all people

Kotahitanga – participating together; having open, honest and transparent communication; unity

Whānaungatanga – through our whakapapa, our identity; knowing our matauranga

Manaakitanga – caring for the environment so that we can care for the people

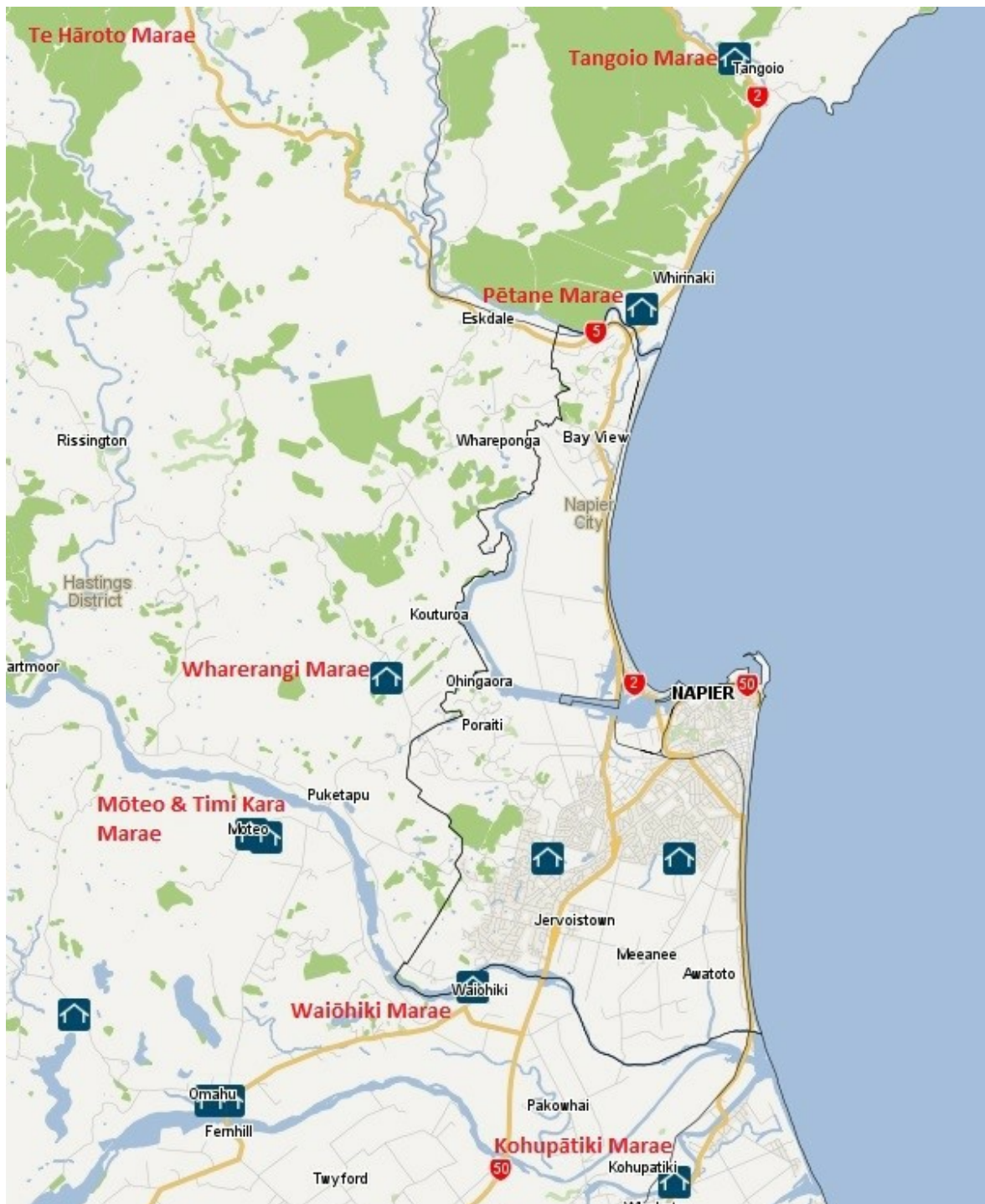
Sustainability – promoting use of environmentally friendly and sustainable practices and materials

Principle of enhancement – restoration of degraded sites

Long-term cultural wellbeing – a healthy environment for future generations

Ki uta ki tai (mountains to sea) – holistic integrated catchment management

Area of Interest: Te Taiwhenua o Te Whanganui-a-Orotū



Ngāti Pārau Hapū Trust

Ngāti Pārau Hapū Trust is a mandated Hapū Authority for the purposes of the RMA. The area of interest for Ngāti Pārau covers a large area of Ahuriri Napier City, and as such, Ngāti Pārau are the predominant mana whenua within the city boundaries.

The vision statement for Ngāti Pārau is:

To maintain and enhance the mana of Ngāti Pārau hapū

The values and principles which guide the role of Ngāti Pārau Hapū Trust as kaitiaki, in environmental management:

Whanaungatanga – We will respect, foster and maintain important relationships within the hapū, the iwi, and within the community.

Manaakitanga – We will pay respect to each other, to hapū members and to all others in accordance with our tikanga.

Tohungatanga – We will pursue knowledge and ideas that will strengthen and grow Ngāti Pārau and our community.

Kaitiakitanga – We will work actively to protect the people, environment, taonga species, mahinga kai, rongoā, knowledge, culture, wāhi taonga, language and resources important to Ngāti Pārau for future generations. Engagement in the community as mana whenua and leading decision making.

Kawa me ōna Tikanga – We will strive to ensure that the tikanga of Ngāti Pārau is actioned and acknowledged in all of our outcomes.

Rangatiratanga – We will strive to maintain a high degree of personal integrity and ethical behaviour in all actions and decisions we undertake. Engagement in the community as mana whenua and leading decision-making.

Hauora – We will strive to maintain and improve the wellbeing of all whānau members of Ngāti Pārau.

Ōhanga – We will pursue for improved economic development, sustainability and growth for the whānau, hapū and marae.

Area of Interest: Ngāti Pārau Hapū Trust



POST SETTLEMENT GOVERNANCE ENTITIES (PSGE's)

Claims to the Waitangi Tribunal have been settled by two mandated groups in the area of interest of Napier City Council:

1. Maungaharuru-Tangitū Trust ***Maungaharuru-Tangitū Claims Settlement Act 2014***
2. Heretaunga Tamatea Settlement Trust ***Heretaunga Tamatea Claims Settlement Act 2017***

Consideration needs to be given as to how their interests may be impacted by any potential activity under this district plan.

Statutory Acknowledgements and Deed of Recognition

Statutory acknowledgements register the special association the settlement groups have with an area and are recognised under the Resource Management Act 1991. Cultural values for hapū are expressed in detail in the statements of association in relation to each of the acknowledgements. They require Council to provide summaries of all resource consent applications that may affect the areas named in the acknowledgements.

Deeds of recognition oblige the Crown to consult with the Settlement Trust and have regard to their views regarding the special association the settlement groups have with a site. They also specify the nature of input of the group into the management of those areas by the Crown.

Heretaunga Tamatea Statutory Acknowledgements within the area of interest include:

- Tūtaekurī River and its tributaries within the Heretaunga Tamatea area of interest

Maungahaururu Tangitū Statutory acknowledgements within the area of interest include:

- Waiohinganga/Esk River and its tributaries (OTS-201-34)
- Hapū coastal marine area (OTS-201-40)
- Rocks and reefs (OTS-201-41)

Maungahaururu Tangitū Trust Deeds of recognition within the area of interest include:

- Waiohinganga/Esk River and its tributaries (OTS-201-34)

All of the rivers noted above and the Ahuriri Estuary flow into the bay and are included in the area of interest of the Napier City Council.

Maungaharuru-Tangitū Trust

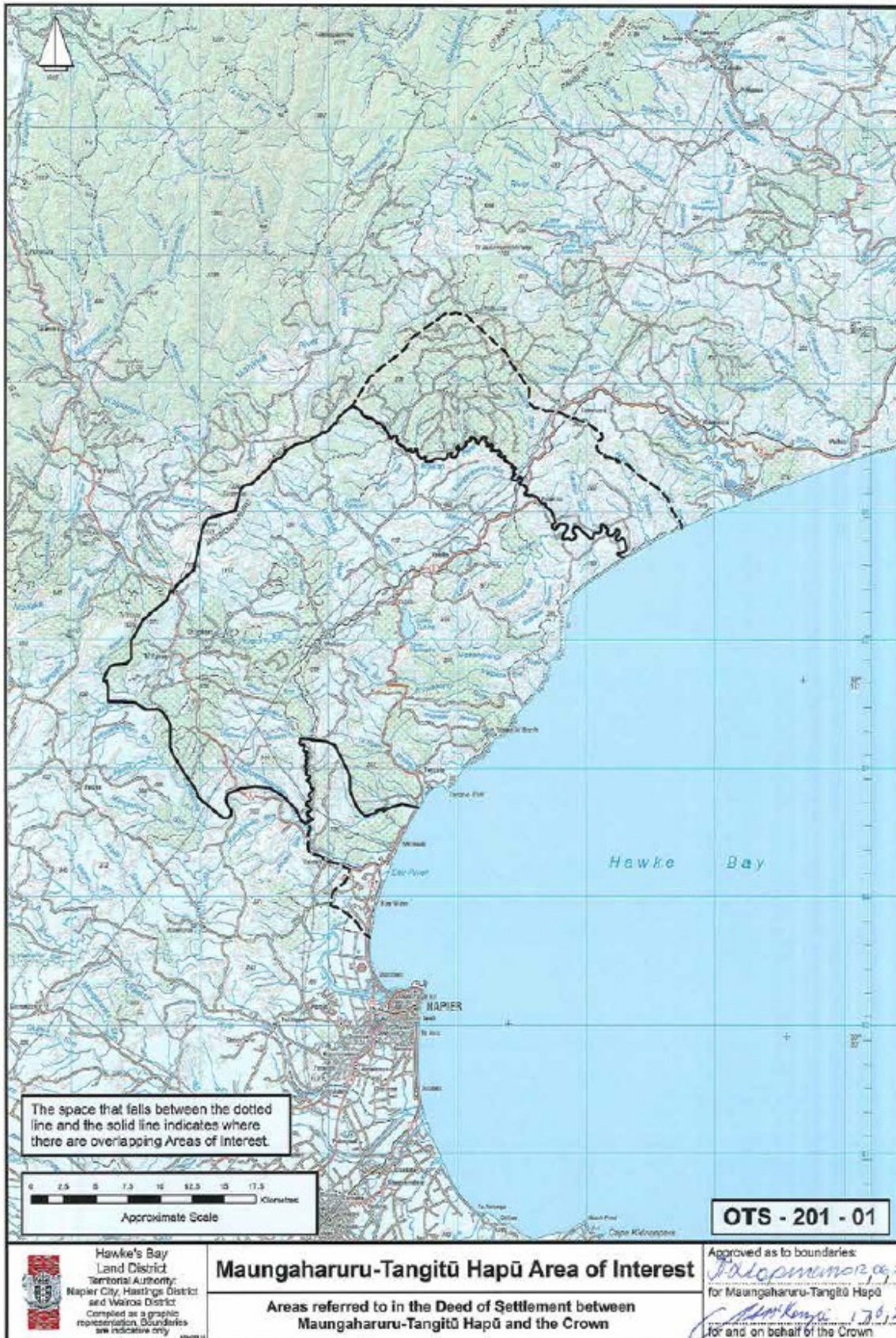
Maungahaururu Tangitū Statutory acknowledgements within the area of interest include:

- Waiohinganga/Esk River and its tributaries (OTS-201-34)
- Hapū coastal marine area (OTS-201-40)
- Rocks and reefs (OTS-201-41)

Maungahaururu Tangitū Trust Deeds of recognition within the area of interest include:

- Waiohinganga/Esk River and its tributaries (OTS-201-34)

Area of Interest: Maungaharuru-Tangitū Trust



Heretaunga Tamatea Settlement Trust

Heretaunga Tamatea Settlement Trust is the Post Settlement Governance Entity for Heretaunga Tamatea established to receive the redress negotiated by He Toa Takitini in settlement of the historical Treaty grievances of Heretaunga Tamatea against the Crown.

Although the arrival of new migrants sometimes led to conflict with groups who preceded them, strategic intermarriage helped to stabilise communities and establish bloodlines which connect the present hapū of Heretaunga Tamatea through these ancestors to the lands they currently occupy. They have held, and continue to hold, ahi-kā-roa since they first settled the land.

Area of Interest: Heretaunga Tamatea Settlement Trust



KO NGĀ WĀHI TAONGA *TREASURED PLACES*

Wāhi Taonga sites are places held in respect by mana whenua. Under the Resource Management Act Council has specific obligations to mana whenua, with a requirement to recognise and provide for ancestral lands, water, sites, Wāhi Tapu, and other taonga. In the District Plan, the term 'wāhi taonga' is defined to mean a site of significance to mana whenua and encompasses wāhi tapu and all other matters provided for under s 6(e) of the Act.

Wāhi taonga sites may include pā kainga *villages*, urupā *burial grounds and caves*, battlefields, sacred rocks and trees, watercourses and their edges and any other site of spiritual or cultural significance as defined locally by hapū that exercise kaitiakitanga over it.

The Sites of significance to Māori section of the District Plan identifies sites of significance and protects them from damage, modification, and destruction from subdivision and land use activities in order to meet Council's obligation under the Resource Management Act. In pursuing this goal, Council must also balance the rights of landowners where wāhi taonga sites may exist. Accordingly, the policies and rules of the Sites of significance to Māori section of the District Plan endeavour to:

- Identify in consultation with mana whenua, the location of wāhi taonga within Napier City.
- Notify and consult with mana whenua on applications received by Council for Building Consents relating to land where wāhi taonga are sited.
- Notify and consult with mana whenua on applications received by the Council for Resource Consents for activities that will potentially affect such sites with the aim of discussing methods that could be used to avoid or mitigate damage to them. Accordingly, this process will enable Council, landowners and mana whenua to work through the development in a manner sensitive to the needs of mana whenua and landowners.
- Encourage landowner and mana whenua relationships for mutual understanding where wāhi taonga are sited on private land.

KO NGĀ WĀHI TAIAO *SIGNIFICANT NATURAL LANDSCAPES*

Napier's rural and coastal landscapes provide a natural backdrop to the city. These special places reflect the city's geographic positioning and history, and contribute to our sense of place. They help define Napier's unique identity. In addition to the visual values, landscapes will often hold cultural significance, and this is recognised in the provisions of the Resource Management Act.

The Council recognises that there is a need to identify Outstanding Landscapes and protect them from inappropriate use and development. As such, a report to identify the significant cultural landscapes has been completed.

The Natural Features and Landscapes Section of the District Plan recognises and protects those landscapes of importance to mana whenua, as identified in the Outstanding Landscapes Report.

This chapter relates to the management of the Napier's outstanding natural feature at Ōtātara, our special character landscapes at Te Whanganu-ō-Orotu (including eight separately identified special features within), the upper slopes of the Taradale Hills, Heipipi-Esk Hills and the special character feature Pukekura (Sugar Loaf).

KO NGĀ WHAI TIKANGA *MĀORI CULTURAL VALUES*

The following definition of Māori cultural values was developed by Manaaki Whenua Landcare research in 1994/1995, who undertook an extensive process to define or describe what was meant by the term "Māori values":

'any natural resource, area, place, or thing (tangible or intangible) which is of physical, economic, social, cultural, historic, and/or spiritual significance to tangata whenua'.

'The definition was deliberately left open ended so that certain objects, attributes, or other things of significance were not constrained in meeting this definition. The definition, by including the word 'intangible', caters for language as in Māori place names, particularly those used by tāngata whenua, and the recording of information related to metaphysics or to cosmology was also regarded as important.

Māori cultural values, as interpreted from the RMA 1991 and the Historic Places Act 1993 (now the Heritage New Zealand Pouhere Taonga Act 2014), refer to a large range of sites, places, natural resources, objects, features, and things, including:

- biophysical sites, features (e.g. watercourses, lake beds, river beds, landmarks, mountains, land, soil, and water, vegetation, hydrothermal areas, wetlands);
- medicinal plants, plants for weaving;
- cultural/social sites (e.g. marae);
- historic sites of special significance (e.g. pā);
- discrete sites of special significance, often spiritual (e.g. urupā, sacred shrines (tūāhu), and other wāhi tapu);
- Māori place names;
- temporal changes to rohe boundaries, often based on ancestry, that impact on the natural resources therein;
- waka landing and anchorage sites (e.g. ūnga waka, tauranga waka);
- buried art (carvings, including whakairo and pounamu).'

Māori cultural values extend beyond those provided for in legislation and so too, do the meanings attached to them. Māori cultural values held by Te Whanganui-a-Orotū mana whenua include:

Mauri

There are two facets to mauri: the individual, and the collective, as Dr Rangimarie Turuki Rose Pere teaches:

'Mauri is... a very important concept and our everyday lives and living. Each individual has a mauri that remains throughout his or her existence. All living things, lakes, rivers, the sea, the bush and buildings have a mauri that should be appreciated and respected. It helps one to relate and care for everyone and everything across the universe...'

...everything in the universe is regarded as having the same divine right. All the influences one feels are personified as much as possible so that one can see herself or himself as being interrelated with everything across the universe.'

Another way to think about mauri is to consider mauri ora *vitality and wellbeing* as being associated with positive energy. The opposite applies where mauri mate *waning of life* is the result of negative energies being applied.

Mauri, as described by Sustainable.org.nz, is:

'the life energy which binds and animates all things in the physical world. The actions we take can enhance or diminish mauri in the same way caring for our health enhances it and neglecting our health, degrades it.'

Tikanga

The following paragraphs titled Tikanga and Mana by Moana Jackson are extracted from his brief of evidence to the Royal Commission of Inquiry into Abuse in Care 29 October–8 November 2019

'Iwi and Hapū long ago developed a law or tikanga that grew out of the stories and the culture that developed in this land. It developed from philosophies to do with the sacred interrelatedness of whakapapa as well as from precedents and customs devised by the tipuna. It recognised the need for sanctions but stressed the ethical base of any behaviour and sought reconciliation rather than punishment. It recognised the relationships between people and every part of the universe, both seen and unseen, physical and spiritual.'

'Tikanga itself was thus relational as well as values based. It was bound by the ethics of what ought to be in a relationship as well as the values that measured the tapu and mana of individuals and the collective. It set prescriptive and proscriptive guidelines for what was legal or illegal (tika or non-tika) behaviour, and because it was so whakapapa-based people lived with the law rather than under it. The idea that someone might be above it was simply a cultural contradiction in terms.'

Mana

'As in all cultures law was symbiotic with the exercise of political power. The effective exercise of mana or tino rangatiratanga was proscribed and prescribed by tikanga, which in turn was given efficacy by the mana of the Iwi and Hapū.

The concept of mana as a political and constitutional power denoted an absolute authority. It was absolute because it was absolutely the prerogative of Iwi and Hapū, but it was also absolute in the sense that it was commensurate with independence and an exercise of authority that could not be tampered with by that of another polity. It necessarily included a number of different components that may be called the specifics of power such as:

- a power to protect – that is the power to protect, manaaki and be the kaitiaki for everything and everyone within the polity;
- a power to define – that is the power to define what should be protected, and the power to define the rights, interest and place of individuals and collectives;
- a power to decide – that is the power to make decisions about everything effecting the wellbeing of the people; and
- a power to develop – that is the power to change to meet new circumstances in ways that are consistent with tikanga and conducive to the advancement of the people.'

Rangatira, Rangatiratanga and Tino Rangatiratanga

Rangatira *leader*, traditionally chiefly and born of high rank. A person with the ability to bring people to a collective position, who is instilled with the confidence of the hapū and iwi to lead them to a desired outcome.

The weaving (ranga) together of groups of people (tira) requires specific leadership skills, particularly when the people are faced with challenges, external opposition or internal disagreement.

Rangatiratanga – the exercise of leadership with authority of the people.
Tino rangatiratanga – self-determination.

Traditionally there was far greater depth and significance in the words as described above. The

interconnectedness of generations brings intergenerational responsibility, present day rules of engagement and relationship also bring responsibilities.

Today, in the context of community governance and engagement, Rangatiratanga values include:

- Identifying and engaging with the acknowledged or appointed representative for the people and issue (this may vary according to the issue);
- respectful and appropriate communications;
- early engagement and transparent dealings, leadership in partnership.

Consider the ideal situation as Kanohi ki te kanohi, pokohiwi ki te pokohiwi; meeting and discussing issues face to face, working together shoulder to shoulder, to reach an agreeable outcome of mutual benefit.

Manaakitanga

A measure of wealth or prestige (mana) in Māori society includes how people care for one another. How well people are treated, fed and cared for demonstrates how their individual and collective mana is respected and how the host's mana can be enhanced. Manaakitanga is a cultural value that is associated with mahinga kai, nohoanga, maara as being places where food is gathered or grown in order to look after the needs of the whānau, hapū and their guests.

Kaitiakitanga

A responsibility and obligation to halt environmental degradation and work towards restoration of the natural environment, to fulfil the roles of guardian and stewardship of physical natural resources that are inherent in tāngata whenua.

Ahi kā roa

The 'ahi kā roa' refers to those who stay and kindle the fires of home. By the act of living on the land, the claim to the land is retained through occupation.

In the early 19th century, the people of Heretaunga and Ahuriri were under attack by northern iwi of far superior force. Led by Pareihe, a large body of people retreated to Māhia-mai-tāwhiti where they lived for a number of years until it was deemed safe to return to their homelands. Despite the exile of people, the defeat at Pakake and the capture and enslavement of the survivors, there were some people who deliberately chose to remain, sometimes in seclusion, to maintain ahi kā and the rights of occupation on behalf of their hapū. Pareihe was able to sight the smoke of their fires from Māhia-mai-tāwhiti.

Today, with the urbanisation of Māori and the large numbers of Māori travelling and living overseas, those families who opt to reside at home, maintain the marae, maintain the traditions of the marae and uphold the kawa and tikanga of the hapū, are the 'ahi kā'. When the threat to the hapū is loss of cultural identity, the role of ahi kā roa is extremely important and highly valued in Māori society.

Mahinga kai

Coastal reefs and inshore fisheries are important mahinga kai areas for customary and recreational fishing and the gathering of shellfish. Likewise, the bush and inland lakes and streams that provided birds, plants, freshwater fish, eels and other favoured species. The seeding, planting and breeding of food resource species is just as important as maintaining the traditions for gathering of those resources. Restoration of habitat is supported with hapū desiring to be actively involved with enhancement projects.

Hapū have a special association with the rocks and reefs of the coast as with the rivers, estuaries and wetlands; and regardless of ownership, maintain a unique and fundamental relationship with these areas. Any potential effects to these taonga must be a consideration before decisions are made.

'Mahinga kai reaffirms the principal component of a traditional economy and importance of transmitting mātauranga, or Māori knowledge. Tikanga such as tapu, karakia, rāhui and mana are associated with mahinga kai. The traditional system of exchanging kai within these areas was not simply a utilitarian mechanism for distributing resources. It is certainly as important a social institution as economic. The sharing of kai and resources served to reinforce the social order and whakapapa. This is the same for mātauranga. The importance of tikanga associated with mahinga kai around freshwater plays a key role in terms of continuing our ancestral relationship with Papatūānuku, upholding kaitiaki responsibilities, and mana whenua. These environmental values express the customary lore and how customary lore relates to traditional knowledge and the sustainability of natural resources within these areas.' (Peter Paku 2017).'

Hapū continue to use all means available to protect these taonga and expect to be consulted in all aspects of their management. Mahinga kai that are in use, support the continuation of traditional practises, including access to places where food was sourced.

Where mahinga kai, once used are no longer accessible, viable or safe to access, there is loss of heritage and memory of tūpuna ancestors and their way of life.

Once a food source has been contaminated (mauri mate) or known as a risk to human consumption, it is no longer considered safe to access.

Whakapapa

Whakapapa links each generation to the one before it and to the immersing generation, recording the origins of tāngata whenua through time. Whakapapa transcends realms with descent lines connecting Māori to Te Ira Atua *the celestial realm*, the creation and all elements of the universe.

Whakapapa provides the connections between hapū and iwi through shared ancestry.

It is through whakapapa that many of the remembered events and associations of the ancestors were able to be recalled and recorded for generations to learn of and from.

Great value is placed upon being able to trace one's whakapapa, whānau, hapū, and iwi affiliations with an expectation of participation and contribution in Māori society. This point was impressed on the Waitangi Tribunal hearings for Te Whanganui-a-Orotū Wai 55:

'Through whakapapa the claimants established their identity as descendants of the first people of the area who are linked to 'the cosmos, to the land and to the waters of the region'.

'Throughout the evidence of the claimants, whakapapa were used to connect with the environment, establish the identity of witnesses, identify ancestors, establish occupation and use rights, and explain spiritual concepts and tribal history.'

Whakapapa is important in management of wāhi taonga *sites of significance*, including the history of the sites, the whakapapa connections related to the sites and who the appropriate people are to discuss management of the sites with.

Whanaungatanga and movement of the people

In early times people migrated to Te Whanganui-a-Orotū for the renowned food sources here. In the avoidance or aftermath of battle, political alliances were made, adoption and marriages were

sometimes arranged to seal agreements and strategically connect groups of people for mutual benefits.

In recent times, movement of Māori away from rural, tribal areas into the towns and cities occurred between the 1920s and the 1960s. Prior to World War One, only ten percent of the Māori population were living in cities. This number had more than doubled by the end of World War Two and has steadily increased so that now the position is reversed with upwards of 84% of Māori being urban dwellers.

The 2013 census records the Māori population in Ahuriri Napier City as 19% of a total population of 57,240; and by iwi affiliation, Ngāti Kahungunu mana whenua make up less than 40% of the resident Māori population of Ahuriri Napier.

Across Te Whanganui-a-Orotū are many examples of whanaungatanga in action, essentially, the relationships between people and how they co-exist or express their relationship with other groups of people.

'the tāngata whenua of Te Whanganui-a-Orotū had a well-established practice of whanaungatanga. Frederick Reti related how many hapū, such as Ngāti Hineuru, Ngāti Whatuiāpiti and Ngāti Hāwea, used the resources of Te Whanganui-a-Orotū.'

Te Whanganui-a-Orotū Report 1995

FC - Financial Contributions

Council has recently adopted a new financial contributions policy as part of its current Long Term Plan 2021 – 2031.

The policy states that for the next three years Council will continue to use Financial Contributions under the Resource Management Act 1991 as per the financial contributions section of the Operative District Plan. The actual quantum of the financial contributions are specified in the Operative District Plan and indexed annually through the fees and charges. This approach covers all types of development (residential and non-residential) and is a city-wide approach for development anywhere in Napier City.

The financial contributions policy retains the use of this mechanism for residential development used in the previous policy. The main change is that non-residential developments will now also be levied a financial contribution in accordance with Table 5 of the Operative District Plan (Non-residential financial contributions) rather than the use of development contributions.

The policy includes a new provision that allows Council the option to incentivise residential developments in the CBD fringe by reducing the financial contributions charged for inner city living where there is no additional demand on services. This will encourage the strategic outcome of city living supporting a vibrant CBD.

The policy explains that Council considers the existing financial contributions the simplest and most effective means of funding growth costs as they are in place for the main development areas within the city that are partially developed, or about to be developed.

Please refer to the Operative District Plan for Councils financial contributions.

SD - Strategic Direction

Background

Introduction

The District Plan is one tool to implement strategies and policy directions set for Napier and the Hawke's Bay Region. The following strategies are relevant to managing development and activities in Napier City.

City Vision

City Vision, adopted by Council in 2016, is an overarching strategy for Napier city, which establishes priorities for both the way Council will develop the city, as well as the way in which it will do this.

City Vision puts forward six principles:

- *Putting people first* – a focus on quality and experience
- *Open for business* – making regulation easy and fostering entrepreneurship
- *A port and coastal city* – celebrating our coastal environment and recognising the importance of the Port and airport to the region
- *Our People, our stories* – celebrating what makes us unique, and our intrinsic connection with the past and our culture
- *Ecological excellence* – a focus on restoring and enhancing our environment, and promotion of sustainable thinking
- *Pedal power* – building a strong cycling culture, and making journeys safe and enjoyable

These principles apply across Napier city, and influence how Council prioritise projects, how projects are designed, and how Council provides service to the community.

Outside of these principles, the City Vision provides a focus on the city centre, waterfront spaces, and Ahuriri, with enhancement opportunities identified for future consideration.

All future projects, plans and strategies, including the District Plan, must give effect to the City Vision to ensure consistency of purpose.

Heretaunga Plains Urban Development Strategy (HPUDS)

The Heretaunga Plains of Hawke's Bay are resource rich, and the value of the water and soil resources to the economy and the well-being of the community has changed little over time. However continual growth in the residential and industrial sectors has led to increasing competition for these resources. The area covered by the strategy includes Napier and Hastings cities and outlying suburbs, plus the small coastal and rural settlements from Whirinaki and Bay View to the fringes of the plains such as Maraekakaho, Puketapu and Pakipaki.

A key focus of the HPUDS is to manage growth to minimise loss of the productive capacity of the Heretaunga Plains. HPUDS is founded on a series of guiding principles:



The guiding principles of the HPUDS strategy inform the urban growth objectives of this District Plan.

Clifton to Tangoio Coastal Hazards Strategy 2120

Clifton to Tangoio is the most developed and populated part of the Hawke's Bay coastline, As well as hundreds of people's homes located along this coast, there are businesses and industry, roads, bridges, electrical/gas/water/sewage services, a seaport and an airport.

The Strategy is being developed to understand coastal hazards risks and the management options for this key part of the Hawke's Bay coastline. The Strategy has identified the areas that may be affected by various coastal hazards over the long term and the risks to public and private property, cultural sites and areas, recreational use and infrastructure services. Implementation of the strategy includes land use planning and investment. It is anticipated that a Plan Change to this District Plan will be required upon completion of the strategy to give effect to the implementation measures.

Napier 30 year Infrastructure Strategy (Note: still in draft as at Nov 2020)

The 30-year infrastructure strategy covers the city's main strategic assets of Transportation, Water Supply, Wastewater, Stormwater, Parks, Reserves and Buildings.

The initial years of this strategy propose an emphasis on improving the organisation's asset management practices to enable a more strategic approach to be taken to forward planning for expenditure on the city's network assets. This will ensure that each individual project will provide council with the best long-term value and will contribute towards the most efficient overall network performance. Development of asset management plans will seek to align with the growth opportunities enabled under this District Plan, including any future plan changes.

Napier Transport Strategy (Note: still in draft as at Nov 2020)

Napier City Council has developed a Transport Strategy to set out Council's vision for transport, outlining what the City values most, with the aim of delivering the types of towns, centres and public spaces that the community want. The Strategy establishes Council's priorities for investment and demonstrates to external funding agencies that the Council has a strategic, integrated and future-focused programme of investment for transport.

Seven objectives identify Council's transport investment priorities and will be used to guide the future development of transport projects:

Napier has:

1. a transport system that supports safer journeys
2. an inclusive transport system that enhances access and provides feasible travel choices (multi-modal))
3. a transport system that is efficient and resilient, providing reliable journeys for people and goods
4. a transport system that meets the needs of today and welcomes innovation and technology to meet the needs of the future
5. a transport system that supports wellbeing, providing access to social, economic, environmental and cultural opportunities for residents, visitors, business and industry
6. key freight corridors that are managed to prioritise the safe and effective delivery of goods to the Port, Airport and industry to support a prosperous and diverse economy
7. a safe and attractive cycle network reinforced with a strong cycle culture that supports commuter, recreation and tourist journeys.

The Transport Strategy was developed in conjunction with the preparation of this District Plan to ensure alignment and integration of transport and land use outcomes.

Ahuriri Estuary & Coastal Edge Masterplan

The Ahuriri Estuary and Coastal Edge Masterplan, adopted by Council on 7 August 2018, is a long-term, big picture vision for a thriving, health and resilient Ahuriri.

The plan highlights opportunities for better managing the estuary and coastal edge – improving water quality, encouraging appropriate uses, and creating a resilient estuary environment. It covers the area from Napier Port to Hawke's Bay Airport, and from Napier Hill to the east to the Poraiti foothills in the west.

The masterplan was developed by Napier City Council in partnership with Mana Ahuriri Trust, Hawke's Bay Regional Council, and the Department of Conservation.

The masterplan presents opportunities for planning and redevelopment in two areas:

- The estuary and Pandora
- Inner Harbour and Ahuriri.

It includes key principles that are:

- *Connectivity*: connecting us to the special place; its history and the environment
- *Quality*: quality environment, quality of life, quality design
- *Authenticity*: keeping it real, valuing culture, celebrating uniqueness.

Many of the identified projects will evolve over time, both in the short and long term. They will require partnership, consultation and engagement with key stakeholders, wide hapū entities, and the community relevant to its place and use. This continued engagement will mean the masterplan will be a living, evolving document.

As a result of the masterplan, the following additional plans have been prepared:

- Lagoon Farm Land Use Strategy
- Inner Harbour Plan
- Pandora Zoning Review

The District Plan incorporates recommendations of these plans where they relate to zoning and land use.

Open Space Strategy

The Open Space Strategy provides a high level vision, outcomes, and objectives and strategic direction for the future development and management of our Open spaces. The Strategy identifies initiatives and opportunities, services and programmes which can be delivered in our network through a developed action plan over the next 10 years.

From this Strategy the development of Reserve Management Plans for our open spaces throughout the city will be prioritised and progressed - effectively launching the strategy into action and ensuring the aspirations and vision for the City and open spaces is achieved. The Strategy provides provision and design guidance for new reserves and open space. The District Plan ensure the range of activities and design requirements for open spaces will assist in facilitating the Open Space Strategy.

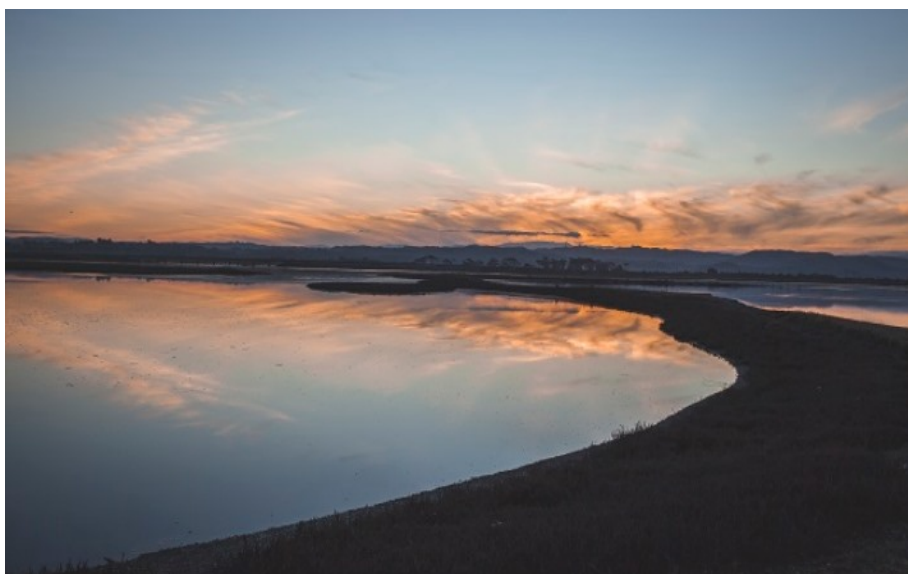
Heritage Strategy

Napier's art deco architecture is a drawcard for visitors from all around the world. The city's rebirth as an American-inspired and progressive town with a cohesive art deco style sets it apart from any other New Zealand city, and with its Māori-inspired decorative motifs, is unique in the world. It's a uniqueness to be treasured and celebrated. But Napier's story is rich, and our sense of identity is born from the tales of this land, its events, and its people from before 'man' set foot upon it through to present day.

The Heritage Strategy will identify what we as a community value, what we will set out to achieve, what actions are needed to achieve them, by whom and when. It's a change to look at heritage in a holistic way, and to look at all the ways that we can achieve our goals, rather than making minor adjustments in an ad hoc fashion.

Regional Industrial Land Strategy

The objective of the Regional Industrial Land Strategy (RILS) is to recommend a strategy for



accommodating industrial development over the next 30 years but with land demand projections focused on the next 10 year period for the Hastings District and Napier City local authority areas. The strategy sets out a sub-regional approach based on locational advantage, for example warehousing and logistics growth in Napier in proximity to the Port and Airport; and provision for greenfields wet industry and more general industrial activity in Hastings District where land availability is greater, with lesser risk of coastal hazards.

The strategy considers appropriate industry types for each industrial location and identifies constraints and opportunities over the medium to long term. The recommendations for each industrial area considers both environmental and economic objectives.

The recommendations of the Regional Industrial Land Strategy inform the Industrial Zone locations and provisions in this District Plan.

Retail Strategy

The purpose of the Retail Strategy is to provide the Council, local retail sector, potential retail investors and other retail interests with an integrated framework for managing retail development to ensure it contributes to quality outcomes for the City and its communities. The Retail Strategy provides a strategic approach to optimising Napier's retail sector to ensure it provides for the economic and community wellbeing of the city.

This includes:

- Protecting the Napier CBD as the centre for specialty retailing in Napier, including through appropriate retail controls for the hierarchy of centres, the Large Format Retail zone and the Mixed Use zone
- Limit the scale and number of hospitality premises in LFR and Industrial Zones to ensure that such activities serve workers and customers in those areas but do not become hospitality centres in their own right and impact on the hospitality function of the CBD or Ahuriri.
- Enable warehousing and servicing activities with a strong retail component along the Taradale Road frontage
- Avoid a full scale supermarket or retail offering in the Ahuriri Mixed Use zone
- Manage the quality of design in and around the City Centre to ensure new development contributes to the attractiveness of the city for retail and other supporting activities
- Improve accessibility of retail centres
- Invest in improvements to the public realm in retail centres
- Support business innovation and development including through improved regulatory processes

The District Plan is a key tool to implement the strategy, and incorporates the recommendations.

Long Term Plan 2021-2024

Tbc

Top 12 resource management issues for Napier

The following issues are all significant to Napier and there is no priority implied in their order.

SD-11 Housing supply

Napier has been identified as a “medium growth” area and is facing rising housing unaffordability. A lack of housing supply and diversity has adverse consequences on the health and wellbeing of our communities

More houses are required in Napier to keep up with demand. Between 2018-2028, another 5,000 people are expected to require housing in the city. A lack of housing supply has consequential effects on the affordability of housing.

A range of housing typologies is also required to provide for changing demographics and market demands. Housing development in Napier has historically been 3-4 bedroom single detached houses on generous sites. Smaller houses on smaller sites can provide for young singles and couples, “empty nesters” looking to downsize, and affordable housing. Larger houses (5+ bedrooms, multiple kitchens) can accommodate multi-generational/extended families or communal living arrangements. Supply of only one housing typology to the market reduces choice and options for different household types and therefore undermines social cohesion.

SD-12 Productive soils

The high quality soils of the Heretaunga Plains are at threat from pressure for ongoing urban expansion

The RMA promotes use, development and protection of resources, while ensuring that the life-supporting capacity of soil and ecosystems is safeguarded. Versatile and productive soils are a limited resource in Napier and encroachment of urban land use into rural areas needs to be managed so that productive soils continue to support a variety of economic uses based on primary production.

SD-13 Infrastructure provision

Napier City Council has limited resources and significant infrastructure costs. This includes both renewal of existing assets and investment required to provide for anticipated growth

The provision of infrastructure to support development within the city incurs substantial costs, both in terms of the initial capital outlay along with ongoing operating, maintenance and renewal costs.

Infrastructure is increasingly required to focus on improved outcomes for both the environment and the health and safety of residents, rather than simply provide a service to support development. These enhanced community expectations mean that the while there will be safer drinking water, enhanced quality of stormwater discharges into receiving water, a more efficient transportation network and less environmental impacts in the future, the costs of providing the infrastructure will rise.

Infrastructure is also required to facilitate growth including intensification and expansion of the urban limits. Resilience of the infrastructure network will impacts of natural hazards and climate change. Aligning infrastructure provision with growth enabled under the District Plan will ensure efficiencies of scale, however this is not always achievable due to iterative planning processes and the lead in time required for upgrades. Where growth is enabled by the District Plan and there is insufficient infrastructure capacity at the time of development, alternatives may need to be considered and assessed through the resource consent process.

SD-14 Resilience

The majority of Napier's existing urban area is located on flat land which is potentially subject to natural hazards and the effects of climate change

Napier is potentially subject to the effects of a range of natural hazards. The potential impacts of these hazards for the city could be significant as evidenced by recent seismic events in Christchurch and Kaikoura. It is therefore important that development within the city needs to be as resilient as possible so that the city can recover from the impacts associated with hazard events as quickly and seamlessly as possible.

SD-15 Ahuriri Estuary and other water

The health of Ahuriri Estuary and other water has been degraded from adjoining land uses, contaminated stormwater discharges and unplanned wastewater overflows

The way land is managed has a direct impact on the surrounding environment. All land within urban areas discharges stormwater and wastewater into Council networks. These networks in turn discharge into the receiving environment (the Ahuriri Estuary and the Ocean) via discharge permits regulated by the Hawke's Bay Regional Council. Development within the city needs to incorporate water sensitive design methods to address the quality of stormwater before it enters our networks. The same methods can also be used to reduce quantities. It is when stormwater enters the wastewater network during high rain events that overloading of the wastewater network occurs and can result in unplanned wastewater overflows.

SD-16 Biodiversity

Napier has a very low percentage of native vegetation, and biodiversity across the city are generally degraded

Indigenous biodiversity refers to our native species, their genetic diversity, and the habitats and ecosystems that support them. Despite our small size, Napier is home to some rare significant indigenous vegetation and habitats. These are mostly in and around the Ahuriri Estuary. Council has a responsibility to maintain biodiversity and to recognise and provide for the protection of significant natural areas. A recent survey found that only 5.94% of Napier's land area is represented as a significant natural areas. Scientific research indicates that at least 10% of indigenous habitat is required in biodiversity depleted environments to avoid an accelerating rate of biodiversity loss and local extinctions. This will require resources to be directed towards the legal protection of significant natural areas, the restoration and reconstruction of missing local ecosystems and the linking of significant natural areas across Napier to ensure ecosystem buffering and ecological connectivity. Native plantings on private land and on Council reserves will improve biodiversity outcomes across the city.

SD-I7 Vibrancy and vitality of Napier's city centre

The ongoing vibrancy and vitality of Napier's City Centre as the centre of economic and community life is under continuing risk from competition

In addition to being a centre of economic activity, Napier's City Centre also provides community functions such as being a gathering place, a focus for festivals and events, and a place for entertainment and dining. Other New Zealand cities have experienced a decline in the vibrancy and vitality of their city centres due to the establishment of malls or significant large format retail activities outside of the CBD. This has detrimental impacts on both economic wellbeing and the community function of city centres. Napier is also experiencing pressure for commercial activity outside of the City Centre, including in Ahuriri and industrial areas. A balance needs to be achieved between encouraging economic activity in Napier more generally, and ensuring that the economic and community benefits of agglomeration in the City Centre are not lost.

SD-I8 Risk to heritage values

Napier's heritage values are at risk of being lost due to pressures for growth, limited awareness of non-Art Deco heritage, regulatory requirements and weaknesses in protection

SD-I9 Recognition of mana whenua values

Mana whenua values associated with the natural, physical and spiritual environment are not broadly known, understood or well reflected in resource management decision making

SD-I10 Effects of urban growth

Poor quality urban development detracts from the quality of urban environments, and has adverse effects on amenity values, public health and community wellbeing

Poor quality urban development can contribute to safety and security issues; lack of community cohesion; low levels of visual and aural amenity; unhealthy living environments; reduced vegetation through removal of mature trees; detract from the values of historic heritage sites or heritage character areas; and can detract from the character of a neighbourhood. For example, a streetscape dominated by large blank fences and garaging is unattractive and unsafe for pedestrians and cyclists, potentially reducing the potential for people to gain health benefits from active transport modes due to safety concerns, and reduces the potential for informal interaction between members of a community.

As growth in Napier intensifies, there is greater risk of poor quality urban development detracting from the wellbeing of the community.

SD-I11 Transport

There are barriers to moving within and around Napier by different modes of transport, including walking and cycling. More growth will put greater pressure on the transport network.

In 2021, Napier does not have the extent of congestion on the roading network experienced in larger New Zealand cities. However, there are areas where safe and efficient connections to, from, and within areas of the city could be improved, particularly to encourage active transport modes (walking and cycling) and public transport. Improving the quality of connections throughout the city, including for new developments, will also improve the resilience of Napier to natural hazards by providing easy escape routes.

Freight access to the Port of Napier is a particular issue for Napier. Ensuring safe and efficient access for freight to the port, while also enabling safe crossing points for pedestrians and cyclists, is important for the economic wellbeing of the region.

SD-I12 Constraints on industrial growth

Napier's limited land area and proximity to the Ahuriri Estuary and coast provide limited opportunities for industrial growth, particularly for industries with potential adverse effects on sensitive receiving environments

Industrial activities are an important component of Napier's employment portfolio. Due to a range of factors including limited suitable land area, poor ground conditions, and proximity to the Ahuriri estuary and inner harbour that have important values, larger scale industrial activities are encouraged to locate on more suitable land outside of Napier where appropriate services to support such industry are available.

Taking a regional approach enables appropriate industrial activity to locate in Napier where traffic can be managed, suitable infrastructure is available, and the adverse effects can be properly controlled through performance standards.

Key outcomes for the District Plan

Greenfield growth in the hills

This outcome relates to Issues SD-11 Housing supply, SD-12 Productive soils, SD-13 Infrastructure provision, SD-14 Resilience and SD-19 Recognition of mana whenua values.

It is predicted that between 2018-2028, there will be another 5000 people calling Napier home.

While there's some space in existing neighbourhoods, we need to extend our urban boundaries (called "greenfield growth") to meet demand.

Extending the urban boundaries on Napier's flat land is problematic because:

- it is subject to natural hazards including sea level rise, which requires costly solutions to reduce risk to people and property
- providing wastewater and stormwater infrastructure is also expensive and difficult in areas subject to natural hazards
- the Heretaunga Plains' high quality soils are needed to grow food for our communities and economy.

To meet Napier's immediate housing needs, further growth on flat land is likely to be required in the short term. However, in the long term, greenfield growth in the hills to the west of Napier, including potentially beyond the Napier City Council boundary, will remove these challenges. We can ensure any future urban development there celebrates landscape, mana whenua and environmental values through thoughtful planting and stormwater management, quality design and publicly accessible walking tracks.

The Mission Development Area, which has space for approximately 550 homes, is a first step towards achieving this outcome. The development's design recognises landscape values, for example, by providing for additional planting, and ensuring residences will lie behind the first ridgeline visible from Church Road.

The District Plan also seeks to ensure the potential for future connections throughout the western hills, including beyond the Napier City Council boundary, are not lost by ad hoc development. This is achieved by requiring vesting of "indicative public access routes" at the time of any subdivision.

City living for a vibrant CBD

This outcome relates to Issues SD-11 Housing supply, SD-13 Infrastructure provision and SD-17 Vibrancy and vitality of Napier's city centre.

Napier's CBD has restaurants, bars, a cinema, and live music venues in an attractive area. Increasing the number of apartments and homes in and around the CBD provides opportunities for more people to live, eat, be entertained and have fun all within walking distance.

Increasing the number of people living in and around our city centre will support businesses after 5pm, support the sustainability of our core retail area, and improve the vibrancy of our CBD for all of Napier's communities. It will also add some greater variety to housing choices, contribute to meeting housing demand, and further encourage walking and cycling to work and for leisure.

Due to its coastal location and flat topography, the CBD is subject to the potential effects of natural hazards. Having more people living and around the CBD makes it more feasible to improve the resilience of the city centre for everyone, including through investment in infrastructure, provision of vertical evacuation towers and evacuation routes to Napier Hill.

The District Plan enables higher intensity residential development within and around the City Centre, including through providing for discounts to financial contributions.

Premier Regional Park for Ahuriri Estuary

This outcome relates to Issues SD-14 Resilience, SD-15 Ahuriri Estuary, SD-16 Biodiversity and SD-19 Recognition of mana whenua values.

Through the Long Term Plan, Council is funding stormwater projects identified in the Ahuriri Estuary and Coastal Edge Masterplan. These projects, which will assist in addressing the estuary's water

quality issues, would be an important part of a Premier Regional Park. The Premier Regional Park will accommodate stormwater management areas, make further room for wildlife, reduce our climate change risks and increase recreational opportunities. The Park will provide a great legacy for future generations.

The District Plan provides appropriate zoning and precinct provisions to enable development of the Premier Regional Park as a joint initiative between Napier City Council, Hawke's Bay Regional Council, Mana Ahuriri, Department of Conservation and Hawke's Bay Airport.

Leveraging our Heritage

This outcome relates to Issues SD-18 Risk to heritage values, SD-16 Biodiversity and SD-19 Recognition of mana whenua values.

Napier's art deco architecture is a drawcard for visitors from all around the world. The city's rebirth after the 1931 earthquake as an American-inspired and progressive town with a cohesive art deco style sets it apart from any other New Zealand city, and with its Māori-inspired decorative motifs, is unique in the world. It's a uniqueness to be treasured and celebrated. But Napier's story is rich, and our sense of identity is born from the tales of this land, its events, and its people from before 'man' set foot upon it through to present day.

Napier's natural, cultural and built heritage is part of our day-to-day lives. We want to add to the great work already done for heritage in our city to ensure our people and our stories are celebrated into the future.

The District Plan seeks to achieve this through scheduling of heritage items, sites of significance to māori, and significant natural areas. Heritage character areas are also identified to maintain identified heritage values. Provisions provide for a balance between protection of the values while enabling appropriate use and development which leverages from the opportunity provided by the heritage values.

Great Urban Areas

This outcome related to all strategic issues, with a particular focus on SD-10 Effects of urban growth and SD-11 Transport

Great urban areas are places people are proud to live in. What this means is different to each neighbourhood, but some common elements are: safety, security, healthy homes, access to nature and green space, and generally just urban spaces that look and feel great!

The quality of our living and working environments contribute to public health, community wellbeing and economic growth. For example, safe and attractive streets encourage people to get out of their cars and walk or cycle, which has benefits including:

- public health from exercise
- improved air quality from less cars on the road
- opportunities to meet the neighbours which improves community cohesion
- trees along the street can contribute to reducing temperatures in summer and improved mental wellbeing.

The District Plan seeks to assist in achieving Great Urban Areas for our communities through a range of provisions (standards, design criteria and infrastructure design requirements) which will improve the quality of development throughout the city.

Regional approach to Industry

This outcome relates to Issues SD-15 Ahuriri Estuary and other water, SD-11 Transport, SD-112 Constraints on industrial growth.

As identified under SD-110, Napier has land and environmental constraints to industrial growth, particularly for industries that generate discharges to air and water. Rather than Hastings and Napier both trying to cater for all industry types, there are benefits to working together for the best, most efficient outcome for all of Hawke's Bay. Napier residents often work in Hastings and vice versa. We want to work collaboratively with Hastings District Council, Hawkes Bay Regional Council and our industry sector partners to deliver a sustainable economy that will benefit all of us.

The District Plan seeks to achieve this outcome by establishing provisions for industrial areas that will give effect to the Regional Industrial Land Strategy.

Strategic objectives

The strategic objectives seek to achieve the Key District Plan outcomes, address the Top 10 resource management issues, and to implement the strategic direction as set out in the background

section of this chapter (including City Vision).

Smart Growth

Objective SD-O1: Infrastructure and land use planning

Infrastructure planning is aligned with land use planning to facilitate efficient and affordable development in identified growth areas.

Objective SD-O2: Napier CBD

Vibrant and sustainable Napier CBD with a mix of complementary activities and public spaces that encourages inner city / fringe city living.

Objective SD-O3: Economic activity

Economic activity and innovation is supported and enabled in appropriate locations.

Objective SD-O4: Significant infrastructure

Significant infrastructure which supports economic growth, including the Port, Airport, transportation and electricity transmission networks, is enabled and protected.

Objective SD-O5: Housing

Housing supply and choice meets demand and reflects the demographics of Napier's community

Objective SD-O6: Rural production

Rural production in the Heretaunga Plains is enabled and protected.

Objective SD-O7: Regulation

Regulation is clear and appropriate to achieve the strategic objectives.

Quality Design

Objective SD-O8: Quality environment

Attractive, safe and healthy environments to live, work and play.

Objective SD-O9: Transportation and design

Napier's transport network optimises connectivity, public health and safety, and encourages active and public transport modes.

Objective SD-O10: Infrastructure and design

Infrastructure is integrated into urban form and design.

Environmental Excellence

Objective SD-O11: Sustainable design

Sustainable design is integrated into the design of new developments.

Objective SD-O12: Ecology

Ecological assets, biodiversity and waterways are maintained and enhanced.

Objective SD-O13: Coastal environment

Napier's coastal environment is recognised and protected from inappropriate use and development.

Objective SD-O14: Planting

Plan selection recognises Napier's environmental and cultural context.

Resilient Napier

Objective SD-O15: Risk and vulnerability

Risk and vulnerability of people and property from natural hazards is minimised

Objective SD-O16: Natural systems

Natural systems are maintained and restored.

Objective SD-O17: Resilient infrastructure

Infrastructure design considers long terms risk of natural hazards and climate change.

Our People, Our Stories

Objective SD-O19: Character, culture, heritage and landscapes

Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated and enhanced.

Objective SD-O20: Art Deco heritage

The protection, management and conservation of Napier's Art Deco heritage is achieved.

Objective SD-O21: Mana whenua

The relationship of Mana Whenua with their cultural heritage and with the natural environment is recognised and respected.

Objective SD-O22: Social and community facilities

Social and community facilities support the wellbeing of all members of our growing community.

Urban form and development

Objectives

Objective UFD-O1: Centres

Centres provide for community and economic wellbeing by:

- a. being the focal points for economic and community life, including through the agglomeration of retail, hospitality and community facilities
- b. allowing efficient provision of infrastructure and public amenities through economies of scale
- c. being highly accessible to the community(s) they serve

Objective UFD-O2: Housing

Refer Objective SD-O5

Objective UFD-O3: Industrial

Industrial development contributes to economic wellbeing of the region while:

- a. efficiently utilising infrastructure capacity including trade waste lines and the transportation network;
- b. minimising environmental effects

Policies

Policy UFD-P1: Centres

Achieve Objective UFD-O1 by:

- a. Having a hierarchy of centre zones which:
 - i. enables the greatest intensity of development and range of activities in the City Centre and Town Centre zones to meet the needs of the wider community,
 - ii. enabling a lesser range of activities in the Local Centres and Neighbourhood Centres to meet the needs of the immediate locality
- b. Providing a Large Format Retail zone which provides for retail activities with large floorplates that are unable to locate in centre zones while avoiding activities that would detract from the function of centres
- c. Providing a Mixed Use zone which enables a range of activities while restricting retail and office activities that would detract from the function of centres
- d. Restricting retail and office activity in other zones including residential and industrial zones.

Policy UFD-P2: Housing

Achieve Objective UFD-O2 by:

- a. enabling a range of attached and detached 1-2 storey housing typologies across the residential areas of Napier in the General Residential zone
- b. enabling higher intensity 3-5 storey housing development in and around the city centre in the Medium Density Residential , Mixed Use and City Centre zones
- c. enabling 3 storey housing development in other identified areas that are close to centres, transport nodes and other public amenities where :
 - i. there is sufficient infrastructure capacity
 - ii. there is market demand
 - iii. effects on the existing community can be managed
- d. providing for lower density and rural-residential housing options in areas not suitable for urban-scale development due to infrastructure constraints, topography, landscape, heritage, ecological and/or mana whenua values
- e. future-proofing expansion of urban limits to the west by requiring indicative public access routes to be vested in Council as part of any subdivision
- f. avoiding new housing developments in areas with highly productive soils
- g. requiring all new housing development to be adequately serviced by infrastructure to meet the health and safety of residents now and in the future.

Policy UFD-P3: Industrial

Achieve Objective UFD-O3 by:

- a. Enabling low impact industrial activity that serves the local Napier community throughout the Industrial and Mixed Use zones
- b. Enabling industrial activity that leverages the locational benefits of the Port and Airport through provisions of the Industrial Zones, Port Zone and Airport Zone
- c. Restricting new heavy industry activities that generate air or trade waste discharge

NU - Network Utilities

Introduction

The purpose of the Network Utilities chapter is to manage the construction, operation and maintenance of all network utilities. Network utilities are physical resources that include road and rail networks, cycleway and walkway networks, telecommunication networks, radio communication facilities, electricity and gas transmission and distribution networks, and infrastructure service networks such as reticulated water, sewerage, trade waste and stormwater drainage networks, and ancillary activities including associated buildings, structures, equipment and customer connections.

Network utilities are an essential part of the District's infrastructure and their efficient and effective supply and maintenance is important for enabling communities to undertake their everyday activities, for the functioning of the District and in facilitating and maintaining the health, safety and general wellbeing of its residents. The essential role of network utilities for the District aligns with one of the key outcomes that the District Plan seeks to achieve, being "Great Urban Areas", and the key principles of "Smart Growth", "Quality Design" and a "Resilient Napier". It also aligns with a number of strategic objectives for the District Plan relating specifically to aligning infrastructure planning with land use planning, supporting economic growth, optimising connectivity, public health and safety, and consideration of long term risk of natural hazards and climate change.

To achieve this, the network utility provisions in the District Plan provide for the establishment, operation and maintenance of network utilities throughout the District while managing their adverse effects on the environment (particularly in sensitive environments such as the coastal environment, outstanding and significant landscapes, significant natural areas, areas containing cultural or historic heritage values, and areas subject to natural hazard). Because many network utilities are lineal, and traverse many parts of the District, it is considered appropriate that a single set of rules are provided which apply across the District.

Provisions to manage the effects of other activities on network utilities (including state highway and rail corridors, the National Grid, and gas transmission pipelines) are contained, in the relevant chapters for zones and precincts, special overlays and district wide chapters such as the noise chapter.

A number of network utility operators, including the Napier City Council, also utilise their ability to designate critical sites for a specified network utility purpose. Designations are identified on the Planning Maps and are listed in the 'Designations' section in 'Part 3 – Area-Specific Matters' in the District Plan.

Additional regulatory requirements, separate to the District Plan, are also relevant to network utilities, including:

- The requirements of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA) which apply directly to the operation, maintenance, upgrading, relocation or removal of transmission line(s) that were operating or able to be operated on or prior to 14 January 2010 and remain part of the National Grid. In the case of conflict or perceived conflict with any provision of this plan, the NESETA provisions prevail.
- The Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF) which apply to Telecommunications infrastructure, such as cabinets,

antennas, poles, small-cell units and telecommunications lines. In the case of conflict or perceived conflict with any provision of this plan, the NESTF provisions must prevail.

- Compliance with the NZECP 34:2001 New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34:2001, including any activities that are otherwise permitted by the plan, must comply with this regulation.
- Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory. All activities regulated by these regulations, including any activities that are otherwise permitted by the plan, must comply with this regulation.
- Connections to a network utility require approval of the relevant network utility operator.
- Works within roads require approval of the relevant road controlling authority. Where relevant, the requirements of the National Code of Practice for Utility Operators' Access to Transport Corridors will apply to the placement, maintenance, upgrading and removal of network utility structures in the road reserve.

In the case of conflict with any other provision of this Plan, including any rule in this Chapter, the provisions of the NESETA and NESTF must prevail.

Amateur radio does not fit within the definition of network utilities and is not subject to the same rules. However, specific rules for amateur radio are included within this part of the District Plan, because they are a form of radio communication, are likely to be located throughout the District and have similar attributes to some network utility operations.

Issues

NU-I1 Essential role of network utilities

Network utilities are physical resources which are an essential part of the City's infrastructure. They provide for the efficient and ongoing functioning of the City and the social, economic and cultural well-being of people and communities, and for their health and safety. By their nature, network utilities often have functional and/or operational needs in order to ensure a safe, efficient, secure and resilient service. This can generate specific locational requirements. The contribution to everyday life, to the economy and to connecting people and communities, including in emergencies, means that adequate provision for the operation and development of network utilities is vital.

NU-I2 Management of adverse effects of network utilities

Network utilities, particularly where small-scale and/or located underground, generally have only a minor impact on the environment. Some network utilities can, however, have more pronounced adverse effects. These effects may result from land disturbance in establishing them, be generated by the operation itself, or be associated with their ongoing maintenance, upgrading or development. Such effects can include visual amenity and landscape character impacts, particularly where siting in prominent areas is required for transmission or service, risks to public health and safety, and generating nuisance such as noise, vibration, lighting and traffic effects.

The effects of network utilities can also have greater impact on residential environments than other areas, and on sites of significance throughout the City, such as significant natural areas, outstanding landscape features, heritage sites and cultural sites. The siting of network utilities can

also potentially worsen risk in areas subject to natural hazards. Sometimes these adverse effects have to be balanced alongside recognising any special technical requirements or constraints which may limit where a network utility can be sited.

NU-I3 The impact of activities on network utilities

New subdivision, land use and development in close proximity to existing network utilities can have the potential to constrain or compromise the efficient or effective operation, maintenance and development of those network utilities. In some instances, this can compromise health and safety through the location of sensitive activities close to network utilities, and through activities not adhering to safe clearances or safe distances from network utilities e.g. from electricity transmission networks (including the National Grid), high pressure gas network, overhead lines and cables, navigational aids, road and railway corridors etc. Health and safety can also be compromised as a result of inappropriate land use activities occurring within sensitive network catchments e.g. water source protection zones).

NU-I4 Amateur Radio Configuration

Amateur radio enthusiasts provide a useful emergency function by delivering a means of communication when other systems typically fail due to disruption to the electricity supply. The ability to communicate offline and independent to other network utility services means that this activity justifies having special recognition within this section of the Plan. The nature of these types of activity mean that adverse effects tend to be limited in scale but may be felt by nearby land uses, particularly as amateur radio is typically residentially based. Management of the scale and location of these activities is therefore required.

Objectives

NU-O1: Safe, effective, efficient and resilient network utilities

Safe, effective, efficient and resilient network utilities throughout the City, that provide essential integrated and secure services, including in emergencies, and enable people and communities to provide for their health, safety and wellbeing.

Relates to NU-I1

NU-O2: Adverse effects of network utilities

The adverse effects of network utilities on the environment are avoided, remedied or mitigated, while recognising the functional and operational needs of network utilities (including those associated with their scale, design and locational requirements).

Relates to NU-I1 and NU-I2

NU-O3: Adverse effects on network utilities

The safety, maintenance, upgrade or development of network utilities is not compromised by incompatible subdivision, land use or development, including the potential for reverse sensitivity effects.

Relates to NU-I1 and NU-I3

NU-O4: Amateur radio configuration

The adverse effects of amateur radio configuration on the environment are avoided, remedied or mitigated.

Relates to NU-I2

Policies

NU-P1: Provision for Network Utilities

Recognise the national, regional and local importance and benefits of network utilities, including as lifeline utilities during an emergency, by:

- a. enabling the operation, maintenance, repair, minor upgrade and removal of network utilities throughout the City;
- b. providing for upgrades to, and the development of new, network utilities;
- c. providing flexibility for network utilities to adopt new technologies that improve access to and efficient use of networks and services, allow for re-use of redundant services or structures, increase resilience, safety or reliability, or result in environmental benefits and enhancements; and
- d. recognising the functional and operational needs of network utilities.

Relates to NU-O1

NU-P2: Adverse Effects of Network Utilities

Manage the effects of network utilities on the environment by:

- a. avoiding, remedying or mitigating adverse effects on:
 - i. natural and physical resources;
 - ii. amenity values, including from shading, visual dominance, noise, vibration, light spill, traffic and access, dust nuisance;
 - iii. the safe and efficient operation of other network utilities, including effects on electricity transmission and the National Grid, gas transmission pipelines, road and rail networks, and infrastructural service networks;
 - iv. the health, well-being and safety of people and communities, including from exposure to radio-frequency fields and electric and magnetic fields, and by posing a significant risk or exacerbating an existing risk of natural hazards;
- b. requiring compliance with recognised standards and guidelines for the potential adverse effects of noise, vibration, radiofrequency fields and electric and magnetic fields;
- c. encouraging the progressive undergrounding of appropriate network utilities, where technically feasible and practicable;
- d. encouraging the co-siting and sharing of facilities and other innovative solutions
- e. encouraging the removal of redundant and superseded network utility facilities.

Relates to NU-O2

NU-P3: Adverse Effects of Network Utilities on Protected Areas and Sites of Significance

1. Give priority to avoiding the adverse effects of upgrades to, and development of, new network utilities on the values and attributes of the following areas and items identified in the District Plan:
 - a. outstanding natural features and significant landscapes;
 - b. significant natural areas;
 - c. sites of significance to Maori; and
 - d. historic heritage areas, heritage items and notable trees;

while recognising the extent to which adverse effects can be avoided, may be constrained by a network utility's functional or operational need

2. Avoid significant adverse effects and remedy or mitigate other adverse effects of upgrades to, and the development of new, network utilities on the values and attributes of areas identified in the District Plan as:
 - a. high natural character areas;
 - b. heritage character areas; and
 - c. significant amenity features.

Relates to NU-O2

NU-P5: Adverse Effects on Network Utilities

Protect network utilities from the adverse effects of subdivision, use and development that may constrain or compromise the safe, effective, secure and efficient operation, maintenance, upgrading and development of network utilities, and the safety and amenity values of people and the community, including by:

- a. managing new activities through setbacks and design controls, where necessary, to achieve appropriate protection of a network utility;
- b. managing new activities that are sensitive to noise adjoining the railway corridor, the
- c. managing access to the railway corridor and to the national, regional and arterial road network;
- d. managing light spill and glare from activities on road users and aircraft;
- e. avoiding physical obstructions within the Airport Zone;
- f. managing land disturbance and activities in the vicinity of gas transmission pipelines;
- g. managing land disturbance and activities within the National Grid Yard or within the vicinity of a designated National Grid substation, and maintaining safe electrical clearance distances under electricity distribution lines and support structures; and
- h. ensuring subdivision of sites containing a network utility can achieve safe clearance distances and retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the network utility.

Relates to NU-O3

NU-P6: Adverse Effects of Amateur Radio Configuration

Manage the effects of amateur radio configuration by designing, constructing and locating associated masts, poles and antennas and their support structures so as to avoid, remedy or

mitigate adverse effects on:

- a. residential character and amenity;
- b. the operation of the Hawke’s Bay Airport;
- c. significant natural areas identified in the District Plan;
- d. outstanding natural features and landscapes identified in the District Plan;
- e. sites of significance to Maori identified in the District Plan; and
- f. historic heritage areas, heritage items and notable trees identified in the District Plan.
- g. high natural character areas
- h. heritage character areas and
- i. significant amenity features.

Relates to NU-O4

Network Utilities – Rules Table

NU-R1 Operation, maintenance, replacement and removal of existing network utilities (that are not regulated by an NES) – in all Zones and precincts	
<p>NU-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields). 	<p>NU-R1B</p> <p>Activity Status where activity condition 1 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1 and NU-P2. <p>Notification: Non-notified</p> <p>Activity Status where activity condition 2 is not met: Non-complying</p>
NU-R2 Minor upgrading of existing network utilities – in all Zones and precincts	
<p>NU-R2A</p>	<p>NU-R2B</p>

Activity Status: Permitted

Where the following activity conditions are met:

1. the realignment, configuration, relocation or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets or ancillary structures must be:
 - a. Within 2m of the existing alignment or location; and
 - b. Within 5m of the existing alignment or location when associated with road widening reasons or road safety or electricity clearance reasons.
2. alterations and additions to overhead electricity and telecommunication lines on existing poles must not:
 - a. Increase the number of conductors or wires/lines by more than 100 percent;
 - b. Exceed a diameter of 50mm; and
 - c. Have additional cross arms that exceed the length of the existing cross arm by more than 100 percent, up to a maximum of 4m.
3. the diameter of a replacement conductor or line must not exceed the diameter of the replaced conductor or line, or 50mm, whichever is the greater.
4. the addition or replacement of earthwires (either overhead or underground) and underground earthgrids, may contain telecommunication lines and earthpeaks or above ground insulators on the poles.
5. any pole that replaces an existing pole must not:
 - a. Have a diameter or width that is twice that of the replaced pole at its widest point; or
 - b. Exceed three times the width of the replacement pole at its widest point, where a single pole is replaced with a pi pole; and
 - c. Have a height exceeding the height of the replaced pole or the relevant maximum height limit for above ground structures under NU-S3, whichever is the greater; and
 - d. Be replaced with a tower.
6. there must be no additional towers.
7. any tower that replaces an existing tower must:
 - a. Not exceed the height of the replaced tower or the maximum height limit for above ground structures under NU-S3, whichever is the greater; and
 - b. Not have a footprint that exceeds the width of the existing tower by more than 25 percent.

Activity Status where activity condition 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 or 11 is not met: Restricted discretionary

Matters of discretion are restricted to:

1. Functional and operational needs of, and benefits derived from, the network utility.
2. Purposes and necessity of the upgrading.
3. Potential adverse visual effects of the upgrading, including impacts on the amenity values of the locality and any contribution to cumulative adverse effects.
4. Potential adverse effects on heritage values.
5. Potential adverse effects on protected areas and natural hazards.
6. Any measures to avoid, remedy or mitigate adverse effects.

Notification: Non-notified

Activity Status where activity Condition 12 is not met: Non-complying

<ul style="list-style-type: none"> 8. up to two additional electricity poles may be installed in existing networks where necessary to achieve conductor clearances required by NZECP 34:2001. 9. the diameter of above ground replacement pipes must not exceed the diameter of the replaced pipe by more than 300mm. 10. where a new antenna replaces an existing antenna, the new antenna must not: <ul style="list-style-type: none"> a. Exceed the maximum dimension of the existing antenna by more than 20 percent; and b. Where it is a dish antenna, exceed the diameter of the existing antenna by more than 20 percent; and 11. where it is attached to a facility, increase the height of the facility, unless the height increase is a result of an increase in the size of the new antenna only. 12. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields). 	
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NU-R3 Operation, maintenance, replacement, removal and minor upgrading of existing amateur radio configuration – in all Zones and precincts		
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<p>NU-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. the realignment, configuration, relocation or replacement of electricity, gas distribution, or telecommunication line, pipe, pole, conductors, cross arms, switches, transformers, cabinets or ancillary structures must be: <ul style="list-style-type: none"> a. Within 2m of the existing alignment or location; and b. Within 5m of the existing alignment or location when associated with road widening reasons or road safety or electricity clearance reasons. 2. alterations and additions to overhead electricity and telecommunication lines on existing poles must not: <ul style="list-style-type: none"> a. Increase the number of conductors or wires/lines by more than 100 percent; b. Exceed a diameter of 50mm; and c. Have additional cross arms that exceed the length of the existing cross arm by more than 100 percent, up to a maximum of 4m. 	<p>NU-R3B</p> <p>Activity Status where activity condition 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 or 11 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Functional and operational needs of, and benefits derived from, the network utility. 2. Purposes and necessity of the upgrading. 3. Potential adverse visual effects of the upgrading, including impacts on the amenity values of the locality and any contribution to cumulative adverse effects. 4. Potential adverse effects on heritage values. 5. Potential adverse effects on protected areas and natural hazards.
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3. the diameter of a replacement conductor or line must not exceed the diameter of the replaced conductor or line, or 50mm, whichever is the greater.
4. the addition or replacement of earthwires (either overhead or underground) and underground earthgrids, may contain telecommunication lines and earthpeaks or above ground insulators on the poles.
5. any pole that replaces an existing pole must not:
 - a. Have a diameter or width that is twice that of the replaced pole at its widest point; or
 - b. Exceed three times the width of the replacement pole at its widest point, where a single pole is replaced with a pi pole; and
 - c. Have a height exceeding the height of the replaced pole or the relevant maximum height limit for above ground structures under NU-S3, whichever is the greater; and
 - d. Be replaced with a tower.
6. there must be no additional towers.
7. any tower that replaces an existing tower must:
 - a. Not exceed the height of the replaced tower or the maximum height limit for above ground structures under NU-S3, whichever is the greater; and
 - b. Not have a footprint that exceeds the width of the existing tower by more than 25 percent.
8. up to two additional electricity poles may be installed in existing networks where necessary to achieve conductor clearances required by NZCEP 34:2001.
9. the diameter of above ground replacement pipes must not exceed the diameter of the replaced pipe by more than 300mm.
10. where a new antenna replaces an existing antenna, the new antenna must not:
 - a. Exceed the maximum dimension of the existing antenna by more than 20 percent; and
 - b. Where it is a dish antenna, exceed the diameter of the existing antenna by more than 20 percent; and
11. where it is attached to a facility, increase the height of the facility, unless the height increase is a result of an increase in the size of the new antenna only.
12. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields).

6. Any measures to avoid, remedy or mitigate adverse effects.

Notification: Non-notified

Activity Status where activity Condition 12 is not met: Non-complying

NU-R4 Operation, maintenance, replacement, removal and minor upgrading of existing amateur radio configuration – in all Zones and precincts	
<p>NU-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11). 2. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields). 	<p>NU-R4B</p> <p>Activity Status where activity condition 1 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. The matters set out in policy NU-P5. <p>Notification: Non-notified</p> <p>Activity Status where activity condition 2 is not met: Non-complying</p>
NU-R5 Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) – within the Airport Zone	
<p>NU-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the above ground network utility is related or ancillary to the primary function of the Hawke’s Bay Airport; 2. all electrical power, telecommunications and information cabling are installed underground; 3. the activity complies with relevant standards (NU-S1 – NU-S11); and 4. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields). 	<p>NU-R5B</p> <p>Activity Status where activity conditions 2 or 3 are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1, NU-P2 and NU-P3.

	<p>Notification: Non-notified</p> <p>Activity status where activity condition 1 is not met: Discretionary</p> <p>Activity Status where activity condition 4 is not met: Non-complying</p>
<p>NU-R6 Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES) – within the National Grid Yard (other than for the reticulation and storage of water for irrigation purposes carried out by a network utility operator) - in all Zones and precincts</p>	
<p>NU-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 3. the activity complies with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP) 34:2001 ISSN 0114-0663 under all National Grid transmission line operating conditions. 4. the activity is located a minimum distance of 12m from the outer visible foundation of any National Grid support structure and associated stay wire, unless it: <ol style="list-style-type: none"> a. is a building or structure where Transpower has given written approval in accordance with clause 2.4.1 of the NZECP 34:2001 ISSN 0114-0663; or b. is a network utility (other than for the reticulation and storage of water for irrigation purposes) or any part of electricity infrastructure undertaken by a network utility operator that connects to the National Grid; and c. does not permanently physically impede existing vehicular access to a National Grid support structure 	<p>NU-R6B</p> <p>Activity Status where activity condition 1 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1, NU-P2 and NU-P3. <p>Notification: Non-notified</p> <p>Activity Status where activity conditions 2, 3 or 4 are not met: Non-complying</p>
<p>NU-R7 Construction of new network utilities, and upgrading of existing network utilities (that are not regulated by an NES), not already provided for in NU-R3 (within Airport Zone), NU-R4 (within National Grid Yard) – in all Zones and precincts, <u>except</u> the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones</p>	
<p>NU-R7A</p>	<p>NU-R7B</p>

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. all electrical power, telecommunications and information cabling are installed underground, except where located within an Industrial Zone, or on lots greater than 2 ha in the Rural Zones; 3. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 4. the activity is not within the National Grid Yard 	<p>Activity Status where activity conditions 1 or 2 are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1, NU-P2 and NU-P3. <p>Notification: Non-notified</p> <p>Activity Status where activity conditions 3 or 4 is not met: Non-complying</p>
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<p>NU-R8 Construction of new underground network utilities, and upgrading of existing network utilities (that are not regulated by an NES) – in the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones</p>
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<p>NU-R8A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 3. the activity is not within the National Grid Yard 	<p>NU-R8B</p> <p>Activity Status where activity condition 1 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1, NU-P2 and NU-P3. <p>Notification: Non-notified</p>
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	<p>Activity Status where activity conditions 2 or 3 is not met: Non-complying</p>
<p>NU-R9 Construction of new cycleways or walkways within roads, and reconstruction (including realignment or widening) of existing cycleways or walkways within roads – in all Zones and precincts</p>	
<p>NU-R9A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); and 2. the activity is not within the National Grid Yard. 	<p>NU-R9B</p> <p>Activity Status where activity condition 1 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. Whether alternative locations, routes or other options are physically or technically practicable. 4. The matters set out in policies NU-P1, NU-P2 and NU-P3. <p>Activity Status where activity condition 2 is not met: Non-complying</p>
<p>NU-R10 New Amateur radio configuration – in all Zones and precincts</p>	
<p>NU-R10A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 3. the activity complies with NU-S14 (Amateur Radio Configuration); and 4. the activity is not within the National Grid Yard 	<p>NU-R10B</p> <p>Activity Status where activity conditions 1 or 3 are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. The matters set out in policy NU-P5.

	Activity Status where activity conditions 2 or 4 are not met: Non-complying
NU-R11 New Electrical vehicle charging facilities – in all Zones and precincts	
<p>NU-R11A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity is installed in association with an existing permitted or consented vehicle park, vehicle depot or garage structure. 2. the activity complies with standards (NU-S1 – NU-S11); 3. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 4. the activity is not within the National Grid Yard. 	<p>NU-R11B</p> <p>Activity Status where activity conditions 2 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. The matters set out in policy NU-P5. <p>Activity Status where activity condition 1 is not met: Discretionary</p> <p>Activity Status where activity conditions 3 or 4 are not met: Non-complying</p>
NU-R12 Temporary network utilities – in all Zones and precincts	
<p>NU-R12A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity operates for a maximum of 12 months. 2. the temporary network utility and associated buildings 	<p>NU-R12B</p> <p>Activity Status where activity condition 4 is not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>and structures are removed from the site when the operation of the activity ceases.</p> <ol style="list-style-type: none"> 3. where the temporary network utility is within road reserve, the site is reinstated in accordance with conditions specified in the National Code of Practice for Utility Operators' Access to Transport Corridors (15 July 2019). 4. the activity complies with relevant standards (NU-S1 – NU-S11); 5. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 6. the activity is not within the National Grid Yard 	<p>to:</p> <ol style="list-style-type: none"> 1. The relevant matters of discretion for the standard infringed. 2. Where more than one standard will be infringed, the cumulative effects of all infringements considered together. 3. The matters set out in policy NU-P5. <p>Activity Status where activity conditions 1, 2 or 3 are not met: Discretionary</p> <p>Activity Status where activity conditions 5 or 6 are not met: Non-complying</p>
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NU-R13 New above ground network utilities within the Estuary, Foreshore Reserve, Reserve and/or River Conservation Zones (that are not regulated by an NES)		
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<p>NU-R13A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the activity complies with relevant standards (NU-S1 – NU-S11); 2. all electrical power, telecommunications and information cabling are installed underground. 3. the activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields); and 4. the activity is not within the National Grid Yard. <p>Matters for control will be limited to:</p> <ol style="list-style-type: none"> 1. The location, design, finishing, bulk and form of any above ground buildings and structures. 2. The prominence of the location, taking into account significant public views and any significant landscapes. 	<p>NU-R13B</p> <p>Activity Status where activity conditions 1 or 2 are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the amenity of the area and its surrounds. 2. The effects on any cultural, historical, amenity, recreational and/or ecological values the area may possess. 3. The effects on any outstanding natural feature or significant landscape identified in the District Plan. <p>Notification: Non-notified</p> <p>Activity Status where activity conditions 3 or 4 are not met: Non-complying</p>
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NU-R14 Activities not otherwise provided for (that are not regulated by an NES)		
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Activity Status: Discretionary	
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Network Utilities – Standards Table

NU-S1 Setbacks		
<p>Where adjoining Residential Activities</p> <p><i>Purpose: To avoid, remedy or mitigate effects on residential amenity and public health and safety.</i></p>	<p>1. The following minimum setbacks from the site boundary must be provided as follows:</p> <ul style="list-style-type: none"> a. any part of an above ground building or structure with a height of 2.3 metres or less and/or a gross floor area of 10m² or less – 1.5 metres; Nil (where located within road reserve). b. any part of an above ground building or structure exceeding 2.3 metres in height and/or exceeding a gross floor area of 10m² – 5 metres. c. road (including the road reserve), cycleway and walkway – Nil. d. lines and support structures used for the conveyance of electricity and/or telecommunications – Nil. 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. Effects on public health and safety. 4. Impacts on the functional requirements and safe operation of other network utilities.
<p>Where adjoining Non-Residential Activities</p> <p><i>Purpose: To avoid, remedy or mitigate effects on amenity and public health and safety.</i></p>	<p>2. The following minimum setbacks from the site boundary must be provided as follows:</p> <ul style="list-style-type: none"> a. any part of an above ground building or structure with a height of 2.3 metres or less and/or a gross floor area of 10m² or less – Nil. b. any part of an above ground building or structure exceeding 2.3 metres in height and/or exceeding a gross floor area of 10m² – must comply with any relevant setback standard(s) in the respective zone. c. road (including the road reserve), cycleway and walkway – Nil. d. lines and support structures used for the conveyance of electricity and/or telecommunications – Nil. 	<p>Refer assessment criteria NU-AC1.</p>
<p>Where adjoining</p>	<p>1. The following minimum setbacks</p>	<p>Refer assessment criteria NU-AC1.</p>

<p>the Rail Corridor Boundary</p> <p><i>Purpose: To avoid, remedy or mitigate effects on public health and safety and the functioning of the rail corridor.</i></p>	<p>from the rail corridor boundary must be provided as follows:</p> <ol style="list-style-type: none"> a. any part of an above ground building or structure – 2 metres. 	
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NU-S2 Height for Above Ground Buildings	
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<p>All Zones and associated Precincts</p> <p><i>Purpose: To avoid, remedy or mitigate effects of over-height buildings on amenity, particularly in terms of visual effects and shading, and effects on air traffic safety.</i></p>	<ol style="list-style-type: none"> 1. Any part of an above ground building must not exceed the maximum permitted height stated in the condition table for the respective zone or the Airport Height Control Designation in Appendix 1. 2. Where an aerial is attached to an existing building, the aerial and support structure must not extend above the height of the building to which it is attached, or the maximum height for the relevant zone (whichever is the greater) by more than 3 metres vertically, with a horizontal dimension of 3 metres in any commercial and mixed use zones, industrial zones, rural zones (including rural lifestyle zone), airport zones and associated precincts, and 2.5 metres vertically with a horizontal dimension of 1.4 metres within all other zones. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2.</p>
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<p>Industrial Zones and associated Precincts</p>	<ol style="list-style-type: none"> 3. In addition to the above, any part of an above ground building must not project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes shall commence 7.5 metres above ground level at the site boundary and shall be inclined to the horizontal at an angle of 65 degrees. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional
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		<p>requirements and safe operation of other network utilities.</p> <p>Refer assessment criteria NU-AC2.</p>
NU-S3 Height for Above Ground Structures (other than buildings)		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To avoid, remedy or mitigate effects of over-height structures on amenity, particularly in terms of visual effects and effects on air traffic safety.</i></p>	<p>1. Any part of an above ground structure (other than buildings), including aerials, must not exceed the Airport Height Control Designation in Appendix 1, provided that:</p> <p style="margin-left: 20px;">a. Where there is conflict between any of the height control lines or limits, the lowest height must prevail.</p> <p><i>Note: a registered surveyor's certificate verifying that the building plans meet the Airport Height Control Designation in Appendix 1 will be required at the time of applying for building consent or requesting a Certificate of Compliance.</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2</p>
<p>Estuary, Foreshore Reserve, Reserve and River Conservation Zones and associated Precincts</p>	<p>2. Any part of an above ground structure (other than buildings), including aerials, must not exceed a height of:</p> <p style="margin-left: 20px;">a. 10 metres</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2</p>
<p>Residential,</p>	<p>3. Any part of an above ground</p>	<p>Matters of discretion are restricted</p>

<p>Rural Lifestyle, Settlement, Jervoistown, Rural Conservation, Lifestyle Character, Boat Harbour, Marine Parade Recreation, Sports Park and Airport Zones and associated Precincts</p>	<p>structure (other than buildings), including aerials, must not exceed a height of: a. 15 metres</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2.</p>
<p>Commercial and Mixed Use, and Rural Zones (including Rural Lifestyle Zone) and associated Precincts</p>	<p>4. Any part of an above ground structure (other than buildings), including aerials, must not exceed a height of: a. 20 metres</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2.</p>
<p>Industrial Zones and associated Precincts</p>	<p>4. Any part of an above ground structure (other than buildings), including aerials, must not exceed a height of: a. 25 metres</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2.</p>
<p>Tertiary</p>	<p>5. Any part of an above ground</p>	<p>Matters of discretion are restricted</p>

<p>Education Zone and associated Precincts</p>	<p>structure (other than buildings), including aerials:</p> <ol style="list-style-type: none"> a. must not exceed a height of 20 metres; and b. shall be contained within a building envelope constructed by drawing planes along all parts of all zone boundaries. The planes shall commence 2.5 metres above ground level at the zone boundary and shall be inclined into the zone at an angle of 45 degrees. 	<p>to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety, including air traffic safety. 5. Impacts on the functional requirements and safe operation of other network utilities. <p>Refer assessment criteria NU-AC2.</p>
<p>NU-S4 Floor Space & Dimensions</p>		
<p>All Zones and associated Precincts <i>Purpose: To avoid, remedy or mitigate effects of larger scale buildings and structures on character and amenity.</i></p>	<ol style="list-style-type: none"> 1. Any above ground building or structure (excluding new electric vehicle charging facilities) must not: <ol style="list-style-type: none"> a. Exceed 10m² gross floor area (where located within road reserve). b. Exceed 15m² gross floor area (where located outside road reserve) in the residential zones and associated precincts. c. Exceed 50m² gross floor area (where located outside road reserve) in the rural zones (including Rural Lifestyle Zone), commercial and mixed use zones, industrial zones and associated precincts. 2. Electric vehicle charging facilities must not: <ol style="list-style-type: none"> a. Exceed 3m² gross floor area. 3. Dish antenna must not: <ol style="list-style-type: none"> a. Exceed 5 metres in diameter in any commercial and mixed use zones or industrial zones or airport zones and associated precincts. b. Exceed 3 metres in diameter in the rural zones (including Rural Lifestyle Zone) and 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional and operational requirements of the network utility. 2. Effects on character and amenity of adjoining sites and surrounding environment. 3. The prominence of the location, taking into account significant public views. 4. Effects on public health and safety. <p>Refer assessment criteria NU-AC3</p>

- associated precincts.
 - c. Exceed 1.2 metres in diameter in all other zones.
- 4. The number of dish antenna must not exceed 1 on any site within a residential zone or settlement zone and associated precincts.
- 5. Panel antenna must not:
 - a. Exceed 20m² in any commercial and mixed use zones or industrial zones or airport zones and associated precincts.
 - b. Exceed 1.2m² in all other zones.
 - c. When located within road reserve, must fit within an envelope of 3.5m in length and 0.7m in width.
- 6. Omni directional 'whip' or dipole antenna must not:
 - a. Exceed 1.6 metres in vertical length.
 - b. Exceed 60mm in diameter.
 - c. Exceed 1.5 metres in horizontal length.
- 7. A headframe must not:
 - a. Exceed 2.5 metres in diameter – in the residential zones and associated precincts.
 - b. Exceed 6 metres in diameter in all other zones and associated precincts.
- 8. A single telecommunications cabinet must not:
 - a. Exceed a footprint of 2.5m².
- 9. A group of telecommunications cabinets must not:
 - a. Exceed a total footprint of 3m².
- 10. A telecommunications kiosk must not:
 - a. Exceed gross floor area of 3.5m².

NU-S5 Sight Distances		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To maintain the safety of traffic and pedestrians, while recognising that some structures associated with roading infrastructure need to be located on the road or road reserve and within the specified sight distances.</i></p>	<ol style="list-style-type: none"> Any above ground building, structure or support structure located entirely on a road, or land vested as reserve, must not obstruct sight distances along a state highway from vehicle crossings or from side road intersections as specified in Appendix 4. Condition 1 does not apply to road infrastructure including, but not limited to, bridges, culverts, road lighting, traffic signals, traffic management devices and official signs. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Functional and operational requirements of the network utility. The efficient and safe operation of roads. Effects on traffic and pedestrian safety. <p>Refer assessment criteria NU-AC4.</p>
NU-S6 Noise and Vibration		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To manage noise to ensure it does not disturb or affect the amenity of surrounding land uses</i></p>	<ol style="list-style-type: none"> Any network utility must meet Noise Chapter standards NOISE-S1 to NOISE-S5. Noise limits do not apply to emergency and back-up generator noise operated for a duration not exceeding 48 hours. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Effects of noise on amenity values. Effects on public health and safety. <p>Refer assessment criteria NU-AC5.</p>
NU-S7 Light Spill		
<p>All Zones and</p>	<ol style="list-style-type: none"> For sites adjoining or adjacent to 	<p>Matters of discretion are restricted</p>

<p>associated Precincts</p> <p><i>Purpose: To ensure that lighting levels are compatible with surrounding properties and do not interfere with the sleep of residents, and protect road user and aircraft safety.</i></p>	<p>residentially zoned land, the following standard shall apply, except where the light source is located on a legal road, road reserve or service lane:</p> <ol style="list-style-type: none"> a. All external lighting must be sited, directed and screened to ensure that the direct illuminance from the lighting installation must be less than 8 lux spill measured at a height of 1.5m above the ground at the boundary of the site. 2. Where any network utility is located on a road, any outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft. 3. The above light spill standards do not apply to road lighting, traffic signals and navigational beacons. <p><i>Note: Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance</i></p>	<p>to:</p> <ol style="list-style-type: none"> 1. Effects of light spill and glare on residential amenity values. 2. Effects on road user and aircraft safety. <p>Refer assessment criteria NU-AC6.</p>
<p>NU-S8 Parking and Access</p>		

<p>All Zones and associated Precincts</p> <p><i>Purpose: To ensure safe and efficient access and sufficient on-site parking is provided, where network utilities are permanently staffed.</i></p>	<ol style="list-style-type: none"> Any network utility on a site that is more than 200m² in area, must meet the requirements for access in the Transport Chapter in standards, TPT-S4 (Vehicle Access (General)), TPT-S5 (Vehicle Access (Restrictions)) and TPT-S6 (Manoeuvring). 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Effects on the efficient functioning and safety of roads. <p>Refer assessment criteria NU-AC8.</p>
<p>NU-S9 Signs</p>		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To ensure signage does not adversely affect the safety and efficient operation of other network utilities, or amenity values, while recognising the purpose and necessity of signs for network utilities.</i></p>	<ol style="list-style-type: none"> Any sign associated with a network utility that is not an official sign, must: <ol style="list-style-type: none"> not exceed an area of 1m². not be attached to a heritage tree, heritage building or heritage item identified in the District Plan. Any temporary sign associated with the construction, maintenance or upgrading of a network utility that is not an official sign, must be: <ol style="list-style-type: none"> installed no greater than 3 months prior to work commencing. removed within 1 month of completion of the works. no greater than 3m² in area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The purpose and necessity of the sign (including any illumination of the sign). Effects on the safe and efficient operation and function of other network utilities. Effects (including cumulative effects) on amenity values. <p>Refer assessment criteria NU-AC9.</p>
<p>NU-S10 Pipelines, Cables, Conductors and Lines</p>		
<p>All Zones and associated Precincts</p> <p>Purpose: To protect public health and safety, and avoid, remedy or mitigate adverse effects on amenity values.</p>	<ol style="list-style-type: none"> Any new gas transmission pipeline must not exceed a gauge pressure of 2,000 kilopascals. Any new electricity distribution facilities for the purposes of a line service function must not exceed a voltage of more than 110kv with a capacity not exceeding 100 MVA. Any new pipes, cables, conductors or lines must not exceed: 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Effects on public health and safety. Effects on amenity values. <p>Refer assessment criteria NU-AC10.</p>

	<ul style="list-style-type: none"> a. a diameter of 600mm. b. a length of 100m. <p>4. When located above a waterbody, new pipes, cables, conductors or lines must be:</p> <ul style="list-style-type: none"> a. attached to an existing bridge structure and incorporated within an existing bridge structure or culvert; or b. within an existing attached conduit or duct. 	
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NU-S11 Removal of Derelict Network Utilities	
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<p>All Zones and associated Precincts</p> <p><i>Purpose: To ensure unused and derelict network utilities do not adversely affect the environment, amenity values and landscape character.</i></p>	<p>1. All above ground buildings and structures, (including foundations) that are no longer used or intended to be used for the purposes of a network utility must be removed from the site within 12 months of the use of the building or structure ceasing.</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Effects (including cumulative effects) on amenity values. 2. Effects on visual qualities of the landscape. 3. Effects on heritage values. 4. Ability for actual or potential reuse of the building or structure on the site. 5. Timing of removal.
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NU-S12 Radio Frequency Fields	
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<p>All Zones and associated Precincts</p> <p><i>Purpose: To protect public health and safety, and ensure the generation of radiofrequency fields is maintained at an acceptable level of public exposure.</i></p>	<p>1. If generating radiofrequency fields, the activity must not exceed the maximum exposure level of the general public in New Zealand Standard NZS 2772.1:1999 Radiofrequency fields – Maximum exposure levels – 3kHz to 300GHz at:</p> <ul style="list-style-type: none"> a. Any point beyond the site boundary and less than 5 metres in height above ground level where the land is not occupied by a building; and b. Any point beyond the site boundary and less than 2 metres above a building, roof or balcony on any land beyond the site boundary. 	<p>Matters of discretion are restricted to:</p> <p>N/A</p>
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	<p>2. Subject to the express provisions of this condition, the maximum general public exposure levels must be measured in accordance with New Zealand Standard NZS6609:1990 (Part 2 Principles and Methods of Measurement).</p>	
<p>NU-S13 Electric and Magnetic Fields</p>		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To protect public health and safety, and ensure the generation of electric and magnetic fields is maintained at an acceptable level of public exposure.</i></p>	<p>1. If generating electric and magnetic fields, the activity must not exceed the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time varying electric and magnetic fields (1Hz – 100kHz) (Health physics, 2010, 99(6); 818-836) and recommendations from the World Health Organisation monograph Environment Health Criteria (No 238, June 2007).</p>	<p>Matters of discretion are restricted to: N/A</p>
<p>NU-S14 Amateur Radio Configuration</p>		
<p>All Zones and associated Precincts</p> <p><i>Purpose: To avoid, remedy of mitigate any adverse effects on amenity values, streetscape character, heritage values, cultural values, and health and safety.</i></p>	<p>1. Amateur Radio Configuration in the following zones must have no more than one primary mast, subsidiary poles and antenna(s) that comply with the following:</p> <ul style="list-style-type: none"> a. Residential zones, Rural Living Zone, Settlement Zone and associated precincts: A maximum height of 20 metres for one primary structure and a maximum height of 12 metres for any subsidiary poles per site. The primary structure may be surmounted by a vhf/uhf whip or discone antenna to a maximum height of 24 metres. b. Rural zones (except as excluded in (iii) below): A maximum height of 20 metres 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Effects on character and amenity for the surrounding environment. 2. Effects on streetscape character. 3. Effects on the safe and efficient operation of land transport corridors. 4. Effects on heritage values. 5. Effects on cultural values. <p>Refer assessment criteria NU-AC12.</p>

for the one primary structure and a maximum height of 14 metres for any subsidiary poles per site. The primary structure may be surmounted by a vhf/uhf whip or discone antenna to a maximum height of 24 metres.

- c. Amateur Radio Configuration must not exceed the Airport Height Control Designation in Appendix 1, except where located in a Surface Penetration Area, where the maximum height shall not exceed 12 metres. Where there is a conflict between this limit and the limits under a. and b. above, the lowest height must prevail.
- d. In all instances, height is taken from natural ground level.

- 2. Primary and subsidiary support structures must be a minimum distance of 1 m from all boundaries. The exception to this rule being the pedestal dish mounted antenna identified in 9 and 10 below.
- 3. All structures and support structures (including wires and aerial) must be contained within the site that they are located on, and in doing so must not overhang any boundary.
- 4. That any part of an amateur radio configuration is set back from any heritage item or site of significance to Maori identified in the District Plan, by a minimum distance of 100 metres in the rural zones (including the Rural Living Zone) and associated precincts, and by a minimum of 25 metres in all other zones.

Antennas, Aerials and Support Structures:

- 5. The primary mast must comply

with the following dimensions:

- a. Guyed mast - a maximum inscribed circle of no more than 1 m below 9m in height and 115mm above 9m in height to the maximum height specified; or
 - b. Guyed lattice mast - a maximum inscribed circle of no more than 1 m below 9m in height and 0.4m above 9m to the maximum height specified; or
 - c. Self-supporting lattice mast - a maximum inscribed circle of no more than 1 m below 9m, and above 9m must fit within a tapering envelope with a maximum inscribed circle of 660mm at 9m tapering to 420mm at or above 12 metres depending on the maximum height specified for the zone; or
 - d. Self-supporting tubular mast - a maximum inscribed circle of no more than 1 m below 9m, and above 9m must fit into a tapering envelope with a maximum inscribed circle of 230mm at 9m and 115mm at 20m depending on the maximum height specified for the zone.
6. The subsidiary poles for the primary support structure must comply with the following:
- a. A maximum of 7 poles; and
 - b. Up to two subsidiary poles may have an attached UHF or VHF aerial, provided that the total height of the subsidiary pole in (a) to (c) and (e) is not exceeded; and
 - c. No more than two dishes of up to 1.2m in diameter may be attached to subsidiary poles; and
 - d. One subsidiary pole may be a HF vertical antenna; and
 - e. All subsidiary poles must have an outside diameter of 115mm

- or less and may be connected by wires of no more than 12mm in diameter; and
- f. The maximum height of any subsidiary pole is 12m within the Residential, Rural Living Zone, Settlement Zone and associated precincts, and 14 metres within the General Rural Zone and Rural Production Zone and associated precincts; and
- g. Where guy wires are used, these must not exceed 12mm in diameter.

7. One dish of up to and including 2m in diameter, or 2m in any dimension for a panel antenna where it is positioned no more than 5 metres above natural ground level, or two dishes of no more than 1.2m in diameter where it/they are positioned more than 5 metres above natural ground level.
8. A pedestal dish mounted antenna pivoted less than 3m above ground with a maximum diameter of 2.5m, provided that the pedestal and the antenna are located in accordance with the setback and daylight control standards applying to buildings in the zone in which they are located.
9. A pedestal dish mounted antenna pivoted less than 4m above ground with a maximum diameter of 5m, provided that:
 - a. The total height of the pedestal and the dish mounted antennae is no more than 6.5m;
 - b. The pedestal and/or antenna are located behind any dwelling on the site; and
 - c. The pedestal and the antenna are located in accordance with the setback and daylight control standards applying to buildings in the zone in which they are located.

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Assessment Criteria

NU-AC1 – Infringement of the setback standards (NU-S1)

- a. Whether the reduced setback of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and within the existing streetscape and road frontage.
- b. Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.
- c. Whether adverse effects on amenity values can be avoided, remedied or mitigated through planting, fencing or other amenity treatment (including minimising visual impact through design and colours).
- d. Whether adverse effects on public health and safety, including on the functioning and safe operation of roads, cycleways or walkways, the rail corridor, the National Grid, or lines used for the conveyance of electricity or telecommunications, can be avoided, remedied or mitigated, and the outcome of any consultation with the relevant road controlling authority, KiwiRail or Transpower.
- e. Whether the dimensions of the site or other physical characteristics of the site preclude reasonable compliance.
- f. Whether there are any characteristics or technical requirements of the proposed use that will make compliance impracticable.

NU-AC2 – Infringement of the height standards (NU-S2 and NU-S3)

- a. Whether the increased height of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and within the existing streetscape and road frontage.
- b. Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.
- c. Whether the health and safety of surrounding properties and occupiers will be maintained through the building or structure being located at an adequate distance from all property boundaries.
- d. Whether the building or structure will be temporary in nature.
- e. Whether the proposed building or structure will penetrate into any of the flight paths of the Hawke's Bay Airport.

NU-AC3 – Infringement of the floorspace and dimensions standards (NU-S4)

- a. Whether the increase in floorspace and/or dimensions of the building or structure will cause visual dominance and/or adversely affect the character and amenity of adjoining properties and the surrounding environment.
- b. Whether the network utility utilises an existing building or structure. As far as practicable, network utilities should co-site and share facilities.
- c. Whether adverse effects on amenity values can be avoided, remedied or mitigated through planting, fencing or other amenity treatment (including minimising visual impact through design and colours).

NU-AC4 – Infringement of the sight distance standard (NU-S5)

- a. Whether the location of the building or structure within the sight distances compromises the safety of road users.
- b. Whether the dimensions of the site or the location of buildings or other physical features on the land preclude reasonable compliance.

NU-AC5 – Infringement of the noise and vibration standards (NU-S6)

- a. Management of effects from the activities with regard to the assessment criteria set out in the Noise chapter.
- b. The nature and frequency of the noise to be generated, including any special audible characteristics.
- c. Compatibility with ambient noise levels.
- d. Whether any mitigation of the noise is proposed, in accordance with a best practicable option approach (e.g. site layout and design, design and location of structures, buildings and equipment and the timing of operations).
- e. The ability to mitigate adverse effects through the imposition of conditions such as noise attenuation.

NU-AC6 – Infringement of the light spill standards (NU-S7)

- a. Whether exceeding the light spill standards affects any properties in adjoining zones and/or adversely affects amenity values for residents on adjoining sites, including whether it may disturb the sleep of residents or affect the use and enjoyment of their private outdoor living space.
- b. Whether the timing, duration, direction, intensity, focus, design, height or type of lighting (e.g. moving or intermittent) contributes to avoidable or unnecessary light spill into the night sky

and/or poses a threat to the safety of roads or aircraft.

- c. Whether the intensity of lighting, when viewed from a distance contrasts with the environment in which the installation is situated.

NU-AC7 – Infringement of the parking and access standards (NU-S8)

- a. Whether infringement of the parking and access standards will cause on-road congestion, including vehicle parking as a result of ingress and egress of vehicles to and from the site.
- b. Whether on-site carparking and manoeuvring areas are adequate to meet the needs of the network utility.
- c. Management of the effects of parking and access with regard to the assessment criteria set out in TPT-AC2 & AC4.

NU-AC8 – Infringement of the sign standards (NU-S9)

- a. Management of the effects of signage with regard to the assessment criteria set out in the Sign chapters.
- b. Whether the sign is temporary in nature.
- c. Whether the purpose and necessity of the sign make compliance unnecessary.

NU-AC9 – Infringement of the pipelines, cables, conductors and lines standards (NU-S10)

- a. Whether exceeding a gauge pressure of 2,000 kilopascals poses risks of hazards affecting public or individual safety, and the risk of property damage, and any measures to avoid or mitigate adverse effects including separation of the pipelines from existing sensitive activities.
- b. Whether exceeding an electricity voltage of 110kv or capacity of 100MVA poses public health and/or safety risks.
- c. Whether exceeding the stated dimensions for pipes, cables, conductors or lines will lead to visual dominance and/or adversely affect the character and amenity of adjoining properties and the surrounding environment, or pose public health and/or safety risks.
- d. Whether non-compliance with the requirements for location above a waterbody will adversely affect the character and amenity of adjoining properties and the surrounding environment, or pose public health and/or safety risks.
- e. The functional and operational needs of, and benefits from, the network utility, including the potential impact on the levels of service or health and safety if the work is not undertaken.
- f. The matters set out in NU-P2.

NU-AC10 – Infringement of the removal of derelict network utilities standard (NU-S11)

- a. Whether retention of the disused or derelict network utility has adverse effects (including cumulative effects) on amenity values for adjoining sites and/or for the surrounding environment, including on the visual qualities of the landscape. As part of this, consideration will be given to location, scale, bulk and form of the building or structure.
- b. Whether the disused or derelict network utility building or structure has any heritage values that warrant retention.
- c. Whether the disused or derelict network utility building or structure can be, or has the potential to be, reused.

NU-AC11 – Infringement of the amateur radio configuration standards (NU-S14)

- a. Whether the non-compliance with the bulk, form and scale, location and number of poles, aerials, antennas or associated supporting structures will lead to visual dominance and loss of visual amenity as viewed from adjoining properties and the surrounding neighbourhood. As part of this consideration will be given to effects on amenity on any habitable buildings and in particular the proximity and visibility of the amateur radio configuration to habitable rooms and outdoor living areas.
- b. Whether the materials used and the finish of the materials, including the colour, will assist in mitigating effects.
- c. Whether the location on the site and type of configuration chosen assists in mitigating visual effects.
- d. Whether the proposal will reduce the ability to maintain access for maintenance, including buildings on adjoining sites.
- e. Whether, in the case of pedestal antenna not complying with the recession plane standards in NU-S13, the proposal will result in the loss of sunlight and daylight to surrounding sites, particularly in relation to outdoor living areas or the main indoor living area windows of surrounding habitable buildings.

NU-AC12 – All infringements to standards (NU-S1 to NU-S14) (to relocate to General Rules chapter)

- a. Any special or unusual characteristic of the site which is relevant to the standard.
- b. The purpose of the rule standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

Assessment criteria	Non-statutory guidance
	ADVISORY NOTE: Notice of Works 1. Where any work is to be undertaken in or on a road, road reserve, other reserve land or other land owned or controlled by the Council, the person or organisation responsible for the work shall:

a) Advise the Council of the work in accordance with any statutory requirements stipulated in the various utility empowering acts, but generally at least a minimum of 10 working days in advance of undertaking the work.

b) Obtain a road opening notice in terms of "Specification for Service Maintenance Operations and New Service Installations within Road Reserve (Including Trench Excavation and Reinstatement) before any work is carried out on road reserve.

NOTE: This notice of works shall not apply to any work undertaken as a result of an emergency or disaster, or where the person or organisation considers there could be a risk to life or property.

RE - Renewable Energy

Introduction

Renewable energy is defined in the RMA as energy produced from solar, wind, hydro, geothermal, biomass, tidal, wave and ocean current sources.

The New Zealand government has set a target, under the New Zealand Energy Strategy, for 90% of the country's electricity to be generated from renewable energy resources by the year 2025. The Strategy states that the major energy challenges facing New Zealand are the need to respond to the risks of climate change by reducing greenhouse gas emissions caused by the production and use of energy and the need to deliver clean, secure, affordable energy while managing the environment responsibly. To achieve this, the National Policy Statement on Renewable Electricity Generation (NPSREG) came into effect on 13 May 2011 and sets out an objective and policies to enable the sustainable management of renewable electricity generation under the RMA.

Renewable electricity generation is defined in the NPSREG as the generation of electricity from renewable energy. Renewable electricity generation activities are also defined as the construction, operation and maintenance of structures associated with renewable electricity generation. These include small and community-scale distributed renewable generation activities and the system required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

Sections 7(i) and 7(j) of the RMA also require all persons exercising functions and powers under the RMA to have particular regard to the effects of climate change and the benefits to be derived from the use and development of renewable energy.

The renewable energy provisions in this part of the Plan recognise renewable energy as an essential natural resource and set a policy framework for activities that convert renewable energy into electricity. This section of the Plan also interrelates with the NU-Network Utilities chapter of the Plan.

Objectives

RE-O1: Sustainable use and development of renewable energy resources

Sustainable use and development of renewable energy resources are encouraged by enabling renewable electricity generation activities through the City, while avoiding, mitigating or offsetting adverse effects that are more than minor.

Relates to NU-11

Policies

RE-P1: Provision for use and development of renewable energy resources

Provide for the use and development of renewable energy resources for electricity generation in recognition of the local, regional and national benefits associated with these for addressing climate change, national energy production and social and economic wellbeing.

Relates to RE-O1

RE-P2: Providing for Renewable Electricity Generation Activities

Provide for the identification, investigation, establishment, development, upgrading, operation and maintenance of new and existing renewable electricity generation activities in a manner that supports the protection of:

- a. significant natural areas identified in the District Plan;
- b. outstanding natural features and significant landscape features identified in the District Plan;
- c. sites of significance to Maori identified in the District Plan; and
- d. historic heritage areas, heritage items and notable trees identified in the District Plan.

Relates to NU-O1

RE-P3: Recognising Constraints of managing Renewable Electricity Generation Activities

Recognise the environmental, functional, operational and technical constraints of managing new and existing renewable electricity generation activities.

Relates to NU-O1

RE-P4: Small-scale Renewable Electricity Generation Activities

Provide for small-scale renewable electricity generation activities and manage their effects so as to avoid, remedy or mitigate adverse effects on the character and amenity of the Zone in which they are located.

Relates to NU-O1

RE-P5: Reverse Sensitivity Effects

Protect renewable electricity generation activities from reverse sensitivity effects.

Relates to NU-O1

Renewable Energy – Rules Table

RE-R1 Small-scale Renewable Energy Generation Activities – in all Zones and precincts	
RE-R1A Activity Status: Permitted Where the following activity conditions are met: 1. the activity must not include more than one wind	RE-R1B Activity Status where activity conditions 1 or 2 are not met: Restricted discretionary Matters of discretion are restricted

<p>turbine per site.</p> <p>2. compliance with RE-S1 to RE-S5</p>	<p>to:</p> <ol style="list-style-type: none"> 1. The extent to which the adjacent properties will be adversely affected in terms of visual domination, overshadowing, light and glare effects, loss of privacy and loss of access to sunlight and daylight, and the ability to mitigate any adverse effects. 2. The character, level and duration of noise as received at the boundary, or notional boundary, of another <p>Notification: Non-notified</p>
<p>RE-R2 Ancillary works or activities associated with the on-going operation, maintenance or upgrading of existing, lawfully established Renewable Electricity Generation Activities – in all Zones and precincts</p>	
<p>RE-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. the works or activities must be fully contained within the originally consented or authorised footprint of the existing renewable electricity generation activity they are ancillary to. 	<p>RE-R2B</p> <p>Activity Status where activity condition 1 is not met: Discretionary</p>
<p>RE-R3 Wind Monitoring Masts – in all Zones and precincts</p>	
<p>RE-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. where located within the Rural Productive Zone, wind monitoring masts must not exceed a height of 50m 	<p>RE-R3B</p> <p>Activity Status where activity conditions 1, 2 or 3 are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>and must not be located closer than 500m to any zone boundary and 100 metres to a site boundary.</p> <ol style="list-style-type: none"> where located outside the Rural Productive Zone, wind monitoring masts must not exceed a height of 25m. wind monitoring masts must not be located within a significant natural area, Outstanding Natural Feature, significant landscape features, sites of significance to Maori, and/or historic heritage areas, heritage items and notable trees identified on the Planning Maps and in SCHED1 - Notable Trees, SCHED2 - Natural Features and Landscapes Wind monitoring masts must not exceed the Airport Height Control Designation in Appendix 1 	<p>to:</p> <ol style="list-style-type: none"> The extent to which the adjacent properties will be adversely affected in terms of visual domination, overshadowing, light, loss of privacy and loss of access to sunlight and daylight, and the ability to mitigate any adverse effects. Location and scale of wind monitoring masts and associated structures. Special technical requirements and constraints of the wind monitoring masts. The extent to which adverse effects on High Natural Character Areas and Outstanding Natural Feature and Landscapes will be avoided, remedied or mitigated. <p>Notification: Non-notified</p>
<p>RE-R4 Construction and commissioning of new Renewable Electricity Generation Activities – in all Zones and precincts</p>	
<p>RE-R4A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met: New renewable electricity generation activities must not be located within a significant natural area, Outstanding Natural Feature, significant landscape features, sites of significance to Maori, and/or historic heritage areas, heritage items and notable trees identified on the Planning Maps and in Appendices SCHED1 and SCHED2</p>	<p>RE-R4B</p> <p>Activity Status where activity condition 1 is not met: Non-Complying</p>

Renewable Energy – Standards Table

<p>RE-S1 Height of buildings and structures</p>		
<p>All Zones</p> <p><i>Purpose: Ensuring the height of buildings and structures are compatible with the scale of development</i></p>	<ol style="list-style-type: none"> Unless otherwise provided for the height of buildings and structures must comply with the maximum height limits for buildings and structures for the Zone in which the small-scale renewable energy generation activities are located. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard The effects on amenity values. The scale in relation to the surrounding environment. The bulk and form of the building or structure.

<i>where they are located</i>		5. The effects of shading.
RE-S2 Height in relation to boundary		
All Zones Purpose: <i>Ensuring the height in relation to boundary of buildings and structures are compatible with the scale of development where they are located</i>	1. Unless otherwise provided for the height in relation to boundary of buildings and structures must comply with the maximum height in relation to boundary limits for buildings and structures for the Zone in which the small-scale renewable energy generation activities are located. This standard does not apply to solar panels that are attached to a building and do not protrude more than 500mm from the surface of the roof of the building.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. The effects on amenity values. 3. The scale in relation to the surrounding environment. 4. The bulk and form of the building or structure in relation to adjacent 5. The effects of shading.
RE-S3 Setbacks		
All Zones Purpose: <i>To maintain amenity values</i>	1. All new buildings and structures must comply with the minimum setback provisions for buildings and structures from roads and neighbours for the Zone in which the small-scale renewable energy generation activities are located.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. The existing streetscape and protection from road frontage domination. 3. The effects of shading and visual dominance on adjoining uses. 4. The effects on amenity values.
RE-S4 Light		
All Zones	1. Activities must comply with the provisions of the LIGHT chapter.	NA
RE-S5 Noise		
All Zones	1. Activities must comply with the provisions of the NOISE chapter.	NA

Assessment criteria – Discretionary Activities

The following assessment criteria are provided to assist and guide the consideration of discretionary activity resource consent applications. However, the Council's discretion is not limited to these matters.

- a. The contribution the proposal will make towards achieving energy policy objectives and/or renewable electricity generation targets of the New Zealand Government.

- b. The local, regional and national benefits to be derived from the use and development of renewable energy resources, including the contributions the proposal will make to the:
 - i. Security of electricity supply for current and future generations.
 - ii. Increased energy independence for the communities of the City.
 - iii. Reduced dependency on imported energy sources.
 - iv. Reduction in greenhouse gases.
 - v. Reduction of exposure to fossil fuel volatility.
- c. Any other benefits or positive effects that the project can demonstrate. This may include adding to and diversifying the City's generation base, increased network resilience, reduced grid investment, local industry development, and price security for the local community.
- d. The extent to which the location and design of the activity is constrained by environmental, functional, operational and technical requirements, and the extent to which alternative locations and methods have been considered.
- e. The actual and potential noise effects of the proposal, and the ability (if relevant) to meet *NZS 6806:2010 Acoustics Wind Farm Noise*, and other relevant standards such as *NZS 6802:1991 Assessment of Environmental Sound* and *NZS 6803:1999 Acoustics – Construction noise*.
- f. The actual and potential effects of the proposal, with particular consideration of the following:
 - i. Where the proposal is located within a significant natural area, Outstanding Natural Feature, significant landscape features, and/or historic heritage areas, heritage items and notable trees identified on the Planning Maps and in appendices SCHED1, SCHED2 and SCHED3 .
 - ii. The extent to which the proposal will affect the natural character of the coastal environment and rural environment.
 - iii. The extent to which the proposal will adversely affect cultural values, including wāhi tapu, wāhi taonga and sites of significance to Māori identified in Appendix TBA of the Plan
 - iv. The extent to which the proposal will adversely impact on dwellings, sensitive activities, key public places including roads and recreation areas, and existing and future urban growth areas.
 - v. The extent to which any aspects of the proposal can be sited or designed to reduce the visibility of any structures, including the potential to locate facilities underground where practicable.
- g. The effect of the overall scale of the proposed development, including the number of structures, their height, the visual effect of the development as a whole, staging of the development and temporary effects as a result of construction.
- h. The extent to which the proposal will affect amenity values of the surrounding environment with particular regard being given to the effects of the development on residential dwellings, including consideration of any potential adverse effects on amenity values discernible at the dwelling including:
 - i. If wind turbines are involved, blade glint resulting from the reflection of the sun from turbine blades.
 - ii. If wind turbines are involved, shadow flicker resulting from sunlight on the rotating blades casting a shadow that rapidly moves across the windows of a dwelling within 10 rotor diameters distance of a turbine.
 - iii. The extent of the ecological effects of the proposal, in particular:
 - iv. The extent to which significant indigenous vegetation and significant habitats of indigenous fauna are affected, including Significant Natural Areas identified in Schedule 2 of the Plan.
 - v. The potential effects on indigenous birds or other indigenous fauna, either migratory species or resident populations on site.

- vi. The sensitivity of the site to disturbance.
- vii. The extent of any proposed earthworks and the degree to which stormwater runoff and the effects on local catchments can be managed.
- i. The effects on archaeological sites (including the need for archaeological authorities under the Heritage New Zealand Pouhere Taonga Act), heritage and cultural values, including any heritage items identified in Schedule 3 of the Plan.
- j. The effects of the proposal on traffic safety.
- k. The effects of traffic and vehicle movements as a result of the proposal and the extent that traffic or site management plans can be implemented to mitigate effects.
- l. The extent to which the activity may exacerbate or be adversely affected by natural hazards.
- m. The extent of any earthworks, including access tracks, roads and building platforms and the rehabilitation proposed.
- n. The extent to which adverse effects will be avoided, remedied or mitigated by the proposed siting, colour and design of structures, including ancillary structures.
- o. The electromagnetic effects of the proposal, including on existing telecommunications, broadcast and other signals.
- p. Cumulative effects of the proposal in the context of wider and ongoing renewable energy development, and the use of review conditions to manage these effects.
- q. Where the adverse effects of renewable electricity generation activities cannot be practically avoided, remedied or mitigated, the relevance and appropriateness of any offset measures and/or environmental compensation that is of benefit to the local environment and affected community.
- r. Where particular adverse effects of renewable energy are not fully known or are uncertain, the relevance and appropriateness of any adaptive management measures to avoid, remedy or mitigate any such effects.

SW - Stormwater

Introduction

The purpose of the stormwater chapter is to manage the quantity and quality of stormwater discharges in the Napier City Council stormwater network. This will help achieve the strategic objectives relating to integration of land use and infrastructure planning, minimise flooding risk across the city, and together with the Stormwater bylaw, reduce effects on the receiving environments including Ahuriri Estuary and the coast.

Council has a commitment to improving the management of stormwater in Napier. The Napier Stormwater Masterplan 2020 identified potential flooding issues as a constraint to development and recommended methods for on-site mitigation. Stormwater quality is also an issue in Napier as the main discharge point for the city's stormwater is into the Ahuriri Estuary. Over time, the process of urban development has removed natural vegetation and soil surfaces and replaced them with hard, impervious areas such as roofs, asphalt and concrete. Rain runs off these surfaces and quickly and picks up contaminants and litter before entering our stormwater network. This network in turn discharges into natural environment at both the Estuary and the ocean. A focus on managing quantity will also have positive outcomes on quality.

This chapter includes objectives, policies and rules to address both the quantity and quality issues with stormwater in Napier. The discharge of stormwater from Council's stormwater network into receiving environments is regulated through discharge permits issued by Hawke's Bay Regional Council. We are therefore required to manage what is discharged from private properties into our network in order to comply with discharge permit conditions. The tools we use to do this is the District Plan, Napier Engineering Code of Practice and Stormwater Bylaw.

Issues

SW-I1 Providing for growth of the city while recognising constraints in the stormwater network

Before the 1931 earthquake, a significant portion of Napier was below sea level. Growth of the early city involved limited reclamations around the base of Napier Hill. The earthquake uplifted the land and promoted increased draining and reclamation to facilitate the city's growth. The topography we see today is now generally flat and requires 75% of the city's stormwater to be pumped.

The capacity of the stormwater network provided at each stage of Napier's development was not designed for significant infill or the level of impervious areas that have occurred as the city has evolved. Some areas were developed with a low "level of service" meaning that they only provide for regular weather patterns and do not have capacity to accommodate significant rainfall events. The projected impacts of climate change in the Hawkes' Bay region include increased frequency and severity of high intensity rainfall events. The capacity constraints will likely result in more frequent flooding in the future if there is no intervention.

Napier City Council has continually sought to improve capacity in the system. In 1995, the Cross Country Drain was designed to future-proof the drainage of suburban Napier by capturing runoff from areas south/south-west of Napier City and diverting them directly to a coastal outfall, rather than have them flowing through low-lying residential areas. This was intended to free up existing urban capacity for future infill development. Looking towards the future, the 2021-2031 Long Term

Plan and accompanying 30 year infrastructure strategy dedicates significant investment to a range of stormwater projects including detention for significant flood events and treatment to improve water quality at Lagoon Farm prior to discharge into the Ahuriri Estuary. A new dedicated stormwater and ecology zone has been created to enable and support these objectives.

At the same time, the city is continuing to grow. Intensification of our existing urban areas will be one key method to increase housing supply and meet the needs of our communities. Some areas that are otherwise desirable for intensification do not currently have capacity in the stormwater network to accommodate additional runoff during storm events. The District Plan needs to enable growth to meet demand, while also managing potential effects on public health and safety from increased flooding risks if stormwater isn't appropriately managed.

Relying solely on network upgrades will not manage this tension. Further, it is very costly to retrospectively improve the capacity of the reticulated network throughout the whole city for high intensity but low frequency rainfall events. Requiring low impact design and onsite detention, particularly in constrained areas, is a cost-efficient way to manage impacts while facilitating growth.

Large scale greenfield developments can, and are expected to, provide for integrated low impact design and catchment-based solutions at the time of subdivision design to manage the increase in stormwater runoff before discharging into the wider city network.

SW-I2 Impacts on the receiving environment

Urban development in Napier involves removing natural vegetation and soil surfaces and replacing them with hard, impervious areas such as roofs, asphalt, and concrete. These surfaces prevent infiltration of rain to the earth and increases the speed at which water makes its way to the lowest point. The removal of vegetation results in reduced opportunities for plant moisture uptake, evaporation and interception (where a plant's leaves intercept rainfall and reduce contact with the ground).

The increased prevalence of impervious areas changes many aspects of the land and can significantly impact receiving environments. Urban activities, particularly earthworks, industry and traffic, lead to the build-up of sediments and contaminants that make their way into the stormwater system during rain events. Impervious areas result in more runoff volume and increased velocity which can present problems of erosion and habitat degradation in streambeds and banks, resulting in negative impacts downstream. For Napier, most stormwater is discharged to Ahuriri Estuary. This estuary has significant natural, cultural and recreation values that are impacted by degradation of water quality. Urban runoff is one key contributor to water quality issues in the estuary. Unmanaged growth and development will likely result in further degradation.

Low impact design aims to use natural processes such as vegetation and soil media to provide stormwater management solutions that reduce the quantity and speed of runoff, improve the quality of runoff while also adding amenity value to urban environments. The main principles of low impact design are reducing stormwater generation by reducing impervious areas, minimising site disturbance, and avoiding the discharge of contaminants. Stormwater should be managed as close to the point of origin as possible to minimise collection and conveyance of silt, suspended solids, and other pollutants into receiving waters.

Low impact design can incorporate detention devices to moderate stormwater peak flows, reduce runoff velocities and allow contaminants to settle. They can be designed as wetlands, ponds, pervious paving, rainwater tanks and others. Detention devices can be designed to mitigate flood management by providing for detention and attenuation over a longer time to relieve flooding.

Managing water quality and quantities also requires an understanding of the “first flush”. This is the initial surface runoff that contains (by volume) the highest proportion of contaminant load compared to runoff in the remainder of the storm. The first flush is generally characterised by a peak in some pollutant loads (such as sediments and metals) immediately prior to the peak in flow volumes. Best practice for water quality improvement therefore promotes the capture and treatment of the first flush, where practicable, as this is often more practical and cost effective than treating flow volumes from the entire storm event.

Objectives

SW-O1: Public health and safety

Growth and development anticipated by the District Plan is enabled while managing impacts on the stormwater network to protect public health and safety, including by mitigating risk of flooding.

Relates to SW-I1

SW-O2: Network efficiency

Stormwater is efficiently managed to:

- reduce demand on the city’s reticulated stormwater network particularly during peak periods; and
- enable reuse of stormwater to reduce demand on the city’s reticulated drinking water supply network, where public health and safety will be protected.

Relates to SW-I1

SW-O3: Receiving environment

Stormwater discharges into Napier’s stormwater network are managed to:

- a. avoid further degradation of the ecological health of the network’s receiving environments
- b. progressively improve the mauri of freshwater and coastal water in the network’s receiving environments over time to enable traditional and cultural use of this resource by mana whenua
- c. assist Napier City Council in meeting the requirements of its comprehensive network discharge consent for the stormwater network.

Relates to SW-I2

Policies

SW-P1: Onsite detention in existing urban areas

Stormwater quantity is efficiently managed having regard to the capacity of the network, by:

- a. Permitting development where there are no capacity constraints in the stormwater network (Stormwater Management Area 1)
- b. Permitting development subject to onsite retention (onsite discharge to ground or onsite water

reuse) and detention (temporary onsite storage) to mitigate impacts on the stormwater network during the 90th percentile, 24-hour rainfall event in areas with moderate capacity constraints (Stormwater Management Area 2)

- c. Requiring a tailored stormwater management plan for development and increased impervious areas in areas with significant capacity constraints that may cause flooding hazards during storm events (Stormwater Management Area 3)
- d. In all stormwater management areas, limiting maximum impervious areas on sites while enabling development anticipated in each zone or precinct.

Relates to SW-O1 and SW-O2

SW-P2: Stormwater management in greenfield growth areas

Stormwater in greenfield growth areas is managed to optimise resilience, and the efficiency of the network, including by:

- a. meeting the requirements of the relevant approved structure plan/development area for stormwater management; or
- b. where a structure plan has not yet been approved, a stormwater management plan will be required that addresses the following:
 - i. require each site to meet the requirements of Stormwater Management Area 2 as a minimum; and
 - ii. in addition to (i) above, provide an integrated stormwater network solution such as a stormwater detention pond or wetland to provide hydraulic neutrality during peak storm events prior to discharge into the existing city network; or
 - iii. Alternatively provide a standalone stormwater solution (*Note: this would require a comprehensive stormwater discharge consent from Hawkes' Bay Regional Council.*)

SW-P3: Overland flowpaths

Maintain the capacity of overland flow paths to pass stormwater flows safely without causing damage to property or the environment

Relates to SW-O1

SW-P4: Low impact design

Where resource consent is required for subdivision, new buildings and/or multi-unit development, manage stormwater runoff at source and through low impact design techniques including:

- i. minimise impervious areas
- ii. retain natural vegetation and green spaces
- iii. selection of plant species appropriate for the climate
- iv. replicate natural processes such as the filtering properties of soils and vegetation
- v. improve biodiversity and other values
- vi. treatment of first-flush through natural and/or engineered methods before discharge to the network.

Relates to SW-O2 and SW-O3

SW-P5: Roofs, car parks and roads

Minimise contaminants in stormwater being discharged to the reticulated stormwater network by:

- i. restricting the use of inert and toxic materials and paints on roofs
- ii. requiring treatment of runoff from new large scale open car parks and roads designed to accommodate high volumes of traffic.

Relates to SW-O3

SW-P6: Operation and maintenance

Require onsite stormwater management methods including detention tanks, raingardens, stormwater filters to be:

- a. continually operational; and
- b. maintained in perpetuity to ensure the required performance standard is achieved.

Relates to SW-O1 and SW-O2

Stormwater - Activity Table

SW-R1 Development of new or redevelopment of existing uncovered car parks	
SW-R1A Activity Status: Permitted Where the following activity conditions are met: <ol style="list-style-type: none"> 1. The car park provides for no more than 20 car park spaces, or 2. Stormwater runoff from the total impervious area of the carpark and access ways must be treated by an approved stormwater management device designed to remove sediments and contaminants prior to discharge into the stormwater network. <p><i>Note: Rules in the zone and/or precinct chapter, and the Transport chapter, may apply in addition to the above</i></p>	SW-R1B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment
SW-R2 Development of new or redevelopment of existing roads or state highways	
SW-R2A Activity Status: Permitted Where the following activity conditions are met: <ol style="list-style-type: none"> 1. The road or state highway is designed to accommodate less than 5,000 vehicles per day, or 	SW-R2B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted

<p>2. Stormwater runoff from the total impervious area of the carriageway of the road or state highways must be treated by an approved stormwater management device(s) designed to remove sediments and contaminants prior to discharge into the stormwater network.</p> <p><i>Note: Rules in the zone and/or precinct chapter, and the Transport chapter, may apply in addition to the above</i></p>	<p>to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment
<p>SW-R3 Buildings, structures and earthworks on sites with overland flow paths</p>	
<p>SW-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The existing entry and exit point of the overland flowpath through the site is maintained 2. The building, structure or earthworks will not decrease the capacity of the overland flow path entering the site, or increase the volume of overland flow path exiting the site. <p><i>Rules in the zone and/or precinct chapter, and the Earthworks chapter, may apply in addition to the above</i></p> <p>Note: Indicative overland flowpaths are identified in Appendix 21</p>	<p>SW-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment
<p>SW-R4 New buildings or alteration to buildings</p>	
<p>SW-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any new roof, including replacement of existing roofs, meets standard SW-S2 <p><i>Note: Rules in the zone and/or precinct chapter may apply in addition to the above</i></p>	<p>SW-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment
<p>SW-R5 Development of new or redevelopment of existing impervious areas within the Stormwater Management Areas 1 or 2</p>	
<p>SW-R5A</p> <p>Activity Status: Permitted</p>	<p>SW-R5B</p> <p>Activity Status where activity</p>

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The maximum impervious area standard for the relevant zone or precinct is met 2. Development of new or redevelopment of existing impervious areas within Stormwater Management Area 2 meets standard SW-S1 <p><i>Note: The stormwater management areas are identified in Appendix 20</i></p>	<p>conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment
<p>SW-R6 Development of new or redevelopment of existing impervious areas within the Stormwater Management Area 3</p>	
<p>SW-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The maximum impervious area standard for the relevant zone or precinct is met <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment <p><i>Note: The stormwater management areas are identified in Appendix 20</i></p>	<p>SW-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health and safety 2. Network efficiency 3. Effects on the values of the receiving environment

Stormwater - Standards Table

<p>SW-S1 Hydraulic mitigation</p>		
<p>Stormwater Management Area 2</p> <p><i>Purpose: to reduce potential flooding hazards and optimize efficiency of the stormwater and drinking water networks</i></p>	<ol style="list-style-type: none"> 1. Provide retention (volume reduction) of at least 10mm runoff depth for the impervious area for which hydrology mitigation is required; and 2. Provide detention (temporary storage) and a drain down period of 24 hours for the difference between the pre-development and post-development runoff volumes from the 10%AEP, 24- hour rainfall event (refer Table 9 of the Code of Practice*) minus the 10mm retention volume or any greater retention volume that is achieved over the impervious area 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Public health and safety 3. Network efficiency and resilience 4. Receiving environment values

	<p>for which hydrology mitigation is required.</p> <p><i>*Note: As at August 2021, the rainfall depth for the 10%AEP 24 hour duration event is 139mm</i></p> <p>3. All retention and detention to be provided within the site boundary.</p> <p>For the purpose of this standard, the impervious area for which hydrology mitigation is required is any new or redeveloped impervious area undertaken since the date this rule becomes operative (xx xx 2022).</p>	
<p>SW-S2 Inert roofing</p>		
<p>All zones</p> <p><i>Purpose: to reduce heavy metals entering the stormwater network at source</i></p>	<p>1. All new roof surfaces must be constructed from inert roofing materials or painted with non-metal based paint and thereafter be maintained in good order</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 1. Public health and safety 2. Network efficiency and resilience 3. Receiving environment values

Assessment criteria

SW-AC1 – All activities requiring consent in this chapter

Public health and safety

- a. The existing flooding risk to the site and the wider catchment in a 2% and 10% AEP event and the extent to which the proposed development will increase that risk
- b. The extent to which onsite retention and detention can practicably reduce flooding risk to the site and wider catchment
- c. Whether impervious areas can be reduced while meeting the practical requirements of the proposed activity and any other objectives, policies and assessment criteria of this plan
- d. Whether any changes to overland flowpaths will increase flooding risk to other sites in the catchment.

Network efficiency

- e. The extent to which the existing network has capacity to accommodate additional stormwater runoff from the development
- f. The potential cumulative effects on the capacity network from growth anticipated in planning

documents

- g. The timing of any planned upgrades to network infrastructure
- h. Whether onsite retention will reduce demand on the drinking water network
- i. Whether the stormwater detention and/or retention tanks and/or other stormwater management device(s) will be maintained in perpetuity to reduce unanticipated reliance on the stormwater network

Note: an operation and maintenance plan will be required that addresses (where applicable):

- i. How the whole site and specific equipment / features are operated and maintained with respect to stormwater
- ii. Personnel responsibilities, treatment method(s), treatment requirements
- iii. Mitigation of pollutants (gross, soluble and suspended)
- iv. Location(s) of treatment and conveyance systems
- v. The maintenance schedule for the specific equipment/features included on the site
- vi. The design parameters and limitations of the specific equipment/features
- vii. The design calculations for the specific equipment/features.

The operation and maintenance manual will be enforced through a consent notice on the title to ensure future property owners' are aware of the maintenance obligations for the stormwater management device.

Effects on the values of the receiving environment

- j. Whether the extent and nature of contaminants generated from the activity will:
 - o adversely affect the ecological, cultural and recreational values of the stormwater network's receiving environments; and/or
 - o effect the ability for Napier City Council to meet the conditions of its comprehensive stormwater network discharge consent
- k. The extent to which the stormwater management device(s) proposed will be effective in removing the anticipated contaminants from the activity
 - l. the proposed methods for operating and maintaining the stormwater treatment processes and devices to ensure their continued and ongoing effectiveness in removing contaminants
- m. the proposed methods for monitoring and reporting on the effectiveness of the treatment process.
- n. Whether the stormwater management device(s) will be maintained in perpetuity to reduce unanticipated reliance on the stormwater network (*Note: a consent notice on the title will be required to ensure future property owners' are aware of the maintenance obligations for the device(s)*)

Low impact design

- o. The extent to which the criteria in SW-AC2 are met.

Recognise constraints

- p. The extent to which the best practicable option is achieved for the development having regard to the site constraints.

SW-AC2 – Low impact design

Note: These criteria apply in addition to the relevant criteria for subdivision, and for new buildings and multi-unit residential development in the relevant zones/precinct chapters

1. The extent to which the principles of low impact design are incorporated into the development to:
 - a. Minimise increased risk to public health and safety from stormwater runoff
 - b. Optimise efficiency of the stormwater network by reducing additional flow into the network, particularly during peak storm events
 - c. Reduce reliance on the drinking water network especially for garden irrigation
 - d. Minimise contaminants at source to avoid to the extent practicable any effects on the values of the receiving environment.
2. For the purpose of criteria 1 above, low impact design measures may include:
 - a. minimise impervious areas
 - b. retain natural vegetation and green spaces
 - c. selection of plant species appropriate for the climate
 - d. replicate natural processes such as the filtering properties of soils and vegetation
 - e. improve biodiversity and other values
 - f. stormwater retention including providing for re-use onsite (such as for garden irrigation)
 - g. stormwater detention to reduce flow to the network during peak storm events (slow release)
 - h. treatment of first-flush through natural and/or engineered methods before discharge to the network.
3. In assessing the proposal under criteria (1) above, regard will be given to the extent to which the best practicable option is achieved for the development having regard to the site constraints.

TPT - Transport

Introduction

The purpose of the Transportation chapter is to manage development to achieve an integrated approach to land use and transportation planning.

A key outcome the District Plan seeks to achieve is “Great Urban Areas”. The quality of urban areas, including the supporting transportation network, impacts directly on our quality of life. The layout and design of the transportation network can contribute to economic wellbeing, community cohesion, health and safety. The provisions of the Transportation chapter seek to ensure development contributes to achieving Great Urban Areas within our city.

Another key outcome is “Regional Approach to Industry”. A transportation network which supports industry across the region, including ensuring safe and efficient access to the Port and Airport, is essential to achieve this outcome.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the transportation provisions provide for the following:

- a. Managing activities and their access and egress requirements to support a functional, safe and efficient multi-modal transportation network, including road, rail, cycleways, walkways, and public transport routes which contribute to economic wellbeing and quality living environments.
- b. Access, loading and manouevring requirements which enable safe, efficient and functional access and egress between sites and the transport network while also contributing to quality living and working environments.
- c. Managing new development and their accesses in close proximity to road/rail level crossings and intersections to minimise risk of collision and optimise safety.

Other related chapters include:

- Network utilities: This chapter manages construction, operation and maintenance of all network utilities, including roads themselves and the services within them. Network utilities include transport related infrastructure such as bus stops, cycle facilities and electric vehicle charging stations.
- Zones and precincts: Chapters for zones and precincts manage development and activities within each zone or precinct. Where activities require resource consent, the provisions may require assessment of effects on the integrated transportation network. The objectives and policies of the zone or precinct should be considered together with those of this chapter to achieve an integrated approach to land use and transportation planning.

Issues

TPT-I1 Traffic generation from growth may detract from the safe and efficient operation of the integrated transportation network

Napier's transportation network enables the movement of goods and people throughout the

community, and provides linkages to the surrounding area. A safe, efficient, and well-connected transport network contributes to social and economic wellbeing by minimising trip journey times, providing choice of transport modes, reducing the risk of accidents, and encouraging movement within and between neighbourhoods and communities. Growth through intensification and urban expansion, can place pressure on the safety and efficiency of this network, particularly at intersections which needs to be managed.

Economic wellbeing of the region is reliant on industrial activity. Improving connections between industries, the Port and the Airport can optimise efficiency and assist in the region's economic growth.

High trip generating activities can have significant impacts on the operation of the transport network, either on their own, or cumulatively with other activities in an area. Zoning of land should take into consideration potential transport effects from development enabled by that zoning. However, in some cases, it may be appropriate to require assessment of high trip generating activities in any zone as part of the resource consent process. This will ensure effects are minimised or mitigated, including through assessing site layout, access, provision of parking and road/intersection upgrades.

TPT-I2 Reliance on private motor vehicles may detract from public health and community wellbeing

An integrated approach to managing the transportation network recognises that it includes pedestrians (of all ages and abilities), cyclists (and other means of personal travel) and public transport in addition to private motor vehicles.

Active transport modes (walking and cycling etc) can contribute to public health and community wellbeing by facilitating exercise and encouraging interaction between people. To support walking and cycling, new buildings and developments of certain types and scale are required to provide cycle parking as well as end-of-trip facilities for those cyclists. Off-road pedestrian and cycling pathways are also provided to complement facilities located in the road network.

Enhancing connectivity, particularly for walking and cycling, will bring more people into our centres while reducing traffic congestion, and assist in achieving Great Urban Areas. Connectivity needs to consider the range of ages and abilities of all members of our community. There are areas throughout Napier's centres and neighbourhoods where the availability, safety and quality of connections could be improved and this is incrementally being done by Council as part of an ongoing programmed upgrade.

TPT-I3 A lack of connectivity can increase the vulnerability of Napier's communities to natural hazards

As set out in the strategic direction chapter, much of Napier's existing urban area is subject to risk of natural hazards. Ensuring safe and universally accessible escape routes are provided is an important function of the integrated transportation network. The design and provision of roading can also contribute to resilience including through being operational during or after natural hazard events such as high intensity rainfall or earthquakes. A balance needs to be achieved between cost of development and operation of the transportation network, and optimising resilience of the network to natural hazards.

TPT-I4 Traffic generation may detract from environmental and amenity values

Traffic, including from road and rail, cause adverse effects such as noise, vibration and discharges to air and water which detract from environmental and amenity values. The design, operation and appropriate treatment solutions for the transportation network can minimise these effects while also enabling safe and efficient movement of goods and people throughout the district. Further, the design and layout of communities and connectivity networks can encourage the use of active modes and public transport which reduce reliance on private motor vehicles and therefore minimise these potential adverse effects on environmental and amenity values.

TPT-15 Easily accessible parking for activities can contribute to economic and community wellbeing. However, parking may encourage over reliance on private motor vehicles and detract from achieving quality living environments

It is acknowledged that car parking is an essential component of Napier's transport network and the management of parking can have major implications for the convenience, economic viability, design and layout of an area and the function of the transport network. It is important that parking is managed and provided in a manner that supports urban amenity, efficient use of land and the functional requirements of activities. However, consideration also needs to be given to ensure the provision of car parking does not promote over-reliance on private motor vehicles, which has consequential efficiency and public health effects (refer TPT-11-13). Further, residential onsite carparking can limit the potential to optimise site layouts and achieve quality living environments, particularly for higher density developments.

The National Policy Statement on Urban Development 2020 directs that District Plans for all urban environments do not have minimum car parking requirements. Where car parking is provided on site as a matter of choice, the design, layout, and potential impact on the transportation network may require assessment depending on the zone and the intensity of the activity.

TPT-16 Increased rail services and traffic generation can create or increase existing safety and efficiency conflicts at rail level crossings

Increased traffic generation from growth together with more frequent rail services can place additional pressure at rail level crossings. Napier has 22 rail level crossings within the city, the majority of which are located within urban areas. Sites adjacent to rail level crossings are typically already developed, minimising the potential to ensure clear sightlines on the approach. Managing the safety of these crossings requires cooperation between KiwiRail, the Council, road users, and private developers of proximate sites, including through careful consideration of the location and design of access points.

TPT-17 Innovations in movement, including adoption of smart technologies, may change the nature and operation of the integrated transport network over the duration of the District Plan

New technologies such as electric and autonomous vehicles, scooters, drones, electric bikes, and use of smart technologies may affect how people and goods move within and around the city over the life of this District Plan. It is not possible to plan for all potential changes. The District Plan provisions should however encourage and enable where practicable adoption of new technologies and innovations where these will contribute to the key outcomes and the strategic objectives.

Objectives

TPT-O1: Safe and efficient integrated transportation network

A safe and efficient integrated transportation network which supports growth, including provision for public transport, walking, cycling, private vehicles and the movement of freight

Relates to TPT-I1, TPT-I2 and TPT-I5

TPT-O2: Economic wellbeing

The integrated transport network supports economic wellbeing particularly by providing safe and efficient freight access to the Port and Airport

Relates to TPT-I1

TPT-O3: Public health and community wellbeing

The integrated transport network provides safe and attractive routes for active transport modes and minimises effects on public health and community wellbeing, including from noise, vibration, and discharges to air

Relates to TPT-I2

TPT-O4: Resilience

The integrated transport network contributes to the resilience of Napier's communities to the effects of natural hazards

Relates to TPT-I3

TPT-O5: Environmental and Amenity values

The integrated transport network, including parking, loading and access, do not detract from environmental or amenity values

Relates to TPT-I4 and TPT-I5

TPT-O6: Road/Rail crossings

Road/rail crossings operate safely with neighbouring land use and development.

Relates to TPT-I6

TPT-O7: Innovation and technology

The integrated transport network is flexible and responsive to new innovations and technologies where these achieve Objectives TPT-O1 – TPT-O6 and the strategic objectives SD-O1 – SD-O22

Relates to TPT-I7

Policies

TPT-P1: Roads and connections

Identify and maintain an integrated network of roads and other transport connections which:

- a. recognise and relate to their primary function(s)
- b. where practicable provide for different modes of land transport
- c. supports growth
- d. contributes to the health, safety and wellbeing of the community.

Relates to TPT-O1

TPT-P2: Trip generation

Manage the design and location of subdivision, use and development of land so as to minimise traffic patterns that will interfere with the safe and efficient operation of the integrated transport network, including through:

- a. ensuring transport planning supports the anticipated activities in each zone
- b. requiring high trip generating activities not provided for as permitted activities to prepare an integrated transport assessment including provisions for public transport, walking, cycling, private vehicles and the movement of freight (where relevant).

Relates to TPT-O1

TPT-P3: Freight Access Routes

Manage land uses and development to maintain the safe and efficient delivery of freight as a priority on access routes to industrial zones, the Hawke's Bay Airport, and Napier Port., and the wider region.

Relates to TPT-O2

TPT-P4: Connectivity

Manage the design and location of subdivision, use and development of land to optimise connectivity including through:

- a. Providing a connected roading network including minimising the use of cul-de-sacs where practicable
- b. Establishing safe cycleways and walkways and enhancing the safety of existing cycle and pedestrian routes
- c. Implementing CPTED (Crime Prevention Through Environmental Design) principles
- d. Supporting initiatives to increase use of public transport
- e. Ensuring that infrastructure associated with active transport and public transport modes are safe, convenient, and accessible to all sectors of the community.
- f. Designing intersections to facilitate safe and efficient crossing for all vehicles, cyclists and pedestrians.

Relates to TPT-O1, TPT-O3 and TPT-O4

TPT-P5: Parking and loading

Manage the design of parking areas, and the number, location and type of loading spaces, including bicycle parking and associated end-of-trip facilities to support all of the following:

- a. The safe, efficient and effective operation of the transport network
- b. The use of public transport, cycling and walking
- c. The functional and operational requirements of activities
- d. The efficient use of land
- e. The recognition that different activities have different trip characteristics
- f. The efficient use of on-street parking and off-street parking
- g. The character and amenity of the relevant zone
- h. The provision of quality living environments in residential zones
- i. The vibrancy of the City Centre and Town Centre zones

Relates to TPT-O1, TPT-O3 and TPT-O4

TPT-P6: Access and egress

Manage the number, location and design of access and egress points to support all of the following:

- a. safety and amenity for pedestrians and cyclists to and from the site, and along the street frontage
- b. visibility of vehicles, pedestrians and cyclists when exiting the site
- c. efficient access to the site to minimise queuing within the integrated transportation network
- d. safe and efficient operation of intersections.

Relates to TPT-O1, TPT-O3 and TPT-O4

TPT-P7: Effects on environmental and amenity values from transport corridors

Manage the effects of new transport corridors on residential properties and the receiving environment by incorporating measures such as buffers or noise barriers and low impact stormwater design at the planning stage.

Relates to TPT-O5

TPT-P8: Rail level crossings

Manage land use and development to minimise the risk of collisions at level crossings including by:

- a. Controlling new or increased use of vehicle access to sites adjacent to all road/rail level crossings to improve safety for road users on the approach to level crossings
- b. Discouraging new road and pedestrian rail level crossings to ensure the safe, effective and efficient operation of the rail network.
- c. Providing controlled safe crossing points for pedestrian and cyclists as part of upgrades to rail level crossings

Relates to TPT-O6

TPT-P9: Innovation and smart technologies

Encourage the adoption of innovative approaches and smart technologies in managing the integrated transportation network

Relates to TPT-O7

Transport - Activity Table

TPT-R1 Parking, loading and access	
TPT-R1A Activity Status: Permitted Where the following activity conditions are met: 1. Provision of parking, loading and access for activities which meets the standards (TPT-S1 – TPT-S6)	TPT-R1B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted to: 1. The relevant matters of discretion for the standard infringed
TPT-R2 New or modified vehicle access and crossings onto a state highway or arterial road	
Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. The type, frequency and timing of vehicle traffic 2. The safety and efficiency of the roading network 3. Effects on traffic, cycling and pedestrian safety 4. The provision of on-site maneuvering areas 5. The cumulative effect of land uses requiring access to a state highway or arterial road <i>NOTE: Approval from NZTA may be necessary for vehicle access onto a state highway</i>	NA
TPT-R3 Activities infringing standards TPT-S1-TPT-S4 and TPT-S6	
Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. The matters of discretion stated for infringing the relevant standard(s) <i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	NA

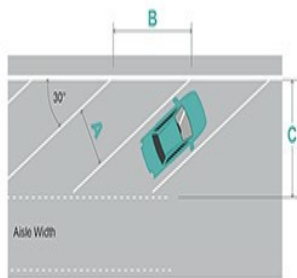
TPT-R4 Activities infringing standard TPT-S5 Vehicle access restrictions	
Activity Status: Non-complying	

Transport - Standards Table

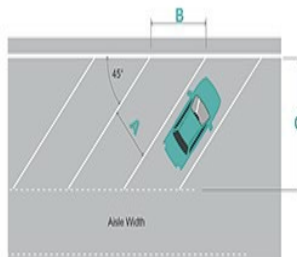
TPT-S1 Car parking	Matters of discretion
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Car park dimensions

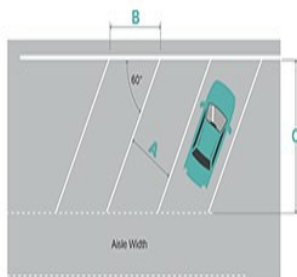
1. Vehicle parking spaces for residential activities in any Residential zone shall have a minimum internal dimension of 3.0m (width) by 5.0m (length).
2. The following minimum dimensions shall apply to vehicle parking spaces for all other activities and zones:



User Class	A	B	C1	C2	C3	Aisle Width
1	2.1	4.2	4.4	4.1	4.5	3.1
2	2.3	4.6	4.4	4.1	4.7	3.0
3	2.5	5.0	4.4	4.1	4.9	2.9
4	3.5	6.4	4.4	4.1	5.5	2.9



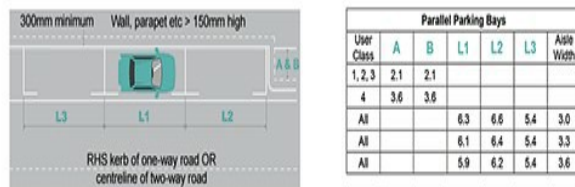
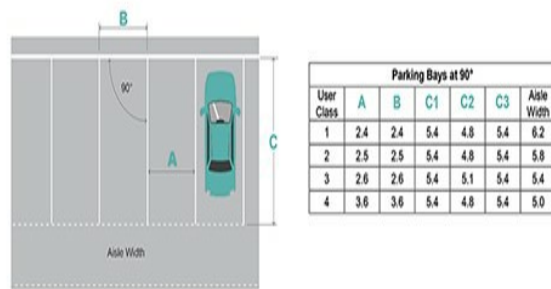
User Class	A	B	C1	C2	C3	Aisle Width
1	2.4	3.4	5.2	4.8	5.5	3.9
2	2.5	3.5	5.2	4.8	5.6	3.7
3	2.6	3.7	5.2	4.8	5.7	3.5
4	3.6	5.1	5.2	4.8	6.1	3.3



User Class	A	B	C1	C2	C3	Aisle Width
1	2.4	2.8	5.7	5.1	5.9	4.9
2	2.5	2.9	5.7	5.1	6.0	4.6
3	2.6	3.0	5.7	5.1	6.0	4.3
4	3.6	4.2	5.7	5.1	6.3	4.0

Matters of discretion are restricted to:

1. Functional requirements of the activity
2. Safety and efficiency of the integrated transport network
3. Amenity and character of the zone / precinct / development area
4. Stormwater management



Notes:

- a. *With the exception of 90 degree car parks, aisle width dimensions are for manoeuvring into and out of car parks with one-way aisles.*
- b. *User Class is identified as:*
 - i. *for all day parking, such as tenant, employee and commuter parking;*
 - ii. *for medium-term parking, such as town centre parking, sports and entertainment centres, motels, airport visitors;*
 - iii. *for short-term parking, such as short-term town centre parking, shopping parking, hospitals, and the drop-off of children;*
 - iv. *accessible parking for people with disabilities.*
- c. *Dimension C is selected as follows:*
 - i. *C1: where parking is to a wall or high kerb not allowing any overhang;*
 - ii. *C2: where parking is to a low kerb which allows 600mm overhang;*
 - iii. *C3: where parking is controlled by wheelstops installed at right angles to the direction of parking, or where the ends of parking spaces form a sawtooth pattern.*
- d. *Dimension L is selected as follows:*
 - i. *L1: space length for consecutive parallel parking spaces;*
 - ii. *L2: space length for obstructed end spaces;*

iii. L3: *space length for unobstructed end spaces.*

- 3. Where a parking space is located at the end of a blind aisle, an additional 1m clearance must be provided to allow vehicles to exit the aisle without reversing; and
- 4. Where any parking space has a die directly next to a wall, support column or other obstacle, an additional 300mm width must be provided

Where a parking space is located at the end of a blind aisle, an additional 1m clearance must be provided to allow vehicles to exit the aisle without reversing; and

Car park construction and formation

- 5. For sites with fewer than four vehicle parking spaces, the surface must be formed to an all weather standard, with a maximum gradient of 1:20
For sites with four or more on-site vehicle parking spaces, the surface must be formed, sealed, marked and drained, with a maximum gradient of 1:20.

Landscaping

6. Where any vehicle parking area is formed adjacent to any road or public place, a landscaped area of indigenous plants 2 metres wide adjacent to the road or public place must be provided and maintained, except for driveways. Note: where zones and/or precincts also contain landscaping standards, the more restrictive standard applies.

Lighting

7. Lighting is required where there are 10 or more parking spaces which are likely to be used during the hours of darkness. The parking and manouevring areas and associated pedestrian routes must be adequately lit during use in a manner that complies with the rules in the Lighting chapter.

Note: Any land use that is required by other legislation (particularly the Disabled Persons Community Welfare Act 1974) to provide specific vehicle parking spaces must provide the parking spaces required by that legislation.

TPT-S2 Bike parking

Purpose: to encourage cycling as a mode of transport by

Matters of discretion are restricted

providing safe, secure and accessible bike parking facilities

1. 1 bike stand must be provided per 5 car park spaces on site, except for supermarkets where 1 bike stand must be provided per 20 car park spaces.
2. The bike stands must meet the following requirements:
 - a. They must be securely attached to a wall or the ground and support the bike frame
 - b. Each bike stand shall be adequately spaced to allow a cyclist to manoeuvre and attach a bike to the stand
 - c. The bike stand shall allow the bike to be secured
 - d. They shall be visible and signposted
3. Non-residential activities must provide the following end-of-trip facilities (intended for staff use):

0 – 14 Full Time Equivalent (FTE) staff	No requirement
15 – 49 FTE staff	one male and one female shower (or two unisex) and changing facilities
50+ FTE staff	Two male and two female shower (or three unisex) and changing facilities

to:

1. Functional requirements of the activity
2. Public health and community wellbeing
3. Safety and efficiency of the integrated transportation network

TPT-S3 Loading spaces

Purpose: *Manage the provision of loading to achieve Policy TPT-P5*

1. This standard applies to activities involving industrial activities, retail activities, office activities, visitor accommodation, and day care centres.
2. A minimum of one loading space must be provided on the site of the use it is intended to serve.
3. The loading spaces shall meet the following design requirements:

Freight depots, transport depots, warehouses, bulk stores and other similar uses	<ul style="list-style-type: none"> · Minimum length: 19 metres (18m truck) · Minimum width: 3.0 metres · Manoeuvring space requirements for the Semi-trailer design vehicle Appendix 7
Retail activities, office activities, visitor	<ul style="list-style-type: none"> · Minimum length: 8.5 metres

Matters of discretion are restricted to:

1. Functional requirements of the activity
2. Safety and efficiency of the integrated transport network

<p>accommodation, manufacturing premises and other similar uses</p>	<ul style="list-style-type: none"> · Minimum width: 3.0 (or 3.5?) metres · Manoeuvring space requirements for the Medium Rigid design vehicle Appendix 8 	
<p>Day care centres</p>	<ul style="list-style-type: none"> · Minimum length: 5.5 metres · Minimum width: 3.0 metres · Manoeuvring space requirements for the 99 percentile tracking curve Appendix 9 	
<ol style="list-style-type: none"> 4. Every loading space must be designed so that it is not necessary to reverse vehicles either on to or off the street. The loading space must not be stacked or located within vehicle manoeuvring areas. 5. The provision of a loading space in respect of any site must not be within the front yard required by the relevant standard for the zone (where applicable). 6. The method of loading must ensure that the footpath or access to adjacent properties remains clear at all times and ensures traffic safety is maintained on the roads. 		
<p>TPT-S4 Vehicle access (General)</p>		
<p>Purpose: Achieve safe and efficient access to activities from the integrated transport network</p> <p>General</p> <ol style="list-style-type: none"> 1. All sites must have a legal, safe and effective vehicular access from an existing, formed legal road, except where no car parking is provided onsite. 2. There shall be a maximum of one vehicle crossing per site within Residential Zones. Where a site is bordered by 2 or more roads, the vehicle access to the property must be from the lower category road. The category of the road will be determined by its classification in the Road Hierarchy or traffic volumes where classification status is equal. 3. For access to commercial or industrial zoned land, where the speed limit is 70 kilometres per hour or less, the maximum number of vehicle crossings are as set out in the table below: 		<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional requirements of the activity 2. Safety and efficiency of the integrated transportation network 3. Amenity and character of the zone / precinct / development area

Frontage width	Maximum number of vehicle crossings
0-15m	1
>15m – 60m	2
>60m – 90m	3
>90m	4 + for each 30m of frontage in excess of 90m an additional vehicle crossing may be installed

Access widths and queuing requirements

4. Access widths shall be provided in accordance with the tables at Appendix 18.

Public roads

5. For public road definitions and widths refer to Table 4 of the Code of Practice for Land Development and Subdivision Infrastructure.
6. Where right-of-ways or private access lots are shared by four or more residential units, the right-of-way must incorporate a turning head with dimensions as set out in Appendix 17
7. Where there are two adjacent accesses, vehicle crossings shall be offset from the legal property boundary by 1.5m.

Formation and gradient

8. The access drive or aisle from the vehicular entrance to vehicle parking spaces must not have a gradient exceeding 1 in 5.
9. The gradient for the manoeuvring area required under TPT-S5 below must not exceed 1 in 8.

Vertical clearance

10. The minimum accessway width must be unimpeded by a vertical height clearance of 4.2 metres.

TPT-S5 Vehicle access (restrictions)

Purpose: Ensure the provision of access does not detract from the safe and efficient operation of the

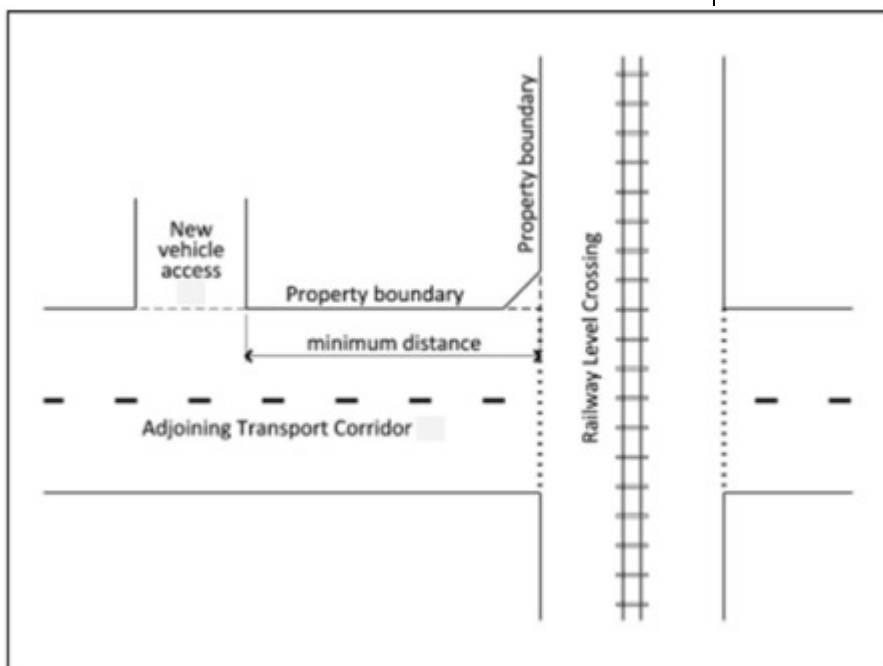
NA (refer Rule TPT-R4)

integrated transport network, including road/rail level crossings

1. The following vehicle access standards apply to:
 - a. Any new vehicle crossing
 - b. The use of an existing vehicle crossing to service:
 - i. A new activity
 - ii. Change of activity type
 - iii. Expansion or intensification of an existing activity
 - iv. New buildings

Rail level crossings

2. Vehicle access shall be a minimum of 30m from any railway level crossing, as shown in the figure below.



3. Vehicle access must not cross a railway line.

Proximity to intersections

4. Vehicle access shall be a minimum of:
 - a. 30m from an intersection with a State Highway or Arterial Road
 - b. 10m from any other intersection

Vehicle access restriction control

5. Vehicle access must not be provided from a road frontage identified as "vehicle access restriction control" on the planning maps.

TPT-S6 Manoeuvring		
<p>Purpose: Ensure onsite manoeuvring is provided on sites to avoid reversing onto roads where this would compromise the safety and/or efficiency of the integrated transport network</p> <p>1. Activities must provide onsite manoeuvring areas so that no reverse manoeuvre by vehicles on to or off the road is necessary, for all activities as set out below:</p>		<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Functional requirements of the activity 2. Safety and efficiency of the integrated transportation network 3. Amenity and character of the zone / precinct
<p>Residential activities:</p> <p>a) On all sites which have direct access to an Arterial Road or State Highway</p> <p>b) On all rural sites</p> <p>c) Where an accessway serves three or more residential units</p>	<p>All manoeuvring areas must be provided and maintained in accordance with (vehicle tracking curves from Appendices 9 and 11</p>	
<p>Freight depots, service stations, transport depots, warehouses, bulk stores and other similar uses</p>	<p><i>Vehicle tracking:</i> All manoeuvring areas must be provided and maintained in accordance with (vehicle tracking curves from Appendix 10) and using the Semi-Trailer Design Vehicle Appendix 7</p>	
<p>Retail activities, office activities, visitor accommodation, manufacturing premises and other similar uses</p>	<p><i>Vehicle tracking:</i> All manoeuvring areas must be provided and maintained in accordance with (vehicle tracking curves from Appendix 10) and using the Medium Rigid Design Vehicle (Appendix 8)</p>	

Assessment criteria

TPT-AC1 – High trip generating activity (TPT-R2)

Safety and efficiency of the integrated transport network; Economic wellbeing; Public health and community wellbeing

- a. Whether the access location and design enables safe access, egress and internal site circulation for vehicles, pedestrians and cyclists

- b. The extent to which the activity will compromise the safe and efficient operation of the integrated transport network, particularly:
 - i. at peak traffic times
 - ii. on identified freight routes
- c. The extent to which the activity is designed to encourage active transport modes (walking and cycling) and public transport
- d. The extent to which mitigation measures are proposed to address adverse effects on the integrated transport network. These measures may include:
 - i. Travel planning, such as providing incentives for car pooling
 - ii. Availability of alternatives to private vehicle trips, including accessibility to public transport and the cycle network
 - iii. Staging of development
 - iv. Contributing to improvements to the integrated transport network.

TPT-AC2 – Infringement of the minimum carparking standard (TPT-S1)

Functional requirements of the activity

- a. Whether the number of parking spaces proposed is sufficient for the proposed activity having regard to:
 - i. The availability and accessibility of the site by walking, cycling and/or public transport
 - ii. The measures and commitments outlined in a travel management plan which will reduce the need for vehicle use to a level where parking demands can be satisfactorily addressed through efficient use of the proposed parking
 - iii. The extent to which activities on the site have complementary parking demands, for example activities operating at different times
 - iv. The extent to which the parking requirements of the proposal will be met by entering into a shared parking arrangement with another site in the immediate vicinity that has available parking spaces which are not required at the same time as the proposed activity
 - v. The extent to which there is public parking on-street or off-street in the immediate vicinity with capacity and availability at the times required to serve the proposal. (Note: financial contributions may be sought by Council where reliance is placed on on-street parking to contribute towards parking management and enforcement)
 - vi. The nature of the operation and anticipated parking demand

Safety and efficiency of the integrated transport network

- b. The extent to which the reduction in car parking would adversely affect access to adjacent

activities or the safe and efficient operation of the integrated transport network, including having regard to:

- i. The criteria in (a) above
- ii. The function of the road in the Functional Classification, including provision for walking and cycling

Amenity and character of the zone / precinct / development area

- c. The extent to which an infringement to the parking standards will:
 - i. achieve better onsite or streetscape amenity than would be achieved if the parking standards were met
 - ii. maintain the character anticipated in the zone, precinct and/or development area while also meeting criteria (a)-(b) above.

Stormwater management

- d. The extent to which an infringement to the parking standards will facilitate low impact urban design stormwater solutions while also meeting criteria (a) – (c) above.

TPT-AC2 – Infringement of the minimum bike parking standard (TPT-S2)

Functional requirements of the activity; public health and community wellbeing; safety and efficiency of the integrated transportation network

- a. Whether sufficient provision is made for cyclists and active modes to reduce reliance on private motor vehicles and facilitate public health and community wellbeing benefits
- b. Whether the activity and changes in demand for such facilities can be accommodated if the operation or use changes over time, having regard to the nature and location of the operation and the likely demand for long and short-term cycle parking and end-of-trip facilities
- c. The extent to which the bicycle parking facilities are designed and located to match the needs of the intended users
- d. The extent to which adequate alternative, safe and secure bicycle parking and end of trip facilities (such as showers and lockers), that meet the needs of the intended users, are available in a nearby location that is readily accessible
- e. The extent to which the parking can be provided and maintained in a jointly used bicycle parking area with other activities
- f. Whether the provision made for cyclists and active modes is practicable and adequate given site limitations and layout, arrangement of buildings and activities, users and operational requirements.

TPT-AC3 – Infringement of the loading standard (TPT-S3)

Functional requirements of the activity

- a. Whether the number of loading spaces proposed is sufficient for the proposed activity having regard to:
 - i. The level and type of vehicular movements likely to be generated by the proposed activity on the site, and by other activities permitted in the zone
 - ii. whether a kerb-side loading space can be provided which is of sufficient capacity to accommodate the activity
 - iii. whether the developer has entered into an agreement with adjacent landowners to provide and maintain a jointly used loading space
- b. The extent to which practical and adequate loading arrangements can be provided onsite having regard to site limitations, configuration of buildings and activities, user requirements and operational requirements

Safety and efficiency of the integrated transport network

- a. The extent to which the reduction in loading area would adversely affect access to adjacent activities or the safe and efficient operation of the integrated transport network, including having regard to:
 - i. The criteria in (a) above
 - ii. The function of the road in the Functional Classification, including provision for walking and cycling

TPT-AC4 – Infringement of the Vehicle access (general) standard (TPT-S4) and Manoeuvring standard (TPT-S6)

Functional requirements of the activity

- a. For residential activities, whether the design and layout of the vehicle access and manoeuvring will provide safe, efficient and comfortable living environments including consideration of:
 - i. access for private vehicles, pedestrians and cyclists
 - ii. refuse collection
 - iii. access for emergency services
 - iv. provisions for reticulated infrastructure and network utilities
- b. Whether the design and layout of the vehicle access will provide for additional development in the future as anticipated by the zone, precinct, development area and/or non-statutory plans
- c. For non-residential activities, whether the design and layout of the vehicle access and manoeuvring will provide for safe and efficient access to the activity having regard to:
 - i. the level and type of vehicular movements likely to be generated by the activity on the site,

and by other activities permitted in the zone

- ii. whether the developer has entered into an agreement with adjacent landowners to provide and maintain a jointly used access
- iii. whether a wider vehicle crossing is required to:
 - comply with the tracking curve applicable to the largest vehicle anticipated to use the site regularly;
 - accommodate the traffic volumes anticipated to use the crossing, especially where it is desirable to separate left and right turn exit lanes
 - consider whether a pedestrian refuge is required for safety.
- d. Whether the design and layout of the vehicle access will provide for provision and maintenance of infrastructure and services

Safety and efficiency of the integrated transport network

- e. The extent to which the design and layout of the vehicle access and manoeuvring would adversely affect access to adjacent activities or the safe and efficient operation of the integrated transport network, including having regard to:
 - i. The criteria in (a) or (b) above (as relevant)
 - ii. Availability of on street car parking
 - iii. The function of the road in the Functional Classification, including provision for walking and cycling

Amenity and character of the zone / precinct / development area

- f. Whether the access design and layout provides a safe and attractive environment to encourage walking and cycling
- g. For residential activities, the extent to which the access design and layout will provide an improved living environment while meeting the functional requirements in clause (a) above

TPT-AC5 – All infringements to standards (TPT-S1 – TPT-S6)

In addition to the above criteria, the following shall be considered when assessing any infringement to standards:

- a. The purpose of the rule standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

GMO - Genetically Modified Organisms and Genetic Engineering

Introduction

This chapter contains provisions that deal with genetically modified organisms (GMOs) and genetic engineering (GE).

The use of hazardous substances and genetically modified organisms in New Zealand is primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO). The HSNO Act is administered by the Ministry for the Environment and implemented by the Environmental Protection Authority. The Ministry of Business, Innovation and Employment is also involved with enforcement in terms of hazardous substances.

The purpose of the HSNO Act is to 'protect the environment, and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms.'

The HSNO Act requires that before any GMO can be imported into the country, developed in containment, tested in the field or released into the environment, approval must be obtained from the Environmental Protection Authority (EPA). There is scope under the RMA for District Plans to place additional controls on the use of GMO's, provided that control can be justified.

There are potential cross boundary effects from the release of GMO in the district, and therefore the management approach has been aligned with Hastings District. Hastings District has adopted a precautionary approach, based on community expectations, and a view that the district plan can provide greater certainty than HSNO for specific activities. The Hastings approach has subsequently been endorsed by the Environment Court as a valid response to resource management issues that supplements the HSNO Act rather than duplicates its provisions.

A 'Regional approach to industry' is the key outcome relevant to potential GMO and GE use in Napier. The Key Strategic Objectives relevant to Genetically Modified Organisms are: Smart Growth and Environmental Excellence.

Economic activity and innovation is supported and enabled in appropriate locations, Plant selection recognises Napier's environmental and cultural context and regulation is clear and necessary to achieve the strategic vision.

To achieve these key strategic outcomes:

- A regional and strategic approach is taken to the matters that have potential for cross boundary effects
- Consistency with the Hastings District approach to the management of GMOs and GE
- Regulation is necessary and duplication with other legislation is avoided
- A precautionary approach is taken to the management of genetically modified organisms and genetic engineering

Issues

GMO-I1 The need to take a precautionary approach toward managing the adverse effects on the environment, human health and property from genetically modified organisms and facilities developing and using them.

GMO are newly developed organisms. The outdoor use of GMOs has the potential for adverse effects on people, communities, tangata whenua, social and cultural wellbeing, the environment and an economy that is based on natural resources.

GMO-I2 The potential for adverse effects on sensitive environments if there is poor knowledge or inadequate management of genetically modified organisms.

The nature and scale of adverse environmental effects, and the risks associated with land uses storing or using genetically modified organisms are influenced in part, where the use or release is near to sensitive environmental areas such as estuarine, river and coastal areas and residential areas has a higher risk. Specific controls address the potential level of risk of the release of any genetically modified organisms.

GMO-I3 District Plans should not duplicate regulation already provided by the Hazardous Substances and New Organisms Act 1996 (HSNO).

It is inefficient to include regulation that duplicates decision making processes where there are controls in other legislation and the provisions in the district plan must meet the tests in RMA section 32. Objectives in the district plan must be the most appropriate to achieve the sustainable management purpose of the RMA. The purpose of the RMA and the purpose of the HSNO are different, the decisions under the RMA are made at a local level, while decisions on GMO are made centrally, and the requirements in the legislation for managing effects on the environment also differ.

GMO-I4 The effects may cross administrative boundaries, and aligning the provisions in this district plan with those in the Hastings District Plan promotes regulatory efficiencies and supports the export of high value produce from Hawke's Bay.

In addition to the environmental risks associated with the release of GMOs, there are economic risks caused by the sensitivity of export markets for high value produce to potential GMO contamination. Hawke's Bay is one of New Zealand's most significant horticulture and viticulture areas. The local economy is dependent on the export of high value produce, and the ability to market the region as GE free creates a point of difference in some markets. Providing for the wellbeing of the community by prohibiting the field testing or release of GMOs provides certainty. It is considered that the prohibited status is necessary to align with Hastings District and to reflect social and cultural attitudes amongst the Hawke's Bay community.

Objectives

GMO-O1: Release or field testing of Genetically Modified Organisms

The potential effects from the outdoor release or field testing of Genetically Modified Organisms (GMOs) shall be avoided.

Relates to GMO-I1; GMO-I2 and GMO-I4

GMO-O2: Adopt a precautionary approach

To protect the community and their social, economic and cultural wellbeing and the environment from the adverse effects associated with the outdoor release or field testing of Genetically Modified

Organisms through the adoption of a precautionary approach.

Relates to GMO-I1; GMO-I2 and GMO-I4

GMO-O3 Cross boundary alignment

The management of Genetically Modified organisms aligns with the approach in Hastings District.

Relates to GMO-I4

Policies

GMO-P1: Avoid duplication of regulation

To control activities associated with the release of GMOs, unless adequate levels of community and environmental protection is already provided by the Hazardous Substances and New Organisms Act 1996, or other legislation and regulation.

Relates to GMO-O1 to GMO-O3

GMO-P2: Precautionary approach

To adopt a precautionary approach to the management of Genetically Modified Organisms by prohibiting the field testing or release of a Genetically Modified Organism.

Relates to GMO-O1 and GMO-O2

GMO-P3: Community interests, cross boundary effects, environmental and economic opportunities

To adopt a resource management framework for the management of Genetically Modified Organisms (GMOs) that provides for local decision making, and which is consistent at a regional level, taking into account economic benefits of a GMO free region, community values and interests, cross boundary effects, and environmental, economic and social well-being considerations.

Relates to GMO-O3

Genetically Modified Organisms - Activity Table

GMO-R1 Activities involving Genetically Modified Organisms that are not classified as Field Trials or Releases and any activity involving Genetically Modified Organisms which involve research within contained Laboratories or in Medical and Veterinary Applications.		
Activity Status: Permitted		
GMO-R2 The outdoor release of Genetically Modified Organisms		
Activity Status: Prohibited		

GMO-R3 Outdoor Field Trials of Genetically Modified Organisms		
Activity Status: Prohibited		

HAZS - Hazardous Substances

Introduction

The purpose of this chapter is to manage the effects of the use and storage of hazardous substances, and of hazardous facilities that exist outside of the scope of the Hazardous Substances and New Organisms Act 1996 (HSNO).

HSNO provides the general framework and is the primary mechanism for controlling and managing the use and storage of hazardous substances, but the following matters fall within the scope of the Resource Management Act 1991:

1. Effects on sensitive areas, such as the coastal and estuarine environment;
2. Reverse sensitivity issues between existing lawfully established facilities and new sensitive activities;
3. The risk to public safety, eg risks to the public beyond the site boundary, and from natural hazards that could affect hazardous substances; and
4. Management of cumulative effects of multiple hazardous facilities near each other.

The provisions in this chapter address the above matters as they relate to significant hazardous facilities and the storage, handling, or use of hazardous substances in the Natural Open Space Zone.

The District Plan outcomes that are relevant to the management of hazardous substances are 'Great Urban Areas' and 'Regional Approach to Industry'. The relevant Principles are 'Resilient Napier', 'Environmental Excellence' and 'Smart Growth'. Within these, the relevant Strategic Objectives' are outlined below:

Smart Growth

SGOb3 Economic activity and innovation is supported and enabled in appropriate locations
SGOb4 Significant infrastructure which supports economic growth, including the Port, Airport, Expressway and railway, is enabled and protected
SGOb7 Regulation is clear and appropriate to achieve the strategic objectives

Environmental Excellence

EEOb2 Ecological assets and urban waterways are maintained and enhanced
EEOb3 Napier's coastal environment is recognised and protected from inappropriate use and development

Resilient Napier

RNOb2 Vulnerability of the community to hazards is reduced

Issues

HAZS-I1 The adverse effects on the environment, human health and property of inadequate management of hazardous substances and facilities

Hazardous substances are used in a wide range of activities occurring within the Napier City, from dry-cleaning clothes, manufacturing industrial products, to controlling pests and plant diseases in the agricultural sector. Although necessary to provide for the many functions of a City, the use of hazardous substances creates the potential for adverse effects on human health, property or the natural environment. The use and storage of hazardous substances, and major hazardous facilities must be located in appropriate areas and managed in an appropriate manner, to avoid or minimise their effects on sensitive environments. Approximately 70% of Napier's stormwater is eventually discharged into the Ahuriri Estuary, while the remainder is discharged to the sea, both of which are considered sensitive environments. Activities that use and store hazardous substances, particularly major hazardous facilities, have a risk of contaminating these environments if not properly managed.

HAZS-I2 The potential for significant hazardous facilities to have residual effects and risks beyond the site boundary

Not all significant hazardous facilities can contain their adverse effects and risks within their site boundaries. Where residual risks remain on nearby properties, a change in use or intensification of sensitive activities may result in this risk becoming unacceptable, or these sensitive activities impacting on the ability of major hazardous facilities to operate.

Objectives

HAZS-O1: Adverse effects on the natural environment and the community

To protect the natural environment and the community from the adverse effects associated with hazardous substances.

Relates to HAZS-I1 and HAZS-I2

HAZS-O2: Enable activities that utilise hazardous substances in appropriate locations

Enable activities that use and store hazardous substances, including significant hazardous facilities in appropriate locations where effects on the natural environment and community can be avoided or mitigated.

Relates to HAZS-I2

HAZS-O3: Risk and reverse sensitivity effects

Sensitive activities are located so that any reverse sensitivity effects and risks associated with established significant hazardous facilities are avoided.

Relates to HAZS-I2

Policies

HAZS-P1: Hazardous substances in sensitive environments

Ensure that where activities involving the use and storage of hazardous substances are located in

proximity to the sensitive environment of the Ahuriri Estuary (Natural Open Space Zone), they are designed and managed to reduce risks to the environment and community.

Relates to HAZS-O1

HAZS-P2: Significant Hazardous Facilities appropriately located and managed

Ensure that Significant Hazardous Facilities are appropriately located and managed in order to reduce risks to the environment and community.

Relates to HAZS-O2

HAZS-P3: Sensitive Activities

Avoid sensitive activities locating in proximity to significant hazardous facilities where risks have been identified unless it can be demonstrated that any reverse sensitivity effects and residual risks are avoided.

Relates to HAZS-O3

HAZS - Activity Table

HAZS-R1 The storage, handling or use of hazardous substances (excepting Arsenic (As) and <u>Significant Hazardous Facilities</u>) within the Natural Open Space Zone			
<p>HAZS-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> All hazardous substances are stored and handled on areas which have impervious surfaces. <p>Note 1: For the purposes of this condition fuel operated machinery and vehicles are not required to be located on an impervious surface at all times.</p> <p>Note 2: For the purposes of this condition the storage and conveyance of gas or oil in pipelines that are part of a network utility, are deemed to comply.</p> <ol style="list-style-type: none"> All areas within a site where hazardous substances are stored, used, handled or produced are sealed and banded; and able to contain 110% of the total volume of substances stored and used on-site in the event of a spill. 	<p>HAZS-R1B</p> <p>Activity Status where activity conditions and standards are not met: Restricted discretionary activity</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> The cumulative effect of non-compliance with more than one condition The risk factors that exist in relation to the activity's location and operation Whether alternative locations are available The record of compliance and acceptable risk management The availability of a fully reticulated stormwater and sewerage system The method of disposal of waste, and the volume of waste <p>Notification: Non-notified</p>		
HAZS-R2 The storage, handling or use of hazardous substances in all			

other zones (excepting <i>Significant Hazardous Facilities</i>)	
Activity Status: Permitted	NA
HAZS-R3 <i>Significant Hazardous Facilities</i>	
Activity Status: Discretionary	
HAZS-R4 <i>New Sensitive</i> activities located within the <i>Significant Hazardous Facility Risk Management Overlay</i>	
Activity Status: Non-complying	
HAZS-R5 The storage, handing or use of Arsenic (As) within the Natural Open Space Zone	
Activity status: Prohibited	NA

Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

General

An assessment shall be provided, focussing on the following issues:

Risk Factors

- a. Assessment of the probability and potential consequences of an accident leading to the release or loss of control of hazardous substances. This assessment should focus on the ability of the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management, emergency management, site drainage and off-site infrastructure (e.g. storm water drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances.
- b. Potential risk and effect on natural ecosystems and the life supporting capacity of land and water, including Ahuriri Estuary, water bodies and sources of portable water.
- c. The potential for natural hazards and sea level rise to impact on the operation of the hazardous facility.

In addition for Significant Hazardous Facilities, the following apply:

- d. Potential risk and effect on people and neighbouring activities, with emphasis on sensitive activities.
- e. Potential risk and effect on Wāhi Taonga, sites of historical or archaeological significance, and sites of natural significance.

Alternative Locations

- f. The inclusion of evidence that alternative locations for the activity have been considered, having

particular regard to locations both within the site and outside the site.

Record of Existing Activity

- g. The record of compliance and acceptable risk management of any existing activity where expansion of the activity is proposed.

HAZS-AC1 – The storage, handling or use of hazardous substances (excepting Arsenic (As) and Significant Hazardous Facilities) within the Natural Open Space Zone (HAZS-R1)

Risk factors

- a. An assessment of the probability and potential consequences of an accident leading to the release or loss of control of hazardous substances. This assessment should focus on the ability of the design and management of the site to avoid accidents, such as spill containment measures, fire safety and fire water management emergency management, site drainage and off-site infrastructure (e.g. storm water drainage system, sewer type and capacity) and the disposal of waste containing hazardous substances.
- b. Potential risk and effect on natural ecosystems and the life supporting capacity of land and water, including the Ahuriri Estuary, the coast, water bodies and sources of potable water.
- c. The potential for natural hazards and sea level rise to impact on the operation of the hazardous facility.
- d. For *Significant Hazardous Facilities*, the potential risk and effect on people and neighbouring activities, with emphasis on *sensitive activities*.
- e. For *Significant Hazardous Facilities*, the potential risk and effect on wāhi taonga, and sites of historical or archaeological significance.

Alternative locations

- f. The inclusion of evidence that alternative locations for the activity have been considered, having particular regard to locations both within the site(s) and outside of the site.

Record of existing activity

- g. The record of compliance and acceptable risk management of any existing activity where expansion of the activity is proposed.

NH - Natural Hazards

Introduction

This chapter manages the risk to people and property from natural hazards, and the effects on the environment from mitigation methods and land use activities that have the potential to increase natural hazard risk.

Napier City, like many other cities within New Zealand, is subject to the effects of natural hazards. Since the enactment of the Resource Management Act 1991, the Council has been proactive in the identification of natural hazards within its boundaries and the assessment of the possible effects.

When there is certainty about the nature, extent and frequency of natural hazards, new land uses can be located and managed so that the risk is avoided, remedied or mitigated. Where land uses are already located in areas susceptible to natural hazards, the effects of mitigation methods and land uses on the environment will be controlled to safeguard the health, safety and wellbeing of the public.

Climate change is expected to have long term implications, particularly for potential increases in risk to people and property from the effects of natural hazards over time. In coastal areas, climate change will result in sea-level rise, increased storm surge, coastal inundation and increased coastal erosion. For the eastern parts of the North Island, it is projected that there will be an increased frequency of droughts as well as a greater frequency and intensity of storms. Cyclones are also expected to be of increased frequency and intensity leading to increased wind, waves, storm surge and rainfall. Climate change is therefore likely to have significant implications for the City. Greater frequency and intensity of cyclones also has implications for Council infrastructure in respect of urban stormwater capacity and downstream flood management.

The management of significant risks from natural hazards is listed in section 6 of the RMA as a matter of national importance. The effects of climate change are listed in section 7 of the RMA as a matter to have particular regard to in managing the use, development and protection of resources. Section 106 of the RMA also provides that the Council can refuse a subdivision consent if there is a significant risk from natural hazards. The presence of natural hazards may lead to a requirement for site-specific technical assessments e.g. geotechnical assessments or flood modelling work, in support of a subdivision or development proposal to determine whether the hazard can be appropriately avoided, remedied or mitigated.

Council also has obligations to address hazards under other legislation such as the Building Act 2004, the Civil Defence and Emergency Management Act 2002 and the Local Government Act 2002, and it is a member of the Hawke's Bay Civil Defence Emergency Management (CDEM) Group. In particular the provisions of the Building Act provide Council with the ability to refuse to issue a building consent in certain circumstances where a property is subject to natural hazards. As such, the provisions in the District Plan are one tool the Council can use to address natural hazard risk.

The primary natural hazards affecting the City are outlined below.

Coastal Hazards

Coastal hazards include tsunami, storm erosion and storm flooding from the inundation of sea water. Shorelines change over time in response to natural processes, including coastal erosion.

Natural changes to shorelines are typically only a problem when property, infrastructure or other human assets have been built too close to the shore and become vulnerable to natural events. The present-day extent and likelihood of various coastal hazard risks are expected to increase as a result of climate change projections of increased storm intensities and a rise in sea level of around one metre in the next 100 years.

A regional coastal hazards strategy for the coastline between Tangoio to Clifton to determine response options to climate change driven coastal hazards for the next 100 years is being developed by the HB Regional Council, Hastings District Council, and ourselves. The District Plan will only retain management of the coastal erosion hazard between Whakarire Avenue and the Esk River until such time as the regional strategy has been adopted and implementation begun. A regional response to the issue will be required in order to achieve integrated management of the coastal environment and its associated processes that extend and impact beyond jurisdictional boundaries

Tsunami

Tsunami are also a natural hazard but one with prediction difficulties due to being created by earthquakes of significant magnitude either near to shore or from distant locations.

Depending on the magnitude, a tsunami could impact upon large parts of the flatter areas of Napier. While careful long-term planning is required for critical lifeline infrastructure and enhancement of evacuation routes, the primary response to the threat of tsunami is undertaken through Council's Civil Defence role.

Liquefaction and Earthquake Hazard

These are natural events that cannot be avoided but mitigation is addressed through the building regulations and conditions of consent imposed at the time of subdivision.

There are no identifiable active surface faults within Napier's territorial boundary, although at least two buried or 'blind' faults are considered likely to be present. While the approximate location of these buried faults has been mapped, uncertainties associated with their exact locations mean they cannot be relied on for land use planning through the District Plan at this time.

People should be aware that risks associated with earthquakes and liquefaction do present a real and present risk to life and property within Napier and should make informed decisions about a range of response options to mitigate risks accordingly.

Flooding Hazard

Napier is flat with low-lying alluvial soils that are subject to flood paths and ponding areas. The flood risk within Napier is mainly from the Esk and Tutaekuri rivers.

Considerable flood protection works have been undertaken, especially on the Tutaekuri River. However large rainfall events could exceed the design standards for these works and the potential for flooding exists. The Heretaunga Plains Flood Hazard Study 1999 was carried out by the Hawke's Bay Regional Council on the flood risk from a breach of stop banks along the Tutaekuri River. Major breach scenarios at Taradale and Brookfields indicate that most of the Napier urban area (excluding the Hill areas) would become inundated.

Flood paths and ponding areas have been identified and this information has been used in considering Napier's urban growth options and for the provision of suitable pumping systems to ensure that ponding will not have a significant impact. This type of flooding is an effect that can be mitigated through building regulations, where minimum levels for building floor height are required.

River Hazard Area

The effects of rising river levels cannot be as easily managed as ponding-style flooding. Areas identified within the river hazard area may be subject to fast moving floodwaters during extreme rainfall events, even if rainfall occurs only in parts of the river catchment. With river flooding, there is a high risk of loss of life and property if avoidance of the hazard risk is not the primary response and residual effects are not mitigated effectively.

Due to the magnitude of the risk involved, the properties within the 'River Hazard Area' will be subject to more stringent controls than those within areas identified as at risk from ponding flood events.

Slope instability and Hill Erosion

Steep slopes always pose a risk for landslides, and these apply to both the Western Hills and Napier Hill. The Western Hills form a backdrop to the City. The physical characteristics of this land make some areas susceptible to slippage and erosion. A joint exercise was undertaken with the Hawke's Bay Regional Council to identify the areas on the Western Hills most at risk from slippage. This involved the use of soil maps and physical inspection of the areas by soil experts from the Regional Council. The potential erosion hazard areas have been recorded for indicative purposes. This information will be included on LIMs and PIMs.

The Council is also aware that slippage, including earthquake-induced landslides, may be an issue for parts of Scinde Hill. While the risk of rock fall and/or cliff collapse is relatively low, they still pose a risk to people, buildings and infrastructure. Landslides tend to be triggered most frequently by earthquakes or intense rainfall events, the latter of which will be exacerbated by climate change. Known potential erosion hazard areas have been recorded for indicative purposes but are not intended to be considered definitive. While the risk of slippage, landslides, rock fall and/or cliff collapse is relatively low, they all still pose a risk to people, buildings and infrastructure. Consideration needs to be given to the risks associated with landslide when planning for future land uses.

Planning Maps and Other Data Bases

The District Plan Planning Maps identify known hazards which are a snapshot in time taken from the Hawke's Bay 'Hazard Portal' at the date of notification of this District Plan and represent the best information available at that time. The Regional Coastal Environment Plan also maps Coastal Hazard Zones.

It is important to note that the hazard information provided is regional or City-wide in scope and cannot be substituted for a site-specific investigation. A suitably qualified and experienced practitioner should be engaged if a site-specific investigation is required.

Other known natural hazards will be available online via Council's publicly accessible web-based map system (GIS), and on the Hawke's Bay 'Hazard Portal' which holds the most up-to-date information on natural hazards for the region.

These databases are continually being updated and refined as new information is gathered (including through collecting information during the resource consent or building consent process).

It is also important to note that these databases should not be seen as a replacement for a Land Information Memorandum (LIM) or Project Information Memorandum (PIM).

Strategic direction

Relevant outcomes

There are no key outcomes directly relevant to natural hazards. The Key Strategic Objectives relevant to managing the risk to people and property from natural hazards are 'Quality Design' and 'Environmental Excellence' and 'Resilient Napier'.

Specific objectives include: 'Economic activity and innovation is supported and enabled in appropriate locations'; 'Quality, high amenity and healthy environments to live, work and play'; 'Risk to people and property from natural hazards is avoided or mitigated'; 'Vulnerability of the community to hazards is reduced'; 'Natural systems are maintained and restored'; 'Napier's coastal environment is recognised and protected from inappropriate use and development'; and 'Ecological assets and urban waterways are maintained and enhanced'.

To achieve these key strategic objectives, the natural hazards chapter provides for the following outcomes:

- Where land uses are already in existence rules safeguard the land use and reduce the level of effects from the hazard itself.
- Known hazards re taken into account in the process of directing future growth.
- An environment where the risk to life and property from natural hazards is reduced.
- A community which is better informed and prepared for natural hazards.
- Hazards are dealt with through a mix of regulatory and non-regulatory tools; where known hazards, are shown on the planning maps. Other potential hazards are listed on the Hawkes Bay Hazard Portal which sit outside the District Plan but with the Hawke's Bay Regional Council.

Issues

NH-I1 Land uses can increase the potential risk from natural hazards

It is not only the natural hazards that have effects, but consideration also needs to be given to the effects that land uses can have on exacerbating the hazards themselves and any increasing risk to the environment that may result.

Some land uses can exacerbate hazard risks and this is particularly evident for erosion prone land or where development displaces flood water. The effects of the hazards could significantly increase following additional land use and/or development of the land. It is important that the Council identify the types of land use that could lead to an increase in the risk from natural hazards and control those land uses accordingly.

NH-I2 Land uses are already established in areas at risk from natural hazards

The Council may be able to avoid the effects of hazards where development has not already

occurred. However, there are instances where the potential risks from natural hazards are likely to have impacts on existing development. The liquefaction areas that affect substantial areas of residential Napier most easily illustrate this scenario.

NH-I3 The degree of risk from particular natural hazards and ability to mitigate that risk varies

Activities in the coastal environment are susceptible to the effects of natural hazards such as coastal erosion and tsunami (where the risk also applies to low lying areas beyond the coastal environment), and those associated with climate change.

Where the risk to life and property from some natural hazards can be avoided, it is the Council's intention to do so. In such cases the Council can direct development away from the hazard areas. Where the scale of the hazard is small, such as for areas prone to slips, this may be achieved. Where the scale and risk is high, but the probability, timing, magnitude and extent of the hazard is unknown, such as earthquakes, this is not practicable. Regulating land use will not affect or worsen the risk or probability of these types of hazards. Building Code requirements can mitigate some of the potential effects of such hazards.

NH-I4 Increased risk from coastal hazards as a result of climate change

Land use changes and changes to land cover are important drivers of risk exposure related to climate change. Climate change brings an increase in risk from both the rising hazard exposure and an economic risk from the rising value of real estate and infrastructure and other development around coastal and estuarine margins. Scientists have predicted that long-term effects of climate change will include an increase in heat waves, coastal inundation, storm events and heavy precipitation, and decreased freshwater resources. Retaining, protecting, or restoring natural defences to coastal hazards, and locating new development to avoid areas prone to such risks is preferable to hazard mitigation.

To achieve regional consistency in land use planning, the District Plan will only retain management of the coastal erosion hazard between Whakariri Avenue and the Esk River until such time as the Regional Coastal Hazards Strategy has been implemented. The Regional Coastal Environment Plan will include provision for management of the coastal erosion hazard over the coastline of the whole Hawke's Bay Region from that time.

NH-I5 Natural Processes can impact upon highly valued natural areas

Mitigation may be appropriate where natural processes have the potential to impact on highly valued elements of the natural environment, or on cultural values.

Objectives

NH-O1: The effects of land use on natural hazard prone areas

Use, development and protection does not have adverse effects on natural processes or natural features that provide a buffer from hazard events or increase the risk to people or essential infrastructure from natural.

Relates to NH-I1 and NH-I3

NH-O2: Risk from natural hazards avoided

New use and are avoided in areas where there is a significant risk to people, property and infrastructure from liquefaction, flooding, inundation, slope instability or coastal erosion that cannot be mitigated.

Relates to NH-I1 and NH-I4

NH-O3 Mitigation measures do not increase any adverse effects on the environment

Mitigation measures take natural processes into account, retain natural defences, and do not result in adverse effects on the environment.

Relates to NH-I1 and NH-I5

NH-O4: Risk from natural hazards not increased

Use and development is not located or undertaken in a manner that increases the vulnerability of people, property and infrastructure to significant risks associated with liquefaction, flooding, inundation or coastal erosion.

Relates to NH-I1, NH-I2; NH-I3; NH-I4 and NH-I5

NH-O5: Risk to life and property prevented or reduced

Exposure to risk from natural hazards in the coastal environment, or in areas vulnerable to inundation or slope instability is prevented or reduced to an acceptable level.

Relates to NH-I1 and NH-I3

NH-O6: Manage risk to life and property proportional to hazard event

Manage activities in all areas subject to natural hazards in a manner that is proportional to the likelihood and consequences of a natural hazard event on life and property.

Relates to NH-I3 and NH-I4

NH-O7: Effects of hazard mitigation measures on the environment

Hazard mitigation measures do not result in adverse effects on environmental values.

Relates to NH-I1 and NH-I4

NH-O8: Management of coastal hazard risk

In the coastal environment, the natural defences to coastal hazards are protected or restored, hard engineering solutions are avoided in areas that have not been significantly modified, and new development is located away from areas identified as being prone to coastal hazard risk.

Relates to NH-I3 and NH-I4

Policies

NH-P1 Risk based approach to fault rupture

To avoid fault rupture hazards where known fault lines can be identified and to take a risk-based approach in areas already developed or subdivided using risk management standard AS/NZS 4360:1999

Relates to NH-O1, NH-O2; NH-O3, NH-O5 and NH-O6

NH-P2 To apply non-regulatory methods

To communicate hazard risk in built up areas, particularly those subject to high risks of inundation, earthquake ground shaking and liquefaction or slippage.

Relates to NH-O1, NH-O2 and NH-O3

NH-P3 Mitigation measures do not increase any adverse effects on the environment

To ensure future built development, or placement of public facilities and critical infrastructure does not increase the need for hazard mitigation structures and erosion protection works that cross or adjoin mean high water springs.

Relates to NH-O1; NH-O3; NH-O6 and NH-O7

NH-P4: Identify natural hazards

Identify the natural hazards that may have a potential to impact upon the natural and physical resources of the City and ensure public consultation when mitigation measures are proposed.

Relates to NH-O1; NH-O4 and NH-O5

NH-P5: Manage coastal hazard risks to the community

Ensure that vulnerability to coastal hazards is not increased through modification of natural systems such as water channels and dune systems, that provide a protective function.

Relates to NH-O3 and NH-O4

NH-P6: Avoid the risk from natural hazards on people, property and infrastructure

New subdivision, use and development is avoided where the risk to people, property and infrastructure is assessed as being unacceptable, taking into consideration the cost, reliability, or feasibility of risk reduction measures. Accordingly, the development of new buildings and structures within the identified Coastal Hazard Area will be avoided.

Relates to NH-O3 and NH-O4

NH-P7: Mitigation measures do not increase any adverse effects on the environment

Use and development does not interfere with or reduce the capacity of overland flow paths to attenuate and convey flood waters, and takes into account:

- a. potential inundation from a 100 year event;
- b. storm frequency, intensity and surges;
- c. coastal sediment dynamics;
- d. natural features and natural fluctuation patterns of erosion and accretion;
- e. the likely costs and benefits of any proposed coastal hazard risk reduction options; and
- f. the likely long term effects of climate change, including the cumulative effects of sea level rise, storm surge and wave height under storm conditions

Relates to NH-O1; NH-O2; NH-O3; NH-O4; NH-O5; NH-O6 and NH-O7

NH-P8: Preserve natural character by retaining or reinstating natural buffers

To preserve or restore the natural character of the coastal environment in areas vulnerable to coastal hazards by:

- a. restoring, preserving and protecting natural buffers (e.g. beaches, dunes, wetlands);
- b. avoiding adverse effects of hazard mitigation measures on natural character in the coastal environment and on riparian margins where reasonably practicable; and
- c. avoiding significant adverse effects on natural character in all other areas,

Relates to NH-O1; NH-O2; NH-O3; NH-O4; NH-O5; NH-O6 and NH-O7

NH-P9: Managing risks from natural hazards and effects on the environment

Where a managed approach to hazard mitigation is necessary, ensure that the selection of protection methods evaluates and places a priority on options with the smallest degree of effects, taking onto account:

- a. edge effects and reversibility of engineering interventions;
- b. the protection or restoration of natural defences to hazards;
- c. allowing and providing for natural adjustments to natural processes, natural defences, and ecosystems;
- d. alternative methods of avoidance or mitigation that have a smaller degree of effects;
- e. the scale and significance of the adverse effects on the environment compared to possible alternatives;
- f. any physical effect on the locality, including any landscape and visual effects;
- g. any effects on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity, including the potential effects on biodiversity and abundance of organisms;
- h. the design of engineered coastal hazard mitigation methods and ensuring the design has a functional similarity to natural shorelines; and
- i. the environmental and social costs of permitting hard protection structures to protect private property.

Relates to NH-O1; NH-O2; NH-O3; NH-O4; NH-O5; NH-O6 and NH-O7

NH-P10: Managing environmental effects from natural hazard mitigation

To consider options other than physical works where low levels of inundation create a nuisance, but

there is no significant threat to public safety or risk of major property damage or infrastructure.

Relates to NH-O3

NH-P11: Reduce exposure to hazard risk

Direct new development away from areas known to be at risk from natural hazards unless it can be demonstrated that the mitigation methods will reduce the risk of an adverse outcome to a level that will not result in death, injury or unacceptable damage to property.

Relates to NH-O1; NH-O2 and NH-O3

NH-P12: Location of critical infrastructure

New critical or strategic infrastructure is only located in areas where there is a high probability and high risk from natural hazards where there is no reasonably practicable alternative.

Relates to NH-O1; NH-O2; NH-O3 and NH-O4

NH-P13: Design of critical infrastructure

New critical or strategic infrastructure is designed to maintain, as far as practicable, its integrity and form during natural hazard events.

Relates to NH-O1; NH-O2; NH-O3 and NH-O4

NH-P14: Managing liquefaction-related risk

To ensure that the liquefaction-related risk is assessed and adequately mitigated by:

- a. identifying areas vulnerable to high risk of liquefaction (Liquefaction Management Areas);
- b. avoiding new use and development where land is identified as being of high risk from liquefaction, and mitigation is not feasible;
- c. controlling use and development where land is identified as being of medium and high risk from liquefaction, and the risk can be adequately remedied or mitigated through for example, the requirements of the Building Act 2004; and
- d. increasing public awareness of the potential for, and effects of, liquefaction.

Relates to NH-O1 and NH-O5

NH-P15: Mitigate risk of damage to buildings from liquefaction

Provide for development on land identified as being of medium and high propensity for liquefaction where liquefaction risk has been appropriately identified and assessed, and can be adequately remedied or mitigated.

Relates to NH-O1 and NH-O5

NH-P16: Climate change

To ensure that the implications of climate change are considered and a precautionary approach is taken to manage the potential effects of climate change and sea level rise, and any associated changes to the scale and frequency of natural hazards, in particular for:

- a. coastal development and coastal land use;
- b. activities adjacent to overland stormwater drains, waterbodies, rivers and streams;
- c. activities on or near areas with the potential for moderate or high degree of liquefaction;
- d. stormwater and flood mitigation schemes; and
- e. storm surge.

Relates to NH-O1; NH-O2; NH-O3; NH-O4; NH-O5; NH-O6 and NH-O7

NH-P17: Managing natural hazard-related risk through education

To raising public awareness of the risks of natural hazards through education and providing accessible information about what natural hazards exist in the district, and what people can do to minimise their own level of risk.

Relates to NH-O1; NH-O3 and NH-O5

Natural Hazards - Activity Table

NH-R1 The replacement and / or repair of materials in, or minor alterations to, an existing building or structure located wholly or partly within the Coastal Hazard Area	
<p>NH-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The provisions of section 72 of the Building Act 2004 can be satisfied. 2. All of the standards in this chapter and the underlying zone are met. 3. The alterations or changes are contained within the existing building envelope and are not an additional second story. 4. Any additional building floor area is limited to closing in an existing veranda or terrace. 	<p>NH-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the coastal hazard. 2. The degree to which protection works have adverse or cumulative effects on the environment. 3. Any physical effect on the locality, including any landscape and visual effects: 4. Any effects on ecosystems.
NH-R2 The replacement and/ or repair of materials in existing coastal protection works located wholly or partly within the Coastal Hazard Area	
<p>NH-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The provisions of section 72 of the Building Act 2004 	<p>NH-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>can be satisfied.</p> <ol style="list-style-type: none"> All of the standards in this chapter and the underlying zone are met. The works must be undertaken by a local authority or authorised person thereof. 	<p>to:</p> <ol style="list-style-type: none"> The effects on the coastal hazard. The degree to which protection works have been undertaken in the past. Adverse or cumulative effects on the environment. Any physical effect on the locality, including any landscape and visual effects. The impacts on ecology within the vicinity. The effects on natural coastal processes.
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<p>NH-R3 Beach Renourishment wholly or partly within the Coastal Hazard Area</p>	
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<p>NH-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Beach renourishment wholly or partly within the Coastal Hazard Area identified on the planning maps is a permitted activity provided that: The removal, and/or deposition of sediment and/or beach shingle is located above the mean high water springs The removal or deposition of sediment and/or beach shingle is undertaken by a local authority or a duly authorised person thereof. In any 12 month period the volume of sediment removed or deposited must not exceed 50,000m³. The sediment must be used for renourishment purposes in a Foreshore Reserve Precinct. The transportation of sediment and/or beach shingle within and/or through the Foreshore Reserve Precinct is a permitted activity. <p>NOTE: Sediment and shingle removal, deposition and the associated occupation of space within the Coastal Marine Area (below M.H.W.S mark) is subject to the provisions of the Hawke’s Bay Regional Council’s Regional Coastal Plan.</p>	<p>NH-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The effects on the natural environment. The effects on natural coastal processes. The effects on existing hazard control works and structures. The impacts on ecology within the vicinity. The effects on the maintenance and enhancement of public access to and along the foreshore.
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<p>NH-R4 Maintenance and Repair of Network Utility Operations within the Coastal Hazard Area</p>	
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<p>NH-R4A</p> <p>Activity Status: Permitted</p>	<p>NH-R4B</p> <p>Activity Status where activity</p>
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<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with Section 72 of the Building Act 2004 2. The activity complies with all the rules and standards in the Network Utility Operations chapter. 	<p>conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the coastal hazard. 2. The degree to which protection works have been undertaken in the past. 3. Adverse or cumulative effects on the environment. 4. Any physical effect on the locality, including any landscape and visual effects: 5. The impacts on ecology within the vicinity. 6. The effects on natural coastal processes. <p>Notification: Non-notified</p>
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NH-R5 River-related works and Natural Hazard mitigation activities within the River Hazard Area		
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<p>NH-R5A</p> <p>Activity Status: Permitted activity</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The removal, stockpiling and processing of river berm silt or other river control or drainage works is carried out by a local authority, exercising its powers, functions and duties under the Soil Conservation and Rivers Control Act 1941, or the Land Drainage Act 1908. 2. The works and/or activities are undertaken by a local authority or a duly authorised person thereof. <p>Note Any works in the bed of rivers and lakes is regulated by the Hawke’s Bay Regional Council and may require resource consent.</p>	<p>NH-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The scale and effectiveness of mitigation methods. 2. The extent to which public safety can be achieved. 3. The type, scale and distribution of any potential effects from the natural hazard. 4. Any physical effect on the locality, including any landscape and visual effects: 5. The impacts on ecology within the vicinity. 6. The effects on natural coastal processes. <p>Notification: Non-notified</p>
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NH-R6 Construction Maintenance and Operation of water intakes and bridge structures within the River Hazard Area		
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<p>NH-R6A</p> <p>Activity Status: Permitted activity</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Except for during construction, any temporary or permanent storage or placement of materials that have the potential to become flotsam or jetsam is placed outside of the River Hazard Area. <p>Note Any works in the bed of rivers and lakes is regulated by the Hawke's Bay Regional Council and may require resource consent</p>	<p>NH-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The scale and effectiveness of mitigation methods 2. The extent to which public safety can be achieved 3. Assessment of the probability, magnitude and consequences of the natural hazard event 4. The impacts on ecology within the vicinity. 5. The effects on natural coastal processes. <p>Notification: Non-notified</p>
<p>NH-R7 The operation, maintenance and minor upgrading of underground telecommunication and power and gas lines and support structures within the River Hazard Area.</p>	
<p>NH-R7A</p> <p>Activity Status: Permitted activity</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Except for during construction, any temporary or permanent storage or placement of materials that have the potential to become flotsam or jetsam is placed outside of the River Hazard Area <p>Note Any works in the bed of rivers and lakes is regulated by the Hawke's Bay Regional Council and may require resource consent.</p>	<p>NH-R7B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The scale and effectiveness of mitigation methods. 2. The extent to which public safety can be achieved. 3. Assessment of the probability, magnitude and consequences of the natural hazard event. 4. Any physical effect on the locality, including any landscape and visual effects: 5. The impacts on ecology within the vicinity. <p>Notification: Non-notified</p>
<p>NH-R8 Network Utility Operation located wholly or partly within the Coastal Hazard Area</p>	

<p>NH-R8A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the relevant rules and standards in the Network Utilities Chapter. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The avoidance or mitigation of coastal erosion and inundation on the network utility operation. 2. The effects of the network utility operation on coastal erosion and inundation. <p>Note Any works in the coastal marine area are regulated by the Hawke’s Bay Regional Council and may require resource consent.</p>	<p>NH-R8B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the coastal hazard. 2. The degree to which protection works have been undertaken in the past. 3. Adverse or cumulative effects on the environment. 4. Any physical effect on the locality, including any landscape and visual effects: 5. The impacts on ecology within the vicinity. 6. The effects on natural coastal processes. <p>Notification: Non-notified</p>
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NH-R9 Network Utility Operation located wholly or partly within the River Hazard Area	
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<p>NH-R9A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the relevant rules and standards in the Network Utilities Chapter. 2. The activity is located within a road reserve and is supported by an existing structure. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The avoidance or mitigation of the effects of any erosion of riverbanks and inundation on the network utility operation. 2. The avoidance, remediation, or mitigation of any network utility from causing an increase in the risk of flooding or damage to any property during flood events, (including the risk resulting from trapped debris), or adversely affecting any other lawfully established structure. 3. The life expectancy of the support structure <p>Note 1. Any works in the bed of rivers and lakes is regulated</p>	<p>NH-R9B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The scale and effectiveness of mitigation methods. 2. The degree to which protection works to the land or structure have been undertaken. 3. Adverse or cumulative effects on the environment. 4. Any physical effect on the locality, including any landscape and visual effects: 5. The impacts on ecology within the vicinity. 6. The effects on natural coastal processes. <p>Notification: Non-notified</p>
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by the Hawke's Bay Regional Council and may require resource consent.		
NH-R10 Buildings and structures within the River Hazard Area not otherwise provided for		
Activity Status: Discretionary		
NH-R11 Any coastal protection works located wholly or partly within the Coastal Hazard Area		
Activity Status: Discretionary		
NH-R12 Any new or relocated building and/or structure, other than network utility operations, fences and coastal protection works, within the Coastal Hazard Area identified on the planning maps.		
Activity Status: Prohibited		

Assessment criteria

NH-AC1 – All rule requirement infringements

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

- a. Any special or unusual circumstances including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. Particular site development characteristics: including the location of existing buildings, or legal impediments;
 - iii. Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites,.
- b. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

The Council will have particular regard to the following:

- a. Any potential effects on the natural character and on natural process operating on the coastal environment.
- b. Any information held on the Council's Natural Hazard Database and the Hawke's Bay Hazards Map Portal.
- c. The Objectives, Policies and Methods of the Natural Hazards Section of the District Plan.
- d. Information from suitably qualified professionals whose investigations are supplied with the subdivision or land use consent application.
- e. The provision of any consent notice in terms of Section 221 of the Act for subdivision in hazard areas.

The assessment criteria under NH-AC1 apply in addition to those matters below:

NH-AC2: General

- a. Whether the land, or any potential structure on that land, will be subject to material damage by natural hazards.
- b. Whether the land use will exacerbate any existing or potential natural hazard or may require future hazard control works.
- c. The extent to which the foundations are designed to address the ground conditions.
- d. Whether there are any methods/measures available to overcome or reduce the risk of any hazard(s), and whether these methods/measures may have any significant adverse effects on the environment.
- e. The extent to which the creation of a building platform or erection of a building or structure creates any potential adverse effects on adjoining properties
- f. Whether the proposed land use will restrict access to or reasonable use and/or enjoyment of the area.
- g. Whether the proposed land use will have a significant adverse effect on the visual qualities, amenity, or landscape values of the area.
- h. Whether the proposed land use will restrict access to, or the reasonable use and enjoyment of, the river by the general public;
- i. Whether the proposed land use will create or exacerbate any existing natural hazards;
- j. Whether the proposed land use will have any effect on any existing river control works;
- k. Whether the proposed land use will have any effect on the natural river or coastal environment.
- l. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
- m. The extent to which public safety can be achieved. In assessing the proposal, regard will be had to methods of ensuring public safety such as early warning systems, emergency management contingency plans, escape routes and any other mitigation techniques.
- n. The extent to which verifiable new information from a suitably qualified professional demonstrates that any land within an area identified on the District Planning Maps or held within Council databases (i.e. GIS or web based portal) as potentially subject to a natural hazard is not under threat from the hazard concerned or that the hazard is negligible.
- o. The health and safety of potential property owners and/or occupants of building(s) within or adjacent to the hazard area.

NH-AC3 Scale and Intensity

- p. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have

been considered.

- q. Whether the land use/building provides any positive effects for the neighbourhood and wider community, including the extent to which the land use may enhance the amenity and character of the area.
- r. Whether the impact of the scale and intensity of the use is compatible with the surrounding land uses.
- s. Whether there are any effects of a low probability, but high potential impact.
- t. Whether the land use is consistent with the status of any land under the Reserves Act and / or the Reserves Management Plan.
- u. Whether the establishment and operation of the land use would adversely affect the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.
- v. Whether the land use's hours of operation would adversely affect the amenity, health and wellbeing of surrounding land uses and residents
- w. Whether the volume of traffic attracted to the site is likely to cause an effect on the neighbouring people and environment, including the road network and traffic safety and efficiency.
- x. Whether the proposed land use will restrict access to or reasonable use and enjoyment of the inner harbour area, the Estuary, Foreshore Reserve, Marine Parade Recreation area, or the River Conservation zone.
- y. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.

NH-AC4 Design and Appearance

- z. Whether the proposed land use, building or structure will have a significant adverse effect on the visual amenity, landscape value, natural character or conservation values.
- aa. Whether the activity is compatible with the natural and landscape character of the surrounding environment.

NH-AC5 Air Traffic Safety

- ab. Whether the proposed land use will have an adverse effect on the safety, efficiency and operations of the Hawke's Bay Airport.

NH-AC6 Cumulative Effect

- ac. Whether the proposed land use will have an adverse cumulative effect on the surrounding area.
- ad. Whether the proposed land use will exacerbate any existing hazard control works.
- ae. Whether the proposed land use will have any effect on the natural river or coastal environment.

NH-AC7 The Erection of Structures or Buildings Crossing the MHWS Mark; Sediment and Shingle Removal and Deposition.

- af. Whether the proposed land use will have an adverse effect on the natural character, natural features, landscape or seascape, or the physical environment
- ag. Whether the land use will have any impact on ecological values.
- ah. Whether the land use will have an adverse effect on natural processes.
- ai. Whether the land use will exacerbate any existing or potential natural hazard or may require future hazard control works.
- aj. Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.

PKA - Papakāinga

Introduction

This section of the District Plan provides for papakāinga housing, and associated marae-based development on whenua Māori. The Resource Management Act 1991 includes obligations for those exercising functions and powers under the Act to provide for the special relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

Traditional Māori culture is closely linked with the environment. When settlement originally occurred in Ahuriri and the Heretaunga Plains, it was located in close proximity to the abundant food resources such as around waterways, salt and fresh water fishing and shellfish gathering areas. These settlements traditionally included a marae which served as a focal point for daily life. Although there are no hapū-based Marae located within the Napier City boundaries, the whenua and waters of the District were occupied and its resources used for many generations. It is important to Māori, therefore, that this traditional use and occupation of Māori whenua is able to continue in order to meet spiritual, cultural, social and economic aspirations.

Papakāinga is the development of housing on Māori whenua. The ability to live on traditional whenua in Papakāinga developments allows Māori to maintain and enhance their culture and traditions.

This Section of the District Plan specifically provides for Papakāinga (Māori Housing) as a District Wide Activity on Māori land, or on land with an ancestral connection. The Objectives, Policies and Methods are designed in a flexible manner that encourages the sustainable use of land and resources by enabling services such as accessways, water supplies and package sewage treatment plants to be used by multiple dwellings over time as needed. However, this does not preclude the development of single home sites if this is wanted by the owners.

Papakāinga development on traditional Māori Land will be considered on land identified as Māori Land under the Te Ture Whenua Māori Act 1993. However it is recognised that a number of land titles were taken by the Registrar as a Status Declaration under Part 1 of the Māori Affairs Amendment Act 1967. This Act allowed for the Crown to change the status of Māori owned land if it was not deemed to be 'suitable for effective use and occupation'. A number of these sites were declared General Land by the Crown between 1967 and 1973, often without the knowledge of the owners of the sites. A number of these titles have remained in the ownership of the descendants ever since, and the owners/hapū/whānau still may have aspirations to live on their land.

This Section of the Plan has been designed to ensure that Papakāinga development provides for Māori who have aspirations to develop their traditional lands and to meet their housing needs and cultural aspirations.

The preparation of Development Plans can be a means to guide the development of Papakāinga. Development Plans will reflect the aspirations of the Hapū and serve as a guide for development in the future. Council will encourage the development of these plans. Although these documents will be a key factor in ensuring that Māori land is developed in accordance with the wishes of the Hapū, Development Plans will not be included as part of the District Plan. This will enable the Development Plans to remain flexible and recognise the potential of the land and resources and the needs of future generations at all times.

Two outcomes the District Plan seeks to achieve are Great Urban Areas, and Leveraging our Heritage. Provisions in this chapter seek to provide housing choice, in a manner that meets the

cultural and traditional needs of Māori, and in a way that provides for the historical connection to whenua, while ensuring the effects of these developments are appropriate in scale and nature to the context in which they are located.

To achieve these key outcomes, and to meet the relevant key principles and strategic objectives for the District Plan, the provisions for the Papakāinga chapter provide for the following:

- Achieving quality residential developments in a manner that is consistent with cultural values, aspirations and customs in relation to traditional whenua, water, sites, wāhi tapu and other taonga
- Provides for Māori to continue or re-establish an ancestral connection to their whenua
- Ensures appropriate infrastructure is in place to service development
- Enables appropriate non-residential activities which accompany and promote the establishment of Papakāinga housing
- Ensures adverse environmental effects on adjoining activities or land users will be avoided, remedied or mitigated

Issues

PKA-I1 Enabling Māori land to be used in a way that is consistent with cultural values, aspirations and customs in relation to traditional whenua, water, sites, wāhi tapu and other taonga.

The process of developing Māori land for papakāinga and marae-based development is a difficult and complex process for whanau. Māori land ownership is complex and the structure of the District Plan in the past, has not been explicit in how these types of developments are considered. Recognising this issue, the District Plan seeks to provide greater clarity and enable development that is sustainable, and in accordance with kaupapa Māori practices and tikanga.

Objectives

PKA-O1: To recognise the desire of Māori to maintain and enhance their traditional relationship with their whenua.

Traditional Māori culture is closely linked with the environment. It is important to Māori, therefore, that the traditional use and occupation of Māori whenua, water, and sites, and traditional tikanga and kaupapa Māori practices are able to continue in order to meet spiritual, cultural, social and economic aspirations.

Relates to PKA-I1

PKA-O2: To provide for Papakāinga development and associated non-residential activities on Māori land

Papakāinga development provides the ability for Māori to live on Māori land in a way that maintains and enhances their culture and traditions, and is consistent with cultural values, aspirations and customs. Providing for small-scale associated non-residential activities within these developments also enables Māori to provide for their economic and social wellbeing.

Relates to PKA-I1

PKA-O3: To allow for Hapū to develop Papakāinga, while ensuring appropriate health, safety and amenity standards are met

The effects of Papakāinga development on the environment within the development site and its surrounds must be managed to ensure the nature and scale of development is appropriate, and potential adverse effects are avoided, remedied, or mitigated.

Relates to PKA-I1

Policies**PKA-P1: Encourage Hapū and Whānau to establish Development Plans as a guide to development on Māori land in accordance with the provisions of the Resource Management Act 1991 and the District Plan.**

Papakāinga is a unique type of development that will develop over time in a traditional manner, according to family and cultural needs. Development Plans will help to ensure that the land is developed in the most efficient manner, and will guide Hapū or Whānau through the complex, often multi-agency environment in which these developments exist. Council will encourage the formulation of Development Plans in accordance with the provisions of the Resource Management Act 1991 and the District Plan and facilitate joint discussions with other authorities such as the Hawke's Bay Regional Council.

Relates to PKA-O2 and PKA-O3

PKA-P2: Allow for Papakāinga on General Title where there is an ancestral connection to the land and an expectation that the land will remain in Māori ownership in the long term.

It is understood that there are some sites within the District that land owners have a desire to develop for Papakāinga Development, but for various reasons are unable to be converted to Māori freehold title. It is considered that opportunities should be allowed for the development of these lands, provided criteria can be met relating to the historical importance of the land, why it cannot be converted to Māori Freehold Title, and that long term Māori ownership of the land can be secured.

Relates to PKA-O1

PKA-P3: Provide for Papakāinga development on Māori land subject to adverse effects being avoided, remedied or mitigated.

The District Plan recognises that Papakāinga development is an essential means for Māori to pursue the traditional relationship with their whenua by enabling settlement on this land. This Policy aims to maintain and strengthen this traditional relationship by enabling Papakāinga development provided potential adverse effects are avoided, remedied or mitigated.

The Regional Policy Statement provides guidance on the avoidance and mitigation of natural hazards under Policy UD6.1.

Relates to PKA-O2 and PKA-O3

PKA-P4: Enable Papakāinga developments to adopt servicing methods that are suitable for

individual site conditions and, where possible, the use of communal infrastructure.

Council will enable Papakāinga developments to adopt alternative methods of servicing sites if these can adequately achieve safe and effective waste disposal.

The Regional Policy Statement provides guidance to the servicing of Papakāinga developments under Policy UD6.2.

Relates to PKA-O3

PKA-P5: Allow for the establishment and development of commercial activities, provided they relate to Papakāinga development, in a manner that compliments the principles of tikanga and kaitiakitanga.

It is recognised that, in order for Māori to achieve economic aspirations on their ancestral land, opportunity should be provided for the occupants to not only live on the land, but also to establish a means of income. By providing opportunity to work on the their whenua, occupants may have fewer requirements to travel to employment, and there will be a greater ability to cater for the needs of future generations on-site. The scale of such development needs however to be controlled to ensure any adverse effects on the environment, and on the sustainability of the District's Industrial and Commercial Zones, can be avoided, remedied or mitigated.

Relates to PKA-O2

PKA-P6: Control the impact of Papakāinga developments on adjoining activities, the community and the environment, in a manner that complements the principles of tikanga and kaitiakitanga.

The small quantity of Māori Land eligible for Papakāinga development is scattered throughout the District. Papakāinga should not adversely impact upon the use and enjoyment of adjoining land. Setback distances at the boundary of the Māori Land have been established to control the effects of conflicts with adjoining land uses and assessment criteria are designed to ensure sustainable developments that respect the environment.

Relates to PKA-O3

PKA-P7: Control Papakāinga developments to protect residential amenity within the site, in a manner that complements the principles of tikanga and kaitiakitanga.

Papakāinga development will be required to achieve amenity standards comparable to normal residential zones, and these will need to be maintained for the benefit of the existing and future residents. This will be achieved within the site by design requirements for outdoor living spaces and service areas to ensure that there are no adverse effects on neighbouring dwellings.

Relates to PKA-O3

PKA-P8: Ensure that adequate sunlight and daylight is available to Papakāinga developments

This Policy recognises that the development of Papakāinga will not just include buildings, but all the

additional site requirements to ensure that a suitable environment is provided. Rather than rely on a minimum site size the Council will assess the combination of all these essential services and amenity considerations needed to support residential living in order to determine the amount of land that will be required for the Papakāinga Development.

Relates to PKA-O3

PKA-P9: Ensure that the privacy of residential units is maintained

Papakāinga development may occur on a communal type basis and this is recognised. It will however, be necessary to ensure that a minimum standard of privacy between residential units is maintained for the health and wellbeing of those who will live in the Papakāinga development.

Relates to PKA-O3

Papakāinga - Activity Table

PKA-R1 Buildings Accessory to existing or consented residential buildings		
General Residential Zone Medium Density Zone Large Lot Residential Zone Rural Zone Rural Production Zone Rural Lifestyle Zone Settlement Zone Māori Purpose Zone Mixed Use Zone Purpose of the rule <i>To provide for buildings accessory to primary Papakāinga activities on-site</i>	PKA-R1A Activity Status: Permitted Where the following activity conditions are met: 1. The activity complies with all of the standards	PKA-R1B Activity Status where activity conditions and standards are not met: Restricted Discretionary Activity Matters of discretion are restricted to: 1. Consistency with any Development Plan for the Papakāinga development 2. The matters of discretion stated for infringing the relevant standard(s) Notification: Non-notified
PKA-R2 Papakāinga		
Control area (if applicable) General	PKA-R2A Activity Status: Controlled	PKA-R2B Activity Status where activity

<p>Residential Zone Medium Density Zone Large Lot Residential Zone Rural Zone Rural Production Zone Rural Lifestyle Zone Settlement Zone Māori Purpose Zone Mixed Use Zone</p> <p>Purpose of the Rule <i>To provide for Papakāinga development within appropriate locations, where the effects of the development will not impact on the surrounding environment, and where reverse sensitivity issues are avoided.</i></p>	<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. The development is located on either: <ol style="list-style-type: none"> a. Land declared Māori land pursuant to the Te Ture Whenua Māori Act 1993; or b. Land which was given a declaration of status to General Land under the Māori Affairs Amendment Act 1967, provided the applicant can demonstrate that the land has remained in ancestral ownership continuously from the date the status declaration occurred. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the rule, objectives and policies of the relevant underlying zone 2. Whether the development is consistent with any development plan prepared for the site 3. Evidence of appropriate mechanisms to secure long term Māori administration, ownership and maintenance of the land title 4. For Papakāinga on General Title, evidence as to why the land should be considered for Papakāinga development, and an explanation as to why land cannot be converted to Māori Title under Te Ture Whenua Māori Act 1993 	<p>condition 1 and standards are not met:</p> <p>Restricted Discretionary Activity</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Consistency with any Development Plan for the Papakāinga development 2. The matters of discretion stated for infringing the relevant standard(s) 3. Purpose of the rule, objectives and policies of the relevant underlying zone 4. Evidence of appropriate mechanisms to secure long term Māori administration, ownership and maintenance of the land title 5. For Papakāinga on General Title, evidence as to why the land should be considered for Papakāinga development, and an explanation as to why land cannot be converted to Māori Title under Te Ture Whenua Māori Act 1993 <p>Activity Status where activity condition 2 is not met: Discretionary Activity</p>
PKA-R3 Industrial and Commercial Buildings and Activities Associated with Papakāinga		
General Residential Zone Medium Density	PKA-R3A Activity Status: Controlled	PKA-R3B Activity Status where activity

<p>Zone Large Lot Residential Zone Rural Zone Rural Production Zone Rural Lifestyle Zone Settlement Zone Māori Purpose Zone Mixed Use Zone</p> <p>Purpose of the Rule <i>To provide for small-scale industrial and commercial activities associated with traditional cultural activities</i></p>	<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. The development is located on either: 3. Land declared Māori land pursuant to the Te Ture Whenua Māori Act 1993; or 4. Land which was given a declaration of status to General Land under the Māori Affairs Amendment Act 1967, provided the applicant can demonstrate that the land has remained in ancestral ownership continuously from the date the status declaration occurred. 5. For Industrial Buildings and activities, <ol style="list-style-type: none"> a. at least one person resident on-site shall carry out the activity b. The maximum number of additional employees is 3 c. The maximum gross floor area is 100m² per residential building located on the same site up to a maximum of 500m² 4. Commercial Activities shall be limited to: <ol style="list-style-type: none"> a. Māori Cultural Tourism Activities; Visitor Accommodation; and Entertainment Facilities including serving food and beverages b. At least one person resident on-site shall carry out the activity c. The maximum number of additional employees is 3 d. The maximum gross floor area of a Commercial Building is 100m² per residential building located on the same site up to a maximum of 500m². 	<p>condition 1, 3, 4, and 5, and standards are not met: Restricted Discretionary Activity</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Consistency with any Development Plan for the Papakāinga development 2. The matters of discretion stated for infringing the relevant standard(s) 3. Consistency of commercial and/or industrial activities with traditional Māori cultural practices 4. Contribution to local community wellbeing 5. Neighbourhood character 6. Healthy, safe, high amenity and comfortable living environments 7. Infrastructure capacity 8. Safety and efficiency of multi-modal transport network 9. Vibrancy and vitality of centres 10. Evidence of appropriate mechanisms to secure long term Māori administration, ownership and maintenance of the land title 11. For Papakāinga on General Title, evidence as to why the land should be considered for Papakāinga development, and an explanation as to why land cannot be converted to Māori Title under Te Ture Whenua Māori Act 1993 <p>Activity Status where activity condition 2 is not met: Discretionary Activity</p>
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	<p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Whether the development is consistent with any development plan prepared for the site 2. Evidence of appropriate mechanisms to secure long term Māori administration, ownership and maintenance of the land title 3. For Papakāinga on General Title, evidence as to why the land should be considered for Papakāinga development, and an explanation as to why land cannot be converted to Māori Title under Te Ture Whenua Māori Act 1993 	
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PKA-R4 Papakāinga, Buildings Accessory to existing or consented residential buildings forming Papakāinga, and Industrial and Commercial Buildings and Activities Associated with Papakāinga

<p>All other Zones, Precincts, Control Areas, and Development Areas not provided for under Rules PKA-R1, PKA-R2 and/or PKA-R3</p> <p>Purpose of the Rule <i>To avoid, remedy or mitigate actual and potential effects associated with Papakāinga development in zones sensitive to effects associated with residential activities</i></p>	<p>Activity Status: Discretionary</p>	
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Papakāinga - Standards Table

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

PKA-S1 Height		
All zones	1. All Buildings and Structures must	Matters of discretion are restricted

<p>Purpose: to maintain amenity value of the area by preventing tall, obtrusive structures and buildings</p>	<p>not exceed 10m in height</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments
<p>PKA-S2 Front yards</p>		
<p>All zones</p> <p>Purpose: to maintain the open character and amenity of the area, and to ensure conflicts between adjoining land uses are avoided</p>	<ol style="list-style-type: none"> 1. Residential Buildings and Accessory Buildings must not be erected closer than 7.5m to the road boundary 2. Industrial and Commercial Buildings must not be erected closer than 15m to the road boundary 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments
<p>PKA-S3 Other yards</p>		
<p>All zones</p> <p>Purpose: to maintain the open character and amenity of the area, and to ensure conflicts between adjoining land uses are avoided</p>	<ol style="list-style-type: none"> 1. Residential Buildings and Accessory Buildings must not be erected closer than 5.0m to the side and/or rear boundaries, except that: <ol style="list-style-type: none"> a. Yards for Residential Buildings may be reduced to the equivalent standard for an adjoining zone where the site abuts a Residential Zone; and b. Yards for papakāinga accessory buildings may be reduced to 1.5m where adjoining owners' written consent is obtained 2. Industrial and Commercial Buildings must not be erected closer than 15m to the side and/or rear boundaries 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments
<p>PKA-S4 Sunlight and daylight</p>		

<p>All zones</p> <p><i>Purpose: to ensure access to sunlight and daylight of adjoining residential buildings is protected</i></p>	<p>1. Where two or more detached residential buildings or residential units are established on a site, the height of any building shall be equal to, or less than 2.75m, plus a 45° recession plane measured at the mid-point between the shortest distance of the two buildings, as shown in the diagram below:</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments
<p>The diagram illustrates the height restriction rule. It shows two buildings, A and B, on a site. A vertical line from the midpoint between the buildings to the top of building B forms a 45-degree angle. The height of building B is labeled as 2.75m plus the recession plane. The midpoint is labeled 'MIDPOINT A & B'.</p>		

PKA-S5 Minimum Site Size

<p>All zones</p> <p><i>Purpose: to provide for the wellbeing of all residents within the development, including their servicing needs</i></p>	<p>1. The minimum site size for a residential building unit shall be the sum of the area of land required in (a) to (d) below:</p> <ol style="list-style-type: none"> a. House site – which shall be the footprint of the residential unit b. Outdoor living space – for each residential building an Outdoor Living Space shall be provided, situated adjacent to the principal living area of the residential building with an area of at least 80m² and a minimum dimension of 5m, except that: <ol style="list-style-type: none"> i. Where the main areas of residential buildings front onto a landscaped communal open space of not less than 400m² with no dimensions less than 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments 5. Sufficient space to meet servicing needs
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	<p>15m, the Outdoor Living Space of those residential units may be reduced to 25m² with a minimum dimension of 3.5m.</p> <p>c. Service court – for each residential building a Service Court shall be provided adjacent to or within 10m of the residential unit with an area of 15m² and a minimum dimension of 2.5m.</p> <p>d. Domestic sewage treatment system (where applicable) – an area of land required to be allocated for a domestic sewage treatment system</p> <p>e. Onsite stormwater management system (where applicable) – an area of land required to be allocated for the collection and storage of stormwater</p>	
PKA-S6 Location of Buildings		
<p>All zones</p> <p><i>Purpose: to maintain privacy between residential buildings, and to maintain the neighbourhood character</i></p>	<p>1. Between each residential building unit there shall be a minimum separation distance of 5 metres, or 10 metres where the main glazing of the principal living area of one residential unit faces another.</p> <p><i>Note: this Standard shall not apply to semi-detached or adjoining residential building units.</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the 2. Standard 3. Neighbourhood character 4. Safety and attractiveness of streets and public open spaces 5. Healthy, safe, high amenity, and comfortable living environments
PKA-S7 Building coverage		
<p>All zones</p> <p><i>Purpose: to maintain a low density character; to minimise effects on the quality of the neighbours' living environment; and to manage the impact of</i></p>	<p>1. The maximum building coverage shall be 20% of net site area.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments

<i>impermeable surfaces on stormwater management, amenity and landscaping.</i>		
PKA-S8 Fences and walls		
All zones <i>Purpose: to provide for privacy of Papakāinga while enabling opportunities for passive surveillance of the street and public open spaces; minimise visual dominance effects to immediate neighbours and the street</i>	1. Fences and walls (or a combination of these structures) must not exceed the maximum height specified in the underlying zone provisions.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity, and comfortable living environments
PKA-S8 Protection of flood channels		
All zone	<i>Note: Under the Regional Plan, no building, structure, fence, planting, deposit of earth, shingle or debris, or any activity which impedes access to any river, lake or watercourse is permitted within 6 metres of the bed of a river, lake or watercourse which is within a land drainage or flood control scheme area.</i>	

Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

PKA-AC1 – Buildings Accessory to existing or consented residential buildings (PKA-R1); Papakāinga (PKA-R2); Industrial and Commercial Buildings and Activities Associated with Papakāinga (PKA-R3); and Papakāinga, Buildings Accessory to existing or consented residential buildings, and Industrial and Commercial Buildings and Activities Associated with Papakāinga in all other zones not provided for in Rules PKA-R1-PKA-R3 (PKA-R4)

General

- a. The extent to which the site layout (location and design of buildings, access/car parking and open spaces) optimizes the quality of the living environment and the safety and attractiveness of streets and public open spaces, by addressing each of the criteria below.

Long-term Māori administration, ownership and maintenance of the land title given a declaration of status to General Land under the Māori Affairs Amendment Act 1967, and Long-term ownership of Papakāinga on land with a General Title

- b. For applications on land given a declaration of status under the Māori Affairs Amendment Act 1967, and on land with a General Title, applicants must provide documentation showing the availability of appropriate mechanisms, including covenants, to secure long term Māori administration, ownership and maintenance of the land title.
- c. For applications on land which is in General Title, applicants must provide an explanation as to the historical reasons that the land was given General Title; evidence as to the historical reasons as to why the land should be considered for Papakāinga development; and an explanation as to why the land cannot be converted to Māori Title under the Te Ture Whenua Māori Act 1993.

Papakāinga Development Plan

- d. When assessing applications, Council will have regard to any 'development plan' prepared for the site which is to detail, but is not limited to, the following:
 - i. Location of house sites and availability of land for future house sites with consideration given to retaining the potential of any residual land;
 - ii. Location of structures other than dwellings;
 - iii. How compatible the layout and design of any buildings are with any other buildings or services that are present or planned on the site;
 - iv. Areas of the site proposed to be devoted to rural productive activities or other employment generating activities;
 - v. Location of any community facilities, industrial or commercial buildings;
 - vi. Location of utility servicing requirements; and
 - vii. Location of access(s) and internal roading network.
 - viii. Identification of, and avoidance or mitigation from the locational constraints of natural hazards, such as erosion, falling debris, subsidence, slippage, or inundation from any source.
 - ix. How the principles of tikanga and kaitiakitanga have been incorporated into the development.
- e. For Papakāinga developments of more than 5 residential units, the applicant must also provide the following:
 - i. Location of communal open spaces;
 - ii. Elevations and detailed description of the character, scale and intensity of community facilities, industrial and commercial activities proposed to be undertaken in any building or buildings;
 - iii. How the development will be adequately landscaped to mitigate the visual effects of clustered housing;
 - iv. How the development can meet servicing requirements including the incorporation of Low Impact Urban Design principles as outlined in the Subdivision and Infrastructure Development: Best Practice Design Guide.

Housing supply and diversity

- f. The extent to which the development will provide for a mix of housing types to suit differing needs in the community.

Neighbourhood character

- g. The extent to which the established character of the area is maintained by the development. This includes consideration of any character, amenity values and heritage values identified for the area in the character statements in Schedule 4.

Safety and attractiveness of streets and public open spaces

- h. For development on larger sites with frontage to two or more streets and/or open space, whether connectivity is achieved to the surrounding neighbourhood.
- i. Whether visibility is provided over the street and public open space from outdoor living areas and/or habitable rooms to enhance safety and security.
- j. Whether the development contributes to attractive streets and public open spaces. For relocated buildings, this includes consideration of upgrade works required to ensure the amenity values of the neighbourhood are maintained.

Healthy, safe, high amenity, and comfortable living environments

- k. The extent to which the site layout and residential unit design contributes to a warm, dry and healthy living environment for residents.
- l. Whether the site layout and residential unit design maintains a reasonable level of privacy for residents.
- m. The extent to which the site layout and residential unit design contributes to a reasonable noise environment for residents, particularly to enable uninterrupted sleep.
- n. The extent to which outdoor living spaces are useable by residents and contribute to a healthy living environment.
- o. Whether parking is safe and accessible for residents.
- p. Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.

Sufficient space to meet servicing needs

- q. Whether the site layout provides for easy storage and access of recycling and rubbish for collection

Infrastructure capacity and stormwater management

- r. Whether the development can be sufficiently serviced by water, wastewater and stormwater

infrastructure, including through the use of low impact stormwater design, where appropriate.

PKA-AC2 - Industrial and Commercial Buildings and Activities Associated with Papakāinga (PKA-R3)

Vibrancy and vitality of centres

- a. Whether the non-residential activity will detract from the purpose and function of centres as set out in the objectives and policies of (Centres zones chapters).

Safety and efficiency of multi-modal transport network

- b. The extent to which:
 - i. The anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. Traffic generation will compromise the maintenance of suburban or rural character
 - iii. The location and nature of the non-residential activity will reduce reliance on private motor vehicles to get to and from work.

PKA-AC3 – All infringements to standards (PKA-S1 to PKA-S7)

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The relevant assessment criteria under PKA- AC1 apply in addition to the above.

HH - Historical Heritage

Introduction

The purpose of the Historical Heritage chapter is to provide for the identification and protection of historical heritage within Napier City.

Section 6 of the Act identifies 'the protection of historic heritage from inappropriate subdivision, use, and development' as a matter of national importance. Historic heritage contributes to our city's sense of place and identity and is a tangible link to our past. It also helps to shape our future, through the continued use and re-use of older buildings.

Napier is a city known internationally for its art deco heritage, attracting thousands of visitors from across the world each year. But Napier's historic heritage is more than Art Deco, with layers of stories and the physical reminders of our past, from the earliest years of settlement through to modern times. It is therefore important that all historic heritage is protected from activities that will compromise heritage values.

A key outcome the District Plan seeks is "Leveraging our heritage". This recognises that as well as the values that are inherent in our heritage, the success of our city is to some extent reliant on the preservation and celebration of our heritage.

To achieve this outcome, and to meet the relevant key principles and strategic objectives for the District Plan, the historic heritage provisions provide for the following:

- a. Identification of a range of historic heritage items and the values associated with them
- b. Protection of historic heritage from inappropriate use and development
- c. Maintenance and enhancement of historic heritage to enable their active use and enjoyment, while protecting their heritage values

Issues

HH-I1 The loss of historic heritage through demolition, redevelopment or lack of maintenance

Once lost, historic heritage and its associated values cannot be recreated. Historic heritage can be lost through the demolition of buildings and structures, and through alterations and additions to historic heritage buildings. The identification of historic heritage is the first step to being able to protect it for the future, and appropriate plan rules are necessary to ensure to ensure that any redevelopment is sympathetic to the heritage features.

HH-I2 Increasing regulatory compliance requirements and occupier needs are placing continued strain on the ability to retain key features of identified historic heritage items

In recent years, changes to the Building Act have resulted in increasing regulatory requirements for buildings such as earthquake strengthening, fire safety and accessibility. In addition, tenants are demanding more modern spaces, with air conditioning, fibre internet connections, and open plan working spaces. Collectively, these requirements are resulting in the re-use of historic heritage

buildings becoming less attractive for new uses as well as placing additional costs on the building owner.

HH-I3 The adverse effect of alterations on the historic heritage values of streetscapes or heritage building groups

Where heritage items sit within a heritage streetscape or group of buildings, inappropriate alterations to one of these items can adversely affect the heritage integrity of the group or streetscape.

HH-I4 The loss of archaeology through the development/redevelopment of sites and through land use activities

Archaeology is a tangible indication of past human occupation, and an important component to our heritage. Our archaeology can exist above or below the ground, and as it is often unseen, the effects of land use activities or development is sometimes not considered. The Heritage New Zealand Pouhere Taonga Act 2014 protects all archaeological sites regardless of whether or not they have been recorded by NZAA and regardless of whether they are included in the District Plan by way of schedule or mapped on the District Plan Maps. Under this Act, it is an offence to modify, disturb, or destroy an archaeological site without an archaeological authority from Heritage New Zealand. Land use activities, such as forestry, can adversely impact on archaeological sites, as can redevelopment/development such as earthworks, construction of new buildings, demolition of old buildings, and seismic strengthening of the foundations of buildings.

Objectives

HH-O1: Historic heritage preservation

Historic heritage items are identified, protected and maintained.

Relates to HH-I1 and HH-I3

HH-O2: Continued use and appreciation

The continued use of historic heritage buildings is promoted where this does not compromise heritage values.

Relates to HH-I1 and HH-I2

HH-O3: Historic heritage streetscapes and groups of buildings and items

Historic heritage streetscapes and groups of buildings and items are protected from inappropriate use and development.

Relates to HH-I1 and HH-I3

HH-O4: Archaeological sites

Known archaeological sites are identified in order to help protect them from damage, modification

and destruction.

Relates to HH-I4

Policies

HH-P1: Identification and classification of historic heritage

Identify, map and schedule historic heritage having regard to the following qualities:

- a. Aesthetic
- b. Architectural
- c. Cultural
- d. Historical
- e. Scientific
- f. Social
- g. Spiritual
- h. Technological

Classify and schedule historic heritage according to their relative importance as follows:

Category I – places, buildings and streetscapes of special or outstanding historical or cultural significance or value

Category II – places, buildings and groups of historical or cultural significance or value

Relates to HH-O1

HH-P2: Protection and maintenance of heritage values

Protect and maintain values of historic heritage by managing the effects of subdivision, use and development.

Relates to HH-O1 and HH-O3

HH-P3: Continued use

Provide for the continued use and adaptive re-use of historic heritage where this encourages their retention, restoration and maintenance, and does not compromise heritage values.

Relates to HH-O2

HH-P4: Promotion

Promote a greater public awareness and understanding of historic heritage.

Relates to HH-O2

HH-P5: Streetscapes and groups

Retain the character and integrity of historic streetscapes and groups of buildings and items by avoiding the loss of contributing buildings and features, and by ensuring new development and alterations to existing buildings do not compromise collective heritage values.

Relates to HH-O3

HH-P6: Non-regulatory incentives

Encourage the use of non-regulatory incentives to facilitate the maintenance and restoration of identified historic heritage.

Relates to HH-O1, HH-O2 and HH-O3

HH-P7: Safety improvements

To facilitate and encourage alterations to historic heritage items to improve structural performance, fire safety and physical access while minimizing the loss of associated heritage values.

Relates to HH-O1 and HH-O2

HH-P8: Identification and management of archaeological sites

Map and schedule archaeological sites as they have been identified by Heritage New Zealand and the New Zealand Archaeological Association Site Recording Scheme to help ensure the value of these sites continues to be protected.

Relates to HH-O4.

Historic Heritage - Activity Table

<p>HH-R1 Maintenance and repair to the interior and/or exterior of a Category I and/or Category II heritage item</p>		
<p>HH-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met: Any temporary scaffolding must be erected in a manner that prevents damage to the surface of the heritage fabric)</p>	<p>HH-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Loss of material of heritage value arising from scaffolding damage 2. Conservation Plan <p>Notification: Non-notified</p>	
<p>HH-R2 Internal alterations and/or internal safety alterations to a Category II heritage item</p>		

<p>HH-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any temporary scaffolding must be erected in a manner that prevents damage to the surface of the heritage fabric) 	<p>HH-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Loss of material of heritage value arising from scaffolding damage Conservation Plan <p>Notification: Non-notified</p>
<p>HH-R3 The application of new external colour to a Category I or Category II heritage item that is located outside of the Napier City Heritage Precinct</p>	
<p>HH-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any temporary scaffolding must be erected in a manner that prevents damage to the surface of the heritage fabric) 	<p>HH-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Loss of material of heritage value arising from scaffolding damage <p>Notification: Non-notified</p>
<p>HH-R4 External safety alterations to a Category II heritage item</p>	
<p>Activity Status: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> Streetscape values Loss of material of heritage value Visual effects Detailed structural engineering assessment and recommendations Adaptive reuse Cumulative effects <p><i>Note:</i> <i>A structural engineering assessment, by a chartered professional engineer, must accompany the application. Where this is not supplied, work will be assessed as an 'alteration' as it fails to meet the definition of 'safety alteration'.</i></p>	<p>NA</p>
<p>HH-R5 Internal or external safety alterations to a</p>	

Category I Heritage Item		
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Streetscape values 2. Loss of material of heritage value 3. Visual effects 4. Detailed structural engineering assessment and recommendations 5. Adaptive reuse 6. Cumulative effects <p>Notification: Non-notified</p>	NA	
HH-R6 External alterations (excluding safety alterations) and/or additions to any Category II heritage item		
<p>Activity Status: Restricted Discretionary</p> <p><i>Note:</i> <i>This does not include new signs. Please refer to SIGN - Signs</i></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Streetscape values 2. Loss of material of heritage value 3. Adaptive reuse 4. Cumulative effects <p>Notification: Non-notified</p>	NA	
HH-R7 Internal or external alterations (excluding safety alterations) to a Category I heritage item		
<p>Activity Status: Discretionary</p> <p><i>Note: This does not include new signs. Please refer to SIGN - Signs</i></p>	NA	
HH-R8 Relocation of a Category II heritage item, within or beyond the property boundaries		
<p>Activity Status: Discretionary</p>	NA	
HH-R9 Demolition, including partial demolition, of a Category II heritage item		
<p>Activity Status: Discretionary</p>	NA	
HH-R10 Relocation of a Category I heritage item within or beyond the property boundaries		
<p>Activity Status: Non-complying</p>	NA	

HH-R11 Demolition, including partial demolition, of a Category I heritage item		
Activity Status: Non-complying	NA	
HH-R12 Activities not otherwise provided for		
Activity Status: Non-complying	NA	

Assessment criteria

In assessing all applications for historic heritage, Council will have regard to the following assessment criteria:

HH-AC1 - Maintenance and repair (HH-R1) and Internal alterations and/or internal safety alterations to a Category II heritage item (HH-R2)

Loss of material of heritage value

- a. The extent to which damage caused by scaffolding can be repaired
- b. Alternatives available for the placement of scaffolding that would result in no damage, or damage to a lesser extent
- c. The extent to which the work can have an irreversible effect on heritage form or features of the building
- d. The extent to which the work is being undertaken in accordance with the Napier Art Deco Design Guide

Conservation Plan

- e. Whether a conservation plan prepared by a suitably qualified heritage professional has been prepared to inform the work being undertaken (where appropriate)

HH-AC2 – The application of new external colour to a Category I and/or Category II heritage item that is located outside of the Napier City Heritage Precinct (HH-R3)

Loss of material of heritage value

- a. The extent to which damage caused by scaffolding can be repaired
- b. Alternatives available for the placement of scaffolding that would result in no damage, or damage to a lesser extent
- c. The extent to which the work can have an irreversible effect on heritage form or features of the building

HH-AC5 - External Safety Alterations to a Category II heritage item (HH-R4); External or internal Safety Alterations to a Category I heritage item (HH-R5)

Streetscape values

- a. The extent to which the proposed work will change the appearance of the building and its place within the streetscape
- b. The extent to which the work is being undertaken in accordance with the Napier Art Deco Design Guide, where appropriate

Loss of material of heritage value

- c. The extent to which the safety alterations removes, damages, or modifies architectural or heritage features of value
- d. Whether it is proposed that records be kept (such as photographs, written history, drawings etc) of any heritage item(s) removed
- e. Whether the significance of the item to the City's heritage is such that it is necessary for a heritage assessment and/or conservation plan to be completed prior to work being carried out
- f. The extent to which significant original interior finishes will be retained

Visual effects

- g. The extent to which visible seismic bracing detracts from the architectural or historical features of the building

Detailed structural engineering assessment and recommendations

- h. Whether the building has been subject to a detailed structural engineering assessment, by a chartered professional engineer. This should be supplied to Council with the application. Where this is not supplied, work will be assessed as an alteration as it fails to meet the definition of safety alterations
- i. The extent to which alternative solutions that have a lesser impact on heritage values are available
- j. The necessity of the work ensures the long term preservation of the building

Adaptive reuse

- k. The extent to which the work enables compatible, original and new adaptive uses

Cumulative effects

- l. Any cumulative effects of the work on heritage values of the building and streetscape.

HH-AC8 – Relocation of a Category II heritage item (HH-R8); Relocation of a Category I heritage item (HH-R10)

Effects on heritage values

- a. Whether the relocation of the building is necessary for the ongoing retention of the historic building or structure including:
 - i. Any genuine threats to the building that prevents retention of the building in its current location, which should be documented.
 - ii. The new location should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).
 - iii. Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.
 - iv. Where a building was designed to be relocatable or relocation has been a feature of its history, relocation may in some circumstances be appropriate. However, a full assessment of the potential effects of relocation should nevertheless be carried out.
 - v. Relocation should be informed by the concept of greater or total conservation benefit with respect to a large complex group of structures and buildings. It may be that the removal of minor structures may be justified to achieve the conservation of most significant places on the entire site. All other avenues should be explored before this option is considered (e.g. funding sources) and all decisions must be informed by a Conservation Plan.
- b. Whether the relocation of any listed building within or off the site will remove the building or structure from its historical context in a manner that is detrimental to the character of the area and/or for the local heritage value of the District.

HH-AC9 – Demolition of a Category II heritage item (HH-R9)

Effects on heritage and streetscape values

- a. Whether the demolition or partial demolition of any building identified as Category I or II would compromise:
 - i. The integrity of the surrounding area
 - ii. The integrity of the historic streetscape
 - iii. The value of the City's historic heritage
- b. Whether adaptive reuse has been adequately considered as an alternative to demolition, and the economic and social benefits to the owner and the wider public through retention of heritage items
- c. Whether the building in its current state poses a safety risk, including loss of life, in the event of an earthquake, and safety alterations are not an option
- d. Where the retention of the façade only is proposed, the extent to which the heritage value of the remainder of the building has already been compromised to the extent to which the façade is an invaluable element to the whole building and its loss would be detrimental to the visual appearance of the building, and the setting in which the building is located. Replacement facades shall be compatible with the building itself, and surrounding buildings.

TREE - Notable Trees

Introduction

The purpose of the Notable Trees chapter is to provide for the identification and protection of trees within Napier city that are of significance for their historical, social, cultural, botanical, amenity and/or landmark values. Trees of outstanding or significant value have been identified using the Standard Tree Evaluation Method (STEM) to determine condition of the tree, and the notable value or values of the tree or group of trees. A STEM assessment is undertaken by a qualified arborist and helps determine the level of protection required in the District Plan based on their health and significance.

Issues

TREE-I1 The identification of individual and groups of trees of historic, social, cultural, botanical, amenity or landmark significance.

The identification of notable trees in the previous District Plan was restricted trees located on Council-owned property only. There are a number of reasons why identification and protection has been limited to Council-owned trees only, including liability issues; cost of maintenance for privately-owned trees; and ability for the tree to grown to maturity. The same approach has been taken in this District Plan, using the well-recognised Standard Tree Evaluation Method (STEM) assessment to identify additional trees on Council-owned property that are considered to be of significance.

TREE-I2 The loss of, or damage to, trees of historic, social, cultural, botanical, amenity or landmark significance, before the end of their natural life span.

The identification and listing of important trees on Council-owned property gives the community certainty around which trees have significant values associated with them and that these trees will be protected for the benefit of all the public wherever possible. While there may be an expectation that all trees on Council-owned land will be protected, there remains a risk of removal or damage with people not understanding their value, or through unskilled pruning and management practices, or soil disturbance within the dripline of the tree. Due to the sheer scale of maintenance and operational issues across all the various forms of Council-owned land identifying individual or groups of trees that have particular significance will ensure special care and expertise from suitably qualified arborists can be applied in maintaining their ongoing health.

The loss of significant trees while they are still in their prime is often felt most by the community most intimately connected with the tree.

TREE-I3 The loss of, or lack of, trees within the urban and rural environment

Trees in general contribute to amenity, biodiversity, habitats, provide shelter, regulate temperatures, stabilize banks and clean our air. The loss of trees is felt cumulatively in the City, and it is therefore important to encourage the retention and planting of trees in Napier. Council will therefore encourage the community and private landowners to retain trees where practicable, and to require new planting with an emphasis on using indigenous tree species in certain circumstances during the subdivision and development process.

Objectives

TREE-O1 Identification and protection

Identify, map and schedule notable trees in public ownership that significantly contribute to the City's character, history, amenity, and identity, or are of botanical significance. Trees will be evaluated using Standard Tree Evaluation Method (STEM), with those achieving the following benchmarks being scheduled as Notable:

- A minimum STEM value of 180, or
- A minimum of 50 years old, and
- Be significant for at least one of the following reasons: historical importance, botanical rarity, importance as a significant landscape feature, size, age, form and condition, or function value.

Relates to TREE-I1 and TREE-I2

TREE-O2 Presence of trees in our landscapes/streetscapes

Napier's community understand the value of retaining and planting trees, and the presence of trees is a prominent feature in our urban and rural landscapes/streetscapes.

Relates to TREE-I3 and SUB-I1 and SUB-O2

Policies

TREE-P1 Identification of notable trees

Identify, map and schedule notable trees in public ownership that significantly contribute to the City's character, history, amenity, and identity, or are of botanical significance. Trees will be evaluated using Standard Tree Evaluation Method (STEM), with those achieving the following benchmarks being scheduled as Notable:

- A minimum STEM value of 180, or
- A minimum of 50 years old, and
- Be significant for at least one of the following reasons: historical importance, botanical rarity, importance as a significant landscape feature, size, age, form and condition, or function value.

Relates to TREE-I1 and TREE-O1

TREE-P2 Protection of trees

Ensure activities do not have adverse effects on the long-term well-being of trees which have been identified as Notable.

Relates to TREE-I2, TREE-O2, and SUB-P3

TREE-P3 Encourage retention and planting

To encourage the community and private landowners to undertake their own initiatives for the protection of trees, and to require new planting using appropriate tree species with an emphasis on indigenous species in certain circumstances during the subdivision and development process.

Relates to TREE-I3 and SUB-P3

Notable Trees – Activity table

TREE-R1 Trimming, Pruning and Treatment of Notable Trees	
<p>TREE-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The work is not detrimental to the health of the tree 2. It does not significantly alter the size or shape of the tree, except where there are actual or potential adverse effects on the health and safety of people 3. The work is undertaken in accordance with modern-day accepted arboriculture practices, and is undertaken by Napier City Council 	<p>TREE-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Tree condition 2. Serious hazard/damage 3. Nuisances 4. Ecological benefit <p>Notification: Non-notified</p>
TREE-R2 Removal or Destruction of a Notable Tree	
<p>TREE-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The tree is either dead, has a fatal disease, or has the potential to create severe adverse effects on the health and safety of people 2. It is undertaken by Napier City Council and approved by the Chief Executive Officer 3. It complies with the Napier City Council Tree Management Policy 2019 	<p>TREE-R2B</p> <p>Activity Status where activity conditions are not met: Discretionary</p> <p>Notification: Non-notified</p>
TREE-R3 Vehicles within the dripline of a Notable Tree	
<p>TREE-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Vehicles are parked on a sealed and marked parking area in the following locations: <ol style="list-style-type: none"> a. Kennedy Road (Phoenix Palms) b. Marine Parade (Norfolk Pines) c. Corner Jull Street and Carnell Street (Pohutukawa) 	<p>TREE-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Tree condition 2. Alternatives available <p>Notification: Non-notified</p>

TREE-R4 Construction of, or addition to, any building or structure within the dripline of a Notable Tree		
Activity Status: Discretionary	NA	
TREE-R5 Any network utility operations within the dripline of a Notable Tree		
Activity Status: Discretionary	NA	
TREE-R6 Any earthworks within the dripline of a Notable Tree		
Activity Status: Discretionary	NA	
TREE-R7 Storage of any structure, machinery or vehicles (unless otherwise provided for in this chapter) within the dripline of a Notable Tree		
Activity Status: Discretionary	NA	
TREE-R8 Discharge or dispersal of any hazardous substance within the dripline of a Notable Tree		
Activity Status: Discretionary	NA	
TREE-R9 Any land use not specifically provided for elsewhere in this Chapter as a permitted activity, or restricted discretionary activity.		
Activity Status: Discretionary	NA	

Assessment criteria

In assessing all applications for notable trees, Council will have regard to the following assessment criteria:

TREE-AC1 - Trimming, Pruning and Treatment (TREE-R1)

Tree condition

- Whether a part of the tree (e.g. branch) has died, has a potentially fatal disease, or has been damaged in some way that, if not pruned, trimmed, or treated, would adversely affect the remainder of the tree
- Whether trimming, pruning or treatment of the tree would result in increasing the life span of the tree.

Serious damage/hazard

- Whether the tree is causing or is likely to cause significant damage to buildings, structures,

services or property

- d. Whether the tree is a hazard to traffic, or is causing or likely to cause serious damage to people

Nuisances

- e. Whether the tree is causing excessive shading and other nuisances on the property and adjoining properties.

Ecological benefit

- f. The extent to which the tree provides ecological benefits to the surrounding ecosystem

TREE-AC2 - Removal or Destruction (TREE-R2)

Tree condition

- a. Whether the tree (eg branch) has died, has a potentially fatal disease, or has been damaged to an extent that it will likely die

Valuation of tree under STEM

- b. The significance of the tree with regards to its botanical rarity, historic or cultural values, its contribution to amenity, and its value as a landmark, particularly when compared to other Notable Trees

Serious damage/hazard

- c. Whether the tree is causing or is likely to cause significant damage to buildings, structures, services or property
- d. Whether the tree is a hazard to traffic, or is causing or likely to cause serious damage to people

Replacement of tree

- e. Whether a replacement tree can be established and maintained, and would provide some continuity of presence.

Contribution to group or landscape

- f. Whether the tree is an individual tree or forms part of a group of trees and how this affects the landscape or streetscape values.

Contribution to ecology and habitat

- g. The extent to which the tree contributes to the ecology and provides a habitat to fauna.

TREE-AC3 Vehicles within the dripline (TREE-R3); Construction of, or addition to, any building or structure (TREE-R4); Any earthworks (TREE-R5); Storage of any structure,

machinery or vehicles (TREE-R6); Discharge or dispersal of any hazardous substance (TREE-R7) within the dripline of a Notable Tree; and Any land use not specifically provided for elsewhere in this Chapter as a permitted activity, or restricted discretionary activity (TREE-R8)

Tree condition

- a. The effect of the activity on the health of the tree
- b. The effects of the activity on the root system of the tree

Alternatives available

- c. The availability of alternative locations for the vehicle

SOSM - Sites of Significance to Māori

Work is continuing to finalise this chapter and it will be made available in the Proposed Napier District Plan.

ECO - Ecosystems and Indigenous Biodiversity

Introduction

Indigenous biodiversity refers to our native species, their genetic diversity, and the habitats and ecosystems that support them. Despite our small size and limited areas of native vegetation, Napier is home to some rare indigenous vegetation and habitats. These are mostly in and around the nationally significant Ahuriri Estuary but also include some parts of the hills surrounding Napier, such as stands of Kanuka at Bay View. Council has a to maintain biodiversity and to recognise and provide for the protection of these significant natural areas (SNAs).

Scientific research indicates that at least 10% of indigenous habitat is required in biodiversity depleted environments to avoid an accelerating rate of biodiversity loss and local extinctions. To avoid this scenario will require resources to be directed towards the legal protection of existing significant natural areas, the restoration and reconstruction of missing local ecosystems and the linking of significant natural areas across Napier to ensure ecosystem buffering and connectivity. Native plantings on private land and public reserves will improve biodiversity outcomes across the city.

Council has undertaken an ecological assessment of the Napier district that identified areas of significant indigenous vegetation, habitats of indigenous fauna and ecologically significant wetlands. This work found that only 5.94% of Napier's land area is represented as what can be described as SNAs. These areas have now been mapped.

The rules in this chapter are intended to be complemented by Council working with landowners and other biodiversity partners on a voluntary basis to encourage protection and good land management with a long-term goal of having at least 10 % of Napier's land area identified as SNAs.

Issues

ECO-I1 Depleted Natural Environments

Significant Natural Areas play an important role in the health and functioning of Te Whanganui-a-Orotū (the Ahuriri Estuary), as well as providing habitats for many threatened and endangered plants and birds. These significant natural areas also provide the community with a connection to nature and contribute to Napier's unique natural environment and landscapes.

The loss of indigenous biodiversity in Napier is typical of that seen throughout the country. Before human arrival, Napier was dominated by coastal forests of karaka, totora, nikau and titoki. Swamp and semi-swamp forests of kahikatea, matai and cabbage trees were present on alluvial and flood plains. Freshwater wetlands contained a mix of rushes and sedges, and saline wetlands contained extensive salt marshes and salt meadows which transitioned to raupō and flax dominant wetlands and then to freshwater systems. Coastal vegetation was present as sand dunes, gravel beaches or coastal cliffs dominated by spinifex and Pingao. These transitioned to raised beaches dominated by herbfields and low lying shrub land that extended up steep parts of the coastal cliffs.

After the Napier Earthquake the vegetation types of the saline wetlands initially expanded into the new landscape although this was halted somewhat as a result of land reclamations and drainage of swamps to support the expansion of urban settlements on land raised by the Earthquake Despite extensive modification, reclamation, drainage and discharges, the Ahuriri estuary is recognised as

an area of regional and national significance, with high wildlife and ecological values. Outside of the Ahuriri Estuary however, there are only scattered remnants of Napier's former vegetation cover.

Objectives

ECO-O1 Integrated approach

Managing the effects of indigenous biodiversity on subdivision, use and development through:

- a. recognising the interactions ki uta ki tai (from mountains to the sea) between the terrestrial environment, freshwater and the coastal marine area
- b. the coordinated management and control of indigenous biodiversity across administrative boundaries

ECO-O2 Significant Natural Areas

Areas of significant indigenous vegetation, wetlands, and areas that provide important connectivity or buffering functions are protected, maintained, restored and enhanced.

ECO-O3 Biodiversity

Indigenous vegetation is recognised for its contribution to biodiversity values in Napier and resilience to climate change.

Policies

ECO-P1 Assessing Significant Natural Areas

The values and characteristics of indigenous vegetation and biodiversity in Napier shall be identified and scheduled as significant natural areas in accordance with the National Policy Statement for Indigenous Biodiversity

ECO-P2 Increasing indigenous vegetation cover

- a. The assessment of the significance of indigenous vegetation in Napier is assessed at both the ecological district scale and the local scale to recognise Napier's biodiversity depleted environment
- b. Native planting shall be encouraged and existing areas restored and enhanced to meet at least the 10% threshold for habitat sustainability.

ECO-P3 Protecting and Enhancing Wetlands

Subdivision and land development avoids loss or degradation of any wetland identified as a significant natural area

ECO-P4 Considering Climate Change

- a. The effects of climate change are taken into consideration when making decisions on restoration and enhancement proposals
- b. Connectivity between existing and potential ecosystems and habitats is maintained and is promoted to enable migrations and habitats that support species as the climate changes.

ECO-P5 Precautionary approach

That Council adopt a precautionary approach to proposed activities where

- a. The effects on indigenous biodiversity are uncertain, unknown or little understood, but
- b. Those effects are potentially significantly adverse

ECO-P6 – Managing adverse effects on SNA’s classified as high

- a. That any subdivision, use or development that takes place in or affects an SNA classified as high avoids the following:
 - i. Loss of ecosystem representation and extent
 - ii. Disruption to sequences, mosaics or ecosystem function
 - iii. Fragmentation or loss of buffering or connectivity within the SNA and between other indigenous habitats and ecosystems
 - iv. A reduction in population size or occupancy of threatened species using the SNA for any part of their lifecycle; and
 - v. The effects management hierarchy is applied to all other adverse effects

Require any activity that may result in adverse effects on a significant natural area to demonstrate that the activity is appropriate having regard :

- a. when a subdivision or the establishment of a new activity occurs on land with a significant natural area, whether formal protection and active management of significant natural areas will occur;
- b. the location, scale and design of structures and buildings within the significant natural area;
- c. whether an ecological assessment from a suitably qualified ecologist has been undertaken to assist in determining the significance of the indigenous biodiversity and the impact of any clearance;
- d. the extent of clearance or removal of vegetation and the loss, damage or disruption to ecological processes, functions and ecological integrity;
- e. the cumulative effects of activities within or adjacent to the significant natural area;

ECO-P7 – Providing for vegetation clearance

Allow the removal of indigenous vegetation in Significant Natural areas only where it is necessary to:

- a. protect, restore or enhance an SNA
- b. Enable the ongoing provision of existing infrastructure

- c. Construct new fences and tracks for conservation measures for animal or pest control
- d. Provide for tikanga māori and the collection of species for cultural purposes
- e. Provide for research opportunities and/or scientific purposes

ECO-P8 Restoration and enhancement

- a. Identify SNAs where the ecological integrity is degraded, areas that provide important connectivity or buffering functions and former wetlands and provide opportunities for restoration and enhancement of these areas
- b. Encourage the protection, enhancement and restoration of indigenous vegetation and biodiversity by:
 - i. providing assistance to landowners to actively manage indigenous biodiversity, including by way of formal protections, fencing and planting;
 - ii. Require ecological restoration plans for activities on land that contains an SNA
 - iii. providing for the role of Mana Whenua as kaitiaki and for the exercise of kaitiakitanga in restoring, protecting and enhancing areas on public land
 - iv. supporting initiatives by landowners, community groups and others to protect, restore and maintain significant natural areas.

Natural Environmental Values - Activity Table

ECO-R1 Clearance of indigenous vegetation within a significant natural area			
<p>ECO-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. It is necessary for the operation, maintenance, safety or upgrade of existing infrastructure including roads, vehicle or walking tracks, stream or river access, network utilities, electricity lines, structures, drains, signs and fences 2. It is necessary to remove broken, deadwood or diseased vegetation 3. it is necessary to avoid loss of life, injury or serious damage to property, including from the risk of fire; 4. the clearance is required for the construction of new fences and tracks for conservation purposes to exclude stock or pest animals, and associated pest management work; 	<p>ECO-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Ecological values 2. Species protection and enhancement 3. Climate Change effects <p>Notification: Non-notified</p>		
ECO-R2 Clearance of indigenous vegetation within a significant natural area on reserve land for Māori customary activities, or to protect heritage sites			

<p>ECO-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any felling of trees shall be limited to land protected as historic reserve 2. The clearance of vegetation is the for the sustainable customary use of indigenous vegetation 	<p>ECO-R2B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. Ecological Values 2. Cultural Values <p>Notification: Non-notified</p>
<p>ECO-R3 Clearance of indigenous vegetation within a significant natural area that is allowed by other mechanisms</p>	
<p>ECO -R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The area is subject an ecological restoration plan and the clearance is in accordance with this plan; or 2. the area is subject to a Queen Elizabeth II covenant, Heritage Protection Order or covenant under the Reserves Act 1977 or Conservation Act 1987 and the clearance is provided for in that covenant or order; 	<p>ECO -R3B</p> <p>Activity Status where activity conditions are not met: Discretionary</p> <p>Notification: Non-notified</p>
<p>ECO-R4 Subdivision on land containing an SNA</p>	
<p>ECO-R4A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S1 – SUB-S7 2. The significant natural area (or the part of it located on the original title) is protected in perpetuity by way of a legal mechanism registered on the certificate of title. 3. Building platforms and access are located outside of SNA <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Ecological values 2. Purpose of the relevant zone, precinct and development area 3. Safe, connected and efficient transport network 4. Infrastructure and stormwater 5. Natural hazards and land stability 6. Heritage values and mana whenua values 	<p>ECO-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p> <p>Status: Non-notified</p>

- | | |
|---|--|
| <ol style="list-style-type: none">7. Landscape and topographical features8. Natural features and indigenous trees and vegetation9. Management of construction effects10. Management of potential reverse sensitivity effects on existing land uses11. Financial Contributions | |
|---|--|

Assessment Criteria

Council will have regard to the relevant Objectives and Policies of this plan and in addition, will have regard to:

ECO-AC1 Clearance of indigenous vegetation within a SNA not meeting the permitted activity standards

Ecological Values

- a. Whether the nature and scale of the activity could produce effects that have the potential to adversely impact on the habitats, biodiversity, ecosystem functioning of the SNA

Species protection and enhancement

- b. whether an ecological assessment from a suitably qualified ecologist has been undertaken to assist in determining the significance of the indigenous biodiversity and the impact of any clearance

Climate change effects

- c. that the impacts of climate change have been considered in any

ECO-AC2 Clearance of indigenous vegetation within a significant natural area for Māori cultural activities, customary activities, or to protect heritage sites

Ecological Values

- a. The extent to which customary harvesting is sustainable for the habitat and will not result in any long term ecological impacts, including on ecological significance values.

Cultural values

- b. The extent to which the clearance provides for the enhancement of cultural values and tikanga.

ECO-AC3 Subdivision on land containing an SNA

Ecological values

- a. whether formal protection of the SNA occurs
- b. Whether an ecological restoration plan is created to guide active management of significant natural area to occur;

- c. the location, scale and design of structures and buildings within the significant natural area;
- d. whether an ecological assessment from a suitably qualified ecologist has been undertaken to assist in determining the significance of the indigenous biodiversity and the impact of any clearance;
- e. the extent of clearance or removal of vegetation and the loss, damage or disruption to ecological processes, functions and ecological integrity;
- f. the cumulative effects of activities within or adjacent to the significant natural area;

NFL - Natural Features and Landscape

Introduction

Napier's rural and coastal landscapes provide a natural backdrop to the city. These special places reflect the city's geographic positioning and history and contribute to our sense of place. They help define Napier's unique identity.

This chapter relates to the management of the Napier's outstanding natural feature at Ōtātara, our special character landscapes at Te Whanganui-a-Orotū (including eight separately identified special features within), the upper slopes of the Taradale Hills, all of Heipipi-Esk Hills and the special character feature Pukekura (Sugar Loaf). The values and attributes of these features and landscapes are identified in a schedule SCHED2 and the extent of these features and landscapes are shown on the planning maps.

Issues

NFL-I1 Identification and protection of outstanding natural features, special character landscapes and special character features

Land use and subdivision are primary drivers of landscape change and if not managed carefully, can threaten to erode the values associated with areas identified as significant to our local communities. Past development in the Taradale Hills and Industrial zones adjacent to the Ahuriri Estuary have impacted on the visual amenity of these areas so it's important going forward that land use and development is carefully managed. This chapter provides the opportunity to identify special landscapes and features and manage development to ensure their ongoing protection.

Objectives

The objectives of the underlying zone apply in addition to the below. Where there is a conflict between the zone and overlay objectives, the overlay objectives apply.

NFL-O2 Identification of outstanding natural features, special character features and special character landscapes

The elements and values that define Napier's outstanding natural feature, special character features and special character landscapes are identified and their extents mapped as:

Outstanding Natural Feature	<ul style="list-style-type: none"> • Ōtātara
Special Character Features	<ul style="list-style-type: none"> • Pukekura (Sugar Loaf), • Ohuarau, Poraiti Pā, Roro-ō-kuri, Te Ihu-o-te Rei (Quarantine Island), Keteketerau, Tapu-te-Ranga, Ahuriri Estuary (including outfall channel), and Pukeiohiohio/Puka/Te Umuroimata - all features within Te Whanganui-a-Orotū Special Character Landscape
Special Character	<ul style="list-style-type: none"> • Te Whanganui-a-Orotū

Landscapes	<ul style="list-style-type: none">• Heipipi-Esk Hills• Taradale Hills
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NFL-O2: Preserve and protect Ōtātara as an outstanding natural feature

The prominence and distinctiveness of Ōtātara as an outstanding natural feature as identified in is preserved and protected from subdivision, land use and development

NFL-O2: Retain the values of Special Character Features

The natural and historical characteristics and visual qualities of Napier's Special Character features and landscapes identified in SCHED2 are protected from inappropriate subdivision, land use and development.

NFL-O3: Manage the impact of development on the values of Special Character Landscapes

The natural and historical characteristics and visual qualities of Napier's Special Character landscapes identified in SCHED2 are managed to to mitigate the effects from subdivision, land use and development.

Policies

NFL-P1: Outstanding natural feature

Preserve and protect the prominence and distinctiveness of Ōtātara by:

- a. avoiding the adverse affects of subdivision, use and development on the values, characteristics and qualities of Ōtātara
- b. maintaining the visual coherence and integrity of the landscape
- c. avoiding any adverse affects on mana whenua values associated with Ōtātara

NFL-P2: Special Character Features

Protect the landscape values of Napier's special character features by:

- a. avoiding where practicable the adverse affects of subdivision, use and development on the values, characteristics and qualities of Napier's special character features
- b. limiting earthworks, managing building sizes and colours, plantation forestry and network utilities

NFL-P3: Special Character Landscapes

Mitigate the effects of development within Napier's special character landscapes by:

- a. Limiting the scale of earthworks, managing building sizes and colours and plantation forestry

NFL-P4: Future rezonings, structure plans and subdivisions

Protect Napier's outstanding natural feature, special character landscapes and features by:

- a. Require any future rezonings and/or structure plans within landscape overlays to demonstrate compliance with the landscape values identified in SCHED2
- b. Require any subdivisions under rule SUB-R4 and SUB-R6 within landscape overlays to mitigate potential effects on the landscape values identified in SCHED2

NFL-P5: Extractive Industries

- a. Avoid extractive industries (quarrying and mining) within outstanding natural features and special character features

NFL-P6 Network Utilities

- a. Network Utilities will be avoided on prominent positions and/or ridgelines within outstanding natural features and special character features.
- b. The effects associated with network utilities will be mitigated within special character landscapes.

NFL-P7 Māori Cultural values and Conservation

- a. Provide for customary use and conservation activities within outstanding natural features and special character features for the purpose of protecting and enhancing ecological, cultural and historical values.

Natural Features and Landscape - Activity Table

NFL-R1 Earthworks or land disturbance within an outstanding natural feature		
NFL-R1A Activity Status: Permitted When the following activity conditions are met: <ol style="list-style-type: none"> 1. The maximum amount of earthworks in any 12 month period does not exceed 25m³ 2. A maximum cut and fill height of 1m 3. Compliance with all other earthworks permitted activity standards EW-S3 – EW-S7 	NFL-R1B Activity Status where activity conditions are not met: Non-complying	
NFL-R2 Earthworks or land disturbance within a special character feature		
NFL-R2A	NFL-R2B	

<p>Activity Status: Permitted</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The maximum amount of earthworks in any 12 month period does not exceed 25m³ per feature 2. A maximum cut and fill height of 1m 3. Compliance with all other earthworks permitted activity standards EW-S3 – EW-S7 	<p>Activity Status where activity conditions are not met: Discretionary</p>
<p>NFL-R3 Earthworks or land disturbance within a special character landscape</p>	
<p>NFL-R3A</p> <p>Activity Status: Permitted</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The maximum amount of earthworks in any 12 month period does not exceed 50m³ per site 2. A maximum cut and fill height of 2m 3. Compliance with all other earthworks permitted activity standards EW-S3 – EW-S7 	<p>NFL-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Landscape Values 2. Cultural Values 3. Sediment and erosion control <p>Notification: Non-notified</p>
<p>NFL-R4 Buildings or structures within an outstanding natural feature and special character feature</p>	
<p>NFL-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. No part of a building or structure: <ol style="list-style-type: none"> a. exceeds 3m in height b. has a reflectance value no greater than 30% within Groups A, B or C within BS5252 standard colour palette for the exterior finish of the building or structure. c. Gross floor area does not exceed 10m² d. Compliance with all other building permitted activity standards in the underlying zone 	<p>NFL-R4B</p> <p>Activity Status where activity conditions are not met: Non Complying</p>
<p>NFL-R5 Buildings or structures within a special character landscape</p>	
<p>NFL-R5A</p> <p>Activity Status: Permitted</p>	<p>NFL-R5B</p> <p>Activity Status where activity</p>

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. No part of a building or structure: <ol style="list-style-type: none"> a. exceeds 5m in height b. has a reflectance value no greater than 30% within Groups A, B or C within BS5252 standard colour palette for the exterior finish of the building or structure. c. Gross floor area does not exceed 300m² d. Compliance with all other building permitted activity standards in the underlying zone 	<p>conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Visual impact 2. Landscape Values 3. Cultural Values <p>Notification: Non-notified</p>
<p>NFL-R6 Vehicle parking areas to provide public access to outstanding natural features and special character features</p>	
<p>Activity Status: Controlled</p> <p>Matters of control:</p> <ol style="list-style-type: none"> 1. Location of vehicle parking areas 2. Safe, connected and efficient transport network 3. Compliance with the transport chapter 4. Landscape Values 5. Cultural Values 	<p>NA</p>
<p>NFL-R7 Land use activities allowed for in a management plan required under the Reserves Act 1977 within an outstanding natural feature and special character feature</p>	
<p>Activity Status: Controlled</p> <p>Matters of control:</p> <ol style="list-style-type: none"> 1. The matters identified in the management plan for which the activity applies 	<p>Activity Status where activity conditions are not met: NA</p>
<p>NFL-R8 Plantation forestry within a special character landscape</p>	
<p>Activity Status: Discretionary</p>	
<p>NFL-R9 Quarrying or Mining activities within a special character landscape</p>	
<p>Activity Status: Discretionary</p>	
<p>NFL-R10 Quarrying or mining activities within an outstanding natural feature and special character feature</p>	
<p>Activity Status: Prohibited</p>	
<p>NFL-R11 Plantation forestry within an outstanding natural feature and special character feature</p>	
<p>Activity Status: Prohibited</p>	

Assessment criteria

NFL- AC1 Earthworks or land disturbance within a special character feature (NFL-R2), Earthworks or land disturbance within a special character landscape (NFL-R3)

Landscape values

- a. The extent to which the visual effects of earthworks can be mitigated through careful design, reinstatement/rehabilitation of earth and screen planting
- b. The extent to which earthworks location and extent volumes are designed to reduce cut and fill heights and minimise changes to landform and visual impact.

Erosion and sediment control

- c. Whether there are erosion and sediment control measures in place

Cultural values

- d. The extent to which the proposed earthworks recognise and provide for mana whenua cultural values and tikanga practices

NFL-AC2 Buildings or structures within a special character feature (NFL-R4), Buildings or structures within a special character landscape (NFL-R5), Buildings or Structures within a Special Character Landscape

Visual Impact and Landscape Values

- a. The extent to which the location, scale, height, design, external appearance and overall form of the building or structure is appropriate to the landscape context
- b. Whether the colours and material used for roofs, walls and windows is of low reflectivity and integrates with the surrounding landscape.
- c. Whether there are any practical alternatives to the location of the building
- d. Whether building design and appearance is appropriate taking in account the vulnerability of the landscape to accommodate change
- e. The scale of modification to the landscape, including any indigenous vegetation removal
- f. Whether access roads, utilities (power, phone, pipe work and water tanks) are appropriately designed and sited to reduce their visibility;
- g. The extent to which landscape design is able to provide a visual buffer to mitigate any visual impact of the building or structure

Cultural Values

- h. The extent to which the proposed development will impact on mana whenua values

NFL-AC3 Vehicle parking areas to provide public access to outstanding natural features and special character features (NFL-R8)

Location of vehicle parking areas

- a. The extent to which the location and scale of the carpark is appropriate to the activity within the landscape context

Safe, connected and efficient transport network

- b. Whether the carpark provides for various modes of transport such as walking and cycling
- c. The extent to which the carpark meets the requirements of the transport chapter and Engineering code of practice

Landscape Values

- d. The extent to which the landscape design of the carpark provides a visual buffer to mitigate visual impacts

Cultural Values

- e. The extent to which the carpark and vehicle access to the feature will impact on mana whenua values

PA - Public Access

Introduction

The purpose of the Public Access chapter is to provide for and enhance connectivity throughout Napier. This includes within and between neighbourhoods, open space, the coast and other waterbodies, and between places of living, work and play.

A key outcome the District Plan seeks to achieve is “Great urban areas”. The quality of urban areas impacts directly on our quality of life. The layout and design of neighbourhoods and commercial areas can contribute to community cohesion, safety, health and wellbeing. Greater public access and connectivity encourages walking and cycling for transport and recreation, contributing to a healthy lifestyle and reducing reliance on private motor vehicles. It also encourages community interaction and reduces potential for crime through enhanced surveillance.

Public access corridors provide opportunities for planting, contributing to ecological connectivity and amenity. They can also provide opportunities to enhance mana whenua values including recognising the cultural history of the area. The provisions of the Public Access chapter seek to ensure development contributes to achieving Great Urban Areas within our communities.

Another key outcome of the District Plan is “Greenfield growth in the hills”. Future proofing connectivity through the western hills, including beyond Napier’s territorial boundary, will ensure that the potential for an integrated public access network is not lost for future generations. The indicative public access routes through the western hills also provide opportunities to enhance ecological and mana whenua values over time.

A “Premier Regional Park for Ahuriri Estuary” is an outcome which recognises that the values of the estuary, including access to this area, is important for Napier. More broadly, Napier’s coastline as well as the Ahuriri estuary form an integral part of Napier’s identity. These areas provide important recreational opportunities for our community and ensuring the public are able to access these places is a matter of national importance in the RMA as well as a key objective in the New Zealand Coastal Policy Statement 2010. The district plan provides for public access to these areas through requiring esplanade reserves at the time of subdivision for land immediately adjoining identified waterbodies.

Napier also has an existing network of walking and cycle pathways that have an important role in ensuring connectivity across the city and between Napier’s public open spaces. This section of the plan ensures that public access along this network is enhanced through obtaining key linkage corridors over time.

PA-11 The potential for subdivision, development and site redevelopment to enhance connectivity throughout the city

Greater provision and improved design of public access and connectivity routes within and between neighbourhoods, open space and commercial areas has a number of benefits for social and community wellbeing, health and safety including by:

- encouraging walking and cycling and accessibility to adjacent neighbourhoods
- providing easier access to public open spaces for recreation and for ‘gathering’ of people
- avoiding a sense of entrapment (e.g. from tall closed fences along narrow walkways, and from

- convoluted single entrance/exit routes)
- providing for several feasible evacuation routes in emergency situations.

Council has identified some key routes across privately owned land that would assist in achieving these benefits, including extending cul-de-sacs to connect to public roads throughout Maraenui, and a new I-way route connecting Westshore to Whirinaki. These have been identified on the planning maps. Other connections may be appropriate at the time of subdivision and development of larger sites, and the relevant assessment criteria for those activities require consideration of connectivity at the time of resource consent.

PA-12 The need to ensure public access to the coast, estuary, rivers and lake

People expect to have reasonable access to the city's coastal environment, Ahuriri estuary, waterways and recreational reserves. The maintenance and enhancement of public access to the coast and waterbodies is recognised in the RMA as a matter of national importance. The New Zealand Coastal Policy Statement 2010 also identifies a specific requirement to provide access to and along the coastal environment. Council therefore has a legal responsibility in protecting, maintaining and enhancing access to, and along the coast and other waterbodies but also considers this as a community benefit that will improve people's enjoyment of the city.

PA-13 The desire to provide new and enhanced linkages across the western hills to protect and enhance identified connectivity opportunities throughout Napier

Napier has a large network of interlinking off-road pathways, which are increasingly popular for people seeking to undertake active recreation. The pathways also have an important role in ensuring connectivity between neighbourhoods and open spaces to provide access to the coast. The Western Hills has a number of existing significant reserves (Ōtātara, Sugar loaf, Dolbel), and proposed reserves (Mission Development area) but these features are not linked in a manner that allows people to traverse through the Western Hills between them. Council is keen to see greater public access and connectivity between public open space areas within and along the Western Hills leading to the Ahuriri Estuary and the coast. Fragmentation of the land through subdivision could potentially result in the loss of any future connectivity opportunities in the western hills. Requiring identified public access corridors to be vested at the time of subdivision and development will ensure these linkages are provided for future generations.

There is also the long term potential for urban expansion of Napier to occur west of the city's boundary. Protecting east-west connection opportunities through the western hills will ensure any future urban expansion can have quality multi-modal connections to Taradale and the wider urban Napier area.

Objectives

PA-01 Connectivity and wellbeing

Napier's integrated public access network enhances connectivity to, through and within the city, and contributes to social, community and environmental wellbeing

Relates to PA-11

PA-02: Access to and along the coast, estuary, lakes, rivers and streams

Public and customary access is provided to, and along, the coast and waterways in accordance with Resource Management Act esplanade reserve requirements

Relates to PA-I2, CE-I6

PA-O3: Western Hills Walkway

Napier's pathway network is enhanced and developed in the Western Hills to provide a continuous off road walkway from Ōtātara Pa to Ahuriri Estuary, and to future proof connectivity to potential development west of the Napier City boundary.

Relates to PA-I3

Policies

PA-P1 Identify public access opportunities

Identify and map indicative public access routes to support an integrated public access network, including:

- a. Indicative Western Hills walkway and future connections
- b. Esplanade reserves for the Taipo and Petane Streams
- c. Enhanced connectivity in Maraenui
- d. Connectivity corridors in the rural south-east of the city

Relates to PA-O1, PA-O2 and PA-O3

PA-P2 Protect and develop public access opportunities

Ensure that the public access opportunities identified under PA-P1 are protected and able to be developed, including by:

- a. requiring vesting of indicative public access routes through private land at the time of subdivision or development of the site, as either road or reserve; or
- b. requiring an easement providing for public access along the indicative public access route in perpetuity; and
- c. providing a legal mechanism to enable Council access to the indicative public access route for maintenance and development; and
- d. avoiding new buildings, plantation forestry and shared driveways within an indicative public access route.

Relates to PA-O1 and PA-O3

PA-P3 Esplanade Reserves

Require esplanade reserves when subdivision of land creates any new lot(s) (including any balance lot) of less than 4ha that adjoin any of the following:

- a. The coastal marine area
- b. Ahuriri Estuary
- c. Esk River

- d. Tutaekuri River
- e. Taipo Stream (limited to esplanade reserve areas identified in the planning maps)
- f. Petane Stream (limited to the esplanade reserve area identified in the planning maps)

Relates to PA-O2, CE-O2

Public access - Activity Table

PA:R1 New building and/or shared driveway on any site containing an Indicative public access route			
PA:R1A Activity Status: Permitted Where the following activity conditions are met: 1. The building or shared driveway is not located within 20m of any identified indicative public access route on the planning maps	PA:R1B Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Safety, attractiveness and connectivity of streets and public open spaces 2. Ecological, landscape and cultural values Notification: Non-notified		
PA:R2 Plantation forestry on any site containing an Indicative public access route			
Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. Safety, attractiveness and connectivity of streets and public open spaces 2. Ecological, landscape and cultural values Notification: Non-notified			

Public access - Standards Table

The following standards contained in the subdivision chapter apply:

SUB:S17 Indicative public access route

SUB:S18 Esplanade Reserves

Assessment criteria

Note: SUB-AC6 – Indicative Public Access route applies to subdivisions infringing standard SUB:S1

PA-AC1 – New buildings and shared driveways on sites containing an indicative public

access route not meeting permitted activity conditions (PA-R1); Plantation forestry on sites containing an indicative public access route (PA-R2)

- a. The objectives and policies of the Public access chapter will be considered in addition to the below criteria

Safety, attractiveness and connectivity of streets and public open spaces

- b. The extent to which the building, shared driveway or plantation forestry will provide or compromise the provision of an integrated public access network that:
 - i. Maintains and enhances connectivity to, within and between neighbourhoods, open spaces and commercial areas
 - ii. In the western hills, provides for a continuous off-road public access corridor through the western hills from Ōtātara Pa to Ahuriri Estuary, linking existing open space including parks and reserves
 - iii. Protects future connectivity between Napier and potential development west of the Napier City boundary
 - iv. Encourages walking and cycling for transport and recreation
 - v. Enhances resilience of the city by providing alternative evacuation routes.
- c. Whether an alternative practicable location for the public access route will better provide for safe and attractive connectivity through the site to the wider network
- d. Whether the legal mechanisms of the shared driveway will prevent public access being achieved across the network

Ecological, landscape and cultural values

- e. the extent to which the activity will maintain and enhance ecological, landscape and cultural values associated with the indicative public access route.

SUB - Subdivision

Introduction

Well-designed subdivisions and neighbourhoods are an integral part of providing for high quality growth to support sustainable outcomes for Napier City. Subdivision is the process of dividing land or a building into one or more additional allotments or titles. It includes changing the underlying ownership structure, or changing the location of an existing boundary. Good subdivision design includes consideration of:

- a diversity of lot sizes to enable mixed housing typologies
- good connectivity to surrounding neighbourhoods
- existing characteristics, amenity and intrinsic values of the area
- use of low impact design principles for managing stormwater
- the orientation of streets and buildings to maximise solar benefits, and
- access to reserves, public open spaces and community facilities.

Subdivision applications will need to demonstrate consistency with the Subdivision Design Guide, the objectives, policies, rules and standards of this chapter and relevant zone, any structure plans, and all relevant district wide matters. Guidance on 'low impact' stormwater design is provided in the Councils ECOP and minimum expectations mandated through the stormwater chapter.

The Strategic Direction chapter outlines the Councils long term strategy for urban growth in accordance with national direction under the National Policy Statement for – Urban development 2020.

Issues

SUB-I1 Subdivision design should reflect the characteristics and amenity values of the locality in which it is located

Subdivision of land should be designed in a manner which is appropriate to the scale, density and type of development which is anticipated by the objectives and policies of the relevant zone or precinct, including any identified characteristics of the neighbourhood.

SUB-I2 The impacts of subdivision on natural resources (landscapes, water quality and biodiversity)

While the process of subdivision itself does not directly affect the environment, it establishes the legal framework within which land use occurs and generally intensifies development and therefore has a causal link with the adverse effects of land use and development. It is therefore vital that these effects are addressed early at subdivision stage through the provision of adequate infrastructure services and a subdivision design that can achieve quality and sustainable development.

Part 2 of the RMA requires that Council manage the use, development and protection of natural and physical resources to promote sustainable development. Natural resources include water, soil, landscapes and significant indigenous vegetation that need to be protected from inappropriate subdivision. In adhering to these RMA requirements, Council has identified significant natural areas

and landscapes within the district and created a policy framework to manage subdivision and development within them. Council also promotes low impact solutions for managing stormwater in order to meet the RMA's requirements for safeguarding the life supporting capacity of water into which the stormwater is discharged. The design of subdivisions needs to consider these important matters and respond accordingly.

SUB-I3 Land uses enabled by subdivision require appropriate infrastructural services to support development and confirmation that it will not be subject to inappropriate levels of risk from natural hazards

Subdivision needs to consider the land uses that will follow and the infrastructure required to service the intended development. Subdivision typically involves the creation of smaller more intensively used sites, which places additional demand on infrastructure servicing. If infrastructure servicing is not managed appropriately, development may contribute towards degradation of the environment, adversely impact amenity values and potentially threaten the health and safety of communities.

Subdivision needs to align with infrastructure capacity which means within urban areas, development must connect to Council provided reticulated services where available in a manner that does not adversely affect the services themselves or the environment. Subdivisions within rural areas need to consider and plan for on-site solutions to all servicing needs and these are best considered at the time of subdivision to ensure they are provided in an effective and efficient manner.

The location and design of subdivision and the intended resulting development also needs to avoid or mitigate the potential building damage and dangers to the health and safety of people from the effects of natural hazards.

SUB-I4 Poorly designed subdivision layouts

Quality urban design is concerned not just with appearances and built form, but with the environmental, economic, and social consequences of design. It is a multi-faceted approach that includes both the process of decision-making as well as the outcomes of good subdivision design.

Poorly designed layouts can result in subdivisions that:

- a. lack character,
- b. have poor relationship with the underlying topography and physical characteristics of the site
- c. are uniform in appearance,
- d. do not provide for connectivity,
- e. do not consider adjacent land uses in adjoining zones
- f. do not address long term resilience in relation to natural hazard risks; and
- g. do not consider developing and enhancing community benefits, public spaces and social cohesion.

SUB-I5 The need to ensure public access to the coast, estuary and rivers

People expect to have reasonable access to the city's coastal environment, estuary and waterbodies. The maintenance and enhancement of public access to the coast and waterbodies is recognised in the RMA as a matter of national importance. The New Zealand Coastal Policy Statement 2010 also identifies a specific requirement to provide access to and along the coastal environment. The Council therefore has a legal responsibility in protecting access to the coast and

other waterbodies. It also has an important role in ensuring that the district's shared pathway networks connect neighborhoods, open spaces and other public areas with these important features.

The RMA allows Council to require an esplanade reserve of up to 20m when land is subdivided into sites of less than 4 hectares. Esplanade reserves provide important public access along the coast and other waterbodies within Napier and Council has therefore identified where it will exercise the right to acquire esplanade reserves in the Public Access chapter.

Esplanade reserves are classified as reserves under the Reserves Act 1977 and land ownership is transferred to Council at the time of subdivision for the benefit of the whole community, with Council maintaining and managing the reserve in perpetuity.

SUB-I6 The need to recognise and provide for the relationship of Maori and their cultural lands, water, sites, and wāhi taonga

Land use activities that follow from subdivision provide an opportunity to recognise Maori cultural values associated with areas of significance. Recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are matters of national importance in section 6 of the Resource Management Act. Where appropriate in areas of significance to Maori, the design of subdivisions and development can incorporate mana whenua values through such things as place names, public art, native plantings and signage.

SUB-I7 Issues of reverse sensitivity on adjacent land uses

There is a potential for conflict when different land uses are located adjacent to each other. Subdivision typically intensifies land use activities in specific locations, which has the potential to create reverse sensitivity effects on established land uses. A different level of amenity can be experienced when subdivision creates the ability for new sensitive activities (particularly residential and lifestyle activities) to establish adjacent to existing rural, commercial or industrial zones and/or activities. The expectation of the new activities is for a level of amenity that is not necessarily compatible with the amenity of the existing environment and can impact on the ability of existing activities to continue their daily operations. Mitigation measures such as planting buffers, no complaint covenants and site layout should be considered and incorporated at the time of subdivision where the potential for reverse sensitivity exists.

Objectives

Note: the objectives and policies contained in other chapters, including (but not necessarily limited to) zone chapters, district wide chapters including the Transport chapter, Public Access Chapter, the Natural Hazards chapter and the Hazardous Substances and Contaminated Land chapter, are relevant in addition to those below.

SUB-O1 Compatible Land Use

Subdivision delivers quality community environments and patterns of development that ensure the objectives, policies and rules of the relevant zone of the District Plan are able to be met and potential reverse sensitivity effects are avoided or mitigated.

Relates to SUB-I1, SUB-I3, SUB-I4, SUB-I5, SUB-I6, SUB-I7

SUB-O2: Impact of the built environment on landscapes, biodiversity and water quality and other key environmental matters

Land is subdivided in a way to create development that:

- a. Responds positively to the site's physical characteristics and context;
- b. Protects, maintains or enhances natural features, landscapes, indigenous biodiversity, waterbodies, significant trees, productive soils, reserves, public open space and historic heritage; and
- c. Helps achieve the maintenance and enhancement of water quality by incorporating low impact design principles.

Relates to SUB-I1, SUB-I2, SUB-I3, SUB-I4, SUB-I5, SUB-I6

SUB-O3 Infrastructure, transport and connectivity

- a. Subdivision has a layout that is:
 - i. safe, efficient, convenient, accessible, enhances connectivity and encourages active transport modes;
 - ii. resilient and integrates with existing communities and provides for the long-term needs of its residents.
- b. Infrastructure supporting subdivision and development is planned and provided for in an integrated and comprehensive manner at the time of subdivision;
- c. Land is vested at the time of subdivision to provide for high quality reserves, esplanade reserves, roads, stormwater, access and other purposes for the benefit of the wider community; and
- d. Subdivision protects the operation and access to established network utilities and regionally significant infrastructure, while mitigating reserve sensitivity effects.

Relates to SUB-I1, SUB-I3, SUB-I4, SUB-I7

SUB-O4: Cultural Values

- a. Subdivision design recognises and incorporates mana whenua cultural values associated with specific sites, places and areas of significance where appropriate.

Relates to SUB-I6

SUB-O5: Natural Hazards

New subdivision shall:

- a. Be avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and
- b. Otherwise, be undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated.

Relates to SUB-I2, SUB-I3

SUB-O6: Subdivision in Rural Zones

The productive potential of rural land is maintained and enhanced through:

- a. The amalgamation of smaller landholdings in the Rural Zone
- b. Rural lifestyle subdivision is predominantly contained within the rural lifestyle zone and lifestyle subdivision in rural zones is limited to where amalgamation of rural productive land is achieved for the purpose of increasing the productivity of versatile land
- c. Subdivision avoids reverse sensitivity effects between rural activities and rural lifestyle living.

Relates to SUB-I1, SUB-I2, SUB-I7

SUB-O7: Rural Subdivision Amenity

Subdivision maintains or enhances the natural features and landscapes that contribute to the character and amenity values of rural areas.

Relates to SUB-I1, SUB-I2

Policies

SUB-P1: Compatible Land Use

Ensure subdivision supports the objectives, policies and rules of the District Plan through subdivision that:

- a. Reflects patterns of development that are compatible with, and reinforce the role, function and predominant character of the zone;
- b. Adheres to lot size and layout in each zone to sufficiently accommodate intended land uses while retaining reasonable amenity;
- c. Provides for intensification of the urban area where it can be supported by existing infrastructure and contributes to the viability and vibrancy of urban centres;
- d. Incorporates setbacks, landscaping or layout design to avoid or mitigate the effects of reverse sensitivity on existing, lawfully established activities on adjoining properties; and
- e. Provides for minor boundary adjustments which enable a more efficient and effective use of land.

Relates to SUB-O1, SUB-O6

SUB-P2: Quality Living Environments

Subdivisions are designed to create quality living environments through:

- a. The provision of adequate amounts of easily accessible quality public and private open space and reserves.
- b. Creating sites of varying sizes to provide for a range of housing typologies.
- c. Aligning roads and sites for maximum sunlight access where topography and parent site shape allows. Roads should have a north-south axis where possible.
- d. Implementing CPTED principles
- e. Aligning sites to the road to maximise opportunities for buildings fronting the road and reducing the reliance on rear lots.
- f. Providing publicly accessible connections between blocks, where practicable.

- g. Integrating into existing communities by avoiding gated developments.

Relates to SUB-01, SUB-03, SUB-04

SUB-P3: Subdivision design integrates with the environment

Ensure subdivision design:

- a. Protects, maintains and enhances natural ecosystems, waterbodies and indigenous vegetation, including the retention of mature trees and vegetation where possible;
- b. Incorporates sufficient space for on-site stormwater attenuation and disposal including the use of water sensitive design solutions, constructed in a way that mitigates the adverse effects of the quantity and quality of stormwater being discharged from sites;
- c. Assists in achieving the objectives of a stormwater catchment management plan and/or any applicable network discharge consent that exists for a catchment; and
- d. Includes indigenous landscaping to enhance biodiversity, reduce rate of stormwater runoff, assist with the removal of contaminants and to soften the built form.

Relates to SUB-02, SUB-03

SUB-P4: Subdivision design is sympathetic to the landscape

Ensure subdivision design in both rural and urban areas responds to the natural landscape by:

- a. Locating building platforms and associated infrastructure away from visually prominent areas.
- b. Locate and design roads, access, building platforms and infrastructure so that earthworks are minimised and the visual effects associated with them are mitigated.

Relates to SUB-01, SUB-02

SUB-P5 Open space and Reserves

To provide sufficient accessible, functional and connected open space to meet the present and likely future recreational, conservation and visual amenity needs of the City.

Require at subdivision the opportunity for Council to:

- a. Ensure reserves are vested, where appropriate, to serve the needs of residents in the area in accordance with the Napier City Council Open Space Strategy.
- b. Acquire land for reserves to be vested in Council in land or the equivalent through financial contributions at the time of subdivision.
- c. Enable Council to exercise its discretion in the decision to accept land to be vested as reserve, or pay an equivalent financial contribution.
- d. Ensure the land to be vested in Council for reserves is an appropriate size, shape and design to ensure quality community outcomes in accordance with the Napier City Council Open Space Strategy.
- e. For subdivision adjoining existing public open space, for Council to consider expanding that space with the vesting of additional reserve area and to require open style permeable fencing in accordance with the rules of the underlying zone.

Relates to SUB-01, SUB-03

SUB-P6: Protection and maintenance of landscapes in identified landscape overlay areas

Within outstanding natural features and special character features and landscapes, land is subdivided in a way that avoids the need to place buildings, earthworks, and features in visually prominent locations.

Relates to SUB-O1, SUB-O2, SUB-O7

SUB-P7: Providing for connectivity

Manage the design and location of subdivision to optimise connectivity including through:

- a. Providing a connected roading network, including minimising the use of cul-de-sacs in urban areas where practicable;
- b. Establishing safe cycleways and walkways and enhancing the safety of existing cycle and pedestrian routes;
- c. Implementing CPTED principles;
- d. Supporting initiatives to increase accessibility to, and use of, public transport;
- e. Ensuring that infrastructure associated with active transport and public transport modes are safe, convenient, and accessible to all sectors of the community; and
- f. Designing intersections to facilitate safe and efficient crossing for all vehicles, cyclists and pedestrians.

SUB-P8: Access and Egress

Manage the number, location and design of access and egress points to support all of the following:

- a. safety and amenity for pedestrians and cyclists to and from the site, and along the street frontage;
- b. visibility of vehicles, pedestrians and cyclists when exiting the site;
- c. efficient access to the site to minimise queuing within the integrated transportation network;
- d. safe and efficient operation of intersections; and
- e. encourage shared vehicle access by way of rear lanes in urban areas where appropriate, to avoid the proliferation of vehicle crossings.

SUB-P9: Integrated provision of Infrastructure

Require subdivision to provide servicing that meets the requirements of the Engineering Code of Practice and that:

- a. Is coordinated, integrated and compatible with the existing infrastructure network.
- b. Enables the existing network to be expanded or extended to adjacent land in the future where that land is zoned or identified through a future urban development strategy for urban development, and especially through the avoidance of lots created primarily for the purpose of preventing connectivity to adjacent sites (spite strips).
- c. Enables electricity and telecommunications services to be reticulated to each site, and undergrounded in residential and commercial zones.
- d. Connects sites capable of containing a building, in areas where service connections to the public network are available and capacity exists, to the following networks:
 - i. wastewater;
 - ii. stormwater; and

iii. potable water;

unless it is demonstrated that an alternative means of servicing can be provided meeting legislative and acceptable environmental outcomes.

Relates to SUB-O3

SUB-P10: Road Reserves

Require subdivision to provide sufficient road reserves to accommodate the needs of:

- a. Different types of transport modes;
- b. Network utilities including provision around low impact design for road generated stormwater; and
- c. Lighting, street furniture, domestic rubbish disposal and landscaping in a way that will not create future safety, amenity and/or maintenance issues.

Relates to SUB-O3

SUB-P11: Esplanade Reserves and Public Access

Unless otherwise specified, require esplanade reserves and easement access when subdividing land adjoining the coast, water-bodies and identified public access corridors.

Relates to SUB-O2, SUB-O3

SUB-P12: Provision of Infrastructure in rural areas

- a. Require sites capable of containing a building, in areas where no reticulated water supply, stormwater or wastewater network is available, to be of a size and shape that provides for:
 - i. the treatment and disposal of stormwater in a way that does not lead to significant adverse off-site effects including degraded water quality, erosion, land instability, and/or creation or exacerbation of flooding;
 - ii. the management of wastewater via:
 - i. an appropriate on-site wastewater treatment system, or
 - ii. approval to connect to a private wastewater network; and
 - iii. the storage of potable water.
- b. Manage the design and location of subdivision to avoid the close proximity of multiple access points on rural roads.

Relates to SUB-O3, SUB-O7

SUB-P13: Network Utilities

Provide for the creation of allotments of various sizes and dimensions for the purposes of a network utility, network utility structure, public work, reserve or access.

Relates to SUB-O3

SUB-P14: Incorporating cultural values

On land identified as significant to mana whenua, ensure the kaitiaki status is recognised and provided for through subdivision design that takes into account and reflects identified mana whenua values.

Relates to SUB-O4

SUB-P15: Natural Hazards

Subdivisions which do not avoid natural hazards are designed to mitigate risks from natural hazards by:

- a. Demonstrating appropriate mitigation measures proportionate to the risks associated with the hazards;
- b. Providing for subdivision on land where liquefaction risk has been identified and can be appropriately managed;
- c. Maintaining the function of overland flow paths to safely convey flood waters, while taking into account the likely long term effects of climate change;
- d. Improving accessibility for residents in an emergency event by minimising cul-de-sacs, terminating right of ways and avoiding gated communities; and
- e. Ensuring that any measures used to manage the risks of natural hazards avoid any further adverse environmental effects.

Relates to SUB-O5

SUB-P16: Protecting significant natural areas

Avoid subdivision of sites containing a Significant Natural Area, unless the resulting earthworks, site development (including boundary fencing), building platforms and access ways are able to be located outside of the boundary of the Significant Natural Area.

Relates to SUB-O1, SUB-O2, SUB-O4

SUB-P17: Conservation sites

Provide for subdivision of land to create conservation sites for the protection of significant natural areas, heritage and/or cultural features.

Relates to SUB-O1, SUB-O2, SUB-O4

Subdivision - Activity Table

SUB-R1 Subdivision	
SUB-R1A Activity Status: Controlled Where the following activity conditions are met: 1. Compliance with standards SUB-S1 – SUB-S18.	SUB-R1B Activity Status where activity conditions are not met: Non-compliance with SUB-S6 – SUB-S17: Restricted Discretionary

<p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose and objectives and policies of the relevant zone, precinct and development area 2. Adherence with any relevant structure plan 3. Safe, connected and efficient transport network 4. Infrastructure and stormwater 5. Natural hazards, including liquefaction, land stability and coastal hazards. 6. Heritage values 7. Cultural values 8. Landscape and topographical features 9. Indigenous trees and vegetation 10. Management of construction effects 11. Management of potential reverse sensitivity effects on existing land uses 12. Financial Contributions 13. Subdivision Chapter assessment criteria 	<p>Non-compliance with SUB-S1 – S5 and S18: Refer to Subdivision Standards Table.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters identified in the standards not complied with (SUB-S6 – SUB-S17) 2. Matters of control apply in addition
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SUB-R2 Boundary Adjustment	
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<p>SUB-R2A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Subdivision involves two or more adjacent sites (notwithstanding any separation by any road, rail, river, stream, or water course) and: 2. no new site is created, and no existing site area is changed by more than 10% of its original area 3. no existing complying lot is rendered non-complying, and no dwelling is severed from its existing site 4. The adjustment does not result in non-compliance or increase any existing non-compliance with any other rules or standards, and 5. boundary alterations do not prevent any existing allotment's legal and physical access to a road or limit or interfere with any servicing requirements of any of the sites <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose and objectives and policies of the relevant zone, precinct and development area 2. Safe, connected and efficient transport network 3. Infrastructure and stormwater 4. Natural hazards and land stability 5. Heritage values 6. Cultural values 7. Landscape and topographical features 	<p>SUB-R2B</p> <p>Activity Status where activity conditions are not met:</p> <p>Non-complying in all rural zones and discretionary in all other zones.</p>
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| <ul style="list-style-type: none"> 8. Natural features and indigenous trees and vegetation 9. Management of construction effects 10. Management of potential reverse sensitivity effects on existing land uses 11. Subdivision Chapter assessment criteria | |
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SUB-R3 Subdivision of land for the purpose of public works, network utilities, reserves or access	
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<p>SUB-R3A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. Compliance with standards SUB-S6 – SUB-S18 2. Compliance with SUB-S1 – SUB-S5 (minimum lot sizes) does not apply <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> 3. The size, design and layout of lots for the purpose of public works, network utilities or reserves 4. Safe, legal and physical access to and from the lots 5. Infrastructure and stormwater in accordance with the Engineering Code of Practice 6. Natural hazards including liquefaction, land stability and coastal hazards 7. Protection, maintenance and enhancement of natural features and landforms, indigenous trees and vegetation, heritage values and cultural values 8. Financial Contributions 9. Subdivision Chapter assessment criteria. 	<p>SUB-R3B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The matters of control 2. The matters identified in the standards not complied with (SUB-S6 – SUB-S18) <p>Notification: Non-notified</p>
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SUB-R4 Subdivision to create conservation lots for the protection of SNA's, heritage items, archaeological sites and wāhi taonga	
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<p>SUB-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. The subdivision creates a separate record of title exclusively for protection of a Significant Natural Area, scheduled heritage items, archaeological sites and/or wāhi taonga. 2. The item or area is protected in perpetuity by way of a legal mechanism registered on the record of title. 3. Compliance with SUB-S1 – SUB-S17 do not apply for the record of title created. 4. The subdivision does not prevent any existing 	<p>SUB-R4B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
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<p>allotment's legal and physical access to a road or limit or interfere with any servicing requirements of the parent record of title</p> <p>5. The record of title created includes a legal and physical means of access for ongoing maintenance of the item and where appropriate includes enabling public access.</p> <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Ecological values 2. Heritage values 3. Cultural values 4. Safe, connected and efficient transport network 5. Infrastructure servicing and access 6. Vesting of the reserve 	
SUB-R5 Cross lease title to freehold subdivision	
<p>SUB-R5A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Subdivision is to create freehold titles from existing cross lease titles. 2. Compliance with SUB-S1 – SUB-S5 (minimum lot sizes) does not apply 3. Compliance with SUB-S6 – S18 does apply. 	<p>SUB-R5B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
SUB-R6 Subdivision on land within or containing an SNA	
<p>SUB-R6A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S1 – SUB-S18. 2. The significant natural area (or the part of it located on the original title) is protected in perpetuity by way of a legal mechanism registered on the record of title. 3. Resulting site development (including boundary fencing), building platforms and access ways are located outside of the SNA. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 4. Ecological values 5. Purpose of the relevant zone, precinct and development area and associated objectives and 	<p>SUB-R6B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

<p>policies</p> <ol style="list-style-type: none"> 6. Safe, connected and efficient transport network 7. Infrastructure and stormwater 8. Natural hazards including liquefaction, land stability and coastal hazards 9. Heritage values 10. Cultural values 11. Landscape and topographical features 12. Protection, maintenance and enhancement of natural features and indigenous trees and vegetation 13. Management of potential reverse sensitivity effects on existing land uses 14. Financial Contributions 15. Subdivision Chapter assessment criteria 	
<p>SUB-R7 Subdivision of land within or containing a special character landscape</p>	
<p>SUB-R7A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S1 – SUB-S18. <p>Note: This rule does not apply when the subdivision is for the purpose of conservation lots in accordance with SUB-R4.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Visual impacts 2. Landscape values and topographical features 3. Cultural values 4. Purpose of the relevant zone, precinct and development area and associated objectives and policies 5. Safe, connected and efficient transport network 6. Infrastructure and stormwater 7. Natural hazards including liquefaction, land stability and coastal hazards 8. Protection, maintenance and/or enhancement of natural features, indigenous trees and vegetation 9. Management of potential reverse sensitivity effects on existing land uses 10. Financial Contributions 11. Subdivision Chapter Assessment Criteria. 	<p>SUB-R7B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>SUB-R8 Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation</p>	
<p>SUB-R8A</p>	<p>SUB-R8B</p>

<p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with standards SUB-S6 – SUB-S18 2. Lot size of the lifestyle site is within the range of 2,500m² – 5,000m² and contains an existing dwelling 3. Subdivision results in amalgamation of the balance area with an adjoining site so that no additional records of title are created by the subdivision 4. The amalgamated balance of new sites created exceeds 4ha 5. A consent notice is registered on the record of title confirming there will be no further subdivision of the lifestyle lot created 	<p>Activity Status where activity conditions are not met: Non-Complying</p>
<p>SUB-R9 Subdivision of land containing site of significance to Māori</p>	
<p><i>Activity Status: TBC Unavailable at this stage. Work to be completed on this topic</i></p>	
<p>SUB-R10 Subdivision of land within an outstanding natural feature and/or special character features</p>	
<p>Activity Status: Non-complying</p> <p>Note: This rule does not apply when the subdivision is for the purpose of conservation lots in accordance with SUB-R4 or for a boundary adjustment under SUB-R2.</p>	
<p>SUB-R11 Subdivision of the minor dwelling from the principal dwelling when minimum lot sizes are not met</p>	
<p>Activity Status: Non-Complying</p>	
<p>SUB-R12 Subdivision to create allotments for residential development within a Coastal Hazard zone</p>	
<p>Activity Status: Prohibited</p> <p>Note: This rule does not apply when the subdivision is for the purpose of converting cross lease titles to freehold lots in accordance with SUB-R5.</p>	
<p>SUB-R13 Activities infringing standard SUB-S18 Esplanade Reserves</p>	
<p>Activity Status: Non-complying</p> <p>Note: The activity status for the relevant activity and the associated matters of control/discretion (where applicable) apply in addition to this rule.</p>	

SUB-R14 Any subdivision not captured by rules R1-R14		
Activity Status: Non-complying		

Subdivision - Standards Table

SUB-S1 Minimum lot sizes - residential		
General Residential Zone, Medium Density Residential Zone, Precincts not otherwise provided for elsewhere	No minimum Note: Refer to Rule GRZ-R1 and MDRZ-R1 where residential buildings on sites less than 350m ² require a Restricted Discretionary Resource Consent.	Activity Status where standards are not met: NA
Large Lot Residential (Formerly lifestyle character)	1,000m ² minimum lot size with a minimum average lot size of 3,000m ² .	Activity Status where standards are not met: Non-complying
Napier Hill Precinct, Marewa Art Deco Character Precinct, Marewa State Housing Character Precinct and Te Awa Bungalow Character Precinct	500m ²	Activity Status where standards are not met: Non-complying
Ahuriri Spit Character Precinct	150m ²	Activity Status where standards are not met: Non-complying
SUB-S2 Minimum lot sizes - Commercial and Industrial		
All Commercial Zones and Industrial Zones, Precincts not otherwise provided for elsewhere	No minimum	Activity Status where standards are not met: NA
Pandora Specific Control area	Front and corner sites: 1,000m ² Rear sites: 2,000m ²	Activity Status where standards are not met: Non-Complying

SUB-S3 Minimum lot sizes - Rural		
Rural Lifestyle Zone, Mission Rural Residential Precinct	5,000m ² minimum lot size with a minimum average lot size of 1.5 hectares. The minimum average lot size shall be calculated using the parent lot in existence as at 11 November 2000. This parent lot will be the base for any further proposed subdivision.	Activity Status where standards are not met: Non-Complying
Productive Rural Zone, Mission Productive Rural Precinct	4ha	Activity Status where standards are not met: Non-Complying
Rural Special Control Area	50ha	Activity Status where standards are not met: Non-Complying
Settlement Zone	800m ² fully serviced sites 1500 m ² un serviced sites	Activity Status where standards are not met: Non-Complying
Open Space Zones	No minimum	Activity Status where standards are not met: NA
Jervoistown Precinct	2500m ²	Activity Status where standards are not met: Prohibited
SUB-S4 Minimum lot sizes special purpose zones		
Special Purpose zones: Airport, Tertiary Education, Port, Māori Purpose Zone, Boat Harbour	No minimum	Activity Status where standards are not met: N/A
Special Purpose Zones: Ahuriri Estuary (Stormwater and Ecology)	100ha	Activity Status where standards are not met: Non-complying
SUB-S5 Minimum lot sizes - Development Areas		
Mission Development Area	No minimum (550 houses required)	Activity Status where standards are not met: N/A
Te Awa Development Area, Parklands Development area, Park Island	No minimum	Activity Status where standards are not met: N/A
Jervoistown	2,500m ²	Activity Status where standards are

Development Area		not met: Prohibited
SUB-S6 Number of lots		
<p>All general residential, commercial and industrial zones, precincts and control areas</p> <p><i>Purpose: To ensure that larger subdivisions over a certain size are designed to consider the wider Napier context and demonstrate consistency with the with subdivision design guide</i></p>	The number of new lots created must not exceed 3 lots	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Street layout 3. Reserve and open space requirements 4. Purpose of the relevant zone, precinct and development area 5. Adherence with any relevant structure plan 6. Safe, connected and efficient transport network 7. Infrastructure and stormwater 8. Natural hazards, including liquefaction, land stability and coastal hazards. 9. Heritage values 10. Cultural values 11. Landscape and topographical features 12. Indigenous trees, mature trees and vegetation 13. Management of construction effects 14. Management of potential reverse sensitivity effects on existing land uses 15. Financial Contributions 16. Compliance with the Engineering Code of Practice 17. Consistency with the Subdivision Design Guide
<p>Rural Zones, precincts and control areas</p> <p><i>Purpose: To ensure that larger subdivisions over a certain size are consistence the with subdivision design guide</i></p>	The number of new lots created must not exceed 6 lots	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Street layout 3. Reserve and open space requirements 4. Purpose of the relevant zone, precinct and development area 5. Adherence with any relevant structure plan 6. Safe, connected and efficient transport network 7. Infrastructure and stormwater 8. Natural hazards, including liquefaction, land stability and coastal hazards.

		<ul style="list-style-type: none"> 9. Heritage values 10. Cultural values 11. Landscape and topographical features 12. Street layout 13. Context mapping 14. Connectivity 15. Open space requirements 16. Consistency with the Subdivision Design Guide 17. Compliance with the Engineering Code of Practice
SUB-S7 Development Areas		
All zones	<ul style="list-style-type: none"> 1. Subdivisions within development areas must demonstrate compliance with all provisions of the relevant development area. 	
SUB-S8 Building Platform		
<p>All zones</p> <p><i>Purpose: To ensure the location of building platforms consider natural hazard risks, impact on landscapes, SNAs, cultural and heritage values, earthworks and associated effects and reverse sensitivity</i></p>	<ul style="list-style-type: none"> 1. Each lot must contain at least one stable, flood-free building platform capable of containing existing and new buildings in compliance with the permitted activity performance standards for the zone where it is located (including building setbacks applicable to that zone), and be suitable for building foundations in accordance with the requirements of the New Zealand Building Code - Acceptable Solution B1/AS4 Approved Document B1/4: Structure Foundations. 2. Details must be provided of the extent and quantum of earthworks required to create a building platform and access. 3. The building platform must be located outside and exclusive of any: <ul style="list-style-type: none"> a. Coastal Erosion Hazard Area b. Significant Natural Area c. Public Access Corridor d. Archaeological Site e. Land required for access or the disposal of stormwater or wastewater 	<p>Matters over which discretion is reserved:</p> <ul style="list-style-type: none"> 1. Purpose of standard 2. Natural Hazards and land stability 3. Cultural values 4. Heritage values 5. Landscape values 6. Ecological values 7. Reverse sensitivity 8. Earthworks 9. Infrastructure and connectivity
SUB-S9 Building Platforms within the National Grid Subdivision Corridor		

<p>All zones</p>	<ol style="list-style-type: none"> 1. The subdivision of land in any zone within the National Grid Subdivision Corridor must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity outside of the National Grid Yard, other than where the allotments are for roads, access ways or network utilities. 2. The layout of allotments of any enabling earthworks must ensure that physical access is maintained to any National Grid support structures located on the allotments, including any balance area. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards 2. Infrastructure and connectivity
<p>SUB-S10 Building Platforms within Proximity of the Gas Transmission Network</p>		
<p>All zones</p> <p><i>Purpose: To avoid the creation of unusable strips of land</i></p>	<ol style="list-style-type: none"> 1. The subdivision of land in any zone containing the Gas Transmission Network must be able to demonstrate that all resulting allotments are capable of accommodating a building platform for the likely principal building(s) and any building(s) for a sensitive activity that is at least 20m from the Gas Transmission Pipeline and 30m from above-ground equipment forming part of the Gas Transmission Network. 2. The layout of allotments and any enabling earthworks must ensure that physical access is maintained to the Gas Transmission Network where it is located on the allotments, including any balance area. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards 2. Infrastructure and connectivity
<p>SUB-S11 Shape factor</p>		
<p>All zones</p>	<ol style="list-style-type: none"> 1. All vacant sites must be able to 	<p>Matters over which discretion is</p>

<p><i>Purpose: To avoid the creation of unusable strips of land-</i></p>	<p>contain a rectangle of 8 metres by 15 metres</p>	<p>reserved:</p> <ol style="list-style-type: none"> 1. Ability to comply with relevant zone rules and standards for permitted activities 2. Infrastructure and connectivity
<p>SUB-S12 Transport, access and connectivity</p>		
<p>All zones</p> <p><i>Purpose: to ensure subdivision considers safe access for traffic when entering and exiting sites and local connectivity is improved</i></p>	<ol style="list-style-type: none"> 1. All new lots must have vehicular access to an existing, legal road that complies with the relevant provisions of the Transport Chapter for vehicle access and maneuverability. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. The safety of vehicles, pedestrians and cyclists 3. Connectivity with adjoining land uses and roading networks 4. The effects of traffic generation 5. Active street frontages
<p>SUB-S13 Stormwater treatment and disposal</p>		
<p>All zones</p> <p><i>Purpose: To ensure development considers best practice management of stormwater at the planning and design stage for multiple community, environmental and ecological benefits</i></p>	<ol style="list-style-type: none"> 1. For lots capable of containing a building, each lot must be designed to manage the treatment, containment and disposal of stormwater from all impervious or potentially impervious surfaces in accordance with the Engineering Code of Practice. 2. The means for treatment, containment and disposal of stormwater must incorporate low impact design principles in accordance with the Engineering Code of Practice. This will include the use of swale drains, rain gardens, rain tanks, detention tanks, and re-use systems and other methods to minimise stormwater runoff. 3. Where the means of stormwater disposal is to ground, that area of disposal shall not be subject to instability, slippage or inundation, or be used for the disposal of wastewater. <p>Note: This standard does not replace regional rules which control the</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Infrastructure servicing 3. Public health and safety 4. Compliance with the Engineering code of practice 5. Environmental benefits (including ecological of the proposed design for stormwater treatment and disposal)

	collection, treatment and disposal of stormwater to land or water. These rules must be complied with prior to the activity proceeding.	
SUB-S14 Water Supply		
<p>All Zones</p> <p><i>Purpose: To ensure the adequate and safe supply of water to service sites</i></p>	<ol style="list-style-type: none"> 1. All new lots created that require water, must be connected to a public reticulated water supply, where a supply is available. 2. At the time of subdivision, sufficient land for water tobies shall be set aside. 3. Where a new lot will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the subdivider must demonstrate how an alternative and satisfactory water supply can be provided (including firefighting water supply). <p>Note:</p> <ol style="list-style-type: none"> 1. Regional rules which control the taking and use of groundwater and surface water may also apply. These rules must be complied with prior to the activity proceeding. 2. Obligations under the Water Services Bill 3. SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplied Code of Practice should be consulted when determining the most appropriate design for firefighting water supply. The New Zealand Fire Service is available to assist with this. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Infrastructure servicing 3. Public health and safety 4. Compliance with the Engineering Code of Practice
SUB-S15 Wastewater		
<p>All zones</p> <p><i>Purpose: To ensure lots</i></p>	<ol style="list-style-type: none"> 1. All new lots created shall be connected to a public reticulated wastewater disposal system, where a supply is available. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard

<p><i>created are able to connect to the public wastewater system, where available</i></p>	<p>2. Where the new lot will not be connected to a public reticulated wastewater system, or where an additional level of service is required that exceeds the level of service provided by the reticulated systems, the subdivider shall demonstrate how an alternative and satisfactory method of wastewater disposal can be provided for each site.</p> <p>Note: Regional Rules control the collection, treatment and disposal of wastewater to land or water. These rules must be complied with prior to the activity proceeding</p>	<p>2. Infrastructure servicing 3. Public health and safety 4. Compliance with the Engineering Code of Practice</p>
<p>SUB:S16 Utility Services</p>		
<p>All zones</p> <p><i>Purpose: To ensure sites created are able to connect to the key infrastructure, where available</i></p>	<p>1. Each lot must be designed and located so that provision is made for power lines, gas distribution pipes (where available) and telecommunication lines.</p> <p>2. With the exception of industrial and rural zones, all utility services shall be laid underground.</p> <p>3. At the time of subdivision, sufficient land for telecommunications, transformers and any associated ancillary services shall be set aside.</p> <p>4. All necessary easements for the protection of network utility services shall be duly granted and reserved</p>	<p>Matters over which discretion is reserved:</p> <p>1. Purpose of the standard 2. The ability of the site to be adequately serviced by network utilities 3. Public health and safety</p>
<p>SUB:S17 Indicative public access route</p>		
<p><i>Purpose: To</i></p>	<p>1. When land is subdivided</p>	<p>Matters over which discretion is</p>

<p><i>ensure subdivision of sites do not compromise key future public access corridors in order to enhance connectivity throughout the city</i></p>	<p>containing an Indicative Public access route Council will require:</p> <ol style="list-style-type: none"> a. the provision of an easement or vesting of land to secure ongoing public access along the proposed walkway b. The minimum width of the easement or land vested in (a) above must be 10m c. The provision of an easement, covenant or other legally enforceable requirement on the land title restricting buildings from locating within the public access corridor d. the provision of a legal mechanism to protect Council access to the easement or vested land under (a) above to provide for maintenance and development of the indicative public access routes. 	<p>reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Safety, attractiveness and connectivity of streets, public access ways and public open spaces 3. Public health and safety 4. Ecological, landscape and cultural values
SUB:S18 Esplanade Reserves		
<p>All Zones, (excluding Marine Industrial Precinct, Special Purpose Zone: Port and Mission development area)</p> <p><i>Purpose: To ensure public access and environmental protection along riparian and coastal margins</i></p>	<ol style="list-style-type: none"> 1. A 20m wide esplanade must be vested in Council where a subdivision of land creates any lot(s) (including any balance lot) of less than 4ha that adjoins any of the following: <ol style="list-style-type: none"> a. The coastal marine area b. Ahuriri Estuary c. Esk River d. Tutaekuri River e. Taipo Stream f. Petane Stream (limited to the esplanade reserve area identified in the Planning Maps) 2. The esplanade reserves for the Taipo Stream shall be 6 or 20m as shown on the planning maps and in Appendix 12 	<p>Activity Status where standards are not met: Non-Complying</p>
<p>Marine Industrial Precinct, Special Purpose Zone: Port</p> <p><i>Purpose: to consider the safety of the</i></p>	<ol style="list-style-type: none"> 1. No esplanade reserve requirement 	<p>N/A</p>

<i>public where uncontrolled public access is undesirable</i>		
<p>Mission Development Area</p> <p><i>Purpose: to consider the safety of the public when restricting access through a working vineyard</i></p>	<p>1. There is no esplanade reserve requirement for the Taipo Stream where it traverses the Mission Special Character Zone except in the following circumstances:</p> <ul style="list-style-type: none"> a. A 20m esplanade reserve must be vested in Council for land comprised in (either Lot 1 DP 27138 held in Certificate of Title W3/453 W1/63 and/or Part Lot 2 DP25932 held in Certificate of Title HBW1/63 (as at 12 September 2018) which falls within the Productive Rural, and/or Landscape & Visitor, and/or Rural Residential (fronting Church Road) Precincts where sites of less than 4ha are created wholly or partly within 100m of the Taipo Stream. b. No esplanade reserve will be required for sites created through subdivision within the Residential Precinct and the Rural Residential Precinct which adjoins the Residential Precinct. 	<p>Activity Status where standards are not met: Non-Complying</p>

Assessment criteria

In assessing all applications for subdivision, Council will have regard to the following assessment criteria. The assessment criteria are to be considered as matters of control for the assessment of Controlled Activity subdivisions and matters of discretion for all Restricted Discretionary Activity subdivisions.

The assessment criteria for subdivisions in Development Areas (and the precincts within development areas) apply in addition to the below, unless otherwise stated.

SUB-AC1 General, applies to all subdivision (including boundary adjustments)

Purpose of the relevant zone, precinct or development area

- a. Whether compliance with the rules of the zone, precinct and/or development area in which subdivision is taking place, are able to be met and whether the subdivision is consistent with all relevant objectives and policies.

Safe, connected and efficient transport network (applies to standard SUB-S12)

- b. The extent to which the Transportation chapter standards for vehicle access and maneuvering are able to be complied with, TPT S4 TPT S6, TPT-AC4
- c. The extent to which the subdivision considers:
 - i. Opportunities for direct connections to existing roads, pathways and cycle ways in the surrounding neighborhood.
 - ii. The future development of adjoining land.
 - iii. The safety of vehicles, pedestrians and cyclists.
 - iv. The design and construction of roads in relation to Council's roading hierarchy (**Appendix ?**).
 - v. The requirements of New Zealand Transport Agency (NZTA) with regard to vehicle entrances onto State Highways.
 - vi. Whether the subdivision and/or land development provides adequate measures to meet increases in traffic.
- d. Limiting the use of cul-de-sacs unless constrained by topography, infrastructure or geotechnical factors. Where cul-de-sacs cannot be avoided they should, where appropriate, provide pedestrian and cycle links to other streets and/or open spaces to ensure connectivity and accessibility.
- e. Whether connectivity is able to be achieved.

Stormwater and Infrastructure (applies to Standards SUB-S13, SUB-S14, SUB-S15, SUB-S16)

- f. The extent to which the subdivision infrastructure has considered low impact design methods to effectively manage stormwater to prevent flooding, erosion and discharge of contaminants while positively contributing to amenity, improved biodiversity and cultural values.
- g. Compliance with the Napier Engineering Code of Practice.

Whether the sites created by subdivision can be sufficiently serviced by water, stormwater, wastewater and network utilities (power lines, gas distribution pipes and telecommunication lines), Note: Council will not accept public infrastructure that is located in gated communities.
- h. Whether Council are able to accept the vesting of infrastructure.
- i. When the site is not proposed to be connected to a public water supply:
 - i. the ability for the site to effectively and efficiently meet fire fighting requirements
 - ii. the ability to show how the site will be serviced by an alternative acceptable water supply.
- j. When the site will not be connected to a public wastewater or stormwater network, that sufficient space is available for on-site wastewater and stormwater attenuation and treatment and disposal systems will not cause environmental effects on or beyond the site.

Natural hazards

- k. Whether the land, or any potential structure on that land, will be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source.
- l. Whether there are any methods/measures available to overcome or reduce the risk of any hazard(s), and whether these methods/measures may have any significant adverse effects on

the environment.

- m. Whether techniques proposed for the remediation and/or mitigation of liquefaction and/or lateral spread hazards are appropriate including, but not limited to,
- i. provision for ground strengthening, foundation design, provision of resilient services and the ability of these to be incorporated into the subdivision consent as conditions or consent notices;
 - ii. setbacks in relation to any waterbody or whether any ground strengthening geoenvironmental solutions are identified to address any potential for lateral spread; and
 - iii. the extent to which the layout of the subdivision in relation to the liquefaction and/or lateral spread hazards are appropriate, including the proposed location of earthworks, roads, access, servicing and building platforms.
- n. In assessing the above matters, the Council will have regard to the following:
- i. Any information held on the Council's Natural Hazard Database and the Hawke's Bay Hazards Map Portal.
 - ii. The Objectives, Policies and Rules of the Natural Hazards Section of the District Plan
 - iii. Information by suitably qualified professionals whose investigations are supplied with subdivision consent applications.
 - iv. The provision of any consent notice in terms of Section 221 of the Act for subdivision in hazard areas.

Note:

- Under requirements of section 220 of the RMA, subdivision consents may impose conditions subject to the bulk, height, location, foundations, or height of floor levels of any structure.
- Under section 106 of the RMA, a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that there is a significant risk from natural hazards that cannot be adequately mitigated.

Heritage values

- o. Whether the proposed subdivision and/or land development has the potential to adversely affect heritage and/or archaeological sites.
- p. The extent to which the site layout will compromise the character of the heritage or amenity precinct as described in the character statements in Schedule 4.

Cultural values

- q. Whether the design of the development recognises and respects cultural values to reflect the whakapapa, ancestral names, history and stories of the area.

Landscape and topographical features

- r. The extent to which the subdivision design works with the natural topography and landscape features of a site.
- s. Whether the impact of the scale and intensity of the subdivision and/or land development is compatible with the landscape and topographical features.

- t. The effects of property access, road reserves and drainage reserves on the site as they impact on landscape amenity values.
- u. For subdivisions within landscape overlays, the extent to which the subdivision design mitigates potential effects on the landscape values identified in Schedule 2

Natural features and indigenous trees and vegetation

- v. The extent to which subdivision design retains any natural features of the sites, including indigenous and mature trees and vegetation.
- w. The extent to which the subdivision design includes native plantings for the purpose of enhancing biodiversity.
- x. Whether the proposed subdivision and/or land development will have any effects on ecosystems, including flora and fauna and their habitat.
- y. For areas of indigenous vegetation, whether an assessment and classification under the National Policy Statement for Indigenous Biodiversity, Appendix 1 is required

Management of construction effects

- z. The extent to which construction effects will need to be managed through a construction management plan, having regard to the following:
 - aa. Traffic movements during construction phase
 - ab. Noise management
 - ac. Hours of operation
 - ad. Erosion and sediment control measures. Refer to Best Practice Earthworks Guide

Management of potential reverse sensitivity effects on existing land uses

- ae. The extent to which the subdivision design considers reverse sensitivity effects on existing or permitted activities. Design mitigation techniques may include but are not limited to; planting, setbacks, locating non sensitive components of land uses in the most affected areas etc
- af. Effects to be mitigated may include noise, odour, spray drift and dust, vibration and traffic.

Financial Contributions and bonds

- ag. The payment of financial contributions to enable the integrated management of infrastructure to service development and to ensure fair and reasonable costs are met by the developer.
- ah. Bonds or covenants or both, to ensure performance or compliance with any conditions imposed.
- ai. Works or services to ensure the protection, restoration or enhancement of any natural or physical resource, including (but not limited to) planting or replanting, earthworks, or any other works or services necessary to ensure the avoidance, remediation or mitigation of adverse

environmental effects.

- aj. Administrative charges to be paid to the Council in respect of processing applications, administration, monitoring and supervision of resource consents, and for the carrying out of Council's functions under Section 35 of the Act.

The assessment criteria SUB-AC1 above applies to all subdivisions in addition to the following:

SUB-AC2 Subdivision of 3 sites or more in residential, rural, commercial and industrial zones (Number of lots created SUB-S6)

Purpose of the relevant zone, precinct or development area

- a. The extent to which the design of the subdivision considers the objectives of the relevant zone, precinct or development area as well as the amenity values of the nearby locality/community.

Street and road layouts

- b. The extent to which the subdivision layout:
 - i. retains the natural topography and landscape features of a site
 - ii. maintains a north to south axis as much as natural features allow
 - iii. achieves connectivity within and between neighbourhoods
 - iv. provides lots of varying shapes and sizes
 - v. minimises narrow lots, rear lots, and/or right of ways.

Active frontages and landscaping

- c. The extent to which overall subdivision design and sites are situated to create opportunities for a positive interaction between the pedestrian environment and private property.
- d. The extent to which landscaping is provided and its contribution to streetscape enhancement.

Recreation, open space and reserve requirements for residential subdivision

- e. For subdivisions outside of structure plan areas, the extent to which public open space meets the Napier Open Space Strategy Part C: Open Space Design Principles, including the following:
 - i. Conserving existing areas of natural or cultural value
 - ii. Integration with green infrastructure and sustainability concepts
 - iii. Are conveniently located, sized and situated to strengthen existing green networks
 - iv. Are well connected to existing walkways and cycleways
 - v. Accessible from public land to ensure a sense of public ownership
 - vi. Are safe, welcoming and provide for a range of activities and users
 - vii. Is able to be gazetted under the Reserves Act.
- f. Whether land for reserves is vested in Council calculated at 75m² per lot or the equivalent through financial contributions.
- g. For subdivisions that adjoin existing Council reserves, whether Council has considered options for adding land to that reserve before taking financial contributions.
- h. For subdivision adjoining public open space, whether open style permeable fencing is provided in accordance with the rules of the underlying zones.

- i. For subdivision within structure plan areas, the extent to which public open space adheres to the location, size, shape and any additional criteria of the relevant structure plan reserve requirements.

Subdivision Design Guide

- j. the extent to which the subdivision design demonstrates consistency with the Napier subdivision design guide

SUB-AC3 Subdivision to create conservation lots for SNA's, heritage items and sites of significance to Māori (SUB-R4),

Public access

- a. Whether the subdivision has created opportunity for public access, where appropriate.

Ecological Values

- b. The extent to which the subdivision provides for the protection of the SNA through:
 - i. The fencing of the SNA.
 - ii. Consideration of the size, shape and layout of the site to protect ecological values.
 - iii. The location of activities to ensure the integrity of the SNA is not compromised.
- c. The outcome of any recommendations made by a relevant expert, based on the effects on the ecosystems, biodiversity, natural character or values.
- d. The outcome of any consultation undertaken with the Regional Council, the Department of Conservation, iwi or any other organisation, including any recommendations made by those parties.

SUB-AC4 Subdivision not meeting Building Platform Standard (SUB-S8)

Natural Hazards and land stability

Council will have regard to the following:

- a. Consideration of whether development should be restricted to certain parts of the site.
- b. Where a parcel of land may be subject to inundation, whether there is a need to establish minimum floor heights for buildings in order to mitigate potential damage.

Cultural and Heritage Values

- c. Where the building platform is located within a site of significance to Maori or adjacent to an archaeological site, the extent to which adverse effects on cultural and heritage values identified in the Cultural Values chapter are able to be managed.

Landscape Values

- d. Where the building platform is located within a landscape overlay, the extent to which the

building platform is likely to have an adverse impact on key intrinsic values identified in the relevant landscape overlay (general visibility / interruption of ridgeline / earthworks etc).

Ecological values

- e. Where building platforms are located within an SNA, the extent to which protection of the SNA is able to be achieved through:
 - i. The fencing of the SNA.
 - ii. consideration of the size, shape and layout of the site to protect ecological values.
- f. The outcome of any recommendations made by a relevant expert, based on the effects on the ecosystems, biodiversity, natural character or values.
- g. The outcome of any consultation undertaken with the Regional Council, the Department of Conservation, iwi or any other organisation, including any recommendations made by those parties.
- h. The extent of earthworks required.

Reverse Sensitivity

- i. The potential for reverse sensitivity issues where building platforms are proposed to be located within close proximity to an existing or consented Network Utility.

SUB-AC5 Shape Factor (SUB-S11)

Relevant zone rules and standards

- a. Whether the applicant provides a concept plan demonstrating how sites created are able to accommodate development in accordance with the relevant District Wide and Zone provisions.

Infrastructure and connectivity

- b. The extent to which the site would prevent connectivity with adjoining sites, in particular transport, cycling, pedestrian, and infrastructure servicing.

SUB-AC6 – Indicative Public Access route (SUB-S17)

- a. Whether there are alternative practicable options for alignment of the public access route and the measures to protect these.
- b. The extent to which future development will ensure there are no impediments to maintaining ongoing public access along the indicative public access route.

SUB-AC7 – Utility Services - High Voltage Lines

- a. Whether the proposed subdivision and/or land development has the potential to adversely affect the efficient use and operation of overhead high voltage transmission lines and the potential for site development to place human health and safety at risk from such lines;.

This will include consideration of the degree to which the subdivision design, including the

location of roads and reserves, landscaping and any earthworks, recognises and provides for existing electricity lines so that reasonable access to, and appropriate separation from, the lines is maintained.

RES-AC8 – All infringements to standards (SUB-S1 – SUB-S18)

The Council must be satisfied that:

- a. Granting consent for non-compliance with any standards is not contrary to the relevant objectives and policies of the Plan.
- b. Compliance with the Napier City Council Code of Practice and bylaws are able to be achieved.

The Council will have regard to;

- a. Inherent site considerations – unusual size, shape, topography, substratum, vegetation or flood susceptibility.
- b. Any additional special or unusual characteristic of the site which is relevant to the standards.
- c. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

ASW - Activities on the Surface of Water

Introduction

This chapter manages activities on the surface of freshwater. There is a close relationship with the provisions managing activities on the surface of water under the Hastings District Plan, and the Hawkes Bay Regional Coastal Environment Plan.

The Napier City Council function includes the control of any actual or potential effects of activities in relation to the surface of water in rivers, streams and lakes for the purpose of giving effect to the sustainable management purpose of the RMA. This applies to the Tūtaekurī river and the Esk River (that form the southern and northern boundaries between Napier City and Hastings District), and the Ahuriri Estuary above the Coastal Marine Area Boundary. There are statutory acknowledgements over both rivers, Maungaharuru-Tangitu Hapu Claims Settlement Act 2014: Esk River and its tributaries As shown on OTS-201-34; and Heretaunga Tamatea Claims Settlement Act 2018: Tūtaekurī River and its tributaries within the Heretaunga Tamatea area of interest As shown on OTS-110-25. The Napier City Council also manages land use and activities on the surface of water in the Ahuriri Estuary above the Coastal Marine Area Boundary.

The center of the rivers form the jurisdictional boundaries between Napier City and Hastings District means there are cross boundary issues associated with the management of the effects of activities on the surface of water that is shared with Hastings District Council. The Hawke's Bay Regional Council is responsible for the management of: the water in the rivers, structures on the beds of lakes and rivers, and activities on the surface where the rivers and estuaries are in the coastal marine area. Other regulations place speed restrictions on inland waterways.

The management of surface water activities is aligned in the two district plans and include complementary provisions to promote efficient and effective sustainable management of the natural resource.

The demand for recreational use of the fresh water bodies in the district has resulted in the need for limited controls on some surface of water activities. This is to manage conflicts between different activities such as speed boating, jet and water skiing, with other more passive pursuits such as swimming, rafting, boating, angling, game bird shooting and rowing, as well as on ecological systems and habitats.

Outside of the Napier district, public access to sections of the Ngaruroro, Mohaka and Clive Rivers has been identified as more suitable for motorised activities, as the effects of motorised surface water activities can be addressed due to their more consistent water flow rates and ease of navigation.

'Great Urban Areas' is the key outcome that is indirectly related to managing activities on the surface of water in rivers and the estuary. The Key Strategic Objective relevant to managing conflicts between activities on the surface of water is 'Environmental Excellence' and 'Our People Our Stories'. Key Principles include 'Ecological assets and urban waterways are maintained and enhanced', 'Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated and enhanced', and 'Social and community facilities support the wellbeing of all members of our growing community'.

To achieve these key objectives:

- the commercial, recreational and natural values are recognised
- avoiding conflicts between people that are using the river, estuary and their margins, and between surface water activities and freshwater ecosystems is managed by restricting some surface of water activities, such as the use of motorised vessels
- cross boundary issues are addressed by aligning this district plan with the Hastings District Plan
- indigenous biological diversity is maintained by managing the timing and location of activities
- the natural character of the margins of waterbodies is maintained or enhanced
- the life supporting capacity of natural resources and eco-system health is safeguarded

Issues

ASW-I1 Activities on the Surface of Water contribute to the social and economic well-being of communities.

A range of recreational and commercial activities utilise the rivers and the estuary. Activities on the surface of fresh water, such as swimming, rafting, power boating and jet skiing provide social and commercial opportunities while a range of recreational water uses contribute to the community's well-being.

Surface water activities on rivers forming common jurisdictional boundaries should have consistent regulation to mitigate effects on other users and the environment and minimise compliance costs.

ASW-I2 Activities on the Surface of Water can have detrimental effects on the quality of the water resource and its flora and fauna.

While the Regional Council has responsibility for water quality and quantity, some activities occur at certain locations that can have harmful effects on aquatic ecosystems and the margins of waterbodies. For example, motor boats operating in shallow waters can have detrimental impacts on plant life and fish spawning sites.

ASW-I3 The use of the surface of water bodies by different activities can create conflicts between these activities and other uses occurring on land adjoining the water bodies.

As the concentration or range of activities occurring on water bodies increases, activities such as angling and power boating can come into conflict with one another because of their different needs and the inability of these needs to be met compatibly when the activities occur at the same time on a water body.

Many activities being undertaken on waterbodies are recreational and transitory in nature. This makes them difficult to regulate. Certain activities, particularly those using powered water craft can create a nuisance to other water users, and adjoining landowners.

ASW-I4 Vehicle access to water and use of motorised craft can have detrimental effects on plant and animal life through noise disturbance, wave lap and/or physical contact particularly at certain periods of the year when water levels are low.

The presence of motorised craft on surface water bodies can have detrimental effects on plant and animal life through noise disturbance, wave lap and/or physical contact particularly at certain periods of the year when water levels are low.

Motorised water recreation activities on the Tutaekuri and Esk Rivers are not encouraged because the characteristics of the river mean that it is highly susceptible to damage from such activities.

Commercial motorised water recreation activities have potential to generate detrimental environmental effects on water quality, flora and fauna; and the activity can have effects on amenity and cultural values associated with the rivers.

Tracks, boat ramps and facilities that provide easy access to water bodies can concentrate users in a location. These activities have the potential to generate adverse effects which could compromise important water values such as natural character, ecological, cultural, amenity and recreational values of waterbodies.

Objectives

ASW-O1: Activities on the surface of water

The surface of waterbodies is utilised for a wide range of recreational, commercial, and cultural activities and for water protection activities, while providing for the safe and efficient management of people and effects on the environment.

Relates to ASW-I1; ASW-I2; ASW-I3 and ASW-I4

ASW-O2: Natural character, recreational and intrinsic values

The use of water resources is not detrimental to natural character, species of flora and fauna and their habitats, recreational or intrinsic values of rivers, waterbodies and their margins.

Relates to ASW-I2; ASW-I3 and ASW-I4

ASW-O3: Health, safety and potential conflicts

Incompatible activities are segregated to manage health and safety risk and potential conflicts between different users and different types of activities on the surface of water, and on adjoining land.

Relates to ASW-I1; ASW-I3 and ASW-I4

ASW-O4: Co-ordinated management of surface of water activities

Cross boundary effects are managed and the environmental and regulatory outcomes associated with activities on the surface of water are coordinated across jurisdictional boundaries.

Relates to ASW-I1

Policies

ASW-P1: Managing conflicts between people, and the environment

The safe and efficient management of potential conflicts between people and between different

types of surface of water activities, and the environment by:

- a. segregating activities which are incompatible with particular water body environments or with other activities occurring on the surface of water
- b. restricting the timing and/ or frequency of use
- c. restricting the time of year when access can occur
- d. controlling the location of activities
- e. restricting the hours of operation
- f. segregating users onto different waterbodies

Relates to ASW-O1; ASW-O2 and ASW-O3

ASW-P2: Use of motorised water craft on rivers

To restrict access to rivers and the use of the surface of water by motorised water recreation activities.

Relates to ASW-O1; ASW-O2 and ASW-O3

ASW-P3: Conflict between activities

To control activities to reduce the risk of conflict between activities using the surface of water and activities adjoining the waterbodies.

Relates to ASW-O1 and ASW-O3

ASW-P4: Effects of recreational, commercial and cultural activities

To enable a wide range of recreational, commercial and cultural activities to use the surface of water in a location, and at a time, that does not have adverse effects on fish spawning or a detrimental impact on aquatic flora, fauna or their habitats.

Relates to ASW-O1; ASW-O2

ASW-P5: Consistent regulation for the same activities

Environmental, administrative and compliance costs are reduced by aligning the management of events and activities on the surface of water across jurisdictional boundaries.

Relates to ASW-O4

Activities on the Surface of Water - Activity Table

ASW-R1 Passive and non-motorised water recreation activities		
Activity Status: Permitted		
ASW-R2 Pest control, and control of noxious flora and fauna		
Activity Status: Permitted		

ASW-R3 The use of motorised craft by a local authority or organisation exercising powers, functions and duties required as part of their responsibilities under any relevant statutory provisions		
Activity Status: Permitted		
ASW-R3 The use of powered ships (as defined in the Maritime Transport Act 1994) in the Ahuriri Estuary		
ASW-R3A Activity Status: Permitted Where the following activity conditions are met: 1. The use of powered ships may be for one or more of the following purposes: <ol style="list-style-type: none"> emergency purposes water safety training purposes environmental monitoring scientific research, provided that it is undertaken by or on behalf of: <ol style="list-style-type: none"> Department of Conservation or the HBRC or a territorial authority or a district health board or NIWA or other Crown Research Institute. 2. Any ship used for the purposes above must not be powered by a motor exceeding 10 horsepower.	ASW-R3B Activity Status where activity conditions and standards are not met: Prohibited	
ASW-R4 Up to three temporary events for non-commercial motorised water recreation activities on the Tutaekuri River		
ASW-R4A Activity Status: Controlled Where the following conditions are met: 1. Noise <ol style="list-style-type: none"> Activities comply with the objectives, policies, rules and standards in NOISE- Noise chapter 2. Organised Event <ol style="list-style-type: none"> Non-commercial motorised water recreation activities shall only be allowed to take place as part of an organised temporary event. 3. Timing of Events <ol style="list-style-type: none"> The event occurs between August and October (inclusive). The Hawke's Bay Regional Council has not placed low flow water take restrictions on the river 	ASW-R4B Activity Status where activity conditions and standards are not met: Discretionary Where the following conditions are met: 1. Non-commercial motorised water recreation activities only take place as part of an organised temporary event. 2. Any temporary event only takes place between August and October (inclusive). 3. Activities on the surface of water relating to a temporary event are not carried out before 8.00am or after 8.00pm. Ancillary	

<p>4. Hours of Operation</p> <p>a. Activities relating to a temporary event, including those carried out on surface water bodies and ancillary activities carried out on adjacent land, shall not be carried out before 8.00 am or after 11.30 p.m.</p> <p>5. Duration of Events</p> <p>a. The activity or event is no more than two days in duration</p> <p>6. Events Per Year</p> <p>a. A maximum of three temporary events shall be allowed to take place per year.</p> <p>Matters over which control is reserved:</p> <ol style="list-style-type: none"> 1. Access and parking. 2. Effects on water bodies and riparian margins. 3. Effects on other users or activities. 4. The timing of the event and potential for ecosystem damage to aquatic flora and fauna if water levels are too low. 5. Public health and safety. 6. Access to the land where the event is to be held. <p>Notes:</p> <ol style="list-style-type: none"> 1. Reference should also be made to the Regional Resource Management Plan as the Regional Council has responsibility for the management of the beds of rivers and lakes. 2. Technically, consent would normally be required for this activity on the Tūtaekurī River from both the Hastings District Council and Napier City Council, as the jurisdictional boundary of both Councils lies in the middle of the river (for its lower reaches). However, it has been agreed that only one resource consent will be required to cover the activity from either Napier City Council or Hastings District Council. The relevant consenting authority will liaise with the other Council to determine any conditions. 	<p>activities carried out on adjacent land are not carried out before 8.00am or after 11.30pm.</p> <ol style="list-style-type: none"> 4. Any temporary event shall be a maximum duration of two days. 5. An access agreement or licence is obtained from the property owner 6. The Hawke’s Bay Regional Council, Fish and Game Council and the Department of Conservation have provided prior written approval confirming that the predicted water level in river for the temporary event is high enough to mitigate the effects of that event <p>Notes:</p> <ol style="list-style-type: none"> 1. Activities are also required to comply with the provisions of the Hawke's Bay Regional Council Navigation Safety Bylaws 2012. 2. Council will require information on the number of persons attending the event in order to assess what parking is to be provided <p>Notification:</p> <p>The Hawke’s Bay Regional Council, Fish and Game Council and the Department of Conservation will be notified unless prior written approval has been obtained.</p>
<p>ASW-R5 Non-Commercial Motorised Water Recreation Activities on the Esk River</p>	
<p>Activity Status: Discretionary</p> <p>Notification: The Hawke’s Bay Regional Council, Fish and Game Council and the Department of Conservation will be notified unless prior written approval has been obtained.</p>	

<p>Notes:</p> <ol style="list-style-type: none"> 1. Reference should also be made to the Regional Resource Management Plan as the Regional Council has responsibility for the management of the beds of rivers and lakes. 2. Activities are also required to comply with the provisions of the Hawke's Bay Regional Council Navigation Safety Bylaws 2012. 3. Technically, consent would normally be required for this activity on the Tutaekuri River from both the Hastings District Council and Napier City Council, as the jurisdictional boundary of both Councils lies in the middle of the river (for its lower reaches). However, it has been agreed that only one resource consent will be required to cover the activity from either Napier City Council or Hastings District Council. The relevant consenting authority will liaise with the other Council to determine any conditions 		
<p>ASW-R6 Commercial Motorised Water Recreation Activities</p>		
<p>Activity Status: Discretionary</p> <p>Note: Activities are also required to comply with the provisions of the Hawke's Bay Regional Council Navigation Safety Bylaws 2012.</p>		
<p>ASW-R7 Activities not otherwise provided for</p>		
<p>Activity Status: Non-complying</p> <p>Notification: The Hawke's Bay Regional Council, Fish and Game Council and the Department of Conservation will be notified unless prior written approval has been obtained.</p> <p>Note: Activities are also required to comply with the provisions of the Hawke's Bay Regional Council Navigation Safety Bylaws 2012.</p>		
<p>ASW-R8 Temporary events when a low placed low flow water take restrictions on the river is in place</p>		
<p>Activity Status: Non-complying</p> <p>Notification: The Hawke's Bay Regional Council, Fish and Game Council and the Department of Conservation will be notified unless prior written approval has been</p>		

obtained.

Note: Activities are also required to comply with the provisions of the Hawke's Bay Regional Council Navigation Safety Bylaws 2012.

Assessment criteria - Activities on the Surface of Water

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

ASW-AC1 Non-statutory guidance

Effects on waterbody and their margins (freshwater fish spawning calendar)

Freshwater Fish Spawning and Migration Periods Prepared for Ministry for Primary Industries
November 2014

ASW-AC2 All infringements

General assessment matters

- a. Any special or unusual characteristic of the site which is relevant to the rule requirement
- b. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- c. Where more than one condition in the rule will be infringed, the cumulative effects of all infringements considered together
- d. The assessment criteria under ASW-AC1 apply in addition to those below:

Access and Parking

- e. Whether the access to the land where special events are to be held is located to ensure that traffic and pedestrian safety is maintained.

Effects on waterbodies, their margins, aquatic species, flora and fauna and their habitats

- f. The water level of a waterbody in order to assess the potential for ecosystem damage in regard to aquatic flora and fauna. **Note:** The Council may consult with the Hawke's Bay Regional Council, the Fish and Game Council or the Department of Conservation in order to determine what conditions may be appropriately applied when considering an application for consent.
- g. Whether the activity has the potential to have adverse effects on the aquatic ecosystem, water clarity, waterbody margin or any river control works.
- h. The extent to which the proposed activity may adversely impact on the intrinsic values of any significant landscape character, outstanding water body and/or riparian area.

- i. Whether there is potential for the proposed activity to adversely impact on any cultural values.
- j. The extent to which alternative locations have been considered.

Effects on other activities, and the wider amenity and character of the area

- k. The extent to which the activity is identified with the locality and the contribution of the activity to the wider amenity and character of the area, as well as to the economic wellbeing of the community.
- l. The effects of the scale, character and nature of the activity on other Surface of Water Activities and its compatibility with activities adjacent to the waterbody.

Public health and safety

- m. The effects of the scale, character and nature of the activity on other activities on the surface of water and its compatibility with activities adjacent to the waterbody.

CE - Coastal Environment

Introduction

The Napier City Council coastline extends from the Esk River in the north to the Tutaekuri River in the south. The coastal environment is a continuous, uninterrupted strip of land that adjoins the coastal marine area boundary.

This chapter deals with the area of land located on the coast between mean high water springs (MHWS) and the inland portion of the 'Coastal Environment' as mapped in the Hawkes Bay Regional Coastal Environment Plan (RCEP). The coastal marine area (the 'wet bit') is managed under the jurisdiction of the regional council. The district plan manages activities located landward of the coastal marine area (the 'dry' bit) and includes activities on the 'land' or margins in the coastal environment adjacent to the Te Whanganui a Orotū (Ahuriri Estuary).

The use, development and protection of the coastal environment must be managed in accordance with the RMA and requirements of the New Zealand Coastal Policy Statement (NZCPS). This means recognising and providing for:

- the restoration and protection of the remaining natural character of the coastal environment
- maintaining and enhancing public access
- managing the interface of existing development with the natural environment, including risk from natural hazards
- the protection of the values of Te Whanganui-a-Orotū (Ahuriri Estuary) as a habitat of migratory and indigenous species

The degree of natural character seen from the foreshore varies with (not unexpectedly for a port city) extensive modification of natural character in some areas. Significant natural areas remain in places however, and there are opportunities to restore the natural character of parts of the foreshore, coastal environment and even adjacent areas.

The Coastal Environment addresses the following matters:

- a. people to have a high level of access to the coast for open space and recreational opportunities;
- b. the values associated with important natural resources; natural character, natural features and landscapes in the coastal environment, including wetlands, estuaries and their margins are identified, and adverse effects of activities managed in accordance with the NZCPS Policies 11, 13, 14 and 15;
- c. the life supporting capacity of ecosystems is safeguarded; particularly those supporting significant indigenous vegetation and significant habitats of indigenous fauna and the cultural and spiritual values of mana whenua;
- d. objects, structures, places, landscapes and areas that are historically important, or of cultural or spiritual importance to mana whenua are identified and appropriately managed.
- e. the coastal margin contains important infrastructure, such as the Port, the wastewater and stormwater infrastructure for conveyance of discharges, and the National Aquarium
- f. some activities both in the urban centres, and adjacent to the coastal environment can have a major impact on coastal water quality;
- g. activities in the coastal environment are susceptible to the effects of natural hazards such as coastal erosion and tsunami, and those associated with climate change

Interface with other legislation

The majority of the area is a foreshore reserve (zoned Open Space), subject to the Reserves Act and reserve management plan/s. The Foreshore Reserve extends almost the full length of the City's coastline from the Esk River in the north to the Tutaekuri River in the south. Apart from the Port, the inlet to the estuary and a small area zoned rural, the foreshore consists of an exposed coastline comprised of a gravel/sand barrier bounded by a river mouth located at each end.

Cross referencing

The district plan must give effect to relevant provisions in the NZCPS when managing land use. This chapter contains the objectives and policies that apply in the Coastal Environment in addition to the underlying zones such as the Open Space Zone; the Marine Parade Recreation Control Area, and the Rural Zone. There are also other District Wide Chapters in the plan that contain provisions that may be relevant for activities within the Coastal Environment.

Statutory Acknowledgements within the coastal environment

The cultural importance of the coastal environment to mana whenua includes water and traditional food sources. Access to mahinga kai and other areas of significance to mana whenua is of fundamental importance to the exercise of kaitiakitanga.

The Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 includes the Esk River and its Tributaries (as shown on OTS-201-34), and the Heretaunga Tamatea Claims Settlement Act 2018 Tūtaekurī River and its tributaries within the Heretaunga Tamatea area of interest (as shown on OTS-110-25).

Issues

CE-11 The values associated with the natural character of the coastal environment are identified and protected from significant adverse effects.

The landward portion of the coastal environment has been identified as a narrow margin along the foreshore generally comprising the gravel/sand beach barrier. The NZCPS directs that areas of high and significant natural character be identified and protected.

NZCPS Policy 13 identifies matters that are included in natural character, and that natural character is not the same as natural features and landscapes or amenity values. While natural areas remain, no high or significant areas have been identified in the coastal environment. Nevertheless the landscape and associated values of the coastal environment contribute to the district's distinctive and unique character.

The character of the coastal environment includes:

1. the vast outlook over the coastal marine area
2. a predominance of open space and recreational assets
3. natural character modified by exotic vegetation as well as remnants of indigenous vegetation and habitats of migratory and indigenous species
4. high levels of public access, aesthetic values, landscape and amenity values in a coastal environment set in the context of a developed urban landscape

CE-I2 The foreshore retains a higher degree of naturalness compared to the adjacent highly modified areas

With the exception of the Port and Ahuriri, the majority of the coastal environment is a foreshore reserve, subject to the Reserves Act and a reserves management plan, and is managed primarily for open space and reserve purposes.

In general the foreshore reserve is characterised by undeveloped open space, with the few buildings and structures being limited to infrastructure providing public health and safety services, public access, and recreational opportunities. The areas located immediately adjacent to the coastal environment are highly modified and developed for urban uses.

CE-I3 - The quality of the water in the inner harbour and Ahuriri Estuary is influenced by adjacent land uses (both rural and urban), and the quality of stormwater discharging into these waterbodies

All land use activities generate contaminants which are readily transportable by hydraulic action. Stormwater enters the Ahuriri Estuary directly from rural catchments and also via a network of drains which discharge the majority of Napier's untreated stormwater catchments.

The water quality discharging to the estuary is poor and the receiving waterbodies can accumulate these contaminants at levels creating adverse effects on aquatic life as well as compromising opportunities for recreational uses such as swimming and kayaking, fishing and gathering of seafood.

In certain locations Industrial activities are located immediately adjacent to the coast and its margins and these have further resulted in legacy issues of poor water quality, and adverse effects due to discharges from high contaminant generating industrial uses.

CE-I4 There has been an incremental loss of indigenous ecosystems, natural character, landscape and scenic values along extensive areas of the coast

NZCPS Policy 14 promotes the restoration or rehabilitation of the natural character of the coastal environment where it has been degraded.

Modified landscapes and exotic species are a feature of the natural character of the coastal environment in Napier. There has been a loss of natural character, landscape values and wild or scenic areas along extensive areas of the coast. Nevertheless, there are residual areas, natural features and ecosystems and ecological values that have retained original elements and processes of the environment, along with significant habitats of migratory species providing opportunities to restore the natural character and ecology of the coastal environment.

CE-I5 Access to and along the coast, estuary and rivers make an important contribution to the open space and recreational values of Napier but can reduce or remove values associated with the adjacent coastal marine area.

There is a high level of existing accessible public access along the coastal edge, and the management of the foreshore reserve ensures that the open space and recreational values are retained.

There is a mix of values associated with access to, and use of, recreational, educational, freedom

camping facilities, natural open spaces, and modified open spaces. The local and wider community value accessibility to recreational opportunities in the open space coastal environment. Changes in land use, commercial use and mitigation of natural hazards can remove or reduce physically accessible walking and cycling opportunities for public access to and along the coastal marine area, while vehicles on beaches can cause ecological damage and create conflicts with other recreational users of the coastal environment.

CE-16 The maintenance and enhancement of aesthetic, recreation and amenity values

Large portions of the coastal environment in Napier is in public ownership and managed under the Reserves Act. The coastal environment contributes to the aesthetic, recreational and amenity values of the city. The Norfolk Pine trees along Marine Parade are a distinctive feature of Napier contributing to its identity and the aesthetic and visual amenity of the environment adjacent to the City.

CE-17 The coastal environment is vulnerable to climate change and it is projected to exacerbate the severity of natural hazards and natural processes so that they increasingly threaten existing infrastructure, private property, public access and other existing coastal values.

Inundation, flooding and other natural hazards will be exacerbated by climate change and increasingly threaten public land and open spaces, existing infrastructure, public access and other coastal values as well as private property.

The beach and foreshore reserve provide a natural buffer for natural hazards in the strip of open space between the coastal marine area, the road and areas where private development has occurred.

Ensuring that activities do not compromise the coastal processes operating along the shore provides some degree of protection from storm events. However, serious risks from coastal processes to development remain and therefore unless there is a functional need to locate new development within the coastal environment it should be positioned elsewhere.

CE-18 The ecosystems, hydrology, foreshore, coastal and the estuarine processes are interrelated, the effects of activities can be significant and irreversible, and the restoration of the natural functioning of those ecosystems is complex.

The sustainable management purpose of the RMA set out in section 5 includes safeguarding the life supporting capacity of ecosystems, and section 7(d) of the Act requires that particular regard be had to the intrinsic values of ecosystems when managing the use, development, and protection of natural and physical resources. The Coastal Environment contains complex ecosystems that provide unique habitats for a wide range of flora and fauna. Protection of the ecosystems are paramount and need to be considered in all land use decision making.

The Ahuriri Estuary is a valuable ecosystem that is partly located in the coastal environment. The estuary hydrologically connects the marine and freshwater systems and ecology. In some cases, the effects of activities on the values of the estuary can reach across administrative boundaries and are managed by other local authorities, or are held or managed under other legislation or for conservation purposes. Effective management of the effects of land uses on ecosystems and significant species and their habitats within and adjacent to the Ahuriri Estuary requires an integrated management approach.

CE-19 Tangata whenua have traditional and cultural relationships with the coastal environment, and sustainable management practices need to provide for the exercise of kaitiakitanga as well as recognise and reflect mātauranga Māori and tikanga in the management of natural resources.

The relationship of mana whenua with the coast are recognised in the RMA and the NZCPS. Common themes in RMA section 6(e) and the NZCPS are:

- Incorporating traditional knowledge,
- recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance; and
- involving iwi authorities or hapu in the preparation of plans and in decision making.

Objectives

CE-O1 Adverse effects on natural character

The remaining natural character, landscape and ecological values of coastal, estuarine and river margins are protected and significant effects from use and development in the coastal environment are avoided.

Relates to CE-11, CE-12, CE-14, CE-18 and CE-19

CE-O2: Retain public access

A high level of public access continues to be provided on public land to and along coastal, estuarine areas and waterbodies, unless there is an ecological protection, conservation, security or public health and safety reasons for restricting that access.

Relates to CE-15, CE-16 and CE-17

CE-O3 Public use of the coastal environment

The existing areas of undeveloped open space areas are protected for public recreation and education, access to the water for water related activities and water related recreational clubs.

Relates to CE-14, CE-15 and CE-16

CE-O4: Values and functions of the coastal environment

Activities and development in the coastal environment protects and/or restores the following values and functions:

- a. views along the foreshore and to and from the ocean
- b. recreation activities and educational values
- c. habitats of migratory species
- d. safeguarding riparian and marine ecosystems;
- e. preserving the natural character and amenity values of the coast and its margins;
- f. providing for flood management and stormwater management;

- g. historic heritage and cultural values;
- h. public access and customary practices including fishing and the gathering of mahinga kai, and
- i. maintaining the beach, foreshore and riparian margins.

Relates to CE-I1 to CE-I9

CE-O5 Natural character and Mauri

Important natural resources are identified and natural character, the mauri and life-supporting capacity of ecosystems and resources are protected and progressively improved.

Relates to CE-I2, CE-I3, CE-I4, CE-I7 and CE-I9

Policies

CE-P1 Natural features and natural character

The character of the coastal environment includes:

- a shingle beach and sheltered inner harbour
- highly modified port
- the vast outlook over the coastal marine area
- a predominance of open space and recreational assets
- natural character modified by exotic vegetation as well as remnants of indigenous vegetation and habitats of migratory and indigenous species
- high levels of public access, aesthetic values, landscape and amenity values in a coastal environment set in the context of a developed urban landscape

Relates to CE-O1, CE-O4 and CE-O5

CE-P2 Determining whether an activity is inappropriate in the coastal environment

In determining whether an activity may reduce natural character in the coastal environment, and is inappropriate, particular regard shall be given to :

- a. the nature and intensity of the proposed activity including:
 - i. the functional need or operational requirement to locate within the coastal environment
 - ii. the opportunity to mitigate anticipated adverse effects of the activity
- b. the degree to which the natural character will be modified, damaged or destroyed including:
 - i. the duration and frequency of any effect, and/or
 - ii. the magnitude or scale of any effect;
 - iii. the irreversibility of adverse effects on natural character values;
 - iv. whether the activity will lead to cumulative adverse effects on the natural character of the site/area.
- c. the degree of naturalness and resilience of the site or area to change;
- d. the opportunities to restore, remedy or mitigate previous damage to the natural character;
- e. the existing land uses on the site.

Relates to CE-O1, CE-O2, CE-O3, CE-O4 and CE-O5

CE-P3 Disturbance of natural features and coastal values

The character of the coastal environment is retained by ensuring there is minimal disturbance to the natural contours, coastal vegetation, habitats of indigenous coastal species and any significant heritage, cultural and ecological features.

Relates to CE-O1 and CE-O4

CE-P4 Loss of biodiversity and natural values

To control cumulative effects of use and development to prevent the incremental loss of biodiversity, aquatic ecosystem health, mahinga kai and public access.

Relates to CE-O1 and CE-O4

CE-P5 Improve the natural character of the coastal environment

The use, development and protection of natural and physical resources in the coastal environment is compatible with:

- a. providing, maintaining and improving ecological corridors
- b. public access, open space, recreation and amenity values
- c. maintenance of indigenous biodiversity
- d. bank stability and areas for the treatment of stormwater
- e. reinstatement of natural hydrological systems
- f. retention and restoring natural coastal features, ecosystems and habitats

Relates to CE-O1, CE-O2, CE-O3, CE-O4 and CE-O5

CE-P6: Natural buffers

To limit use and development in the coastal environment to activities that do not compromise opportunities for re-instatement, restoration or enhancement of geological features that buffer development from natural hazards.

Relates to CE-O1 and CE-O4

CE-P7: Restrictions to areas of the coastal environment

To restrict the location and timing of activities in or near habitats in the coastal environment that are used by migratory and indigenous species to ensure breeding, roosting or feeding areas are not disturbed.

Relates to CE-O2 and CE-O4

CE-P8: Retain and re-instate natural values in the coastal environment

To retain, and encourage the re-instatement of indigenous vegetation, natural character, natural features and landscapes, ecological corridors, biodiversity, ecosystem health, and mahinga kai in the coastal environment.

Relates to CE-O1

CE-P9: Buffer areas around significant indigenous biodiversity

Adequate space is provided between any development and the habitats of indigenous species to allow ecological corridors to develop and natural areas to expand, and to prevent the incremental loss of the values of these remaining ecosystems and habitats.

Relates to CE-O1 and CE-O4

CE-P10: Activities in coastal and riparian margins

Activities are not located within riparian and coastal margins that may result in erosion, sediment discharges or the undue risk of contamination of water.

Relates to CE-O1, CE-O4 and CE-O5

CE-P11: Pedestrian access to the coast and riparian margins

To maintain a high level of pedestrian access to the coast, estuary, rivers and their margins, and require any use and development to enhance public access unless there may be:

- potential effects on nesting, breeding or feeding habitats of indigenous species, or on natural coastal features or
- security or public health and safety reasons for restricting that access

Relates to CE-O1, CE-O2 and CE-O3

CE-P12: Vehicle access

To restrict the public use of vehicle access adjacent to the Ahuriri estuary and at the two river mouths and their margins to boat launching ramps and formed car parks areas to remove conflicts with other users and avoid adverse effects on ecology and habitats of migratory or indigenous species.

Relates to CE-O1, CE-O2, CE-O4 and CE-O5

Coastal Environment - Activity Table

There are no specific rules in the Coastal Environment Chapter. In addition to those in the Coastal Environment Chapter, the objectives, policies, rules and standards in the underlying zone chapter also apply.

Assessment criteria – coastal environment

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the

relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

CE–AC1 All activities in the coastal environment

- a. The relevant assessment criteria for the activity (i.e. in the relevant District-wide and/or Area-specific chapter(s)) apply in addition to the below
- b. The objectives and policies of the Coastal environment chapter will be considered in addition to the below criteria

Esplanade reserves and esplanade strips

- c. Whether public access is retained,
- d. Whether an esplanade reserve or esplanade strip is needed to protect riparian and coastal margins for any of the following reasons:
 - i. To contribute to the protection of conservation values, including the natural functioning of the sea, river or lake, water quality, aquatic habitats, and other natural values; or
 - ii. To mitigate risk from natural hazards; or
 - iii. To enable public access to any sea, river or lake; or
 - iv. To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake (where compatible with conservation values).

Stormwater management

- e. Whether the activity may result in untreated contaminated stormwater entering public spaces, habitats, or coastal or estuarine water
- f. Whether the activity will result in improvements to natural coastal processes, or will involve restoration or enhance habitats, or improve the water quality of discharges to the coast
- g. Whether the volume of water, or rate and composition of discharges may have adverse effects on
 - i. an open drain, freshwater or coastal water quality
 - ii. the health of any habitats of indigenous species
 - iii. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Effects on natural character, natural processes and natural features

- h. Whether the proposal is consistent with preserving the natural character values and qualities of the coastal environment
- i. Whether the proposal recognises the degree and nature of natural character, and is consistent with preserving the natural character qualities of the coastal environment;
- j. Whether any restoration or rehabilitation of the natural character of the coastal environment is proposed;
- k. Within areas of outstanding natural character in the coastal environment, whether adverse effects are avoided and the proposal does not damage, diminish or compromise natural character;

- l. Within areas of at least high natural character, whether development can be practicably located outside the area of high natural character;
- m. The location, scale and intensity of the activity and/or buildings and the extent to which the proposal will adversely affect the values of the coastal environment, including:
 - i. indigenous biodiversity and ecosystems;
 - ii. natural character, natural landscapes and features, visual qualities and amenity values;
 - iii. historic heritage; and
 - iv. the cultural and traditional associations of mana whenua; or statutory acknowledgement area, and Sites of Significance to mana whenua

Risk from natural hazards

- n. Whether the proposal is susceptible to the effects of coastal hazards,
- o. Whether the activity may exacerbate flooding, or reduce holding capacity of the stormwater network
- p. Whether the land use has the potential to increase the risk or vulnerability of people and property to natural hazards

Effects on public access

- q. Whether the proposal has effects on continued public access or the ease of accessibility to or along the foreshore
- r. The extent to which the proposal will maintain or enhance public access to and along the coast, or whether a restriction is necessary:
 - i. to protect threatened indigenous species, or damage to the habitats of fisheries resources;
 - ii. to protect dunes, geological systems, estuaries and other sensitive natural areas or habitats;
 - iii. to protect sites and activities of cultural value to Māori;
 - iv. to protect historic heritage;
 - v. to protect the health or safety of other beach users, and their peaceful enjoyment of the beach environment;
 - vi. to avoid or reduce conflict between public uses of the coastal marine area and its margins;
 - vii. for temporary activities or special events; or defence purposes
 - viii. to ensure a level of security consistent with the purpose of a resource consent; or
 - ix. in other exceptional circumstances sufficient to justify the restriction.
- s. The potential for use and development to reduce or adversely affect existing customary access or public access to and along the coast;
- t. Whether the timing or location of the activity has the potential to have adverse effects on public health and safety, mana whenua values, mahinga kai, riparian vegetation, water quality and connections between fresh and coastal water resources, amenity values associated with coastal water and its margins.
- u. Whether any mitigation measures are proposed, including planting and restoration of natural character.
- v. The extent to which the activity is likely to result in adverse cumulative effects on the values of

the coastal environment.

Risk to public health and safety, and the environment

- w. Whether the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- x. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

Fire and pest control

- y. The extent to which the activity implements an approved fire or pest management plan

Effects on indigenous biodiversity

- z. Whether the proposal prevents or contributes to:
 - i. the establishment or extension of an ecological corridor
 - ii. reinstatement of a habitat for migratory or indigenous species
 - iii. coastal recreation activities and/or facilities
 - iv. public access to the sea, or along coastal margins.
- aa. The extent to which the views or comments provided by mana whenua, as relevant to a wāhi taonga, wāhi tapu or other taonga, and any Iwi Management Plan; have been accommodated

Existing built character

- ab. The extent to which the area is already modified
- ac. Whether the landscape and views can absorb change
- ad. The extent to which the opportunity has been taken to cluster built development in areas with a higher potential to absorb development while retaining areas which are more sensitive to change;
- ae. The extent to which the proposal has technical or operational needs for its location in the coastal environment

EW - Earthworks

Introduction

Earthworks are essential for supporting land use activities including the construction of foundations and buildings to enable land to be developed for living, business and recreation. However, when not properly managed, earthworks can have adverse effects, including;

- the discharge of soil and contaminants into stormwater networks and waterways as well as into the air
- an increase risk from natural hazards
- soil stability issues
- adverse effects on natural features and landscapes, and amenity and cultural values without appropriate controls and mitigation.

Key principles that the District Plan seek to deliver on are environmental excellence, our people, our stories, and a resilient Napier. This section of the plan is intended to set minimum standards and controls on earthworks so that sediment runoff and dust created during the process is minimised; that revegetation of the earthworked area occurs in a timely manner; and the visual impact following the work does not significantly detract from the amenity and values of the area.

Issues

EW – I1 Disturbance of ecosystems, waterways and productive soils

Poorly managed earthworks can have significant environmental effects on waterways and ecosystems. Sediment from earthworks can enter waterways, productive soil can be lost, and existing vegetation damaged. Any disturbance to land throughout the city but particularly land that borders a stream, estuary or any other natural ecosystem has the potential to adversely affect water quality and the biodiversity of those areas.

EW-I2 Inappropriate earthworks can negatively impact on visual amenity

Large scale earthworks have the potential to irrevocably scar the landscape if undertaken without the necessary controls to mitigate adverse effects. Without the ability to re-establish vegetation on, or over modified land, the visual effects can be a dominant feature on the landscape for many years resulting in a degradation of amenity.

EW-I3 Cultural, natural, heritage values

The development process can have a major influence on the heritage of a City. The District Plan identifies known areas of built and natural heritage, and cultural and archaeological significance. Provisions that control earthworks within these areas are found within these area-specific chapters.

A possibility exists however, for the presence of unrecorded archaeological sites associated with pre-1900 human activity throughout the City. Any such sites, both recorded and unrecorded, are controlled under the Heritage New Zealand Pouhere Taonga Act 2014 but earthworks can inadvertently permanently damage or destroy these features. The Council is endeavouring to raise the profile of the City's heritage values and it will do this through a number of different mechanisms.

EW-I4 Earthworks could increase risks associated with natural hazards

While Napier City comprises a large proportion of relatively flat land it is surrounded by the Taradale, Poraiti and Esk hills as well as Napier Hill. Earthworks on these hill areas have the potential to cause subsidence, slippage or inundation of land if undertaken without proper methods or controls. This could compromise the safety of people, the community and property. Napier Hill is particularly vulnerable with its historical pattern of urban development, including its infrastructure, steep gullies, narrow roading pattern and more recent intensification of housing density.

The disturbance of land through re-contouring or re-shaping of natural ground levels alters the natural flow path of water. Earthworks in the wrong places has the potential to undermine land stability, increase risk of flooding or making the effects of flooding worse.

Objectives

EW-O1: Environment (soils, ecosystems, waterways)

Enable earthworks necessary to support reasonable development opportunities while ensuring that the life-supporting capacity of soils, eco-systems, waterways are protected.

Relates to EW-I1

EW-O2: Landscapes, Significant Natural Areas, Cultural and Heritage values

Earthworks are managed so that significant landscapes, significant natural areas and cultural and heritage values are protected

Relates to EW-I2, EW-I3

EW-O3: Hazards and health and safety

Earthworks activities consider natural hazard risks and the health and safety of people and property

EW-O4: River control and drainage works

Earthworks related to river control and drainage works and renourishment of material along the coast by a local authority are necessary to ensure flood protection duties can be exercised and risks of erosion mitigated.

Policies

EW-P1: Allow for earthworks

Allow earthworks as a permitted activity providing that the scale, volume and effects are appropriately managed.

EW-P2: Environment

Ensure earthworks and any associated retaining structures and infrastructure are designed to manage adverse effects on the environment by:

- a. restricting unretained cut depth and fill height;
- b. limiting maximum volume of earthworks;
- c. providing adequate setbacks from site boundaries or structures;
- d. demonstrating that the site will be stabilised, reinstated, revegetated and/or recontoured in a timely manner consistent with the surrounding land;
- e. controlling the movement of dust and sediment beyond the area of development, particularly to avoid nuisance effects on neighbouring sites; silt and sediment entering stormwater systems; or impacting on overland flow paths and/or roads.

EW-P3 Natural landforms, features, drainage patterns, indigenous vegetation and visual amenity

Ensure that earthworks are of an appropriate type, scale and form that considers:

- a. impact on existing natural landforms, features and indigenous vegetation
- b. changes in natural landform that will lead to instability, erosion and scarring
- c. impacts on natural drainage patterns and secondary flow paths

Ensure the visual amenity impacts of any exposed cut faces or retaining structures are mitigated through screening, revegetation, landscaping and/or planting.

EW-P4 Natural Hazards

Require that earthworks are designed and undertaken in a manner that ensures:

- a. the stability and safety of surrounding land, buildings and structures.
- b. avoid risk of exacerbating hazards and adverse effects on adjoining property owners.
- c. Local authorities are able to undertake earthworks in accordance with their statutory responsibilities and/or which assist in the mitigation of the effects of natural hazards.

EW-P5: Cultural and Heritage values

Manage the potential impact of earthworks on mana whenua cultural values and heritage values by:

- a. requiring a protocol for the accidental discovery of kōiwi, artefacts of Māori origin and other archaeology;
- b. undertaking appropriate actions in accordance with mātauranga and tikanga Māori;
- c. consideration of cultural and spiritual values of mana whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering.

EW-P6: River control and drainage works

Enable earthworks activities associated with river control and drainage works to be carried out by local authorities.

Earthworks - Activity Table

Cross Referencing: Zone rules apply in addition to the activities below. Earthworks rules are also found in the following chapters:

The **Wāhi Taonga** chapter includes provisions for earthworks. Where there is a conflict between the Earthworks chapter and the Wāhi Taonga chapter, the more restrictive provision applies.

The **Natural Features and Landscapes** chapter contains rules for earthworks within an outstanding natural feature, significant feature and special character landscape. Where there is a conflict between the Earthworks chapter and the Natural Features and Landscapes chapter, the more restrictive provision applies.

The **Notable Trees** chapter contains rules for earthworks within the dropline of notable trees. Where there is a conflict between the Earthworks chapter and the Notable Trees chapter, the more restrictive provision applies.

Earthworks - Activity Table

Note 1: A statement of professional opinion is required to demonstrate that Rule EW-R1 is able to be met as a permitted activity.

EW-R1 Earthworks for building activities		
All zones	<p>EW-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with the Earthworks effects standards EW-S2 – EW-S11 2. The extent of earthworks for Building Activities for any 12 month period (per hectare per site) are: <ol style="list-style-type: none"> a. Rural Production Zone, Rural Lifestyle, Airport Zone, Mission Precincts (all), Settlement Zone, Jervoistown Precinct, Rural Special Control Area, Tertiary Education Zone, and Wastewater Treatment Specific Control Area – 200m³ b. All Residential Zones and Precincts, all Development Areas, all Commercial and Mixed Use Zones and Precincts, all Industrial Zones and Precincts, Boat Harbour Special Purpose Zone, Maori Purpose Zone, Port Zone, and 	<p>EW-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of the effects standard infringed <p>Notification: Non-notified</p>

	<p>Ahuriri Estuary Special Zone– 100m³</p> <p>c. Open Space Zones – 2000m³</p> <p>Note:</p> <p>1. The details of earthworks required must be submitted as part of a building consent application</p>	
EW-R2 River control and/or drainage works		
All zones	<p>EW-R2A</p> <p>Activity status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. The removal, stockpiling and processing of river berm silt, gravel or other river control or drainage works carried out by a local authority, exercising its powers, functions and duties under any enabling legislation including the Soil Conservation and Rivers Control Act 1941, or the Land Drainage Act 1908.</p> <p>Note: The Regional Resource Management Plan also manages soil disturbance for water quality, and river control and drainage works in accordance with flood protection legislation.</p>	<p>EW-R2B</p> <p>Activity Status where activity conditions are not met: NA</p>
EW-R3 Earthworks associated with the replacement and/or removal of a fuel storage system as defined in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011		
All zones	<p>EW-R3A</p> <p>Activity status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>Compliance with the Earthworks effects standards EW-S2 – EW-S11</p>	<p>EW-R3B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of the effects standard infringed</p>
EW-R4 Earthworks for the maintenance, repair, upgrade and construction of roads, cycleways or walkways for network utilities by a network utility operator		
	EW-R4A	Ew-R4B

	<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met: Compliance with the Earthworks effects standard EW-S2-, EW-S11</p>	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: The matters of discretion of the effects standard infringed</p>
EW-R5 Earthworks or land disturbance for network utilities by a network utility operator, including vehicle access tracks for network utilities		
All zones	<p>EW-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with the Earthworks effects standards EW-S2 – EW-S11 	<p>EW-R5B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion of the effects standard infringed
EW-R6 Earthworks associated with the renourishment of the coastal environment to mitigate the effects of coastal erosion		
	<p>EW-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met: The removal, and/or deposition of sediment and/or shingle above the mean high water springs mark including the transportation of it is a permitted activity provided that:</p> <ol style="list-style-type: none"> a. The removal or deposition of sediment and/or beach shingle must be undertaken by a local authority or a duly authorised person thereof. This condition shall not apply to the non-mechanical removal of sediment and/or beach shingle in quantities less than 1m³ per day by any person. b. In any 12 month period: <ol style="list-style-type: none"> i. The volume of sediment removed or deposited must not exceed 50,000m³. 	<p>EW-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on the natural environment of the foreshore. 2. The effects on natural coastal processes. 3. The effects on existing hazard control works. 4. The impacts on ecology within the vicinity. 5. The effects on the maintenance and enhancement of public access to and along the foreshore.

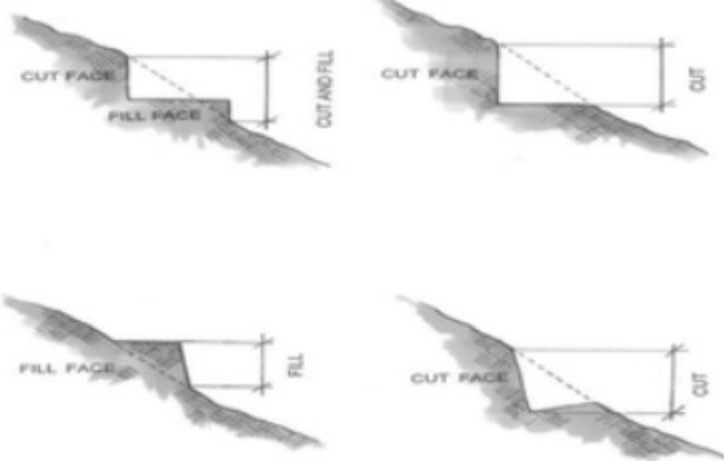
	<p>ii. The sediment must be used for renourishment purposes to mitigate the effects of coastal erosion.</p> <p>NOTE: Sediment and shingle removal, deposition and the associated occupation of space within the Coastal Marine Area (below M.H.W.S mark) is subject to the provisions of the Hawke's Bay Regional Council's Regional Coastal Plan.</p>	
EW-R7 Earthworks not otherwise provided for in this table		
All zones	<p>EW-R7A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with effects standards EW-S1- EW-S11 	<p>EW-R7B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. The matters of discretion of the effects standard infringed
EW-R8 Activities infringing standards EW-S1 – S11		
All zones	<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</p>	<p>Activity Status where activity conditions are not met: NA</p>
	<p>Note: The Regional Resource Management Plan also manages soil disturbance for water quality, and river control and drainage works in accordance with flood protection legislation.</p>	

Earthworks - Standards Table

Note 1: A statement of professional opinion is required to demonstrate that Standards EW-S1, S2 and S3 are able to be met as a permitted activity.

Note 2: A Geotech assessment is required when standards EW-S1, S2 and S3 are not able to be met.

EW-S1 Extent of Earthworks				
<p>Purpose: To enable earthworks to occur within extent limits and to manage adverse effects when large earthworks are proposed</p>	<p>Zone</p>	<p>Volume</p>	<p>Criteria (for any 12 month period)</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Sediment control for the protection of waterways 3. Visual impacts and landscape values 4. Heritage and cultural values 5. Ecological values 6. Natural hazards 7. Health and safety
	<p>Rural Production, Rural Lifestyle, Airport, Settlement, Tertiary Education Zones, Mission (all), Jervoistown Precincts, Rural and Wastewater Special Control Areas</p>	<p>100m³</p>	<p>Per hectare of site</p>	
	<p>All Residential Zones and Precincts, all Development Areas, all Commercial and Mixed Use Zones and Precincts, all Industrial Zones and Precincts, Boat Harbour Special Purpose Zone, Maori Purpose Zone, Port Zone and Ahuriri Estuary Special Zone</p>	<p>50m³</p>	<p>Per Site</p>	

	<p>Open Space Zones</p>	<p>1000m³</p>	<p>Per hectare of site</p>
<p>Notes:</p> <ol style="list-style-type: none"> To calculate the volume of earthworks per hectare of site multiply the volume threshold (listed in the above table) by the total area of the subject site in hectares, over any 12 month period. 			
<p>EW-S2 Earthworks - Cut and Fill</p>			
<p>All zones</p> <p><i>Purpose: To manage hazard risks on site and on adjoining properties associated with earthworks cut and fill practices</i></p>	<ol style="list-style-type: none"> Cut and fill does not exceed 2.5m vertically The cut and fill depth does not exceed the distance from the nearest site boundary as measured on a horizontal plane (See Figure 1). The cut or fill is no closer than (measured on a horizontal plane): <ul style="list-style-type: none"> Wetland: 20m Stream: 10m Flood protection works: river control structure or overland flow paths: 50m  <p>Notes:</p> <ol style="list-style-type: none"> Building consent may be required for retaining walls under 1.5 metres if subject to a surcharge (load). Refer to the Building Act 2004, Schedule 1 		<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the standard Sediment control for the protection of waterways Visual impacts and landscape values Heritage and cultural values Ecological values Natural hazards Health and safety

EW-S3 Slope stability		
<p>All zones</p> <p>Purpose: To ensure earthworks does not occur on steep slopes to avoid natural hazard risks and adverse impacts on visual amenity and landscape values</p>	<ol style="list-style-type: none"> 1. Earthworks shall not be undertaken on land with a slope greater than 20° 2. Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where earthworks occur. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Sediment control for the protection of waterways 3. Visual impacts and landscape values 4. Heritage and cultural values 5. Ecological values 6. Natural hazards 7. Health and safety
EW-S4 Removal offsite		
<p>Rural Productive Zone</p> <p>All other Zones</p> <p>Purpose: To manage soil quantities and retain productive land for productive purposes To enable redevelopment of sites where the soil is not relied on for productive purposes</p>	<ol style="list-style-type: none"> 1. Earthworks results in the removal off site of no more than 25m³ of earth materials per 12-month period. 2. Earthworks results in the removal off site of no more than 100m³ of earth materials per 12-month period. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The purpose of the standard 2. Protection of productive soils
EW-S5 Location of Fill		
<p>All zones</p> <p>Purpose: To ensure the safety and stability of land for future development.</p>	<ol style="list-style-type: none"> 1. Any fill less than: <ol style="list-style-type: none"> a. 100m³ volume, and/or b. 5m total depth <p>Shall only be permitted if a site plan is provided to Napier City Council showing the location and extent of fill.</p> 	<p>Matters of distraction are restricted to:</p> <ol style="list-style-type: none"> 1. The purpose of the standard 2. Health and Safety 3. Visual impacts and landscape values 4. Ecological values 5. Natural hazards 6. Contaminants within the fill
EW-S6 Control of silt and sediment		
All zones	1. For the duration of earthworks,	Matters of discretion are restricted

<p>Purpose: To ensure silt and sediment generated for land disturbance and earthworks does not enter waterways and Councils stormwater networks</p>	<p>measures must be implemented to prevent silt or sediment from entering the stormwater system, overland flow paths, or roads.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Sediment control for the protection of waterways 3. Natural hazards 4. Health and safety
<p>EW-S7 Site reinstatement</p>		
<p>All zones Purpose: To manage any adverse visual impacts of earthworks</p>	<ol style="list-style-type: none"> 1. As soon as practicable, but no later than six months from the commencement of earthworks: <ol style="list-style-type: none"> a. The earthworks area shall be stabilised, filled and/or recontoured in a manner consistent with the surrounding land; and b. Shall be replanted with vegetation which is the same as, or of similar species to, that which existed on the site prior to the earthworks taking place (if any), except that where the site was vegetated with any plant pest, the site may be replanted with indigenous vegetation, and preference should be given to local genetic stock; or c. sealed, paved, metaled or built over in accordance with the relevant open space requirements 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Sediment control for the protection of waterways 3. Visual impacts and landscape values 4. Ecological values 5. Natural hazards 6. Health and safety
<p>EW-S8 Control of dust</p>		
<p>All zones</p>	<ol style="list-style-type: none"> 1. For the duration of earthworks, 	<p>Activity Status where standards are</p>

<p>Purpose: To avoid health hazards and nuisance problems associated with the disturbance of soil</p>	<p>measures must be implemented to ensure that any discharge of dust does not occur beyond the site boundary and/or is minimised so as not to cause nuisance.</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Sediment control for the protection of waterways 3. Ecological values 4. Natural hazards 5. Health and safety
<p>EW-S9 Proximity to Gas Lines</p>		
<p>All Zones</p> <p>Purpose: To ensure the safety and functioning of network utilities is not compromised</p>	<ol style="list-style-type: none"> 1. All earthworks must not be within 20m of a gas transmission pipeline (unless earthworks is related to network utilities associated with gas transmission) 2. All earthworks must not involve explosives within 60m of a gas transmission pipeline. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Health and Safety
<p>EW-S10 Archaeological Sites</p>		
<p>All zones</p>	<ol style="list-style-type: none"> 1. Note: Archaeological sites are marked on the Planning Maps and listed in Schedule 5 of the District Plan. These have been sourced from the New Zealand Archaeological Association Site Recording Scheme (as at 9 December 2021). Heritage New Zealand can provide guidance on any consenting requirements under the Heritage New Zealand Pouhere Toanga Act 2014 	
<p>EW-S11 Accidental Discovery Protocol</p>		
<p>All zones</p>	<p>Despite any other rule in this plan permitting earthworks or any activity associated with earthworks, in the event of discovery of sensitive material (which is not expressly provided for by any resource consent or other statutory authority), the owner of the site or the consent holder must take the following steps.</p> <ol style="list-style-type: none"> 1. Cease works and secure the 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Heritage or cultural values

area

- a. Immediately cease all works within 20m of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earthmoving activities
- b. Secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed.

2. Inform relevant authorities and parties immediately of the discovery

- a. The New Zealand Police if the discovery of human remains or kōiwi.
- b. The Council in all cases.
- c. **Heritage New Zealand Pouhere Taonga** if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi.
- d. Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

3. Wait for and enable an inspection of the site

- a. Wait for and enable an inspection of the site by the relevant authority or agency.
- b. Following site inspection and consultation with all relevant parties (including owner and consent holder), the Council will determine the area within which work must cease and any changes to controls on discharges of contaminants.

4. Recommencement of work

- a. Work within the area determined by the Council in (2) above must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

- i. Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required.
 - ii. Any required notification under the Protected Objects Act 1975 has been made to the **Ministry for Culture and Heritage**.
 - iii. Any material of scientific or educational importance must be recorded and if appropriate, recovered and preserved.
 - iv. Where the site is of Māori origin and an authority from **Heritage New Zealand Pouhere Taonga** is not required, the Council will confirm, in consultation with Mana Whenua, that:
 - any koiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and
 - any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values.
- b. Resource consent has been granted to any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the plan or allowed by any existing resource consent.
- c. There are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by **Heritage New Zealand**

	Pouhere Taonga Act 2014.	
	<p>Note: For the purpose of this standard, 'sensitive material' means:</p> <ol style="list-style-type: none"> a. Human remains and koiwi b. An <u>archaeological site</u> c. A Māori cultural artefact/taonga tuturu d. A protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil) 	

Assessment criteria

General Information Requirements

Any application for a Resource Consent for a Discretionary Activity shall include a management plan describing the scope and nature of the operation including methods to control the effects of the activity. Any application for a resource consent shall include an assessment of the effects of the proposed activity as well as compliance with all relevant matters within the Code of Practice for Subdivision and Land Development. Applications shall address the matters listed below:

- a. An assessment of the actual or potential effects of the proposed activity on the environment, in accordance with the Fourth Schedule to the Resource Management Act 1991.
- b. Site layout including:
 - A programme for any staged development
 - Areas for stockpiling and topsoil storage
- c. Proposals to avoid, remedy or mitigate adverse effects of the activities, particularly in regard to noise, ground vibration, traffic, dust, visual impact and land stability
- d. Impact on the City roading network.
- e. Description of permits and consents required from the Hawke's Bay Regional Council and other relevant Local Authorities
- f. Proposals for the clearance of vegetation, including the location (maps and plans may be required).
- g. Proposals and timeframes for restoration and of area subject of earthworks to a reasonably natural state, or appropriate modified state, including levelling and backfilling, planting of grass, trees or other vegetation.

Council may require applicants to provide more detailed investigations of potential effects on the environment by way of environmental impact reports (prepared at the expense of the applicant). The level of detail required will depend on the scale and nature of the proposal as well as the magnitude and extent of anticipated effects on the environment.

- h. Any effects on historic heritage values (including archaeological sites).

EW-AC1 All Earthworks not meeting permitted activity standards or rule conditions.

Standards specify the matters of discretion for assessment for any earthworks activity not meeting one or more standards. Where relevant, earthworks consents will be assessed in terms of their effects on:

Sediment Control for the protection of waterways

- a. The extent to which sediment control measures are in place, including through an erosion and sediment control plan that details measures to prevent sediment and soil runoff into waterways, natural watercourses and Council's stormwater network.

Visual Impacts and landscape values

- b. The extent to which earthworks are minimised and where necessary are designed to complement and protect natural landforms and contours.
- c. Earthworks within landscape overlays shall be designed to ensure all adverse visual effects are mitigated. Any developments shall demonstrate the extent to which the earthworks:
 - i. Avoid the location of large-scale earthworks on prominent rural ridgelines, hill faces and spurs
 - ii. Be designed to minimise cuttings across hill faces and spurs.
 - iii. Avoid a finished contour that is out of character with the natural contour.
 - iv. Demonstrate what visual mitigation is proposed to minimise the visual intrusion of the work, including proposals to ensure the successful establishment of any plantings.

Heritage and Cultural Values

- d. The extent to which heritage and cultural values are recognised and provided for through measures to avoid the disturbance of cultural and historic heritage sites (noting that any disturbance of an archaeological site will require separate approval under the Heritage New Zealand Pouhere Taonga Act 2014).
- e. The extent to which earthworks adversely affect the cultural values of whenua, and what mitigation measures are proposed to address this.

Ecological Values

- f. The extent to which existing vegetation is protected, or if unable to be protected, the extent to which vegetation is reinstated through appropriate landscaping and rehabilitation of the site (including backfilling, re-spreading of subsoil and topsoil and contouring followed by re-pasturing and/or revegetation).

Natural Hazards

- g. The extent to which overland flow paths are protected
- h. Whether soil erosion and land stability issues are addressed

- i. The overall potential for increased hazard risks have been factored in

Health and Safety

- j. The extent to which the earthworks are managed to avoid soil erosion and stability, the control of dust and potential for increased hazard risks.

Protection of Productive Soils

- k. The effects of land disturbance on the life-supporting capacity the productive soils of the Heretaunga Plains.
- l. Whether methods to separate soil horizons during stripping have been adopted. Land capability and potential end uses of the site. Measures to safeguard the life supporting capacity of stockpiled soils.

LIGHT - Light

Introduction

The Light Chapter provides for artificial outdoor lighting throughout the City where it is required for security, night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety, while ensuring that lighting is designed and managed to prevent the potential adverse effects of light spill and glare.

'Great Urban Areas' is a key outcome relevant to Light spill. The Key Strategic Objectives relevant to managing light spill in the City are: Quality Design and Environmental Excellence, and economic activity and innovation is supported and enabled in appropriate locations.

Issues

LIGHT-I1 Poorly located and designed artificial lighting can result in adverse effects.

Light spill and glare can interfere with the use or enjoyment of adjacent properties and create a nuisance. Poorly designed and located lighting can have adverse effects on the well-being of people if it causes sleep disturbance. Light spill and glare can also adversely affect views of the night sky.

LIGHT-I2 Lighting has an important functional role, with positive effects on the safety and security of people and businesses.

Specific types of activities or lighting which have an important functional role, such as navigational aids, street lighting and vehicle lights have positive effects on safety and security.

Objectives

LIGHT-O1: Security and safety of people and property

Activities are able to use artificial lighting for operational and functional purposes and to provide for the security and safety of people and property.

Relates to LIGHT-I1 and LIGHT-I2

LIGHT-O2: Maintain amenity and character of areas

Artificial lighting is located, designed and operated to maintain character and amenity values.

Relates to LIGHT-I1 and LIGHT-I2

Policies

LIGHT-P1: Maintain amenity and character of areas

To allow an appropriate level of artificial lighting for operational and functional purposes while

maintaining the predominant character and amenity of each zone.

Relates to LIGHT-O1 and LIGHT O2

LIGHT-P2: Manage adverse effects of light spill

Artificial lighting is located, designed and operated to:

- a. avoid light spill and glare creating a nuisance in residential and open space zones;
- b. control the maximum level of light overspill;
- c. manage adverse light spill effects on adjacent properties to ensure that the health and safety of people, traffic safety and views of the night sky are not reduced.

Relates to LIGHT-O1 and LIGHT O2

LIGHT-P3: Security and safety of people and property

To recognise the positive effects of lighting for the safety of the community, and allow:

- a. Traffic signals and navigation aids;
- b. Lights of vehicles, trains and aircraft; and
- c. Temporary lighting for the purposes of emergency response.

Relates to LIGHT-O1 and LIGHT O2

LIGHT - Activity Table

LIGHT-R1 Outdoor Lighting		
<p>LIGHT - R1A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> 1. The activity complies with all of the standards in Table 1. 2. Any support structure associated with lighting must comply with conditions relating to yards, and height in relation to boundary, in the relevant zone. 	<p>LIGHT - R1B</p> <p>Activity Status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Effects on residential amenity 2. Design, location and external appearance 	
LIGHT-R2 Traffic signals and navigation aids; lights of vehicles, trains and aircraft; and Temporary lighting for the purposes of emergency response		
<p>Activity Status: Permitted</p> <ul style="list-style-type: none"> 1. There are no activity conditions or standards to be met. 		
LIGHT-R3 Activities not otherwise provided for		

Activity Status: Discretionary

LIGHT - Standards Table

LIGHT-S1 Light Spill and Lighting Design		
<p>All Residential Zones</p> <p><i>Purpose: To protect residential amenity; to provide for well-being and safety of people</i></p>	<p>1. Light spill conditions for all land uses other than for the purposes of illuminating a road:</p> <ul style="list-style-type: none"> a. between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a building located on any other site). b. outdoor lighting must be selected, located, aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft. <p>NOTES:</p> <p>Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Effects on residential amenity 2. Design, location and external appearance
<p>All Commercial,</p>	<p>1. Light spill conditions for all land</p>	<p>Matters of discretion are restricted</p>

<p>Industrial and Rural Zones and Precincts</p> <p>Purpose: <i>To protect residential amenity; to provide for well-being and safety of people</i></p>	<p>uses other than for the purposes of illuminating a road:</p> <ol style="list-style-type: none"> a. between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 15 lux, measured horizontally or vertically as an average (at a height of 1.5 metres above ground level) at any point beyond the zone boundary. b. between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space in a building within a residential zone). c. The outdoor lighting must be so selected, located, aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft. <p>NOTES:</p> <p>Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Effects on residential amenity 2. Design, location and external appearance
<p>All Open Space,</p>	<p>1. Light spill conditions for all</p>	<p>Matters of discretion are restricted</p>

<p>Sports Parks and Conservation Zones (except for McLean Park Sports stadium)</p> <p>Purpose: To protect residential amenity; to provide for well-being and safety of people</p>	<p>activities, other than for the purposes of illuminating a road:</p> <ol style="list-style-type: none"> a. between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a building located on any other site). b. outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft. <p>NOTE:</p> <p>Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Effects on residential amenity 2. Design, location and external appearance
<p>McLean Park Sports Stadium</p> <p>Purpose: To protect residential amenity; to provide for well-being and safety of people</p>	<ol style="list-style-type: none"> 1. Light spill conditions for all activities, other than for the purposes of illuminating a road shall not exceed: <ol style="list-style-type: none"> a. Between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on residential amenity 2. Design, location and external appearance

	<p>building located on any other site).</p> <p>b. The above hours may be exceeded for a maximum of three days in any calendar year. Provided that between the hours of 2300 and 0700 the following day any outdoor lighting does not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a building located on any other site).</p> <p>c. The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft.</p> <p>NOTE:</p> <p>Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations, which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	
<p>LIGHT-S2 Height of light support structures</p>		
<p>Sports and active</p>	<p>1. Maximum height in Table</p>	<p>Matters of discretion are restricted</p>

recreation zone Purpose: To protect residential amenity; to provide for well-being and safety of people	1 applies; 2. Support structures for lighting must not exceed the Airport Height Control Designation in Appendix 1	to: 1. Effects on residential amenity 2. Design, location and external appearance
LIGHT- Table 1 Maximum height of light support structures in a zone		
All Residential Zones and precincts	must not exceed 15 metres in height	
All Industrial Zones and precincts	must not exceed 25 metres in height	
All Commercial Zones and precincts	must not exceed 20 metres in height	
All Rural Zones	must not exceed 20 metres in height	
All special purpose zones	must not exceed 20 metres in height	
All Open Space zones	must not exceed 10 metres in height	
Sport and Active Recreation Zone	must not exceed 25 metres in height	
Boat Harbour Zone	Must not exceed 10 metres in height	
Sports Stadium Zone	No height limit	
Port Zone	No height limit	
Airport Zone	No height limit	

Assessment criteria

LIGHT-AC1 – All activity infringements

General implementation

- a. Whether the objectives and policies of the chapter will be achieved.
- b. Any special or unusual characteristic of the site which is relevant to the rule requirement.
- c. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

Design, location and external appearance

- e. The extent to which the lighting design and location is compatible with the role, function and predominant character of the area.
- f. Whether the design of lighting and any associated areas to be illuminated:
 - i. maintains the streetscape qualities, especially where these are within or adjacent to a residentially zoned area.
 - ii. contributes to the safety of people.
 - iii. reduces the amenity and character of the area.
 - iv. may have cumulative effects.
- g. Whether the breach of height, yard or height in relation to boundary has adverse effects on any residential property.
- h. The prominence of the site and effects on significant public views, night skies and any important natural areas or landscapes.
- i. Whether hours of operation may have positive effects, or mitigate potential effects on people and property.

NOISE - Noise

Introduction

The purpose of the Noise chapter is to appropriately manage noise from activities within Napier City. The provisions seek to achieve a balance between efficiently enabling activities anticipated in a relevant zone to occur, while balancing these with achieving public health and amenity objectives. A key outcome the District Plan seeks to achieve is “Great urban areas”. The level and type of noise generated by activities can impact on the health and wellbeing of people in our urban areas, particularly when it affects sleep or the ability to work or learn. The provisions of the noise chapter seek to ensure noise is appropriately managed to achieve Great Urban Areas within our communities.

Another key outcome of the District Plan is a “Regional Approach to Industry”. Industrial areas play a significant role in economic activity and subject to meeting environmental bottom lines should be able to operate without undue interference. There are a number of industrial areas within the regional industrial strategy which generate, or have the potential to generate, significant noise including: Onekawa, Awatoto, Pandora, and Ahuriri. Some industry in these areas operate for a part of the night or on a continuous basis which impacts markedly on the night-time background noise levels which would otherwise be relatively low.

Complementing the industrial zones are regionally significant infrastructure such as the HB Airport and the Napier Port. These activities are situated near residential zones and have operating requirements that generate noise beyond their site boundaries. It is important that the HB Airport Zone and Port Zone allow for the efficient operation of the activities within them while mitigating adverse noise effects as far as practicable on surrounding noise sensitive activities.

Also associated with the needs of industry are key transport routes, including state highways and the rail corridor. Efficient use of these routes contributes to the economic wellbeing of Napier and wider Hawke’s Bay. While noise generated from these corridors should be minimised wherever practicable this is not always possible and certain activities, such as trains and vehicles travelling on roads, are also exempt from noise controls in District Plans. In recognition of this, acoustic insulation of new noise sensitive spaces within any new or altered noise sensitive activity in close proximity to these noise sources are required to provide sufficient acoustic insulation to protect the health and amenity of occupants. This provides a balance between enabling efficient use of transport routes for industry (and other users), while also maintaining public health and amenity values.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the noise provisions provide for the following:

- Limits for noise received in each of the District Plan zones
- Additional day time noise allowances for day care centres in residential and rural zones to enable these activities to establish within communities
- Limits for construction noise and vibration consistent with the New Zealand Standard
- Noise limits for helicopter landing areas, watercraft, audible bird scaring devices and frost protection fans
- Requirements for new or altered roads to meet the relevant New Zealand Standard
- Allowances for temporary activities that provide a balance between achieving vibrancy in our city while providing for the health and amenity of adjacent residents

- Specific limits for events at MacLean Park
- Acoustic insulation requirements for sensitive activities in the City Centre zone, Mixed Use zone, and in close proximity to state highways and rail corridors
- Acoustic insulation and ventilation requirements for sensitive activities in areas affected by Port and Airport noise.

Issues

NOISE-I1 Noise generation can impact on the health and wellbeing of Napier's communities

Noise has the potential to adversely affect people's health. Noise may be defined as unwanted sound. Sound may be described in terms of frequency, magnitude and duration, but noise has connotations of annoyance and disturbance which are subjective factors. Community reaction to noise is determined not only by the sound level, but also by the characteristics of the noise itself and the previous exposure of the community to noise. Adverse health effects of noise include:

- Physiological and chronic health effects
- Annoyance
- Interference with speech communications
- Interference with the learning process and education
- Interference with mental activity
- Interference with rest and sleep

The desirable upper limit for night - time exposure is determined by criteria to protect from disturbance to the onset of sleep and awakening thresholds for the average person.

NOISE-I2 Noise generation can detract from amenity values

The degree of quiet in an area contributes to the amenity values appreciated by the occupants of that area. Suburban residential areas, for example, are generally quieter than commercial centres. However, non-residential activities such as neighbourhood shops, cafes, day care centres and churches are appropriate in these communities and may generate noise. Appropriate noise standards need to be established and complied with to ensure that these activities are enabled while maintaining the amenity values of the residential area. Excessive noise can also be created by the use of high powered stereo systems by residents.

Amenity values differ in each zone and these are set out in the objectives and policies for the relevant zone. The noise generated by activities in each zone should be managed to maintain the amenity values of the area.

NOISE-I3 Noise sensitive activities can impact on the operation of noise generating activities

Consideration should be given to the need for effective sound insulation for new sensitive activities and in existing buildings for sensitive activities undergoing renovations to protect the occupants from outdoor noise. With housing density increasing in some areas and separation distances decreasing, achieving low internal noise levels is becoming one of the most important factors for achieving a quality living environment for residents.

NOISE-I4 Increased residential activity in the City Centre and Mixed Use zone (City Centre fringe and Ahuriri) can contribute to vibrancy but also increases risk of reverse sensitivity

effects

Providing for a mix of activities in the City Centre and Mixed Use zones provides for vibrant areas and walkable neighbourhoods. However, it can also generate conflicts between legitimate businesses and noise sensitive activities. For example, hospitality and entertainment activities are important to contribute to Great Urban Areas and the quality of life for Napier's communities, however, late night noise can disturb the sleep of residents in adjacent apartments. Enabling both of these activities to co-exist requires a combination of managing the generation of noise, and appropriate acoustic insulation to provide an adequate internal noise environment for noise sensitive activities, particularly during the night-time for sleeping.

NOISE-I5 Road and rail traffic can detract from the health and wellbeing of Napier's communities

Road traffic noise is not decreasing despite individual vehicles becoming marginally quieter at certain speeds. Long term control measures need to be adopted otherwise road traffic will continue to be the most annoying and disturbing noise source in the community. Similarly, increasing use of the rail corridor for freight trains, including those accessing the Port, may affect adjacent residents. There are a number of mitigation measures that Council could consider at the time of Outline Plans and/or Notices of Requirement for new or upgraded transport corridors.

However, not all transport noise can be mitigated at source. New developments adjacent to strategic transport routes can be designed to ensure a safe and comfortable internal noise level.

NOISE-I6 Napier Port and Hawke's Bay Airport Noise

Regionally significant infrastructure, such as the Hawke's Bay Airport and the Napier Port are situated near residential zones and have operating requirements that generate noise beyond their site boundaries. It is important that the Airport Zone and the Port Zone allow for the efficient operation of the activities within them, while mitigating as far as practicable adverse noise effects on surrounding noise sensitive activities.

Overflying aircraft have the potential to adversely affect amenity values. The Council controls noise emissions from airports, including take-offs and landings, via provisions in this District Plan, and Designation conditions. However, this is different from controlling noise from aircraft that are in flight. The RMA, which empowers territorial authorities to regulate activities on land and water affecting amenity values, does not enable the authorities to control noise from overflying aircraft. Noise from overflying aircraft is controlled under section 29B of the Civil Aviation Act 1990.

Despite making all reasonable attempts to internalise noise, the Airport and Port may at times generate a level of noise outside their zone boundary greater than would otherwise be expected in adjacent zones. Residents overlooking or near to the Napier Port, or near the Airport, should be aware that the level of effects will not be the same as experienced in other residential areas of the City. Special noise standards and a noise management plan are appropriate, permitting the Airport and Port to operate while recognising their adverse effects on nearby noise sensitive activities.

Objectives

NOISE-O1: Protection of sleep

Noise effects on residential and visitor accommodation activities are mitigated to enable

uninterrupted sleep at night in appropriate locations.

Relates to NOISE-I1

NOISE-O2: Noise sensitive activities

Noise levels in buildings which contain noise sensitive activities enable the functional operation of the activity.

Relates to NOISE-I2

NOISE-O3: Amenity values, health and wellbeing

Noise levels achieve the objectives for amenity values, health and wellbeing in the relevant zone.

Relates to NOISE-I3

NOISE-O4: Vibrancy of City Centre and Ahuriri

Activities which contribute to the vibrancy of the City Centre and Ahuriri are enabled while providing a reasonable internal noise environment for noise-sensitive activities.

Relates to NOISE-I3

NOISE-O5: Reverse sensitivity

Noise generating activities and infrastructure are enabled to operate in appropriate locations while new activities that are sensitive to noise are designed and/or located to minimise reverse sensitivity effects.

Relates to NOISE-I4

NOISE-O6: Transport network

New and upgraded transport corridors incorporate measures to reduce the effects from transport noise generation on noise sensitive activities.

Relates to NOISE-I4

NOISE-O7: Napier Port and Hawkes Bay Airport

The ongoing use, operation, maintenance and development of the Port and Hawkes Bay Airport are enabled while ensuring unsafe noise levels are mitigated.

Relates to NOISE-I6

Policies

NOISE-P1: Protection of sleep

Ensure that the noise levels in residential units and visitor accommodation enable uninterrupted sleep at night by:

- Preventing residential units and visitor accommodation from establishing in industrial zones.
- Preventing high noise-generating activities other than roads and railway lines from establishing in zones which enable residential units and visitor accommodation.
- Where residential units or visitor accommodation activities establish in areas which enable high noise generating activities, require the building design to achieve an appropriate internal noise level to enable uninterrupted sleep at night.

Relates to NOISE-O1

NOISE-P2: Noise sensitive activities

Enable the functional operation of noise sensitive activities by:

- a. Preventing noise sensitive activities from establishing in industrial zones.
- b. Preventing high noise-generating activities other than roads and railway lines from establishing in zones which enable noise sensitive activities.
- c. Where noise sensitive activities establish in areas which enable high noise generating activities, require the building design to achieve an appropriate internal noise level to enable uninterrupted sleep at night and an internal environment for uses that do not involve overnight accommodation that protects people from excessive outdoor generated noise.

Relates to NOISE-O2

NOISE-P3: Amenity values, health and wellbeing

Maintain the anticipated amenity values of the zone and to provide for the health and wellbeing of the community by:

- a. Controlling the emission levels of noise throughout the City to meet the relevant objectives for the zone.
- b. Managing the interface of different zones to protect the aural environment of residential and other less noisy areas of the City.
- c. Provide for higher levels of noise generation for day care centres and temporary events where these activities contribute to community wellbeing and potential adverse effects on amenity values are minimised.

Relates to NOISE-O3

NOISE-P4: Vibrancy of City Centre and Ahuriri

Provide for a noise environment which enables activities which contribute to the vibrancy of the City Centre and Ahuriri.

Relates to NOISE-O4

NOISE-P5: Reverse sensitivity

Noise sensitive activities are avoided in high noise environments where the adverse effects of that noise cannot be reasonably mitigated through acoustically designed buildings.

Relates to NOISE-O5

NOISE-P6: Transport network

Potential conflicts between noise generated from the transport network and noise sensitive activities will be minimised by:

- a. Having regard to the design and provision of effective noise mitigation on all new and upgraded State Highways, Arterials, Collector Roads and railways constructed in the City.
- b. Requiring acoustic insulation of new noise sensitive activities and the addition of a habitable space to existing noise sensitive activities where they are located near a high transport noise route.

Relates to NOISE -O4

NOISE-P7: Port and Hawkes Bay Airport Noise

The adverse effects of Port and Hawkes Bay Airport noise are managed by a combination of controls, including:

- a. District Plan rules on noise generation within the relevant zone;
- b. Noise Management Plans; and
- c. acoustic treatment of noise sensitive activities within the Port Noise or Hawkes Bay Airport Noise overlays

Relates to NOISE –O7

NOISE-P7: Construction

Construction and demolition activities will be allowed subject to restrictions to ensure the protection of the community from excessive noise

Relates to NOISE-O2, NOISE-O3, NOISE-O4

Noise – Activity Table

NOISE-R1 Noise generation (general)	
<p>NOISE-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. For all activities other than those specifically</p>	<p>NOISE-R1B</p> <p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

addressed in NOISE-R2 – NOISE-R8 (inclusive), NOISE-S1 and NOISE-S2 apply.

to:
1. The matters listed in the relevant standard.

NOISE-R2 Construction noise and vibration

NOISE-R2A

Activity Status: Permitted

Where the following activity conditions are met:

1. Noise from construction activities shall be measured and assessed in accordance with NZS6803:1999 *Acoustics – Construction Noise*, except where varied by the rules below.
2. Noise from construction activities in all zones must not exceed the levels in the table below when measured 1m from the façade of any building that contains a noise sensitive activity that is occupied during the works.

Time of week	Time period	Maximum noise level (dB)	
		LAeq	LAFmax
Weekdays	6.30am – 7.30am	60	75
	7.30am – 6.00pm	75	90
	6.00pm – 8.00pm	70	85
	8.00pm – 6.30am	45	75
Saturdays	6.30am – 7.30am	45	75
	7.30am – 6.00pm	75	90
	6.00pm – 8.00pm	45	75
	8.00pm – 6.30am	45	75
Sundays and public holidays	6.30am – 7.30am	45	75
	7.30am – 6.00pm	55	85
	6.00pm –	45	75

NOISE-R2B

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to:

1. Public health
2. Amenity values

	8.00pm		
	8.00pm – 6.30am	45	75

3. Noise from construction activities must not exceed the levels below when measured 1m from the façade of any other building that is occupied during the works.

Time Period	Maximum noise levels LAeq(dB)
7.30am – 6.00pm	75
6.00pm – 7.30am	80

4. For a project involving a total duration of construction work that is less than 15 calendar days, the LQeq and LAFmax noise levels applying between 6.30am and 8.00pm from Monday to Saturday in clauses (2) and (3) above shall be increased by 5dB.

5. For a project involving a total duration of construction work that is more than 20 weeks the LQeq and LAFmax noise levels applying between 6.30am and 8.00pm from Monday to Saturday in clauses (2) and (3) above shall be decreased by 5dB.

6. Where there is no practicable way of measuring outside a building, and where the windows and doors of the building are normally closed, the upper limits for noise inside the building shall be those set out in clauses (2) and (3) above minus 20dB.

7. Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed:

- a. The limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and
- b. The limits in the table below when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building.

Receiver	Period	Peak Particle Velocity Limit millimetres/second
Occupied noise	Night-time 10.00pm to	0.3 mm/s

sensitive activity	7.30am	
	Daytime 7.30am to 10.00pm	2 mm/s
Other occupied buildings	At all times	2 mm/s

Note: Construction vibration levels of 2mm/s PPV are easily felt by receivers in residential units or other buildings and may generate complaints, especially if the source or impending duration of the vibration is unknown. A construction vibration limit of 0.3mm/s PPV is near the limit of perception for most people and compliance with such a limit would avoid sleep disturbance for most people. Such a low limit would likely mean that no construction work involving tracked or heavy machinery could occur in proximity to any noise sensitive activity. All vibration measurements shall be undertaken in accordance with ISO-4866:2010 – Mechanical vibration and shock.

NOISE-R3 Noise generated from Helicopter Landing Areas

NOISE-R3A

Activity Status: Permitted

Where the following activity conditions are met:

1. Use of the Helicopter Landing Area must not exceed any of the following:
 - a. 2 flights per day
 - b. 5 flights per week;
 - c. 12 flights per month
2. The Helicopter Landing Area must be located (as illustrated below):
 - a. a minimum distance of 275 metres from any other zone or the notional boundary of any noise sensitive activity not located on the same site; and
 - b. Within 275 metres of the Helicopter Landing Area, flight paths must be a minimum of 250 metres from the notional boundary of any noise sensitive activity located on the same site

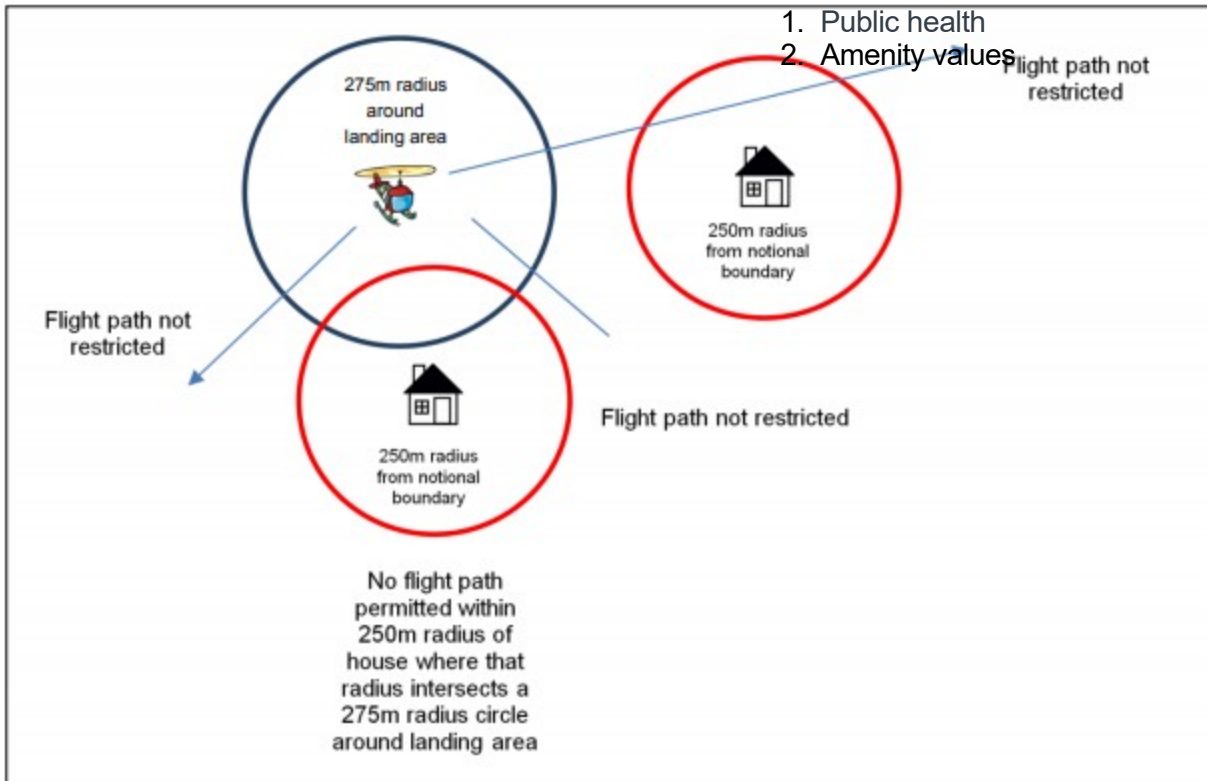
NOISE-R3B

Activity Status where activity conditions are not met:

1. Restricted discretionary where:
 - a. Noise generated from Helicopter Landing Areas received in Residential zones or the nominal boundary of a residential unit in the Rural zones shall not exceed 40dB Ldn.
 - b. Noise received from Helicopter Landing Areas received in all other zones shall not exceed 50dB Ldn.
2. Non-complying (where clause 1 above is not met)

Matters of discretion are restricted to:

1. Public health
2. Amenity values



Note: Helicopter Landing Areas are also subject to the activity tables of the relevant zone, precinct and/or development area.

NOISE-R4 Noise generated from Watercraft

NOISE-R4A

NOISE-R4B

Activity Status: Permitted

Where the following activity conditions are met:

1. Powered watercraft shall be fitted with effective mufflers during all movement on water and shall not exceed the following noise limits at any point within a notional boundary or a noise sensitive activity:

Monday to Sunday inclusive:	
0700 hours to 2100 hours	Sound Exposure Level (SEL) 85 dBA
2100 hours to 0700 hours	Sound Exposure Level (SEL) 78 dBA (the following day)

2. Provided that:
 - a. Any moving craft must not emit noise in excess of a sound exposure level of 90 dBA in a single drive-by measured at any stationary point more than 25 metres from the line of travel from the craft.
 - b. On four occasions in any 12 month period, the noise limit may be unrestricted for any portion of waterway for the purposes of an approved special temporary event.
 - c. Sound levels shall be measured in accordance with the provisions of NZS 6801: 2008 Acoustics – Measurement of Sound except that the pass-by test shall be performed in accordance with the international measurement standard ISO 14509 - 1:2008: “Airborne sound emitted by powered recreational craft – Part 1: Pass by measurement procedure” (provided the SEL metrics and numerical limits in (1) shall replace the referenced values and metrics in (c)).

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to:

1. Public health
2. Amenity values

NOISE-R5 Noise generated from rural production activities

NOISE-R5A

Activity Status: Permitted

Where the following activity conditions are met:

Audible Bird Scaring Devices

Gas Guns

NOISE-R5B

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to:

1. Public health
2. Amenity values

1. There must be no device operated between half an hour after sunset and half an hour before sunrise.
2. Devices must not operate unless a legible notice is securely fixed to the road frontage of the site in which the device is to operate stating the name of the person(s) responsible for the operation of the device.
3. Any noise generated by a hail cannon or audible bird scaring device must not exceed:
 - a. 100 dB LCpeak at any point within any boundary of a property within a Residential Zone, the Rural Settlement Zone or the Jervoistown Precinct.
 - b. 115 dB LCpeak at any point within the Notional Boundary in a Rural Zone, other than the Rural Settlement Zone or the Jervoistown Precinct.
4. Where sound levels are less than the limits specified in clause (3) above, but not less than 85 dB LCpeak at any point within the boundary of any Residential Zone, Settlement Zone or the Jervoistown Precinct, then:
 - a. There must not be more than 4 events in any 1 hour period, or a total of 12 individual shots in any 1 hour period received:
 - b. For the purposes of this rule, 'event' includes no more than 3 individual shots within any one minute period.

Note: *The terms LCpeak and the Notional Boundary are defined in Chapter xx (definitions). NZS6802:2008 shall not be used for the assessment of noise from gas guns. The LCpeak shall be assessed as the noise level of any impulsive hail cannon or gas gun event measured at least 3.5m from any reflecting surface (other than the ground).*

5. There are no restrictions on events or individual shots for sound levels less than 85dB LCpeak either:
 - a. At any point within the boundary of any Residential Zone, Rural Settlement Zone or Jervoistown precinct.
 - b. At any point within the Notional Boundary in a Rural Zone, other than the Rural Settlement Zone or Jervoistown precinct.

Firearms

6. Any firearm must not be used for the purposes of bird scaring between half an hour after sunset and half an hour before sunrise.

Audible Avian Distress Alarms

7. There must be no audible avian distress alarms operated between half an hour after sunset and half an

3. Rural production

<p>hour before sunrise.</p> <p>8. Audible Avian Distress Alarms shall not operate unless a legible notice is securely fixed to the road frontage of the site in which the device is to operate stating the name, address and telephone number of the person(s) responsible for the operation of the device.</p> <p>9. Sound emitted from the device shall not exceed 50dB LAeq(15min) when measured within the notional boundary of any rural residential unit or at any point within a Residential Zone.</p> <p>10. No device shall be placed in such a manner that in any public place receives noise exceeding 80dB LAFmax.</p> <p>11. There shall be no more than (one) audible avian distress alarm per 4 hectare site (or part thereof).</p> <p>Frost Protection Fans</p> <p>12. Frost fans shall be located such that noise from a frost fan shall not exceed 65 dB LAeq(15 min) when measured outdoors at a distance which is the lesser of:</p> <ul style="list-style-type: none"> a. 300m from the device; or b. At any notional boundary (other than on the property on which the fan is situated) existing at the time the frost fan is established, or at any point within a Residential Zone <p style="padding-left: 40px;">whichever is the lesser distance.</p> <p>13. Any new noise sensitive activity within 300m from an established frost fan should comply with the acoustic insulation and mechanical ventilation standard NOISE-S1.</p>	
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NOISE-R6 Noise generated from new or altered roads	
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<p>NOISE-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. New road or alterations to existing roads shall be assessed against the requirements of, and shall comply with, New Zealand Standard NZS6806:2010 “Acoustics – Road Traffic Noise – New or Altered Roads”. 	<p>NOISE-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Public health 2. Amenity values
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Note: Any application for resource consent or notice of requirement to authorise a new or altered road (as defined by NZS6806:2010) should be accompanied by an assessment of the effects of road traffic noise on the environment.

3. Safe and efficient transport network

NOISE-R7 Noise generated from temporary events

NOISE-R7A

Activity Status: Permitted

Where the following activity conditions are met:

1. Amplified sound equipment must only be operated between the following hours:

Sunday to Thursday inclusive	10.00am to 10.00pm
Fridays and Saturdays	10.00am to 11.00pm

2. The following are exempt from compliance with clause (1) above:
 - a. on 31st December of any calendar year, amplified sound equipment may be used until 1am the following day.
 - b. Within the Stadium zone, five events within any calendar year may operate amplified sound equipment between 10.00am to 11.00pm Sunday to Thursday inclusive.
3. Any sound checks that include testing and balancing of sound systems, sound equipment and vocal checks by performers must not:
 - a. Exceed a cumulative period of 6 hours
 - b. Commence before 9.00am on any day and shall be completed by 7.00pm of any day of the temporary activity.
4. Noise generated from temporary events within the Marine Parade Recreation control area, the City Centre zone, and the Stadium zone must not exceed 90 dB LAeq (15 min) at any point beyond the site boundary.
5. On all other sites, noise generated from temporary events must not exceed:
 - a. 75 dB LAeq (5 min) for events on Sunday to Thursday
 - b. 80 dB LAeq (5 min) for events held on Saturdays or Sundays or any day preceding a public holiday

NOISE-R7B

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to:

1. Public health
2. Amenity values
3. Vibrancy and community wellbeing

When measured at any other site, except in the Rural zones where the assessment point is at the Notional Boundary.

Where noise limits are specified as LAeq(5 min), every 5 minute period shall comply with the stated limit. There shall be no adjustment for special audible character or duration in accordance with NZS6802:2008.

Note: Temporary activities are also subject to the activity table of the General District Wide rules.

NOISE-R8 Noise generated from temporary military training activities

NOISE-R8A

Activity Status: Permitted

Where the following activity conditions are met:

1. *Weapons firing and/or the use of explosives*
 - a. Notice is provided to the Council at least 5 working days prior to the commencement of the activity.
 - b. The activity complies with the following minimum separation distances to the notional boundary of any building housing a noise sensitive activity:

0700 to 1900 hours	500m
1900 to 0700 hours	1,250m

- c. Where the minimum separation distances specified above cannot be met, then the activity shall comply with the following peak sound pressure level when measured at the notional boundary of any building housing a noise sensitive activity:

0700 to 1900 hours	95 dBC
1900 to 0700 hours	85 dBC

2. *Mobile noise sources*
 - a. Shall comply with the noise limits set out in Tables 2 and 3 of NZS6803:1999 *Acoustics – Construction Noise*, with reference to ‘construction noise’ taken to refer to mobile noise sources*.

NOISE-R8B

Activity Status where activity conditions are not met: Restricted discretionary.

Matters of discretion are restricted to:

1. Public health
2. Amenity values
3. Vibrancy and community wellbeing

Note: Mobile noise sources (other than firing of weapons and explosives) include personnel, light and heavy vehicles, self-propelled equipment, earthmoving equipment.

3. *Fixed (stationary) noise sources*

Shall comply with the noise limits set out in the table below when measured at the notional boundary of any building housing a noise sensitive activity*.

Time (Monday to Sunday)	L _{Aeq} (15 min)	L _{AFmax}
0700 to 1900 hours	55 dB	n.a.
1900 to 2200 hours	50 dB	
2200 to 0700 hours the next day	45 dB	75 dB

Note: Fixed (stationary) noise sources (other than firing of weapons and explosives) include power generation, heating, ventilation or air conditioning systems, or water or wastewater pumping/treatment systems.

4. *Helicopter landing areas*

- a. Shall comply with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas*.

* Noise levels shall be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound.

NOISE-R9 Noise sensitive activities in the City Centre zone, Mixed Use zone or Industrial zone

NOISE-R9A

Activity Status: Permitted

Where the following activity conditions are met:

- 1. Any new noise sensitive space within any new or altered noise sensitive activity within the City Centre zone or Mixed Use zone must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels in those rooms do not exceed:

Type of Use	Internal Noise Limits	
	Between 10.00pm and 7.00am the	Between 7.00am and 10.00pm

NOISE-R9A

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to:

- 1. Public health
- 2. Amenity values
- 3. Vibrancy and community wellbeing

	next day	
Bedrooms and Sleeping Areas	35dB LAeq	40dB LAeq
Other Noise Sensitive Spaces	40dB LAeq	40dB LAeq

2. For the purpose of clause 1, the anticipated external noise level shall be the maximum noise limit for the relevant zone as set out in standard NOISE-S1 except that in the City Centre zone, an assumed 50dB LAeq limit shall apply between 10.00pm and 7.00am the next day.

3. If the internal noise limits can only be complied with if windows are closed, the noise sensitive space must be designed, constructed and maintained with a mechanical ventilation and cooling system that:
 - a. for habitable rooms for a residential activity, achieves the following requirements:
 - i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - iii. provides relief for equivalent volumes of spill air;
 - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
 - v. does not generate more than 35dB LAeq(30s) when measured 1 metre away from any grille or diffuser.

4. For other spaces, any design that satisfied the requirements of ASHRAE (US) Standard 55:2013 – Thermal environmental conditions for human occupancy, CIBSE (UK) Technical Memorandum TM52:2013 – The limits of thermal comfort: avoiding overheating in European building, BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics, is as determined by a suitably qualified and experienced person.

NOISE-R10 Noise sensitive activities in the High

Land Transport Noise Overlay												
<p>NOISE-R10A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any new noise sensitive space within any new or altered noise sensitive activity within the High Land Transport Noise Overlay must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels in those rooms do not exceed: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2" style="text-align: center;">Type of Use</th> <th colspan="2" style="text-align: center;">Internal Noise Limits</th> </tr> <tr> <th style="text-align: center;">Rail Noise</th> <th style="text-align: center;">Road Traffic Noise</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Bedrooms and Sleeping Areas</td> <td style="text-align: center;">35dB LAeq(1hr) between 7am and 10pm, and 40 dB LAeq(1hr) between 10pm and 7am</td> <td style="text-align: center;">40dB LAeq(24hr)</td> </tr> <tr> <td style="text-align: center;">Other Noise Sensitive Spaces</td> <td style="text-align: center;">40dB LAeq(1hr) at all times</td> <td></td> </tr> </tbody> </table> <ol style="list-style-type: none"> Train noise will be deemed to be 72 dB LAeq(1hr) at a distance of 12m from the edge of the rail line for the purpose of compliance with the internal noise levels in the table above and will be deemed to drop off at a rate of 3dB per doubling of distance. The noise level predictions and design must assume that there will be up to 2 freight movements per hour at night on the railway line. Except where noise measurements of representative traffic flows are undertaken, road traffic noise shall be predicted based on the noise level arising from the Average Annual Daily Traffic Flow incident on the façade(s) of the noise sensitive space to be constructed or altered. 2 decibels shall be added to the measured or predicted noise level for existing road traffic flows to account for future growth. <ol style="list-style-type: none"> In the event that a façade enclosing a noise sensitive space is subject to the rule because of exposure to high road traffic and rail noise, then the cumulative 	Type of Use	Internal Noise Limits		Rail Noise	Road Traffic Noise	Bedrooms and Sleeping Areas	35dB LAeq(1hr) between 7am and 10pm, and 40 dB LAeq(1hr) between 10pm and 7am	40dB LAeq(24hr)	Other Noise Sensitive Spaces	40dB LAeq(1hr) at all times		<p>NOISE-R10B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Public health Amenity values Reverse sensitivity effects on the safe and efficient operation of the transportation network
Type of Use		Internal Noise Limits										
	Rail Noise	Road Traffic Noise										
Bedrooms and Sleeping Areas	35dB LAeq(1hr) between 7am and 10pm, and 40 dB LAeq(1hr) between 10pm and 7am	40dB LAeq(24hr)										
Other Noise Sensitive Spaces	40dB LAeq(1hr) at all times											

noise level from both sources shall be applied.

3. Clauses 1 and 2 above do not apply to new or altered noise sensitive activities if:
 - a. All facades enclosing a noise sensitive space within any new or altered noise sensitive activity subject to the rule are at least 40 metres from the edge of the carriageway or railway line and there is a solid building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the space(s) to:
 - i. 0.5m above any part of the road surface; or
 - ii. any part of the rail line (tracks) and any part of the area up to 4m above the rail line (in recognition that noise generated from rail is from both the track and the locomotive); or
 - b. it can be demonstrated by way of prediction or measurement by a suitably qualified and experienced acoustics expert that the road-traffic noise level from the road is less than 57 dB LAeq(24hr) or noise from any rail line is less than 50dB LAeq(1hr) on all facades enclosing any noise sensitive space subject to the rule within any new or altered noise sensitive activity.
4. If the internal noise limits can only be complied with if windows are closed, the noise sensitive space must be designed, constructed and maintained with a mechanical ventilation and cooling system that:
 - a. for habitable rooms for a residential activity, achieves the following requirements:
 - i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - ii. is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - iii. provides relief for equivalent volumes of spill air;
 - iv. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
 - v. does not generate more than 35dB LAeq(30s) when measured 1 metre away from any grille or diffuser.
 - b. For other spaces, any design that satisfied the requirements of ASHRAE (US) Standard 55:2013 – Thermal environmental conditions for human occupancy, CIBSE (UK) Technical Memorandum

<p>TM52:2013 – The limits of thermal comfort: avoiding overheating in European building, BS EN 15251:2007 – Indoor environmental input parameters for design and assessment of energy performance of buildings addressing indoor air quality, thermal environment, lighting and acoustics, is as determined by a suitably qualified and experienced person.</p>	
<p>NOISE-R11 Noise generated from the Port Zone</p>	
<p>NOISE-R11A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>Compliance with standard NOISE-S3</p>	<p>NOISE-R11B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health 2. Amenity values
<p>NOISE-R12 New or altered noise sensitive activity within the Port Noise Overlay</p>	
<p>NOISE-R12A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any new noise sensitive space within any new or altered noise sensitive activity within the Port Noise Overlay must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels in those rooms do not exceed 40 dBA Ldn (5 Day) 2. The indoor design level must be achieved with all windows and doors open unless adequate alternative ventilation and means of thermal comfort is provided, used and maintained in operating order. 3. In order to achieve this condition: <ol style="list-style-type: none"> a. An acoustic design report must be provided to the Council prior to any building consent being granted, or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits specified in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to 	<p>NOISE-R12B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health 2. Amenity values 3. Reverse sensitivity effects on the safe and efficient operation of the Port

ensure compliance with the noise limits specified in this rule.

Or

- b. Compliance with the requirements in the following table will be deemed to achieve the required insulation standard specified in this rule. A report must be provided to the Council prior to any building consent being granted demonstrating compliance with the requirements listed in the following table and will form part of the building consent application. The report must be prepared by the person responsible for undertaking the building work.

Building Element	Requirement
Wall	1. 20mm timber weather boards exterior cladding. Internal lining two layers of 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation in wall cavity. 2. Brick veneer. Internal lining 1 layer of 10mm thick gypsum plasterboard.
Window	1. 7mm laminated glazing (1mm waterlayer). 2. 6-12-6.38mm double glazing (6mm float pane / 12mm air gap / 6.38mm laminate pane).
Roof	1. Pitched roof greater than 20°: steel cladding of 0.5mm or greater or tiles. Ceiling lining of two layers of minimum 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m ³ in ceiling cavity. 2. Skillion roof: steel cladding of 0.5mm or greater. Ceiling lining of two layers of minimum 13mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m ³ in ceiling cavity.
Floor	1. On grade slab. 2. Two layers of 20mm thick particle board.

- c. Prior to any person requesting a Certificate of

<p>Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with condition 1) above.</p> <p>d. It will be a condition of subdivision that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements are achieved.</p>	
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<p>NOISE-R13 New noise sensitive activity within the Port Zone</p>	
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<p>NOISE-R13A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any new noise sensitive space within any new or altered noise sensitive activity within the Port Noise Overlay must be designed and/or insulated, or screened by suitable barriers on the property so that the internal noise levels in those rooms do not exceed 40 dBA Ldn (5 Day). 2. The indoor design level must be achieved with all windows and doors open unless adequate alternative ventilation and means of thermal comfort is provided, used and maintained in operating order. 3. An acoustic design report must be provided to the Council prior to any building consent being granted or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits stated in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits stated in this rule. 4. Prior to any person requesting a Certificate of Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with 1. above. 5. It will be a condition of subdivision of land (as defined 	<p>NOISE-R13B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health 2. Amenity values 3. Reverse sensitivity effects on the safe and efficient operation of the Port
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<p>in the Act) that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements are achieved.</p>	
<p>NOISE-R14 Noise sensitive activities in the Airport noise boundary overlay</p>	
<p>NOISE-R14A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Compliance with standard NOISE-S5 	<p>NOISE-R14B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Public health 2. Amenity values 3. Reverse sensitivity effects on the safe and efficient operation of the Airport
<p>NOISE-R15 Activities infringing standards NOISE-S1 - S6</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</p>	<p>Activity Status where activity conditions are not met: NA</p>

Noise – Standards Table

<p>NOISE-S1 General noise limits</p>		
<p><i>Purpose: To</i></p>	<p>For all activities except day care centres in a</p>	<p>Matters of discretion are</p>

enable activities anticipated in the zone while managing public health and amenity effects from noise generation

Residential Zone or Rural Zone, the following noise limits apply in the zone specified:

restricted to:

1. Purpose of the Standard
2. Public health
3. Amenity values

Zone	7am to 7pm LAeq(15min) Lower noin)	7pm to 10pm LAeq(15min)	10pm to 7am the following day LAeq(15min)	7am to 10pm the following day LAFmax
Residential zones	50 dB	45 dB	40 dB	70 dB
City Centre zone	60 dB	60 dB	50 dB Except 10pm to midnight Thursday, Friday, Saturday and the day before a public holiday – 60 dB	80 dB
Centres zones (excluding City Centre Zone)	60 dB	60 dB	50 dB	80 dB
Mixed Use zone	60dB	60dB	50dB	80dB
General Industrial zone	70dB	70dB	70dB	85dB
Light Industrial zone (incl Marine Industrial precinct' Lagoon Farm Business Park precinct; Wastewater treatment precinct)	60dB	60dB	60dB	85dB
Rural Production zone	55dB	50dB	45dB	75dB

Zone	7am to 7pm LAeq(15min) (Lower noin)	7pm to 10pm LAeq(15min)	10pm to 7am LAeq(15min) Functional and operational requirements	7am to 10pm LAeq(15min) LAeq(15min)	10pm to 7am LAeq(15min) LAeq(15min)
Rural Lifestyle zone	50dB	45dB	40dB	70dB	70dB
Open Space zones	55dB	50dB	45dB	75dB	75dB
Airport Zone	55dB	55dB	45dB	75dB	75dB
Port Zone	Refer Noise S3				
Tertiary Education Zone	55dB	50dB	45dB	75dB	75dB

1. Where noise generated by any activity on a site in one zone is received by any activity on a site in a different zone, the activity generating the noise must comply with the noise limits and standards of the zone at the receiving site.

NOISE-S2 Noise from day care centres

Purpose: To enable day care centres to establish in communities while managing noise effects on neighbouring properties during evenings and weekends

1. Noise generated from any day care centre when measured within the boundary of any site in a Residential Zone or any Notional Boundary within a Rural Zone must not exceed the levels below unless the relevant zone in which the facility is located provides for higher noise levels in Rule NOISE-R1:

Time	Noise Level
Monday to Friday 7.00am to 6.00pm	55dB LAeq(15min)
All other times and all day on Public Holidays	40dB LAeq(15min) and 75dB LAFmax

Matters of discretion are restricted to:

1. Purpose of the Standard
2. Public health
3. Amenity values
4. Functional and operational requirements of day care centres

NOISE-S3 General Noise limits within the Port Zone

Purpose: To

1. The following noise conditions apply to all

Matters of discretion are

enable the Port to carry out its operations while managing reverse sensitivity affects

- land uses, other than Construction noise regulated under NOISE R2 and container repair and maintenance activities regulated under NOISE-S4.
- All land uses within the Port Zone must be conducted so as to ensure the following noise limits are not exceeded at any point beyond the Inner Port Noise Overlay shown on the planning maps:

Time	Noise Level
Over any consecutive five day period	65dB Ldn(5 day)
On any day	68dB Ldn(1 day)
10pm – 7am the following day	60dB Leq (9 hour) 65dB Leq (15 mins)
10pm – 7am the following day	85dB LAFmax

- The Port Operator shall include in a Port Noise Management Plan and minimum monitoring and reporting requirements for noise management as set out in Appendix 6A.
- Where any noise sensitive activity is partly or wholly contained within the area seaward of a noise contour line that is 60 dBA Ldn (5 - day) as shown on the current Port Noise Contour Map attached to the Port Noise Management Plan;

or

Where sound level monitoring indicates that port noise equals or exceeds 60 dB LAeq (15 min, 10pm-7am) on more than three occasions (more than 24 hours apart) during any rolling 12 month period within the boundary of a noise sensitive activity;

The Port Operator shall comply with the matters set out in Appendix 6B(1).
- Where any noise sensitive activity is partly or wholly contained within the area seaward of a noise contour line that is 68 dB Ldn (5

- restricted to:**
- Purpose of the Standard
 - Public health
 - Amenity values
 - Functional and operational requirements of the Port

	<p>day) as shown on the current Port Noise Contour Map attached to the Port Noise Management Plan;</p> <p>or</p> <p>Where sound level monitoring indicates that port noise equals or exceeds 68 dBA LAeq (15 minutes, 10pm-7am) on more than three occasions (more than 24 hours apart) during any rolling 12 month period within the boundary of a noise sensitive activity:</p> <p>The Port Operator shall comply with the matters set out in Appendix 6B(2).</p> <p>6. The Port Operator shall establish, maintain and participate in a Port Noise Liaison Committee which shall operate in accordance with the requirements set out in Appendix 6C.</p> <p>7. Noise must be measured in accordance with the provisions of New Zealand Standard NZS6801: 2008 “Acoustics: Measurement of Environmental Sound” and assessed in accordance with New Zealand Standard NZS6809:1999 “Acoustics: Port Noise Management and Land Use Planning”.</p>	
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NOISE-S4 Noise limits for container repair and maintenance within the Port Zone	
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<p>Purpose: To enable the Port to carry out routine operations within the Port zone</p>	<p>1. Noise from container repair, and maintenance activities must not exceed the following noise limits at any point within any residentially zoned land:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: center;">Time</th> <th style="text-align: center;">Noise Level</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday inclusive 7am to 10pm</td> <td>55dB Ldn(5 day)</td> </tr> <tr> <td>Sunday and all other times</td> <td>45dB Leq(1 day)</td> </tr> <tr> <td>Monday to Sunday inclusive 10pm to 7am the following day</td> <td>75dB Lmax</td> </tr> </tbody> </table> <p>2. All land uses must comply in all respects with the relevant conditions in the Noise</p>	Time	Noise Level	Monday to Saturday inclusive 7am to 10pm	55dB Ldn(5 day)	Sunday and all other times	45dB Leq(1 day)	Monday to Sunday inclusive 10pm to 7am the following day	75dB Lmax	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Public health 3. Amenity values 4. Functional and operational requirements of the Port
Time	Noise Level									
Monday to Saturday inclusive 7am to 10pm	55dB Ldn(5 day)									
Sunday and all other times	45dB Leq(1 day)									
Monday to Sunday inclusive 10pm to 7am the following day	75dB Lmax									

	chapter of this plan.	
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Assessment criteria

NOISE-AC1 – General assessment criteria for activities generating noise and/or vibration

Public health

- a. the extent to which the noise or vibration generated will adversely affect health and wellbeing, including consideration of:
 - i. Whether the times of noise or vibration generation will be when disturbance to rest and sleep can be avoided or minimised.
 - ii. Interference with speech communications; the learning process and education; mental activity.
 - iii. Existing background levels and cumulative levels.

Amenity values

- b. the extent to which the noise or vibration generated will detract from the amenity values of the area, including consideration of:
 - i. The relevant objectives and policies relating to amenity in the zone, precinct and/or development area.
 - ii. The positive and adverse effects of the activity on amenity values.
 - iii. Mitigation and management measures to reduce effects from noise or vibration generation.

NOISE-AC2 – Noise generated from rural production activities not meeting the activity standards (NOISE-R5)

The following assessment criteria apply in addition to NOISE-AC1:

Rural production

- a. The extent to which productive rural activities can be undertaken while mitigating or managing noise effects on adjacent properties, in particular on noise sensitive activities.

NOISE-AC6 – Noise generated from new or altered roads not meeting the activity standards (NOISE-R6)

The following assessment criteria apply in addition to NOISE-AC1:

Safety and efficiency of the integrated transport network

- a. Extent to which the road design adopts the best practicable option for enabling a safe and efficient transport network while mitigating or managing noise effects on adjacent properties, in particular on noise sensitive activities.

NOISE-AC7 – Noise generated from temporary activities not meeting the activity standards

(NOISE-R7)

The following assessment criteria apply in addition to NOISE-AC1:

City vibrancy and community wellbeing

- a. The extent to which the temporary activity contributes to vibrancy and community wellbeing while mitigating or managing noise effects on adjacent properties, in particularly on noise sensitive activities.
- b. Whether the applicant proposes to inform neighbours well in advance of the event so residents can plan around the event.
- c. Whether the additional noise for the event will be offset by a reduction in the number of events over the 12 month period.

NOISE-AC9 – Noise sensitive activities in the City Centre zone or Ahuriri precinct not meeting the activity standards (NOISE-R9)

The following assessment criteria apply in addition to NOISE-AC1:

City vibrancy and community wellbeing

- a. Whether the design, including location, and methods and construction techniques proposed are likely to provide an internal noise environment that is likely to avoid or mitigate reverse sensitivity effects on legitimately established commercial and industrial activities.

Heritage values

- b. Whether the best practicable option is proposed to achieve an adequate internal noise environment for residents while maintaining the heritage values of the building.

NOISE-AC10 – Noise sensitive activities in the High Land Transport Noise Overlay (NOISE-R10)

The following assessment criteria apply in addition to NOISE-AC1:

Reverse sensitivity effects on the safe and efficient operation of the integrated transport network

- a. Whether the design, including location, and methods and construction techniques proposed are likely to provide an internal noise environment that is likely to avoid or mitigate reverse sensitivity effects on the transportation network.

NOISE-AC11 New or altered noise sensitive activity within the Port Noise Overlay (NOISE-R11)

The following assessment criteria apply in addition to NOISE-AC1

Reverse sensitivity effects on the safe and efficient operation of the Port

- a. Whether the design, including location, and methods and construction techniques proposed are

likely to provide an internal noise environment that is likely to avoid or mitigate reverse sensitivity effects on the Port.

NOISE-AC12 - New noise sensitive activity within the Port Zone (NOISE-R12)

- a. Whether the design, including location, and methods and construction techniques proposed are likely to provide an internal noise environment that is likely to avoid or mitigate reverse sensitivity effects on the Port.

NOISE-AC13 – Noise sensitive activities in the Airport Noise Overlay (NOISE-R13)

The following assessment criteria apply in addition to NOISE-AC1:

Reverse sensitivity effects on the safe and efficient operation of the Airport

- a. Whether the design, including location, and methods and construction techniques proposed are likely to provide an internal noise environment that is likely to avoid or mitigate reverse sensitivity effects on the Airport.

SIGN - Signs

Introduction

This chapter manages the size, location, design and positioning of signs. Signs are an important tool to communicate desired messages. There is a large range of different types of signs, with the potential to generate very different effects in different environments.

There are specific provisions for signs located in the Napier Central Character Precinct to recognise the distinctive Art Deco character and heritage values of that area.

If managed appropriately, signs can contribute to 'Great Urban Areas'.

Issues

SIGN-I1 Signs provide an important function for safety, education, destination arrival, provision of information and advertising.

Signs identify the location of a place or land use, or may promote or advertise particular land uses, services or products. The function performed by signage contributes to the efficient and effective functioning of the City. Signs have both positive and adverse effects.

SIGN-I2 Signs can contribute to visual clutter, create a hazard or other nuisance for pedestrians and traffic.

Signs located on or above footpaths and/or close to roads, can have adverse effects on the efficient and safe movement of vehicular and pedestrian traffic. Inappropriately designed and located signs can obstruct sight lines and interfere with traffic flows, pedestrian movement at street level, and be a distraction for drivers. It is critical that signs are designed and located to avoid creating a nuisance or being a hazard for pedestrian and vehicular traffic.

SIGN-I3 Inappropriate signs can detract from the character, views, vistas and values of an area.

Signs in business and commercial areas are important for identifying business premises and the services that the business offers. In other areas, signs are mainly used to provide information, location identification and directions.

Signs can have adverse effects, ranging from clutter, visual distraction from building architecture or landscape features, conflicts of scale in the context of existing land uses, traffic hazards and distraction and nuisance effects for people in the area. Performance standards are necessary to ensure that signs will not detract from the visual amenities of the environment where they are located.

SIGN-I4 The architectural features of Napier's Art Deco, or other heritage buildings, are an important part of the local identity, and signs have the potential to obscure features and damage the fabric of a building

Throughout the city, there are buildings, structures and areas that are recognised as having heritage values. Unsympathetic design, colour, size and location of signs, and inappropriate methods of fixing signage can adversely affect these values.

SIGN-15 The same sign can have very different effects in different places and areas

Different zones apply in areas that have different characteristics; for example, the scale of buildings, types of land uses, noise, and amenity levels differ in residential, rural, industrial, commercial and open space zones. These different characteristics mean that signs that are appropriate in one area may not be appropriate in another.

There are activities such as home businesses, local shops, and social and community facilities that rely on signs to direct people to their location. Signs also perform a necessary function to alert people to hazards. Due to the nature of each area, the adverse effects of signs in retail, commercial or industrial environments are not likely to be as significant as other environments. Signs in the commercial and industrial environments tend to be bolder and larger, contributing to the character identified with these zones. The same sign in a residential area can have significant impacts.

SIGN-16 Inappropriate signage design, placement, and scale within the Napier City Heritage Precinct has negative impacts on heritage values and streetscapes.

The Napier City Heritage Precinct identifies the concentration of art deco buildings that makes Napier unique. Signs associated with the heritage resource should not undermine or compromise the heritage elements or values that are identified and to be protected.

Objectives

SIGN-01: Needs of the community and visual amenity

Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located.

Relates to SIGN-11, SIGN-12; SIGN-13; SIGN-14 and SIGN-15

SIGN-02: Signs relate to the services or products at the site

Signs must relate to the particular land uses, services or products on the site; or have economic benefits in rural areas.

Relates to SIGN-11 and SIGN-13

SIGN-03: Vehicle and pedestrian traffic safety

Signs do not cause obstruction or distract vehicle or pedestrian traffic, create a nuisance or a potential hazard.

Relates to SIGN-11 and SIGN-12

SIGN-O4: Signs on heritage buildings

Signs located on heritage buildings complement the heritage values and architectural features.

Relates to SIGN-I3 and SIGN-I4

SIGN-O5: Napier City Heritage Precinct

Signage in the Napier City Heritage Precinct provides for businesses locational and promotional needs while contributing to heritage values and streetscapes.

Policies**SIGN-P1: Positive effects on the environment**

The design and style of signs reflect the unique elements of activities and create diversity and interest in the environment.

Relates to SIGN-O1; SIGN-O2; SIGN-O4 and SIGN-O3

SIGN-P2: Compatibility with the area

To consider the characteristics, qualities and attributes of the neighbourhood and ensure that the sign is compatible, meets the needs of the community and relates to the setting, taking into account:

- a. the number of signs
- b. the type of sign,
- c. the positioning and location,
- d. the materials used,
- e. the design and scale of a sign or group of signs

Relates to SIGN-O1 and SIGN-O3

SIGN-P3: Signs outside of rural areas

Signs outside of the General Rural and Rural Lifestyle zones must relate to the product sold or the site upon which the sign is located and have a clear purpose or intended use.

Relates to SIGN-O1, SIGN-O2 and SIGN-O3

SIGN-P4: Signs in rural areas

Signs within the General Rural and Rural Lifestyle zones that relate to rural produce and activities do not need to be located at the site where produce is sold.

Relates to SIGN-O1 and SIGN-O3

SIGN-P5: Signs do not result in visual clutter

The number, construction, placement, proportions and illumination of a sign or signs, does not

create visual clutter or compromise amenity values; and signs are not in place longer than needed.

Relates to SIGN-O1 and SIGN-O3

SIGN-P6: Signs do not obscure or compromise significant values

Signage does not obscure features or diminish heritage values, line of sight to any natural or physical landmark, or cultural or spiritual values; or compromise the interests or associations of importance to tangata whenua.

Relates to SIGN-O3 and SIGN-O4

SIGN-P7: Signs are in keeping with the character of an area

Signs contribute to a sense of vibrancy and are compatible with the role, function and predominant character of the zone in which they are located.

Relates to SIGN-O1; SIGN-O3 and SIGN-O4

SIGN-P8: Good design and location

To manage the potential for adverse effects from signs on views, vistas, visual amenity, and safety by controlling location, light spill and design.

Relates to SIGN-O1; SIGN-O2 and SIGN-O3

SIGN-P9: Obstruction and hazards

To ensure that signs do not create an obstruction, hazard, distraction or nuisance to traffic or pedestrians.

Relates to SIGN-O1; SIGN-O2 and SIGN-O3

SIGN-P10: Napier City Heritage Precinct Signage Design

Ensure that the location, dimensions, design, construction and scale of any sign are consistent with, and complement the heritage values and streetscape of the Napier City Heritage Precinct.

Relates to SIGN-O1; SIGN-O3 and SIGN-O4

Signs - Activity Table

SIGN-R1 Any sign within road reserve that complies with the New Zealand Traffic Regulations 1976		
SIGN-R1A	SIGN-R1B	
Activity Status: Permitted	Activity Status where conditions or standards are not met: Restricted	
Where the following conditions are met:	Discretionary	

<p>1. The activity complies with all of the standards</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity values of the area. 2. The effects on views and heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of a building. 5. The design and appearance of the sign. 6. The dimensions of the sign. <p>Notification: Non-notified</p>
<p>SIGN-R2 Signs on the building façade (excluding the side wall) in the Napier City Heritage Precinct</p>	
<p>SIGN-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. Signs shall be limited to the purposes of stating the business name and type or occupant and/or the property name. 3. Architectural building features shall not be obscured. 4. Unpainted surfaces shall remain unpainted. 5. No more than one sign per business with a single road frontage. 6. Where the business premise has frontage to more than one road, one sign is permitted on the façade of the building facing each road frontage. 7. No signage shall be attached to backing boards unless perpendicular to the wall. 8. The base of the sign shall be no less than 2.5m above ground level. 9. Where the sign is parallel to the façade, the sign including its support structure must not extend more 	<p>SIGN-R2B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The placement and location of the sign. 2. Any effects (including cumulative) of signs on the amenity of the area. 3. The effects on heritage values. 4. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 5. The impact on the appearance of the building. 6. The design and appearance of the sign. 7. The dimensions of the sign.

<p>than 50mm from the façade to which it is attached.</p> <p>10. Where the sign is not parallel to the façade, the sign including its support structure must not extend more than 1m from the façade to which it is attached, and the thickness of the sign must not be greater than 50mm.</p> <p>11. The area of the sign must not exceed 1.2m²</p>	
SIGN-R3 Signs on the building façade (side walls) in the Napier City Heritage Precinct	
<p>SIGN-R3A</p> <p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. Signs shall be limited to the purposes of stating the business name and type or occupant and/or the property name. 3. Unpainted surfaces shall remain unpainted. 4. Not more than one sign on a side wall per business. 5. The base of the sign shall be no less than 2500mm above ground level. 6. Where the sign is parallel to the façade, the sign including its support structure must not extend more than 50mm from the façade to which it is attached. 7. Where the sign is not parallel to the façade, the sign including its support structure must not extend more than 400mm from the façade to which it is attached, and the thickness of the sign must not be greater than 50mm. 8. The area of the sign must not exceed 5% of the exposed side wall area, or 8m², whichever is the lesser. 9. Signage or lettering shall be set back from the corner of a wall by a minimum of 500mm. 	<p>SIGN-R3B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The placement and location of the sign. 2. Any effects (including cumulative) of signs on the amenity of the area. 3. The effects on heritage values. 4. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 5. The impact on the appearance of the building. 6. The design and appearance of the sign. 7. The dimensions of the sign.
SIGN-R4 Signs on a veranda fascia in the Napier City Heritage Precinct	
<p>SIGN-R4A</p>	<p>SIGN-R4B</p>

<p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. There shall not be more than one sign mounted or painted on the veranda fascia per business premises with a single road frontage. 3. Where the business premises has frontage to more than one road, one sign is permitted on the veranda fascia facing each road frontage. 4. Individual letters shall be applied directly to the fascia, or be painted directly on the fascia. 5. Any lettering shall be fully contained within the fascia mouldings. 6. Lettering shall not extend beyond the height or length of the fascia. 7. Signs must be parallel to the fascia and must not exceed a horizontal distance of 50mm from the fascia. 8. No sign shall be mounted on the veranda roof. 	<p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area. 2. The effects on heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building 5. The design and appearance of the sign. 6. The dimensions of the sign.
<p>SIGN-R5 Signs mounted under a veranda in the Napier City Heritage Precinct</p>	
<p>SIGN-R5A</p> <p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. There shall not be more than one sign mounted under the veranda per business premises. 3. One additional sign is permitted for each road frontage entrance or additional 10m of road frontage of part thereof, where: <ol style="list-style-type: none"> i. The business premises has frontage to more than one road; ii. The business premises has more than one entrance. 4. The business premises has a road frontage in excess of 10m. 	<p>SIGN-R5B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area 2. The effects on heritage values 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building 5. The design and appearance of the sign 6. The dimensions of the sign

<p>5. The base of a sign is at least 2.5m above ground level.</p> <p>6. The area of the sign must not exceed 1.5m²</p> <p>7. The sign or signs shall not protrude from the veranda towards the road.</p>	
SIGN-R6 Temporary signs in the Napier City Heritage Precinct	
<p>SIGN-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. Sale of property <ol style="list-style-type: none"> i. Any temporary sign or signs (in total) must be on or within the site to which the sign relates, ii. In the case of subdivision, no sign may be erected until a Section 224 certificate is signed. iii. No sign or any part of a sign shall obscure architectural features of the building. iv. The area (in total) of the sign or signs shall not exceed 2m² 3. Auction of property <ol style="list-style-type: none"> i. Any temporary sign or signs must be on or within the site to which the sign relates ii. No signs may be erected more than six weeks before the date of the auction iii. No sign or any part of a sign shall obscure architectural features of the building. iv. The area (in total) of the sign or signs shall not exceed 2m² 4. The sign is removed within one week of the sale of the property. 5. No sign can obstruct architectural features of heritage buildings 6. Community, educational, cultural or sporting events <ol style="list-style-type: none"> i. A temporary sign or signs may be placed on the site where the event is to be held for a period of not more than six weeks prior to the event and shall be removed within 7 days after the event has occurred. 	<p>SIGN-R6B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity and character of the area. 2. The effects on heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building. 5. The design and appearance of the sign. 6. The dimensions of the sign. 7. The duration of the sign placement.
SIGN-R7 Any moveable, footpath sign in the Inner City Commercial Zone or Napier City Heritage Precinct	

<p>SIGN-R7A</p> <p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. No more than one moveable, footpath sign per business premise. 2. The sign does not protrude more than 600mm from the front of the business premise and must be located directly outside the business premise to which it relates. 3. The maximum dimensions of the sign are 600mm wide, by 600mm deep, by 900mm high. 4. Moveable, footpath signs must comply with relevant Advertising Standards Authority requirements. 5. The moveable, footpath sign must have a wide base that can be identified easily by people who are visually impaired. To improve visibility, the base or a strip on the base must be of a colour in contrast to the footpath. 6. Moveable, footpath signs must be safe and have no sharp edges or protrusions that may create an obstacle or a safety hazard for pedestrians. 7. Moveable, footpath signs must be weighted to ensure stability and must be taken inside when there is a risk that wind gusts may topple them or change their position. Bases designed to be weighted by water must be kept in operating order. To prevent them collapsing in windy conditions, easel-type boards must have a mechanism that locks them in their open position. <p>Note: Refer to Council's Schedule of Fees and Charges</p>	<p>SIGN-R7B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity and character of the area. 2. The effects on heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building. 5. The design and appearance of the sign. 6. The dimensions of the sign.
<p>SIGN-R8 Banners located on the Municipal Theatre</p>	
<p>SIGN-R8A</p> <p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 	<p>SIGN-R8B</p> <p>Activity status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<ol style="list-style-type: none"> 2. The banner is for advertising a function or event held at the Municipal Theatre. 3. The banner is located on, and securely attached to, the Municipal Theatre building. 4. The architectural features of the building are not obscured. 	<p>to:</p> <ol style="list-style-type: none"> 1. The design and appearance of the banner 2. The effects on heritage values. 3. Location and method of attachment.
SIGN-R9 Banners outside of the Napier City Heritage Precinct	
<p>SIGN-R9A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. The banner is securely attached to a building or structure. 3. The banners is not attached between two buildings or located over a road. 4. The banner and means of attaching it are maintained. 	<p>SIGN-R9B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area. 2. The effects on heritage values. 3. The design and appearance of the sign. 4. The dimensions of the sign. 5. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 6. The location and placement of the sign and alternatives for location and placement. 7. The number of signs allowed by the consent for any one destination. 8. The duration of the consent.
SIGN-R10 Signs within enclosed sportsgrounds at Mclean Park; Blue Water Stadium and Park Island	
<p>SIGN-R10A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. All commercial signs must face into the park or sportsground. 	<p>SIGN-R10B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on amenity.

<p>3. The sign is not obtrusively visible from any location outside of the grounds or from the road.</p>	<ol style="list-style-type: none"> 2. Heritage values. 3. The design and appearance of the sign. 4. The dimensions of the sign. 5. The location of the sign. 6. The location of any proposed signs. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The visibility of the sign outside of the park or sportsground. 9. The location and placement of the sign and alternatives for location and placement. 10. The effects on the use of the playing field.
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SIGN-R11 Balloons with a tethering point located more than 75 metres from any site which is in a residential, open space or rural zone or any precinct		
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<p>SIGN-R11A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. No more than one captive balloon per site. 2. The balloon is not located in the Napier City Heritage Precinct. 3. The balloon must be tethered at a height: 4. Not exceeding 60 metres 5. Not exceeding the Airport height restrictions. 	<p>SIGN-R11B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The size, design and appearance of the balloon or inflated sign. 2. The location of the sign. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. Air traffic safety. 5. Heritage values. <p>Note: The written approval of the Civil Aviation Authority as an affected person must be obtained in relation to any resource consent application for a captive balloon. This is to ensure that the balloons do not impede the safe passage of aircraft</p>
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SIGN-R12 Signs at service stations and transport depots		
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<p>SIGN-R12A</p> <p>Activity Status: Permitted</p>	<p>SIGN-R12B</p> <p>Activity Status where conditions and standards are not met:</p>
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<p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. No more than 2 free standing signs per site. 3. Any freestanding sign must comply with the height standards for the respective zone. 4. The maximum area for any sign for a service station and/or transport depots: <ol style="list-style-type: none"> i. must not exceed 6.5m² in area for the first free standing sign, ii. the second free standing sign must not exceed 2.5m² in area. 	<p>Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters set out in the standards not met. 2. Any effects (including cumulative) of signs on the amenity of the area. 3. Heritage values. 4. The design and appearance of the sign. 5. The dimensions of the sign. 6. The location of the sign. 7. The location of any proposed signs. 8. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians.
<p>SIGN-R13 Signs located on land adjacent to State Highways outside of 50km/h speed limit</p>	
<p>SIGN-R13A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. Signs directed towards the State Highway shall have a minimum lettering height of 120mm in areas of up to 70km/h speed limit and 160mm in areas above 70km/h speed limit. <p>NOTES:</p> <ol style="list-style-type: none"> 1. The control of signs within the legal State Highway road reserve outside of areas with a 50km/h speed limit is achieved through a Transit New Zealand Bylaw and through the implementation of the provisions contained in the Transit New Zealand and Land Transport Safety Authority's Manual of Traffic Signs and Markings. 2. Any person wishing to erect a sign within the State Highway road reserve outside of areas with a 50km/h speed limit must obtain approval from Transit New Zealand. 3. Signs on a State Highway road reserve within a 50km/h speed limit area are administered by the Napier City Council. 	<p>SIGN-R13B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters set out in the standards not met. 2. Any effects (including cumulative) of signs on the amenity of the area. 3. The design and appearance of the sign. 4. The dimensions of the sign. 5. The location of the sign. 6. The number of signs allowed by the consent for any one destination. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. Whether the sign will affect any access sightlines.

SIGN-R14 Signs on building façades outside of the Napier City Heritage Precinct.		
SIGN-R14A Activity status: Permitted Where the following conditions are met: <ol style="list-style-type: none"> 1. The sign complies with all of the standards 2. The sign and its support structures do not exceed a horizontal distance of 1 metre from the building facade. 	SIGN-R14B Activity Status where conditions and standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. The placement and location of the sign. 2. Any effects (including cumulative) of signs on the amenity of the area. 3. The effects on heritage values. 4. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 5. The impact on the appearance of the building. 6. The design and appearance of the sign. 7. The dimensions of the sign. 	
SIGN-R15 Signs located on a veranda fascia outside of the Napier City Heritage Precinct.		
SIGN-R15A Activity status: Permitted Where the following conditions are met: <ol style="list-style-type: none"> 1. The sign complies with all of the 2. The sign must be parallel to the veranda fascia and must not exceed a horizontal distance of 250mm from the veranda fascia. 3. The base of the sign must be at least 2500 mm above ground level. 4. The sign's vertical dimension does not exceed 1000mm. 5. The sign does not extend beyond the length of the veranda fascia. 	SIGN-R15B Activity Status where conditions and standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area. 2. The effects on heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building. 5. The design and appearance of the sign. 6. The dimensions of the sign. 	
SIGN-R16 Signs mounted under veranda outside of the Napier City Heritage Precinct.		

<p>SIGN-R16A</p> <p>Activity status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The sign complies with all of the standards. 2. There shall not be more than one sign mounted under the veranda per business premises. 3. One additional sign is permitted for each road frontage entrance or additional 10m of road frontage of part thereof, where: <ol style="list-style-type: none"> i. The business premises has frontage to more than one road; or ii. The business premises has a road frontage in excess of 10m. 4. The base of a sign is at least 2.5m above ground level. 5. Signs shall not exceed the length of the veranda at right angles to the road. 6. The maximum area of the sign must not exceed 1.5 m². 	<p>SIGN-R16B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area. 2. The effects on heritage values. 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building. 5. The design and appearance of the sign. 6. The dimensions of the sign.
<p>SIGN-R17 Temporary sign for sale of property and auction of property</p>	
<p>SIGN-R17A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. The sign or signs must not exceed 2.5m² in area in total. 3. The sign must be on or within the site to which the sign relates. 4. No sign is to be erected or placed in a way as to cause a public safety or traffic hazard. 5. In the case of subdivision, no sign may be erected until a Section 224 certificate is signed. 6. In the case of an auction or event, no signs may be erected more than six weeks before the date of the auction or event. 	<p>SIGN-R17B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area 2. The effects on heritage values 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building 5. The design and appearance of the sign 6. The dimensions of the sign 7. The duration of the sign placement

<p>7. The sign is removed within one week of the sale of the property.</p> <p>Notes: These provisions for temporary signs are in addition to provisions for permanent signage, and the maximum sign area for each zone in the standards</p>	
<p>SIGN-R18 Signs for roadside stalls in the General Rural or Rural Lifestyle Zone.</p>	
<p>SIGN-R18A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The sign must not exceed 2.5m² in area. 2. Any sign not located on the site to which it relates must be within 1 kilometre of the roadside stall that it advertises. 3. Each roadside stall shall only erect one temporary sign, which shall be displayed for no more than four months in a calendar year. 4. Signs must not be located on, or over, a road including the road reserve, or land vested as reserve under the Reserves Act 1977. 5. Written permission shall be obtained from the landowner prior to any temporary sign being attached to the landowners' fence. 	<p>SIGN-R18B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area 2. The effects on heritage values 3. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 4. The impact on the appearance of the building 5. The design and appearance of the sign 6. The dimensions of the sign 7. The duration of the sign placement
<p>SIGN-R19 Temporary signs on private property for electioneering, election advertisement and similar purposes</p>	
<p>SIGN-R19A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. For a postal ballot, signs must not be in place prior to the first day of candidate nominations, and must be removed by 12 noon on the Friday immediately following the final polling day. 2. In the event of an election day, not more than nine weeks prior to the polling day and must be removed one day prior to the polling day. 	<p>SIGN-R19B</p> <p>Activity Status where conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any effects (including cumulative) of signs on the amenity of the area 2. The effects on heritage values 3. Any hazard, safety risk or

<p>3. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on privately owned land.</p> <p>4. No sign is to be erected or placed in a way as to cause an obstruction, or a public safety or traffic hazard</p> <p>5. No sign can obstruct architectural features of heritage buildings</p> <p>6. The sign complies with the rules and standards for signs on or adjacent to a State Highway.</p>	<p>obstruction to vehicular traffic or pedestrians.</p> <p>4. The impact on the appearance of the building</p> <p>5. The design and appearance of the sign</p> <p>6. The dimensions of the sign</p> <p>7. The duration of the sign placement</p>
<p>SIGN-R20 Any sign, other than an official sign, constructed using reflective materials; or located on or over a road, including the road reserve; and any banner in the Napier City Heritage Precinct, with the exception of banners located on the Municipal Theatre</p>	
<p>Activity Status: Discretionary</p>	
<p>SIGN-R21 Any electronic, flashing or animated sign including revolving lights</p>	
<p>Activity Status: Discretionary</p>	
<p>SIGN-R22 Any sign which is used to advertise any services, goods or products that are not directly related to the primary use or activities occurring on the site of the sign (excluding temporary signs for legitimately established road side stalls within the General Rural and Rural Lifestyle zones).</p>	
<p>Activity Status: Non-complying</p>	
<p>SIGN-R23 Activities not otherwise provided for</p>	
<p>Activity Status: Non-complying</p>	

Signs - Standards Table

<p>SIGN-S1 Sign position</p>		
<p>All Zones and Precincts</p> <p>Purpose: <i>Signs meet the communication, education and health and safety needs of the community, and do not detract</i></p>	<p>1. All signs (other than a moveable, footpath sign) must be contained solely within the site boundaries.</p> <p>2. Where a building has no veranda, the minimum vertical clearance to the base of any sign (other than a moveable, footpath sign) attached at right angles to the building facade from the footpath must be 2.5 metres.</p>	<p>Matters of discretion are restricted to:</p> <p>1. Purpose of the standard</p> <p>2. Any effects (including cumulative) of signs on the amenity or character of the area.</p> <p>3. The effects on heritage values.</p> <p>4. The design and appearance of the sign.</p> <p>5. The dimensions of the sign.</p>

<p><i>from the heritage values, visual amenities or character of the environment where they are located</i></p>	<ol style="list-style-type: none"> 3. Signs must not be located on or over a road including the road reserve, or land vested as reserve under the Reserves Act 1977. 4. Signs must not obscure any important architectural feature of a heritage building (listed in the district plan) including but not limited to windows, parapets, cornices, features or materials with a decorative pattern, and any other architectural elements that are a feature of the building. 	<ol style="list-style-type: none"> 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people's health, safety and wellbeing.
SIGN-S3 Sign Height		
<p>All Zones and Precincts</p> <p>Purpose: <i>Protection of heritage values, and signs meet the communication, education and health and safety needs of the community, and do not detract from the heritage values, visual amenities or character of the environment where they are located</i></p>	<ol style="list-style-type: none"> 1. In the Napier City Heritage Precinct, where a sign is attached to a building, the sign must not exceed the height of the building to which it is attached 2. All signs, including their support structures, must comply with the height standard for aerials, lines and support structures in the relevant zone. 3. With the exception of the Napier City Heritage Precinct, where a sign is attached to a building, the sign must not exceed a vertical distance of 2 metres beyond the height of the building that it is attached to. 4. Where there is conflict between any of the height control limits, the lowest height must prevail. 5. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the neighbouring properties or area. 3. The effects on heritage values. 4. The design, dominance and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people's health, safety and wellbeing.
SIGN-S4 Sign Area		
<p>All Residential Zones and Precincts; the</p>	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site, must not exceed 0.3m² 	<p>Matters of discretion are restricted to:</p>

<p>Jervoistown Specific Control Area and Jervoistown Development Areas 1 and 2; Rural Specific Control Area; (Rural) Settlement Zone; Ahuriri Estuary [stormwater and ecology] Special Purpose Zone; Maori Special Purpose Zone; Boat Harbour Precinct / Boat Harbour Special Purpose Zone</p> <p><i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located</i></p>	<p>2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p>	<ol style="list-style-type: none"> 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the neighbouring properties or area. 3. The effects on heritage values. 4. The dominance, design and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people’s health, safety and wellbeing.
<p>All Commercial Zones and Precincts</p>	<p>1. The maximum area of a sign or combination of signs, per site, must not exceed 5.0m².</p>	<p>Matters of discretion are restricted to:</p>

<p>(except the Napier City Heritage Precinct)</p> <p><i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the heritage values, visual amenities or character of the environment where they are located</i></p>	<p>2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p>	<ol style="list-style-type: none"> 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the area. 3. The effects on heritage values. 4. The design and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people’s health, safety and wellbeing.
<p>All Industrial Zones and Precincts; Sports and Active Recreation Zone (excludes the Marine Industrial Specific Control Area; Wastewater Treatment Specific Control Area)</p> <p><i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located</i></p>	<p>1. There is no maximum area of a sign or combination of signs per site</p>	
<p>All Rural Zones</p>	<p>1. The maximum area of a sign or</p>	<p>Matters of discretion are restricted</p>

<p>and Precincts and the Mission Special Character Zone; the Marine Industrial Specific Control Area; and the Wastewater Treatment Specific Control Area (excludes the Jervoistown Specific Control Area; the (Rural) Settlement Zone; and Rural Specific Control Area)</p> <p><i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located</i></p>	<p>combination of signs, per site, must not exceed 2.5m².</p> <p>2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the area. 3. The effects on heritage values. 4. The design and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people’s health, safety and wellbeing.
<p>Settlement Zone</p> <p><i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are</i></p>	<ol style="list-style-type: none"> 1. The maximum area of a sign or combination of signs, per site, must not exceed 4.5m². 2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the area. 3. The effects on heritage values. 4. The design and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or

<i>located</i>		pedestrians. 8. The effect on people's health, safety and wellbeing.
Marine Parade Foreshore	1. The maximum area of a sign or combination of signs, per site, must not exceed 4.5m ² .	Refer to open space and coastal environment chapter
Open Space (Sports and Active Recreation Zone)	1. The maximum area of a sign or combination of signs per site, must not exceed 6m ² . 2. This standard does not apply to signs that are orientated internally and not visible from off the site.	Refer to open space chapter
Open Space	1. The maximum area of a sign or combination of signs, per site, must not exceed 0.3m ² .	Refer to open space chapter
All Mixed-Use Zones <i>Purpose: Signs meet the communication, education and health and safety needs of the community, and do not detract from the visual amenities or character of the environment where they are located</i>	1. The maximum area of a sign or combination of signs, per site, must not exceed 4.5m ² . 2. There are no size limits or limits on the number of election signs any candidate may construct, erect or place on land.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity or character of the area. 3. The effects on heritage values. 4. The design and appearance of the sign. 5. The dimensions of the sign. 6. The location and placement of the sign. 7. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians. 8. The effect on people's health, safety and wellbeing.
SIGN-S5 Sign Illumination		
All Zones and Precincts <i>Purpose: Signs meet the communication, education and health and safety needs of the</i>	1. All signs, whether illuminated internally, externally or by other means: a. must not visually obstruct traffic control signals. b. must comply with the conditions relating to light spill in the condition table for the respective zone.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Any effects (including cumulative) of signs on the amenity and character of the area.

<p><i>community, and do not detract from the visual amenities or character of the environment where they are located</i></p>	<p>2. Lighting for the purpose of external illumination of signs must be securely attached to the veranda roof, building or sign, and must be directed solely at the sign to be illuminated.</p>	<p>3. The effects on heritage values. 4. The impact on the appearance of the building or character of an area. 5. The design and appearance of the sign. 6. The dimensions of the sign. 7. The orientation, strength, intensity and colour of the illuminated sign. 8. Any hazard, safety risk or obstruction to vehicular traffic or pedestrians.</p>
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Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

SIGN-AC1 – Activity

	Non-statutory guidance	
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SIGN-AC2 – All rule infringements

The Council will have regard to the relevant Objectives and Policies of this Plan and in addition will consider:

- a. Any special or unusual characteristic of the site or building which is relevant to the rule requirement: including but not limited to, those listed below:
 - i. inherent site considerations;
 - ii. particular site development characteristics: including the location of existing buildings or their internal layout and achievement of architectural harmony;
 - iii. unusual environmental circumstances: including unusual type, use, character or design, or location of buildings on adjacent sites, improved amenity for neighbouring sites.
- b. Whether an infringement will more effectively achieve the purpose having regard to the specific values or site characteristics.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

All signs

- d. The appearance of the sign
- e. Whether the sign is necessary for identifying a hazard, or the security of bird nesting or breeding sites, or for traffic safety or the general information of the public.
- f. Whether there are adverse effects on amenity of adjacent properties or the surrounding area.

- g. Whether the signage is of a design, scale or intensity that is compatible with the characteristics of the area, particularly areas zoned as open space.
- h. Whether the sign obscures or diminishes the values associated with historic heritage or has adverse effects on cultural values.
- i. Whether there is any adverse effect on the efficient movement and safety of people on footpaths and other public open spaces.
- j. Whether any sign in the Industrial, Commercial, Rural Zones or precincts; the Sports and Active Recreation Zone; or the Rural Specific Control Area can be seen from any other zone.
- k. Whether the sign creates glare or the spillage of light, nuisance or distraction effects.
- l. The extent to which the signage creates visual clutter, a barrier or tripping hazard, or any cumulative effect.
- m. Whether the signage reflects the interests or associations of importance to tangata whenua.
- n. Any effect that the sign may have on a reserve, land held under the Conservation Act, significant landscape or natural area including the Ahuriri Estuary and foreshore / coastal environment.
- o. The extent to which the type, scale and design is appropriate for the location of each sign; having particular regard to:
 - i. the predominant character and amenity values of the zone, especially the effect on surrounding properties and public places;
 - ii. the appearance of buildings and the architectural features of those buildings;
 - iii. the purpose of the sign and if it has a functional need in the location;
 - iv. whether the sign would add vibrancy and enliven a location;
 - v. the cumulative effects caused by sign proliferation; and
 - vi. the safe and efficient operation of transport networks and the safety of all road and footpath users.
- p. The extent to which the signage (including moving, digital and flashing signs) is designed, located and operated appropriately, having regard to:
 - i. the predominant character and amenity values of the zone, especially the effect on surrounding properties and public places;
 - ii. whether the sign is permanent or temporary;
 - iii. the effects on character and amenity values of the surrounding area;
 - iv. whether there are existing activities, such as residential activities in the surrounding area that would be sensitive to this type of signage;
 - v. the impact on any entrance corridor, notable tree or identified feature; and
 - vi. whether the sign combines with existing signage to contribute to the vibrancy of the surrounding area or to create visual clutter.

Hazard, safety risk or obstruction to vehicular traffic or pedestrians.

- q. Whether the sign creates a hazard or risk taking into account:
 - i. the proximity to intersections, traffic signage and traffic controlling devices
 - ii. the speed environment and average daily traffic volumes of the road;
 - iii. the safety of all road and footpath users, including the potential for the sign to cause distraction or confusion to motorists;

- iv. whether the sign obstructs or poses a tripping hazard to pedestrians; and
 - v. whether any identified adverse effects can be mitigated by sensory technology and other measures.
- r. Any adverse effect on traffic safety, including if the sign obstructs drivers sight lines, causes confusion or a distraction for drivers and/or creates actual or potential adverse effects on the safe movement of traffic.

Signs on buildings in the Napier City Heritage Precinct

- s. Whether the sign complements or contrasts with the consistency in height, scale, materials, age and design of Napier's Art Deco, Stripped Classical and Spanish Mission heritage.
- t. Whether the sign/s is necessary, and effectively and discreetly identify businesses and building occupants.
- u. Whether there has been consultation with the Art Deco Trust, and the extent to which the views of the Trust have been implemented.
- v. Whether the signs are integrated in the location and is appropriate for the design of the building; taking into account:
 - i. the dimensions of the sign and if it relates to the dimensions of the building façade;
 - ii. is located to suit the building elements (windows, columns, parapets, verandas);
 - iii. if the proportions and composition of the building are respected; and
 - iv. use a lettering style, colour and background that is compatible with the building.
- w. The extent to which the signage and method of fixing the sign to the heritage feature may affect a place, site or area with historic heritage value.
- x. The extent to which historic heritage values, windows, or features will be obscured, lost, damaged or destroyed.
- y. The extent to which the adverse effects on heritage values is irreversible.
- z. Whether there are opportunities to remedy or mitigate any previous damage to heritage values.
- aa. The potential for damage to immediate or adjacent heritage values.
- ab. The magnitude or scale of any effect on heritage values.
- ac. The degree to which unique or special materials and/or craftsmanship are retained.
- ad. Whether the activity will lead to cumulative adverse effects on historic heritage.
- ae. Whether the distinct elements of an historic place, site or area will be maintained.

TEMP - Temporary Activities

Introduction

The purpose of the Temporary Activities chapter is to enable short duration events such as concerts, parades, festivals, meetings, exhibitions and construction related activities to be held occasionally throughout the City.

A key outcome the District Plan seeks to achieve is “Great Urban Areas”. Temporary activities have the potential to significantly contribute to the quality and vibrancy of Napier city. Events provide entertainment and opportunity to bring people together to build community spirit. Construction activities contribute to growth and rejuvenation of urban areas.

However, temporary activities can also compromise the quality of urban areas through noise and lighting effects, effects on the transport network including accessibility to established activities, and demand for infrastructure capacity. The provisions of this chapter seek to maximise the benefits of temporary activities and minimise adverse effects so they can contribute to achieving “Great Urban Areas” in Napier.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the temporary activities provisions provide for the following:

- a. Enabling construction activities; temporary events; and temporary military training activities
- b. Enabling temporary activities that contribute to city vibrancy while minimising effects on established activities, including businesses and residents
- c. Managing effects on the safety and efficiency of the integrated transport network
- d. Managing effects on the quality of living environments adjacent to the activity, including consideration of noise, lighting, visual amenity, and property accessibility
- e. Infrastructure capacity to service the temporary activity.

Other related chapters include:

- *Noise*: Temporary activities are subject to noise limits as set out in the noise chapter. Cross-references are provided in the rules for easy reference.
- *Zones and precincts*: Chapters for zones and precincts manage development and activities within each zone or precinct. Where temporary activities require resource consent, the provisions may require assessment of effects on established activities. The zone and precinct provisions may be relevant in interpreting the assessment criteria of this chapter.

Issues

TEMP-I1 Temporary activities and events contribute to the vibrancy of the city but can also generate adverse effects albeit short duration ones on amenity values and the safe and efficient operation of the integrated transportation network

Temporary events such as, concerts, parades, festivals, meetings, exhibitions occur on a regular basis on sites throughout the City. The Plan needs to provide for such activities to recognise their contribution to the community and the City. The temporary nature of such activities, (often less than five days) generally minimises the adverse effects the event may have on the surrounding environment. Consequently, many events of short duration are tolerated by parts of the community while other members enjoy what the event has to offer.

To ensure that the number, scale and intensity of temporary events does not increase to a level beyond which the effects of the event are more than of a temporary duration and have more than a minor effect, the Council wishes to manage the effects of temporary events and their operations.

Similarly, the nature and diversity of military training exercises need to be provided for within the Plan. To ensure any adverse effects arising from military training exercises are avoided, remedied or mitigated, a set of clear parameters needs to be developed to manage the wide range of exercises that may occur from time to time within the City.

TEMP-I2 Temporary construction activities are necessary to enable the city to grow and evolve however adverse effects such as noise and vibration need to be managed where practicable

The community is generally accepting of the need for short to medium term accessory buildings and use of land where it is associated with construction and building works. Such buildings and areas of land may be necessary for temporary offices, workshops, storage sheds and yards. However, as with all buildings – whether temporary or not – the bulk and location of such buildings can have adverse effects on the surrounding environment, particularly on amenity values.

Objectives

TEMP-O1: Temporary events

Temporary events contribute to the vibrancy of the city while managing potential impacts on established activities including businesses and residents

Relates to TEMP-I1

TEMP-O2: Construction

Construction activities are managed to minimise effects on quality living environments and city vibrancy

TEMP-O3: Temporary military training activities

Temporary military training activities are enabled in the city while managing potential environmental, public health and safety effects

TEMP-O4: Resilience and infrastructure

Temporary activities are serviced and managed to avoid additional flooding effects and impacts on public and environmental health

Policies

TEMP-P1: Enabling temporary activities

Enable temporary activities including temporary events, construction and temporary military training

activities

Relates to TEMP-O1, TEMP-O2 and TEMP-O3

TEMP-P2: City vibrancy

Manage temporary activities to maximise the positive effects on city vibrancy while minimising effects on established activities

Relates to Relates to TEMP-O1, TEMP-O2 and TEMP-O3

TEMP-P3: Quality living environment

Manage the effects of temporary activities on the quality of the living environment for surrounding residents, including consideration of:

- a. Duration of the activity and hours of operation
- b. Noise and lighting generation
- c. Visual effects from temporary buildings or structures, including visual dominance and shading
- d. Property accessibility including consideration of traffic and car parking management

Relates to TEMP-O1, TEMP-O2 and TEMP-O3

TEMP-P4: Transport network

Manage the effects of temporary activities on the safe and efficient operation of the integrated transport network including by:

- a. Locating temporary activities in areas where there is the capacity to host the anticipated number of people, including sufficient parking and road capacity
- b. Enabling the activity to be accessible by a range of transport modes, where appropriate

Relates to TEMP-O1, TEMP-O2 and TEMP-O3

TEMP-P5: Resilience and infrastructure

Ensure potential public health, environmental health and flooding effects of temporary activities are minimised including by requiring sufficient infrastructure provision and/or mitigation measures are in place to accommodate demand

Relates to TEMP-O4

Temporary activities - Activity Table

TEMP-R1 Temporary construction activities	
TEMP-R1A Activity Status: Permitted Where the following activity conditions are met:	TEMP-R1B Activity Status where activity conditions are not met: Restricted discretionary

<ol style="list-style-type: none"> 1. Any building associated with the temporary activity: <ol style="list-style-type: none"> a. is or such purposes as a temporary office, storage shed, storage yard, builders' workshop, safety fence, and other similar buildings and uses of land that are incidental to a construction project. b. is no more than 50sqm in gross floor area c. Complies with the yards, height and height in relation to boundary standards in the applicable zone. 2. The length of time for the temporary activity must not exceed the duration of the building or construction project or 12 months, whichever is the lesser. 3. The noise and vibration limits in NOISE-R2 – Construction Noise and Vibration apply. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. City vibrancy 2. Quality living environments 3. Safe and efficient integrated transport network 4. Resilience and infrastructure
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TEMP-R2 Temporary events	
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<p>TEMP-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The number of temporary events that may occur on any one site in a calendar year must not exceed 5 except that: <ol style="list-style-type: none"> a. In the Stadium Zone, there is no restriction on the number of sporting events (subject to Rule STADZ-R2). Up to 10 non-sporting temporary events shall be permitted per calendar year within the Stadium Zone. b. Up to 18 temporary events shall be permitted per calendar year, per site, in the Marine Parade Recreation Control area, the Open Space Zone – coastal environment, and in Anderson Park provided that the maximum duration of temporary events within each area shall be 15 consecutive days. 2. Occupation of the site for the erection and removal of all structures and land uses associated with the temporary event must not exceed 5 days additional to the duration of the temporary event. 3. The duration of the temporary event (including onsite accommodation) must not exceed a period of: <ol style="list-style-type: none"> a. 24 hours for concerts, musicals, theatrical festivals/entertainment b. 5 days for a sporting event (this limit does not apply in the Stadium Zone) c. 3 days for all other temporary events 	<p>TEMP-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. City vibrancy 2. Quality living environments 3. Safe and efficient integrated transport network 4. Resilience and infrastructure
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<p>4. All associated buildings and structures must comply with the yards and height in relation to boundary standards in the applicable zone</p> <p>5. The noise limits in NOISE-R7 – Noise generated from temporary events apply.</p> <p>6. Where an activity requires access from a State Highway the activity must comply with the Traffic Access Sight Lines in the Code of Practice and all parking must be provided onsite.</p>	
TEMP-R3 Temporary Military Training Activity	
<p>TEMP-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. For weapons firing and/or the use of explosives, notice is provided to the Council at least 5 working days prior to the commencement of the activity. 2. The noise limits in NOISE-R8 – Noise generated from temporary military training activities apply 	<p>TEMP-R3B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

Assessment criteria

TEMP-AC1 – All temporary activities not meeting permitted conditions (TEMP-R1 – Temporary construction activities, TEMP-R2 – Temporary events and TEMP-R3 – Temporary military training activities)

City vibrancy

- a. The extent to which the temporary activity will contribute to the vibrancy of the city
- b. The extent to which the temporary activity will detract from the contribution of established activities to the vibrancy of the city

Quality living environments

- c. The extent to which the nature, duration, hours of operation and structures associated with the temporary activity would compromise the amenity values for residents of the surrounding area, including consideration of noise, lighting, shading, visual dominance, and property accessibility.

Safe and efficient integrated transport network

- d. The extent to which:
 - i. the anticipated traffic generation from the temporary activity will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. the temporary activity can be accessed by a range of transport modes
 - iii. car parking associated with the temporary activity can be adequately managed to minimise

effects on the safe and efficient operation of the integrated transport network

- e. whether a traffic management plan is prepared for large scale events to ensure methods are in place to minimise potential adverse effects on the integrated transport network and on accessibility to established activities, including businesses and residents

Resilience and infrastructure

- f. Whether the temporary activity can be sufficiently serviced by water, wastewater and stormwater infrastructure without generating adverse effects beyond the property boundary, including flooding.

GRZ - General Residential

Introduction

The purpose of the General Residential Zone is to provide for residential activities with a mix of building types, and other compatible activities.

A key outcome the District Plan seeks to achieve is “Great urban areas”. The quality of urban areas, including residential neighbourhoods, impacts directly on our quality of life. The layout and design of neighbourhoods, and homes within those neighbourhoods, can contribute to community cohesion, safety, health and wellbeing. The provisions of the General Residential Zone seek to ensure development contributes to achieving Great Urban Areas within our communities.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the residential provisions provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Enabling growth including intensification
- Providing for a range of housing typologies
- Ensuring appropriate infrastructure is in place to service development
- Reducing impact of development on infrastructure and the environment through low-impact design e.g. water reuse, stormwater tanks, permeable surfaces
- Enabling appropriate non-residential activities which contribute to the wellbeing of residents while maintaining amenity values of residential neighbourhoods.

Issues

GRZ-I1 Changing demographics is generating demand for increased housing supply and diversity of housing types

A range of housing typologies is required to provide for changing demographics and market demands. Housing development in Napier has historically been 3-4 bedroom single detached houses on generous sites. Smaller houses on smaller sites can provide for young singles and couples, “empty nesters” looking to downsize, and affordable housing. Larger houses (5+ bedrooms, multiple kitchens) can accommodate multi-generational/extended families or communal living arrangements. Supply of only one housing typology to the market reduces choice and options for different household types within a community and therefore undermines social cohesion. The District Plan provisions can contribute to enabling and encouraging a greater diversity of forms that meet the whole of the spectrum required to cater for the diverse range of household demands.

Higher density development, including infill, is required to achieve the HPUDS goal of 60% growth accommodated in existing urban areas by 2045. Higher density development in appropriate locations, such as around neighbourhood centres or bus routes, can also encourage alternative transport modes and foster community connectedness and wellbeing. Intensification provides an opportunity for increased supply of smaller homes to the market.

GRZ-I2 Affordable Housing

Affordable housing is becoming a more significant issue for the city, both in political and community terms, as well as in terms of economic growth and efficiency. Under the National Policy Statement for Urban Development Capacity (NPS:UDC), ensuring sufficient supply of land and housing catering for different market sectors in a range of locations to meet demand is a legislative requirement, and works alongside the government's broader policies to improve housing affordability across the country.

GRZ-I3 Residential development, especially higher density development (including infill), requires careful management to maintain a quality living environment

Poor quality urban design can contribute to safety and security issues for private property, streets and public open spaces; lack of community cohesion; low levels of visual and aural amenity; unhealthy living environments; reduced vegetation coverage (including through removal of mature trees); detract from the values of historic heritage sites or special character areas; and can detract from the distinctive character of a neighbourhood. For example, a streetscape dominated by large blank fences and garaging is unattractive and unsafe for pedestrians and cyclists. This potentially reduces the potential for people to gain health benefits from active transport modes due to safety concerns, and reduces the potential for informal interaction between members of a community.

These issues are more likely to occur in higher density developments, where there is less open space around and between houses; or in multiple residential unit developments.

Conversely, quality urban form and development can enhance social and community wellbeing, health, and safety, through:

- high amenity/safe streets and optimised connectivity (e.g. minimising use of cul-de-sacs) to encourage walking and cycling and accessibility to adjacent neighbourhoods
- optimising sunlight and daylight access to indoor and outdoor living spaces
- providing for privacy while encouraging passive surveillance and interaction with the street and public spaces
- providing access to private and public open spaces for recreation and for 'gathering' of people
- avoiding a sense of entrapment (e.g. from visual dominance effects such as tall buildings close to boundaries, and from convoluted single entrance/exit routes)
- avoiding long monotonous building façades that detract from amenity of adjacent sites and the street
- sustainable building design which reduces operational costs and contributes to a healthy living environment
- providing for several feasible evacuation routes in emergency situations.

The residential provisions, including for multiple residential unit developments and subdivisions, therefore need to ensure development achieves enhanced social and community wellbeing, health, and safety, and consequentially, contributes to the key outcome of "Great Urban Areas".

GRZ-I4 Housing development places additional demand on infrastructure capacity and the environment

Residential development, in particular higher density development, places additional demand on infrastructure capacity and if not managed appropriately can contribute towards the further degradation of the environment. Council has a programme of work to upgrade infrastructure provision and capacity in residential areas throughout the city and a requirement for new development to adopt low impact design solutions for stormwater (retain stormwater on site) discharge to help improve water quality in receiving environments. However, some areas have

constraint issues that need to be managed to ensure that development does not generate hazards or public health issues. To achieve the key principles of “Smart Growth” and “Resilient Napier”, residential subdivision and development should align with infrastructure capacity and servicing availability. This is necessary to ensure efficient use of infrastructure, reducing cost barriers to growth, enhancement of the environment (particularly in relation to the discharge of stormwater), and to provide for the health and wellbeing of residents (including through reducing risks of natural hazards, e.g. flooding).

GRZ-I5 Non-residential activities can benefit communities but can also detract from the quality of the living environment

Non-residential activities have the potential to impact on existing residential amenity and the quality of the living environment. The potential incompatibility may be due to the volume or nature of traffic they generate, noise, odour, glare, visual appearance, or because the scale of land use and the size or bulk of buildings needed to accommodate the land use is significantly different from typical residential units and accessory buildings in residential zones. However, appropriate non-residential activities in residential neighbourhoods can contribute to neighbourhood cohesion (such as through providing local daycare facilities within walking distance of residents) and economic wellbeing (such as enabling small/start-up businesses to operate from home). Non-residential activities in the General Residential Zone should also ensure function of centres as focal points for community life is maintained.

Objectives

GRZ-O1: Housing supply

Housing supply and diversity of housing types meets the needs of Napier's communities

Relates to GRZ-I1 and GRZ-I2

GRZ-O2: Community wellbeing

Development and activities contribute to safe, active and interactive communities

Relates to GRZ-I3 and GRZ-I6

GRZ-O3: Quality living environments

Development provides healthy, safe, high amenity and comfortable living environments for residents

Relates to GRZ-I3 and GRZ-I5

GRZ-O4: Neighbourhood character and identity

Development is consistent with a suburban character of primarily one to two storey buildings surrounded by open space and landscaping while recognising any identified characteristics of the neighbourhood (to review in light of spatial picture and NPS)

Relates to GRZ-I3

GRZ-O5: Public health and environmental wellbeing

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and appropriate provision of infrastructure.

Relates to GRZ-I4

Policies

GRZ-P1: Housing supply

Enable the development of a range of housing types and sizes, including by:

- a. requiring smaller open space for smaller residential units
- b. requiring large scale multi-residential unit developments to provide a variety of housing types and/or respond to a particular housing typology need in the local community
- c. encouraging universal access for multi-residential unit development

Relates to GRZ-O1

GRZ-P2: Streets and public open space

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. providing visibility for passive surveillance over the street and public open space
- b. requiring front yard setbacks, landscaping and permeable fencing
- c. minimising visual dominance of large buildings, garages, servicing and waste storage areas
- d. providing publicly accessible connections through large sites, where practicable
- e. avoiding the creation of gated communities

Relates to GRZ-O2

GRZ-P3: Quality living environments – adjoining sites

Require development to maintain a healthy, high amenity and comfortable living environment for adjoining sites by providing a reasonable standard of sunlight access and privacy and by minimising adverse visual and acoustic amenity effects.

Relates to GRZ-O3

GRZ-P4: Quality living environments – within the site

Manage development to achieve a healthy, safe, high amenity and comfortable living environments for residents within the site, including by providing:

- a. useable and accessible outdoor living space
- b. privacy
- c. access to sunlight
- d. functional living spaces
- e. storage
- f. safe and accessible parking area

- g. internal noise levels which provide for undisturbed sleep where development is adjacent to identified noise generating activities

Relates to GRZ-O3

GRZ-P5: Suburban Character

Achieve a suburban character of primarily one to two storey buildings surrounded by open space and landscaping including by:

- a. limiting the height, bulk and form of development
- b. managing the design and appearance of multi-residential unit development; and
- c. requiring setbacks and landscaped areas that are consistent with a suburban character.

Relates to GRZ-O4

GRZ-P6: Neighbourhood character

Require the design of multi-residential unit developments to respect the identified characteristics of character precincts

Relates to GRZ-O4

GRZ-P7: Non-residential activities

Enable non-residential activities that:

- a. support the social and economic well-being of the local community
- b. maintain a suburban character
- c. do not detract from healthy, safe, high amenity and comfortable living environments for residents
- d. do not detract from the function of centre zones

Relates to GRZ-O2, GRZ-O3, GRZ-O4

GRZ-P8: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. restricting the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated
- b. requiring water sensitive design / low-impact stormwater management where practicable
- c. encouraging sustainable design in development including optimising solar orientation and passive ventilation
- d. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand

Relates to GRZ-O5

General Residential Zone - Activity Table

GRZ-R1 Residential units and residential activity		
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<p>GRZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. The net site area is more than 350m². 	<p>GRZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Housing supply and diversity 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management <p>Notification: Non-notified</p>
<p>GRZ-R2 Additions, alterations, and demolition of a residential unit</p>	
<p>Activity Status: Permitted</p>	
<p>GRZ-R3 Minor residential unit</p>	
<p>GRZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One minor residential unit per site 2. The gross floor area of the unit does not exceed 80m². 	<p>GRZ-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Housing supply and diversity 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management <p>Notification: Non-notified</p>
<p>GRZ-R4 Home business</p>	
<p>GRZ-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p>	<p>GRZ-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p>

<ol style="list-style-type: none"> 1. Not more than two employees who reside outside the residential unit are on the site at any one time 2. The area of the Home business does not exceed 30% of the GFA of the residential unit 3. Any outdoor storage associated with the Home business must be screened from view of any adjacent sites and public open spaces 4. Retailing of goods must not occur from the site except for: <ol style="list-style-type: none"> a. items produced on the site or b. fruit, vegetables or other natural products grown on the property c. goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier 5. Car trips to and from the Home business must not exceed 20 per day 6. Heavy vehicle trips must not exceed two per week 7. The Home business must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network 7. Vibrancy and vitality of centres
GRZ-R5 Grazing of livestock	
<p>GRZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The net site area is greater than 2,000m² net site area. <p><i>Note: The Napier City Animal Control Bylaw 2014 applies.</i></p>	<p>GRZ-R5B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
GRZ-R6 Residential care facility	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility does not cater for more than 10 residents, excluding staff. 2. The total number of people accommodated/catered for on the site by activities GRZ-R6 – GRZ-R9 is no more than 10 (excluding staff). 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and

	<p>comfortable living environments</p> <ol style="list-style-type: none"> 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network
GRZ-R7 Day care centre	
<p>GRZ-R7A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff. 2. The total number of people accommodated/catered for on the site by activities GRZ-R6 – GRZ-R9 is no more than 10 (excluding staff). 	<p>GRZ-R7B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network 7. Vibrancy and vitality of centres
GRZ-R8 Visitor accommodation	
<p>GRZ-R8A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation does not cater for more than 5 guests, excluding staff and/or family. 2. The total number of people accommodated/catered for on the site by activities GRZ-R6 – GRZ-R9 is no more than 10 (excluding staff). 3. Clauses (1) and (2) above do not apply to visitor accommodation activities on sites with frontage onto Meeanee Quay, Westshore. 	<p>GRZ-R8B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood character 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Infrastructure capacity and stormwater management 5. Safety and efficiency of multi-modal transport network 6. Vibrancy and vitality of centres
GRZ-R9 Educational facility	

<p>GRZ-R9A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational Facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities GRZ-R6 – GRZ-R9 is no more than 10 (excluding staff). 	<p>GRZ-R9B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network 7. Vibrancy and vitality of centres
GRZ-R10 Relocated buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Visual amenity 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Coastal environment values (where applicable) <p>Notification: Non-notified</p>	NA
GRZ-R11 Retirement village premises	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Housing supply and diversity 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 	NA

GRZ-R12 Activities infringing standards GRZS1 - GRZ-S11		
Activity Status: Restricted Discretionary	NA	
Matters of discretion are restricted to: 1. The matters of discretion stated for infringing the relevant standard(s)		
<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) apply in addition to this rule</i>		
GRZ-R13 Community facility		
Activity Status: Discretionary	NA	
GRZ-R14 Hospitality activity and Dairies		
GRZ-R14A	GRZ-R14B	
Activity Status: Discretionary	Activity Status where activity conditions are not met: Non-complying	
Where the following activity conditions are met: 1. The gross floor area of the activity does not exceed 100m ²		
GRZ-R15 Gated communities		
Activity Status: Non-complying	NA	
GRZ-R16 Activities on land gazetted as reserve under the Reserves Act 1977		
Activity Status: Refer to the Open Space Zone activity table and standards table		
GRZ-R17 Activities not otherwise provided for		
Activity Status: Non-complying	NA	
Where the following activity conditions are met: 1. The activity is not provided for under Rules GRZ-R1 – GRZ-R15		

General Residential Zone - Standards Table

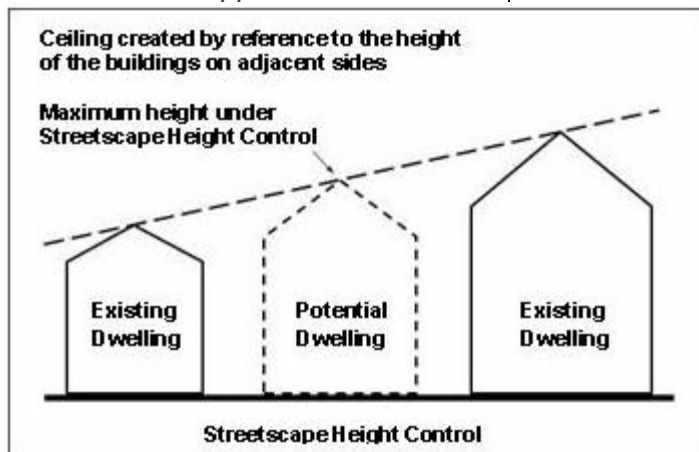
GRZ-S1 Height		Matters of discretion (where applicable)
General	1. Buildings and structures must not	Matters of discretion are restricted

Residential Zone (except as otherwise provided for below)

Purpose: to maintain a suburban character; minimise effects on the quality of the neighbours' living environment; and provide for a diversity of roof forms

- exceed 8m in height except that:
- a. 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more
 - b. On a front site or corner site, buildings and structures may be erected up to a ceiling created by reference to buildings on adjacent sites (refer Figure GRZ-S1-Fig1 below), provided that:
 - i. Where there is no building on one of the adjacent sites, that adjacent site must be disregarded
 - ii. Where the adjacent site is in a zone apart from the General Residential Zone, the relevant height standard for that zone shall apply
 - iii. Where relying on this exemption, an applicant must produce a letter or report from a registered surveyor certifying that the average heights shown on the plans that accompany the application are correct.

- to:
1. Purpose of the Standard
 2. Neighbourhood character
 3. Safety, attractiveness and connectivity of streets and public open spaces
 4. Healthy, safe, high amenity and comfortable living environments



Orotu Drive

2. Buildings and structures must

Matters of discretion are restricted

<p>Height Restriction control</p> <p>Purpose: to maintain a suburban character; minimise effects on the quality of the neighbours' living environment; and maintain outlook at the interface between the established and new residential areas</p>	<p>not exceed 6m in height</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>Height exemptions</p>	<p>3. The following are excluded from complying with GRZ-S1 clauses (1)-(2):</p> <ol style="list-style-type: none"> a. solar heating devices b. air conditioning units and similar structures housing mechanical and/or c. electronic equipment d. one chimney per building <p>where the device, unit or other structure does not exceed the maximum height of GRZ-S1 clauses(1)-(2) by more than 2.5 metres vertically and one metre in any horizontal direction.</p>	<p>NA</p>
<p>Airport Height Control</p> <p>Purpose: to maintain the safety of aircraft approaching and taking off from Hawkes Bay Airport</p>	<p>4. Buildings and structure must not exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 8m.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Aircraft and community safety
<p>GRZ-S2 Height in relation to boundary</p>		
<p>Purpose: to</p>	<p>1. Buildings must not project beyond</p>	<p>Matters of discretion are restricted</p>

<p><i>maintain a suburban character; maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment; enable quality relationship and passive surveillance between residential units and public open space</i></p>	<p>a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries.</p> <p>2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of GRZ-S2 clause (1) above.</p> <p>3. GRZ-S2 clause (1) above does not apply to a boundary adjoining:</p> <ul style="list-style-type: none"> a. Sites exceeding 2,000m² in an Open Space Zone or gazetted reserve b. Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed <p>4. GRZ-S2 clause (1) above does not apply to the height exemptions set out in GRZ-S1 clause (3).</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Housing supply and diversity 3. Neighbourhood character 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Healthy, safe, high amenity and comfortable living environments
<p>GRZ-S3 Front yards</p>		
<p><i>Purpose: to maintain the suburban character of the neighbourhood; and provide for a safe and attractive streetscape</i></p>	<ol style="list-style-type: none"> 1. Any part of a building (other than as required under GRZ-S9 Garages and Accessory buildings below) must not be erected closer than 3m to the road boundary 2. A minimum of 40% of the front yard must comprise landscaped area 3. Any building for Visitor accommodation fronting onto Meeanee Quay, Westshore must not be erected closer than 6m to the road boundary. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>GRZ-S4 Other yards</p>		
<p><i>Purpose: to</i></p>	<ol style="list-style-type: none"> 1. Any part of a building must not be 	<p>Matters of discretion are restricted</p>

<p><i>maintain a suburban character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</i></p>	<p>erected closer than 1 metre to a side or rear site boundary</p> <p>2. Any part of a building for visitor accommodation with frontage onto Meeanee Quay must not be erected closer than 3 metres to any side or rear boundary</p> <p>3. An exemption to GRZ-S4(1)-(2) will be a deemed permitted activity where written approval of the adjacent landowner(s) is provided</p> <p>4. Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Operation and maintenance of watercourses and open drains
<p>GRZ-S5 Building coverage</p>		
<p><i>Purpose: to maintain a suburban character; and minimise effects on the quality of the neighbours' living environment.</i></p>	<p>1. Building coverage must not exceed 50% of the net site area.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Housing supply and diversity 3. Neighbourhood character 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Healthy, safe, high amenity and comfortable living environments
<p>GRZ-S6 Impervious area</p>		
<p><i>Purpose: to maintain a suburban character; to maintain the quality of the living environment; to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i></p>	<p>1. Impervious area must not exceed 70% of the net site area.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Infrastructure capacity and stormwater management
<p>GRZ-S7</p>		

Landscaped area		
<i>Purpose: to maintain a suburban character; and to maintain the quality of the living environment</i>	<ol style="list-style-type: none"> 1. Landscaped area must be a minimum of 30% of the net site area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
GRZ-S8 Fences and walls		
<i>Purpose: to provide for privacy of residential units while enabling opportunities for passive surveillance of the street and public open spaces; minimise visual dominance effects to immediate neighbours and the street</i>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard, and within a side or rear yard adjacent to a common boundary with an Open Space zone, either: <ol style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the length of the boundary and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. b. Within the side and rear yards: 2m. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
GRZ-S9 Garages and accessory buildings		
<i>Purpose: provide for a streetscape attractive for pedestrians and cyclists; minimise risk of vehicles overhanging the footpath</i>	<ol style="list-style-type: none"> 1. A garage door or carport facing the street must be set back at least 5m from the site's frontage. 2. Garages integrated within a residential unit building: <ol style="list-style-type: none"> a. must be no closer to the front boundary than the front line of the residential unit b. the width of the garage door must be no greater than 50% 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighborhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

	<p>of the width of the front façade of the residential unit.</p> <p>3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front façade of the residential unit.</p>	
GRZ-S10 Building frontage		
<p><i>Purpose: to provide for passive surveillance of the street and public open space; to provide visual interest to the street and public open space</i></p>	<p>1. The façade of any building within 10m of the front boundary and of any public open space must contain glazing to a habitable room or habitable rooms that is cumulatively at least 10 per cent of the area of that façade.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
GRZ-S11 Open Space		
<p><i>Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite</i></p>	<ol style="list-style-type: none"> 1. Each residential unit with a GFA of 100m² or under must have a minimum open space of not less than 20m² per residential unit provided that: <ol style="list-style-type: none"> a. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 2. Each residential unit with a GFA over 100m² must have a minimum open space of not less than 50% of the GFA, provided that the maximum area of open space required to be provided under this rule is 100m² per residential unit, provided that: <ol style="list-style-type: none"> a. The open space must include at least one area capable of containing a 6 metre diameter circle. b. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments

	<p style="text-align: center;">area.</p> <ol style="list-style-type: none"> 3. Where the open space is partially provided in the form of balcony, patio or roof terrace it is at least 5m² and has a minimum dimension of 1.8m. 4. Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas. 5. Open space must be directly accessible from the principal living room, dining room or kitchen of the residential unit to which it relates. 6. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by: <ol style="list-style-type: none"> a. at least 9m for two storey buildings; and b. at least 6m for single storey buildings. <p>For the purpose of this standard south is defined as between 135 and 225 degrees.</p> <p><i>Advice note: Day care centres may be subject to additional open space requirements from the Ministry of Education and/or the Hawkes</i></p> 	
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Assessment criteria

GRZ-AC1 – Residential units (GRZ-R1); Minor Residential Units (GRZ-R3); Relocated buildings (GRZ-R10); Retirement village premises (GRZ-R11)

General

- a. The extent to which the site layout (location and design of buildings, access/car parking and open spaces) optimises the quality of the living environment and the safety and attractiveness of streets and public open spaces, by addressing each of the criteria below.

Housing supply and diversity

- b. The extent to which the developments of eight or more houses will provide for a mix of household types to live in the neighbourhood.

Purpose: Napier's communities have a growing range of household demographics. Development can contribute to meeting a variety of needs.

Neighbourhood character

- c. The extent to which the suburban character, and any positive defining characteristics of the neighbourhood, is maintained by the development. This includes consideration of any character, amenity values and heritage values identified for the area in the character statements at SCHED4.

Purpose: Community wellbeing is linked to having a strong sense of place. Development and change can be accommodated without detracting from the core characteristics that contribute to a community's sense of place

Safety, attractiveness and connectivity of streets and public open space

- d. For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.

Purpose: Good connectivity makes it easier for residents to access local amenities, and also provides more than one route in or out of a property in case of emergency

- e. Whether visibility is provided over the street and public open space from outdoor living areas and/or habitable rooms to enhance safety and security.

Purpose: Visibility enables residents to watch their children playing outside and see people approaching their home (a deterrent for crime).

- f. Whether the development contributes to attractive streets and public open spaces. For relocated buildings, this includes consideration of upgrade works required to ensure the amenity values of the neighbourhood are maintained.

Purpose: Quality and attractive streetscapes encourage people to walk and cycle to visit friends in the neighbourhood, the local park, school and/or neighbourhood centre.

Warm, dry, healthy and comfortable homes

- g. The extent to which the site layout and residential unit design contributes to a warm, dry and healthy living environment for residents
- h. Whether the site layout and residential unit design maintains a reasonable level of privacy for residents
- i. The extent to which the site layout and residential unit design contributes to a reasonable noise environment for residents, particularly to enable uninterrupted sleep
- j. Whether the entranceway is well lit and shelter is provided from the -rain at the front door

Purpose: Optimising site layout and design from the outset can contribute to long term public health outcomes, including by maximising sunlight access for warmth and natural ventilation to reduce dampness. Consideration of privacy, noise and entranceways in residential unit placement and site layout can optimise the quality of the living environment for residents both within the site and on adjacent sites

- k. Whether residents, visitors and emergency services can easily find and access the residential unit.

Purpose: Easy to find residential units makes a more comfortable living environment for residents and their guests, and assists quick access by emergency services

- l. Whether the site layout provides for easy storage and access of recycling and rubbish for collection
- m. Whether communal collection areas will detract from the quality of the living environment, particularly for adjoining residents, and/or the safety and attractiveness of the street and public open spaces

Purpose: Refuse and recycling storage and collection should be of sufficient area to meet demand, and be easily accessible, to provide a comfortable and safe living environment for residents

- n. The extent to which outdoor living spaces are useable by residents and contribute to a healthy living environment

Purpose: Outdoor living spaces provide opportunities for socialising; connection with nature and/or opportunities to grow food; access to fresh air; and generally complement public open space in contributing to public health outcomes.

- o. Whether parking is safe and accessible for residents.

Purpose: Car parking and bike parking should be easily accessible to provide a comfortable and safe living environment for residents

- p. Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.

Purpose: Rooms that are easy to get around and can fit standard sized furniture contribute to a comfortable living environment.

- q. Whether sufficient area is available for easily accessible and identifiable letter boxes

Purpose: Quality living environments include being able to easily access mail

Infrastructure capacity and stormwater management

- r. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Purpose: Infrastructure provision is required for public health, environmental health and to reduce flooding hazards

GRZ-AC2 – Home business (GRZ-R4); Residential care facilities, day care centres, visitor accommodation, educational facilities, community facilities, hospitality activity and dairies (GRZ-R6 – GRZ-R9);

Contribution to local community wellbeing

- a. The extent to which locating the non-residential activity in the General Residential Zone will contribute to the wellbeing of the local community

Neighbourhood character

- b. The extent to which the suburban character, and any positive defining characteristics of the neighbourhood, is maintained by the development.

Healthy, safe, high amenity and comfortable living environments

- c. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects
- ◊ Assessment under criteria (b) and (c) will include consideration of:
 - ◊ site layout
 - ◊ design and external appearance of buildings
 - ◊ dust and/or odour effects
 - ◊ hours of operation
 - ◊ noise generation
 - ◊ screening of storage areas

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which access and parking associated with the non-residential activity will provide safe access to the activity for pedestrians, cyclists and motorists

Infrastructure capacity and stormwater management

- e. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Safety and efficiency of multi-modal transport network

- f. The extent to which:
- i. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of suburban character
 - iii. the location and nature of the non-residential activity will reduce reliance on private motor vehicles and increase walking and cycling in the neighbourhood

Vibrancy and vitality of centres

- g. Whether the non-residential activity will detract from the purpose and function of centres as set

out in the objectives and policies of (Centres zones chapters).

GRZ-AC3 – All infringements to standards (GRZ-S1 – GRZ-S11)

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The relevant assessment criteria under GRZ-AC1 apply in addition to the above.

LLRZ - Large Lot Residential

Introduction

The purpose of the Large Lot Residential Zone is to provide for residential activities and buildings such as detached houses on lots larger than those of the General Residential Zone, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.

The Large Lot Residential Zone applies to areas on the periphery of Napier's residential areas where there are significant landscape, ecological, and/or mana whenua values, topographical and/or infrastructure constraints to enabling suburban scale residential development. The zone enables a transition between urban and rural areas, and provides for a residential lifestyle alternative on the periphery of the urban area.

A key outcome the District Plan seeks to achieve is "Great urban areas". The quality of urban areas, including residential neighbourhoods, impacts directly on our quality of life. The layout and design of neighbourhoods, and homes within those neighbourhoods, can contribute to community cohesion, safety, health and wellbeing. The provisions of the Large Lot Residential Zone seek to ensure development contributes to achieving Great Urban Areas within our communities.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the Large Lot Residential Zone provisions provide for the following:

- Providing for housing choice across the city and recognising the values and constraints of areas zoned Large Lot Residential Zone by maintaining a character of detached houses on large sites with significant open space and landscaped areas
- Achieving quality residential environments
- Ensuring appropriate infrastructure is in place to service development, including requiring site sizes that enable onsite wastewater treatment and discharge
- Reducing impact of development on infrastructure and the environment through low-impact design e.g. water reuse, raingardens.

Issues

LLRZ-I1 Residential development can compromise landscape character, ecological and mana whenua values

Higher densities of residential development can adversely affect landscape character, ecology and mana whenua values, with the resulting dominance of built form. Where high intensity development would fundamentally detract from these values, and adverse effects can not be mitigated through design, it is inappropriate to enable higher scale of development in the zone.

LLRZ-I2 Demand for residential growth can restrict housing choice through pressure to subdivide

While intensification in appropriate locations is necessary to increase supply and provide housing choice through provision of smaller lots and attached housing forms, the converse is that there is a risk that larger residential lots will be lost from the range of housing options in Napier. It is

appropriate that larger lots remain available as a choice in areas where the benefits of intensification do not outweigh the costs in terms of sensitive values or infrastructure provision.

LLRZ-I3 Housing development places additional demand on infrastructure capacity and the environment

Residential development places additional demand on infrastructure capacity and if not managed appropriately can contribute towards the further degradation of the environment. Council has a programme of work to upgrade infrastructure provision and capacity in residential areas throughout the city and a requirement for new development to adopt low impact design solutions for stormwater discharge to help improve water quality in receiving environments. However, some areas have constraint issues that need to be managed to ensure that development does not generate hazards or public health issues.

To achieve the key principles of “Smart Growth” and “Resilient Napier”, residential subdivision and development should align with infrastructure capacity and servicing availability. This is necessary to ensure efficient use of infrastructure, reducing cost barriers to growth, enhancement of the environment (particularly in relation to the discharge of stormwater), and to provide for the health and wellbeing of residents (including through reducing risks of natural hazards, e.g. flooding).

Objectives

LLRZ-O1: Character and identity

Development is consistent with a spacious peri-urban character of primarily one storey residential buildings surrounded by significant areas of open space and landscaping while recognising any identified landscape, ecological and/or mana whenua values of the area

Relates to LLRZ-I1

LLRZ-O2: Quality living environments

Development provides healthy, safe, high amenity and comfortable living environments for residents

Relates to LLRZ-I1 and LLRZ-I2

LLRZ-O3: Public health and environmental wellbeing

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and appropriate provision of infrastructure and servicing.

Relates to LLRZ-I3

Policies

LLRZ-P1: Character and identity

Achieve a spacious peri-urban residential character that provides a transition between urban and rural areas by providing for primarily single storey residential buildings surrounded by significant areas of open space and landscaping including by:

- a. limiting the height, bulk and form of development;
- b. avoiding multi-residential unit development and gated communities; and
- c. requiring setbacks and landscaped areas that are consistent with a semi-rural character
- d. avoiding non-residential activities that detract from the peri-urban character

Relates to LLRZ-O1

LLRZ-P2: Quality living environments

Require development to maintain a healthy, high amenity and comfortable living environment by providing a reasonable standard of sunlight access and privacy and by minimising adverse visual amenity effects.

Relates to LLRZ-O2

LLRZ-P4: Identified values

Require development to respect the identified landscape, ecological and/or mana whenua values of the area

Relates to LLRZ-O1, GRZ-O4

LLRZ-P5: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. restricting the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated
- b. requiring water sensitive design / low-impact stormwater management where practicable
- c. providing for onsite wastewater treatment and disposal where reticulated services aren't available
- d. providing for onsite water storage where reticulated services aren't available
- e. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand

Relates to SD-O3, LLRZ-O3

Large Lot Residential Zone - Activity Table

LLRZ-R1 Residential units and residential activity		
LLRZ-R1A	LLRZ-R1B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 	<p>Activity Status where activity conditions are not met: Non-complying</p>
<p>LLRZ-R2 Additions, alterations, and demolition of a residential unit</p>	
<p>Activity Status: Permitted</p>	
<p>LLRZ-R3 Home business</p>	
<p>LLRZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Not more than one employee who resides outside the residential unit are on the site at any one time 2. The area of the Home business does not exceed 30% of the GFA of the residential unit 3. Any outdoor storage associated with the Home business must be screened from view of any adjacent sites and public open spaces 4. Retailing of goods must not occur from the site except for: <ol style="list-style-type: none"> a. items produced on the site or b. fruit, vegetables or other natural products grown on the property c. goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier. 5. Car trips to and from the Home business must not exceed 20 per day 6. Heavy vehicle trips must not exceed two per week 7. The Home business must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day. 	<p>LLRZ-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network 7. Vibrancy and vitality of centres
<p>LLRZ-R4 Activities infringing standards LLRZS1 - LLRZ-S9</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the 	<p>NA</p>

relevant standard(s)	
<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) apply in addition to this rule</i>	
LLRZ-R5 Minor residential unit	
LLRZ-R5A Activity Status: Discretionary Where the following activity conditions are met: <ol style="list-style-type: none"> One minor residential unit per site The gross floor area of the unit does not exceed 80m². 	LLRZ-R5B Activity Status where activity conditions are not met: Non-complying
LLRZ-R6 Grazing of livestock	
LLRZ-R6A Activity Status: Discretionary Where the following activity conditions are met: <ol style="list-style-type: none"> The net site area is greater than 5,000m² net site area. 	LLRZ-R6B Activity Status where activity conditions are not met: Non-complying
LLRZ-R7 Residential care facility	
Activity Status: Discretionary	NA
LLRZ-R8 Day care centre	
Activity Status: Discretionary	NA
LLRZ-R9 Visitor accommodation	
Activity Status: Discretionary	NA
LLRZ-R10 Educational facility	
Activity Status: Discretionary	NA
LLRZ-R11 Activities on land gazetted as reserve under the Reserves Act 1977	
Activity Status: <i>Refer to the Open Space Zone activity table and standards table</i>	
LLRZ-R12 Gated communities	
Activity Status: Prohibited	NA
LLRZ-R13 Retirement village premises	
Activity Status: Prohibited	NA
LLRZ-R14 Activities not otherwise provided for	

<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met: The activity is not provided for under Rules LLRZ-R1 – LLRZ-R13</p>	<p>NA</p>
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Large Lot Residential Zone - Standards Table

LLRZ-S1 Height	
<p>Large Lot Residential Zone (except as otherwise provided for below)</p> <p><i>Purpose: to maintain a spacious peri-urban character; to provide for houses on sloped sites; and to minimise effects on the quality of the neighbours' living environment</i></p>	<p>1. Buildings and structures must not exceed 7.5m in height.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Spacious peri-urban character 3. Healthy, safe, high amenity and comfortable living environments
<p>Airport Height Control</p> <p><i>Purpose: to maintain the safety of aircraft approaching and taking off from Hawkes Bay Airport</i></p>	<p>2. Buildings, structures and trees must not exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 7.5m.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Aircraft and community safety
LLRZ-S2 Height in relation to boundary	
<p><i>Purpose: to maintain a spacious peri-urban character; maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living</i></p>	<p>1. Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries.</p> <p>2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

<p><i>environment; enable quality relationship and passive surveillance between residential units and public open space</i></p>	<p>of LLRZ-S2 clause (1) above.</p> <p>3. LLRZ-S2 clause (1) above does not apply to a boundary adjoining:</p> <ol style="list-style-type: none"> a. Sites exceeding 2,000m² in an Open Space Zone or gazetted reserve b. Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed. 	
<p>LLRZ-S3 Front yards</p>		
<p><i>Purpose: to maintain the spacious peri-urban character of the neighbourhood; and provide for a safe and attractive streetscape</i></p>	<p>1. Any part of a building must not be erected closer than 7.5m to the road boundary</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>LLRZ-S4 Other yards</p>		
<p><i>Purpose: to maintain a spacious peri-urban character; to maintain quality living environments on adjacent sites; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</i></p>	<ol style="list-style-type: none"> 1. Any part of a building must not be erected closer than 3 metres to a side or rear site boundary. 2. Any part of any building associated with an agricultural, horticultural or viticultural activity must not be erected closer than 6 metres to a side or rear boundary. 3. Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Operation and maintenance of watercourses and open drains
<p>LLRZ-S5 Building</p>		

coverage		
<i>Purpose: to maintain a spacious peri-urban character; and minimise effects on the quality of the neighbours' living environment.</i>	1. Building coverage must not exceed 500m ² or 25% of the net site area, whichever is the lesser.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
LLRZ-S6 Landscaped area		
<i>Purpose: to maintain a spacious peri-urban character; and to maintain the quality of the living environment</i>	1. Landscaped area must be a minimum of 50% of the net site area.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
LLRZ-S7 Impervious area		
<i>Purpose: to maintain a peri-urban character; to maintain the quality of the living environment; to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i>	1. Impervious area must not exceed 50% of the net site area.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Infrastructure capacity and stormwater management
LLRZ-S8 Fences and walls		
<i>Purpose: to</i>	1. Fences or walls (or a combination	Matters of discretion are restricted

<p><i>provide for privacy of residential units while enabling opportunities for passive surveillance of the street and public open spaces; minimise visual dominance effects to immediate neighbours and the street</i></p>	<p>of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ul style="list-style-type: none"> a. Within the front yard, and within a side or rear yard adjacent to a common boundary with an Open Space zone, either: <ul style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the length of the boundary and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. b. Within the side and rear yards: 2m. 	<p>to:</p> <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Spacious peri-urban character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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LLRZ-S9 Open Space

<p>Purpose: <i>to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite</i></p>	<ul style="list-style-type: none"> 1. Each residential unit must have a minimum open space of not less than 50% of the GFA, provided that the maximum area of open space required to be provided under this rule is 100m² per residential unit, provided that: <ul style="list-style-type: none"> a. The open space must include at least one area capable of containing a 6 metre diameter circle. b. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 2. Where the open space is partially provided in the form of a balcony, patio or roof terrace it is at least 5m² and has a minimum dimension of 1.8m. 3. Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments
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	<p>areas.</p> <p>4. Open space must be directly accessible from the residential unit to which it relates.</p> <p><i>Advice note: Day care centres may be subject to additional open space requirements from the Ministry of Education and/or the Hawkes Bay District Health Board.</i></p>	
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Assessment criteria

LLRZ-AC1 – All activities in the Large Lot Residential Zone

- a. The application will be assessed under the relevant objectives and policies of this plan.

LLRZ-AC2 – All infringements to standards (LLRZ-S1 – LLRZ-S9)

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- b. Any special or unusual characteristic of the site which is relevant to the standard.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

MRZ - Medium Density Residential

Introduction

The purpose of the Medium Density Residential Zone is to provide predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.

Key outcomes the District Plan seeks to achieve are “City Living for a Vibrant CBD” and “Great urban areas”. Enabling a higher intensity of development close to the City Centre (and other amenities where appropriate) provides for a greater range of housing choice within Napier City. It also provides opportunities for more people to walk/cycle to work and play in the City Centre, which contributes to community and economic wellbeing. The provisions of the Medium Density Residential Zone seek to ensure development contributes to achieving Great Urban Areas within our communities while also enabling higher density of residential activity in close proximity to the City Centre and other amenities.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the residential provisions provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Enabling growth including intensification close to the City Centre and amenities
- Providing for a range of housing typologies including terraced housing and low-rise apartments
- Ensuring appropriate infrastructure is in place to service development
- Reducing impact of development on infrastructure and the environment through low-impact design e.g. water reuse, stormwater tanks, permeable surfaces
- Limiting non-residential activities to enable efficient use of the land for medium density housing and to encourage vibrancy in centres

Issues

Issues GRZ-I1 – GRZ-I5 are also applicable to the Medium Density Residential Zone.

Objectives

MRZ-O1: Housing supply and diversity

Terraced housing and low-rise apartments locate close to centres and public open spaces

Relates to GRZ-I1 and GRZ-I2

MRZ-O2: Community wellbeing

Development and activities contribute to safety, security, social wellbeing and connectivity in communities

Relates to GRZ-I3 and GRZ-I5

MRZ-O3: Quality living environments

Development and activities provide healthy, safe, high amenity and comfortable living environments for residents while recognising the amenity provided in the nearby centre and public open space

Relates to GRZ-I3 and GRZ-I5

MRZ-O4: Neighbourhood character and identity

Development is consistent with an urban character of primarily two to three storey buildings, including terraced housing and low rise apartments, surrounded by landscaping

Relates to GRZ-I3

MRZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and appropriate provision of infrastructure.

Relates to GRZ-I4

Policies

MRZ-P1: Housing supply

Enable the development of terraced housing and low rise apartments

Relates to MRZ-O1

MRZ-P2: Streets and public open space

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. providing visibility for passive surveillance over the street and public open space
- b. providing front yard setbacks, landscaping and permeable fencing
- c. minimising visual dominance of large buildings, garages, servicing and waste storage areas
- d. providing publicly accessible connections through large sites, where practicable
- e. avoiding the creation of gated communities

Relates to MRZ-O2

MRZ-P3: Quality living environments – adjoining sites

Require development to maintain a healthy, high amenity and comfortable living environment for adjoining sites by providing a reasonable standard of sunlight access and privacy and by minimising adverse visual and acoustic amenity effects

Relates to MRZ-O3

MRZ-P4: Quality living environments – within the site

Manage development to achieve a healthy, safe, high amenity and comfortable living environments for residents within the site, including by providing:

- a. useable and accessible outdoor living space appropriate for the location and housing typology
- b. privacy
- c. access to sunlight
- d. functional living spaces
- e. storage
- f. safe and accessible parking area
- g. internal noise levels which provide for undisturbed sleep where development is adjacent to identified noise generating activities

Relates to MRZ-O3

MRZ-P5: Urban Character

Achieve an urban residential character of primarily two to three storey buildings surrounded by landscaping including by:

- a. limiting the height, bulk and form of development
- b. managing the design and appearance of multi-residential unit development; and
- c. requiring setbacks and landscaped areas that are consistent with an urban character.

Relates to MRZ-O4

MRZ-P6: Non-residential activities

Limit non-residential activities in the zone to:

- a. prioritise efficient use of the zone for residential activities; and
- b. to minimise effects on the vitality of centre zones

Relates to MRZ-O1

MRZ-P7: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. restricting the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated
- b. requiring water sensitive design / low-impact stormwater management where practicable
- c. encouraging sustainable design in development including optimising solar orientation and passive ventilation
- d. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand

Medium Density Residential Zone - Activity Table

MRZ-R1 Residential units and residential activity		
<p>MRZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site; and 2. The net site area is more than 350m². <p><i>Note: Minor residential units are considered a standard residential unit subject to this rule within the Medium Density Residential Zone</i></p>	<p>MRZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Housing supply and diversity 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management <p>Notification: Non-notified</p>	
<p>MRZ-R2 Additions, alterations, and demolition of a residential unit</p>		
<p>Activity Status: Permitted</p>		
<p>MRZ-R3 Home business</p>		
<p>MRZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Not more than one FTE job is created for a person(s) residing outside the residential unit 2. The area of the Home business does not exceed 30% of the GFA of the residential unit 3. Any outdoor storage associated with the Home business must be screened from view of any adjacent sites and public open spaces 4. Retailing of goods must not occur from the site except for: <ol style="list-style-type: none"> a. items produced on the site or b. fruit, vegetables or other natural products grown on the property c. goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier 	<p>MRZ-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Contribution to local community wellbeing 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Infrastructure capacity and stormwater management 6. Safety and efficiency of multi-modal transport network 7. Vibrancy and vitality of centres 	

<p>5. Car trips to and from the Home business must not exceed 20 per day</p> <p>6. Heavy vehicle trips must not exceed two per week</p> <p>7. The Home business must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day.</p>	
MRZ-R4 Visitor accommodation	
<p>MRZ-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation does not cater for more than 5 guests, excluding staff and/or family. 	<p>MRZ-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood character 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Infrastructure capacity and stormwater management 5. Safety and efficiency of multi-modal transport network 6. Vibrancy and vitality of centres
MRZ-R5 Relocated buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Visual amenity 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Coastal environment values (where applicable) <p>Notification: Non-notified</p>	NA
MRZ-R6 Activities infringing standards MDRZS1 - MDRZ-S11	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the</i></p>	NA

<i>associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
MRZ-R7 Retirement village premises	
Activity Status: Discretionary	NA
MRZ-R8 Gated communities	
Activity Status: Non-complying	NA
MZ-R9 Activities on land gazetted as reserve under the Reserves Act 1977	
<i>Activity Status: Refer to the Open Space Zone activity table and standards table</i>	
MRZ-R10 Activities not otherwise provided for	
Activity Status: Non-complying	NA
<p>Where the following activity conditions are met:</p> <p>1. The activity is not provided for under Rules MRZ-R1 – MRZ-R9</p>	

Medium Density Residential Zone - Standards Table

MRZ-S1 Height		
<p>Purpose: to achieve and maintain an urban character while providing for a reasonable standard of amenity for neighbouring properties</p>	<ol style="list-style-type: none"> Buildings and structures must not exceed 12m in height Clause (1) above does not apply to: <ol style="list-style-type: none"> solar heating devices, air conditioning units and similar structures housing mechanical and/or electronic equipment one chimney per building <p>where the device, unit or other structure does not exceed the maximum height of clause (1) by more than 2.5 metres vertically and one metre in any horizontal direction.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
<p>Airport Height Control</p> <p>Purpose: to maintain the safety of aircraft approaching and taking off from Hawkes Bay</p>	<ol style="list-style-type: none"> Buildings and structure must not exceed the Airport Height Control Designation in Appendix 1. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Aircraft and community safety

Airport		
MRZ-S2 Height in relation to boundary		
<p><i>Purpose: to achieve and maintain an urban character; facilitate a range of housing forms; while maintaining a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</i></p>	<ol style="list-style-type: none"> 1. Buildings must not project beyond a 45 degree recession plane measured from a point 7.5m vertically above ground level along side and rear boundaries. 2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of MRZ-S2(1) above. 3. Control MRZ-S2(1) above does not apply to a boundary adjoining: <ol style="list-style-type: none"> a. Sites exceeding 2,000m² in an Open Space Zone / gazetted reserve b. there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed 4. MRZ-S2 clause (1) above does not apply to the height exemptions set out in MRZ-S1 clause (2). 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Housing supply and diversity 3. Neighbourhood character 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Healthy, safe, high amenity and comfortable living environments
MRZ-S3 Front yards		
<p><i>Purpose: to achieve and maintain the urban character of the neighbourhood; and provide for a safe and attractive streetscape</i></p>	<ol style="list-style-type: none"> 1. Any part of a building (other than as required under MDRZ-S9 Garages and Accessory buildings below) must not be erected closer than 1m to the road boundary 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
MRZ-S4 Other yards		
<p><i>Purpose: to</i></p>	<ol style="list-style-type: none"> 1. Any part of a building must not be 	<p>Matters of discretion are restricted</p>

<p><i>achieve and maintain an urban character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</i></p>	<p>erected closer than 1 metre to a side or rear site boundary</p> <ol style="list-style-type: none"> An exemption to MDRZ-S4(1) will be a deemed permitted activity where written approval of the adjacent landowner(s) is provided Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments Operation and maintenance of watercourses and open drains
<p>MRZ-S5 Building coverage</p>		
<p>Purpose: <i>to achieve and maintain an urban character; facilitate a range of housing forms; and minimise effects on the quality of the neighbours' living environment.</i></p>	<ol style="list-style-type: none"> Building coverage must not exceed 75% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Housing supply and diversity Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
<p>MRZ-S6 Impervious area</p>		
<p>Purpose: <i>to achieve and maintain an urban character; to maintain the quality of the living environment; to facilitate a range of housing forms; to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i></p>	<ol style="list-style-type: none"> Impervious area must not exceed 85% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Infrastructure capacity and stormwater management

MRZ-S7 Landscaped area		
<i>Purpose: to achieve and maintain an urban character; to facilitate a range of housing forms; and to maintain the quality of the living environment</i>	1. Landscaped area must be a minimum of 15% of the net site area.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
MRZ-S8 Fences and walls		
<i>Purpose: to provide for privacy of residential units while enabling opportunities for passive surveillance of the street; minimise visual dominance effects to immediate neighbours and the street</i>	1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: a. Within the front yard, and along a common boundary with an Open Space zone, either: i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. b. Within the side and rear yards: 2m.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
MRZ-S9 Garages and accessory buildings		
<i>Purpose: provide</i>	1. A garage door facing the street	Activity Status where standards are

<p><i>for a streetscape attractive for pedestrians and cyclists; to minimise risk of vehicles overhanging the footpath</i></p>	<p>must be set back at least 5m from the site's frontage.</p> <ol style="list-style-type: none"> 2. Garages integrated within a residential unit building: <ol style="list-style-type: none"> a. Must be no closer to the front boundary than the front line of the residential unit b. For a garage that forms part of a single storey residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front façade of the residential unit. 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>MRZ-S10 Building frontage</p>		
<p><i>Purpose: to provide for passive surveillance of the street and public open space; to provide visual interest to the street and public open space</i></p>	<ol style="list-style-type: none"> 1. The façade of any building within 10m of the front boundary and any public open space must contain glazing to a habitable room or habitable rooms that is cumulatively at least 10 per cent of the area of that façade. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>MRZ-S11 Open Space</p>		
<p><i>Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite and recognising the accessibility of public open</i></p>	<ol style="list-style-type: none"> 1. Each residential unit must have a minimum open space of not less than 20m² per residential unit meeting the following dimensions: <ol style="list-style-type: none"> a. Where the open space is provided at ground level, it must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. b. Where the open space is partially or fully provided in the 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments 3. Housing supply and diversity

<p><i>space</i></p>	<p>form of balcony, patio or roof terrace it is at least 5m² and has a minimum dimension of 1.8m</p> <ol style="list-style-type: none"> 2. Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas. 3. Open space must be directly accessible from the residential unit to which it relates. 4. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by: <ol style="list-style-type: none"> a. at least 9m for two storey buildings; and b. at least 6m for single storey buildings. <p>For the purpose of this standard south is defined as between 135 and 225 degrees.</p>	
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MRZ-S12 Residential privacy and light space
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<p><i>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors while enabling a range of housing typologies</i></p>	<ol style="list-style-type: none"> 1. The minimum dimensions for a required “privacy and light space” are as flows: <ol style="list-style-type: none"> a. a principal living room must have a privacy and light space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have a privacy and light space with a minimum dimension of 3m in depth and 3m in width 2. Outlook spaces may be within the site, over a public street, or other public open space 3. Outlook spaces must be clear and unobstructed by buildings, and must not overlap with the privacy and light space required by 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Housing supply and diversity
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	another residential unit or visitor accommodation.	
MRZ-S13 Minimum residential unit size		
<i>Purpose: To ensure 1 units have sufficient room to accommodate furniture, space to get around, and the anticipated number of residents</i>	1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> Studio – 35m² 1 bedroom – 45m² 2 bedroom – 70m² 3 bedroom – 90m² 	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Healthy, safe, and comfortable living environments Housing supply and diversity

Assessment criteria

MRZ-AC1 – Residential units (MRZ-R1); Relocated buildings (MRZ-5); Retirement village premises (MRZ-R7)

General

- The extent to which the site layout (location and design of buildings, access/car parking and open spaces) optimises the quality of the living environment and the safety and attractiveness of streets and public open spaces, by addressing each of the criteria below.

Housing supply and diversity

- The extent to which the development makes efficient use of the site and contributes to diversity of housing options in Napier.

Purpose: Napier's communities have a growing range of household demographics. Development in the medium density zone can provide an alternative housing typology choice for Napier residents.

Neighbourhood character

- The extent to which an urban residential character is achieved and maintained by the development.

Purpose: The development should facilitate transition to an urban residential character

Safety, attractiveness and connectivity of streets and public open space

- For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.

Purpose: Good connectivity makes it easier for residents to access local amenities including public open spaces and nearby centres, and also provides more than one route in or out of a property in case of emergency

- e. Whether visibility is provided over the street and public open space to enhance safety and security.

Purpose: Visibility enables residents to watch their children playing outside and see people approaching their home (a deterrent for crime).

- f. Whether the development contributes to attractive streets and public open spaces. For relocated buildings, this includes consideration of upgrade works required to ensure the amenity values of the neighbourhood are maintained.

Purpose: Quality and attractive streetscapes encourage people to walk and cycle to work, schools, entertainment, public open space and other amenities

Warm, dry, healthy and comfortable homes

- g. The extent to which the site layout and residential unit design contributes to a safe, warm, dry and healthy living environment for residents, including consideration of:
- i. Window placement
 - ii. Orientation of residential units
 - iii. safe access to the front door of residential units in low rise apartments

- h. Whether the site layout and residential unit design maintains a reasonable level of privacy for residents

- i. The extent to which the site layout and residential unit design contributes to a reasonable noise environment for residents, particularly to enable uninterrupted sleep

- j. Whether the entranceway is well lit and shelter is provided from the rain at the front door

Purpose: Optimising site layout and design from the outset can contribute to long term public health outcomes, including by maximising sunlight access for warmth and natural ventilation to reduce dampness. Consideration of privacy, noise and entranceways in residential unit placement and site layout can optimise the quality of the living environment for residents both within the site and on adjacent sites

- k. Whether residents, visitors and emergency services can easily find and access the residential unit.

Purpose: Easy to find residential units makes a more comfortable living environment for residents and improves clarity for emergency services

- l. Whether the site layout provides for easy storage and access of recycling and rubbish for collection

- m. Whether communal collection areas will detract from the quality of the living environment, particularly for adjoining residents, and/or the safety and attractiveness of the street and public open spaces

Purpose: Refuse and recycling storage and collection should be easily accessible to provide a comfortable and safe living environment for residents

- n. The extent to which outdoor living spaces are useable by residents and contribute to a healthy

living environment.

Purpose: Outdoor living spaces provide opportunities for socialising; connection with nature and/or opportunities to grow food; access to fresh air; and generally complement public open space in contributing to public health outcomes. Within the Medium Density Residential zone, public open space is located nearby and therefore less onsite outdoor living space is required to meet the needs of residents. However, this space should be functional.

- o. Whether parking is safe and accessible for residents.

Purpose: Car parking and bike parking should be easily accessible to provide a comfortable and safe living environment for residents

- p. Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.

Purpose: Rooms that are easy to get around and can fit standard sized furniture contribute to a comfortable living environment.

Infrastructure capacity and stormwater management

- q. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Purpose: Infrastructure provision is required for public health, environmental health and to reduce flooding hazards

MRZ-AC2 – Home business or visitor accommodation not meeting the permitted activity standards (MRZ-R3 - MRZ-R4)

Neighbourhood character

- a. The extent to which an urban character will be achieved and maintained by the development.

Healthy, safe, high amenity and comfortable living environments

- b. The extent to which the buildings and activity will:
- i. maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects
 - ii. maintain the urban character of the neighbourhood.
- c. Assessment under criteria (a) and (b) above will include consideration of:
- o site layout
 - o design and external appearance of buildings
 - o dust and/or odour effects
 - o hours of operation
 - o noise generation
 - o screening of storage areas

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which access and parking associated with the non-residential activity will provide safe access to the activity for pedestrians, cyclists and motorists

Infrastructure capacity and stormwater management

- e. *Infrastructure*: Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Safety and efficiency of multi-modal transport network

- f. The extent to which:
- i. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of urban residential character
 - iii. the location and nature of the non-residential activity will reduce reliance on private motor vehicles and increase walking and cycling in the neighbourhood

Vibrancy and vitality of centres

- g. Whether the non-residential activity will detract from the purpose and function of centres as set out in the objectives and policies of (Centres zones chapters).

MRZ-AC3 – Infringement to the open space standard MDRZ-S11

- a. Whether the infringement to the open space standard will optimize the efficient use of the site while maintaining a quality living environment for residents and neighbouring properties
- b. The proximity and connectivity of the residential unit to nearby public open space(s)

MRZ-AC4 – All infringements to standards (GRZ-S1 – GRZ-S12)

- a. Any special or unusual characteristic of the site which is relevant to the standard
- b. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The relevant assessment criteria under MRZ-AC1 apply in addition to the above.

PREC1 - Ahuriri Spit Amenity Precinct

Introduction

The purpose of the Ahuriri Spit amenity precinct is to maintain the character and pattern of development that contributes to the amenity values of Hardinge Road and Waghorne Street.

The standards for this precinct are generally consistent with the Ahuriri Spit heritage precinct as they both seek to maintain a consistent character and pattern of development along Ahuriri Spit. However, the residential units and accessory buildings in the amenity precinct are of more modern construction and therefore the architectural character is not protected by the heritage precinct.

A key outcome the District Plan seeks to achieve is "Great urban areas". Provisions in this precinct seek to maintain the distinctive character and amenity values of this area. This will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Ahuriri Spit amenity precinct provide for the following:

- Achieving quality residential environments including optimised connectivity, safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character, pattern of development and amenity values of the Ahuriri Spit precinct, and ensuring new development is consistent with this character
- Enabling growth through intensification where this does not impact negatively on character
- Enabling appropriate non-residential activities which contribute to the wellbeing of residents while maintaining defined character and amenity values.

Issues

PREC1-I1 The lot sizes, layout and pattern of development which characterise the Ahuriri Spit is more intensive than a general Napier suburban area

The lot sizes, layout and historic pattern of development in the eastern spit at Ahuriri differs from other residential areas in Napier City. Typically, houses are located closer to the street and to each other, and there is less onsite open space due to the proximity of the residential sites to the foreshore reserve. The character and proximity to the coast and to Ahuriri village contribute to the attractiveness of the area for residents. Site redevelopments have the potential to erode the character and amenity values of the area, particularly through the amalgamation of sites and through changes to the positioning of buildings within a site. To maintain this character, differing standards from the General Residential Zone are required.

Groups of properties at the eastern end of the Harding Road / Waghorne Street locality have identified consistent architectural character also. These are addressed separately by the provisions of the Ahuriri Spit Character Precinct. To ensure consistency of lot sizes, layout and pattern of development, the standards and subdivision controls for both Ahuriri Spit precincts are consistent.

PREC1-I2 The changing needs of housing

The desirability of this location, in close proximity to the waterfront and within walking/cycling distance of both the Ahuriri Shopping Centre and Napier's CBD, has significantly increased the value of land. Many of those wishing to live in this location, and with the means to do so, desire large modern houses that take advantage of sea views to the north. They also want on-site carparking and improved security. This has resulted in the demolition of existing original cottages, and their replacement with multiple storied modern houses that bear no resemblance to the original character.

The demand for on-site carparking has resulted in the streetscape being dominated by garage doors where redevelopment has occurred. The size and shape of original sections are also being altered as developers purchase and amalgamate titles, and the street with the less desirable aspect (eg Waghorne Street) becomes the rear entrance to the property, with garage doors and high fences along this street. A balance is required between enabling site redevelopment to meet these changing needs, while maintaining the identified character and amenity values which attract people to Ahuriri Spit as a desirable place to live.

The issues of the underlying General Residential Zone are also relevant in the Ahuriri Spit amenity precinct.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC1-O1: Identification of Ahuriri Spit amenity precinct

The elements and values that define the Ahuriri Spit amenity precinct are identified and the extent of this character is mapped.

Relates to PREC1-I1

PREC1-O2: Retention of amenity character values

The amenity character values of the area, as identified in the Amenity Character Area statement are retained.

Relates to PREC1-I1, GRZ-I3 and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC1-P1: Identify and map the features that make up the amenity character of the Ahuriri Spit amenity precinct

Identify the key components which contribute to the amenity values and character of the Ahuriri Spit amenity precinct, including:

- a. Section size and configuration, and residential density
- b. Topography and roading layout
- c. Vegetation coverage and open space
- d. Position of houses on the section

Relates to PREC1-O1

PREC1-P2: Character and amenity values

Manage development to maintain the identified character and amenity values of the Ahuriri Spit amenity precinct, including by:

- a. providing for a higher density and intensity of development than the General Residential Zone
- b. providing for a lower proportion of open space and landscaped area than the General Residential Zone in recognition of the historical pattern of development and proximity to the foreshore reserve
- c. requiring developments for multiple residential units to respond to the identified character and amenity values of the Ahuriri Spit amenity precinct.

Relates to PREC1-O1

Ahuriri Spit Amenity Precinct - Activity Table

PREC1-R1 Residential units and residential activity	
<p>PREC1-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. The net site area is more than 250m². 	<p>PREC1-R1B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
PREC1-R2 Accessory buildings and minor residential units	
<p>PREC1-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One minor residential unit per site 2. The gross floor area of the unit does not exceed 80m² 3. New accessory buildings and minor residential units must be located behind or to the rear of an existing Residential unit 	<p>PREC1-R2B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Amenity character of Ahuriri Spit 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments

	4. Infrastructure capacity and stormwater management
PREC1-R3 Activities infringing standards PREC1-S1 – PREC1-S3	
<p>PREC1-R3A</p> <p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p> <p><i>Note: GRZ-R12 also applies for infringement of the standards in the underlying General Residential Zone</i></p>	NA

Ahuriri Spit Amenity Precinct - Standards Table

PREC1-S1 Front yards		
<p>Purpose: to maintain the character of the Ahuriri Spit Amenity Precinct and to provide for a safe and attractive streetscape</p>	<p>1. Any part of a building (other than garages subject to GRZ-S9) must not be erected closer than 1m to the road boundary.</p>	<p>Matters of discretion are restricted to:</p> <p>1. Purpose of the Standard 2. Amenity character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment</p>
PREC1-S2 Building coverage		
<p>Purpose: to maintain the character of the Ahuriri Spit amenity precinct; to minimise effects on the quality of the neighbours' living environment</p>	<p>1. Building coverage must not exceed 70% of the net site area</p>	<p>Matters of discretion are restricted to:</p> <p>1. Purpose of the Standard 2. Amenity character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments</p>
PREC1-S3 Landscaped area		
<p>Purpose: to</p>	<p>1. Landscaped area must be a</p>	<p>Matters of discretion are restricted</p>

<p><i>maintain the character of the Ahuriri Spit amenity precinct; and to maintain the quality of the living environment</i></p>	<p>minimum of 15% of the net site area</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Amenity character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC1-S4 Fences and walls</p>		
<p>Purpose: <i>to maintain the character of the Ahuriri Spit amenity precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i></p>	<ol style="list-style-type: none"> 1. Fences and walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard: 1.2m in height b. Within the side and rear yard: 2m 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC1-S5 Open Space</p>		
<p>Purpose: <i>to provide quality onsite living environments by providing useable outdoor living areas appropriate for residents onsite while recognising the accessibility of public open space along the foreshore</i></p>	<ol style="list-style-type: none"> 1. Each residential unit must have a minimum open space of not less than 20m² per residential unit meeting the following dimensions: <ol style="list-style-type: none"> a. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. b. Where the open space is partially provided in the form of a balcony, patio or roof terrace it is at least 5m² and has a minimum dimension of 1.8m 2. Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas. 3. Open space must be directly accessible from the residential unit to which it relates. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments

Assessment criteria

The relevant assessment criteria of the underlying General Residential Zone apply in addition to the below.

PREC1-AC1 – All infringements to standards (PREC1-S1 – PREC1-S4)

- a. Any special or unusual characteristic of the site which is relevant to the standard.
- b. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- d. The relevant assessment criteria under GRZ-AC1 apply in addition to the above.

PREC2 - Ahuriri Spit Character Precinct

Introduction

The Ahuriri Spit Character precinct is primarily a residential neighbourhood that encompasses a high proportion of dwellings and buildings built between the mid-1850's and the 1920's. Due to limited land availability, this part of Ahuriri was one of the first to be built on, and is characterised by workers cottages positioned close to the road boundary, on small narrow sites. On-site garaging is rare, and front fences are either not present or low.

The purpose of the Ahuriri Spit Character precinct is to maintain the specified character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case early workers cottages and villas with a scattering of early industrial or commercial buildings. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Ahuriri Spit Character precinct provide for the following:

- Achieving quality residential environments including optimised connectivity, safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Ahuriri Spit Character Precinct, and ensuring new development is consistent with this character
- Enabling appropriate non-residential activities that contribute to the wellbeing of residents while maintaining defined character and amenity values.

Issues

The issues of the underlying General Residential Zone are also relevant in the Ahuriri Spit Character Precinct.

PREC2-I1 Identification and protection of areas of special character

The character of the eastern spit at Ahuriri has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character, and their protection from demolition, alterations, and inappropriate new buildings, this character can be easily compromised.

PREC2-I2 The changing needs of housing

The desire for modern housing in this location has resulted in the demolition of existing original

cottages, and their replacement with multiple storied modern houses that bear no resemblance to the original character. The demand for on-site carparking has resulted in the streetscape being dominated by garage doors where redevelopment has occurred. The size and shape of original sections are also being altered as developers purchase and amalgamate titles, and the street with the perceived less desirable aspect becomes the rear entrance to the property, with garage doors and high fences along this street (eg Waghorne Street compared to Hardinge Road).

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC2-O1 Identification of Ahuriri Spit Character Precinct

The elements and values that define the Ahuriri Spit Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC2-I1

PREC2-O2 Retention of special character values

The special character values of the area, as identified in the Character Area Statement, are retained.

Relates to PREC2-I1, PREC2-I2, GRZ-I3, and GRZ-I5

PREC2-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Ahuriri Spit Character Precinct and do not create adverse effects.

Relates to PREC2-I1, PREC2-I2, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC2-P1: Identify and map the features that make up the special character of the Ahuriri Spit Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and representative of urban development at a point in time. Typical character features include:

- a. Section size and configuration, density
- b. Street design (width, layout, and street trees)
- c. Architectural form of houses (design and materials)
- d. Position of houses on the section

Relates to PREC2-O1

PREC2-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC2-O2 and PREC2-O3

PREC2-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Ahuriri Spit Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintain the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC2-O2 and PREC2-O3

PREC2-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Ahuriri Spit Character Precinct.

Relates to PREC2-O2 and PREC2-O3

PREC2-P5 Dual frontages

Ensure that where properties have dual street frontages, attractive streetscapes are maintained through building design and setback on both frontages, and through limited front yard fence height.

Relates to PREC2-O2 and PREC2-O3

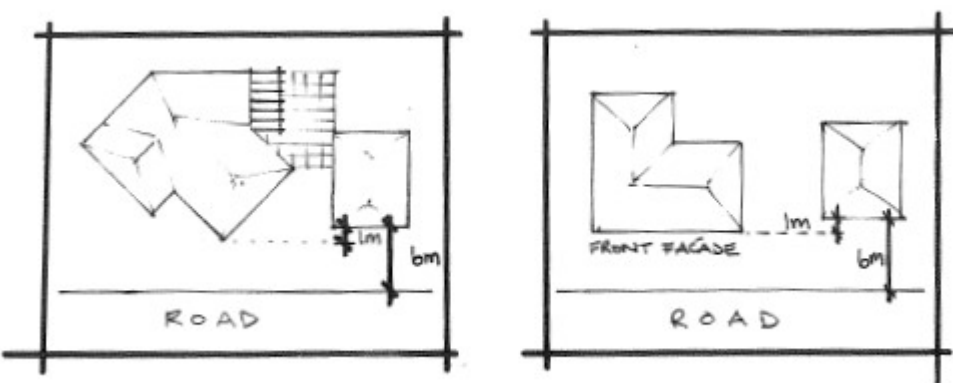
PREC2-P6 Range of activities

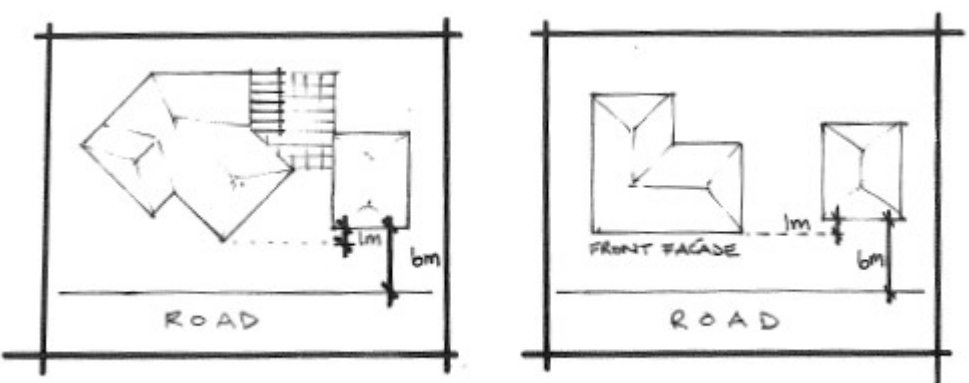
Enable a range of activities to establish that are consistent with the special character of the Ahuriri Spit Character Precinct. Discourage activities that are not consistent.

Relates to PREC2-O2 and PREC2-O3

PREC2 – Ahuriri Spit Character – Activity Table

PREC2-R1 Restoration of a residential unit built prior to 1 January 1930		
<p>PREC2-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit 	<p>PREC2-R1B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the exterior 4. Practicality and cost of alternatives available 	
PREC2-R2 All new buildings other than new or relocated residential units		

<p>PREC2-R2A</p> <p>Activity status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The building must: <ol style="list-style-type: none"> a. Not be erected in front yards; and b. Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary 2. For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC2-R2B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct
	
<p>Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.</p>	
<p>PREC2-R3 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1930</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	<p>NA</p>
<p>PREC2-R4 New or relocated residential unit</p>	

<p>PREC2-R4A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. Garages integrated within a residential unit building must be setback: <ol style="list-style-type: none"> a. no closer than 1m from the front line of the residential unit; and b. and at least 6m from the sites frontage; c. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC2-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
	
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effect on the character of the Precinct 	
<p>PREC2-R5 Activities infringing standards PREC2-S1 – PREC2-S6</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) 	<p>NA</p>

<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC2-R6 Demolition or relocation off-site of a building built prior to 1 January 1930	
Activity status: Discretionary	NA
PREC2-R7 Retirement village premises	
Activity status: Non-Complying	NA

PREC2 – Ahuriri Spit Character – Standards Table

PREC2-S1 Underlying zone standards		
Purpose: as stated for the relevant standard in the General Residential Zone	<ol style="list-style-type: none"> The following standards of the underlying General Residential Zone apply: <ol style="list-style-type: none"> GRZ-S1 Height GRZ-S2 Height in relation to boundary GRZ-S4 Other yards GRZ-S6 Impervious Area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> As stated for the relevant standard in the General Residential Zone
PREC2-S2 Front yards		
Purpose: to maintain the character of the Ahuriri Spit Character Precinct and to provide for a safe and attractive streetscape	<ol style="list-style-type: none"> Any part of a building (other than as required under RES-S9 Garages and Accessory buildings and PREC4-R4 and PREC4-R6) must not be erected closer than 1m to the road boundary 	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety and attractiveness of streets and public open spaces Healthy, safe, high amenity and comfortable living environment
PREC2-S3 Building coverage		
Purpose: to maintain the character of the Ahuriri Spit Character Precinct; to minimise effects on the quality of the neighbours' living environment	<ol style="list-style-type: none"> Building coverage must not exceed 70% of the net site area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety and attractiveness of streets and public open spaces Healthy, safe, high amenity and comfortable living environments

PREC2-S4 Landscaped area		
<i>Purpose: to maintain the character of the Ahuriri Spit Character Precinct; and to maintain the quality of the living environment</i>	1. Landscaped area must be a minimum of 15% of the net site area	Matters of discretion are restricted to: 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC2-S5 Fences and walls		
<i>Purpose: to maintain the character of the Ahuriri Spit Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i>	1. Fences and walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: a. Within the front yard: 1.2m in height b. Within the side and rear yard: 2m	Matters of discretion are restricted to: 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC2-S6 Open Space		
<i>Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the residents onsite while recognising the accessibility of public open space along the foreshore</i>	1. Each residential unit must have a minimum open space of not less than 20m ² per residential unit meeting the following dimensions: a. The open space must have a minimum dimension of 3 metres. 2. Where the open space is partially provided in the form of balcony, patio or roof terrace it is at least 5m ² and has a minimum dimension of 1.8m 3. Open space must be	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments

	<p>unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manouevring areas.</p> <p>4. Open space must be directly accessible from the residential unit to which it relates.</p> <p>5. Where open space is located south of any two storey building located on the same site, the southern boundary of that space must be separate from any wall or building by at least 9m. For the purpose of this standard south is defined as between 135 and 225 degrees.</p>	
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Assessment criteria

The relevant assessment criteria of the underlying General Residential Zone apply in addition to the Precinct assessment criteria listed below.

PREC2-R1 Restoration of a residential unit built prior to 1 January 1930, and PREC2-R3 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1930

Compatibility with context

- a. The extent to which the alterations and/or additions or partial demolition are compatible with the existing dwelling on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:

- i. Its contribution to streetscape character of the area;
- ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
- iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its alteration would result in the loss of a character value attributable to the group;
- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the existing front façade

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the façade).

PREC2-R2 All new buildings other than new or relocated residential units

Compatibility with context

- a. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- b. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to

- those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- c. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
 - d. Construction materials and detailing
 - e. Whether the proposal is sympathetic to the original building setback patterns of the area.
 - f. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC2-R4 New or relocated residential unit

Effect on the character of the Precinct

- a. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- b. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- c. Construction materials and detailing
- d. Whether the proposal is sympathetic to the original building setback patterns of the area.
- e. Location and design of services, such as heat pump external units, gas bottles, utility access points

All infringements to PREC2-S2 Front yards, PREC2-S3 Building coverage, PREC2-S4 Landscaped area, PREC2-S5 Fences and walls, and PREC2-S6 Open Space

Purpose of the Standard

- a. The ability to achieve the purpose of the standard.

Neighbourhood character

- b. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- c. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- d. Whether visibility is provided over the street and public open space to enhance safety and security.
- e. Whether the development contributes to attractive streets and public open space.
- f. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from readily being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- g. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC2-R6 Demolition or relocation off-site of a building built prior to 1 January 1930

Effect on the character of the Precinct

- a. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

PREC3 - Coronation Street Character Precinct

Introduction

The Coronation Street Character Precinct is primarily a residential neighbourhood that encompasses a high proportion of dwellings and buildings built between the early 1900's and the 1920's. Buildings built within this area are predominantly early settler cottages, simple villas and bungalows.

The purpose of the Coronation Street Character precinct chapter is to maintain the specified character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case, the cohesive and complementary mix of cottages, villas and bungalows. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Coronation Street Character precinct provide for the following:

- Achieving quality residential environments including optimised connectivity, safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Coronation Street Character precinct, and ensuring new development is consistent with this character
- Enabling appropriate non-residential activities that contribute to the wellbeing of residents while maintaining defined character and amenity values.

Issues

The issues of the underlying General Residential Zone are also relevant in the Coronation Street Character precinct.

PREC3-I1 The identification and protection of areas of special character

The character of the Coronation Street Character Precinct has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character, and their protection from demolition, alterations, and inappropriate new buildings, this character can be easily compromised.

PREC3-I2 The changing needs of housing

The desirability of this location, in close proximity to the waterfront and within walking/cycling distance of both the Ahuriri Shopping Centre and Napier's CBD, has significantly increased the value of land. Many of those wishing to live in this location, desire modern houses that are warm, spacious, and soundproofed, and with on-site carparking. There is a risk that this could result in the demolition of existing original cottages and bungalows, and their replacement with multiple storied

modern houses that bear no resemblance to the original character. For narrow sites, the demand for on-site carparking presents a risk to the streetscape where garage doors could dominate without appropriate controls in place.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC3-O1 Identification of Coronation Street Character Precinct

The elements and values that define the Coronation Street Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC3-I1

PREC3-O2 Retention of special character values

The special character values of the area, as identified in the Heritage Character Area Statement, are retained.

Relates to PREC5-I1, PREC5-I2, GRZ-I3, and GRZ-I5

PREC3-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Coronation Street Character Precinct and do not create adverse effects.

Relates to PREC3-I1, PREC3-I2, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC3-P1: Identify and map the features that make up the special character of the Coronation Street Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development in an historic part of Napier at a point in time. Typical character features include:

- Section size and density, configuration
- Street design (width, layout, and street trees)
- Architectural form of houses (design and materials)
- Position of houses on the section

Relates to PREC3-O1 and GRZ-O4

PREC3-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC3-O2, PREC3-O3, and GRZ-O4

PREC3-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Coronation Street Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintains the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC3-O2, PREC3-O3, and GRZ-O4

PREC3-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height and permeability of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Coronation Street Character Precinct.

Relates to PREC3-O2, PREC3-O3, and GRZ-O4

PREC3-P5: Range of activities

Enable a range of activities to establish that are consistent with the special character of the Coronation Street Character Precinct. Discourage activities that are not consistent.

Relates to PREC3-O3

PREC3 – Coronation Street Character Precinct – Activity Table

PREC3-R1 Restoration of a residential unit built prior to 1 January 1940		
PREC3-R1A	PREC3-R1B	
Activity Status: Permitted	Activity Status where activity conditions are not met:	
Where the following activity conditions are met:	Restricted Discretionary	

<p>1. Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the exterior 4. Practicality and cost of alternatives available
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PREC3-R2 All new buildings other than new or relocated residential units

PREC3-R2A

Activity status: Permitted

Where the following activity conditions are met:

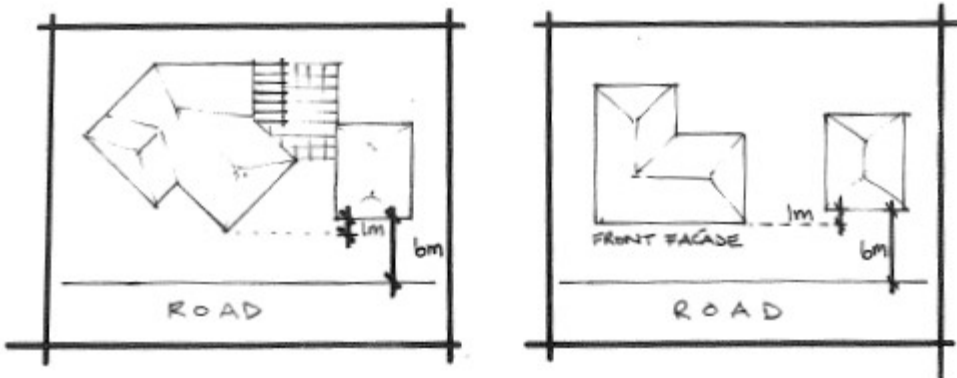
1. The building must:
 - a. Not be erected in front yards; and
 - b. Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary.
2. For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage.

PREC3-R2B

Activity Statuses where activity conditions are not met:
Restricted Discretionary

Matters of discretion are restricted to:

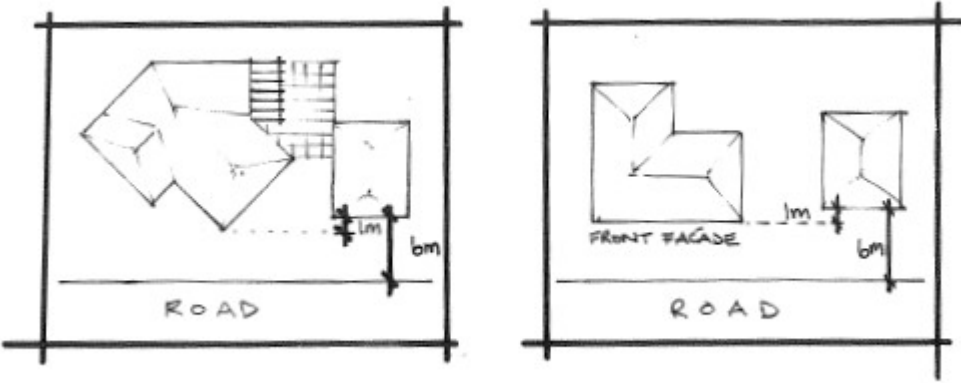
1. Compatibility with Context
2. Effect on the character of the Precinct



Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.

PREC3-R3 External additions, alterations or partial

demolition of any part of a residential unit built prior to 1 January 1940		
Activity Status: Restricted Discretionary Matters of discretion are restricted to: 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available	NA	
PREC3-R4 New or relocated residential unit		

<p>PREC3-R4A</p> <p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. Garages integrated within a residential unit building must be setback: <ol style="list-style-type: none"> a. no closer than 1m from the front line of the residential unit; and b. and at least 6m from the sites frontage; c. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC3-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
	
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effect on the character of the Precinct 	<p>PREC3-R5 Activities infringing standards PREC3-S1 – PREC3-S5</p> <p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s)

<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC3-R6 Demolition or relocation off-site of a building built prior to 1 January 1940	
Activity status: Discretionary	NA
PREC3-R7 Retirement village premises	
Activity status: Non-Complying	NA

PREC3 – Coronation Street Character Precinct – Standards Table

PREC3-S1 Underlying zone standards		
PREC3-Coronation Street Character <i>Purpose: as stated for the relevant standard in the General Residential Zone</i>	The following standards of the underlying General Residential Zone apply within the Precinct to the underlying General Residential Zone: 1. GRZ-S2 Height in relation to boundary 2. GRZ-S4 Other yards 3. GRZ-S5 Building coverage 4. GRZ-S6 Impervious area 5. GRZ-S10 Building frontage 6. GRZ-S11 Open Space	Activity status when standards are not met: As stated for the relevant standard in the General Residential Zone Matters of discretion are restricted to: 1. As stated for the relevant standard in the General Residential Zone
PREC3-S2 Height		
<i>Purpose: to maintain the character of the Coronation Street Character Precinct; and to minimise effects on the quality of the neighbours' living environment</i>	1. Buildings and structures must not exceed 8m in height except that: a. 50 per cent of a building's roof in elevation, measured vertically from the junction between the wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more	Activity status when standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC3-S3 Front yards		
<i>Purpose: to</i>	1. Any part of a building (other than	Activity Status where standards are

<p><i>maintain the character of the Coronation Street Character Precinct and to provide for a safe and attractive streetscape</i></p>	<p>as required under PREC5-R4 and PREC5-R6 above) must not be erected closer than 3m to the road boundary</p> <p>2. A minimum of 40% of the front yard must comprise landscaped area</p>	<p>not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment
<p>PREC3-S4 Landscaped area</p>		
<p><i>Purpose: to maintain the character of the Coronation Street Character Precinct; and to maintain the quality of the living environment</i></p>	<p>1. Landscaped area must be a minimum of 30% of the net site area</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC3-S5 Fences and walls</p>		
<p><i>Purpose: to maintain the character of the Coronation Street Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i></p>	<p>1. Fences and walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ol style="list-style-type: none"> a. Within the front yard: 1.2m in height if the fence is at least 50 per cent visually open a viewed perpendicular to the front boundary; b. Within the side and rear yard: 2m 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

Assessment criteria

The relevant assessment criteria of the underlying General Residential Zone apply in addition to the Precinct assessment criteria listed below.

PREC3-R1 Restoration of a residential unit built prior to 1 January 1940, and PREC3-R3 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1940

Compatibility with context

- a. The extent to which the alterations and/or additions are compatible with the existing dwelling on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. Its contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its alteration would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the existing exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve

- reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
- ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the façade).

PREC3-R2 All new buildings other than new or relocated residential units

Compatibility with context

- a. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- b. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- c. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- d. Construction materials and detailing
- e. Whether the proposal is sympathetic to the original building setback patterns of the
- f. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC3-R3 New or relocated residential unit

Effect on the character of the Precinct

- a. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character

- to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- b. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
 - c. Construction materials and detailing
 - d. Whether the proposal is sympathetic to the original building setback patterns of the area
 - e. Location and design of services, such as heat pump external units, gas bottles, utility access points

All infringements to PREC3-S2 Height, PREC3-S3 Front yards, PREC3-S4 Landscaped area, and PREC3-S5 Fences and walls

Purpose of the Standard

- a. The ability to achieve the purpose of the standard.

Neighbourhood character

- b. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- c. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- d. Whether visibility is provided over the street and public open space to enhance safety and security.
- e. Whether the development contributes to attractive streets and public open space.
- f. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- g. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.
- h. Assessment criteria under criteria (b) and (g) above will include consideration of:
 - i. Site layout
 - ii. Design and external appearance of buildings
 - iii. Hours of operation
 - iv. Noise generation

v. Screening of storage areas

PREC3-R6 Demolition or relocation off-site of a building

Effect on the character of the Precinct

- a. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
- i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings

PREC4 - Marewa Art Deco Heritage Precinct

Introduction

The Marewa Art Deco Character Precinct is a residential neighbourhood that encompasses a high proportion of dwellings built within the mid to late 1930's. Properties are characterised by either 'art deco' or 'classic' 1930's – 1940's architecture, large sections, deep front boundary setbacks, garaging to the rear, and low front fences or walls.

The purpose of the Marewa Art Deco Character Precinct is to maintain the heritage character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seek to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case dwellings built during the 1930's and 1940's in both the art deco and classic styles, being the typical architecture of the day. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Marewa Art Deco Character Precinct provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Marewa Art Deco Character Precinct, and ensuring new development is consistent with this character

Issues

The issues of the underlying General Residential Zone are also relevant in the Marewa Art Deco Character Precinct.

PREC4-I1 Identification and protection of areas of special character

Marewa's special art deco character has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character and their protection from demolition, alterations, and inappropriate new buildings, this collective character can be easily compromised.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC4-O1 Identification of Marewa Art Deco Character Precinct

The elements and values that define the Marewa Art Deco Character Precinct are identified and the

extent of this character area is mapped.

Relates to PREC4-I1

PREC4-O2 Retention of special character values

The special character values of the area, as identified in the Heritage Character Area Statement, are retained.

Relates to PREC4-I1, GRZ-I3, and GRZ-I5

PREC4-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Marewa Art Deco Character Precinct and do not create adverse effects.

Relates to PREC4-I1, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC4-P1: Identify and map the features that make up the special character of the Marewa Art Deco Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development of a clearly defined era.

Typical character features include:

- Section size and configuration, density
- Street design (width, layout, and street trees)
- Architectural form of houses (design and materials)
- Position of houses on the section

Relates to PREC4-O1

PREC4-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity and coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC4-O2 and PREC4-O3

PREC4-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Marewa Art Deco Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintain the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC4-O2 and PREC4-O3

PREC4-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height and permeability of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Marewa Art Deco Character Precinct.

Relates to PREC4-O2 and PREC4-O3

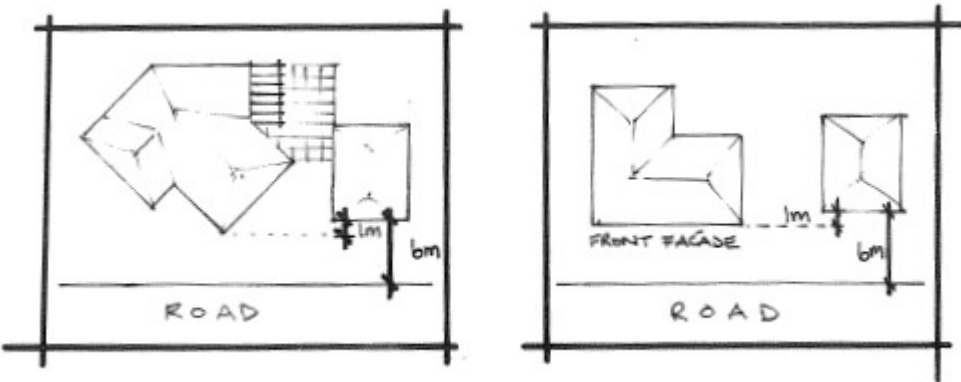
PREC4-P5: Range of activities

Enable a range of activities to establish that are consistent with a residential neighbourhood and do not detract from the special features that contribute the character values of the Marewa Art Deco Character Precinct. Discourage activities that are not consistent with the distinctive characteristics as outlined in the special character area statement.

Relates to PREC4-O3

PREC4 – Marewa Art Deco Character – Activity Table

PREC4-R1 Restoration of a residential unit built prior to 1 January 1950	
<p>PREC4-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit 	<p>PREC4-R1B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compatibility with Context Effect on the character of the Precinct The condition and integrity of the exterior Practicality and cost of alternatives available

PREC4-R2 All new buildings other than new or relocated residential units		
<p>PREC4-R2A</p> <p>Activity status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The building must: <ol style="list-style-type: none"> a. Not be erected in front yards; and b. Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary 2. For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC4-R2B</p> <p>Activity Statuses where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 	
		
<p>Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.</p>		
PREC4-R3 Residential care facility		
<p>PREC4-R3A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility must not cater for more than 10 residents, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC4-R3, PREC4-R4, 	<p>PREC4-R3B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R6</p>	

<p>PREC4-R5 and PREC4-R6 is no more than 10 (excluding staff)</p> <p>3. Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public places</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> a. The location of vehicle parking areas b. The building’s design, finishing and external appearance <p><i>For the purposes of this rule, residential care facilities do not include retirement villages (see PREC4-R11).</i></p>	
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PREC4-R4 Day care centre	
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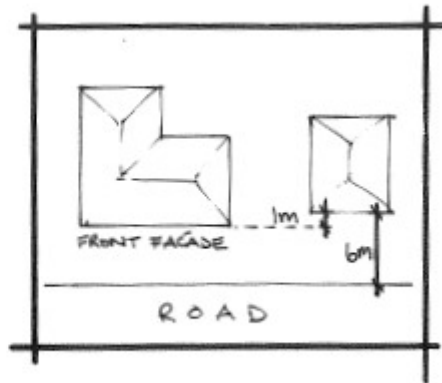
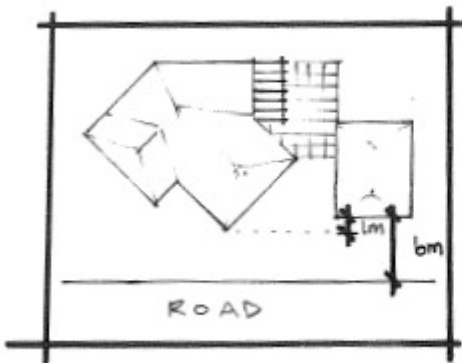
<p>PREC4-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC4-R3, PREC4-R4, PREC4-R5 and PREC4-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building’s design, finishing and external appearance 	<p>PREC4-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R7</p>
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PREC4-R5 Educational facility	
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<p>PREC4-R5A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities PREC4-R3, PREC4-R4, PREC4-R5 and PREC4-R6 is no more than 10 	<p>PREC4-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R9</p>
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<p>(excluding staff)</p> <p>3. Any outdoor storage associated with the educational facility must be screened from view of any adjacent sites and public places</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	
PREC4-R6 Visitor accommodation	
<p>PREC4-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation must not cater for more than 5 guests, excluding staff and/or family 2. The total number of people accommodated/catered for on the site by activities PREC4-R3, PREC4-R4, PREC4-R5 and PREC4-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the visitors accommodation must be screened from view of any adjacent sites and public places <p>The Council shall exercise its control over the following:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	<p>PREC4-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R8</p>
PREC4-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1950	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct' 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	<p>NA</p>
PREC4-R8 New or relocated residential unit	

<p>PREC4-R8A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> One residential unit per site Garages integrated within a residential unit building must be setback: <ol style="list-style-type: none"> no closer than 1m from the front line of the residential unit; and at least 6m from the road frontage; For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC4-R8B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Effect on the character of the Precinct 	
<p>PREC4-R9 Activities infringing standards PREC4-S1 – PREC4-S6</p>	
<p>Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The matters of discretion stated for infringing the relevant standard(s) 	<p>NA</p>



<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC4-R10 Demolition or relocation off-site of a building built prior to 1 January 1950	
Activity status: Discretionary	NA
PREC4-R11 Retirement village premises	
Activity status: Non-Complying	NA

PREC4 – Marewa Art Deco Character – Standards Table

PREC4-S1 Underlying zone standards	
Purpose: as stated for the relevant standard in the General Residential Zone	<ol style="list-style-type: none"> The following standards of the underlying General Residential Zone apply: <ol style="list-style-type: none"> GRZ-S2 Height in relation to boundary GRZ-S4 Other yards GRZ-S6 Impervious Area GRZ-S11 Open Space
	Matters of discretion are restricted to: <ol style="list-style-type: none"> As stated for the relevant standard in the General Residential Zone
PREC4-S2 Height	
Purpose: to maintain the character of the Marewa Art Deco Character Precinct	<ol style="list-style-type: none"> Buildings and structures must not exceed 5m in height
	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character
PREC4-S3 Front yards	
Purpose: to maintain the character of the Marewa Art Deco Character Precinct and to provide for a safe and attractive streetscape	<ol style="list-style-type: none"> Any part of a building must not be erected closer than 6m to the road boundary A minimum of 40% of the front yard must comprise landscaped area
	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety and attractiveness of streets and public open spaces Healthy, safe, high amenity and comfortable living environment
PREC4-S4 Building coverage	
Purpose: to	<ol style="list-style-type: none"> Building coverage must not
	Matters of discretion are restricted

<i>maintain the character of the Marewa Art Deco Character Precinct; to minimise effects on the quality of the neighbours' living environment</i>	exceed 40% of the net site area	to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC4-S5 Landscaped area		
Purpose: <i>to maintain the character of the Marewa Art Deco Character Precinct; and to maintain the quality of the living environment</i>	<ol style="list-style-type: none"> 1. Landscaped area must be a minimum of 40% of the net site area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC4-S6 Fences and walls		
Purpose: <i>to maintain the character of the Marewa Art Deco Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i>	<ol style="list-style-type: none"> 1. Fences and walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard, either: <ol style="list-style-type: none"> i. 0.6m for a solid fence or wall, or ii. 0.9m if the fence is at least 50 per cent visually open a viewed perpendicular to the front boundary; b. along a common boundary with an Open Space zone: 1.2m in height c. Within the side and rear yard: 2m 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

Assessment criteria

PREC4-R1 Restoration of a residential unit built prior to 1 January 1950, and PREC4-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1950

Compatibility with context

- a. The extent to which the alterations and/or additions or partial demolition are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and buildings, whether it contributes to a group in such a way that its alteration would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts.

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the front façade).

PREC4-R2 All new buildings other than new or relocated residential units

Compatibility with context

- a. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- b. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- c. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- d. Construction materials and detailing
- e. Whether the proposal is sympathetic to the original building setback patterns of the area.
- f. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC4-R3 New or relocated residential unit

Effect on the character of the Precinct

- a. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- b. Compatibility of architectural style and quality of new construction or the relocated building,

including scale, height, cladding, roof materials and roofline, windows and design elements.

- c. Construction materials and detailing
- d. Whether the proposal is sympathetic to the original building setback patterns of the area.
- e. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC4-R4 All infringements to PREC4-S2 Height, PREC4-S3 Front yards, PREC4-S4 Building coverage, PREC4-S5 Landscaped area, and PREC4-S6 Fences and walls

Purpose of the Standard

- a. The ability to achieve the purpose of the standard.

Neighbourhood character

- b. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- c. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- d. Whether visibility is provided over the street and public open space to enhance safety and security.
- e. Whether the development contributes to attractive streets and public open space.
- f. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- g. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC4-R5 Demolition or relocation off-site of a building built prior to 1 January 1950

Effect on the character of the Precinct

- a. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to

the group;

- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

PREC5 - Marewa State Housing Character Precinct

Introduction

The Marewa State Housing Character Precinct is a residential neighbourhood that encompasses a high proportion of dwellings built as part of the Government State Housing programme of the mid-1930's to mid-1950's. The precinct is remarkably complete, and still typifies housing of that time, with its simple architecture, tiled roofs, and large, deeply set sections.

The purpose of the Marewa State Housing Character Precinct is to maintain the heritage character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case dwellings built during the mid-1930's to mid-1950's in one of the standard State Housing designs. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Marewa State Housing Character precinct provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Marewa State Housing Character precinct, and ensuring new development is consistent with this character

Issues

The issues of the underlying General Residential Zone are also relevant in the Marewa State Housing Character Precinct.

PREC5-I1 The identification and protection of areas of special character

Marewa's special state housing character has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character, and their protection from demolition, alterations, and inappropriate new buildings, this character can be easily compromised.

PREC5-I2 The changing needs of social housing

The housing needs of New Zealand's families are changing. The standard three-bedroomed, one-bathroom 110m² freehold house no longer reflects the differing needs of many individuals, couples and families seeking social housing. There is now demand for smaller units, housing singles or couples, as well as a small number of much larger homes that accommodate large families. In addition to this, the Government is recognising the need to provide warmer, dryer homes that are healthier for their occupants. These demographic and societal changes present a risk to established

character areas as there is pressure to remove or significantly alter existing housing within these areas. Conversely there is benefit in providing for the redevelopment of sites to provide healthier homes where character has already been compromised.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC5-O1 Identification of Marewa State Housing Character Precinct

The elements and values that define the Marewa State Housing Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC5-I1

PREC5-O2 Retention of special character values

The special character values of the area, as identified in the Character Area Statement, are retained.

Relates to PREC5-I1, GRZ-I3, and GRZ-I5

PREC5-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Marewa State Housing Character Precinct and do not create adverse effects.

Relates to PREC5-I1, PREC5-I2, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC5-P1: Identify and map the features that make up the special character of the Marewa State Housing Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development of a clearly defined era. Typical character features include:

- Section size and configuration, density
- Street design (width, layout, and street trees)
- Architectural form of houses (design and materials)
- Position of houses on the section

Relates to PREC5-O1

PREC5-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC5-O2 and PREC5-O3

PREC5-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Marewa State Housing Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintain the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC5-O2 and PREC5-O3

PREC5-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height and permeability of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Marewa State Housing Character Precinct.

Relates to PREC5-O2 and PREC5-O3

PREC5-P5: Range of activities

Enable a range of activities to establish that are consistent with a residential neighbourhood and do not detract from the special features that contribute the character values of the Marewa State Housing Character Precinct. Discourage activities that are not consistent with the distinctive characteristics as outlined in the special character area statement.

Relates to PREC5-O3

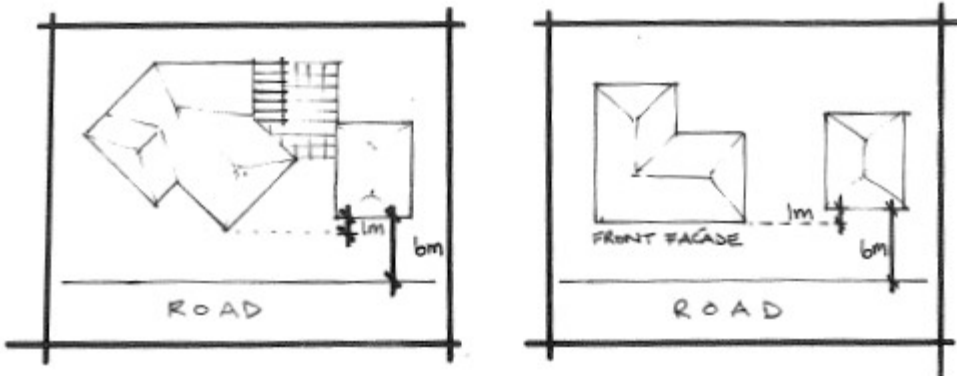
PREC5 – Marewa State Housing Character – Activity Table

PREC5-R1 Restoration of a residential unit built prior to 1 January 1960		
PREC5-R1A Activity Status: Permitted	PREC5-R1B Activity Status where activity conditions are not met:	

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit 	<p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compatibility with Context Effect on the character of the Precinct The condition and integrity of the existing exterior Practicality and cost of alternatives available
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PREC5-R2 All new buildings other than new or relocated residential units

<p>PREC5-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> The building must: <ol style="list-style-type: none"> Not be erected in front yards; and Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC5-R2B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compatibility with Context Effect on the character of the Precinct
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Note: Where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.

PREC5-R3 Residential care facility	
<p>PREC5-R3A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility must not cater for more than 10 residents, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC5-R3, PREC5-R4, PREC5-R5 and PREC5-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance <p><i>For the purposes of this rule, residential care facilities do not include retirement villages (see PREC5-R11)</i></p>	<p>PREC5-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R6</p>
PREC5-R4 Day care centre	
<p>PREC5-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC5-R3, PREC5-R4, PREC5-R5 and PREC5-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	<p>PREC5-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R7</p>
PREC5-R5 Educational facility	
<p>PREC5-R5A</p>	<p>PREC5-R5B</p>

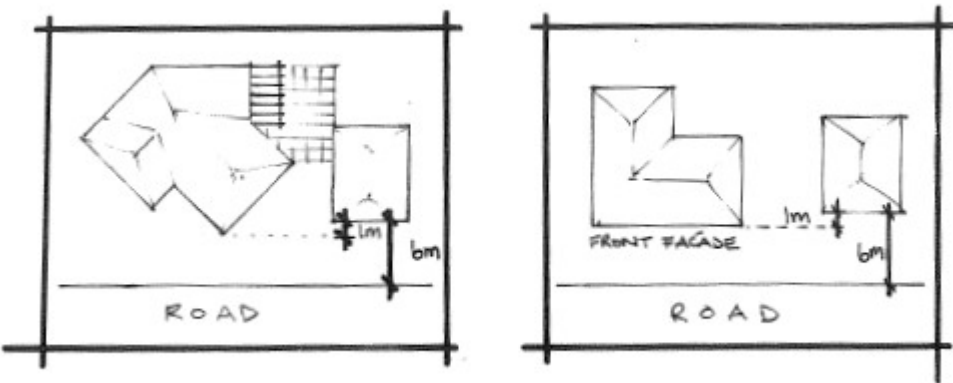
<p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities PREC5-R3, PREC5-R4, PREC5-R5 and PREC5-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the educational facility must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building’s design, finishing and external appearance 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R9</p>
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PREC5-R6 Visitor accommodation	
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<p>PREC5-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation must not cater for more than 5 guests, excluding staff and/or family 2. The total number of people accommodated/catered for on the site by activities PREC5-R3, PREC5-R4, PREC5-R5 and PREC5-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the visitors accommodation must be screened from view of any adjacent sites and public places <p>The Council shall exercise its control over the following:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building’s design, finishing and external appearance 	<p>PREC5-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R8</p>
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PREC5-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1960	
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<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p>	<p>NA</p>
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<ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	
<p>PREC5-R8 New or relocated residential unit</p>	
<p>PREC5-R8</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. Garages integrated within a residential unit building must be setback: <ol style="list-style-type: none"> a. no closer than 1m from the front line of the residential unit; and b. at least 6m from the road frontage; c. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC5-R8B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
	
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effect on the character of the Precinct 	
<p>PREC5-R9 Activities infringing standards PREC5-S1 – PREC5-S6</p>	

<p>Activity status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA
PREC5-R10 Demolition or relocation off-site of a building built prior to 1 January 1960	
Activity status: Discretionary	NA
PREC5-R11 Retirement village premises	
Activity status: Non-Complying	NA

PREC5 – Marewa State Housing Character – Standards Table

PREC5-S1 Underlying zone standards		
<p>Purpose: as stated for the relevant standard in the General Residential Zone</p>	<p>1. The following standards of the underlying General Residential Zone apply:</p> <ol style="list-style-type: none"> GRZ-S2 Height in relation to boundary GRZ-S4 Other yards GRZ-S6 Impervious Area GRZ-S11 Open Space 	<p>Activity Status where standards are not met: As stated for the relevant standard in the General Residential Zone</p> <p>Matters of discretion are restricted to:</p> <p>1. As stated for the relevant standard in the General Residential Zone</p>
PREC5-S2 Height		
<p>Purpose: to maintain the character of the Marewa State Housing Character Precinct</p>	<p>1. Buildings and structures must not exceed 5m in height</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character
PREC5-S3 Front yards		
<p>Purpose: to</p>	<p>1. Any part of a building must not be</p>	Activity Status where standards are

<p><i>maintain the character of the Marewa State Housing Character Precinct and to provide for a safe and attractive streetscape</i></p>	<p>erected closer than 6m to the road boundary</p> <p>2. A minimum of 40% of the front yard must comprise landscaped area</p>	<p>not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment
<p>PREC5-S4 Building coverage</p>		
<p><i>Purpose: to maintain the character of the Marewa State Housing Character Precinct; to minimise effects on the quality of the neighbours' living environment</i></p>	<p>1. Building coverage must not exceed 40% of the net site area</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC5-S5 Landscaped area</p>		
<p><i>Purpose: to maintain the character of the Marewa State Housing Character Precinct; and to maintain the quality of the living environment</i></p>	<p>1. Landscaped area must be a minimum of 40% of the net site area</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC5-S6 Fences and walls</p>		
<p><i>Purpose: to</i></p>	<p>1. Fences and walls (or a</p>	<p>Activity Status where standards are</p>

<p><i>maintain the character of the Marewa State Housing Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i></p>	<p>combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ol style="list-style-type: none"> a. within the front yard, either: <ol style="list-style-type: none"> i. 0.6m for a solid fence or wall, or ii. 0.9m if the fence is at least 50 per cent visually open a viewed perpendicular to the front boundary; b. along a common boundary with an Open Space zone: 1.2m in height c. on all other boundaries: 2m 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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Assessment criteria

PREC5-R1 Restoration of a residential unit built prior to 1 January 1960, and PREC5-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1960

Compatibility with context

- a. The extent to which the restoration, alterations and/or additions or partial demolition are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the dwelling by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent dwellings and buildings, whether it contributes to a group in

such a way that its alteration would result in the loss of a character value attributable to the group;

- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts.

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the front façade).

PREC5-R2 All new buildings other than new or relocated residential units

Compatibility with context

- a. The extent to which the new building(s) is/are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- b. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to

those residential buildings existing in the specific character area.

- c. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- d. Construction materials and detailing
- e. Whether the proposal is sympathetic to the original building setback patterns of the area.
- f. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC5-R8 New or relocated residential unit

Effect on the character of the Precinct

- a. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- b. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- c. Construction materials and detailing.
- d. Whether the proposal is sympathetic to the original building setback patterns of the area.
- e. Location and design of services, such as heat pump external units, gas bottles, utility access points.

PREC5-R9 All infringements to PREC5-S2 Height, PREC5-S3 Front yards, PREC5-S4 Building coverage, PREC5-S5 Landscaped area, and PREC5-S6 Fences and walls

Purpose of the Standard

- a. The ability to achieve the purpose of the standard.

Neighbourhood character

- b. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- c. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- d. Whether visibility is provided over the street and public open space to enhance safety and security.
- e. Whether the development contributes to attractive streets and public open space.
- f. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- g. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC5-R10 Demolition or relocation off-site of a building built prior to 1 January 1960

Effect on the character of the Precinct

- a. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

PREC6 - Mission Residential Precinct

Introduction

The 'Mission Residential Precinct' is designed to have a character reflective of the heritage and landscape setting of the 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 extensive open space network utilising the gullies and valleys. The precinct will also involve a variety of section sizes and housing types, and have a distinctive street layout in response to topography, resulting in a new place and a community, rather than just a new suburb.

The Mission Residential Precinct is part of the wider Mission Development Area. It is the first stage of giving effect to the key District Plan Outcome "Greenfield growth in the hills" which seeks to improve resilience of Napier's growth to natural hazards and to maintain the Heretaunga Plains for productive uses.

Issues

The issues of the Mission Development Area and General Residential Zone are relevant to the Mission Residential Precinct.

Objectives

The objectives of the Mission Development Area and General Residential Zone apply in the Mission Residential Precinct in addition to the below.

PREC6-O1: Special residential character

The Mission Residential Precinct contains a thriving and sought after new community with its own distinctive identity and character, providing section and housing options not currently available in other greenfield areas within the City.

PREC6-O2: Neighbourhood Centre

A neighbourhood centre provides a focus for the Mission community and provides for residents' day-to-day needs.

Policies

The policies of the Mission Development Area and General Residential Zone apply in the Mission Residential Precinct in addition to the below.

PREC6-P1: Special character

Ensure that subdivision and development responds to the character identified in the Mission Development Area including by:

- a. providing for residential and reserve development in accordance with the structure plan included

in Appendix 13(a) and land use rules to create a character which responds to the natural topography, provides for a variety of section sizes and house types, and has a distinctive street layout and streetscape

- b. ensuring the structure plan and subsequent development is consistent with Policies UD10.1 and 10.3 of the Hawke's Bay Regional Resource Management Plan
- c. developing rules that enable the development of a place and a community reflecting some of the characteristics of Napier Hill but with a Mission Development Area identity.
- d. providing land use provisions that are generally consistent with the General Residential Zone but appropriate for the Mission Development Area and the unique character and identity sought for residential development within this area.

Relates to PREC6-O1 and DEV3-O1

PREC6-P2: Stormwater

Provide for a low impact stormwater design system utilising the gully and valley system of the natural landform in a manner that can be integrated with the planting of indigenous vegetation and walkway networks.

PREC6-P3: Open space

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.

Relates to DEV3-O1, DEV3-O3 and DEV3-O4

PREC6-P4: Neighbourhood Centre

Require the provision of a neighbourhood centre which achieves the following:

- a. a distinctive 'town centre' character as a focus for the Mission Residential Precinct
- b. design (buildings and landscape) in keeping with Napier's sense of place
- c. a sufficient mix of activities to create a social hub, and provide for residents' day-to-day needs
- d. a positive interface with the Central Community Reserve.

Relates to PREC6-O2

Mission Residential Precinct - Activity Table

PREC6-R1 Use and Development of Reserves identified on the structure plan	
PREC6-R1A Activity Status: Permitted	PREC6-R1B Activity Status where activity conditions are not met: Restricted

<p>Where the following activity conditions are met:</p> <p>1. Such use and development is consistent with the purpose of the reserve as set out in the name description of the reserve in Appendix 13b</p>	<p>discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Quality living environments 2. Safe and attractive streets and public open spaces
<p>PREC6-R2 Residential activities within 'prominent visual development area' as identified on the structure plan</p>	
<p>PREC6-R2A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. 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. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on the integrity of the woodland landscape of the eastern hill face as viewed from Church Road. <p>Notification: Non-notified</p> <p><i>Note: General Residential Zone activity GRZ-R1 applies in addition to this rule.</i></p>	<p>PREC6-R2B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>PREC6-R3 Relocation of buildings</p>	
<p>PREC6-R3A</p> <p>Activity Status: Residential discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A written assessment is submitted with the application which: <ol style="list-style-type: none"> a. includes a statement from a building certifier or registered engineer that the building is structurally sound b. states the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity c. states the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent d. provides clear photographs of the building in its current state e. provides such plans and elevations of the building 	<p>PREC6-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The structural integrity of the building 2. The imposition of a performance of the bond 3. The timing of reinstatement works 4. The effects on the built character of the surrounding area such that the building makes a positive contribution to amenity values 5. The effects on infrastructural services.

<p>as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. The design, materials and timetable of the proposed reinstatement works 3. The imposition of any financial contributions in accordance with Chapter FC - Financial Contributions 4. The imposition of a performance bond to complete the reinstatement of the building. <p>Notification: Non-notified</p>	
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PREC6-R4 Subdivision	
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<p>PREC6-R4A</p> <p>Activity Status: Residential discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A resource consent for the discharge of stormwater from development within the Residential Precinct has been obtained from the Hawke’s Bay Regional Council. 2. The secondary entrance shown on the Structure Plan Map (Appendix 13a) must be designed and constructed upon the subdivision of that area identified as ‘Trigger Area for Formation of Secondary Puketitiri Road Entrance’ on the Structure Plan Map in Appendix 26B-1 to a standard sufficient to mitigate any traffic safety effects. 3. The relevant activity conditions in the chapter SUB-Subdivision are complied with. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 4. The matters of discretion for the subdivision activity in the Subdivision chapter apply 	<p>PREC6-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
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PREC6-R5 Commercial activities within the ‘neighbourhood centre’ as identified on the structure plan - Appendix (26B-1)	
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<p>PREC6-R5A</p> <p>Activity Status: Residential discretionary</p>	<p>PREC6-R5B</p> <p>Matters of discretion are restricted to:</p>
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	<p>1. The design and appearance of the buildings such that they reflect the significance of the neighbourhood centre and make a positive contribution to the character and amenity of the Mission Residential precinct.</p> <p>Notification: Non-notified</p>
PREC6-R6 Retirement village premises	
Activity Status: Discretionary	
PREC1-R7 Activities not otherwise provided for	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <p>1. The activity is not provided for under Rules PREC-R1 – PREC-R6 or the General Residential Zone activity table.</p>	

Mission Residential Precinct - Standards Table

The standard of the General Residential Zone apply in addition to the below, unless otherwise stated. Where a standard is provided for under both the precinct and the zone, the precinct standard applies.

PREC6-S1 Density		
<p>Indicative Urban Residential Development Extent (as identified on the Structure Plan at Appendix 13a)</p> <p><i>Purpose: enable residential development at a density which will achieve the planned character of the Mission Residential precinct</i></p>	<p>1. The maximum density must not exceed one residential unit per 250m² of net site area.</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Amenity values of the neighbourhood 3. Landscape values 4. Cumulative effects from an increase in density 5. The effects on neighbouring precincts and zones
PREC6-S2 Height		
Purpose: to	1. Buildings and structures must not	Activity Status where standards are

<p><i>maintain the planned character of the Mission Residential precinct; minimise effects on the quality of the neighbours' living environment; and provide for a diversity of roof forms</i></p>	<p>exceed 10m in height except that:</p> <ol style="list-style-type: none"> a. Within the Neighbourhood Centre (as shown on the Structure Plan in Appendix 26B-1), buildings and structures must not exceed 3 storeys and 12m in height. b. On a front site or corner site, buildings and structures may be erected up to a ceiling created by reference to buildings on adjacent sites (refer Figure RES-S1-Fig1 below), provided that: <ol style="list-style-type: none"> i. Where there is no building on one of the adjacent sites, that adjacent site must be disregarded ii. Where the adjacent site is in a zone apart from the Residential Zone, the relevant height control for that zone shall apply iii. Where relying on this exemption, an applicant must produce a letter or report from a registered surveyor certifying that the average heights shown on the plans that accompany the application are correct. 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Neighbourhood character
<p>PREC6-S3 Front yards</p>		
<p><i>Purpose: to maintain the planned character of the Mission Residential precinct; and provide for a safe and attractive streetscape</i></p>	<ol style="list-style-type: none"> 1. Any part of a building (other than as required under RES-S9 Garages and Accessory buildings) must not be erected closer than: <ol style="list-style-type: none"> a. 5 metres to the road boundary of the Main Collector Road; or b. 3 metres to the boundary of any other road 2. A minimum of 40% of the front yard must comprise landscaped area 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Mission Residential Precinct character
<p>PREC6-S4 Fences and walls</p>		

<p>Purpose: to maintain the planned character of the Mission Residential precinct; to provide for privacy of residential units while enabling opportunities for passive surveillance of the street; minimise visual dominance effects to immediate neighbours and the street</p>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard, and along a common boundary with an Open Space zone: 1.2m b. Within the side and rear yards: 2m. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Neighbourhood character
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PREC6-S5 Neighbourhood centre – Frontages	
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<p>Purpose: to provide an active and vibrant frontages in the neighbourhood centre; to avoid locating activities that require privacy on the ground floor of buildings in the neighbourhood centre:</p>	<ol style="list-style-type: none"> 1. Ground floors of buildings must be occupied by commercial activity, residential activities may be located above ground floor level. 2. Buildings shall front the street boundary except entrances and architectural treatments may be recessed. 3. A minimum of 50% of the ground floor street elevation shall be glazed. 4. A continuous veranda shall be provided on street frontages with a minimum 3.2m clearance and maximum 4.0m clearance above footpaths. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the neighbourhood centre 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Character of the Mission Residential Precinct
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Assessment criteria

PREC6-AC1 – All subdivision and development

The assessment criteria of the Mission Development Area, the General Residential Zone and the Subdivision chapter apply in the Mission Residential Precinct in addition to the below.

Street Network Character

- a. Whether the proposed street network design contributes to the creation of a distinctive character within the Mission Residential Precinct, and includes features characteristic of the existing street network on Napier Hill such as:

- i. Alignment with the topography (e.g. streets typically aligned along ridges and valleys, and following contours, but also allowing for occasional short, steep sections of street)
- ii. Narrow carriageways (especially away from the principal streets)
- iii. Distinctive intersections in response to topography
- iv. Non-standard cross sections in response to topography (e.g. footpaths on one side of streets, sloping berms above or below the carriageway, intermittent parking bays fitted to the topography)
- v. Use of attractive retaining walls (e.g. faced with local limestone rock)
- vi. Garaging permitted close to the street in certain circumstances
- vii. Avoidance of regular nature strips and street trees – relying instead largely on irregular berms, and on adjacent properties and reserves to create a green character.

Street Network Safety and Function

- b. The extent to which the proposed street network is safe and provides an appropriate level of service in conjunction with meeting assessment criteria (1) above and in implementing the indicative road network identified on the Structure Plan Map in a Appendix 13a.
- c. Whether the subdivision application provides a “Design and Access Statement” as described in section 3.2.6 of NZS4404. In addition to matters set out in NZS4404, the “Design and Access Statement” shall demonstrate how the street network will achieve assessment criteria (1) above, and the following additional considerations:
 - i. Tailoring of street geometry, width and design to naturally reduce traffic speed to promote safety and amenity
 - ii. Attention to grade in fitting streets to topography (Steeper grades may be acceptable in certain circumstances over short distances and in low speed environments)
 - iii. Provision for pedestrian safety and amenity in a way that contributes to distinct character (e.g. footpaths may be restricted to one side of the street to suit topography, and may be aligned independently of the carriageway. Generally, footpaths should be a minimum 1.5m wide, but may be wider to compensate for their restriction to one side of the street. In some circumstances streets may be used as shared spaces without the need for separate footpaths).
 - iv. Configuration of on-street car parks to suit topography. An overall ratio of 1 car park per residential lot should be provided.
 - v. Incorporation of ‘low impact design’ stormwater features in the streetscape and adjoining reserve network.
 - vi. Incorporation of a second access connection to Puketitiri Road west of the intersection with Poraiti Road as identified on the Structure Plan Map in Appendix 13a. This secondary entrance may not be required until the adjacent north western portion of the Residential Precinct is developed and the design of this intersection should be to standard sufficient to mitigate any traffic safety effects, and seek to avoid disturbance of the nearby archaeological site identified on the Structure Plan Map in Appendix 13a.
 - vii. Incorporation of a statement identifying how the street network achieves the Code of Practice

Subdivision allotment design

- d. Whether the subdivision allotment design provides for a mixed community and contributes to the creation of a varied character within the Mission Residential Precinct, including the following characteristics:
- i. Blocks generally aligned with the topography (e.g. it is envisaged that a typical pattern will be deep lots oriented across the contours with relatively narrow street frontages).
 - ii. A variety of lot sizes to accommodate different house typologies (e.g. it is envisaged that lot sizes will vary between approximately 250m² and 2500m² – and that the lots will be configured to accommodate a mix of house types such as joined and duplex units, free-standing townhouses, family homes on conventional lots, and larger homes on large lots).
 - iii. A comprehensive allotment design achieving a variety of lot sizes that is not compromised by the re-subdivision of larger lots (consideration of appropriate legal mechanisms to achieve this is to be provided upon subdivision).
 - iv. A sufficient quantity of lots at the smaller end of the size range is to be provided to achieve a variety of lot sizes and an indicative overall yield of 500 – 550 lots.
 - v. A distribution of different lot sizes throughout the Mission Residential Precinct, generally avoiding large agglomerations of similar sized lots (e.g. it is envisaged that small lots and townhouses will be mixed amongst larger lots and family homes, or in small clusters).
 - vi. Strategic placement of lots to contribute to a distinctive character for the Mission Residential Precinct (e.g. grander homes on landmark sites, distinctive higher density buildings in a small cluster around the neighbourhood centre).

Neighbourhood Centre

- e. Whether the subdivision or development application provides for a neighbourhood centre to be provided in a central location as depicted in the Structure Plan Map Appendix 13a.
- f. Whether the Neighbourhood Centre will be of a suitable size to provide a cluster of local shops, residential apartments and associated car parking. The size of the Neighbourhood Centre will be generally consistent with the Structure Plan Area Plan Map in Appendix 13a.

Design Manual and Review Process

- g. Whether the first subdivision consent application provides for a Design Manual and Review Process which:
- i. will ensure houses contribute positively to the streetscape and the character of the Mission Residential Precinct,
 - ii. ensure the design of development will achieve the objectives and policies of the Mission Development Area and the Mission Residential Precinct
 - iii. provide for a Neighbourhood Centre which achieves the objectives and policies of the Mission Residential Precinct
 - iv. will provide a legal mechanism for the design review process to be administered by Marist

Holdings (Greenmeadows) Ltd or successor, such as being enforced by consent notice on the title of each created residential allotment.

- h. Whether the proposed Design Manual includes design principles and guidelines which residential buildings are to be assessed against to achieve the criteria (5) above. The Design Manual shall address such matters as:
- i. Relationship of house to street (i.e. including such matters as setbacks, orientation of entrance to the street, provision of windows overlooking street).
 - ii. 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, and modelling of façade and roof forms to create interest to streetscape and the use of recessive building materials and colours to mitigate the effects of the development in the Prominent Visual Development Area).
 - iii. 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).
 - iv. Landscape design (including street fencing and contribution of trees in front yards to streetscape).
 - v. Specific guidelines and design principles for the Neighbourhood Centre, including such matters as:
 - i. Street frontage conditions (ground floor activities, minimum and maximum building height, minimum floor-to-ceiling height for the ground floor, glazing, verandas, entrances).
 - ii. Streetscape and appearance (including materials, signage, façade treatment).
 - iii. Provision for residential apartments on upper floors.
 - iv. Parking, vehicle crossings, loading and service areas.
- i. Whether the proposed Design Manual includes details of the design review process including:
- i. Composition of the panel (it is envisaged the panel will include a representative of Marist Holdings Ltd (or successor), one or two design professionals covering architecture, urban design and landscape as appropriate, and an officer seconded from Napier City Council).
 - ii. Information required from applicants.
 - iii. Format for review sessions and minutes.
 - iv. The process for resolving any disputes.

Path network

- j. Whether the subdivision and development provides for an interconnected public path network within the Mission Residential Precinct generally consistent with the 'public paths' notation on the Structure Plan Map in Appendix 13a, including consideration of the following specific outcomes:
- i. Integration of street footpaths and off-street paths

- ii. Walkability within the Mission Residential Precinct, making use of 'short-cut' rights-of-way where appropriate, with particular attention to walkable access to the neighbourhood centre
- iii. Recreation routes that maximise experience of the varied topography and views, and provide different circuit permutations
- iv. Connection of the Mission Residential Precinct with the Mission Landscape and Visitor Precinct (including connection via the Mission to Church Road)
- v. Where located within public road reserve or vested reserves formation is to be consistent with the 'path' classification in Standards New Zealand Hand Book 8630:2004 *'Tracks and Outdoor Visitor Structures'*
- vi. Where located outside of road reserves or vested reserves, a public access easement is to be provided 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'*
- vii. The path network identified in Appendix 13a is to be developed and provided at the time of subdivision of the surrounding land (except as provided for under criteria (12-13) below relating to the Puketitiri Road Buffer Strip).

Central Community Reserve

- k. Whether the subdivision and development provides for a quality community reserve adjacent to the neighbourhood centre, including consideration of the following specific outcomes:
 - i. An open green space that can accommodate community events
 - ii. An attractive sitting-out place within view of the commercial and community facilities
 - iii. A playground with a distinctive character that reinforces the identity of the Mission Residential Precinct and draws people to the reserve
 - iv. Provision for all ages including children, families and the elderly
 - v. The reserve location and area is to be generally consistent with that shown on the Structure Plan Area Plan Map in Appendix 13b.

Puketitiri Road Buffer Strip

- l. Whether the subdivision and development provides for a green buffer along the boundary of the Mission Residential Precinct with Puketitiri Road to be vested with the Napier City Council.
- m. Whether the green buffer under criteria (12) above includes a path (potentially able to be used as a bridle path) and woodland trees to achieve the following outcomes:
 - i. A green margin with rural characteristics along Puketitiri Road
 - ii. Reduced prominence of the Mission Residential Precinct houses as viewed from Puketitiri Road. A landscape and planting plan is to be submitted to Council at subdivision application stage to demonstrate how this will be achieved.

- iii. A reserve width of approximately 12 – 20 metres, depending on any localised topographical constraints **Refer to figures 31 and 32** of the Urban Design Statement + Assessment of Landscape and Visual Effects, 2018 Isthmus Report for a concept plan and cross sectional diagrams that depict the reserves interface with Puketitiri Road.
- iv. Trees capable of growing to 9m high.
- v. A soft surfaced path (e.g. compacted limestone or similar) that connects the Mission Residential Precinct path network.
- vi. An off road connection from Puketitiri Road to Church Road via the path network through the Mission Development Area.
- vii. The reserve location and area is to be generally consistent with that shown on the Structure Plan Area Plan Map in Appendix 13b and is to be vested at the time of the first subdivision of the Mission Residential Precinct. 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.

Wastewater

- n. Whether the subdivision and development provides for wastewater to be connected to the Napier City Council's 150mm diameter rising main east of the Council's Pinotage Pump Station, in general accordance with the drawing at **Appendix 13c**.
- o. Whether the construction of the on and off site components of the proposed wastewater system will be timed in accordance with the development stages for the Mission Development Area as shown on the Mission Residential Precinct 3 Waters Staging Plan in **Appendix 13d**.
- p. Whether pump stations will be installed to ensure the adequate conveyance of wastewater from the gravity system within the Mission Residential Precinct to the Council network.
- q. Whether the design of the wastewater network will meet the standards to be vested with the Napier City Council.

Water supply

- r. Whether water supply to the Mission Residential Precinct will be provided from the existing reservoir within the Mission Development Area as shown on the drawing in **Appendix 13e**.
- s. Whether water supply reticulation within the Mission Residential Precinct will be undertaken in accordance with the **Council Code of Practice** and will be consistent with the Residential precinct 3 waters Staging Plan in **Appendix 13d**.
- t. Whether the design of the water supply network will meet the standards to be vested with the Napier City Council.

Geotechnical Stability

- u. Whether the application for subdivision or development provides a detailed investigation of the existing ground and proposed earthworks is to demonstrate that each lot will satisfy the requirements of 'good ground' under the New Zealand Building Code: NZBC B1/AS4.

PREC6-AC2 – All standard infringements (PREC6-S1 – PREC6-S5)

- a. Any special or unusual characteristic of the site which is relevant to the rule requirement
- b. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The assessment criteria under GRZ-AC1 apply in addition to the above.

PREC7 - Napier Hill Precinct

Introduction

The purpose of the Napier Hill / Mataruahou precinct is to maintain the character and amenity values of Bluff Hill and Hospital Hill (known jointly as Napier Hill / Mataruahou).

A key outcome the District Plan seeks to achieve is “Great urban areas”. Provisions in this precinct seek to maintain the distinctive character and amenity values of this area. This will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for Napier Hill / Mataruahou provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Recognise that there are limitations to enabling growth through intensification particularly with multi residential units.
- Providing for a range of housing typologies
- Ensuring appropriate infrastructure is in place to service development
- Reducing impact of development on infrastructure and the environment through low-impact design e.g. water reuse, stormwater tanks, permeable surfaces
- Enabling appropriate non-residential activities which contribute to the wellbeing of residents while maintaining amenity values of residential neighbourhoods.

Issues

PREC7-I1 Infill development and site redevelopment can detract from the established character of Napier Hill / Mataruahou

The topography, historic pattern of development, roading layout and vegetation coverage across Napier Hill / Mataruahou contribute to a character which differs from other residential areas in Napier City. The character and proximity to both Napier’s City Centre and Ahuriri contribute to the attractiveness of the area for residents. Infill development and site redevelopments have the potential to erode the character and amenity values of the area and place excessive demands on aging infrastructure with insufficient capacity to support continual intensification of the Hill. To maintain this character and align zoning with infrastructure capacity, additional provisions beyond the standard General Residential Zone are required.

Small groups of properties with consistent architectural character have also been identified on Napier Hill / Mataruahou. These are addressed separately by the provisions of the Historic Heritage chapter.

The issues of the underlying General Residential Zone are also relevant in the Napier Hill / Mataruahou precinct.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC7-O1: Identification of Napier Hill / Mataruahou Precinct

The elements and values that define the Napier Hill / Mataruahou Precinct are identified and the extent of this character is mapped.

Relates to PREC7-I1

PREC7-O2: Retention of amenity character values

The amenity character values of the area, as identified in the Amenity Character Area statement are retained.

Relates to PREC7-I1, GRZ-I3 and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC7-P1: Identify and map the features that make up the amenity character of the Napier Hill Precinct

Identify the key components which contribute to the amenity values and character of the Napier Hill precinct, including:

- a. Section size and configuration, and residential density
- b. Topography and roading layout
- c. Vegetation coverage and open space
- d. Position of houses on the section

Relates to PREC7-O1

PREC7-P2: Character and amenity values

Manage development to maintain the identified character and amenity values of the Napier Hill / Mataruahou precinct, including by:

- a. providing for a generally lower density and intensity of development than the General Residential Zone
- b. providing for a higher proportion of open space and landscaped area than the General Residential Zone
- c. requiring developments for multiple residential units to respond to the identified character and amenity values of the Napier Hill precinct
- d. Requiring appropriate infrastructure is in place to support new development and mitigate potential effects.

Relates to PREC7-O1

Napier Hill Precinct - Activity Table

PREC7-R1 Residential units and residential activity		
PREC7-R1A Activity Status: Permitted Where the following activity conditions are met: 1. One residential unit per site; and 2. The net site area is more than 500m ² .	PREC7-R1B Activity Status where activity conditions are not met: Discretionary (except as provided for under PREC7-R2 below)	
PREC7-R2 Minor residential unit		
PREC7-R2A Activity Status: Permitted Where the following activity conditions are met: 1. One minor residential unit per site 2. The gross floor area of the unit does not exceed 80m ²	PREC7-R2B Activity Status where activity conditions are not met: Discretionary	
PREC7-R3 Activities infringing standards PREC7-S1 – PREC7-S4		
Activity Status: Restricted discretionary Matters of discretion are restricted to: 1. The matters of discretion stated for infringing the relevant standard(s) <i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i> <i>Note: GRZ-R12 also applies for infringement of the standards in the underlying General Residential Zone</i>	NA	
PREC7-R4 Retirement village premises		
Activity Status: Discretionary	NA	

Napier Hill Precinct - Standards Table

The standards of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct standards, the precinct standards apply.

PREC7-S1 Building coverage		
Purpose: to	1. Building coverage must not	Matters of discretion are restricted

<p><i>maintain the identified character and amenity values of the Napier Hill / Mataruahou precinct; and minimise effects on the quality of the neighbours' living environment.</i></p>	<p>exceed 40% of the net site area.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Housing supply and diversity 3. Neighbourhood character 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Healthy, safe, high amenity and comfortable living environments
<p>PREC7-S2 Impervious area</p>		
<p>Purpose: <i>to maintain the identified character and amenity values of the Napier Hill / Mataruahou precinct; to maintain the quality of the living environment; to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i></p>	<ol style="list-style-type: none"> 1. Impervious area must not exceed 60% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Infrastructure capacity and stormwater management
<p>PREC7-S3 Landscaped area</p>		
<p>Purpose: <i>to maintain the identified character and amenity values of the Napier Hill / Mataruahou precinct; and to maintain the quality of the living environment</i></p>	<ol style="list-style-type: none"> 1. Landscaped area must be a minimum of 40% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>PREC7-S4 Open Space</p>		

<p>Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite</p>	<p>1. Standard GRZ-S11 applies except that where residential units cannot reasonably provide at-grade usable open space due to the site topography, a deck or terrace area shall be provided that:</p> <ol style="list-style-type: none"> has a minimum area of 12m² has no dimension less than 2.5m. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Healthy, safe, high amenity and comfortable living environments
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Assessment criteria

The relevant assessment criteria of the underlying General Residential Zone apply in addition to the below.

PREC7-AC1 – All infringements to standards (PREC7-S1 – PREC7-S4)

- Any special or unusual characteristic of the site which is relevant to the standard.
- The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- The relevant assessment criteria under GRZ-AC1 apply in addition to the above.

PREC8 - Napier South Character Precinct

Introduction

The Napier South Character Precinct is a predominantly residential neighbourhood that was built between 1908 and 1930 after the land was reclaimed and made developable from its former marshland state. The style of housing is of that era, with a very high proportion of villas and simple bungalows on large but relatively narrow sites. Gaps between housing is limited, with some properties containing a narrow driveway on one side, while others do not provide any on-site car parking due to the constrained space between houses. Although street frontage setbacks vary, they are typically between 5 and 8m, with low (often picket) front fences. Garages, where present, are located to the rear. The cohesive group of similar housing styles built in the same era provide a very consistent streetscape, with similar architecture, rooflines, scales, materiality, and setbacks.

The purpose of the Napier South Character precinct is to maintain the special character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seek to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case dwellings built in the villa and bungalow style between 1908 and 1930. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Napier South Character Precinct provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Napier South Character precinct, and ensuring new development is consistent with this character

Issues

The issues of the underlying General Residential Zone are also relevant in the Napier South Character Precinct.

PREC8-I1 Identification and protection of areas of special character

Without identification of areas that demonstrate a strong consistency of character and their protection from demolition, alterations, and inappropriate new buildings, the collective character of this area can be easily compromised.

PREC8-I2 Housing intensification close to the city centre

Intensification of residential living close to the city centre is to be encouraged in many situations, however where this removes existing 'character' housing and replaces it with buildings that are

inconsistent with the character of the surrounding neighbourhood, this has a detrimental effect on neighbourhood character.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC8-O1 Identification of Napier South Character Precinct

The elements and values that define the Napier South Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC8-I1

PREC8-O2 Retention of special character values

The special character values of the area, as identified in the Heritage Character Area Statement, are retained.

Relates to PREC8-I1, PREC8-I2, GRZ-I3, and GRZ-I5

PREC8-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Napier South Character Precinct and do not create adverse effects.

Relates to PREC8-I1, PREC8-I2, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC8-P1: Identify and map the features that make up the special character of the Napier South Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties built between the years of 1908 and 1930, in the standard styles of the era. Typical character features include:

- Section size, density and configuration
- Architectural form of houses (typically either villa or bungalow)
- Position of houses on the section
- Low, open front fences
- Garages, if any, positioned to the rear

Relates to PREC8-O1

PREC8-P2: Removal or demolition of buildings

Discourage the removal or demolition of buildings that contribute to the continuity and coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC8-O2 and PREC8-O3

PREC8-P3: New residential units, external alterations/additions, and partial demolition

Maintain and enhance the character values of the Napier South Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, and partial demolition, maintain the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC8-O2 and PREC8-O3

PREC8-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Napier South Character Precinct.

Relates to PREC8-O2 and PREC8-O3

PREC8-P5: Range of activities

Enable a range of activities to establish that are consistent with a residential neighbourhood and do not detract from the special features that contribute the character values of the Napier South Character Precinct. Discourage activities that are not consistent with the distinctive characteristics as outlined in the special character area statement.

Relates to PREC8-O3

PREC8 – Napier South Character – Activity Table

District-wide rules, including overlays, apply in addition to the below where relevant.

The provisions of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct provisions and rules, the precinct provisions and rules apply.

PREC8-R1 Restoration of a residential unit built prior		
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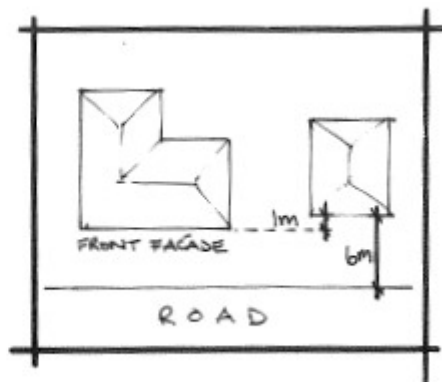
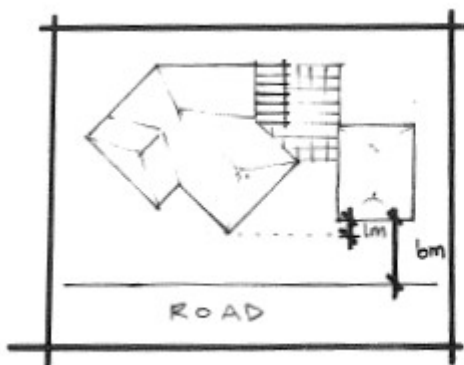
to 1 January 1930		
<p>PREC8-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit 	<p>PREC8-R1B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the exterior 4. Practicality and cost of alternatives available 	
PREC8-R2 All new buildings other than new or relocated residential units		

PREC8-R2A

Activity status: Permitted

Where the following activity conditions are met:

1. The building must:
2. Not be erected in front yards; and
3. Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary
4. For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage.



Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.

PREC8-R2B

Activity Statuses where activity conditions are not met:
Restricted Discretionary

Matters of discretion are restricted to:

1. Compatibility with Context
2. Effect on the character of the Precinct

PREC8-R3 Residential care facility

PREC8-R3A

Activity Status: Controlled

Where the following activity conditions are met:

1. The facility must not cater for more than 10 residents, excluding staff
2. The total number of people accommodated/catered for on the site by activities PREC8-R3, PREC8-R4, PREC8-R5 and PREC8-R6 is no more than 10 (excluding staff)
3. Any outdoor storage associated with the residential care facility must be screened from view of any

PREC8-R3B

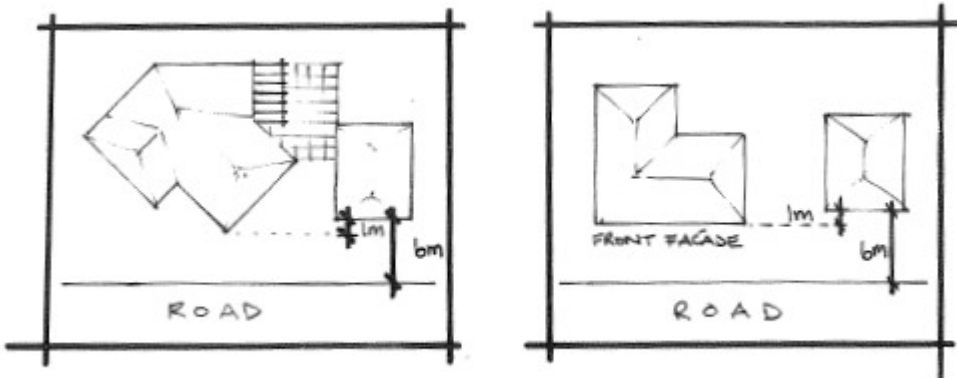
Activity Status where activity conditions are not met:
Restricted discretionary

Matters of discretion are restricted to: Refer GRZ-R6

<p>adjacent sites and public places</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building’s design, finishing and external appearance <p><i>For the purposes of this rule, residential care facilities do not include retirement villages (see PREC8-R11).</i></p>	
<p>PREC8-R4 Day care centre</p>	
<p>PREC8-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC8-R3, PREC8-R4, PREC8-R5 and PREC8-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building’s design, finishing and external appearance 	<p>PREC8-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R7</p>
<p>PREC8-R5 Educational facility</p>	
<p>PREC8-R5A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities PREC8-R3, PREC8-R4, PREC8-R5 and PREC8-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the educational facility must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p>	<p>PREC8-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R9</p>

<ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	
PREC8-R6 Visitor accommodation	
<p>PREC8-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation must not cater for more than 5 guests, excluding staff and/or family 2. The total number of people accommodated/catered for on the site by activities PREC8-R3, PREC8-R4, PREC8-R5 and PREC8-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the visitors accommodation must be screened from view of any adjacent sites and public places <p>The Council shall exercise its control over the following:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	<p>PREC8-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R8</p>
PREC8-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1930	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	NA
PREC8-R8 New or relocated residential unit	

<p>PREC8-R8A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site 2. Garages integrated within a residential unit building must be setback: <ol style="list-style-type: none"> a. no closer than 1m from the front line of the residential unit; and b. at least 6m from the road frontage; c. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC8-R8B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effect on the character of the Precinct 	
<p>PREC8-R9 Activities infringing standards PREC8-S2 – PREC8-S4</p>	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) 	<p>NA</p>



<i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC8-R10 Demolition or relocation off-site of a building built prior to 1 January 1930	
Activity status: Discretionary	NA
PREC8-R11 Retirement village premises	
Activity status: Non-Complying	NA

PREC8 – Napier South Character – Standards Table

PREC8-S1 Underlying zone standards		
Purpose: as stated for the relevant standard in the General Residential Zone	<ol style="list-style-type: none"> 1. The following standards of the underlying General Residential Zone apply: <ol style="list-style-type: none"> a. GRZ-S2 Height in relation to boundary b. GRZ-S4 Other yards c. GRZ-S5 Building coverage d. GRZ-S6 Impervious Area e. GRZ-S7 Landscaped area f. GRZ-S11 Open Space 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. As stated for the relevant standard in the General Residential Zone
PREC8-S2 Height		
Purpose: to maintain the character of the Napier South Character Precinct	<ol style="list-style-type: none"> 1. Buildings and structures must not exceed 5m in height 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character
PREC8-S3 Front yards		
Purpose: to maintain the character of the Napier South Character Precinct and to provide for a safe and attractive streetscape	<ol style="list-style-type: none"> 1. Any part of a building must not be erected closer than 5m to the road boundary 2. A minimum of 40% of the front yard must comprise landscaped area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment
PREC8-S4 Fences and walls		

<p>Purpose: to maintain the character of the Napier South Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</p>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard, and within a side or rear yard adjacent to a common boundary with an Open Space zone: 1.2m b. Within the rear yard: 2m 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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Assessment criteria

PREC8-R1 Restoration of a residential unit built prior to 1 January 1930, and PREC8-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1930

Compatibility with context

- a. The extent to which the alterations and/or additions or partial demolition are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and buildings, whether it contributes to a

group in such a way that its alteration would result in the loss of a character value attributable to the group

- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts.

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the front façade).

PREC8-R2 All new buildings other than new or relocated residential units

Compatibility with context

- f. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- g. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- h. Compatibility of architectural style and quality of new construction or relocation building,

including scale, height, cladding, roof materials and roofline, windows and design elements.

- i. Construction materials and detailing
- j. Whether the proposal is sympathetic to the original building setback patterns of the area.
- k. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC8-R8 New or relocated residential unit

Effect on the character of the Precinct

- l. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- m. Compatibility of architectural style and quality of new construction or the relocated building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- n. Construction materials and detailing
- o. Whether the proposal is sympathetic to the original building setback patterns of the area.
- p. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC8-R9 All infringements to PREC8-S2 Height, PREC8-S3 Front yards, and PREC8-S4 Fences and walls

Purpose of the Standard

- q. The ability to achieve the purpose of the standard

Neighbourhood character

- r. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- s. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- t. Whether visibility is provided over the street and public open space to enhance safety and

security.

- u. Whether the development contributes to attractive streets and public open space.
- v. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- w. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC8-R10 Demolition or relocation off-site of a building built prior to 1 January 1930

Effect on the character of the Precinct

- x. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

PREC9 - Railway Housing Character Precinct

Introduction

The Railway Housing Character Precinct is a residential neighbourhood that encompasses a high proportion of dwellings built by the New Zealand Railways Corporation between the early 1900's to the late 1930's, to house Railways staff. Railway housing was built to a standard set of designs, with staff holding specific positions, being housed in dwellings of a specific design. Although designs differ, houses are typically modest, single storied and built using native timber. Sites are typically small, with houses positioned close to the front boundary, and with no or narrow side boundaries. Front fences are low picket.

The purpose of the Railway Housing Character Precinct is to maintain the heritage character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seek to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represent a snapshot in time in the development of Napier, in this case dwellings built by the NZ Railways Corporation for railway workers between the years of 1900 and 1940. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Railway Housing Character Precinct provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design
- Protecting those characteristics that contribute to the defined character of the Railway Housing Character Precinct, and ensuring new development is consistent with this character

Issues

The issues of the underlying General Residential Zone are also relevant in the Railway Housing Character Precinct.

PREC7-I1 Identification and protection of areas of special character

Although the District Plan has previously identified an area of Railway Housing of special heritage character value, it did not offer a method of protection for these values. As a consequence, these values have been eroded over time, and there is a risk that this will continue to occur. Without identification of areas that demonstrate a strong consistency of character as well as a grouping of representative house design examples, and their protection from demolition, alterations, and inappropriate new buildings, this collective character can be easily compromised.

PREC9-I2 The changing needs of housing

The desire for modern housing in this location close to the CBD has resulted in the demolition of

existing original cottages, and their replacement with modern town houses that bear no resemblance to the original character. Where this has occurred, the demand for on-site carparking on these typically narrow sites has resulted in the frontage being dominated by garage doors.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC9-O1 Identification of Railway Housing Character Precinct

The elements and values that define the Railway Housing Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC9-I1

PREC9-O2 Retention of special character values

The special character values of the area, as identified in the Character Area Statement, are retained.

Relates to PREC9-I1, PREC9-I2, GRZ-I3, and GRZ-I5

PREC9-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Railway Housing Character Precinct and do not create adverse effects.

Relates to PREC9-I1, PREC9-I2, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC9-P1: Identify and map the features that make up the special character of the Railway Housing Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties built by the NZ Railways Corporation for their staff, in the standard styles of the era. Typical character features include:

- Section size and configuration, density
- Street location (adjoining railway lines)
- Architectural form of houses (one of the standard NZ Railways Corporation designs, and materials)
- Position of houses on the section

Relates to PREC9-O1

PREC9-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity and coherence of the special character as identified in the special character area statement, and are good representative examples of the various standard NZ Railways Corporation designs. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area, would not disrupt the cohesiveness of the streetscape, and would not remove a building that is a good representative example of a standard NZ Railways Corporation design. Enable the removal of buildings that detract from the character of the area.

Relates to PREC9-O2 and PREC9-O3

PREC9-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Railway Housing Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintain the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC9-O2 and PREC9-O3

PREC7-P4: New accessory buildings, minor residential units, non-residential buildings and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height and permeability of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Railway Housing Character Precinct.

Relates to PREC9-O2 and PREC9-O3

PREC9-P5: Range of activities

Enable a range of activities to establish that are consistent with a residential neighbourhood and do not detract from the special features that contribute the character values of the Railway Housing Character Precinct. Discourage activities that are not consistent with the distinctive characteristics as outlined in the special character area statement.

Relates to PREC9-O3

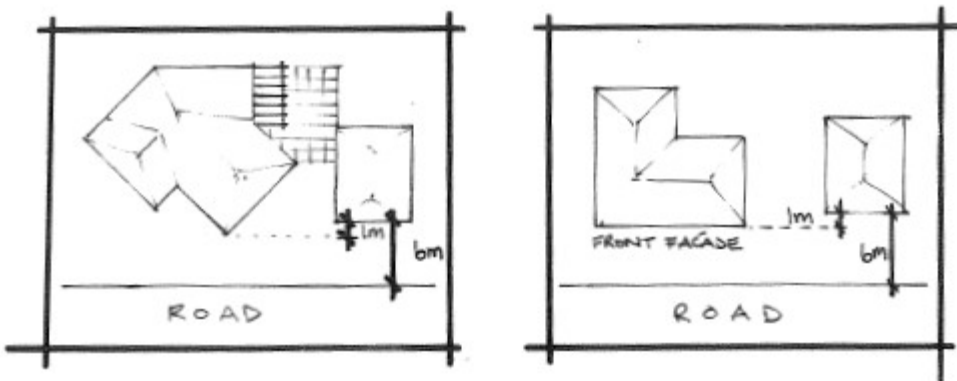
PREC9 – Railway Housing Character – Activity Table

PREC9-R1 Restoration of a residential unit built prior to 1 January 1940		
PREC9-R1A	PREC9-R1B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit 	<p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compatibility with Context Effect on the character of the Precinct The condition and integrity of the exterior Practicality and cost of alternatives available
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PREC9-R2 All new buildings other than new or relocated residential units	
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<p>PREC9-R2A</p> <p>Activity status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> The building must: <ol style="list-style-type: none"> Not be erected in front yards; and Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage. 	<p>PREC9-R2B</p> <p>Activity Statuses where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Compatibility with Context Effect on the character of the Precinct
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Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.

PREC9-R3 Residential Care Facility	
<p>PREC9-R3A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility must not cater for more than 10 residents, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC9-R3, PREC9-R4, PREC9-R5 and PREC9-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public places <p><i>For the purposes of this rule, residential care facilities do not include retirement villages (see PREC1-R11).</i></p>	<p>PREC9-R3B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p>
PREC9-R4 Day Care Centre	
<p>PREC9-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC9-R3, PREC9-R4, PREC9-R5 and PREC9-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places 	<p>PREC9-R4B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p>
PREC9-R5 Educational facility	
<p>PREC9-R5A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities is no more than 10 (excluding staff) 3. Any outdoor storage associated with the educational 	<p>PREC9-R5B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p>

<p>facility must be screened from view of any adjacent sites and public places</p>	
<p>PREC9-R6 Visitor Accommodation</p>	
<p>PREC9-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation must not cater for more than 5 guests, excluding staff and/or family 2. The total number of people accommodated/catered for on the site by activities PREC9-R3, PREC9-R4, PREC9-R5 and PREC9-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the visitors accommodation must be screened from view of any adjacent sites and public places 	<p>PREC9-R6B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p>
<p>PREC9-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1940</p>	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	<p>NA</p>
<p>PREC9-R8 New or relocated residential unit</p>	

PREC9-R8A

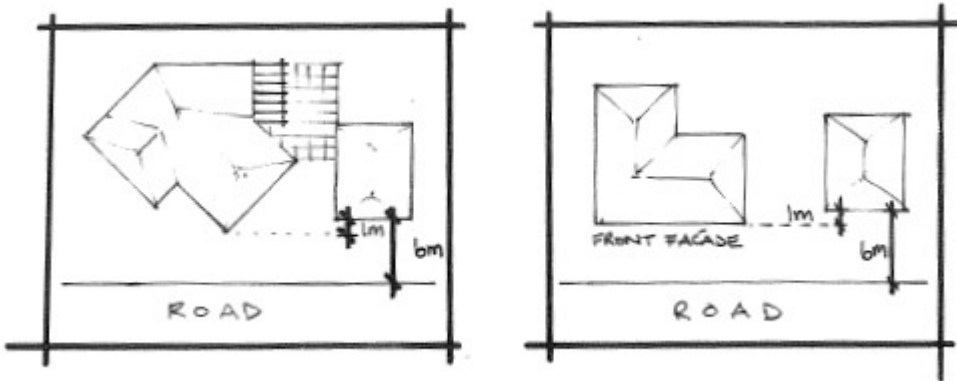
Activity Status: Restricted Discretionary

Where the following activity conditions are met:

1. One residential unit per site
2. Garages integrated within a residential unit building must be setback:
 - a. no closer than 1m from the front line of the residential unit; and
 - b. at least 6m from the road frontage;
 - c. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building.
3. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage.

PREC9-R8B

Activity Status where activity conditions are not met:
Discretionary



Matters of discretion are restricted to:

1. Effect on the character of the Precinct

PREC9-R9 Activities infringing standards PREC9-S1 – PREC9-S6

Activity status: Restricted Discretionary

NA

Matters of discretion are restricted to:

1. The matters of discretion stated for infringing the relevant standard(s)

Note: The activity status for the relevant activity, and the

<i>associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC9-R10 Demolition or relocation off-site of a building built prior to 1 January 1940	
Activity status: Discretionary	NA
PREC9-R11 Retirement village premises	
Activity status: Non-Complying	NA

PREC7 – Railway Housing Character – Standards Table

PREC9-S1 Underlying zone standards		
<i>Purpose: as stated for the relevant standard in the General Residential Zone</i>	1. The following standards of the underlying General Residential Zone apply: <ul style="list-style-type: none"> a. GRZ-S2 Height in relation to boundary b. GRZ-S4 Other yards c. GRZ-S6 Impervious Area d. GRZ-S11 Open Space 	Matters of discretion are restricted to: <ul style="list-style-type: none"> 1. As stated for the relevant standard in the General Residential Zone
PREC9-S2 Height		
<i>Purpose: to maintain the character of the Railway Housing Character Precinct</i>	1. Buildings and structures must not exceed 5m in height	Matters of discretion are restricted to: <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character
PREC9-S3 Front yards		
<i>Purpose: to maintain the character of the Railway Housing Precinct and to provide for a safe and attractive streetscape</i>	1. Any part of a building (other than as required under RES-S9 Garages and Accessory buildings and PREC9-R4 and PREC9-R5) must not be erected closer than 1m to the road boundary	Matters of discretion are restricted to: <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment
PREC9-S4 Building coverage		
<i>Purpose: to</i>	1. Building coverage must not	Matters of discretion are restricted

<i>maintain the character of the Railway Housing Character Precinct; to minimise effects on the quality of the neighbours' living environment</i>	exceed 50% of the net site area	to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC9-S5 Landscaped area		
<i>Purpose: to maintain the character of the Railway Housing Character Precinct; and to maintain the quality of the living environment</i>	<ol style="list-style-type: none"> 1. Landscaped area must be a minimum of 25% of the net site area 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC9-S6 Fences and walls		
<i>Purpose: to maintain the character of the Railway Housing Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i>	<ol style="list-style-type: none"> 1. Fences and walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Within the front yard, either: <ol style="list-style-type: none"> i. 6m for a solid fence or wall, or ii. 2m if the fence is at least 50 per cent visually open a viewed perpendicular to the front boundary; b. along a common boundary with an Open Space zone: 1.2m in height c. Within the side and rear yard: 2m 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

Assessment criteria

PREC9-R1 Restoration of a residential unit built prior to 1 January 1940, and PREC9-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1940

Compatibility with context

- a. The extent to which the alterations and/or additions or partial demolition are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its alteration would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts.

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the front façade).

PREC9-R2 All new buildings other than new or relocated residential units

Compatibility with context

- f. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- g. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- h. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- i. Construction materials and detailing
- j. Whether the proposal is sympathetic to the original building setback patterns of the area.
- k. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC9-R8 New or relocated residential unit

Effect on the character of the Precinct

- l. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.

- m. Compatibility of architectural style and quality of new construction or the relocated building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- n. Construction materials and detailing
- o. Whether the proposal is sympathetic to the original building setback patterns of the area.
- p. Location and design of services, such as heat pump external units, gas bottles, utility access points

All infringements to PREC9-S2 Height, PREC9-S3 Front yards, PREC9-S4 Building coverage, PREC9-S5 Landscaped area, and PREC9-S6 Fences and walls

Purpose of the Standard

- q. The ability to achieve the purpose of the standard.

Neighbourhood character

- r. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- s. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- t. Whether visibility is provided over the street and public open space to enhance safety and security.
- u. Whether the development contributes to attractive streets and public open space.
- v. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- w. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC9-R10 Demolition or relocation off-site of a building built prior to 1 January 1940

Effect on the character of the Precinct

- x. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and buildings, whether it contributes to a

group in such a way that its loss would result in the loss of a character value attributable to the group;

- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

PREC10 - Te Awa Bungalow Character Precinct

Introduction

The Te Awa Bungalow Character Precinct is a residential neighbourhood that encompasses a high proportion of dwellings built in the mid-1920's. Properties are characterised by simple single-storied bungalow-style housing, medium-sized sections, houses set approximately 4-5 metres from the front fence, low front fence height, and garaging to the rear.

The purpose of the Te Awa Bungalow Character Precinct is to maintain the heritage character values of this precinct to ensure it is protected for current and future generations.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represents a snapshot in time in the development of Napier, in this case Bungalows built during the 1920's. Protection of these unique heritage character values will complement the provisions of the underlying General Residential Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Te Awa Bungalow Character precinct provide for the following:

- Achieving quality residential environments including optimised connectivity; safe and attractive streetscapes and parks that encourage walking, cycling and recreation; sunlight access; privacy; and recognition of site context in design.
- Protecting those characteristics that contribute to the defined character of the Te Awa Bungalow Character precinct, and ensuring new development is consistent with this character.

Issues

The issues of the underlying General Residential Zone are also relevant in the Te Awa Bungalow Character Precinct.

PREC10-I1 The identification and protection of areas of special character

Te Awa's special bungalow character has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character and their protection from demolition, alterations, and inappropriate new buildings, this collective character can be easily compromised.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC10-O1 Identification of Te Awa Bungalow Precinct

The elements and values that define the Te Awa Bungalow Precinct are identified and the extent of this character area is mapped.

Relates to PREC10-I1

PREC10-O2 Retention of special character values

The special character values of the area, as identified in the Character Area Statement, are retained.

Relates to PREC10-I1, GRZ-I3, and GRZ-I5

PREC10-O3 New development and activities are appropriate in certain circumstances

New development and activities are consistent with the special character of the Te Awa Bungalow Precinct and do not create adverse effects.

Relates to PREC10-I1, GRZ-I3, and GRZ-I5

Policies

The policies of the underlying General Residential Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC10-P1: Identify and map the features that make up the special character of the Te Awa Bungalow Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development of a clearly defined era. Typical character features include:

- Section size and configuration, density
- Street design (width, layout, and street trees)
- Architectural form of houses (design and materials)
- Position of houses on the section

Relates to PREC10-I1

PREC10-P2: Removal or demolition of buildings

Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area.

Relates to PREC10-O2 and PREC10-O3

PREC10-P3: New residential units, external alterations/additions, partial demolition and subdivision

Maintain and enhance the character values of the Te Awa Bungalow Character Precinct by ensuring new residential units, external alterations and additions to existing buildings, partial demolition, and subdivision maintains the continuity or coherence of the areas distinctive character as outlined in the special character area statement.

Relates to PREC10-O2 and PREC10-O3

PREC10-P4: New accessory buildings, minor residential units and fences

Ensure that primary residential unit facades and front gardens remain visible to the streetscape by limiting the height and permeability of front yard fences and by ensuring the construction of accessory buildings, minor residential units, and non-residential buildings are to the rear of the residential unit on the site. Where non-residential buildings cannot be located behind an existing residential building, ensure its design, scale, and materiality is consistent with the character of the Te Awa Bungalow Character Precinct.

Relates to PREC10-O2 and PREC10-O3

PREC10-P5: Range of activities

Enable a range of activities to establish that are consistent with a residential neighbourhood and do not detract from the special features that contribute the character values of the Te Awa Bungalow Character Precinct. Discourage activities that are not consistent with the distinctive characteristics as outlined in the special character area statement.

Relates to PREC10-O3

PREC10 – Te Awa Bungalow Character – Activity Table

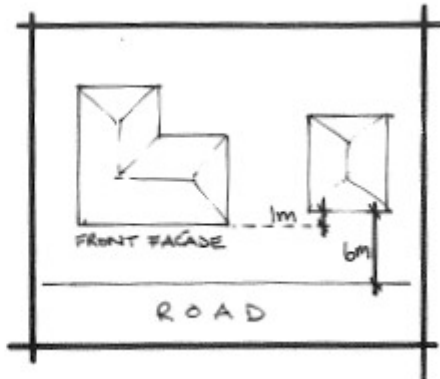
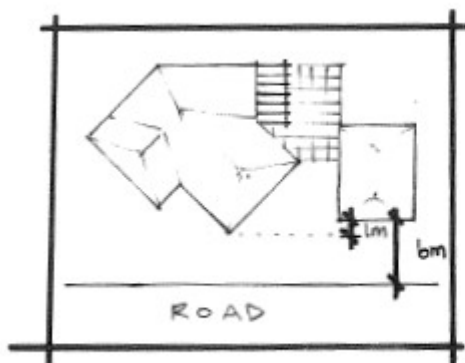
PREC10-R1 Restoration of a residential unit built prior to 1 January 1940		
PREC10-R1A Activity Status: Permitted Where the following activity conditions are met: 1. Any external additions, alterations, or changes to the residential unit restores the original architectural style, design and construction materials of the residential unit	PREC10-R1B Activity Status where activity conditions are not met: Restricted Discretionary Matters of discretion are restricted to: 1. Compatibility with Context 2. Effect on the character of the Precinct 3. The condition and integrity of the exterior 4. Practicality and cost of alternatives available	
PREC10-R2 All new buildings other than new or relocated residential units		

PREC10-R2A

Activity status: Permitted

Where the following activity conditions are met:

1. The building must:
 - a. Not be erected in front yards; and
 - b. Be located a minimum of 1m behind the front line of the residential unit and a minimum of 6m from the front boundary
2. For the purposes of Rule 1(b), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage.



Note: where a building is proposed to be located on a site with no existing residential unit, this will be considered a Restricted Discretionary Activity.

PREC10-R2B

Activity Statuses where activity conditions are not met: Restricted Discretionary

Matters of discretion are restricted to:

1. Compatibility with Context
2. Effect on the character of the Precinct

PREC10-R3 Residential care facility

PREC10-R3A

Activity Status: Controlled

Where the following activity conditions are met:

1. The facility must not cater for more than 10 residents, excluding staff
2. The total number of people accommodated/catered for on the site by activities PREC10-R3, PREC10-R4, PREC10-R5 and PREC10-R6 is no more than 10 (excluding staff)

PREC10-R3B

Activity Status where activity conditions are not met: Restricted discretionary

Matters of discretion are restricted to: Refer GRZ-R6

<p>3. Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public places</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance <p><i>For the purposes of this rule, residential care facilities do not include retirement villages (see PREC10-R11)</i></p>	
<p>PREC10-R4 Day care centre</p>	
<p>PREC10-R4A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff 2. The total number of people accommodated/catered for on the site by activities PREC10-R3, PREC10-R4, PREC10-R5 and PREC10-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	<p>PREC10-R4B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R7</p>
<p>PREC10-R5 Educational facility</p>	
<p>PREC10-R5A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities PREC10-R3, PREC10-R4, PREC10-R5 and PREC10-R6 is no more than 10 	<p>PREC10-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R9</p>

<p>(excluding staff)</p> <p>3. Any outdoor storage associated with the educational facility must be screened from view of any adjacent sites and public places</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	
PREC10-R6 Visitor accommodation	
<p>PREC10-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation must not cater for more than 5 guests, excluding staff and/or family 2. The total number of people accommodated/catered for on the site by activities PREC10-R3, PREC10-R4, PREC10-R5 and PREC10-R6 is no more than 10 (excluding staff) 3. Any outdoor storage associated with the traveller's accommodation must be screened from view of any adjacent sites and public places <p>The Council shall exercise its control over the following:</p> <ol style="list-style-type: none"> 1. The location of vehicle parking areas 2. The building's design, finishing and external appearance 	<p>PREC10-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to: Refer GRZ-R8</p>
PREC10-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1940	
<p>Activity status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Compatibility with Context 2. Effect on the character of the Precinct' 3. The condition and integrity of the existing exterior 4. Practicality and cost of alternatives available 	NA
PREC10-R8 New or relocated residential unit	

PREC10-R8A

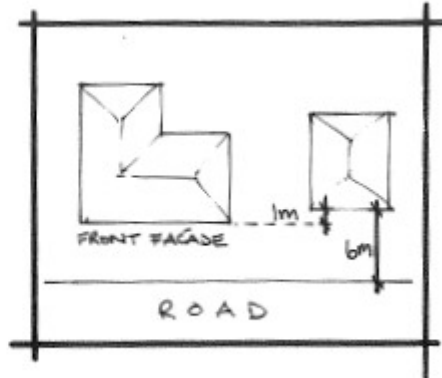
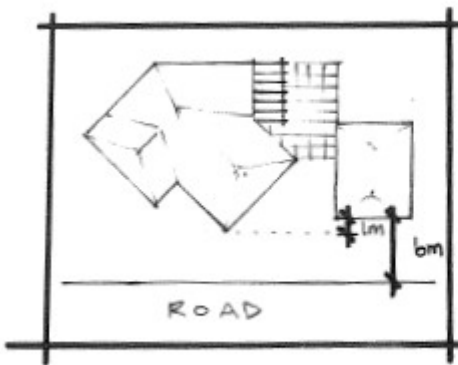
Activity Status: Restricted Discretionary

Where the following activity conditions are met:

1. One residential unit per site
2. Garages integrated within a residential unit building must be setback:
3. no closer than 1m from the front line of the residential unit; and
4. at least 6m from the road frontage;
5. For a garage that forms part of a residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front façade of the building.
6. For the purpose of Rule 2(a), the front line is a theoretical line taken from the closest point of the front façade (excluding eaves and guttering) of the residential unit, parallel to, and for the entire length of the road frontage.

PREC10-R8B

Activity Status where activity conditions are not met:
Discretionary



Matters of discretion are restricted to:

1. Effect on the character of the Precinct

PREC10-R9 Activities infringing standards PREC10-S1 – PREC10-S6

Activity status: Restricted discretionary

Matters of discretion are restricted to:

1. The matters of discretion stated for infringing the relevant standard(s)

Note: The activity status for the relevant activity, and the

NA

<i>associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
PREC10-R10 Demolition or relocation off-site of a building built prior to 1 January 1940	
Activity status: Discretionary	NA
PREC10-R11 Retirement village premises	
Activity status: Non-Complying	NA

PREC10 – Te Awa Bungalow Character – Standards Table

PREC10-S1 Underlying zone standards		
Purpose: as stated for the relevant standard in the General Residential Zone	<ol style="list-style-type: none"> The following standards of the underlying General Residential Zone apply: <ol style="list-style-type: none"> GRZ-S2 Height in relation to boundary GRZ-S4 Other yards GRZ-S6 Impervious Area GRZ-S11 Open Space 	Activity Status where standards are not met: As stated for the relevant standard in the General Residential Zone Matters of discretion are restricted to: <ol style="list-style-type: none"> As stated for the relevant standard in the General Residential Zone
PREC10-S2 Height		
Purpose: to maintain the character of the Te Awa Bungalow Character Precinct	<ol style="list-style-type: none"> Buildings and structures must not exceed 5m in height 	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character
PREC3-S3 Front Yards		
Purpose: to maintain the character of the Te Awa Bungalow Character Precinct and to provide for a safe and attractive streetscape	<ol style="list-style-type: none"> Any part of a building must not be erected closer than 6m to the road boundary A minimum of 40% of the front yard must comprise landscaped area 	Activity Status where standards are not met: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety and attractiveness of streets and public open spaces Healthy, safe, high amenity and

		comfortable living environment
PREC3-S4 Building coverage		
Purpose: to maintain the character of the Te Awa Bungalow Character Precinct; to minimise effects on the quality of the neighbours' living environment	1. Building coverage must not exceed 40% of the net site area	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC3-S5 Landscaped area		
Purpose: to maintain the character of the Te Awa Bungalow Character Precinct; and to maintain the quality of the living environment	1. Landscaped area must be a minimum of 40% of the net site area	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
PREC3-S6 Fences and walls		
Purpose: to	1. Fences and walls (or a	Activity Status where standards are

<p><i>maintain the character of the Te Awa Bungalow Character Precinct; and to provide security and for a demarcation of space; to minimise visual dominance effects to immediate neighbours and the street</i></p>	<p>combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ol style="list-style-type: none"> a. Within the front yard, either: <ol style="list-style-type: none"> i. 0.6m for a solid fence or wall, or ii. 0.9m if the fence is at least 50 per cent visually open a viewed perpendicular to the front boundary; b. along a common boundary with an Open Space zone: 1.2m in height c. On all other boundaries: 2m 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. Neighbourhood character 3. Safety and attractiveness of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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Assessment criteria

PREC10-R1 Restoration of a residential unit built prior to 1 January 1940, and PREC3-R7 External additions, alterations or partial demolition of any part of a residential unit built prior to 1 January 1940

Compatibility with context

- a. The extent to which the alterations and/or additions or partial demolition are compatible with the existing residential unit on site and those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points
- b. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline the application for alterations and/or additions to the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;

- iii. Its relationship to other adjacent residential units and buildings, whether it contributes to a group in such a way that its alteration would result in the loss of a character value attributable to the group;
- iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

The condition and integrity of the exterior

- d. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The integrity of the exterior of the residential unit in its current state, having regard to its architectural form and style and authenticity of its component parts.

Practicality and cost of alternatives available

- e. To determine whether to approve or decline the application for alterations and/or additions to the exterior, the following considerations shall be made:
 - i. The practicality and cost of any necessary rehabilitation, and the inability to achieve reasonable amenity for occupants and reasonable compliance with any requirement of the Building Act;
 - ii. Whether alternatives to the alterations/additions proposed have been considered (including changes to the rear of the building whilst retaining the front façade).

PREC10-R2 All new buildings other than new or relocated residential units

Compatibility with context

- f. The extent to which the new building(s) is/are compatible with the existing residential unit on site and/or those in the surrounding character area, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
 - vii. Location and design of services, such as heat pump external units, gas bottles, utility access points

Effect on the character of the Precinct

- g. The extent to which the new or relocated building is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated building is the same or similar in character to those buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those buildings existing in the specific character area; and

- iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- h. Compatibility of architectural style and quality of new construction or relocation building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- i. Construction materials and detailing
- j. Whether the proposal is sympathetic to the original building setback patterns of the area.
- k. Location and design of services, such as heat pump external units, gas bottles, utility access points

PREC10-R8 New or relocated residential unit

Effect on the character of the Precinct

- l. The extent to which the new or relocated residential unit is compatible with the existing character area in which it is located, and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. Specific regard will be given to the following:
 - i. Whether the scale of any new or relocated residential unit is the same or similar in character to those residential buildings existing in the specific character area;
 - ii. Whether the proportions of window and door openings in the front façade of the new or relocated building are similar in character to those residential buildings existing in the specific character area; and
 - iii. Whether the balance of glazing or openings to wall space in the front façade is similar to those residential buildings existing in the specific character area.
- m. Compatibility of architectural style and quality of new construction or the relocated building, including scale, height, cladding, roof materials and roofline, windows and design elements.
- n. Construction materials and detailing
- o. Whether the proposal is sympathetic to the original building setback patterns of the area.
- p. Location and design of services, such as heat pump external units, gas bottles, utility access points

All infringements to PREC10-S2 Height, PREC10-S3 Front yards, PREC10-S4 Building coverage, PREC10-S5 Landscaped area, and PREC10-S6 Fences and walls

Purpose of the Standard

- q. The ability to achieve the purpose of the standard.

Neighbourhood character

- r. The extent to which the character of the specific area, as defined in the special character statement, is maintained by the development.
- s. Whether mature trees and front yard landscaping is retained or enhanced.

Safety and attractiveness of streets and public open spaces

- t. Whether visibility is provided over the street and public open space to enhance safety and security.
- u. Whether the development contributes to attractive streets and public open space.
- v. Whether the height of the front fence prevents a building façade that is consistent with the defining elements of the special character of the area from being seen from the street.

Healthy, safe, high amenity and comfortable living environments

- w. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects.

PREC10-R10 Demolition or relocation off-site of a building of a building built prior to 1 January 1940

Effect on the character of the Precinct

- x. The extent to which the demolition or relocation adversely affects the existing character of the area. To determine whether to approve or decline the application for a proposal to demolish or relocate the building, the following considerations shall be made:
 - i. It's contribution to streetscape character of the area;
 - ii. The legacy value of the residential unit by reference to its architectural style, whether as an exemplar of the type or as being representative of type;
 - iii. Its relationship to other adjacent residential units and building, whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iv. Its contribution to streetscape character by reference to surrounds within the site, and/or to the public street, and/or relationships to open space shared with adjacent buildings.

RLZ - Rural Lifestyle Zone

Introduction

The Rural Lifestyle Zone is an area used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the Rural Production Zones, while still remaining of sufficient size to allow some opportunity for primary production. Infrastructure and services are limited and most properties rely on on-site servicing. In some areas, on-site water supply is a constraint to further development.

The amenity values resemble those in a rural zone, albeit with more emphasis on housing and lifestyle living rather than large-scale primary production. The location of properties near and amongst rural activities requires a recognition of the functional needs of rural activities in adjoining zones. The natural and cultural values associated with rural land is retained, and the potential to contribute to the economic wellbeing of the city is provided for with opportunities for generating supplementary income.

'Greenfield Growth in the Hills' and 'Regional Approach to industry' are key outcomes that are indirectly related to managing the distinctive elements of development in a rural environment. The Key Strategic Objectives relevant to planning for rural areas are Smart Growth, Quality Design and Environmental Excellence. Key Principles include 'Rural production in the Heretaunga Plains is enabled and protected'; 'Quality, high amenity and healthy environments to live, work and play', 'Economic activity and innovation is supported and enabled in appropriate locations' and 'Ecological assets and urban waterways are maintained and enhanced'.

To achieve these key objectives:

- Opportunity exists for undertaking rural activities
- The characteristic and functional needs of rural activities are recognised
- Network infrastructure is not readily available.
- The life-supporting capacity of soil and ecosystems are safeguarded; versatile land is valued and protected; earthworks and vegetation clearance on soils vulnerable to erosion is discouraged, agricultural land use is promoted; and indigenous biological diversity, landscape and cultural values are maintained.
- The potential for reverse sensitivity in a rural environment is addressed.
- The maintenance and enhancement of the characteristics of the existing pattern and intensity of settlement.
- Recognise the distinctive characteristics of rural areas and maintain rural amenity.
- Recognise that the rural areas have different noise profiles.

Issues

RLZ-I1 Inappropriately located rural lifestyle development can result in the irreversible loss of versatile land

Rural Lifestyle development should be located in areas of less versatile land and separated from incompatible land uses. Rural lifestyle development in the Rural Production Zone can reduce the availability of versatile land for primary production, which would have long-term economic impacts for the City and its future generations.

The Hawkes Bay Regional Resource Management Plan (RRMP) discourages further rural residential (and residential development) of rural land in order to prevent the depletion of the versatile land resource, preserve the rural character, and to protect rural productive land from urban development. For these reasons, the Rural Lifestyle Zone only applies to the hill areas forming the western boundary for the city. The relative steep topography of these areas preclude significant opportunities for large-scale rural production but do provide opportunity for rural based lifestyle living supplemented with small-scale primary production in close proximity to the city.

RLZ-I2 Cost and capacity of infrastructure

Urban growth within existing the Rural Lifestyle Zone can have adverse effects on existing infrastructure including roads and stormwater and sewage infrastructure. The infrastructure in the rural lifestyle zone has been designed to service low intensity residential uses within a rural environment, and does not have the design capacity to support inappropriate intensification of residential development without substantial upgrades.

Sufficient space, and on-site stormwater disposal and non-reticulated wastewater systems need to be provided as part of any development to cater for the demand without adversely affecting the health and safety of people and the environment.

Reducing the size of land holdings through inappropriate subdivision or infill may lead to problems associated with inadequate space for effective wastewater disposal, stormwater disposal and water supply systems; and increased costs of supplying upgraded infrastructure such as roads to support higher density rural lifestyle living.

RLZ-I3 The potential for reverse sensitivity in rural environments

'Reverse sensitivity' effects can occur where conflicts arise between existing rural land uses and neighbouring rural lifestyle development and non-rural land uses. Rural lifestyle development has the potential to give rise to reverse sensitivity effects which need to be managed to protect the productive potential of the Rural Production Zone and the viability of activities that rely on the rural area.

All rural zones include working environments. The rural environment of Napier contains a diverse range of land uses including agriculture, horticulture, viticulture, residential and rural-residential activities. Rural lifestyle living can be in conflict with and therefore compromise adjacent rural land uses through complaints about the effects of rural activity such as noise.

RLZ-I4 Land uses may have significant adverse effects on natural resources, cultural and heritage sites, landscape values, biodiversity and amenity both individually and cumulatively.

The Rural Lifestyle Zone is primarily located on the hill areas forming the western boundary to the district. These areas have a range of other values that need to be protected from inappropriate development. The cumulative effect of development places pressures on natural and physical resources and their associated values. If not managed in an integrated manner, they can eventually lead to the gradual diminishing of environmental quality. It is important that the effects of individual proposals be considered in the context of the cumulative effects of other similar proposals. The cumulative effects of residential land uses in the rural environment could pose a significant threat to the amenity and quality of the environment.

It is important that the value of sensitive values associated with landscapes, cultural and heritage sites, biodiversity and amenity are recognised and protected. It is in the Rural Lifestyle Zone that the potential for significant damage to these sensitive values are most acute. Development should respect these values and be designed to complement natural features and mitigate impacts on cultural and heritage values.

Objectives

RLZ–O1: Primary productive capacity of land

The life-supporting capacity and primary productive capacity of land and natural resources is protected from rural lifestyle living.

Relates to RLZ-I1 and RLZ-I2

RLZ–O2: Inappropriate subdivision, use and development

Important natural features and landscapes, biodiversity and cultural and heritage values are protected from subdivision, use and development that may degrade those values both from individual proposals and cumulative effects.

Relates to RLZ-I1; and RLZ-I2

RLZ–O3: Rural character and amenity

The nature, scale and intensity of land use and development (including subdivision) retains an open rural character, natural features and amenity values, and a sense of openness and privacy.

Relates to RLZ-I1; RLZ-I2 and RLZ-I4

RLZ–O4: Services and infrastructure

Use and development avoids adverse effects on human health and the environment from discharges.

Relates to RLZ-I3

RLZ–O5: Residential development

To enable residential development that is compatible with the environment, a rural setting and rural activities.

Relates to RLZ-I4

Policies

RLZ–P1: Services and infrastructure

To ensure that development in the Rural Lifestyle Zone is supported by adequate areas of land,

infrastructure with the capacity to avoid adverse effects on human health and the environment from discharges and does not increase demand for upgrading or extension of public infrastructure.

Relates to RLZ-O4

RLZ-P2: Protect rural character and amenity values

Activities in rural lifestyle zone areas reflect the existing settlement pattern, rural context and amenity values; taking onto account:

- a. the physical attributes and contours of the land
- b. the scale and characteristics of buildings in the zone
- c. the setbacks, layout and spaces between buildings on adjacent sites, and
- d. the retention of areas of existing indigenous vegetation.
- e. a character that is dominated by open space and vegetation rather than buildings, hard surfaces and outdoor storage areas

Relates to RLZ-O3 and RLZ-O5

RLZ-P5: Development in the rural lifestyle zone

Use and development does not degrade the values associated with the rural environment by:

- a. reducing the productive capacity of soils
- b. locating development on versatile soils suitable for productive production.
- c. diminishing biodiversity, natural character, or environmental qualities;
- d. disrupting ecological corridors between ecosystems;
- e. restricting access to water bodies;
- f. compromising landscapes and their characteristics;
- g. degrading historic heritage features;
- h. adversely impacting on cultural values;
- i. degrading rural amenity values;

Relates to RLZ-O1; RLZ-O2; RLZ-O3; RLZ-O4 and RLZ-O5

RLZ-P6: Reverse sensitivity

Reverse sensitivity effects and/or incompatible activities locating adjacent to the rural zone or established productive rural activities do not unreasonably compromise rural activities and rural industry.

Relates to RLZ-O2

RLZ-P7: Cumulative effects

Use and development of the Rural Lifestyle Zone does not have adverse cumulative effects, that;

- deplete the versatility and productivity of the soil resource or natural resources,
- avoid adverse effects on outstanding natural features,
- mitigate impacts on significant landscapes, biodiversity, and/or heritage and cultural values .

Relates to RLZ-O2; RLZ-O3 and RLZ-O5

Rural Lifestyle Zone - Activity Table

RLZ-R1 Agriculture, horticulture and viticulture activities	
<p>RLZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity, and any building or structure complies with all of the standards. 	<p>RLZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Visual and amenity values 3. Rural characteristics and values. 4. Risk to public health and safety, and the environment. 5. Infrastructure services 6. Fire and pest control. 7. Nature, scale and intensity of land use. 8. Ecological, aquatic and natural values. 9. The effects on the open rural character of the zone. 10. The effects on the safety of people and property. 11. Cultural, ecological, aquatic and natural values 12. The effects on the maintenance, use and development of a watercourse or open drain. 13. Cumulative effects
RLZ-R2 Rural produce retail activity	
<p>RLZ-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is ancillary to a rural activity located on the same site. 2. The maximum area occupied by a rural produce retail activity is 10m² and there is no more than one per site. 3. The activity is not located on or adjacent to a State Highway, or arterial road 4. The stall selling produce is located on the same site where the produce is grown. 	<p>RLZ-R2B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

RLZ-R3 Residential activities	
<p>RLZ-R13A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Rural Lifestyle Zone Standards 2. The net site area is more than 2,500m² 	<p>RLZ-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
RLZ-R4 Home Business	
<p>RLZ-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Rural Lifestyle Zone Standards. 2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence. 3. The area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit if located within the dwelling unit and/or 80m² if located in an accessory building. 4. Not more than three people work on the site that reside outside the dwelling unit. 5. At all times, the home business must remain incidental and secondary to the use of any buildings for residential purposes. 6. Any external storage must be screened from view of any adjacent properties and public open space. 7. Retailing of goods must not occur from the site. 	<p>RLZ-R4B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Scale and Intensity of land use 3. Rural characteristics and economic significance 4. Scale, height, bulk, setbacks and built form. 5. Risk to public health and safety, and the environment. 6. The cumulative effects of non-compliance with more than one standard. 7. The effects on rural character. 8. The effects on public health and safety. 9. The effects on amenity values. 10. Hours of operation and the type, frequency and timing of traffic. 11. Any nuisance effects. 12. The effects on matters of reverse sensitivity.
RLZ-R5 Minor Residential Unit, a residential care facility, an education facility	
<p>RLZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Rural Lifestyle 	<p>RLZ-R5B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

<p>Zone Standards</p> <ol style="list-style-type: none"> The net site area is more than 5000m² The activity does not cater for more than 10 people A maximum of one non-rural activity may be undertaken on any site. The combined gross floor area of these activities must not exceed 80m² (per site, not per activity). Access is to be shared with any primary dwelling onsite. 	
RLZ-R6 Activities not otherwise provided for	
Activity Status: Discretionary	
RLZ-R7 Any land use that does not comply with the Building Coverage Standards	
Activity Status: Non-complying	
RLZ-R8 Buildings that do not comply with RPROZ-S2 (setbacks from water, open drains and stopbanks)	
Activity Status: Non-complying	

Rural Lifestyle Zone - Standards Table

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

RLZ-S1 Density		
<p>Rural Lifestyle Zone</p> <p><i>Purpose: to protect rural character and amenity, to manage reverse sensitivity</i></p>	<ol style="list-style-type: none"> No more than one dwelling unit and one building used for ancillary non-rural activities per site 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the standard Rural characteristics and economic values Scale, height, bulk, setbacks and built form The effects on amenity values. Infrastructure services, capacity and stormwater management
RLZ-S2 Yards		
<p>Rural Lifestyle Zone</p> <p><i>Purpose: to protect rural</i></p>	<ol style="list-style-type: none"> Front Yards <ol style="list-style-type: none"> No part of a building (including eaves and guttering) is erected closer than 7.5 metres from the road boundary. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Scale, height, bulk, setbacks and built form Rural characteristics and

<p><i>character and amenity, to manage effects on water, to manage bank stability and public safety</i></p>	<p>2. Side and Rear Yards a. No part of a building is erected closer than 6 metres from any side or rear site boundary.</p>	<p>economic values 3. Amenity values 4. Spaces between structures and buildings 5. Rural characteristics of the zone 6. Risk to public health and safety, and the environment 7. The effects on the quality, maintenance, use and protection of a watercourse or open drain.</p>
<p>RLZ-S3 Setback from water, open drains and stopbanks</p>		
<p>Rural Lifestyle Zone Purpose: <i>to manage effects on water, to manage bank stability and public safety</i></p>	<p>1. No part of building (including eaves and guttering), fence, or permanently fixed structure is erected closer than 6 metres from the top of the bank of any watercourse or open drain, or the Ahuriri Estuary. 2. No building is located within 30 metres of the landward toe of any stopbank.</p>	
<p>RLZ-S4 Height</p>		
<p>Rural Lifestyle Zone Purpose: <i>to maintain the rural character; to maintain residential amenity; to ensure airport safety; to manage effects of large structures</i></p>	<p>1. This standard does not apply to aerials, lines and support structures 2. No part of a building or structure exceeds 9 metres in height. 3. No part of a building, structure or tree exceeds the Airport Height Control Designation in Appendix 1 except in a Surface Penetration Area the maximum height shall be 8m.</p>	<p>Matters of discretion are restricted to: 1. Purpose of the Rule and standard 2. Scale, height, bulk, setbacks and built form 3. Rural characteristics and economic significance 4. The effects on the amenity values 5. The effects of shading, dominance, outlook, and on privacy 6. The effects on rural landscape values. 7. The effects on air traffic safety</p>
<p>RLZ-S5 Building Coverage</p>		
<p>General Rural</p>	<p>1. Building coverage (measured</p>	<p>Matters of discretion are restricted</p>

<p>Purpose: to maintain the rural character; to maintain residential amenity in a rural setting; to control dominance, shading, privacy, and sunlight access;</p>	<p>from gross building area) does not exceed 10% or 1,000m² of the net site area, whichever is the lesser.</p> <p>Note: Netting structures, and greenhouses where crops grown under or within those structures are grown directly in the soil of the site are excluded from total building coverage calculations.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. The scale and bulk of the building in relation to the site. 2. Scale, height, bulk, setbacks and built form 3. Rural characteristics and economic significance 4. Effects on amenity 5. The existing built density of the area. 6. The effect on the open space appearance of the area. 7. The control of stormwater runoff. 8. Infrastructure services, capacity and stormwater management
<p>RLZ-S6 Fencing</p>		
<p>Rural Lifestyle Zone</p>	<ol style="list-style-type: none"> 1. Any fence erected within front, side and rear yards must not exceed 2 metres in height. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects of shading 2. The effects on amenity values. 3. The effects on streetscape. 4. The effects on public health and safety. 5. The positive effects of fences to mitigate visual and noise effects of nearby land uses.
<p>RLZ-S7 Aerials, Lines and Support Structures</p>		
<p>Rural Lifestyle Zone</p> <p>Purpose: to maintain the rural character; to maintain residential amenity in a rural setting; and control shading and nuisance effects</p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height does not exceed 15m. 2. Aerials, lines and/or support structures must not exceed 15 metres in height. 3. Dish antenna must not exceed 1.2 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on amenity values. 2. The height and scale in relation to adjacent buildings. 3. The scale, bulk and form of the aerial, pylon, line and/or supporting structures. 4. The effects of dominance and shading. 5. The extent to which heritage or cultural values are adversely affected. 6. Cumulative effects 7. The prominence of the site taking into account significant public views and any significant landscapes. 8. The effects on public health and

	<ol style="list-style-type: none"> 5. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. 6. There is only one such structure on the site. 7. The aerial, line and/or support structure must comply with the conditions relating to yards in RLZ-S2. 	<p>safety.</p> <ol style="list-style-type: none"> 9. The effects on air traffic safety
<p>RLZ-S8 Shelterbelts and Plantations</p>		
<p>Rural Lifestyle Zone</p>	<ol style="list-style-type: none"> 1. No shelterbelt or plantation greater than 20 metres in length is planted within 5 metres of any site boundary 2. Shelterbelts or plantations may be planted within 5 metres of any site boundary, provided that the shelterbelts and/or plantations are maintained at a height of less than 9 metres. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects of shading 2. The effects on amenity values. 3. The effects on streetscape. 4. The effects on public health and safety. 5. The positive effects of fences to mitigate visual and noise effects of nearby land uses.

Assessment criteria – Rural Lifestyle

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

RLZ –AC1 All infringements

The assessment criteria in RLZ- AC1 apply in addition to those in RLZ-AC2 to RLZ AC4

General Implementation

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapters and this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics.
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. Particular site development characteristics: including the location of existing buildings,

achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, the design and arrangement to facilitate access for the disabled, or legal impediments;

- iii. Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.

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

RLZ-AC2 All land uses

Rural character

- a. The extent to which the activity is compatible with the sparsely built up character of a rural environment, including
 - i. an environment that is characterised by low density built form, fewer buildings, hard surfaces and outdoor storage areas;
 - ii. areas of vegetation, natural features and open space;
 - iii. small scale agriculture, pastoral and horticulture activities;
 - iv. the layout, scale, materials and characteristics of buildings are consistent with a rural setting;
 - v. the large setbacks, and spaces between buildings; and
 - vi. compatibility with rural amenity

Height, scale, bulk and built form

- a. The extent to which the positioning, bulk and building design could have adverse effects on rural character and amenity.
- b. The extent to which the site layout and use of spaces maintains adequate levels of privacy in adjacent properties.
- c. Whether the activity will dominate or cause reduced access to sunlight or daylight, increase shading on indoor and outdoor living spaces at adjacent residential properties; taking account of the extent of any overshadowing, the intended use of spaces and the position of outdoor living spaces; or main living areas in residential buildings.
- d. Whether the activity will have adverse effects on the outlook from adjoining properties.
- e. The scale of buildings, structures or storage and the effects on the character of any adjoining residential property.
- f. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.
- g. The extent to which any intrusion of the height in relation to boundary results in additional building scale and bulk and associated effects on the visual and residential amenity.

Infrastructure services, capacity and stormwater management

- h. Whether the proposal complies with any structure plan or infrastructure service standards.
- i. Whether adequate provision is made for water supply and stormwater disposal.
- j. Whether adequate provision is made for the disposal of waste and effluent.
- k. The extent to which the land use has avoided, remedied or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.
- l. Whether the method of disposal of wastewater is effective or has potential to impact on other properties, and avoids or reduces contamination.
- m. The area of impervious surfaces and whether the methods to avoid accidental discharges to ground or water are reliable.

Risk to public health and safety, and the environment

- n. Whether the use, storage, or method of disposal of any waste water, trade waste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- o. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- p. Whether the volume of water, or rate and composition of discharges may have adverse effects on the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Fire and pest control

- q. The extent to which the activity implements an approved fire or pest management plan.

Nature, scale and intensity of land use

- r. The scale and bulk of the building or structure in relation to the topography, size and dimensions of the site.
- s. Whether buildings and structures are of a similar scale to those in the area.
- t. Whether the use or development is located on, and utilises productive or versatile land.
- u. Whether the nature, impact of the scale and intensity of the use is compatible with surrounding rural land uses.
- v. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts.
- w. Whether the establishment and operation of the land use would have adverse effects on the amenity of the rural, rural lifestyle, or settlement zones.
- x. The extent to which the hours of operation of the activity may mitigate or adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- y. Whether the volume of traffic likely to be generated is likely to cause an effect on the

neighbouring people and environment.

- z. Whether activities will complement primary production (agriculture, horticulture and/or viticulture activities) and contribute to the social, cultural and economic well-being of the community.

Buildings and ancillary structures

- aa. Whether the building or structure is needed to undertake an activity that supports rural lifestyle living.

Site Layout

- ab. Whether buildings and structures including vehicle parking and storage areas are sited in a way that minimises any adverse effects on the visual and aural amenity of adjacent land uses, public open space and roads.

Cultural, ecological, aquatic and natural values

- ac. Whether the land use will have any adverse or potential positive effects on indigenous flora and fauna or their habitats, or other conservation values.
- ad. Whether the activity will have any adverse effects on important or outstanding natural features, important or significant landscapes, rural character and amenity of the surrounding area.
- ae. Whether the activity will have an adverse or positive ecological effect on any nearby open drain, watercourse or any other waterbody and the margins of such waterbodies.
- af. Whether the land use will have any adverse effect, including any cumulative effect on the Ahuriri Estuary.
- ag. Whether the proposed land use will have an adverse effect on any important sites, or wāhi taonga, cultural values or heritage values of the area.
- ah. Location of any buildings, structures, earthworks, or access in relation to the nearest open drain, waterbody or the coastal marine area.

Odour and Dust Mitigation

- ai. Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.

Noise Mitigation Measures

- aj. Whether noise arising from the land use, including the congregation of people and movement of vehicles is reasonable in the context of the rural environment, or will have an adverse effect on the amenity of the surrounding environment.
- ak. The extent to which noise mitigation measures are necessary to protect the aural amenity of adjacent land uses and residential areas.

Air Traffic Safety

- al. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.

Reverse sensitivity effects

- am. Whether the location of the site in relation to the Airport and the Airport Noise Boundary and the likely exposure to airport noise will lead to an unreasonable level of amenity for sensitive land uses or future occupiers.
- an. Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on, airport activities; or whether the proposed activity might constrain the way in which the Airport operates.
- ao. The extent to which the establishment of activities may over time demand increasingly higher levels of amenity and where such expectations may unduly restrict accepted management practices of normal airport operations.
- ap. Whether the nature, size and scale of the activity, or additional residential development or the development of other sensitive activities would have the potential to result in complaints against rural production activities or rural processing industries due to differing amenity expectations.

Cumulative Effect

- aq. Whether the land use will have an adverse cumulative effect on the surrounding area.
- ar. Whether land uses already located in the area, and on the site, are having effects on the surrounding environment and the extent to which allowing a land use or an increase in the scale and intensity of a land use will add to or generate traffic, noise and other effects not in keeping with the surrounding area.
- as. Whether there are cumulative effects from additional aerials, lines and/or support structures

Assessment criteria for particular land uses

The Council will have regard to the relevant Objectives and Policies of this Plan, and in addition will consider any relevant assessment criteria in the General Rule Zone as well as the following:

RLZ AC3 Seasonal Workers Accommodation

- a. The capacity for providing water and waste services on -site
- b. Whether buildings and structures are compatible with rural amenity, and of a similar design and scale to those used for rural activities; and vehicle parking and storage areas are screened from adjacent properties by fencing and/or landscaping.
- c. The extent to which the land use is consistent with, supports primary production, or may result in conflict with rural activities, rural production or rural industry.
- d. Whether the scale and design of the proposed building complements the character of the area.

- e. Whether the siting of the activity will impact on the amenity of the adjoining property
- f. Whether traffic generation associated with the number of occupants will adversely impact on the road network.

RLZ-AC4 Residential Care Facilities, Retirement Complexes, Travellers' Accommodation, Day Care Centres and Education Facilities.

Compatibility with rural land use

- a. Whether the impact of the scale and intensity of the use is compatible with surrounding rural land uses.
- b. Whether the land use's hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- c. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- d. Whether the site is a suitable size for the type and number of persons being catered or cared for.
- e. Whether the proposed land use will have an adverse effect on any sites of significance to Maori, cultural values or heritage values of the area.
- f. Whether the land use will contribute to the social, cultural and economic well-being of the community, including for the purposes of diversifying land uses complementing primary production such as agriculture, horticulture and/or viticulture activities.
- g. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and the availability of alternative sites, locations in an appropriate zone.
- h. The extent to which the land use may enhance amenity values and have positive effects on the surrounding environment and wider community.
- i. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts over and above those required by the rules and standards for other activities within the rural environments.
- j. Whether the establishment and operation of the land use would adversely effect the amenity of the rural or rural lifestyle, settlement zones; or the Jervoistown Development Area, or result in significant social or economic impacts.
- k. Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant social, cultural or economic impacts.

Rural amenity, design and external appearance

- l. Whether the design of buildings, structures and vehicle parking areas maintain rural character and streetscape qualities, including whether paved areas associated with manoeuvring or parking dominate the streetscape and are designed to manage run-off and prevent pollutants entering networks and waterbodies.
- m. Whether parking and storage areas are adequately screened from adjacent sites, public places and roads by fencing and/or landscaping.

Vehicle Parking and Access

- n. Whether provision is made for the safe and efficient circulation of vehicles through the site, and access to the roading network.
- o. Whether the proposal will avoid on-road congestion, including vehicle queuing and parking, as a result of the ingress and egress of vehicles to and from the site.

RPROZ - Rural Production Zone

Introduction

The Rural Production Zone is used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities.

Land uses that support primary production and rural industry in the rural environment contribute to the economic wellbeing of the city and are provided for within the zone. Controls are placed over unplanned rural residential development, industrial and commercial activities and other inappropriate urban activities that do not support or are unrelated to the use of land for production

The Rural Production Zone is characterised by agriculture, horticulture, and viticulture land uses, a low population density with spread out single dwellings, and clusters of farm buildings and other structures. Typical rural practices that occur in this working environment, include the use of bird scaring devices, movement of stock, application of fertilizer and agrichemical sprays, noise from farm machinery including frost protection devices, use of irrigators, and shelterbelts for crop protection.

Subdivision and changes in land use in the rural zones has the potential to permanently encroach on productive soils, increase traffic movements, create issues with stormwater and wastewater disposal, alter the spacious open character of rural areas, and impact on landscape, natural, cultural and ecological values. An increased density of residential dwellings and accessory buildings can also result in conflicts between new lifestyle developments and rural production activities.

A 'Regional Approach to Industry' and 'Greenfield Growth in the Hills' are key outcomes that have an indirect relationship with the management of productive land and versatile soils in rural areas. The Key Strategic Objective relevant to planning for rural areas is Smart Growth and Environmental Excellence. Key Principles include; 'Rural production in the Heretaunga Plains is enabled and protected'; 'Economic activity and innovation is supported and enabled in appropriate locations'; and Ecological assets are maintained and enhanced.

To achieve these key outcomes:

- Rural activities are enabled.
- People provide their own onsite servicing where reticulated infrastructure is not available
- The life-supporting capacity of soil and ecosystems is safeguarded; productive soils are valued and protected; earthworks and vegetation clearance on soils vulnerable to erosion is discouraged, agricultural land use is promoted; and indigenous biological diversity is maintained
- Buildings, structures, impervious surfaces, and activities involving vegetation removal or earthworks are set back from waterbodies and the coastal marine area to provide for the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health
- The potential for reverse sensitivity is mitigated
- Rural landscape character is maintained, and enhanced where possible.
- The distinctive characteristics of rural areas is recognised and rural amenity is maintained
- The different noise profiles experienced in rural areas is provided for

Issues

RPROZ-I1 The use of rural land for primary production provides economic opportunities

Agriculture and horticulture make an important contribution to the Hawke's Bay economy. The versatile and productive land in the area are an important resource that supports both directly and indirectly, significant employment opportunities throughout the wider region, with produce being exported around the world. Changes from traditional rural land uses to activities that are more urban in character can reduce the ability to utilise economic opportunities that rely on an ability to use and develop soil resources.

RPROZ-I2 The irreversible loss of versatile rural land with high productive value to urbanisation and inappropriate use and development.

Pastoral farming, viticulture and horticulture activities rely on the productive capacity of the land and the ability to use and develop soil resources.

The cumulative effects of subdivision can result in fragmented land holdings where the attraction for productive rural activities is diminished, Intensive land use and urban development can reduce the availability of land with high productive value for primary production and have an impact on the rural character, ecology and amenity values that are key components of the rural zone.

The Regional Resource Management Plan (RRMP) discourages rural residential development outside of existing rural residential zones. This is to prevent depletion of the soil resource, preserve the rural character, and ensure rural activities continue to operate without undue restriction. Other direction in the RRMP is to protect rural productive land from urban development, and to identify those rural areas where residential greenfield growth is considered to be inappropriate.

RPROZ-I3 The life-supporting capacity of versatile and productive land is to be protected

Some types of rural and non-rural activities can degrade soil quality. Versatile land (including productive soils) is a finite resource that is important to Napier, and needs to be managed appropriately to ensure that this land is available for a variety of rural land uses in the future.

Reducing the size of land holdings through inappropriate subdivision may intensify land use, and in some areas may lead to issues associated with inadequate wastewater disposal, stormwater disposal and water supply systems; and increased costs of supplying infrastructure to more remote areas.

RPROZ-I4 Rural character and amenity can be undermined by increased development

Increased development can dominate the rural landscape and compromise the low density built form and open space qualities of the rural setting and/or rural character.

Rural character includes the key elements of spaciousness, vegetation, minimal buildings, low-density built form, and a primary production orientated working environment. Important amenity values include an uncluttered landscape, a rural outlook, waterbodies, livestock, trees, shelterbelts, crops and pasture and reasonable separation between buildings or clusters of buildings. Pressure to expand urban development into rural zoned areas and increases in the area of land covered by buildings, structures and roads can have adverse effects on rural amenity values and conflict with the rural character of the zone.

While roadside stalls and home businesses support economic activity and are important for many rural holdings, other non-rural uses may have adverse effects on rural amenity, create traffic problems and compete with activities in the City's commercial areas.

RPROZ-15 The potential for reverse sensitivity needs to be managed to retain capacity for rural activities.

There is the potential for 'reverse sensitivity' effects where conflicts arise between existing rural land uses and new types of rural production and neighbouring residential and non-rural land uses. Reverse sensitivity effects need to be managed to protect the productive potential of the land and the viability of activities that rely on the rural area.

Residential and rural-residential land uses in a rural environment can compromise adjacent rural land uses through complaints about the effects of rural activity, including noise and odour. The levels of amenity within the rural environment are different to those in a residential zone, and there is potential for conflict particularly at the interface of rural and residential or rural residential zone boundaries.

RPROZ-16 Some rural land uses have cumulative effects on natural and physical resources

Some rural activities such as vegetation removal, landfills, gravel extraction, quarrying, and the removal of vegetation from stream margins can deplete the life supporting capacity, quality and diversity of soils and other natural resources.

The cumulative effect of development over the long-term can place pressures on natural and physical resources and their associated values. While the principle function of the rural zones is for primary production, rural land can also deliver public benefits, in natural resource management, biodiversity conservation and protection of landscapes and views. If not managed in an integrated manner, cumulative effects can eventually lead to the gradual diminishing of environmental quality.

RPROZ-17 Expanding the economic base for primary production can introduce different types of activities into the rural zone.

Rural industries that process products grown in the rural environment can add value through various levels or stages of production and marketing, often on the same site. This allows people to provide for their social and economic wellbeing by reducing their reliance on primary production as a primary source of income.

The need to protect and enhance the existing rural productive capacity and associated amenity is essential when diversifying the economic base of rural areas. The amenity and ambience of a location can provide a unique branding opportunity for a product; for example wine making, cellar door sales and tourism opportunities with a view of the vines.

There are positive effects from a diverse range of activities, however the diversification of activities must not undermine the productive capacity of the soil resource, the ability of soils to meet the needs of future generations or displace rural activities that are reliant on the soil resource.

While the sale of produce from roadside stalls and larger facilities has positive effects, the potential risk to public health and safety includes traffic management and access to and from the site. Parking and the movement of people using roadside stalls needs to be appropriately managed.

RPROZ-18 Providing infrastructure to support non rural uses would place unsustainable pressure on Council resources.

Infrastructure and services provided to rural zones cannot support intensified development without substantial upgrades.

Objectives**RPROZ–01: Activities on high quality productive and versatile land**

High quality productive soils and versatile land is retained for agriculture, horticulture and farming, and used primarily for food production and ancillary activities that rely on primary production.

Relates to RPROZ-11; RPROZ-12; RPROZ-13 and RPROZ- 17

RPROZ–02: Life supporting and productive capacity of versatile land

The life-supporting capacity of soil and primary productive capacity of versatile land and pasture is maintained.

Relates to RPROZ-11; RPROZ-12 and RPROZ-13

RPROZ–03: Rural character and amenity

Natural features, rural character and amenity are not compromised by adverse changes to landform, intensification of land use and/or built form, or ad hoc urbanisation.

Relates to RPROZ-12; RPROZ-14; RPROZ-15; RPROZ-17 and RPROZ-18

RPROZ–04: Non-rural use and development

The productive potential of versatile land, and the character of rural areas are not compromised by non-rural or incompatible activities.

Relates to RPROZ-11; RPROZ-12; RPROZ-14; RPROZ-17 and RPROZ-18

RPROZ-05: Reverse sensitivity

Non-rural activities must support primary production and do not have reverse sensitivity effects that may compromise rural activities.

Relates to RPROZ-15; RPROZ-16 and RPROZ-17

RPROZ-06: Cumulative Effects

Use and development in rural areas do not have cumulative effects that deplete the versatility and productivity of the land resource, pasture, or natural resources.

Relates to RPROZ-I1; RPROZ-I2; RPROZ-I5 and RPROZ-I6

Policies

RPROZ–P1: Small lots in the Rural Production Zone

Intensive development, land fragmentation, and/or the creation of new or smaller allotments for residential and rural lifestyle activities is to be avoided.

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P2: Rural land use

Pastoral farming, cropping, horticultural and viticultural activities reliant on the primary productive capacity of land continue to have access to versatile land, by ensuring that:

- a. the rural land resource is retained for rural production activities that use versatile land;
- b. the rural environment supports a range of rural industry that is dependent on primary production;
- c. activities which remove vegetation and alter the contour of the land do not cause the loss of productive soils through earthworks, or habitats of indigenous species located in water margins;
- d. versatile land remains available for productive use; and
- e. activities that are incompatible with the role, function and predominant character of the rural environment are not located in rural areas.

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P3: Rural character and amenity

Rural areas retain a sparse building density, open rural character, natural features and amenity values, and a sense of openness; with the elements that characterise an area as rural including:

- a. a landscape dominated by openness and vegetation;
- b. significant visual separation between residential buildings on neighbouring properties;
- c. buildings are generally integrated into a predominantly natural setting; and
- d. there are natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P4: Services and infrastructure

To ensure that use and development is supported by adequate areas of land or infrastructure with the capacity to avoid adverse effects on human health and the environment from discharges.

Relates to RPROZ-O1; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P5: Protect the natural resources in rural areas

To ensure that subdivision, use and development does not degrade rural landscape values, rural character, physical attributes of the land, and amenity values.

Relates to RPROZ-O1; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P6: Loss of the versatile land to non-rural activities

To protect versatile land from non-rural development and the adverse effects of activities that are not dependent on primary production.

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O5 and RPROZ-O6

RPROZ–P7: Control urban development of rural areas

To retain and protect the versatile land by controlling urbanisation, subdivision and development in rural areas that is not consistent with the recommendations of the adopted Heretaunga Plains Urban Development Strategy (HPUDS), the regional policy statement section of the RRMP, and/or the National Policy Statement on Urban Development 2020 (NPS-UD).

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P8: Inappropriate development

To prevent residential and rural lifestyle activities and other development that is not compatible with rural industry where the activity does not have a functional, technical or operational need for a rural location and are not ancillary to rural activities.

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ–P9: Protection of rural values

Use and development does not degrade the values associated with rural areas by:

- a. degrading rural character and amenity values;
- b. diminishing biodiversity, natural character, or environmental qualities;
- c. disrupting ecological corridors between ecosystems;
- d. restricting access to water bodies;
- e. compromising landscapes;
- f. degrading cultural or heritage features;
- g. creating a traffic safety risk; or
- h. locating development on versatile land that is the most suited to primary production.

Relates to RPROZ-O1; RPROZ-O2; RPROZ-O3; RPROZ-O4; RPROZ-O5 and RPROZ-O6

RPROZ-P10: Reverse Sensitivity

To ensure that rural productive activities and rural industry are not compromised by reverse sensitivity effects and/or incompatible activities, and activities that are sensitive to the types of effects generated by rural activities are avoided.

Relates to RPROZ-O5 and RPROZ-O6

RPROZ–P11: Cumulative Effects

To ensure that the cumulative adverse effects of subdivision, use and development of land do not deplete the versatile land, other natural resources, natural features, or significant landscapes.

Relates to RPROZ-O5 and RPROZ-O6

Rural Production Zone - Activity Table

<p>RPROZ -R1 Agriculture, horticulture and viticulture activities</p>	
<p>RPROZ -R1A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity, and any building or structure complies with all of the standards 	<p>RPROZ -R1B</p> <p>Activity status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Rural characteristics and economic values. 3. Risk to public health and safety, and the environment. 4. Fire and pest control. 5. Nature, scale and intensity of land use. 6. Ecological, aquatic and natural values. 7. The cumulative effect of non-compliance with more than one standard. 8. The effects on the open rural character of the zone. 9. The effects on the safety of people and property. 10. Cultural, ecological and aquatic values. 11. The effects on the maintenance, use and development of a watercourse or open drain. 12. Cumulative effects
<p>RPROZ–R2 Rural processing activities, and associated buildings and structures</p>	

<p>RPROZ -R2A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards except S2 Yards and S3 Height 2. The activity produces commodities that result from rural industry. 3. Any outdoor storage associated with the rural processing activity must be screened from view of any adjacent sites and public open space. 4. Any building or structure associated with a rural processing industry must be a minimum of 15 metres from any site boundary. 5. Any building or structure used for a rural processing industry is no more than 15 metres in height 6. The maximum gross floor area of any building is 700m² 	<p>RPROZ -R2B</p> <p>Activity status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Scale and intensity of land use. 3. Rural characteristics and economic significance 4. Ecological, aquatic and natural values. 5. Risk to public health and safety, and the environment. 6. Fire and pest control. 7. Cultural, ecological and aquatic values. 8. Cumulative effects. 9. Setback distances from the property boundary, Ahuriri estuary, any watercourse or open drain. 10. The effects on the shading, outlook and amenity of the neighbouring properties. 11. The effects on the open rural character of the zone. 12. The effects on the maintenance, use and development of a watercourse or open drain.
<p>RPROZ-R3 Rural produce retail activity</p>	
<p>RPROZ -R3A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is ancillary to a rural activity located on the same site. 2. The maximum area occupied by a rural produce retail activity is 10m² and there is no more than one per site. 3. The activity is not located on or adjacent to a State Highway, or arterial road. 4. The stall selling produce is located on the same site where the produce is grown. 	<p>RPROZ -R3B</p> <p>Activity status where conditions are not met: Discretionary</p> <p>Notification: Non-notified</p>
<p>RPROZ-R4 Residential activities where the net site area is not less than 2,500m²</p>	

<p>RPROZ -R4A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Rural Zone Standards 2. One dwelling unit per site 	<p>RPROZ -R4B</p> <p>Activity status where conditions and standards are not met: Non-complying</p>
<p>RPROZ-R5 Residential activities plus a minor residential unit, or a second residential unit, a residential care facility, day care centre, education facility, or travellers accommodation</p>	
<p>RPROZ -R5A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. Where the net site area is not less than 5000m²: <ol style="list-style-type: none"> a. One dwelling unit per site and one building for one or more of the following activities: <ol style="list-style-type: none"> i. A minor residential unit that is less than 80m² ii. A second residential unit that is less than 80m² iii. A residential care facility, catering for up to 10 residents iv. A day care centre, catering for up to 10 people v. An education facility, catering for up to 10 students vi. Travellers accommodation catering for up to 5 guests 3. A maximum of one of each of the activities in RPROZ-R5(2)(a) to (f) may be undertaken on any site. 4. The combined gross floor area of these activities must not exceed 80m² (per site, not per activity). 5. Access is shared with any primary dwelling onsite. 6. Any outdoor storage or refuse storage areas associated with these activities must be screened from view of any adjacent sites and public open space. <p>Notes</p> <ol style="list-style-type: none"> 1. Travellers Accommodation or Day Care Centre within an existing dwelling will be exempt from the 80m² 	<p>RPROZ -R5B</p> <p>Activity status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Intensity of land use. 3. The effects of shading, outlook and amenity 4. Scale, height, bulk, setbacks and built form 5. The effects on rural character 6. Risk to public health and safety, and the environment. 7. Cultural, ecological and aquatic values. 8. The effects on infrastructural servicing. 9. Cumulative effects. 10. Setback distances from the property boundary, Ahuriri estuary, any watercourse or open drain. 11. The effects on the maintenance, use and development of a watercourse or open drain.

<p>maximum floor area, provided that the existing residential activity does not cease.</p>	
<p>RPROZ-R6 Seasonal Workers Accommodation</p>	
<p>RPROZ -R6A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. The gross floor area of a building must not exceed 80m² 3. The activity is located on a site that has a lot size greater than 4ha 4. Any building is more than 15 metres from any road or adjoining property boundary. 5. Any outdoor storage or refuse storage areas associated with these activities must be screened from view of any adjacent sites and public open space. 	<p>RPROZ -R6B</p> <p>Activity status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Scale and Intensity of land use 3. Rural characteristics and economic significance. 4. Scale, height, bulk, setbacks and built form. 5. Risk to public health and safety, and the environment. 6. The cumulative effects of non-compliance with more than one standard. 7. The effects on rural character. 8. The effects on public health and safety. 9. The effects on amenity values. 10. The effects on traffic safety. 11. The type, frequency and timing of traffic. 12. Any nuisance effects. 13. The effects on matters of reverse sensitivity.
<p>RPROZ-R7 Home Business</p>	
<p>RPROZ -R7A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Rural Zone Standards. 2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence. 3. No more than three persons work on the site that reside outside the dwelling unit. 	<p>RPROZ -R7B</p> <p>Activity status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Scale and Intensity of land use 3. Rural characteristics and economic significance. 4. Scale, height, bulk, setbacks and built form. 5. Risk to public health and safety,

<ul style="list-style-type: none"> 4. At all times, the home business must remain incidental and secondary to the use of any buildings for residential purposes. 5. The area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit if located within the dwelling unit and/or 80m² if located in an accessory building. 6. Any external storage must be screened from view of any adjacent properties and public open space. 7. Retailing of goods must not occur from the site. 	<ul style="list-style-type: none"> and the environment. 6. The cumulative effects of non-compliance with more than one standard. 7. The effects on rural character. 8. The effects on public health and safety. 9. The effects on amenity values. 10. The effects on traffic safety. 11. The type, frequency and timing of traffic. 12. Any nuisance effects. 13. The effects on matters of reverse sensitivity.
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RPROZ – R8 Relocation of a building that is more than 5 years old from another site.		
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<p>RPROZ -R8A</p> <p>Activity Status: Controlled</p> <p>Matters of control are restricted to:</p> <ul style="list-style-type: none"> 1. The design, materials and timetable of the proposed reinstatement works. 2. The imposition of any financial contributions in accordance with 3. The imposition of a performance bond to complete the reinstatement of the building. <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. The activity complies with all of the standards 2. A written assessment must be submitted with each application that must: <ul style="list-style-type: none"> a. include a statement from a building certifier or registered engineer that the building is structurally sound. b. identify the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity. c. set out a timetable to complete external reinstatement of the building within 12 months from the date of consent. d. provide clear photographs of the building in its current state. e. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. 	<p>RPROZ -R8B</p> <p>Activity Status where activity conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The structural integrity of the building. 2. The imposition of a performance bond. 3. The timing of reinstatement works. 4. The effects on the built character of the surrounding area. 5. The effects on amenity values. 6. The management of stormwater, waste disposal and infrastructure services
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RPROZ –R9 Land preparation, harvesting, growing and maintenance of		
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non-indigenous species of commercial forestry		
Activity Status: Discretionary		
RPROZ –R10 Intensive indoor primary production		
Activity Status: Discretionary		
Note: The requirements of the Hawke's Bay Regional Resource Management Plan must also be complied with.		
RPROZ –R11 Landfills		
Activity Status: Discretionary		
RPROZ-R12 Activities not otherwise provided for		
Activity Status: Discretionary		
RPROZ-R13 Buildings that do not comply with RPROZ-S2 (setbacks from water, open drains and stopbanks)		
Activity Status: Non-complying		

Rural Production Zone - Standards Table

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

RPROZ-S1 Yards		
Rural Production Zone Purpose: <i>to protect rural character and amenity, to manage effects on water, to manage bank stability and public safety</i>	<ol style="list-style-type: none"> 1. Front yard <ol style="list-style-type: none"> a. No part of a building (including eaves and guttering) is erected closer than 7.5 metres to the road boundary. 2. Side and Rear Yards <ol style="list-style-type: none"> a. No part of a building is erected closer than 6 metres from any side or rear boundary. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Scale and Intensity of land use 2. Scale, height, bulk, setbacks and built form. 3. Risk to public health and safety, and the environment. 4. Cumulative effects 5. The effects on rural character. 6. The effects on public health and safety. 7. The effects on amenity values. 8. The effects on matters of reverse sensitivity.
RPROZ-S2 Setback from water, open drains and stopbanks		
Rural	1. No part of building (including	

<p>Production Zone</p> <p>Purpose: to protect rural character and amenity, to manage effects on water, to manage bank stability and public safety</p>	<p>eaves and guttering), fence, or permanently fixed structure is erected closer than 6 metres from the top of the bank of any watercourse or open drain, or the Ahuriri Estuary.</p> <p>2. No building is located within 30 metres of the landward toe of any stopbank.</p>	
<p>RPROZ-S3 Height</p>		
<p>Rural Production Zone</p> <p>Purpose: to ensure airport safety; to maintain rural character and amenity; to manage effects of large structures</p>	<p>1. This standard does not apply to aerials, lines and support structures.</p> <p>2. No part of a building or structure exceeds 9 metres in height.</p> <p>3. No part of a building, structure or tree exceeds the Airport Height Control Designation in Appendix 1</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Rural characteristics and economic significance. 2. Scale, height, bulk, setbacks and built form. 3. Rural character. 4. Height, scale, bulk and built form. 5. The effects on the amenity values and rural character. 6. The scale and bulk of the building or structure in relation to the topography, size and dimensions of the site. 7. The effects of shading, dominance, outlook, and on privacy 8. The effects on rural landscape and amenity values. 9. The effects on air traffic safety
<p>RPROZ-S4 Building Coverage</p>		
<p>Rural Production Zone</p> <p>Purpose: to maintain the rural character; to maintain residential amenity in a rural setting; to control dominance, shading, privacy, and sunlight access; and on</p>	<p>1. Building coverage (measured from gross building area) must not exceed 10% or 2,500m² of the net site area, whichever is the lesser.</p> <p>Note: Netting structures, and greenhouses where crops grown under or within those structures are grown directly in the soil of the site are excluded from total building coverage calculations.</p>	

<p><i>erosion and water bodies</i></p>		
<p>RPROZ-S5 Fencing (excluding post and wire or wire netting fencing)</p>		
<p>Rural Production Zone <i>Purpose: to maintain the rural character</i></p>	<ol style="list-style-type: none"> 1. Any fence erected within front, side and rear yards must not exceed 2 metres in height. 2. No fence is located through a wetland, waterway or open drain 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Effects on natural resources. 2. Rural character. 3. The effects of shading. 4. The effects on amenity values. 5. The effects on the rural characteristics of the streetscape. 6. The effects on public health and safety. 7. The positive effects of fences to mitigate. visual and noise effects of nearby land uses.
<p>RPROZ-S6 Aerials, Lines and Support Structures</p>		
<p>Rural Production Zone <i>Purpose: to maintain the rural character; to maintain residential amenity in a rural setting; and control shading and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1 2. Aerials, lines and/or support structures must not exceed 15 metres in height. 3. Dish antenna must not exceed 1.2 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: <ol style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. b. There is only one such structure on the site. 5. The aerial, line and/or support structure must comply with the conditions relating to yards in RPROZ-S1. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Rural characteristics and economic significance. 2. Scale, height, bulk, setbacks and built form 3. Rural character 4. Height, scale, bulk and built form 5. Risk to public health and safety, and the environment 6. The effects on amenity values. 7. The scale in relation to adjacent buildings. 8. The design, bulk and form of the aerial, line and/or supporting structures. 9. The effects of shading. 10. The effects on rural landscape, heritage or cultural values 11. Ecological, aquatic and natural values 12. The cumulative effect of additional aerials, lines and/or support structures. 13. The prominence of the site, any significant public views or important or significant landscapes. 14. The effects on public health and safety.

		15. The effects on air traffic safety
RPROZ-S7 Shelterbelts and Plantations		
Rural Production Zone <i>Purpose: to manage effects on traffic safety, visibility and shading</i>	<ol style="list-style-type: none"> 1. Any shelterbelt or plantation greater than 20 metres in length must not be planted within 5 metres of any site boundary, except that 2. Shelterbelts or plantations may be planted within 5 metres of any site boundary, provided that the shelterbelts and/or plantations are maintained at a height not exceeding 9 metres. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Risk to public health and safety, and the environment. 2. The effects of shading. 3. Fire and pest control. 4. The effects on amenity values. 5. The effects on visibility. 6. The effects on traffic safety. 7. Ecological, aquatic and natural values. 8. The positive effects of trees on the environment.

Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to, the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

RPROZ –AC1 All infringements

The assessment criteria in RPROZ- AC1 apply in addition to those in RPROZ-AC2 to RPROZ AC- 5

General assessment matters

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule and standard, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics.
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility.
 - ii. Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii. Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.
- c. Whether or not the use of the permitted baseline test is appropriate and will ensure the objectives, policies and purpose of the rule will be achieved. For example, it would not be appropriate to use the permitted baseline of Rural Processing Industries to establish a greater floor area for other activities in the Rural Zone.

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

Rural characteristics and values

- e. Whether the activity continues to allow for efficient use of the remaining undeveloped land for land based primary production
- f. The extent to the layout or design of the building or structure detracts from the streetscape or amenity of neighbouring properties.
- g. The extent to which the land use is consistent with, supports primary production, or may result in conflict with rural activities, rural production or rural industry.
- h. Whether the design of buildings, structures and vehicle parking areas diminish rural character.
- i. Whether the building coverage and areas impervious surfaces have potential to exacerbate flood risk.
- j. Whether the siting of the activity will impact on the amenity of the adjoining property.
- k. Whether land and soil values have been taken into account in the chosen site for the building.
- l. Whether the land use will have any adverse effects on outstanding natural features, important or significant landscapes, rural character and amenity of the surrounding area.

Nature, scale and intensity of land use

- m. Whether the positioning, scale and intensity of the activity is compatible with rural land uses.
- n. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.
- o. Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance or diminish rural amenity values.
- p. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts.
- q. Whether the establishment and operation of the land use would have adverse effects on productive capacity of versatile land, the amenity of the rural environment, or result in significant social, cultural or economic impacts.
- r. Whether the establishment and operation of the land use would have adverse effects on the efficient use and/or development of natural and physical resources of any other zone.
- s. The extent to which the hours of operation may mitigate or adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.

Scale, height, bulk, setbacks and built form

- t. The extent to which the positioning, bulk and building design could have adverse effects on people or properties in an adjacent open space or residential zoned property; including:
 - i. whether the activity reduces access to sunlight, increases shading on indoor and outdoor living spaces
 - ii. whether the activity reduces privacy
 - iii. the extent to which the activity diminishes visual character and amenity
 - iv. the extent to which the activity avoids visual dominance effects
 - v. whether tall walls are placed close to boundaries, and/or the design has un-modulated blank walls
 - vi. whether the building or structure has a long monotonous building façades that detract from amenity of adjacent residential properties.
- u. Whether the proposed setback or separation distance will adequately reduce effects on any neighbouring residents, open drain, water body margin, coastal margins, reserves or open space.
- v. Whether the land use involves the use or storage of materials that could have an adverse environmental effect in the event of heavy rainfall, inundation or flooding.

Risk to public health and safety, and the environment

- w. Whether the the use, storage, or method of disposal of any waste water, trade waste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- x. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

Fire and pest control

- y. The extent to which the activity implements an approved fire or pest management plan.

Vehicle parking and access

- z. Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- aa. Whether the land use will have adverse effects on vehicular and pedestrian safety and the efficiency of the road network where any access is directly onto a state highway or an arterial road.
- ab. Whether the volume of traffic likely to be generated is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

Noise mitigation measures

- ac. Whether noise arising from the land use, including the keeping of animals and movement of vehicles is reasonable in the context of the rural environment, or will have an adverse effect on the amenity of the surrounding environment.

- ad. The extent to which noise mitigation measures are necessary to protect the aural amenity of adjacent land uses and residential areas.

Infrastructure

- ae. Whether or not the proposal complies with any structure plan or infrastructure service standards.
- af. Whether adequate provision is made for the disposal of waste and effluent.
- ag. The extent to which the land use has avoided, remedied or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.

Cultural, ecological, aquatic and natural values

- ah. Whether the land use will have any adverse actual or potential effects on indigenous flora and fauna or their habitats, or other conservation values.
- ai. Whether the activity will have any adverse effects on important or outstanding natural features, important or significant landscapes, rural character and amenity of the surrounding area.
- aj. Whether the activity will have an adverse or positive ecological effect on any nearby open drain, watercourse or any other waterbody
- ak. Whether the land use will have any adverse effect, including any cumulative effect on the Ahuriri Estuary.
- al. Whether the proposed land use will have an adverse effect on any important sites, or wāhi taonga, cultural values or heritage values of the area.
- am. Location of any buildings, structures, earthworks, or access in relation to the nearest open drain, waterbody or the coastal marine area.

Odour and Dust Mitigation

- an. Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.

Air Traffic Safety

- ao. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.

Reverse Sensitivity

- ap. Whether the nature, size and scale of the activity, or additional residential development or the development of other sensitive activities would have the potential to result in complaints' against rural production activities or rural processing industries due to differing amenity expectations.

Cumulative Effects

- aq. Whether the land use will have an adverse cumulative effect on the surrounding area.
- ar. Whether land uses already located in the area, and on the site, are having effects on the surrounding environment and the extent to which allowing a land use or an increase in the scale and intensity of a land use will add to or generate traffic, noise and other effects not in keeping with the surrounding area.

Rural character

- as. The extent to which the activity is compatible with the sparsely built up character of a rural environment, including:
 - i. an environment that is characterised by undeveloped open spaces and vegetation rather than buildings, hard surfaces and outdoor storage areas;
 - ii. the scale and characteristics of buildings;
 - iii. the large setbacks, land spaces between buildings, and
 - iv. the retention of areas of existing indigenous vegetation.

RPROZ AC2 Rural activities

- a. Whether the activity is dependent on the productive use of land, soils or pasture.
- b. Whether paved areas and/ or impervious surfaces are designed to manage run-off and prevent pollutants entering networks and waterbodies.
- c. Whether the activity is of a scale that requires an approved fire or pest management plan.
- d. Whether buildings and structures are characteristic of rural environments, and of a similar design and scale to those used for rural activities; and vehicle parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.
- e. Whether the activity will have any adverse effects on important or outstanding natural features, important or significant landscapes, rural character or the amenity of the surrounding area.

RPROZ AC3 Commercial Forestry and plantation forestry

- a. Whether the plantation forestry promotes best practice in terms of any recognised industry standards or guidelines and any management plan for the operation.
- b. The effects of the plantation forestry taking into account:
 - i. any adverse effects of tracking or roading, including visibility, scarring, the extent to which existing contours are followed and any proposed measures to remedy or mitigate the effects;
 - ii. any adverse effects on the landscape values of the site and surrounding environment, including outstanding natural landscapes and features, significant natural features, sites of significance to mana whenua, and the coastal environment
- c. The effects of plantation forestry, in particular harvesting, on infrastructure and rural amenity values, in terms of traffic generation and safety, noise, dust and nuisance and proposed management methods to mitigate the potential effects.
- d. The extent to which indigenous biodiversity, sites of ecological significance, waterbodies and

open drains will be protected particularly during planting and harvesting, including through the maintenance of adequate buffers with existing or additional planting of indigenous vegetation.

- e. The extent to which the activity implements an approved fire or pest management plan

RPROZ AC4 Seasonal workers accommodation

- a. The extent to which the land use is consistent with and supports primary production, or may result in conflict with rural activities, rural production or rural industry.
- b. Whether traffic generation associated with the number of occupants will adversely impact on the road network.
- c. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure.

RPROZ AC5 Non rural activities

- a. Whether diversifying activities on the site will complement primary production (such as agriculture, horticulture and/or viticulture activities) and contribute to the social, cultural and economic well-being of the community.
- b. Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.
- c. The extent to which the establishment and operation of the land use may reduce the amenity of rural environment, or result in significant social, cultural or economic impacts.
- d. Whether the activity would adversely effect the efficient use and/or development of natural and physical resources.
- e. Whether the proposed land use will have an adverse effect on any wāhi taonga, cultural values or heritage values of the area.
- f. The extent to which the activity is consistent with, and supports, primary production, or may result in conflict with rural activities, rural production or rural industry.
- g. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the zone, and the availability of alternative sites, locations in an appropriate zone.
- h. Whether the use or development is located on, and utilises versatile land; and promotes sustained productive use of those natural resources.
- i. The extent to which the land use may enhance amenity values and have positive effects on the surrounding environment and wider community.
- j. Whether the land use will have any adverse effects on outstanding natural features, important or significant landscapes, rural character and amenity of the surrounding area.
- k. The extent to which mitigation measures will reduce the potential for visual and noise impacts that are inconsistent with a rural environment.

- l. Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone.
- m. Whether hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- n. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- o. Whether the site is a suitable size for the type and number of persons being catered or cared for.
- p. Whether buildings, structures and outdoor entertainment areas, including parking and storage areas are sited in a way that minimises any adverse effects on the visual and aural amenity of adjacent land uses.

SETZ - Settlement Zone

Introduction

Settlement zones are areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or coastal environments.

Settlement zones in Napier are long established areas that developed under previous rural based councils with no reticulated network infrastructure for the three waters. Servicing has historically been onsite but over time, the cumulative effects of a number of residential properties relying on onsite servicing in relative close proximity to one another have led to potential health concerns and demand for some form of upgraded infrastructure to alleviate these legacy issues.

The Settlement Zones have a different identity to the more intensively developed residential parts of Napier's urban area, being clusters of residential, and local commercial and retail services in a rural setting. Settlement zones are characterised by larger sites compared to modern fully serviced residential sites, a large uniform setback from the road, and in many instances mature vegetation remains giving the zone a more spacious feeling, compatible with its rural surrounds. The rural surroundings mean that there will be noise, odour and other effects associated with standard rural land use practices.

Along with settlement zones having particular constraints and variability around the ability to access network services, more intensive development in the zone has the potential to encroach on productive soils, alter the traffic environment, create further problems with stormwater and wastewater disposal, and to change the existing semi-rural amenity. There is also increased potential for land use conflicts between new people seeking lifestyle residential options and rural production activities and associated development in the adjacent rural landscape.

'Great Urban Areas' is a key outcome related to managing the distinctive elements of settlements in a rural environment. The Key Strategic Objective relevant to planning for rural areas are Quality Design and Environmental Excellence. Key Principles include 'Rural production in the Heretaunga Plains is enabled and protected'; 'Quality, high amenity and healthy environments to live, work and play', 'Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated and enhanced' and 'Ecological assets and urban waterways are maintained and enhanced'.

To achieve these key objectives:

- Adjacent rural activities are able to continue to operate.
- Recognition that network infrastructure is not readily available.
- The potential for reverse sensitivity between residential and rural activities are addressed
- The maintenance and enhancement of the characteristics of the existing pattern and intensity of settlements
- Recognise the distinctive characteristics of semi-rural areas and maintain the semi-rural amenity
- Recognise that the rural areas have different noise profiles

Issues

SETZ-I1 Rural settlements contribute towards the provision of different housing options.

Economic growth and increases in population drives demand for a range of lifestyle and housing options. Semi-rural residential style living provides an alternative and preferred housing option to the

residential areas of urban Napier for a number of people. The Rural Settlement Zone have a quiet community character while being a short travel distance from Napier. They settlements have a range of basic community and commercial services that cater for the daily needs of local residents.

SETZ-I2 Rural Settlement Zones have an open spacious character and amenity that can be adversely affected by urban activities such as increases in buildings and structures and impermeable surfaces.

Rural amenity and character can be adversely affected through an increase in impermeable surfaces such as buildings, structures and driveways. Increases in development intensity not only change the character and amenity but also generate increased stormwater runoff without the infrastructure to cater for it, creating potential flooding and ponding issues as well as compromising the ability of onsite servicing to operate effectively.

The existing character includes the key elements of spaciousness, vegetation of varying types and a low density built form. Important amenity values include the uncluttered landscape, rural outlook and privacy while having access to services catering for daily needs.

Where buildings or structures are proposed, their location, height and scale need to be controlled to ensure development does not dominate the neighbourhood or compromise the low density built form and open space qualities of the semi-rural setting

SETZ-I3 The cumulative effects of residential subdivision and development in the Rural Settlement Zone places unsustainable pressure on Council infrastructure.

Urban growth within and adjacent to existing rural settlement areas can have adverse effects on existing roads, water supply, and stormwater and sewage infrastructure. The infrastructure in the Settlement Zones has been designed on the basis of servicing low intensity residential uses within the rural environment but are not capable of supporting a more intensive level of residential development. Currently there is no commitment from Council to provide network infrastructure that would facilitate expansion of residential housing or development either within the zone or adjacent to it.

The Hawkes Bay Regional Council's RRMP also discourages further rural residential and residential development of rural land in order to prevent the depletion of the soil resource, preserve the rural character, and ensure the ability for rural activities to continue to operate without undue restriction; and requires local authorities to protect rural, productive land from urban development.

Reducing the size of land holdings through subdivision may lead to problems associated with inadequate wastewater disposal, stormwater disposal and water supply systems; and increased costs of supplying infrastructure to more remote areas.

SETZ-I4 The potential for reverse sensitivity in rural environments.

There is the potential for 'reverse sensitivity' effects where conflicts arise between existing rural land uses and neighbouring residential focussed rural settlements which can compromise adjacent rural land uses through continued complaints about the effects of rural activity.

Residential activities in the Settlement Zones have the potential for reverse sensitivity effects that need to be managed to protect the productive potential of the neighbouring rural land and the viability

of activities that rely on the rural area. Levels of amenity that are similar to a urban residential zone cannot be assured within the rural environment particularly where the boundary of rural zones meets the boundary of residential zones.

Most rural activities generate noise profiles that can be intrusive in nature to residential activities. The use of audible bird scaring devices around the time of fruit harvest are essential for protecting crops but can impact on residents amenity. There needs to be recognition by residents of the operational requirements of rural activities and the conditions and standards of the District Plan seek to achieve a reasonable balance for both types of activities.

Objectives

SETZ–O1: Rural settlements help provide housing options for Napier residents

Residential settlements in the rural setting contribute towards a range of housing typology for Napier residents.

Relates to SETZ-I1; SETZ-I2 and SETZ-I3

SETZ–O2: Residential development in appropriate areas

Residential development is compatible with a rural setting, adjacent rural activities and avoids locating on versatile land.

Relates to SETZ-I1; and SETZ-I4

SETZ–O3: Character and amenity

The nature, scale and intensity of residential settlements in rural areas is in keeping with the characteristics of a rural setting.

Relates to SETZ-I3 and SETZ-I4

SETZ–O4: Services and infrastructure

Development in residential settlements is supported by adequate areas of land with sufficient permeability, or infrastructure with the capacity to avoid adverse effects on human health and the environment from discharges.

Relates to SETZ-I3

SETZ–O5: Reverse sensitivity

Rural activities and rural industry are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities locating in a Settlement Zone.

Relates to SETZ-I4

Policies

SETZ–P1: Rural settlements offer alternative housing typology to urban residential living

Providing for residential activities in a rural setting helps provide housing choice. Lower density housing with more open space and less built development helps meet the demand for different types of residential living options.

Relates to SETZ-O1; SETZ-O2 and SETZ-O3

SETZ–P2: Settlement character and amenity

The scale, character and intensity of development retains the characteristics of a rural settlement, including:

- a. significant visual separation from residential buildings on neighbouring properties through large sites and large setbacks
- b. buildings that are of a scale that is integrated into a predominantly natural setting
- c. landscaping and retention of vegetation
- d. natural character elements of waterways, water bodies, indigenous vegetation and natural landforms
- e. stormwater disposal and wastewater systems that cater to the demands of the development without adversely affecting the environment.

Relates to SETZ-O1; SETZ-O2 and SETZ-O3

SETZ–P6: Control urban encroachment into the rural area

To manage urban subdivision and development to provide a high level of residential amenity in a rural setting, while retaining versatile land.

Relates to SETZ-O1; SETZ-O2 and SETZ-O5

SETZ-P7: Reverse Sensitivity

To ensure that rural productive activities and rural industry are not compromised by reverse sensitivity effects and/or incompatible activities located in an adjacent Settlement Zone.

Relates to SETZ-O5

SETZ–P8: Cumulative Effects

To ensure that the cumulative adverse effects of subdivision, use and development of land do not deplete the versatility and productivity of the soil resource, natural resources, or the ability of infrastructure to perform efficiently.

Relates to SETZ-O1; SETZ-O2 and SETZ-O3 and SETZ-O4

Settlement Zone - Activity Table

SETZ -R1 Residential Activities		
SETZ -R1A	SETZ -R1B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards <p>NOTE: Consultation with HBRC is advised for any building or activity requiring services on sites that are unserviced. The Council may request evidence of compliance with the provisions of the Hawke's Bay Regional Resource Management Plan for water, stormwater and/or wastewater.</p>	<p>Activity Status where activity conditions are not met:-Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Infrastructure 2. Cumulative effects 3. Height, scale, bulk and built form 4. Amenity and character of the neighbourhood. 5. Risk to public health and safety, and the environment 6. Stormwater retention capacity and treatment 7. Traffic and pedestrian safety. 8. Reverse sensitivity effects
<p>SETZ-R2 Home Business</p>	
<p>SETZ -R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence. 3. No more than one person works on the site that resides outside the dwelling unit. 4. At all times, the home business must remain incidental and secondary to the use of any buildings for residential purposes. 5. The area of the home occupation is less than 30% of the gross floor area of the dwelling unit. 6. Any outdoor storage associated with the home occupation must be screened from view of any adjacent sites and public open space. 7. Retailing of goods must not occur from the site. 8. Operating hours are between 0700 and 2200 hours on the same day 9. Vehicle movements generated by the home business must not exceed a daily average of 20 per day. <p>NOTE: A vehicle movement means the arrival and departure of the vehicle from the site.</p>	<p>SETZ -R2B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. Infrastructure 2. Cumulative effects 3. Height, scale, bulk and built form 4. Amenity and character of the neighbourhood 5. Risk to public health and safety, and the environment 6. Stormwater retention capacity and treatment 7. Traffic and pedestrian safety 8. Reverse sensitivity effects
<p>SETZ-R3 Minor Residential Unit</p>	
<p>SETZ -R3A</p>	<p>SETZ -R3B</p>

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Standards. 2. No more than one minor residential unit per site. 3. The gross floor area of the unit must not exceed 80m². 	<p>Activity Status where activity conditions are not met: Discretionary</p>
SETZ-R4 Activities not otherwise provided for	
<p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with the density condition. 	
SETZ-R5 Activities that do not comply with the density and building coverage standards	
<p>Activity Status: Non-complying</p>	

Settlement Zone - Standards Table

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

SETZ-S1 Density		
<p>Settlement Zone</p> <p><i>Purpose: to protect rural settlement character and amenity, and to manage reverse sensitivity</i></p>	<ol style="list-style-type: none"> 1. Where a site is fully serviced with Council reticulated networks, the maximum density must not exceed: <ol style="list-style-type: none"> a. One dwelling unit per 1000m² b. One dwelling unit and one minor residential unit per site, provided that the net site area is not less than 1500m². 	<p>Matters of discretion are restricted to: NA</p>
SETZ-S2 Yards		
<p>Settlement Zone</p> <p><i>Purpose: to maintain the settlement and rural character; to maintain residential amenity in a rural setting; and provide for a safe and attractive streetscape</i></p>	<ol style="list-style-type: none"> 1. Front Yards <ol style="list-style-type: none"> a. No part of a building is erected closer than 6 metres to the road boundary b. Eaves, fascias, gutters, down pipes, chimneys and flues may encroach on the minimum setback by a distance of up to 1 metre. 2. Front Yard Landscaping <ol style="list-style-type: none"> a. On all sites other than rear sites, 60% of the front yard must comprise landscaped permeable surface. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The existing streetscape and protection from the effects of domination at the road boundary 2. The existing and built density of the area 3. The effects on character and amenity values 4. Infrastructure 5. Cumulative effects 6. Height, scale, bulk and built form in relation to the site 7. Amenity and character 8. Risk to public health and safety,

	<p>3. Other Yards</p> <p>a. No part of any building (including eaves and guttering) is erected closer than 1 metre to a side or rear site boundary.</p> <p>b. There is no side yard or rear yard requirement where a building associated with a residential activity is erected closer than 1 metre to the side yard or rear yard boundary and the written approval of the adjacent landowner(s) is provided at building consent stage.</p> <p>c. No part of a building (including eaves and guttering), fence, permanently fixed structure may be erected closer than 6 metres from the top of the bank of any watercourse or open drain.</p>	<p>and the environment</p> <p>9. Stormwater retention capacity and treatment</p> <p>10. Traffic and pedestrian safety</p> <p>11. Reverse sensitivity effects</p> <p>12. The effects on the open space appearance of the area</p> <p>13. The effects on the quality, maintenance, use and development of a watercourse or open drain</p>
SETZ-S3 Height		
<p>Settlement Zone</p> <p><i>Purpose: to ensure airport safety; to maintain rural settlement character and amenity; to manage effects of large structures</i></p>	<p>1. This standard does not apply to aerials, lines and support structures.</p> <p>2. No part of a building or structure exceeds 8 metres in height.</p> <p>3. No part of a building, structure or tree exceeds the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 8m.</p>	<p>Matters of discretion are restricted to:</p> <p>1. The built characteristics of the neighbourhood</p> <p>2. The mitigation methods including setbacks, landscaping planting and design</p> <p>3. The effects on landscape, character and amenity values</p> <p>4. The existing and built density of the area.</p> <p>5. Cumulative effects</p> <p>6. Height, scale, bulk and built form in relation to the site.</p> <p>7. Risk to public health and safety, and the environment</p> <p>8. Reverse sensitivity effects</p> <p>9. The effects on the open space appearance of the area.</p> <p>10. Effects on air traffic safety</p>
SETZ-S4 Height in relation to boundary		
Settlement Zone	1. No part of a building or structure	Matters of discretion are restricted

<p>Purpose: to maintain the rural settlement character; to maintain residential amenity in a rural setting; and control dominance, shading, privacy, and sunlight access</p>	<p>projects beyond a building envelope constructed by drawing planes along all site boundaries. The planes must commence 3.0 metres above ground level at the site boundary and must be inclined at an angle of 45 degrees to the horizontal.</p> <p>figure</p> <ol style="list-style-type: none"> The height in relation to boundary condition does not apply to the length of common wall between two or more attached buildings. Where the site abuts an entrance strip or access lot the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition. This standard does not apply aerials, lines, support structures, solar heating devices, air conditioning units and similar structures used for housing electronic or mechanical equipment, or chimneys, no more than 1-metre-wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope. 	<p>to:</p> <ol style="list-style-type: none"> The built characteristics of the neighbourhood. The mitigation methods including setbacks, landscaping planting and design. Height, scale, bulk and built form in relation to the site. The effects on outlook, shading and privacy of adjacent properties. The effects on the open space appearance of the area. Amenity and character Risk to public health and safety, and the environment
<p>SETZ-S5 Building Coverage</p>		
<p>Settlement Zone Purpose: to maintain the rural settlement character; to maintain residential amenity in a rural setting and control dominance, shading, privacy, and sunlight access</p>	<ol style="list-style-type: none"> Building coverage must not exceed 30% of the net site area. Where there is no garage or carport on site, the gross building area must include a notional garage of 18.5m² for each dwelling unit on the site. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The built characteristics of the neighbourhood The effect on the open space appearance of the area The existing streetscape and protection from the effects of domination at the road boundary The effects on character and amenity values Infrastructure Cumulative effects, Height, scale, bulk and built form in relation to the site

		<ul style="list-style-type: none"> 7. Risk to public health and safety, and the environment 8. Stormwater retention capacity and treatment 9. The effects on the quality, maintenance, use and development of a watercourse or open drain
SETZ-S6 Landscaped area		
<p>All rural zones</p> <p><i>Purpose: to maintain the character of the zone and quality of the living environment.</i></p>	<ul style="list-style-type: none"> 1. All sites must have a landscaped area not less than 40% of the net site area 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The built characteristics of the neighbourhood 2. The effect on the open space and landscaped appearance of the neighbourhood 3. The control of stormwater runoff 4. Areas of impervious surfaces 5. Stormwater retention capacity and treatment
SETZ-S7 Open space		
<p>Settlement Zone</p> <p><i>Purpose: to maintain the settlement zone character; and residential amenity in a rural setting; and provide for the well-being of residents</i></p>	<ul style="list-style-type: none"> 1. Each dwelling unit must have an area of open space on the building site of not less than 50% of the gross floor area of all buildings on the site, except that a minimum of 50m² per dwelling unit is to be provided. 2. The maximum area of open space required to be provided on a building site is 100m² per dwelling unit. 3. Where there is no garage or carport proposed or existing on the site, the gross floor area must include a notional garage of 18.5m² for each dwelling unit on the site. 4. Open space may comprise of more than one area. 5. Open space may take the form of a deck or terrace but must be unobstructed by buildings, vehicle parking spaces, or vehicle manoeuvring areas. 6. Open space must be directly accessible from the unit to which 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. The effects on privacy and amenity of the occupants on-site 2. The effect on the open space appearance of the neighbourhood 3. The availability of useable private open space on site 4. The existing built density of the neighbourhood 5. The control of stormwater runoff

	<p>it relates.</p> <p>7. The open space must include at least one area capable of containing a 6 metre diameter circle; and have a minimum dimension of 3 metres measured at right angles to the perimeter of the area.</p> <p>Figure</p>	
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SETZ-S8 Fencing		
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<p>Settlement Zone</p> <p><i>Purpose: to maintain the rural settlement character; residential amenity in a rural setting; an manage effects on streetscape</i></p>	<p>1. For any fence erected within a front yard, the solid portion must not exceed 1.2 metres in height with any remaining portion being of an open nature up to a maximum height of 2 metres.</p> <div data-bbox="462 806 909 1041" data-label="Diagram"> <p>The diagram shows a cross-section of a fence. The top portion is a hatched area labeled 'Open trellis or similar effect'. The bottom portion is a solid rectangle labeled 'Solid Panel'. To the right of the fence, two vertical arrows indicate heights: the top arrow is labeled '2m' and the bottom arrow is labeled '1.2m'.</p> </div> <p>2. Any fence erected within a side or rear yard must not exceed 2 metres in height.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects of shading 2. The effects on amenity values 3. The effects on streetscape 4. The effects on public health and safety 5. The positive effects of fences to mitigate visual and noise effects
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SETZ-S9 Aerials, Lines and Support Structures		
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<p>Settlement Zone</p> <p><i>Purpose: to maintain the rural settlement character; to maintain residential amenity in a rural setting; and control shading and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 8m. 2. Aerials, lines and/or support structures must not exceed 12 metres in height. 3. Dish antenna must not exceed 1.2 metres in diameter. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on amenity values 2. The scale in relation to adjacent buildings 3. The built characteristics of the neighbourhood 4. The bulk and form of the aerial, line and/or supporting structures 5. The effects of shading 6. The extent to which heritage or cultural values are adversely affected
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	<p>4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions:</p> <ol style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. b. There is only one such structure on the site. <p>5. The aerial, line and/or support structure must comply with the conditions relating to yards in SETZ-S2.</p>	<ol style="list-style-type: none"> 7. The cumulative effect of additional aerials, lines and/or support structures 8. The prominence of the site taking into account significant public views and any significant landscapes 9. The effects on public health and safety 10. The effects on air traffic safety
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Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

SETZ –AC1 All infringements

General implementation

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics.
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii. unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

SETZ-AC2 All activities

Height, scale, bulk setbacks and built form

- a. Whether the positioning, bulk and building design could have adverse effects on people or properties in an adjacent zones; including:
 - i. whether the activity reduces access to sunlight, increases shading on indoor and outdoor living spaces in adjacent residential and open space zones
 - ii. whether the activity reduces privacy in adjacent residential zones
 - iii. the extent to which the activity diminishes visual character, amenity or dominates
 - iv. the extent to the activity avoids a sense of entrapment or visual dominance effects
 - v. whether tall walls are placed close to boundaries, and/or the design has un-modulated blank walls, and/or creates convoluted single entrance/exit routes
 - vi. whether the building or structure has a long monotonous building façades that detract from amenity of adjacent residential properties.
- b. The extent to which the scale and bulk of the building or structure in relation to the topography, size and dimensions of the site may have adverse effects on the character of the area.
- c. Whether parking and storage areas are positioned to minimise any adverse effects on the amenity of adjoining land uses that are open space or residential zoned.
- d. Whether an increased setback or separation distance will adequately reduce effects on any residential zone, open drain, water body margin, reserves or open space.
- e. Whether the land use involves the use or storage of materials that could have an adverse environmental effect in the event of heavy rainfall, inundation or flooding.
- f. Whether there is potential for the proposal to draw other activities to the area that may compete with retail or commercial outlets in other zones.
- g. The prominence of the site and effects on significant public views and any important natural areas or landscapes.
- h. Whether the design of buildings, structures and vehicle parking areas maintains rural character and streetscape qualities.
 - i. Whether paved areas dominate the streetscape and are designed to manage run-off and prevent pollutants entering networks and waterbodies.
 - j. Whether parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.
- k. Whether the scale and design of the proposed building is consistent with the character of the area.

Rural character

- l. The extent to which the layout or design of the building or structures, and vehicle parking areas detracts from the streetscape or amenity of neighbouring properties.
- m. The extent to which the activity may result in conflict with rural activities, rural production or rural industry.

- n. Whether traffic generation associated with the number of occupants will adversely impact on the road network.
- o. Whether the hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.

Site Layout

- p. Whether buildings, structures and outdoor entertainment areas, including parking and storage areas are sited in a way that minimises any adverse effects on the visual and aural amenity of adjacent land uses, public open space and roads.

Scale and Intensity of land use

- q. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.
- r. Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance or diminish rural amenity values.
- s. Whether the nature, impact of the scale and intensity of the use is compatible with surrounding rural land uses.
- t. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts over and above those required by the rules and standards for other activities within the rural environments.
- u. Whether the establishment and operation of the land use would have adverse effects on the amenity of other zones; or result in significant social, cultural or economic impacts.
- v. Whether the establishment and operation of the land use would have adverse effects on the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.
- w. Whether diversifying activities on the site will complement primary production (agriculture, horticulture and/or viticulture activities) and contribute to the social, cultural and economic wellbeing of the community.

Design and external appearance

- x. Whether the design of buildings, structures and vehicle parking areas maintains rural character and streetscape qualities, including whether paved areas associated with manoeuvring or parking dominate the streetscape and are designed to manage run-off and prevent pollutants entering networks and waterbodies.
- y. Whether buildings and structures are of a similar design and scale to those in the neighbourhood; and vehicle parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.
- z. Whether parking and storage areas are adequately screened from adjacent properties by

fencing and/or landscaping.

Risk to public health and safety, and the environment

- aa. Whether the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate is a risk to public health and safety, or the environment.
- ab. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- ac. Whether the building coverage and areas impervious surfaces have potential to exacerbate flood risk.

Fire and pest control

- ad. The extent to which the activity implements an approved fire or pest management plan.

Infrastructure

- ae. Whether the site is a suitable size for the type and number of persons being catered or cared for.
- af. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure.
- ag. Whether or not the proposal complies with any structure plan or infrastructure service standards.
- ah. Whether adequate provision is made for the disposal of waste and effluent.
- ai. The extent to which the land use has avoided, remedied or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.

Stormwater retention capacity and treatment

- aj. Whether the nature, scale and intensity of the use is compatible with stormwater retention and treatment, and the surrounding environment.
- ak. Whether the activity has the potential to exacerbate flood risk, or is consistent with protecting the ecological health of the estuary, water bodies or open drains from contaminants.
- al. Whether the volume of water, or rate and composition of discharges may have adverse effects on the Council's reticulated tradewaste, wastewater and stormwater network infrastructure; open drain, or any water body.

Cultural, ecological, aquatic and natural values

- am. Whether the land use will have any adverse actual or potential effects on indigenous flora and fauna or their habitats, or other conservation values.
- an. Whether the activity will have any adverse effects on important or outstanding natural features, important or significant landscapes, rural character or the amenity of the surrounding area.

- ao. Whether the activity will have an adverse or positive ecological effect on any nearby open drain, watercourse or any other waterbody.
- ap. Whether the proposed land use will have an adverse effect on any important sites, or wāhi taonga, cultural values or heritage values of the area.
- aq. Location of any buildings, structures, earthworks, or access in relation to the nearest open drain, waterbody or the coastal marine area.

Air Traffic Safety

- ar. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.

Site Layout

- as. Whether buildings and structures, vehicle parking and storage areas are sited in a way that minimises adverse effects on the visual and aural amenity of adjacent land uses, public open space and roads.

Vehicle Parking and Access

- at. Whether the volume of traffic likely to be generated is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- au. Whether provision is made for the safe and efficient circulation of vehicles through the site where necessary.
- av. Whether the land use will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- aw. Whether the activity or site layout could adversely affect vehicular and pedestrian safety.

Noise Mitigation Measures

- ax. Whether noise arising from the land use is reasonable in the context of the local area, or will have an adverse effect on amenity.
- ay. The extent to which noise mitigation measures are necessary to protect the aural amenity of adjacent land uses and residential dwellings.

Reverse Sensitivities

- az. Whether the location of the site in relation to the Airport and the Airport Noise Boundary and the likely exposure to airport noise will lead to an unreasonable level of amenity for sensitive land uses or future occupiers.
- ba. Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on, airport activities; or whether the proposed activity might constrain the

way in which the Airport operates.

- bb. The extent to which the establishment of activities may over time demand increasingly higher levels of amenity and where such expectations may unduly restrict accepted management practices of normal airport operations.

Cumulative Effect

- bc. Whether the land use will have an adverse cumulative effect on the surrounding area.
- bd. Whether land uses already located in the area, and on the site, are having effects on the surrounding environment and the extent to which allowing a land use or an increase in the scale and intensity of a land use will add to or generate traffic, noise and other effects not in keeping with the surrounding area.

RCA - Rural Specific Control Area

Introduction

The Rural Specific Control Area covers the large area of land within the north and eastern margins of Te Whanganui a Orotū (Ahuriri Estuary). This chapter promotes agricultural land uses that are compatible with the airport and values of the estuary; there are controls over rural processing activities, residential, and non-rural activities including industrial and commercial activities. A setback from the edge of the estuary promotes the maintenance of protects the ecological, cultural and recreational values on the adjacent conservation land; the Ahuriri Estuary and its margins; and the nearby wildlife reserve. The restoration of waterbody and coastal margins is promoted, and opportunities to improve the natural and cultural values associated with the land are encouraged.

The issues are similar to those that apply to the Ahuriri Estuary [stormwater and ecology] Special Zone. The use of the land is predominantly rural in nature, and is vulnerable to natural hazards. There is the potential for areas within the Rural Specific Control Area to be inundated by stormwater during a major storm and/or as the result of pump breakdowns. The lack of infrastructure and proximity to the airport make the area unsuitable for industrial, commercial and residential development.

The Rural Specific Control Area effectively surrounds the Hawke's Bay Airport. Portions of the zone are within the airport noise boundary and flight path overlay to manage the effects of noise from the airport itself and the effects of surrounding land uses on the operation of the airport.

The southernmost boundary is adjacent to the Ahuriri Estuary. The estuary provides a habitat for migratory species and has significant, ecological, cultural and recreational values. There are a number of archaeological sites and areas of cultural importance. Use and development of land adjacent to the estuary must be compatible with the protection of the natural and cultural values of the estuary and its margins.

'Regional Approach to Industry' and 'Premier Regional Park in Ahuriri Estuary' are key outcomes that are indirectly related to managing productive rural activities adjacent to the estuary and airport. The Key Strategic Objective relevant to planning for rural areas is Smart Growth and Environmental Excellence. Key Principles include 'Rural production in the Heretaunga Plains is enabled and protected'; 'Ecological assets and urban waterways are maintained and enhanced' and 'Napier's coastal environment is recognised and protected from inappropriate use and development'.

To achieve these key objectives, the provisions in the rural zone and specific control area provide for the following:

- Rural activities are enabled.
- Infrastructure may not be available
- The life-supporting capacity of soil and ecosystems is safeguarded; productive soils are valued and protected; earthworks and vegetation clearance on soils vulnerable to erosion is discouraged, agricultural land use is promoted; and indigenous biological diversity is maintained
- Buildings, structures impervious surfaces, and activities involving vegetation removal or earthworks are set back from waterbodies and the coastal marine area to provide for the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health
- The potential for reverse sensitivity is addressed

- The maintenance and enhancement of landscape character
- Natural character adjacent to open drains, waterways and the Ahuriri Estuary is improved
- The distinctive characteristics of rural areas and rural amenity are maintained
- The different noise profiles of rural areas and the airport

Cross referencing

There are sites and areas of significance that are located in the rural zones. Areas of significance to the district are identified in the planning maps and are dealt with in Ecosystems and Indigenous Biodiversity Chapter. Natural Hazards are dealt with in NH - Natural Hazards chapter.

Issues

RCA-I1 Rural land is available for pastoral farming and primary production

Pastoral farming is an important economic resource in the Hawke's Bay, and the versatile and productive soils of the area are an important resource. Changes from traditional rural land uses to activities that are more urban in character can reduce the ability to utilise economic opportunities that rely on an ability to use and develop soil resources.

RCA-I2 Both rural and non-rural activities can result in the incremental and irreversible loss of versatile soils

Providing for the use, development and protection of land with high productive value and retaining the versatility of the productive capacity of land for the future is central to the types of activities that occur in a rural zone.

Some types of activities located in rural environments use may degrade soil quality, or result in sediment loss or streambank erosion that removes productive soils. Non-rural and rural activities must be managed to control the potential adverse effects on water.

The Hawkes Bay Regional Resource Management Plan (RRMP) discourages further rural residential, and residential development of rural land in order to prevent the depletion of the soil resource, preserve the rural character, and ensure the ability for rural activities to continue to operate without undue restriction. Regional policies require local authorities to identify an urban limit; to protect rural, productive land from urban development and identify those rural areas considered inappropriate for residential greenfield growth.

RCA-I3 The rural character and amenity of rural zones is vulnerable to the adverse effects of urbanisation and increases in buildings, structures and services.

Naturalness, landscape, open rural character, amenity, ecological and cultural values are key components of the Rural Special Control Area. Important amenity values include the uncluttered landscape, rural outlook and privacy.

Rural character includes the key elements of spaciousness, vegetation of varying types, low density built form, and a primary production orientated working environment. The number, location, height and scale of buildings and structures should not dominate the landscape or compromise the open space qualities of the rural setting or the conservation, natural character and habitats associated with water bodies, the estuary and their margins.

RCA-I4 The efficient functioning of infrastructure that is important to the region can be compromised by reverse sensitivity.

Infrastructure of regional significance includes the Hawke's Bay Airport and state highway network. The long-term viability of significant infrastructure can be compromised by reverse sensitivity if nearby development includes sensitive land uses.

RCA-I5 There is little or no infrastructure to support activities that rely on network utilities and off-site treatment of discharges.

There is little or no infrastructure provided in the Rural Specific Control Area. The level of servicing in rural zones and control areas does not have the capacity to support non-rural activities or more intensive development. Industrial, rural industry and non-rural activities that discharge wastewater or waste materials, or rely on reticulated infrastructure are not compatible with the context or values of the Rural Specific Control Area.

RCA-I6 Incompatible activities can diminish the natural and cultural values of the Ahuriri Estuary and its coastal and riparian margins

Use and development adjacent to the coast, water bodies and their margins can compromise water quality, and the ecological and cultural values associated with those features.

Objectives**RCA-O1: Rural activities**

Rural activities that do not deplete the versatility and productivity of the soil resource, or the values of the Ahuriri Estuary and its margins are enabled in a rural environment.

Relates to RCA-I1 to RCA-I6

RCA-O2: Rural activities and the development of land is compatible with natural resources

The development of land for rural production is compatible with the protection of the life-supporting capacity of ecosystems, the Ahuriri estuary values, and the productive capacity of soils and other natural resources.

Relates to RCA-I3 and RCA I6

RCA-O3: Rural character, Natural character and values of waterbodies

To protect the rural character, natural character and the values in the margins of outstanding waterbodies from the adverse effects of use and development.

Relates to RCA-I1, RCA-I3 and RCA-I6

RCA-O4: Reverse sensitivity

The airport, rural activities, conservation and stewardship areas are not compromised by reverse

sensitivity effects and/or incompatible activities locating in the Rural Conservation Control area.

Relates to RCA-I4 and RCA-I6

RCA-O5: Cumulative Effects

Use and development does not have cumulative effects that may:

- a. reduce the suitability of land for rural activities
- b. deplete the versatility and productivity of the soil resource or natural resources
- c. reduce the values of the Ahuriri estuary and its margins, or areas that have important natural or cultural values.

Relates to RCA-I1 to RCA-I6

Policies

RCA-P1: High quality productive and versatile land is retained for rural activities

To use land that is suitable for agriculture, horticulture and farming for food production purposes.

Relates to RCA-O1

RCA-P2: Recognition of the receiving environment

Activities are compatible with the rural character, adjacent airport, and safeguarding the natural and cultural values of the estuary.

Relates to RCA-O2; RCA-O3, RCA-O4 and RCA-O5

RCA-P3: Services and Infrastructure

Changes in land use are subject to the availability of adequate areas of land, or infrastructure, to prevent adverse effects on human health and the environment.

Relates to RCA-O3 and RCA-O5

RCA-P4: Loss of productive and versatile soils

To ensure that activities which remove vegetation and alter the contour of the land do not diminish the physical attributes of the land or cause the loss of productive soils through earthworks, sediment loss or erosion.

Relates to RCA-O2 and RCA-O5

RCA-P5: Inappropriate development

Activities that discharge contaminants, or require wastewater services, and/or do not have a functional, technical or operational need for a rural location are not located in the rural environment.

Relates to RCA-O2, RCA-O3 and RCA-O5

RCA-P6: Development in the rural zone

Use and development does not degrade the values associated with rural areas by:

- a. diminishing biodiversity, natural character, or environmental qualities;
- b. disrupting ecological corridors between ecosystems;
- c. restricting access to water bodies;
- d. compromising natural habitats or landscapes;
- e. degrading cultural or heritage features; or
- f. degrading rural amenity values;
- g. locating non-rural activities or development on versatile soils suitable for agriculture
- h. degrading the values or reducing the extent of any wetland or archaeological sites.

Relates to RCA-O1, RCA-O2 and RCA-O5

RCA-P7: Cultural values

The cultural values of mana whenua are recognised and their values are reflected in the use of indigenous species in landscaping, protection of the values of the Ahuriri Estuary and natural features, and methods of stormwater treatment and management.

Relates to RCA-O3 and RCA-O5

RCA-P8: Reverse Sensitivity

To ensure that rural activities and rural industry are not compromised by reverse sensitivity effects and/or incompatible activities, and activities that are sensitive to the types of effects generated by rural activities are not be located in a rural zone.

Relates to RCA-O1 and RCA O5

RCA-P9: Cumulative Effects

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

Relates to RCA-O1, RCA-O3 and RCA O5

Rural Specific Control Area - Activity Table

RCA-R1 Agriculture, Horticulture and Viticulture Activities	
RCA-R1A Activity Status: Permitted Where the following activity conditions are met: 1. The activity complies with all of the standards in the	RCA-R1B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted

<p>district plan</p> <ol style="list-style-type: none"> 2. No new tracks, buildings or structures are located within 200m of the Ahuriri Estuary edge 3. The activity does not require a consent from the regional council 	<p>to:</p> <ol style="list-style-type: none"> 1. General Implementation 2. Risk to public health and safety, and the environment 3. Purpose of any standard breached 4. Ecological and amenity values. 5. Setbacks from sites with cultural values the estuary, water and open drains 6. The effects on the rural character 7. Stormwater, water and waste infrastructure services. 8. The number, placement, scale and bulk of any building/s or structures
<p>RCA –R2 Feedlots</p>	
<p>RCA-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. The feedlot is more than 500 metres from: <ol style="list-style-type: none"> a. the notional boundary of any existing dwelling unit in a rural environment, or the site boundary of any existing dwelling unit in a residential environment or rural settlement zone, other than any dwelling unit on the site of the feedlot. b. any land administered under the Conservation Act 1987 or any Act referred to in the First Schedule of that Act. 3. The feedlot is more than 200m of the Ahuriri Estuary edge and any stopbank <p>Notes:</p> <p>The requirements of the Hawke's Bay Regional Council's plans must be complied with</p>	<p>RCA-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of any standard breached 2. General Implementation 3. Risk to public health and safety, and the environment 4. Ecological and amenity values. 5. Setbacks from sites with cultural values the estuary, water and open drains 6. Rural character 7. Stormwater, water and waste infrastructure services.
<p>RCA-R3 Activities not otherwise provided for</p>	
<p>Activity Status: Discretionary</p>	

Rural Specific Control Areas - Standards Table

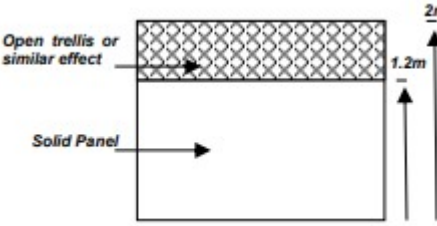
All activities must comply with all of the activity standards in the Specific Control Area and Rural Zones. Where there is any conflict or there is more than one relevant rule or standard, the more stringent provision applies.

RCA-S1 Density		
<p>Rural Specific Control Area</p> <p><i>Purpose: to promote rural activities, protect cultural values, rural character and amenity, the values of the estuary and its tributaries; to mitigate reverse sensitivity; and control shading and nuisance effects</i></p>	<p>1. The maximum density is one dwelling unit per 50 hectare lot</p>	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. General Implementation 3. Risk to public health and safety, and the environment 4. The placement, scale and bulk of the building/s 5. Human health and safety, and requirements for infrastructural services. 6. Ecological and cultural values 7. Rural amenity and open character 8. Setbacks from a property boundary, sites with cultural values, the estuary, water and open drains 9. Stormwater, water and waste infrastructure services.
RCA-S2 Setbacks from water		
<p>Rural Specific Control Area</p> <p><i>Purpose: to protect cultural values, health and safety, amenity, and the values of the estuary and its tributaries</i></p>	<p>1. No tracks, building or structure is located within 200m of the Ahuriri Estuary edge and any stopbank</p>	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. General Implementation 3. Risk to public health and safety, and the environment 4. Ecological and cultural values 5. Water quality 6. The stability of the estuary margins and stopbanks
RCA-S3 Height		
<p>Rural Specific</p>	<p>1. This standard does not apply to</p>	<p>Activity Status where activity</p>

<p>Control Area</p> <p>Purpose: <i>to protect rural character and amenity, the water and values of the estuary and its tributaries, and reverse sensitivity and airport safety; and control shading and nuisance effects</i></p>	<p>aerials, lines and support structures</p> <ol style="list-style-type: none"> 2. No part of a building or structure exceeds 9 metres in height 3. No part of a building, structure or tree exceeds the Airport Height Control Designation in Appendix 1 	<p>conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. General Implementation 3. Ecological and amenity values. 4. Risk to public health and safety, and the environment 5. Height, scale and bulk of the building 6. Effects on outlook, privacy, shading and sense of enclosure. 7. Rural characteristics 8. Setbacks and planting 9. Setbacks from a property boundary, the estuary, water and open drains 10. Cultural and landscape values. 11. The effects on air traffic safety. 12. The provision of stormwater, water and waste infrastructure services.
<p>RCA-S4 Building Coverage</p>		
<p>Rural Specific Control Area</p> <p>Purpose: <i>to protect cultural values, rural character and amenity, the values of the estuary and its tributaries, and reverse sensitivity and airport safety; to control dominance, shading, privacy, and sunlight access; and control shading and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. The maximum site coverage (measured from gross building area) is 1000m² of the site 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. General Implementation 3. Risk to public health and safety, and the environment 4. Landscape, ecological and amenity values. 5. Cultural values. 6. Scale and bulk of the building, and effects on outlook, privacy, shading and sense of enclosure. 7. Rural character and amenity values 8. The control of stormwater runoff. 9. The provision of stormwater, water and waste infrastructure services. 10. The effects on air traffic safety.
<p>RCA-S5 Storage areas</p>		
<p>Rural Specific</p>	<ol style="list-style-type: none"> 1. Outdoor storage areas, refuse 	<p>Activity Status where standards are</p>

<p>Control Area</p> <p>Purpose: to protect rural character and amenity, the values of the estuary and its tributaries, and reverse sensitivity and airport safety; and ecosystem functioning is retained.</p>	<p>storage areas or stockpiles:</p> <ol style="list-style-type: none"> Must not be closer than 200 metres from the top of the bank of any stopbank, watercourse or open drain. Must comply with the yard and height in relation to boundary conditions Must be screened from the view of any adjacent residential zone or public open space. Must be located on sealed areas where facilities are provided to prevent contaminants from being discharged into land and/or water (including groundwater) or entering any piped stormwater system if they consist of decomposable material likely to generate contaminated leachate. 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the standard General Implementation Risk to public health and safety, and the environment Natural character and hydrology Cultural and ecological values Visual effects People's health and safety. The nature and quantity of the material to be stored. The methods to avoid discharges of contaminants, solid material and/or liquid leachate. The control of stormwater runoff. Access to, maintenance, use and protection of the estuary, a watercourse or open drain.
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RCA-S6 Fencing

<p>Rural Specific Control Area</p> <p>Purpose: to protect rural character and amenity, the values of the estuary and its tributaries, and reverse sensitivity and airport safety; to control dominance, shading, privacy, and sunlight access; and control shading and nuisance effects</p>	<ol style="list-style-type: none"> Any fence erected within a front yard the solid portion must not exceed 1.2 metres in height with the remaining portion being of an open nature up to a maximum height of 2 metres.  <ol style="list-style-type: none"> Any fence erected within a side or rear yard must not exceed 2 metres in height. 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The effects of shading Ecological and amenity values. The effects on streetscape. Health and safety. The positive effects of fences to mitigate visual and noise effects of nearby land uses.
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RCA-S7 Aerials, Lines and Support Structures

<p>Rural Specific</p>	<p>1. Aerials, lines and/or support</p>	<p>Activity Status where activity</p>
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<p>Control Area</p> <p>Purpose: <i>to protect rural character and amenity, the values of the estuary and its tributaries, and reverse sensitivity and airport safety; to control dominance, shading, privacy, and sunlight access; and control shading and nuisance effects</i></p>	<p>structures must not exceed the Airport Height Control Designation in Appendix 1</p> <ol style="list-style-type: none"> 2. Aerials, lines and/or support structures must not exceed 15 metres in height. 3. Dish antenna must not exceed 1.2 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: 5. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. 6. There is only one such structure on the site. 7. The aerial, line and/or support structure must comply with the conditions relating to yards in the general and light industrial zones. 	<p>conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General Implementation 2. Risk to public health and safety, and the environment 3. Ecological, and amenity values. 4. The scale in relation to adjacent buildings. 5. The bulk and form of the aerial, line and/or supporting structures. 6. The effects of shading. 7. Heritage or cultural values 8. Cumulative effects of additional aerials, lines and/or support structures. 9. The prominence of the site and effects on public views and any important landscapes. 10. The effects on public health and safety. 11. Effects on air traffic safety
<p>RCA-S8 Trees</p>		
<p>Rural Specific Control Area</p> <p>Purpose: <i>to protect rural character and amenity, the values of the estuary and its tributaries, and reverse sensitivity and airport safety; to control dominance, shading, privacy, and sunlight access; and control shading and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. No tree exceeds the Airport Height Control Designation in Appendix 1 2. No shelterbelt or plantation greater than 20 metres in length must not be planted within 5 metres of any site boundary, 3. Shelterbelts or plantations may be planted within 5 metres of any site boundary, provided that the shelterbelts and/or plantations are maintained at a height not exceeding 9 metres. 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General Implementation 2. Risk to public health and safety, and the environment 3. Ecological, cultural and amenity values. 4. Shading of public spaces. 5. The effects on visibility and traffic safety. 6. Airport safety and aviation flight paths 7. The positive effects of trees on the environment

Assessment criteria – Rural Specific Control Area

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

RCA –AC1 All infringements

The assessment criteria in RCA- AC1 apply in addition to those in RCA-AC2

General Implementation

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter, the Rural Chapters and this Specific Control Area, the purpose of the rule and standard, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii. Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, and the presence of effective on-site screening.
- c. Whether or not the use of the permitted baseline test is appropriate and will ensure Part 2 of the RMA, and the objectives, policies and purpose of the rule will be achieved.
- d. Whether the activity avoids adverse effects on heritage, ecological, cultural, and rural amenity values

Risk to public health and safety, and the environment

- e. Whether the the use, storage, or method of disposal of any wastewater, trade waste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- f. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- g. The extent to which the land use has avoided, remedied or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.
- h. The extent to which the nature and quantity of the material to be stored could have adverse effects on people's health and safety; or the environment.

Fire and pest control

- i. The extent to which the activity implements and approved fire and pest management plan

Stormwater management

- j. The extent to which stormwater runoff or impervious surfaces may exacerbate flooding or the contamination of water.
- k. Whether adequate provision is made for the disposal of waste and effluent.
- l. Whether the impact of the nature, scale and intensity of the use is compatible with surrounding rural land uses and the values of the Ahuriri Estuary, Taipo stream and their margins
- m. The extent to which the land use has addressed any adverse effects on the environment (including human health and safety) or infrastructural services.
- n. Whether the volume of water, or rate and composition of discharges may have adverse effects on
 - i. open drains, water bodies, fresh water or coastal water quality
 - ii. the health of any habitats of indigenous species
 - iii. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Compatibility with the receiving environment

- o. Whether the land use will have any adverse effects on natural, cultural or heritage features, important landscapes, rural character and amenity of the surrounding area.
- p. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts over and above those required by the rules and standards for other activities within the rural environments.
- q. Whether the land use has positive effect for the surrounding environment and wider community

Ecological values

- r. Whether the land use will have any adverse actual or potential effects on habitats on indigenous species or other conservation values within the site or on the surrounding area.
- s. Whether the activity will have an adverse actual or potential effect on any open drain, watercourse or any other waterbody.

Air Traffic

- t. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operation (including landings and take-offs) of the Hawke's Bay Airport.
- u. The extent to which the land use is compatible with the airport.

Cumulative Effect

- v. Whether the land use will have an adverse cumulative effect on the surrounding area.

Reverse Sensitivities

- w. Whether the location of the site in relation to the Airport and the Airport Noise Boundary and the likely exposure to airport noise will lead to an unreasonable level of amenity for sensitive land uses or future occupiers.

- x. Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on, airport activities; or whether the proposed activity might constrain the way in which the Airport operates.
- y. The extent to which the establishment of activities may over time demand increasingly higher levels of amenity and where such expectations may unduly restrict accepted management practices of normal airport operations.

RCA AC2 Rural activities

- a. Whether the use or development is located on, and uses productive or versatile soils; and promotes sustained productive use of those natural resources.
- b. Whether the activity supports primary production activities that rely on the productive nature of the land.
- c. The extent to which the activity may result in conflict with rural activities or primary production activities that rely on the productive nature of the land.
- d. Whether the activity retains the ability for the efficient use of productive land.
- e. Whether the nature, impact of the scale and intensity of the use is compatible with surrounding rural land uses, and rural amenity.
- f. Whether diversifying activities on the site will complement primary production (agriculture, horticulture and/or viticulture activities) and contribute to the social, cultural and economic well-being of the community.
- g. Whether the land use will have any adverse effects on natural features, important landscapes, rural character or rural amenity.
- h. Whether the land use would result in significant ecological, social, cultural or economic impacts.
 - i. Whether the proposed land use will have an adverse effect on cultural or heritage values.
 - j. Whether the land use would have adverse effects on the efficient use and/or development of physical resources in nearby Zones or Control Areas.
- k. Whether the design of any buildings, structures, impervious surfaces, vehicle parking areas retain spacious open spaces and rural character.
 - l. Whether adequate provision is made for the disposal of waste and effluent, manage run-off and prevent pollutants entering networks and waterbodies.
- m. Whether the activity uses or discharges water or contaminants.
- n. The extent to which methods to avoid discharges of contaminants, solid material and/or liquid leachate to the environment are reliable.

PREC11 - Jervoistown Precinct

Introduction

This chapter deals with the Precinct 11 Jervoistown Precinct, which is a cluster of residential land use located in a rural setting. The provisions retain the existing distinctive characteristics of the area, and restrict subdivision and development to that of a rural character due to the lack of infrastructure. Only the core residential parts of Jervoistown are zoned as Jervoistown Precinct that overlays a Rural Settlement Zone.

Jervoistown is a settlement that is characterised by residential dwellings on urban styled sections with large lot sizes. The characteristics include narrow roads without footpaths, detached houses that are set back from the road, areas of mature vegetation and open roadside stormwater drains.

The properties are not serviced by Council reticulated systems, and rely on on-site servicing water supply from water tanks and wells. Private septic tanks provide wastewater services on developed sites and stormwater is disposed of via soakage pits or discharges to shallow open roadside drains.

The rural surroundings mean that there will be some noise, odour and other effects associated with standard rural land use practices; and activities need to be compatible with primary production and rural industry.

'Great Urban Areas' is a key outcome related to managing the distinctive elements of settlements in a rural environment. The Key Strategic Objective relevant to planning for rural settlements are Quality Design and Environmental Excellence. Key Principles include 'Rural production in the Heretaunga Plains is enabled and protected'; 'Quality, high amenity and healthy environments to live, work and play' and 'Napier's distinctive character, culture, heritage, and landscapes are recognised, celebrated and enhanced'.

To achieve the above outcomes:

- The distinctive characteristics of the area are recognised and rural amenity is maintained.
- Recognition that infrastructure is not readily available.
- Rural activities on adjacent land are retained.
- Recognition that activities in the nearby rural areas have different noise profiles.
- The life-supporting capacity of soil and ecosystems is safeguarded; productive soils are valued and protected; earthworks and vegetation clearance on soils vulnerable to erosion is discouraged, agricultural land use is supported; and indigenous biological diversity is maintained.
- The potential for reverse sensitivity in a rural environment is addressed.
- The maintenance and enhancement of the characteristics of the existing settlement in the rural environment.

Issues

PREC11-I1 The cumulative effects of residential subdivision and development can place unsustainable pressure on Council infrastructure.

The infrastructure servicing does not have the capacity to support intensive residential development without substantial upgrades.

The roads and stormwater management are of a rural standard, and the on-site wastewater treatment and stormwater services within Jervoistown rely on generous areas of open permeable spaces to operate effectively.

Urban growth in this area has potential for adverse effects on existing roads, water supply, and stormwater and sewage infrastructure.

PREC11-I2 There is an agreed process for dealing with development and upgrading infrastructure to cater for growth.

Future development is dependent on the infrastructure servicing the area being upgraded to meet Council standards.

There is a process to be followed and requirement to upgrade infrastructure arose from an agreement with the Jervoistown community as part of the process for Plan Change 7 to the Napier City District Plan becoming operative on 25 March 2013.

Jervoistown Development Area 1

The Jervoistown Precinct includes the Jervoistown Development Area identifies the services that must be provided for subdivision into lot sizes of 2,500m² or greater. Subdivision below the minimum lot size of 2,500m² is prohibited.

PREC11-I3 Urbanisation in rural areas and inappropriate use and development.

The Jervoistown Precinct is a distinct community with a rural village character and a rural outlook. Specific objectives, policies and rules apply to future development of this area to retain the distinctive land use characteristics. This translates to setbacks from the road and between houses, and a minimum lot size for subdivision that recognises the lack of urban infrastructure.

PREC11-I4 Cost and capacity of infrastructure

Use and development must recognise the limited capacity of wastewater disposal, stormwater disposal and water supply systems; and increased costs of supplying infrastructure to more remote areas.

PREC11-I5 The potential for reverse sensitivity in rural environments.

The rural environment is recognised as a productive environment, and there will be associated effects on noise, odour, and other amenity levels from rural land uses. There is potential for 'reverse sensitivity' effects where conflicts arise between existing rural land uses and neighbouring residential activities or settlements. Where land uses in rural settings may be in conflict, this can compromise adjacent rural land uses through complaints about the effects of rural activity on residential amenity.

Objectives

PREC11-O1 Environmental and infrastructure servicing constraints

All future urban land use, subdivision and land development occurs in a planned and controlled manner that is feasible and coordinated with infrastructure servicing levels, and attends to environmental constraints.

Relates to PREC11-I1; PREC11-I2; PREC11-I3 and PREC11-I4

PREC11–O2 Inappropriate subdivisions, use and development

Subdivision, use and development is restricted within the Jervoistown Precinct, and only occurs in accordance with the relevant structure plan.

Relates to PREC11-I1; PREC11-I2; PREC11-I3; PREC11-I4 and PREC11-I5

PREC11–O3: Non-residential land use

Commercial and light industrial development, and increased in residential development is avoided in the Jervoistown Precinct.

Relates to PREC11-I1 and PREC11-I2

PREC11-O4: Reverse sensitivity

Rural activities and rural industry is not unreasonably compromised by reverse sensitivity effects and/or incompatible activities in adjacent zones.

Relates to PREC11-I5

Policies

PREC11–P1: New development and creation of smaller lots

New development that does not comply with the requirements of the Jervoistown Structure Plans are avoided.

Relates to PREC11-O2

PREC11–P2: Protect rural character and amenity values

Activities in the Specific Control Area do not diminish the settlement pattern, rural setting, rural character, amenity values; or physical attributes of the land.

Relates to PREC11-O3 and PREC11-O4

PREC11–P3: To mitigate effects of development

Adverse effects on human health and the environment from discharges and traffic are avoided, the values of waterbodies and their margins are not degraded.

Relates to PREC11-O1; PREC11-O2 and PREC11-O3

PREC11-P4: Reverse Sensitivity

To ensure that rural productive activities and rural industry is not compromised by reverse sensitivity effects.

Relates to PREC11-O4

PREC11-P5: Infrastructure upgrades are required prior to changes of land use, subdivision or development.

No consent is granted for a change of land use or development of a lot that is less than 2500m² in the Jervoistown Precinct

PREC11-P6: Rural setting and amenity is maintained

The amenity values and unique characteristics of the Specific Control Area are retained, and activities do not create demands for the uneconomic upgrading or extension of public services.

Relates to PREC11-O1; PREC11-O2; PREC11-O3; and PREC11-O4

PREC11-P7: Subdivision, use and development in the Jervoistown Precinct

Subdivision, use and development complies with the infrastructure requirements of Development Area 1; retains significant areas of open permeable areas, and avoids lot sizes of 2,500m² or less.

Relates to PREC11-O1; PREC11-O2; PREC11-O3; and PREC11-O4

Jervoistown Precinct - Activity Table

PREC11 –R1 Residential activities and buildings	
<p>PREC11 –R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Jervoistown Precinct and Settlement Zone standards. 2. The activity complies with the requirements of Jervoistown Development Area 1 on a lot of more than 2500m² <p>NOTE: Consents may be required from the Hawkes Bay Regional Council for any building or activity on sites that are unserviced. The Council may request evidence of compliance with the provisions of the Hawke's Bay Regional Resource Management Plan for water, stormwater and/or wastewater</p>	<p>PREC11 –R1B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
PREC11–R2 Home Business	

<p>PREC11-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Jervoistown Precinct Standards 2. The site must be occupied by a residential building and used for residential activities by the person or persons living on the site as their principal place of residence. 3. No more than one person works on the site that resides outside the dwelling unit. 4. The home occupation must remain incidental and secondary to the use of the dwelling unit for residential purposes. 5. The maximum area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit. 6. Any outdoor storage associated with the home occupation must be screened from view of any adjacent sites and public open space. 7. No retailing of goods occurs from the site. 8. Vehicle movements generated by the home business must not exceed a daily average of 20 and must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day. <p>NOTE: A Vehicle movement means the arrival and departure of the vehicle from the site.</p>	<p>PREC11-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General Implementation 2. Nature, scale and intensity of land use 3. Infrastructure 4. The scale of the activity 5. The effects on the residential character and amenity values. 6. Height, scale, bulk and built form 7. The effects on public health and safety. 8. The effects on traffic and pedestrian safety 9. The type, frequency and timing of traffic. 10. The effects of shading or nuisance. 11. Effects on infrastructure
<p>PREC11-R3 Minor Residential Unit</p>	
<p>PREC11-R3A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. No more than one minor residential unit per site. 2. The gross floor area of the unit must not exceed 80m² 	<p>PREC11-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
<p>PREC11-R4 Retirement complexes, Residential care facilities, Day care centres, Travellers' accommodation, Education facilities</p>	

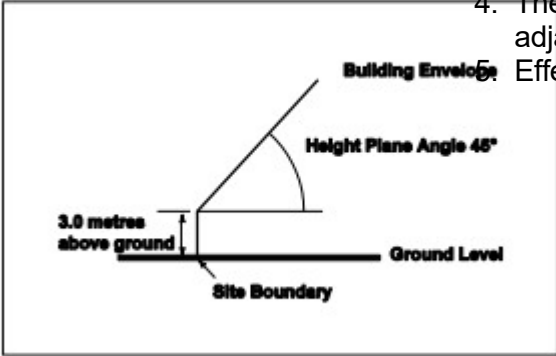
Activity Status: Discretionary	
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Jervoistown Precinct - Standards Table

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

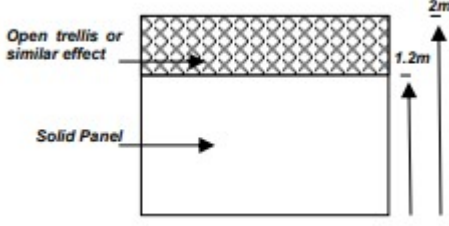
PREC11-S1 Density		
<p>Jervoistown Precinct</p> <p>Purpose: <i>to protect the vegetated and built character and amenity, to manage reverse sensitivity, and to manage adverse effects from unsatisfactory wastewater and stormwater disposal, and water supply services.</i></p>	<p>1. No more than one dwelling unit per site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the standard 2. General implementation 3. The built characteristics and amenity values of the area 4. Provision of infrastructure, including water supply and waste water and stormwater disposal 5. Impervious surfaces and stormwater run-off 6. Risk to public health and safety, and the environment 7. The existing and built density of the area 8. The effects on the open space appearance of the area. 9. The dominance, scale and bulk of the building in relation to the site.
PREC11-S2 Yards		
<p>Jervoistown Precinct</p> <p>Purpose: <i>to maintain the distinctive character; to maintain rural and residential amenity; to provide for a safe and attractive streetscape in a rural setting; to protect the values of the waterbodies and margins</i></p>	<ol style="list-style-type: none"> 1. Front Yards <ol style="list-style-type: none"> a. No part of a building is erected closer than 6 metres to the road boundary b. Eaves, fascias, gutters, down pipes, chimneys and flues may encroach on the minimum setback by a distance of up to 1 metre. 2. Front Yard Landscaping <ol style="list-style-type: none"> a. On all sites other than rear sites, 60% of the front yard must comprise landscaped permeable surface. 3. Other Yards <ol style="list-style-type: none"> a. On sites 1500m² or less in area no part of any building (including eaves and guttering) is erected closer than 1 metre 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The built characteristics of the Specific Control Area 2. The existing streetscape and domination effects at the road frontage 3. The outlook and privacy of adjacent and opposite properties 4. The effects of dominance, shading and overlooking on adjacent properties 5. The effects on amenity values 6. The effects on the maintenance, use and development of a watercourse or open drain

	<p>to a side or rear site boundary.</p> <p>b. On sites greater than 1500m² no part of any building (including eaves and guttering) is erected closer than 3 metres to a side or rear site boundary. Except that there shall be no yard requirement where the written approval of the adjacent landowner(s) is provided at building consent stage.</p> <p>c. No part of a building (including eaves and guttering), fence, or permanently fixed structure may be erected closer than 6 metres from the top of the bank of any watercourse or open drain.</p>	
<p>PREC11-S3 Height</p>		
<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain the built character; to maintain residential amenity; and provide for a safe and attractive streetscape</i></p>	<p>1. No part of a building or structure exceeds 8 metres in height</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The built characteristics of the Specific Control Area 2. The scale and bulk of the building in relation to the site 3. The effects of dominance, shading and overlooking on adjacent properties 4. The built characteristics of the neighbourhood 5. Setbacks, planting, design or topography of the site relative to neighbouring sites 6. The effects on landscape values 7. The effects on amenity values. 8. The effects on air traffic safety
<p>PREC11-S4 Height in relation to boundary</p>		

<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain the built character; to maintain residential amenity in a rural setting; and control dominance, shading, privacy, and sunlight access</i></p>	<ol style="list-style-type: none"> 1. No part of a building or structure projects beyond a building envelope constructed by drawing planes along all site boundaries. The planes must commence 3.0 metres above ground level at the site boundary and must be inclined at an angle of 45 degrees to the horizontal.  <ol style="list-style-type: none"> 2. The height in relation to boundary condition does not apply to the length of common wall between two or more attached buildings. 3. Where the site abuts an entrance strip or access lot the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition. 4. This standard does not apply aerials, lines, support structures, solar heating devices, air conditioning units and similar structures used for housing electronic or mechanical equipment, or chimneys, that are no more than 1 metre wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The built characteristics of the Specific Control Area 2. The scale and bulk of the building in relation to the site 3. The effects of dominance, shading and overlooking on adjacent properties 4. The effects on the privacy of adjacent properties and occupiers 5. Effects on amenity values
<p>PREC11-S5 Building Coverage</p>		
<p>Jervoistown</p>	<ol style="list-style-type: none"> 1. Building coverage (measured 	<p>Matters of discretion are restricted</p>

<p>Precinct</p> <p><i>Purpose: to maintain the vegetated character of the Specific Control Area; to maintain residential amenity; and control dominance, shading, privacy, and sunlight access; and provide for a safe and attractive streetscape</i></p>	<p>from gross building area) must not exceed:</p> <ol style="list-style-type: none"> a. 15% of the net site area on sites greater than 1500m² b. 30% of the net site area on sites 1500m² or less <p>2. Where there is no garage or carport on site, the gross building area must include a notional garage of 18.5m² for each dwelling unit on the site.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. The scale and bulk of the building in relation to the site 2. Effects on rural and residential amenity 3. The existing built density of the area 4. The effect on the open space appearance of the area 5. The effects on waterbodies and their margins 6. Control of stormwater runoff
<p>PREC11-S6 Landscaped area</p>		
<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain the vegetated character of the Specific Control Area; to maintain residential amenity; to manage effects on water and the Council's reticulated network, and public safety</i></p>	<ol style="list-style-type: none"> 1. All sites must have a landscaped area not less than 40% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The prominence of the site taking into account significant public views and any significant landscapes 2. The effect on the open space appearance of the neighbourhood 3. The effects on waterbodies and their margins 4. The control of stormwater runoff 5. The effects on amenity values
<p>PREC11-S7 Open Space</p>		

<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain residential amenity in a rural setting; and manage effects on streetscape; and provide for the well-being of people</i></p>	<ol style="list-style-type: none"> 1. Each dwelling unit must have an area of open space on the building site of not less than 50% of the gross floor area of all buildings on the site, except that a minimum of 50m² per dwelling unit is to be provided. 2. The maximum area of open space required to be provided on a building site is 100m² per dwelling unit. 3. Where there is no garage or carport proposed or existing on the site, the gross floor area must include a notional garage of 18.5m² for each dwelling unit on the site. 4. Open space may comprise of more than one area. 5. Open space may take the form of a deck or terrace but must be unobstructed by buildings, vehicle parking spaces, or vehicle manoeuvring areas. 6. Open space must be directly accessible from the unit to which it relates. 7. The open space must include at least one area capable of containing a 6 metre diameter circle; and have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The effects on privacy and amenity of the occupants on-site 2. The effect on the open space appearance of the neighbourhood 3. The accessibility of useable private open space on site 4. The existing built density of the neighbourhood
<p>For example:</p> <p>In this example gross floor area = 180m² (including garage) therefore minimum open space required = 90m² (180x0.5)</p>		
<p>PREC11-S8</p>		

Fencing		
<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain character and residential amenity in a rural setting; and manage effects on streetscape</i></p>	<ol style="list-style-type: none"> For any fence erected within a front yard, the solid portion must not exceed 1.2 metres in height with any remaining portion being of an open nature up to a maximum height of 2 metres.  <ol style="list-style-type: none"> Any fence erected within a side or rear yard must not exceed 2 metres in height. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The effects of shading The effects on amenity values The effects of dominance and on streetscape The effects on public health and safety The positive effects of fences to mitigate visual and noise effects
PREC11-S9 Aerials, Lines and Support Structures		
<p>Jervoistown Precinct</p> <p><i>Purpose: to maintain character and residential amenity in a rural setting; and control shading and nuisance effects</i></p>	<ol style="list-style-type: none"> Aerials, lines and/or support structures must not exceed 12 metres in height. Dish antenna must not exceed 1.2 metres in diameter. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: <ol style="list-style-type: none"> The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. There is only one such structure on the site. The aerial, line and/or support structure must comply with the conditions relating to yards in PREC11-S3. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> General Implementation The effects on amenity values The scale in relation to adjacent buildings Height, scale, bulk and built form of the aerial, line and/or supporting structures The effects of shading The extent to which heritage or cultural values are adversely affected The cumulative effect of additional aerials, lines and/or support structures The prominence of the site taking into account significant public views and any significant landscapes Risk to public health and safety, and the environment

Assessment criteria

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will

also be had to the relevant assessment criteria set out below:

PREC11 –AC1 All infringements

General Implementation

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter, this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii. unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.
- c. The permitted baseline test is not appropriate where a proposal will breach the height in relation to boundary or height control standards.
- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

Infrastructure

- e. Whether or not the proposal complies with all relevant structure plan or infrastructure service standards.
- f. Whether adequate provision is made for water supply and stormwater disposal.
- g. Whether adequate provision is made for the disposal of waste and effluent.
- h. The extent to which the land use has avoided, remedied or mitigated any adverse effects on the environment (including human health and safety) or infrastructural services.

Scale, height, bulk, setbacks and built form

- i. Whether the design of buildings, structures and vehicle parking areas detracts from the streetscape or amenity of neighbouring properties.
- j. Whether the building coverage and areas impervious surfaces have potential to exacerbate flood risk.
- k. Whether the design of buildings, structures, car parking areas and landscaping maintains the character and streetscape qualities of the area.

- l. Whether paved areas or impervious surfaces dominate the streetscape and are designed to manage run-off and prevent pollutants entering networks and waterbodies.
- m. Whether parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.
- n. Whether an increased setback or separation distance will adequately reduce effects on any residential property, open drain, water body margin, reserves or open space.
- o. Whether the land use will have any adverse effects on important or significant landscapes, rural character and amenity of the surrounding area.

Scale and intensity of land use

- p. The extent to which the land use results in reverse sensitivity with rural activities, rural production or rural industry.
- q. Whether the land use provides any positive effects to the surrounding environment and wider community.
- r. Whether the nature, positioning, scale and intensity of the activity is compatible with the surrounding area.
- s. Whether the land use may enhance or diminish rural character and amenity of the surrounding area.
- t. The extent to which the provision of additional landscaping and other mitigation measures will mitigate the potential for visual and noise impacts.
- u. Whether the establishment and operation of the land use would have adverse effects on the Jervoistown Precinct, or result in significant social, cultural or economic impacts.

Dominance, sunlight, outlook and privacy

- v. The extent to which the positioning, bulk and building design could have adverse effects on people or adjacent properties.
- w. The extent to which the site layout and use of spaces maintains adequate levels of privacy in adjacent residential properties.
- x. Whether the activity will dominate or cause reduced access to sunlight or daylight, increase shading on indoor and outdoor living spaces at adjacent residential properties; taking account of the extent of any overshadowing, the intended use of spaces and the position of outdoor living spaces; or main living areas in residential buildings.
- y. Whether the activity will have adverse effects on the outlook from adjoining properties.
- z. The scale of building, structure or storage and its effects on the character of any adjoining property.
- aa. The effects of any landscaping and trees proposed within the site, or on the boundary of the site in mitigating adverse visual effects.

- ab. The extent to which any intrusion of the height in relation to boundary results in additional building scale and bulk and associated effects on the visual and residential amenity.

Risk to public health and safety, and the environment

- ac. Whether the activity will have an adverse actual or potential effect on any water course, open drain or its margins.
- ad. Whether the the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- ae. Whether the volume of water, or rate and composition of discharges may have adverse effects on any open drain, or waterbody, or
- af. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Site Layout

- ag. Whether buildings, structures and outdoor entertainment areas, including parking and storage areas are sited in a way that minimises any adverse effects

Location and scale of activity

- ah. The extent to which the site layout and building design will mitigate effects including noise, lighting and traffic.
- ai. Whether the use or development is located on, and utilises productive or versatile soils; and promotes sustained productive use of those natural resources.
- aj. Whether the impact of the scale and intensity of the use is compatible with surrounding rural land uses.
- ak. Whether the establishment and operation of the land use would adversely effect the amenity of the rural or Jervoistown Precinct, or result in significant social or economic impacts.
- al. Whether the site is a suitable size for the type and number of persons being catered or cared for.

Reverse Sensitivities

- am. Whether the development is likely to lead to potential conflict with, or have adverse effects on rural activities.

Cumulative Effect

- an. Whether the land use will have an adverse cumulative effect on the surrounding area.
- ao. Whether land uses already located in the area, and on the site, are having effects on the surrounding environment and the extent to which allowing a land use or an increase in the scale and intensity of a land use will add to or generate traffic, noise and other effects not in keeping

with the surrounding area.

- ap. The extent to which the development will cause demands for the uneconomic upgrading or extension of public services, including roading and reticulated stormwater and/or wastewater services.

PREC11 AC3 Home Business

- a. The extent to which the scale of the operation and building/s is compatible with, and maintains the character and amenity values of the surrounding area, including any relevant built form and noise standards.
- b. The extent to which the scale of the proposed activity will remain accessory to the predominant activity on the site and remain connected to or dependent upon the rural environment.
- c. Whether the proposed hours of operation are compatible with the local environment.
- d. The extent to which the site layout and building design will mitigate effects including noise, lighting and traffic.
- e. Whether the establishment and operation of the land use would have adverse effects on the efficient use and/or development of any other zone or result in significant social or economic impacts.

PREC12 - Mission Landscape and Visitor Precinct

Introduction

The Mission Landscape and Visitor Precinct includes the existing hub of the Mission Estate in the Grande Maison building and other buildings and facilities, including the concert venue. It also includes the backdrop hills framing the iconic Mission landscape as viewed from Church Road.

This precinct accommodates and provides for the hospitality activities of the Mission Estate. In protecting and enhancing the iconic landscape the steep eastern hillside is to be planted as woodland, including deciduous and evergreen trees. The plantings on the lower slopes may be able to be selectively harvested for timber in time and replanted, however the trees on the upper slopes will be retained permanently to ensure the skyline of the landscape as viewed from Church Road is enhanced by vegetation that also screens any visibility of buildings within the Residential Precinct on the hill tops. Walkways are to be established in the Landscape and Visitor Precinct connecting with the Napier City walkway network at either end of the property as well as providing walking access to the Grande Maison and to the hill tops and the walkway and street network within the Residential Precinct.

The Landscape and Visitor Precinct also provides opportunity through the resource consent process, for the development of a boutique hotel (potentially via the redevelopment of the accommodation buildings used by the former seminary) and discretely located and designed individual accommodation buildings separately located within or adjacent to the proposed woodland at the base of the hill.

Issues

The issues of the Mission Development Area and Rural Production Zone are relevant to the Mission Landscape and Visitor Precinct.

Objectives

The objectives of the Mission Development Area and Rural Production Zone apply in the Mission Landscape and Visitor Precinct in addition to the below.

PREC12-O1: Commercial hub

The Mission Landscape and Visitor Precinct contains a Mission Estate commercial hub of the cellar door, restaurant, conference and wedding venue, concert venue and tourist accommodation; that is bustling with visitors enjoying the ambiance of its offerings and the walking and cycle trails that link to it.

Policies

The policies of the Mission Development Area and Rural Production Zone apply in the Mission Landscape and Visitor Precinct in addition to the below.

PREC12-P1: Hospitality and entertainment

Enable the continued use and development of the cellar door, restaurant, wedding venue, conference and meeting facility, former seminary buildings and the concert venue.

Relates to DEV3-O1

PREC12-P2: Visitor accommodation

Enable opportunities for the development of additional tourist accommodation in appropriate locations.

Relates to DEV3-O1

PREC12-P3: Landscape and connectivity

Provide for the woodland planting of the background hills (eastern hill face), the development of a lookout reserve on top of these hills, and the development of walking and cycling tracks through the woodland and across the hill providing connections to the wider Napier City walking and cycling network.

Relates to DEV3-O1

Mission Landscape and Visitor Precinct - Activity Table

PREC12-R1 Commercial Forestry	
<p>PREC12-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The commercial forestry, including any consequential land preparation or harvesting activities must not be located within 5 metres of a site boundary. 2. The commercial forestry, including any consequential land preparation or harvesting activities must not be undertaken within 20 metres from the edge of the Taipo Stream. 3. Any harvesting of trees in the ‘Eastern Hill face Woodland’ identified on the Structure Plan shall only be by way of ‘selected logging’ where trees of commercial value are harvested one at a time in a manner that does not result in the destruction of other trees in the surrounding woodland, such that the eastern hill face retains a permanent woodland vegetation cover at all times. 	<p>PREC12-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Stream flows and downstream water use 7. Effects on the significant amenity landscape of the Mission Estate as viewed from Church Road
PREC12-R2 Commercial activities associated with the Mission Estate Winery,	

<p>including licenced premises, within existing buildings (that were existing on 1 January 2017)</p>	
<p>Activity Status: Permitted</p>	
<p>PREC12-R3 Concert and Entertainment Events (including associated buildings and structures)</p>	
<p>PREC12-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The concert and entertainment event takes place within the 'Concert Venue' or 'Concert Stage' identified on the Structure Plan in Appendix 13A, where permanent structures accessory to concerts and events may be erected. 2. The number of concert and entertainment events that may occur in a calendar year must not exceed 5. 3. The duration of the event must not exceed a period of 24 hours for concerts. 4. Any amplified sound equipment must not be operated during the following hours: <ol style="list-style-type: none"> a. Sunday to Thursday inclusive 2200 hours to 1000 hours (the following day) b. Fridays and Saturdays 2400 hours to 1000 hours (the following day) c. Except that on 1st January of any calendar year, this is extended to 0100 hours. 5. Any sound checks that include testing and balancing of sound systems, sound equipment and vocal checks by performers must not: <ol style="list-style-type: none"> a. Exceed a cumulative period of 6 hours b. Commence before 0900 hours on any day and shall be completed by 1900 hours on any day of the temporary activity. 6. Amplified sound equipment operated outside of the hours specified in (4) above must not exceed 90 dB LA (15 min) at any point beyond the Mission Development Area boundary. 	<p>PREC12-R3B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Reverse sensitivity
<p>PREC12-R4 Use and Development of Reserves identified on the Structure Plan Maps in Appendix 13B</p>	
<p>Activity Status: Permitted</p>	<p>Activity Status where activity conditions are not met: Restricted</p>

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Such use and development is consistent with the purpose of the reserve as set out in the name description of the reserve in Appendix 13B 	<p>discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Reverse sensitivity
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PREC12-R5 Relocation of buildings	
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<p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A written assessment is submitted with the application which: <ol style="list-style-type: none"> a. includes a statement from a building certifier or registered engineer that the building is structurally sound b. states the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity c. states the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent d. provides clear photographs of the building in its current state e. provides such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 2. The design, materials and timetable of the proposed reinstatement works 3. The imposition of any financial contributions in accordance with Chapter FC-Financial Contributions 4. The imposition of a performance bond to complete the reinstatement of the building. <p>Notification: Non-notified</p>	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The structural integrity of the building 2. The imposition of a performance of the bond 3. The timing of reinstatement works 4. The effects on the built character of the surrounding area such that the building makes a positive contribution to amenity values 5. The effects on infrastructural services.
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PREC12-R6 Art Cabins, where located within area identified on Structure Plan	
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Activity Status: Restricted discretionary	Activity Status where activity
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<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Art Cabins are located within the 'Art Cabin area' identified on the structure plan at Appendix 13A 2. The maximum number of individual Art Cabins within the Mission Landscape and Visitor Precinct shall not exceed 10 3. Individual Art Cabins shall not exceed a gross floor area of 80m² 4. Individual Art Cabins shall be separated from each other and any other building on the site by a minimum distance of 50m <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 5. Character of the Mission Development Area 6. Landscape character 7. Public health and safety 8. Amenity values 9. Safe and efficient operation of the integrated transportation network 10. Reverse sensitivity <p>Notification: Non-notified</p>	<p>conditions are not met: Non-complying</p>
<p>PREC12-R7 Commercial Activities associated with the Mission Estate Winery, including Boutique Hotel Accommodation and Licensed Premises, within area identified on structure plan</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Reverse sensitivity <p>Notification: Non-notified</p>	
<p>PREC12-R8 Commercial activities not otherwise provided for in the Mission Landscape and Visitor Precinct</p>	
<p>Activity Status: Discretionary</p>	
<p>PREC12-R9 Activities not otherwise provided for</p>	

<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <p>1. The non-residential activity is not provided for under Rules PREC12-S1 – PREC12-S4</p>	
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Mission Landscape and Visitor Precinct - Standards Table

The standards of the Rural Production Zone apply in addition to the below, unless otherwise stated. Where a standard is provided for under both the precinct and the zone, the precinct standard applies.

PREC12-S1 Density		
<i>Purpose: maintain the character of the area; maintain amenity values; minimise effects on infrastructure servicing</i>	1. The maximum density must not exceed one residential unit per site or one residential unit per precinct where a single site covers more than one precinct (that is, a single site could have more than one residential unit provided each residential unit on the site was in a different precinct)	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Landscape values 4. Cumulative effects from an increase in density 5. The effects on neighbouring precincts and zones 6. Stormwater management and infrastructure
PREC12-S2 Height		
<i>Purpose: to maintain the character of the Mission Landscape and Visitor Rural precinct; minimise effects on the quality of the neighbours' living environment</i>	1. Buildings and structures must not exceed 9m in height, except that a Boutique Hotel within the 'Mission Estate Commercial Activity Area' identified on the structure plan in Appendix 13B must not exceed 3 storeys.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Character of the Mission Development Area 5. Landscape values
PREC12-S3 Front yards		
<i>Purpose: to maintain the character of the</i>	1. Any part of a building must not be erected closer than 7.5 metres to the road boundary.	Matters of discretion are restricted to:

<i>Mission Landscape and Visitor precinct</i>		<ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Open rural character of the Mission Landscape and Visitor Precinct
PREC12-S4 Trees		
<i>Purpose: to maintain the character of the Mission Landscape and Visitor precinct; to provide for visibility, traffic safety and air traffic safety</i>	<ol style="list-style-type: none"> 1. Any shelterbelt or plantation greater than 20 metres in length must not be planted within 5 metres of any site boundary unless they are maintained at a height not exceeding 9 metres. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values including shading 3. Visibility and traffic safety 4. Air traffic safety 5. The positive effects of trees on the environment.

Assessment criteria

PREC12-AC1 – All subdivision and development

The assessment criteria of the Mission Development Area, the Rural Production Zone and the Subdivision chapter apply in the Mission Landscape and Visitor Precinct.

PREC12-AC2 – Boutique Hotel Accommodation & Associated Activities

Subdivision chapter apply in addition to the below:

- a. Whether a proposal for a boutique hotel accommodation and associated commercial activities will complement the Grande Maison and existing visitor activities, and be located with the area depicted on the Structure Plan Map in Appendix 13A as 'Mission Estate Commercial Activity Area' – namely on the terraced spur to the west of, and behind, the Grande Maison in the area currently occupied by the former accommodation buildings and tennis courts.
- b. Whether the proposed development of such visitor facilities will achieve the following:
 - i. Retention of the Grande Maison as the most visually prominent keynote building.
 - ii. Design that complements the Grande Maison so that new buildings appear part of a coherent group. (This does not mean new buildings should replicate the period style of the Grande Maison, but that the architecture responds to such matters as line, proportion, rhythm, materials and colour so as to appear in keeping with, but not visually competing with, the keynote building).

PREC12-AC3 – Art Cabins

The assessment criteria of the Mission Development Area, the Rural Production Zone and the Subdivision chapter apply in addition to the below:

- a. Whether a proposal for 'art cabin' visitor accommodation is located within the area depicted on the Structure Plan Map in Appendix 13A as 'Art Cabin Area' – namely on the lower slopes of the woodland hillside behind the vineyard. Each cabin is to be small, individually designed, and located in individual settings. They are envisaged as a visitor attraction operating as an adjunct to a boutique hotel.
- b. Whether the 'art cabins' achieve the following characteristics:
 - i. Small scale – each cabin to have a maximum 80m²
 - ii. Individuality – each cabin to have a separate setting and unique design that expresses architectural virtuosity
 - iii. Strong sense of place – each setting is to be selected to provide a special visitor experience, and the architecture designed to celebrated the setting
 - iv. Uncluttered by cars and parking – access to be by foot or special golf-cart type vehicle to achieve the feel of the cabin immersed within the landscape.

PREC13 - Mission Productive Rural Precinct

Introduction

The Mission Productive Rural Precinct is reflective of the Rural Production Zone, with specific modifications appropriate to its setting within the wider Mission landscape.

Issues

The issues of the Mission Development Area and Rural Production Zone are relevant to the Mission Landscape and Visitor Precinct.

Objectives

The objectives of the Mission Development Area and Rural Production Zone apply in the Mission Productive Rural Precinct in addition to the below.

PREC13-O1: Productive use

The versatile land of the flats fronting Church Road continue to be used productively for wine growing and the vertical integration of wine production, or for other forms of agricultural or horticultural production.

Policies

The policies of the Mission Development Area and Rural Production Zone apply in the Mission Productive Rural Precinct in addition to the below.

PREC13-P1: Productive use

Enable the sustainable use of the versatile land resource, including appropriate enhancement or expansion of the existing vineyards or wine production facilities.

Relates to PREC13-O1 and DEV3-O1

PREC13-P2: Public access

Provide for public access via walkways through the Zone and around the Mission Productive Rural Precinct, rather than by reducing the productive use of the versatile land by requiring esplanade reserves adjacent the banks of the Taipo Stream through the midst of this Precinct.

Relates to DEV3-O1

Mission Productive Rural Precinct - Activity Table

PREC13-R1 Rural processing activities		
PREC13-R1A	PREC13-R1B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any outdoor storage associated with the rural processing activity must be screened from view of any adjacent sites and public open space 2. Any industrial building associated with a rural processing activity must be a minimum of 15 metres from any site boundary 3. The maximum height of any building or structure used or intended to be used for the purposes of a rural processing activity must not exceed 15 metres. 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Amenity values 3. Landscape values
<p>PREC13-R2 Hospitality activities within the 'Winery Buildings' as identified on the structure plan</p>	
<p>Activity Status: Permitted</p>	
<p>PREC13-R3 Relocation of buildings</p>	
<p>PREC13-R3A</p> <p>Activity Status: Residential discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A written assessment is submitted with the application which: <ol style="list-style-type: none"> a. includes a statement from a building certifier or registered engineer that the building is structurally sound b. states the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity c. states the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent d. provides clear photographs of the building in its current state e. provides such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. The design, materials and timetable of the proposed reinstatement works 3. The imposition of any financial contributions in accordance with Chapter FC - Financial Contributions 	<p>PREC13-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>

4. The imposition of a performance bond to complete the reinstatement of the building. Notification: Non-notified	
PREC13-R4 Activities not otherwise provided for	
Activity Status: Non-complying Where the following activity conditions are met: 1. The non-residential activity is not provided for under Rules PREC13-R1 – PREC13-R5 or the Rural Production Zone.	

Mission Productive Rural Precinct - Standards Table

The standard of the Rural Production Zone apply in addition to the below, unless otherwise stated. Where a standard is provided for under both the precinct and the zone, the precinct standard applies.

PREC13-S1 Density		
Purpose: <i>maintain the rural character of the area; maintain amenity values; minimise effects on infrastructure servicing</i>	1. The maximum density must not exceed one residential unit per site or one residential unit per precinct where a single site covers more than one precinct (that is, a single site could have more than one residential unit provided each residential unit on the site was in a different precinct)	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Amenity values of the neighbourhood 3. Landscape values 4. Cumulative effects from an increase in density 5. The effects on neighbouring precincts and zones 6. Stormwater management and infrastructure
PREC13-S2 Height		
Purpose: <i>to maintain the character of the Mission Productive Rural precinct; minimise effects on the quality of the neighbours' living environment</i>	1. Buildings and structures must not exceed 9m in height	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Character of the Mission

		Development Area 5. Landscape values
PREC13-S3 Front yards		
<i>Purpose: to maintain the character of the Mission Productive Rural precinct</i>	1. Any part of a building must not be erected closer than 7.5 metres to the road boundary.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Open rural character of the Mission Productive Rural Precinct
PREC13-S4 Trees		
<i>Purpose: to maintain the character of the Mission Productive Rural precinct; to provide for visibility, traffic safety and air traffic safety</i>	1. Any shelterbelt or plantation greater than 20 metres in length must not be planted within 5 metres of any site boundary unless they are maintained at a height not exceeding 9 metres.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values including shading 3. Visibility and traffic safety 4. Air traffic safety 5. The positive effects of trees on the environment.

Assessment criteria

PREC13-AC1 – All subdivision and development

The assessment criteria of the Mission Development Area, the Rural Production Zone and the Subdivision chapter apply in the Mission Productive Rural Precinct.

PREC14 - Mission Rural Residential Precinct

Introduction

The Mission Rural Residential Precinct is reflective of the Rural Lifestyle Zone, with specific modifications appropriate to its setting within the wider Mission landscape.

Issues

The issues of the Mission Development Area and Rural Residential Zone are relevant to the Mission Rural Residential Precinct.

Objectives

The objectives of the Mission Development Area and Rural Lifestyle Zone apply in the Mission Rural Residential Precinct in addition to the below.

PREC14-O1: Rural residential character

The Rural Residential precinct has sought after lifestyle sites and ongoing pastoral forming and horticultural operations adding to variety, open space and character within the Mission Development Area and providing productive economic benefit to the landowners.

Relates to DEV3-I1, DEV3-I4 and DEV3-I6

Policies

The policies of the Mission Development Area and Rural Lifestyle Zone apply in the Mission Rural Residential Precinct in addition to the below.

PREC14-P1: Activities and development

Enable both rural residential development and on-going farming and forestry activities on land of lower versatility and landscape significance that is unsuitable for full residential development.

Relates to PREC14-O1 and DEV3-O1

PREC14-P2: Existing buildings

Enable the efficient use and development of existing building resources.

Relates to DEV3-O1

Mission Rural Residential Precinct - Activity Table

PREC14-R1 Commercial Forestry		
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<p>PREC14-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The commercial forestry, including any consequential land preparation or harvesting activities must not be located within 5 metres of a site boundary. 2. The commercial forestry, including any consequential land preparation or harvesting activities must not be undertaken within 20 metres from the edge of the Taipo Stream. 3. Any harvesting of trees in the 'Eastern Hill face Woodland' identified on the Structure Plan Map in Appendix 13B shall only be by way of 'selected logging' where trees of commercial value are harvested one at a time in a manner that does not result in the destruction of other trees in the surrounding woodland, such that the eastern hill face retains a permanent woodland vegetation cover at all times. 	<p>PREC14-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Stream flows and downstream water use 7. Effects on the significant amenity landscape of the Mission Estate as viewed from Church Road
<p>PREC14-R2 Use of the Maryknoll buildings as identified on the structure plan for visitor accommodation or education activities</p>	
<p>PREC14-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is within the Maryknoll buildings identified on the Structure Plan Map in Appendix 13A 2. The activity may involve the redevelopment of existing buildings provided that any new or redeveloped buildings are located within 20m of the existing (as at 1 January 2017) building footprint. 	<p>PREC14-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Reverse sensitivity
<p>PREC14-R3 Relocation of buildings</p>	
<p>PREC14-R3A</p> <p>Activity Status: Residential discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A written assessment is submitted with the application 	<p>PREC14-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>

<p>which:</p> <ol style="list-style-type: none"> a. includes a statement from a building certifier or registered engineer that the building is structurally sound b. states the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity c. states the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent d. provides clear photographs of the building in its current state e. provides such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. The design, materials and timetable of the proposed reinstatement works 3. The imposition of any financial contributions in accordance with Chapter FC - Financial Contributions 4. The imposition of a performance bond to complete the reinstatement of the building. <p>Notification: Non-notified</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The structural integrity of the building 2. The imposition of a performance of the bond 3. The timing of reinstatement works 4. The effects on the built character of the surrounding area such that the building makes a positive contribution to amenity values 5. The effects on infrastructural services.
<p>PREC14-R4 Commercial activities utilising buildings existing on 1 January 2017</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the Mission Development Area 2. Landscape character 3. Public health and safety 4. Amenity values 5. Safe and efficient operation of the integrated transportation network 6. Reverse sensitivity 	
<p>PREC14-R5 Activities not otherwise provided for</p>	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is not provided for under Rules PREC14-R1 – PREC14-R4 or the Rural Residential Zone activity table. 	

Mission Rural Residential Precinct - Standards Table

The standard of the Rural Residential Zone apply in addition to the below, unless otherwise stated. Where a standard is provided for under both the precinct and the zone, the precinct standard applies.

PREC14-S1 Density		
<p>Purpose: maintain the rural-residential character of the area; maintain amenity values; minimise effects on infrastructure servicing</p>	<p>1. The maximum density must not exceed one residential unit per site or one residential unit per precinct where a single site covers more than one precinct, provided that:</p> <ol style="list-style-type: none"> a. the net site area is not less than 2,500m² b. one building used for the purpose of carrying out an ancillary non-rural activity in addition to the residential unit, provided that the net site area is not less than 5,000m² 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Rural character 4. Stormwater management and infrastructure
PREC14-S2 Height		
<p>Purpose: to maintain the character of the Mission Rural Residential precinct; minimise effects on the quality of the neighbours' living environment</p>	<p>1. Buildings and structures must not exceed 9m in height</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Character of the Mission Development Area 5. Landscape values

Assessment criteria

PREC14-AC1 – All subdivision and development

The assessment criteria of the Mission Development Area, the Rural Residential Zone and the Subdivision chapter apply in the Mission Rural Residential Precinct in addition to the below.

Mission Rural Residential Precinct Design Manual

- a. Whether the first subdivision consent application for land within the Mission Rural Residential Precinct provides for a Design Manual and Review Process which:
 - i. will ensure the design of development will achieve the objectives and policies of the Mission Development Area and the Mission Rural Residential Precinct

- ii. provide for a Neighbourhood Centre which achieves the objectives and policies of the Mission Residential Precinct will provide a legal mechanism for the design review process to be administered by Marist Holdings (Greenmeadows) Ltd or successor, such as being enforced by consent notice on the title of each created residential allotment.
- b. Whether the proposed Design Manual includes design principles and guidelines which buildings are to be assessed against to achieve the criteria (21) above. The Design Manual shall address such matters as:
 - i. Relationship of house to landscape to retain and protect rural amenity values
 - ii. House design and appearance (e.g. design principles such as the use of recessive building materials and colours to mitigate visual amenity effects).
 - iii. A site analysis plan to indicate the defining attributes and features of the site's immediate surroundings e.g. contours, roads, reserves and walkways, waterways and wetlands.
 - iv. Landscape design to provide a visual buffer.
 - v. Consideration of rural heritage values (i.e. the traditional farming buildings and yards on the Church Road frontage)
- c. Whether the proposed Design Manual includes details of the design review process including:
 - i. Composition of the panel (it is envisaged the panel will include a representative of Marist Holdings Ltd (or successor), one or two design professionals covering architecture, urban design and landscape as appropriate, and an officer seconded from Napier City Council).
 - ii. Information required from applicants.
 - iii. Format for review sessions and minutes.
 - iv. The process for resolving any disputes.

PREC14-AC2 – All standard infringements (PREC14-S1 – PREC14-S5)

- a. Any special or unusual characteristic of the site which is relevant to the rule requirement
- b. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The assessment criteria under GRZ-AC1 apply in addition to the above.

Neighbourhood Centre Zone

Introduction

The purpose of the Neighbourhood Centre Zone is to provide for small-scale commercial and community activities that service the needs of the immediate residential catchment. The Neighbourhood Centre Zone applies to small blocks of shops within communities that typically include activities such as a dairy, café, takeaway store and/or hairdresser.

A key outcome the District Plan seeks to achieve is “Great urban areas”. Neighbourhood Centres contribute to the quality of our communities by providing for local amenities that are easily accessible to their immediate residential catchments.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the zone provisions provide for an appropriate range of activities, and manage the bulk and location of buildings to contribute to a centre that maintains the character of the suburban environment.

Issues

NCZ-I1 Neighbourhood Centres have an important function in providing for the day-to-day needs of the suburban community

Neighbourhood Centres have an important function in the overall hierarchy of centres within Napier. They can provide for a range of day-to-day amenities that are easily accessible to the immediate residential catchment. It is important that this function is not displaced through inappropriate activities locating within the zone.

NCZ-I2 Poor quality design can detract from the safety and attractiveness of Neighbourhood Centres and the surrounding suburban environment

Quality design in commercial areas can assist in encouraging pedestrian activity and also people to leave their homes to shop, dine, relax and be entertained. Enhancing connectivity, particularly for walking and cycling, will enhance public health and safety, and assist in achieving “Great Urban Areas”. There are areas throughout our neighbourhoods where connectivity could be improved.

Neighbourhood Centres are located in suburban areas. It is important to ensure that the scale, intensity and form and development does not detract from the character of the neighbourhood.

Objectives

NCZ-O1: Neighbourhood Centre function

Neighbourhood Centres have small-scale commercial and community activities that service the needs of the immediate residential neighbourhood

Relates to NCZ-I1

NCZ-O2: Character and amenity

Development and activities contribute to a quality suburban environment (or rural settlement environment for the Meeanee Neighbourhood Centre)

Relates to NC-I2

NCZ-O3: Neighbourhood Centre living

Provide residential living opportunities with healthy, safe, high amenity and comfortable living environments where this does not detract from the core function of the neighbourhood centre

Relates to NCZ-I1 and NCZ-I2

NCZ-O4: Access and Connectivity

Neighbourhood Centres are easily accessible by walking and cycling from the immediate residential neighbourhood

Relates to NCZ-I2

NCZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to SD-I3

Policies**NCZ-P1: Activities**

Protect the function of the neighbourhood centre as a service centre for the immediate residential catchment including by:

- a. providing for a range of commercial and community activities; and
- b. restricting large format retail and industrial activities

Relates to NCZ-O1

NCZ-P2: Quality public realm

Manage the height, bulk and form of development within the zone to reflect the intensity, scale and character of the suburban environment including by:

- a. managing the height, bulk and form of development to provide to be consistent with a suburban character of and to provide access to sunlight in streets, public open spaces, and adjacent

residential properties

- b. requiring development to minimal visual amenity effects on street, public open spaces and adjacent residential properties including through incorporating landscaping
- c. minimising visual clutter

Relates to NCZ-O2

NCZ-P3: Neighbourhood Centre living

Enable residential development including conversions in the Neighbourhood Centre while:

- a. managing development to achieving healthy, safe, high amenity and comfortable living environments for residents
- b. Avoiding residential units at ground floor to ensure the Neighbourhood Centre is efficiently utilised for activities that contribute to its core function

Relates to NCZ-O3

NCZ-P4: Access and connectivity

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes and community interaction

Relates to NCZ-O4

NCZ-P5: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised and the resilience of the Neighbourhood Centre is improved, including by:

- a. requiring water sensitive design / low-impact stormwater management where practicable
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand, including consideration of the effects of climate change

Relates to NCZ-O5

Neighbourhood Centre Zone - Activity Table

NCZ-R1 New buildings	
Activity Status: Permitted	NA
NCZ-R2 Commercial Activities under 200m²	
Activity Status: Permitted	Refer NCZ-R3 below
Where the following activity conditions are met:	

<p>1. The gross floor area of a tenancy for a commercial activity is no greater than 200m²</p> <p>2. Offices are not located at ground floor</p>	
NCZ-R3 Commercial activities over 200m²	
<p>NCZ-R3A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. The gross floor area of a tenancy for commercial activity is no greater than 500m²</p> <p>2. Offices are not located at ground floor</p> <p>Matters of discretion are restricted to:</p> <p>3. Function of the Neighbourhood Centre</p> <p>4. Safety, attractiveness and connectivity of streets and public open spaces</p> <p>Notification: Non-notified</p>	<p>NCZ-R3B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
NCZ-R4 Residential Activities	
Activity Status: Permitted	NA
NCZ-R5 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA
NCZ-R6 Car parking areas	
<p>NCZ-R6A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. Where the car parking area is at-grade:</p> <p style="margin-left: 20px;">a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle</p>	<p>NCZ-R6B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

<p>crossing) b. 1 indigenous specimen tree is provided for every ten car parks</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. Function of the Neighbourhood Centre 3. Character and amenity 4. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>	
NCZ-R7 Community facilities	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function of the Neighbourhood Centre 2. Character and amenity 3. Safety, attractiveness and connectivity of streets and public open spaces 	<p>NA</p>
NCZ-R8 Educational activities	
<p>Activity Status: Discretionary</p>	<p>NA</p>
NCZ-R9 Entertainment activities	
<p>Activity Status: Discretionary</p>	<p>NA</p>
NCZ-R10 Visitor accommodation	
<p>Activity Status: Discretionary</p>	<p>NA</p>
NCZ-R11 Service stations	
<p>Activity Status: Non-complying</p>	<p>NA</p>
NCZ-R12 Drive-through facilities	
<p>Activity Status: Non-complying</p>	<p>NA</p>
NCZ-R13 Activities not otherwise provided for	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is not provided for under Rules NCZ-R1 – NCZ-R12 	<p>NA</p>

Neighbourhood Centre Zone - Standards Table

NCZ-S1 Height		
<p>Purpose: to maintain the character of the area while enabling development that can accommodate commercial and community facilities</p>	<ol style="list-style-type: none"> Maximum height 10m 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Function of the Neighbourhood Centre Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces
NCZ-S2 Height in relation to boundary		
<p>Purpose: to maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</p>	<ol style="list-style-type: none"> Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries where the boundary abuts a Residential Zone, as shown in LCZ-S2-Fig1 below Control LCZ-S2(1) above does not apply to aerials, lines, support structures, solar heating devices, air conditions units and similar structures housing electronic or mechanical equipment or chimneys, no more than 1m wide in any horizontal direction and less than 2.5m in height beyond the building envelope. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
NCZ-S3 Yards		
<p>Purpose: to maintain a suburban</p>	<ol style="list-style-type: none"> Any part of a building must not be erected closer than 6 metres to a side or rear site boundary where 	<p>Activity Status where standards are not met: Restricted discretionary</p>

<p><i>character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</i></p>	<p>the boundary abuts a Residential Zone</p> <ol style="list-style-type: none"> 2. The yard required under clause (1) above shall include a 2m landscaping strip 3. Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Operation and maintenance of watercourses and open drains
<p>NCZ-S4 Verandahs</p>		
<p>Purpose: <i>to provide a safe and comfortable environment for pedestrians and to maintain a safe and efficient integrated transport network</i></p>	<ol style="list-style-type: none"> 1. Any part of a building fronting onto a street must have a verandah meeting the following standards: <ol style="list-style-type: none"> a. Suspended from the building b. Not less than 3 metres above the footpath c. No greater than 4 metres above the footpath d. Where there are verandahs on buildings on one or more adjoining sites, the verandah should be contiguous with the height of at least one adjoining verandah to provide continuity of verandah height e. Continuous to provide weather protection along the frontage of each site f. No closer than 450mm to the edge of the road carriageway g. Include drainage to control rain run-off h. Lighting shall be provided under the verandah 2. This standard does not apply in the Meeanee Neighbourhood Centre zone. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Neighbourhood Centre 3. Neighbourhood character 4. Safety, attractiveness and connectivity of streets and public open spaces

NCZ-S5 Frontages		
<p>Commercial centre streets</p> <p><i>Purpose: to provide an active and vibrant frontage along commercial centre streets; to avoid locating activities that require privacy on the ground floor of buildings along commercial centre streets</i></p>	<ol style="list-style-type: none"> 1. The building must adjoin the entire length of the street frontage excluding vehicle access (where provided) and pedestrian access 2. Pedestrian access to the building must be provided at the street frontage and be flush with street level 3. Residential units and visitor accommodation must not be located on the ground floor of the building within 10m from the street frontage 4. A minimum of 70% of the area of the building frontage at ground level shall have a clear, glazed window display space 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Neighbourhood Centre 3. Suburban character 4. Safety, attractiveness and connectivity of streets and public open spaces
<p>Non commercial centre streets</p> <p><i>Purpose: to provide for attractive streetscapes within the Neighbourhood Centre</i></p>	<ol style="list-style-type: none"> 1. Where a building is not located along a commercial centre street, a landscape buffer of 2m in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass). 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Neighbourhood Centre Centre 3. Suburban character 4. Safety, attractiveness and connectivity of streets and public open spaces
NCZ-S6 Residential privacy and light access (“outlook space”)		
<p><i>Residential units and Visitor Accommodation activities only</i></p> <p><i>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the Neighbourhood Centre</i></p>	<ol style="list-style-type: none"> 1. An outlook space must be provided from windows to a habitable room. 2. The minimum dimensions for a required outlook space are as follows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth and 3m in width <i>needs a</i> 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments

	<i>diagram</i>	
	<ol style="list-style-type: none"> 3. Outlook spaces may be within the site, over a public street, or other public open space 4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation. 	
NCZ-S7 Minimum residential unit size		
<p>Purpose: Homes that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy.</p>	<ol style="list-style-type: none"> 1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> a. Studio – 35m² b. 1 bedroom – 45m² c. 2 bedroom – 70m² d. 3 bedroom – 90m² 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments
NC-S8 Screening		
<p>Purpose: To provide for the functional needs of activities while ensuring storage areas do not detract from the safety and attractiveness of streetscapes</p>	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be provided on every site for the temporary storage of refuse. This must be screened from the public view and where possible located to the rear of the site 2. The area must be secured so as not to provide a food source for birds or vermin 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
NCZ-S9 Fences and walls		
<p>Purpose: to provide for safety and attractiveness of streetscapes</p>	<ol style="list-style-type: none"> 1. Fences or walls must not be located within 5m of the front boundary. 2. Fences or walls adjoining a site zoned Residential, Rural or Open Space must not exceed 2m in height. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces

Assessment criteria

NCZ-AC1 – Commercial Activities not meeting permitted standards (NCZ-R2 and NCZ-R3); Community facilities (NCZ-R7); Educational activities (NCZ-R8); Entertainment activities (NCZ-R9)

Function of the Neighbourhood Centre

- a. Whether the activity will detract from the purpose and function of the Neighbourhood Centre as providing small-scale commercial and community activities that service the needs of the immediate residential catchment, including consideration of cumulative effects

Character and amenity

- b. whether the building will be consistent with the character of the Neighbourhood Centre and the local suburban character (or rural settlement character for the Meeanee Neighbourhood Centre) particularly as perceived from streets and public open spaces

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which:
 - i. the development will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Neighbourhood Centre
 - ii. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - iii. traffic generation will compromise the character of the Neighbourhood Centre
 - iv. the location and nature of the commercial activity will reduce reliance on private motor vehicles and increase walking and cycling to, from and within the Neighbourhood Centre
- d. The extent to which the design and layout of access and parking associated with the activity will provide safe access to the activity for pedestrians and cyclists, and motorists.

Infrastructure and resilience

- e. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, having regard to the potential effects of climate change. This includes incorporating low impact stormwater design, where appropriate.

NCZ-AC2 – Non-accessory car parking areas (NCZ-R6)

Function of the Neighbourhood Centre

- a. Whether the activity will detract from the purpose and function of the Neighbourhood Centre as providing small-scale commercial and community activities that service the needs of the immediate residential catchment, including consideration of cumulative effects

Safety, attractiveness and connectivity of streets and public open spaces

- b. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Neighbourhood Centre
- c. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the Neighbourhood Centre

NCZ-AC3 – Infringements to standards*Vibrancy, vitality and character of the Neighbourhood Centre*

- a. the extent to which effects of the additional building scale (including sunlight access and visual dominance) and/or infringement to the standard will detract from the attractiveness of the Neighbourhood Centre
- b. whether the building will be consistent with the character of the Neighbourhood Centre and the local suburban character (or rural settlement character for the Meeanee Neighbourhood Centre) particularly as perceived from streets and public open spaces
- c. whether a minor height infringement provides for an attractive and integrated roof form

Safety, attractiveness and connectivity of streets and public open spaces

- d. whether infringements to the height standard may be appropriate on corner sites to reinforce the prominence of the corner and assistance with wayfinding
- e. whether the development will contribute to safe and attractive street and public open spaces, including having regard to the function of the street under the functional classification

Healthy, safe, high amenity and comfortable living environments

- f. whether a good standard of privacy and daylight access is achieved for residents
- g. whether a complying residential development would be prevented on an adjoining site as a result of the infringement
- h. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

General standard infringement

- i. In addition to the specific criteria for a standard infringement, the following criteria apply:
 - i. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
 - ii. Where more than one standard will be infringed, the cumulative effects of all infringements

considered together

LCZ - Local Centre Zone

Introduction

The purpose of the Local Centre Zone is to provide for a range of commercial and community activities to service the needs of the residential catchment. The Local Centre Zone applies to the Greenmeadows, Pirimai, Onekawa, Mareanui, Marewa and Ahuriri centres as well as Bay View.

A key outcome the District Plan seeks to achieve is “Great urban areas”. The quality of urban areas, including Local Centres, impacts directly on our quality of life. The layout and design of Local Centres can contribute to their attractiveness, community cohesion, safety, health and economic and social wellbeing. The provisions of the Local Centre Zone seek to ensure development contributes to achieving Great Urban Areas within these important focal points for community life.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the zone provisions provide for an appropriate range of activities, and manage the bulk and location of buildings to contribute to an attractive centre.

Issues

LCZ-I1 Local Centres have an important function in providing for the local amenities and needs of the residential catchment

Local Centres have an important function in the overall hierarchy of centres within Napier. They have the potential to serve as focal points for community life. They can provide for a range of day-to-day amenities (such as convenience retail, takeaway food stores, hairdressers, bookstores, pharmacies) and provide spaces for people to meet, gather and recreate with others in their community.

The Hawkes Bay District Health Board has indicated that it is seeking to improve access to primary healthcare facilities in communities. Local Centres can also provide health services for the needs of the residential catchment.

LCZ-I2 Poor quality design can detract from the safety and attractiveness of Local Centres, including detracting people from walking and cycling

Quality design in commercial areas can assist in encouraging pedestrian activity and also people to leave their homes to shop, dine, relax and be entertained in their local community.

Enhancing connectivity, particularly for walking and cycling, will bring more people into their Local Centre (improving its role as a community and economic hub), enhance safety, and assist in achieving “Great Urban Areas”. There are areas throughout our neighbourhoods where connectivity could be improved. There is also a tension between enabling and providing car parking, and ensuring streets fronting our local centres are attractive places which are safe for pedestrians and cyclists.

Local Centres are within walking and cycling distance from where people live and therefore assist in reducing reliance on private motor vehicles. Where residential units can be accommodated without displacing core Local Centre activities, this can provide for housing choice in the community while also reducing reliance on motor vehicles for people to meet their day-to-day needs. Local Centres

can also function as key bus stops, providing accessibility to Taradale Town Centre, Napier City Centre and Hastings.

Objectives

LCZ-O1: Local Centre function

Local Centres have a range of commercial and community activities that service the needs of the residential catchment

Relates to LCZ-I1

LCZ-O2: Character and amenity

Development and activities contribute to an attractive Local Centre that does not detract from the character of:

- a. suburban environment; or
- b. in the Bayview Local Centre, the rural settlement environment.

Relates to LCZ-I2

LCZ-O3: Local Centre living

Provide residential living opportunities with healthy, safe, high amenity and comfortable living environments where this does not detract from the core function of the local centre

Relates to LCZ-I1 and LCZ-I2

LCZ-O4: Access and Connectivity

Local Centres are highly accessible by a range of transport modes with good quality infrastructure and facilities to support safe, convenient and efficient walking, cycling and public transport

Relates to LCZ-I2

LCZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to SD-I3

Policies

LCZ-P1: Activities

Protect the function of the local centre as a service centre for the residential catchment including by:

- a. providing for a range of commercial and community activities; and
- b. restricting large format retail and industrial activities.

Relates to LCZ-O1

LCZ-P2: Activities in the Bayview Local Centre

Provide for a range of commercial and community activities in the Bayview village control area that service the needs of the rural settlement catchment, including by enabling light industrial activities

Relates to LCZ-O1

LCZ-P3: Quality public realm

Manage the height, bulk and form of development within the zone to reflect the intensity, scale and character of the Local Centre including by:

- a. managing the height, bulk and form of development to provide to be consistent with a suburban character (or rural settlement character for the Bayview village control area) and to provide access to sunlight in streets, public open spaces, and adjacent residential properties
- b. requiring development to minimal visual amenity effects on street, public open spaces and adjacent residential properties including through incorporating landscaping
- c. minimising visual clutter

Relates to LCZ-O2

LCZ-P4: Local centre living

Enable residential development including conversions in the Local Centre while:

- a. managing development to achieving healthy, safe, high amenity and comfortable living environments for residents
- b. Avoiding residential units at ground floor to ensure the Local Centre is efficiently utilised for activities that contribute to its core function

Relates to LCZ-O3

LCZ-P5: Access and connectivity

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. requiring at grade car parking to be located and designed to optimise pedestrian safety and visual quality of the street

- b. supporting the development of public transport, pedestrian and cycle networks to and within the local centre

Relates to LCZ-O4

LCZ-P6: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised and the resilience of the Local Centre is improved, including by:

- a. requiring water sensitive design / low-impact stormwater management where practicable
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand, including consideration of the effects of climate change

Relates to LCZ-O5

Local Centre Zone - Activity Table

LCZ-R1 New buildings		
Activity Status: Permitted		
LCZ-R2 Commercial Activities		
<p>LCZ-R2A Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. The gross floor area of a tenancy for retail activity is no greater than 500m²</p>	<p>LCZ-R2B Activity Status where activity conditions are not met: Discretionary</p>	
LCZ-R3 Residential Activities		
<p>LCZ-R3A Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. Residential units must not be located on the ground floor of the building within 10m of the street frontage</p>	<p>LCZ-R3B Activity Status where activity conditions are not met: Non-complying</p>	
LCZ-R4 Community facilities		
Activity Status: Permitted	NA	
LCZ-R5 Educational activities		
Activity Status: Permitted	NA	
LCZ-R6 Entertainment activities		
Activity Status: Permitted	NA	

LCZ-R7 Visitor accommodation		
Activity Status: Permitted	NA	
LCZ-R8 Industrial activity in the Bayview control area		
<p>LCZ-R8A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The industrial activity is one of the following activities: <ol style="list-style-type: none"> a. Light manufacturing and servicing b. Repair and maintenance services c. Warehousing and storage 	<p>LCZ-R8B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>	
LCZ-R9 Car parking areas		
<p>LCZ-R9A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. 1 indigenous specimen tree is provided for every ten car parks <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function of the Local Centre 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>	<p>LCZ-R9B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>	
LCZ-R10 Activities infringing standards		
<p>Activity Status: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA	

LCZ-R11 Service stations		
Activity Status: Discretionary	NA	
LCZ-R12 Drive-through facilities		
Activity Status: Discretionary	NA	
LCZ-R13 Activities not otherwise provided for		
Activity Status: Non-complying	NA	
Where the following activity conditions are met:		
1. The activity is not provided for under Rules LCZ-R1 – LCZ-R12		

Local Centre Zone - Standards Table

LCZ-S1 Height		Activity status when standards are not met
<i>Purpose: to maintain the suburban character of Local Centres (or the rural settlement character of the Bayview village control area) while enabling development that can accommodate commercial and community facilities</i>	<ol style="list-style-type: none"> Maximum height 10m 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Function of the Local Centre Character of the Local Centre Safety, attractiveness and connectivity of streets and public open spaces
LCZ-S2 Height in relation to boundary		
<i>Purpose: to maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment :</i>	<ol style="list-style-type: none"> Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries where the boundary abuts a Residential Zone, as shown in TCZ-S2-Fig1 below Control TCZ-S2(1) above does not apply to aerials, lines, support structures, solar heating devices, air conditions units and similar structures housing electronic or mechanical equipment or 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments

	<p>chimneys, no more than 1m wide in any horizontal direction and less than 2.5m in height beyond the building envelope.</p>	
LCZ-S3 Yards		
<p>Purpose: to maintain a suburban character to maintain the suburban character of Local Centres (or the rural settlement character of the Bayview village control area); to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</p>	<ol style="list-style-type: none"> 1. Any part of a building must not be erected closer than 6 metres to a side or rear site boundary where the boundary abuts a Residential or Settlement Zone 2. The yard required under clause (1) above shall include a 2m landscaping strip 3. Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Operation and maintenance of watercourses and open drains
LCZ-S4 Verandahs		
<p>Purpose: to provide a safe and comfortable environment for pedestrians and to maintain a safe and efficient integrated transport network</p>	<ol style="list-style-type: none"> 1. Any part of a building fronting onto an activated street must have a verandah meeting the following standards: <ol style="list-style-type: none"> a. Suspended from the building b. Not less than 3 metres above the footpath c. No greater than 4 metres above the footpath d. Where there are verandahs on buildings on one or more adjoining sites, the verandah should be contiguous with the height of at least one adjoining verandah to provide continuity of verandah height e. Continuous to provide weather protection along the frontage of each site 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Local Centre 3. Character of the Local Centre 4. Safety, attractiveness and connectivity of streets and public open spaces

	<ul style="list-style-type: none"> f. No closer than 450mm to the edge of the road carriageway g. Include drainage to control rain run-off h. Lighting shall be provided under the verandah. 	
LCZ-S5 Frontages		
<p>Activated streets</p> <p><i>Purpose: to provide an active and vibrant frontage along activated streets; to avoid locating activities that require privacy on the ground floor of buildings along activated streets</i></p>	<ul style="list-style-type: none"> 1. The building must adjoin the entire length of the street frontage excluding vehicle access (where provided) and pedestrian access 2. Pedestrian access to the building must be provided at the street frontage and be flush with street level 3. Residential units and visitor accommodation must not be located on the ground floor of the building within 10m from the street frontage 4. A minimum of 70% of the area of the building frontage at ground level shall have a clear, glazed window display space 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Local Centre 3. Character of the Local Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
<p>Other streets</p> <p><i>Purpose: to provide for attractive streetscapes within the Local Centre</i></p>	<ul style="list-style-type: none"> 5. Where a building is not located along a commercial centre street, a landscape buffer of 2m in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass). 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 5. Purpose of the Standard 6. Function of the Local Centre 7. Character of the Local Centre 8. Safety, attractiveness and connectivity of streets and public open spaces
LCZ-S6 Residential privacy and light access (“outlook space”)		
<p><i>Residential units</i></p>	<ul style="list-style-type: none"> 1. An outlook space must be 	<p>Activity Status where standards are</p>

<p><i>and Visitor Accommodation activities only</i></p> <p>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the Local Centre</p>	<p>provided from windows to a habitable room.</p> <ol style="list-style-type: none"> 2. The minimum dimensions for a required outlook space are as follows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth and 3m in width <i>needs a diagram</i> 3. Outlook spaces may be within the site, over a public street, or other public open space 4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation. 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments
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LCZ-S7 Minimum residential unit size	
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<p>Purpose: Homes that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy.</p>	<ol style="list-style-type: none"> 1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> a. Studio – 35m² b. 1 bedroom – 45m² c. 2 bedroom – 70m² d. 3 bedroom – 90m² 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
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LCZ-S8 Screening	
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<p>Purpose: To</p>	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be 	<p>Activity Status where standards are</p>
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<p><i>provide for the functional needs of activities while ensuring storage areas do not detract from the safety and attractiveness of streetscapes</i></p>	<p>provided on every site for the temporary storage of refuse. This must be screened from the public view and where possible located to the rear of the site.</p> <p>2. The area must be secured so as not to provide a food source for birds or vermin</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
<p>LCZ-S9 Fences and walls</p>		
<p>Purpose: to provide for safety and attractiveness of streetscapes</p>	<ol style="list-style-type: none"> 1. Fences or walls must not be located within 5m of the front boundary. 2. Fences or walls adjoining a site zoned Residential, Settlement or Open Space must not exceed 2m in height. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces

Assessment criteria

LCZ-AC1 – Commercial Activities not meeting permitted standards; Service Stations; Drive-through facilities (LCZ-R2, LCZ-R10 and LCZ-R11)

Function of the Local Centre

- a. Whether the commercial activity will detract from the purpose and function of the Local Centre as the focal point for commercial and community activities that service the needs of the residential catchment (or rural settlement catchment for the Bayview village control area), including consideration of cumulative effects

Safety, attractiveness and connectivity of streets and public open spaces

- b. The extent to which:
 - i. the development will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Local Centre
 - ii. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - iii. traffic generation will compromise the character of the Local Centre
 - iv. the location and nature of the commercial activity will reduce reliance on private motor vehicles and increase walking and cycling to, from and within the Local Centre
- c. The extent to which the design and layout of access and parking associated with the commercial activity will provide safe access to the activity for pedestrians and cyclists, and motorists.

Infrastructure and resilience

- d. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, having regard to the potential effects of climate change. This includes incorporating low impact stormwater design, where appropriate.

LCZ-AC2 – Non-accessory car parking areas (TCZ-R8)

Function of the Local Centre

- a. Whether the commercial activity will detract from the purpose and function of the Local Centre as the focal point for commercial and community activities that service the needs of the residential catchment, including consideration of cumulative effects

Safety, attractiveness and connectivity of streets and public open spaces

- b. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Local Centre
- c. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the Local Centre

LCZ-AC6 – Infringements to standards

Vibrancy, vitality and character of the Local Centre

- a. the extent to which effects of the additional building scale (including sunlight access and visual dominance) and/or infringement to the standard will detract from the attractiveness of the Local Centre
- b. whether the building will be consistent with the character of the Local Centre and the local suburban character ((or rural settlement character for the Bayview village control area) particularly as perceived from streets and public open spaces
- c. whether a minor height infringement provides for an attractive and integrated roof form

Safety, attractiveness and connectivity of streets and public open spaces

- d. whether infringements to the height standard may be appropriate on corner sites to reinforce the prominence of the corner and assistance with wayfinding
- e. whether the development will contribute to safe and attractive street and public open spaces, including having regard to the function of the street under the functional classification

Healthy, safe, high amenity and comfortable living environments

- f. whether a good standard of privacy and daylight access is achieved for residents
- g. whether a complying residential development would be prevented on an adjoining site as a result of the infringement

- h. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

General standard infringement

- i. In addition to the specific criteria for a standard infringement, the following criteria apply:
- i. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
 - ii. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

LFRZ – Large Format Retail Zone

Introduction

The purpose of the Large Format Retail Zone is to provide predominantly for commercial activities which require large floor or yard areas.

A key outcome the District Plan seeks to achieve is “Great urban areas”. Large Format Retail activities contribute to the overall retail offering within the city. Providing for these activities appropriately while ensuring that effects including transport generation, visual amenity and on the vibrancy of the City Centre are minimised will assist in achieving Great Urban Areas within Napier City.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the Large Format Retail zone provisions provide for the following:

- enabling retail activities which require large floor areas
- avoiding other activities to ensure efficient use of the zone for its intended purpose as identified in Napier’s Retail Strategy,
- ensure development within the zone does not detract from the vibrancy and vitality of the City Centre
- requiring landscaping for car parking areas along Prebensen Drive to contribute to the attractiveness of the area
- requiring activities other than those permitted in the zone to provide an assessment of effects from transport generation and on the capacity of infrastructure services.

Issues

LFRZ-I1 An appropriate location is required for large format retail activities

Ideally large format retailing would be accommodated on the outskirts of the City Centre or adjacent Mixed Use Zone. However the Retail Strategy 2020 and supporting studies recognise that the land holdings within this zone are of such a size that this may not be a realistic or achievable outcome in all instances.

The Large Format Retail Zone is intended to complement rather than compete with the City Centre Zone, while also reducing pressure for commercial activities on the short supply of industrially zoned land. Other activities in the Large Format Retail Zone, such as residential and industrial activities, could compromise the efficient use of the land for the intended activity and are therefore restricted in the zone. The amenity of the zone is also intended to provide for the functional requirements of large format retail activities while maintaining an attractive appearance consistent with the outcome of “Great Urban Areas”.

LFRZ-I2 Retail and hospitality activities outside of centres can affect the community and economic function of centres, in particularly Napier’s City Centre

A dispersed retail function for Napier could have a significant effect on the continued viability and vibrancy of Napier’s City Centre. Much of Napier’s heritage and culture are identified in the city centre art deco building resource, a resource that was purpose built for specialty retail activity. Napier’s past and future relies on the vibrancy of this area. However, the dynamic face of retailing means that the Council also needs to provide for large format retailing in a form that has the least

effect on the historic commercial centre and has done this by zoning land along Prebensen Drive for this purpose.

The Council's Retail Strategy clearly identifies that if small retail units are permitted as part of a large format retail development this will have an adverse effect on the Napier City heritage precinct. This has resulted in a strategy for retailing that clearly establishes that specialty retailing should locate in the City Centre core retail area, the remainder of the City Centre will cater for retail activity with a 500m² minimum floor area and that the Large Format Retail zone will provide for 1000m² minimum floor area and above. The strategy does not support specialty retailing outside of the centre zones, and this would include specialty retailing associated with large format retail development. The primary reason is due to the adverse impact on the vibrancy and vitality of the City Centre, and the consequential community and economic wellbeing effects.

The provisions enable large format retail activities, and also one hospitality activity per site to facilitate an ancillary café or similar as an amenity for shoppers and staff. Large developments on sites greater than 3ha also have an allowance for tenancies between 500sqm – 1000sqm to facilitate the economic viability of the collective offering.

LFRZ-I3 Large Format Retail activities generate traffic and demand on infrastructure services

Large format retail activities have the potential for significant transport generation and associated effects on the local and wider transportation network. Prebensen Drive has been designed to accommodate a reasonable level of development within the zone. However, the location of access points and design of intersections is important to ensure the safe and efficient operation of this important arterial route, as well as the local feeder roads. The provisions of the transport chapter require that no new access be provided to sites directly from Prebensen Drive.

Further, intensity of development beyond that permitted in the zone has the potential for adverse effects on the transport network. Development beyond permitted levels in the zone will therefore require an integrated transport assessment, including consideration of potential cumulative effects on this key transport route.

Further, it is important to minimise the effects of contaminants carried in stormwater runoff from development in the area particularly due to the sensitive Ahuriri Estuary being the point of stormwater discharge. Impervious area limits and landscaping requirements apply to development in the Large Format Retail Zone.

Objectives

LFRZ-O1: Large format retail activities

Large format retail activities are established and operate within the zone

Relates to LFRZ-I1

LFRZ-O2: Other activities

Activities which detract from the role and function of the commercial centres, mixed use and industrial zones do not establish in the Large Format Retail Zone

Relates to LFRZ-I1 and LFRZ-I2

LFRZ-O3: Character and Amenity

The area provides for the functional requirements of large format retail activities while maintaining a reasonable standard of amenity

Relates to LFRZ-I1

LFRZ-O4: Transport

The Large Format Zone is highly accessible by a range of transport modes while maintaining the safety and efficiency of the integrated transportation network

Relates to LFRZ-I3

LFRZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to LFRZ-I3

Policies

LFRZ-P1: Activities

Provide for the efficient use of the zone for large format retail activities and ensure activities do not detract from the vibrancy and vitality of the City Centre or other Centre zones by:

- a. enabling retail activities which require large floor areas; and
- b. avoiding other activities not provided for in the zone

Relates to LFRZ-O1 and LFRZ-O2

LFRZ-P2: Character and amenity

Manage the form and layout of development (including buildings and landscaping) to provide for the functional requirements of large format retail activities while maintaining an attractive appearance from streets and public open space

Relates to LFRZ-O3

LFRZ-P3: Transport

Provide good quality access and connectivity between streets, public open spaces and private property including by:

- a. managing the intensity of activities and traffic generation to maintain a safe and efficient integrated transport network

- b. enhancing the amenity of transport routes including through landscaping and traffic safety design
- c. managing the location of access and design of intersections to enable the safe and efficient operation of the integrated transportation network

Relates to LFRZ-O4

LFRZ-P4: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. limiting the impervious area on sites
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand, including consideration of the effects of climate change
- c. requiring water sensitive design / low-impact stormwater management where practicable

Relates to LFRZ-O5

Large Format Retail Zone - Activity Table

1. Refer to Part 1 for how to use this plan, definitions and abbreviations.
2. District-wide objectives, policies, rules and standards apply in addition to the activities below.
Note: Access restrictions apply to Prebensen Drive under the Transport chapter
3. Unless otherwise stated, the standards apply to all activities
4. Where there is conflict between a rule condition and a standard, the rule condition prevails.
5. The matters of discretion in the rules apply together with the matters in the standards.
6. Where the activity is subject to more than one rule, the more stringent rule category will apply
7. Activities must also comply with:
8. the Napier City Stormwater Bylaw
9. the Napier City Council Trade Waste Bylaw
10. Code of Practice for Subdivision and Land Development

LFRZ-R1 Retail activity	
LFRZ-R1A Activity Status: Permitted Where the following activity conditions are met: <ol style="list-style-type: none"> 1. The minimum gross floor area of any individual retail tenancy is 1000m² (other than provided for under clause (2) below) 2. On any site greater than 3 hectares, the gross floor area of no more than 25% of any individual tenancies on the site may be between 500m² and 1000m² 	LFRZ-R1B Activity Status where activity conditions are not met: Non-complying
LFRZ-R2 Hospitality activity	
LFRZ-R2A Activity Status: Permitted	LFRZ-R2B Activity Status where activity conditions are not met: Non-

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One hospitality activity per site 2. Maximum gross floor area of 150m² 	complying
LFRZ-R3 Car parking areas	
<p>LFRZ-R3 A Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The car parking area is ancillary to a permitted activity. 2. A 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of each road frontage (except for the vehicle crossing) 3. 1 indigenous specimen tree is provided for every ten car parks. 	<p>LFRZ-R3 B Activity Status where activity conditions are not met: Discretionary</p>
LFRZ-R4 Activities infringing standards LFRZ-S1 – LFRZ-S3 and LFRZ-S5 – LFRZ-S7	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule.</i></p>	NA
LFRZ-R5 Activities infringing standard LFRZ-S4 Site intensity	
Activity Status: Discretionary	NA
LFRZ-R6 Activities not otherwise provided for	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is not provided for under Rules LFRZ-R1 – LFRZ-R3 	

Large Format Retail Zone - Standards Table

LFRZ-S1 Height	
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<p>Purpose: to minimise visual effects from development in the Large Format Retail Zone and the urban form of the city</p>	<p>1. Maximum height 12m</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Character of the area 3. Amenity values 4. City urban form
<p>LFRZ-S2 Height in relation to boundary</p>		
<p>Purpose: to minimise visual effects from development in the Large Format Retail Zone and the urban form of the city; maintain a reasonable level of sunlight access and amenity for neighbouring properties</p>	<ol style="list-style-type: none"> 1. Buildings must not project beyond a 45 degree recession plane measured from a point 7.5m vertically above ground level along side and rear boundaries (or 3.0m where the boundary adjoins any land zoned other than commercial or industrial), as shown in LFRZ-S2-Fig1 below 2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of LFRZ-S2(2) above. 3. LFRZ-S2(2) above does not apply to a boundary adjoining site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed. 4. Control LFRZ-S2(2) above does not apply to aerials, lines, support structures, solar heating devices, air conditions units and similar structures housing electronic or mechanical equipment or chimneys, no more than 1m wide in any horizontal direction and less than 2.5m in height beyond the building envelope 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Character of the area 4. City urban form
<p>LFRZ-S3 Yards</p>		
<p>Purpose: to</p>	<p>1. Any building or part of a building</p>	<p>Matters of discretion are restricted</p>

<i>maintain the amenity values of Prebensen Drive</i>	(including eaves and guttering) must not be erected closer than 20 metres from the Prebensen Drive and/or Severn Street boundary.	to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Character of the area
LFRZ-S4 Site intensity		
<i>Purpose: to manage traffic generation and infrastructure demand from development</i>	<ol style="list-style-type: none"> 1. The gross floor area for all buildings on a site must not exceed 40% of the net site area. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety and efficiency of the integrated transport network 3. Resilience and infrastructure
LFRZ-S5 Impervious area		
<i>Purpose: to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i>	<ol style="list-style-type: none"> 1. Impervious area must not exceed 90% of the net site area. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Resilience and infrastructure
LFRZ-S6 Outdoor storage		
<i>Purpose: To provide for the functional needs of activities while ensuring storage areas do not detract from the safety and attractiveness of streetscapes</i>	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be provided on every site for the temporary storage of refuse. 2. All outdoor storage areas or stockpiles: <ol style="list-style-type: none"> a. must be screened from the public view and from any adjoining site in a Residential or Open Space zone by: <ol style="list-style-type: none"> i. a close-boarded or similar solid fence or wall of a minimum 1.8m in height, or ii. a 2m wide planting strip consist of shrubs and hedge or tree plantings b. where possible, be located to the rear of the site. c. must be secured so as not to provide a food source for birds or vermin d. must not exceed 1.8m in height e. must be located on sealed 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Safe and efficient transport network

	and drained areas if they consist of decomposable material likely to generate contaminated leachate	
LFRZ-S7 Fences and walls		
Purpose: <i>minimise visual effects on immediate neighbours and the street</i>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed 2m measured from the ground level at the boundary 2. Where a fence or wall of more than 1.2m in height is located within 2m of a road boundary, a 1m deep planting strip shall be provided between the fence and the road boundary: <ol style="list-style-type: none"> a. The planting strip shall consist of indigenous shrubs and hedge or tree plantings b. The planting shall be selected, located, provided at a density, and maintained in a manner to ensure that, when mature, a minimum 1.2m high visually impermeable screen of planting is achieved along the length of the planting strip c. Trees and plants within the planting strip shall be selected, located and maintained in a manner so as not to: <ol style="list-style-type: none"> i. Create traffic safety problems by obscuring visibility for road users or train drivers ii. Obstruct traffic, official road, or hazard signage iii. Interfere with transport infrastructure or network utilities. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Character of the area 4. Safe and efficient transport network

Assessment criteria

LFRZ-AC1 – Activities not meeting permitted standards (LFRZ-R3)

Safety, attractiveness and connectivity of streets and public open spaces

- a. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Large Format Retail zone

- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the Large Format Retail zone

Safe and efficient transportation network

- c. The extent to which the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network, including local intersections and the function of Prebensen Road as a primary arterial route.

Sustainable use of the zone for meeting large format retail needs

- d. The purpose of the carpark and what activity the carpark is supporting.
- e. Whether the carpark will compromise the use of the zone for large format retail purposes.

LFRZ-AC2 – Activities not meeting permitted standards (LFRZ-R4)

Amenity values and character of the area

- a. The extent to which the site layout, landscaping and building design positively contributes to the safety, attractiveness, and character of the area particularly as experienced from streets, laneways and public open spaces

Resilience and infrastructure

- b. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Safe and efficient transportation network

- c. The extent to which the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network, including local intersections and the function of Prebensen Road as a primary arterial route
- d. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians and cyclists.

General

In addition to the specific criteria for a standard infringement, the following criteria apply:

- e. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- f. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

MUZ - Mixed Use Zone

Introduction

The purpose of the Mixed Use Zone is to provide for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities. The zone applies to the fringe of Napier's City Centre, and to land in Ahuriri south of Bridge Street.

A key outcome the District Plan seeks to achieve is "Great urban areas". The quality of urban areas, including Ahuriri and the City Centre fringe, impacts directly on our quality of life. The layout and design of Mixed Use zoned areas can contribute to their attractiveness, community cohesion, safety, health and economic and social wellbeing. The provisions of the Mixed Use Zone seek to ensure development contributes to achieving Great Urban Areas by enabling a mix of activities to co-exist.

Another key outcome the District Plan seeks to achieve is "Regional approach to Industry". The Mixed Use zone has a function in the regional approach to industry by providing opportunities for light industry that complement other activities in these areas.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the Mixed Use zone provisions provide for the following:

- achieving quality environments to live, learn, work, visit and play while recognising the established character and amenity values of Mixed Use zones
- enabling growth, including residential developments, without detracting from the primacy of Napier's city centre as the focal points for economic and community life
- improving accessibility and connectivity to, from and within Mixed Use Zones for all transport modes, including recognising essential freight routes to the Port and Airport
- improving resilience of Mixed Use zones to natural hazards including earthquakes and the effects of climate change
- ensuring appropriate infrastructure is in place to service development
- reducing impact of development on infrastructure and the environment through low-impact design.

Issues

MUZ-I1 A mix of activities contributes to the vibrancy of mixed use zones but can also create conflict through reverse sensitivity issues on legitimate business activities, and conversely detract from the amenity values of sensitive activities

The majority of industry which is currently undertaken in the Mixed Use zone is long established and has been operating with generally few noise complaints. There is an apprehension among these industries that the amenity expectations of new more sensitive activities, such as residential, will result in more stringent noise limits and create an environment that will be difficult for them to operate in. It would be both unfair and against the intent of the Mixed Use Zone to penalise industry by establishing a noise environment that provides a similar level of amenity to a Residential Zone. The Mixed Use Zone therefore has noise provisions that will allow industry to operate at reasonable levels whilst providing some protection for sensitive uses within the zone and in the adjoining residential zones. The Council requires any new noise sensitive activity to adopt measures to protect occupiers from noise levels that may be higher than those experienced in a traditional residential environment.

MUZ-I2 Retail and office activity in mixed use zones can detract from the vibrancy and vitality of the City Centre and other Centres

A dispersed retail function for Napier could have a significant effect on the continued viability and vibrancy of Napier's City Centre. Much of Napier's heritage and culture are identified in the city centre art deco building resource, a resource that was purpose built for retail activity. Like the past, Napier's future relies on the vibrancy of this area.

This has resulted in a Retail Strategy that clearly establishes that specialty retailing should locate in the City Centre core retail area (Napier City Heritage Precinct), the remainder of the City Centre will cater for retail activity with a 200m² minimum floor area and that the Large Format Retail zone will provide for minimum floor areas of 1000m² and above. The strategy does not support specialty retailing outside of the centre zones. The primary reason is due to the impact on the sustainable management of the inner city heritage resource. Local centre zones also provide opportunity for specialty retailing to support local service needs in close proximity to the community which they serve.

MUZ-I3 Growth and redevelopment within the Mixed Use zone provides additional demands on the integrated transportation network and existing connectivity constraints

The primary freight access routes (road and rail) to the Port run along the north of the Ahuriri Mixed Use Zone. Activities within the Mixed Use Zone have the potential to affect the safety and efficiency of that essential gateway to the port. High trip generating activities require assessment against the potential for cumulative effects on this essential route that support regional economic wellbeing.

Where there is a mix of activities, as provided for in the Mixed Use zone, there is an increased potential for traffic conflict arising. Many of the industries rely on heavy vehicle transportation and they have become used to low traffic environments. This combined with building developments which due to historical reasons do not have adequate on-site loading areas and narrow roads mean that there are often vehicles occupying the road that impinge on the free passage of traffic. The Council has established a functional hierarchy for the transportation network to encourage through traffic to keep off the local roads and provisions are included in the plan to ensure that any new development provides for on-site loading areas.

Enhancing connectivity, particularly for walking and cycling, will enhance safety and efficiency, and assist in achieving "Great Urban Areas". There are areas throughout Napier's Mixed Use zones where connectivity could be improved, including for pedestrians and cyclists. Tension points arise where the railway crosses through key access routes; where there are conflicts between vehicle access routes and cycle/pedestrian routes; and for active modes crossing key freight routes. There is also a tension between enabling car parking and ensuring streets are attractive places that are safe for pedestrians and cyclists.

Integrating land use and transportation planning for the Mixed Use zones will optimise accessibility and contribute to economic and community wellbeing.

Objectives

MUZ-O1: Mixed use

A mix of compatible residential, commercial, light industrial, recreational and/or community activities are able to establish and operate

Relates to MUZ-I1

MUZ-O2: Quality living environments

Residential developments provide healthy, safe, and comfortable living environments for residents with a reasonable standard of amenity reflecting the mixed use context

Relates to MUZ-I1

MUZ-O3: Vibrancy and vitality of centres

Activities within the zone do not compromise the function, role and amenity of the City Centre Zone and other centres

Relates to MUZ-I2

MUZ-O4: Quality built environment

The quality of the built environment in the Mixed Use Zone is enhanced

Relates to MUZ-I3

MUZ-O5: Access and Connectivity

The Mixed Use Zone is highly accessible by a range of transport modes while maintaining the safety and efficiency of identified freight routes, including the key access to the Port

Relates to MUZ-I4

MUZ-O6: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to SD-I3

Policies

MUZ-P1: Mix of activities

Encourage a compatible mix of activities within the zone by:

- a. providing for the operational requirements of light industry whilst ensuring a reasonable level of amenity for sensitive uses within the Mixed Use Zone and adjacent Residential Zones
- b. limiting retailing and office accommodation to ensure that the function, role and amenity of the City Centre Zone and other centres is not compromised
- c. enabling residential, recreational and/or community activities outside of identified areas of risk
- d. avoiding new heavy industry activities

Relates to MUZ-O1, MUZ-O2 and MUZ-O3

MUZ-P3: Quality living environments

Enable residential developments and conversions in the Mixed Use zone outside of identified areas of risk while managing development to achieve healthy, safe, and comfortable living environments for residents.

Relates to MUZ-O2

MUZ-P4: Quality built environment

Manage the height, bulk, form and design of development within the zone to reflect and enhance the amenity of the established Mixed Use zone including by:

- a. requiring development to provide visual interest through building layout and design, quality landscaping using indigenous vegetation and/or other mitigation measures appropriate for the context of the site
- b. ensuring that visual, noise and other effects of industrial and commercial activities, including outdoor storage, are avoided or mitigated
- c. minimising visual clutter

Relates to MUZ-O4 (Note: Iron Pot and West Quay Character Precincts specifically address the heritage character in Ahuriri)

MUZ-P5: Access and connectivity

Provide good quality access and connectivity between streets, public open spaces and private property including by:

- a. prioritising the safety and efficiency of Bridge Street, the Ahuriri Bypass and the rail corridor for freight and other vehicles accessing the Port
- b. reducing the effects of heavy traffic on the minor roads in the Mixed Use Zone (Ahuriri) by encouraging the use of Bridge Street as a through route
- c. prioritising the safety and efficiency of other key freight routes for heavy vehicles
- d. supporting the development of public transport, pedestrian and cycle networks to and within the zone where they do not conflict with (a) –(c) above
- e. enhancing the amenity of transport routes including through landscaping and traffic safety design
- f. providing for appropriate crossings points for all transport modes, including cyclists and pedestrians

Relates to MUZ-O5

MUZ-P6: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. requiring water sensitive design / low-impact stormwater management where practicable
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate

demand, including consideration of the effects of climate change

Mixed Use Zone - Activity Table

1. Refer to Part 1 for how to use this plan, definitions and abbreviations.
2. District-wide objectives, policies, rules and standards apply in addition to the activities below.
3. Unless otherwise stated, the standards apply to all activities
4. Where there is conflict between a rule condition and a standard, the rule condition prevails.
5. The matters of discretion in the rules apply together with the matters in the standards.
6. Where the activity is subject to more than one rule, the more stringent rule category will apply
7. Activities must also comply with:
 - a. the Napier City Stormwater Bylaw
 - b. the Napier City Council Trade Waste Bylaw
 - c. Code of Practice for Subdivision and Land Development

MUZ-R1 New buildings	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The gross floor area of the building does not exceed 400m². 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Quality design 2. Accessibility and connectivity 3. Resilience and infrastructure 4. Quality living environments <p>Notification: Non-notified</p>
MUZ-R2 Commercial activity (outside the City Centre Fringe control area)	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any office accommodation: <ol style="list-style-type: none"> a. Relates to the administration and management of an industrial or commercial activity otherwise permitted in the Mixed Use Zone b. Must be limited to 20% of the gross floor area of buildings on the site 2. Any retail activity: <ol style="list-style-type: none"> a. The goods and services offered must be manufactured, processed, repaired, serviced or warehoused on the site b. Must be limited to 20% of the gross floor area of buildings on the site 	<p>Activity Status where activity conditions are not met:</p> <p>Within the Ahuriri Business Hub control area: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function, role and amenity of the City Centre and other centres 2. Healthy, safe and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces 6. Resilience and infrastructure <p>Outside the Ahuriri Business Hub control area: Non-complying</p>

MUZ-R3 Commercial activity – City Centre Fringe control area	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any office accommodation: <ol style="list-style-type: none"> a. Relates to the administration and management of an industrial or commercial activity otherwise permitted in the Mixed Use Zone b. Must be limited to 20% of the gross floor area of buildings on the site 2. One hospitality activity per site with a maximum gross floor area of 150sqm. 3. Any other retail activity must have a gross floor area of a minimum 500sqm. 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function, role and amenity of the City Centre and other centres 2. Healthy, safe and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces 6. Resilience and infrastructure
MUZ-R4 Residential activity	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. One residential unit per site; and 2. The net site area is more than 350m². 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Healthy, safe and comfortable living environments 2. Amenity values <p>Notification: Non-notified</p>
MUZ-R5 Home business	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Not more than two employees who reside outside the residential unit are on the site at any one time 2. Any outdoor storage associated with the Home business must be screened from view of any adjacent sites and public open spaces 3. Retailing of goods must not occur from the site except for: <ol style="list-style-type: none"> a. items produced on the site or b. fruit, vegetables or other natural products grown on the property c. goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function, role and amenity of the City Centre and other centres 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces 6. Resilience and infrastructure

MUZ-R6 Residential care facility	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility does not cater for more than 10 residents, excluding staff. 2. The total number of people accommodated/catered for on the site by activities MUZ-R5 – MUZ-R8 is no more than 10 (excluding staff). 	<p>Activity Status where activity conditions are not met: Discretionary</p>
MUZ-R7 Day care centres	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The day care centre does not cater for more than 10 people, excluding staff. 2. The total number of people accommodated/catered for on the site by activities MUZ-R5 – RES-R8 is no more than 10 (excluding staff). 	<p>Activity Status where activity conditions are not met: Discretionary</p>
MUZ-R8 Visitor accommodation	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Visitor accommodation does not cater for more than 5 guests, excluding staff and/or family. 2. The total number of people accommodated/catered for on the site by activities MUZ-R5 – MUZ-R8 is no more than 10 (excluding staff). 	<p>Activity Status where activity conditions are not met: Discretionary</p>
MUZ-R9 Educational facility	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The Educational Facility does not cater for more than 10 students. 2. The total number of people accommodated/catered for on the site by activities RES-R5 – RES-R8 is no more than 10 (excluding staff). 	<p>Activity Status where activity conditions are not met: Discretionary</p>
MUZ-R10 Non-accessory car parking	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>indigenous species is provided along the full frontage of the road (except for the vehicle crossing)</p> <p>b. 1 indigenous specimen tree is provided for every ten car parks</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Safety, attractiveness and connectivity of streets and public open spaces 2. Resilience and infrastructure <p>Notification: Non-notified</p>
MUZ-R11 Industrial activity	
<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The industrial activity is one of the following activities: <ol style="list-style-type: none"> a. Light manufacturing and servicing b. Repair and maintenance services c. Warehousing and storage 2. Any ancillary activity complies with the thresholds under MUZ-R2 Commercial activity. 	<p>Activity Status where activity conditions are not met: Discretionary</p>
MUZ-R12 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>Activity Status where activity conditions are not met: N/A</p>
MUZ-R13 Community facility and Entertainment facility	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Healthy, safe, and comfortable living environments 2. Amenity values 3. Character of the area 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Resilience and infrastructure <p>Notification: Non-notified</p>	<p>Activity Status where activity conditions are not met: N/A</p>
MUZ-R14 Retirement village premises	
<p>Activity Status: Discretionary</p>	<p>NA</p>
MUZ-R15 Service stations, Transport depots, Drive-through facilities	
<p>Activity Status: Discretionary</p>	<p>NA</p>
MUZ-R16 Activities not otherwise provided for	

<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is not provided for under Rules MUZ-R1 – MUZ-R13 	<p>NA</p>
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Mixed Use Zone - Standards Table

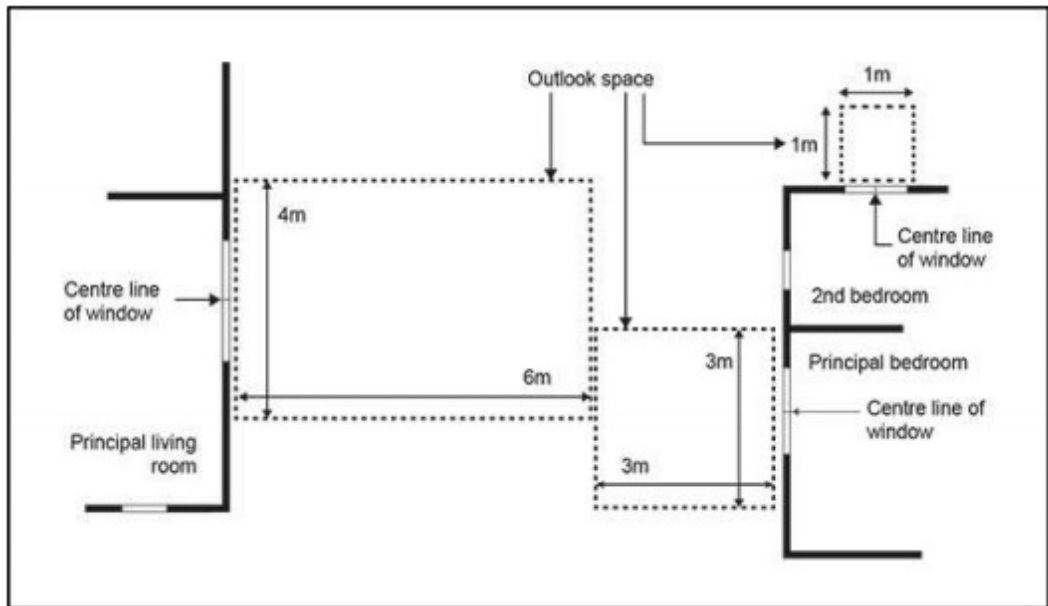
<p>MUZ-S1 Height</p>		
<p><i>Purpose: to maintain the character of the Mixed Use; to provide adequate daylight and sunlight access to public areas and open space areas</i></p>	<ol style="list-style-type: none"> 1. Maximum height 12m 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Character of the area 3. Amenity values
<p>MUZ-S2 Height in relation to boundary</p>		
<p><i>Purpose: to maintain the amenity values of established sensitive activities</i></p>	<ol style="list-style-type: none"> 1. This rule shall only apply where the site adjoins any Residential Zoned land, or where a site adjoins a site used principally for Residential Activities, Residential Care Facilities, Day Care Centres or Health care centres 2. Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries, as shown in Res-S2-Fig1 below 3. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary 4. MUZ-S2(2) above does not apply to a boundary adjoining site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area
<p>MUZ-S3 Yards</p>		
<p><i>Purpose: to</i></p>	<ol style="list-style-type: none"> 1. There is no front yard requirement 	<p>Matters of discretion are restricted</p>

<p><i>maintain the amenity values of adjacent residential zones; to maintain the attractiveness of the Pandora Road streetscape; to provide for the operation and maintenance of the Tyne Street drain</i></p>	<p>except that a minimum 3 metre landscaped yard comprised of indigenous plants is required where sites:</p> <ol style="list-style-type: none"> a. Front onto Pandora Road b. Adjoin a site that is zoned Residential <p>2. There is no side or rear yard requirement, except that no part of any building must be located within 6 metres of a residential zone site boundary or Tyne Street drain</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Operation and maintenance of watercourses and open drains
<p>MUZ-S4 Frontages</p>		
<p>Purpose: <i>to maintain an attractive streetscape</i></p>	<ol style="list-style-type: none"> 1. Where a building is not located along the street frontage, a landscape buffer of 2 metres in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass). 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Character of the area 4. Safety, attractiveness and connectivity of streets and public open spaces
<p>MUZ-S5 Building Coverage</p>		
<p>Purpose: <i>to maintain the character; and minimise effects on the quality of the neighbours' living environment.</i></p>	<ol style="list-style-type: none"> 1. Building coverage must not exceed 70% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area
<p>MUZ-S6 Impervious area</p>		
<p>Purpose: <i>to minimise potential flood risks; and to minimise effects on the capacity of the stormwater network and quality of discharges</i></p>	<ol style="list-style-type: none"> 1. Impervious area must not exceed 80% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Resilience and infrastructure
<p>MUZ-S7 Landscaped area</p>		

<p>Purpose: to maintain the character of the area; and to maintain the quality of the living environment</p>	<ol style="list-style-type: none"> 1. Landscaped area must be a minimum of 20% of the net site area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area
<p>MUZ-S8 Open Space</p>		
<p>Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite</p>	<ol style="list-style-type: none"> 1. Each residential unit located entirely above ground level shall have a balcony of a minimum 8m² in area with a minimum dimension of 2.5m. 2. Each residential unit with a GFA of 100m² or under must have a minimum open space of not less than 20m² per residential unit provided that: <ol style="list-style-type: none"> a. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 3. Each residential unit with a GFA over 100m² must have a minimum open space of not less than 50% of the GFA, provided that the maximum area of open space required to be provided under this rule is 100m² per residential unit, provided that: <ol style="list-style-type: none"> a. The open space must include at least one area capable of containing a 6 metre diameter circle. b. The open space must have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 4. Where the open space is partially provided in the form of balcony, patio or roof terrace it is at least 5m² and has a minimum dimension of 1.8m. 5. Open space must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas. 6. Open space must be directly 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values

	<p>accessible from the residential unit to which it relates.</p> <p>7. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by:</p> <ul style="list-style-type: none"> a. at least 9m for two storey buildings; and b. at least 6m for single storey buildings. <p>For the purpose of this standard south is defined as between 135 and 225 degrees (needs diagram)</p> <p><i>Advice note: Day care centres may be subject to additional open space requirements from the Ministry of Education and/or the Hawkes Bay District Health Board.</i></p>	
<p>MUZ-S9 Residential privacy and light access (“outlook space”)</p>		

<p>Residential units and Visitor Accommodation activities only</p> <p><i>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the Mixed Use zone</i></p>	<ol style="list-style-type: none"> 1. An outlook space must be provided from windows to a habitable room. 2. The minimum dimensions for a required outlook space are as follows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth and 3m in width 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values
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<ol style="list-style-type: none"> 3. Outlook spaces may be within the site, over a public street, or other public open space 4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation. 	
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MUZ-S10 Minimum residential unit size

<p><i>Purpose: Homes</i></p>	<ol style="list-style-type: none"> 1. Residential units must have a 	<p>Matters of discretion are restricted</p>
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<p><i>that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy.</i></p>	<p>minimum net internal floor area as follows:</p> <ol style="list-style-type: none"> 1. Studio – 35m² 2. 1 bedroom – 45m² 3. 2 bedroom – 70m² 4. 3 bedroom – 90m² 	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values
<p>MUZ-S11 Outdoor storage</p>		
<p>Purpose: <i>To provide for the functional needs of activities while ensuring storage areas do not detract from the safety and attractiveness of streetscapes</i></p>	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be provided for every tenant for the temporary storage of refuse. 2. All outdoor storage areas or stockpiles: <ol style="list-style-type: none"> a. must be screened from the public view and from any adjoining site in a Residential or Open Space zone by: <ol style="list-style-type: none"> i. a close-boarded or similar solid fence or wall of a minimum 1.8m in height, or ii. a 2m wide planting strip consist of shrubs and hedge or tree plantings b. where possible, be located to the rear of the site. c. must be secured so as not to provide a food source for birds or vermin d. must not exceed 1.8m in height e. must be located on sealed and drained areas if they consist of decomposable material likely to generate contaminated leachate 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces
<p>MUZ-S12 Storage of shipping containers</p>		
<p>Purpose: <i>To minimise the visual amenity effects from the storage of shipping containers</i></p>	<ol style="list-style-type: none"> 1. The outdoor storage (including the repair and distribution) of shipping containers must not exceed a height of 3m. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Amenity values 3. Character of the area 4. Safety, attractiveness and connectivity of streets and public

		open spaces
MUZ-S13 Garages		
<i>Purpose: provide for a streetscape attractive for pedestrians and cyclists; to minimise risk of vehicles overhanging the footpath</i>	<ol style="list-style-type: none"> 1. A garage door facing the street must be set back at least 5m from the site’s frontage. 2. Garages integrated within a residential unit building: <ol style="list-style-type: none"> a. Must be no closer to the front boundary than the front line of the residential unit b. the width of the garage door must be no greater than 50% of the width of the front façade of the building. 3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front façade of the residential unit. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces
MUZ-S14 Fences and walls		
<i>Purpose: to provide for privacy of residential units while enabling opportunities for passive surveillance of the street; minimise visual dominance effects to immediate neighbours and the street</i>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed 2m measured from the ground level at the boundary 2. Where a fence or wall of more than 1.2m in height is located within 2m of a road boundary, a 1m deep planting strip shall be provided between the fence and the road boundary: <ol style="list-style-type: none"> a. The planting strip shall consist of shrubs and hedge or tree plantings b. The planting shall be selected, located, provided at a density, and maintained in a manner to ensure that, when mature, a minimum 1.2m high visually impermeable screen of planting is achieved along the length of the planting strip c. Trees and plants within the planting strip shall be selected, located and 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, and comfortable living environments 3. Amenity values 4. Character of the area 5. Safety, attractiveness and connectivity of streets and public open spaces

	maintained in a manner so as not to: <ul style="list-style-type: none"> i. Create traffic safety problems by obscuring visibility for road users or train drivers ii. Obstruct traffic, official road, or hazard signage iii. Interfere with transport infrastructure or network utilities. 	
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Assessment criteria

MUZ-AC4 – New buildings not meeting permitted standards (MUZ-R1)

Quality design

- a. The extent to which the site layout and building design positively contributes to the safety, attractiveness, character and “sense of place” of the area particularly as experienced from streets, laneways and public open spaces

Accessibility and connectivity

- b. The extent to which the development is easily accessible for all members of Napier’s community
- c. the extent to which publicly accessible pedestrian and cycle connections are provided through the site where development fronts two or more streets or public open spaces (where practicable and appropriate)

Resilience and infrastructure

- d. whether the building contributes to the resilience of the area to natural hazards and climate change, where feasible

Quality living environments

- e. if the building provides residential units, whether the design and layout of the residential units provides healthy, safe, high amenity and comfortable living environments
- f. the criteria MUZ-AC1 of the General Residential Zone apply in addition to the above

MUZ-AC2 – Commercial activity (MUZ-R2) and Home business (MUZ-R4) not meeting the permitted activity standards

Function, role and amenity of the City Centre and other centres:

- a. Whether the activity will detract from the purpose and function of centres as set out in the objectives and policies of the Centre zones and Napier City Heritage and Retail Precinct.

Healthy, safe, and comfortable living environments; amenity values; character of the area

- a. The extent to which the buildings and activity will:
 - i. maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects
 - ii. maintain the character of the area.

This will include consideration of:
 - iii. site layout
 - iv. design and external appearance of buildings
 - v. dust and/or odour effects
 - vi. hours of operation
 - vii. noise generation
 - viii. screening of storage areas

Safety, attractiveness and connectivity of streets and public open spaces:

- a. The extent to which:
 - i. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of the established character
 - iii. the location and nature of the activity will reduce reliance on private motor vehicles and increase walking and cycling in the neighbourhood
- b. The extent to which access and parking associated with the activity will:
 - i. provide safe access to the activity for pedestrians and cyclists, and
 - ii. maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects

Resilience and Infrastructure

- c. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

MUZ-AC3 – Residential activities not meeting permitted standards (MUZ-R3)

- a. if the building provides residential units, whether the design and layout of the residential units provides healthy, safe, high amenity and comfortable living environments
- b. the criteria MUZ-AC1 of the General Residential Zone apply in addition to the above

MUZ-AC4 – Non-accessory car parking areas not meeting permitted standards (MUZ-R10)

Safety, attractiveness and connectivity of streets and public open spaces:

- a. The extent to which the design and layout of the car park and access, including landscaping, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the area

Resilience and Infrastructure

- b. The extent to which landscaping and low impact stormwater design is incorporated into the design of the car park

MUZ-AC5 – Community Facility & Entertainment Facility (MUZ-R13)

Healthy, safe, and comfortable living environments; amenity values; character of the area

- a. The extent to which the buildings and activity will:
 - i. maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects
 - ii. maintain the character of the area.

This will include consideration of:

- i. site layout
- ii. design and external appearance of buildings
- iii. dust and/or odour effects
- iv. hours of operation
- v. noise generation
- vi. screening of storage areas

Safety, attractiveness and connectivity of streets and public open spaces:

- b. The extent to which:
 - i. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of the established character
 - iii. the location and nature of the activity will reduce reliance on private motor vehicles and increase walking and cycling in the neighbourhood
- c. The extent to which access and parking associated with the activity will:
 - i. provide safe access to the activity for pedestrians and cyclists, and
 - ii. maintain a healthy, safe and comfortable living environment for neighbouring residents, having regard to visual and acoustic amenity effects

Resilience and Infrastructure

- d. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

MUZ-AC6 – Infringement to the height standard (MUZ-S1) and height in relation to boundary standard (MUZ-S2)

- a. whether the building will be consistent with the character of the area as perceived from streets and public open spaces

- b. the extent to which effects of the additional building scale (including sunlight access and visual dominance) will detract from the attractiveness of the area
- c. whether a minor height infringement provides for an attractive and integrated roof form that maintains the character of the area
- d. whether infringements to the height standard may be appropriate on corner sites to reinforce the prominence of the corner and assistance with wayfinding

MUZ-AC7 – Infringement to yards standard (MUZ-S3)

- a. whether the building will be consistent with the character of the area as perceived from streets and public open spaces
- b. whether a good standard of privacy and daylight access is achieved for residents onsite or adjoining
- c. Whether the infringement will impact on the amenity of the neighbouring property where the infringement occurs
- d. Whether the infringement prevents or makes difficult access to adjoining watercourses or drains for the purpose of maintenance and repair

MUZ-AC8 – Infringements to frontages (MUZ-S4); building coverage (MUZ-S5); landscaped area (MUZ-S7); and storage of shipping containers (MUZ-S12)

- a. whether the building, structure or activity will be consistent with the character of the area as perceived from streets and public open spaces
- b. the extent to which the building, structure or activity will detract from the attractiveness of the area
- c. the extent to which the infringement effects safety on the street or public open spaces, or within private property

MUZ-AC9 – Infringement to the outlook space standard (MUZ-S9)

- a. whether a good standard of privacy and daylight access is achieved for residents
- b. whether a complying residential development would be prevented on an adjoining site as a result of the infringement

MUZ-AC10 – Infringement to the minimum residential unit size standard (MUZ-S10)

- a. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

MUZ-AC11 – Infringement to the outdoor storage (MUZ-S11); garages standard (CC-S8);

fences and walls standard (MUZ-S14)

- a. whether the development will contribute to safe and attractive street and/or public open spaces, including having regard to the function of the street under the functional classification

MUZ-AC12 – All infringements to standards (MUZ-S1 – MUZ-S14)

In addition to the specific criteria for a standard infringement, the following criteria apply:

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The assessment criteria under MUZ-AC4 apply in addition to the above.

TCZ - Town Centre Zone

Introduction

The purpose of the Town Centre Zone is to provide for a range of commercial, community, recreational, and residential activities in Taradale to service the needs of the immediate and neighbouring suburbs.

A key outcome the District Plan seeks to achieve is “Great urban areas”. The quality of urban areas, including the Taradale town centre, impacts directly on our quality of life. The layout and design of the town centre can contribute to its attractiveness, community cohesion, safety, health and economic and social wellbeing. The provisions of the Town Centre Zone seek to ensure development contributes to achieving Great Urban Areas within the focal point for economic and community life in the southwestern part of our city. Residential activity is enabled above ground level to provide the opportunity for an alternative living choice and a local resident population that will support the long term vibrancy and vitality of the centre.

Another key outcome the District Plan seeks to achieve is “Greenfield Growth in the Hills”. The potential for future growth west of Taradale will further support the town centre as a key focal point for community and economic life for a growing proportion of Napier residents. The provisions of the Town Centre Zone seek to recognise the current and future function of Taradale town centre and enable growth and redevelopment opportunities, while respecting the existing character of the area.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the Town Centre zone provisions provide for the following:

- achieving quality environments to live, learn, work, visit and play
- enabling growth while maintaining the character of Taradale’s town centre
- improving accessibility and connectivity to, from and within the Town Centre for all transport modes, including walking and cycling
- ensuring appropriate infrastructure is in place to service development and minimise natural hazard risk

Issues

TCZ-I1 Taradale’s Town Centre has an important function in contributing to the community and economic life of existing and future residents

Taradale’s town centre was upgraded between 2010 – 2014 to make the area more pedestrian-friendly, improve lighting and enhance the attractiveness of the centre including through new street paving, furniture and landscaping. As the local community grows and evolves, ongoing changes may be required to ensure Taradale meets the needs of the local population. The provisions therefore need to accommodate change and enable redevelopment while ensuring that the intrinsic character of Taradale is maintained.

TCZ-I2 Poor quality design can detract from the attractiveness of the Town Centre, affecting economic and community wellbeing

Quality design in commercial areas can assist in encouraging increased pedestrian activity with flow on benefits as people shop, dine, relax and be entertained in centres. Design that reflects the

values of the community can enhance a sense of place and belonging. Increased vibrancy and vitality of the Taradale town centre will assist in enhancing social connectivity and economic wellbeing.

Conversely, development of poor quality, or buildings that are out of character with the Taradale town centre can dilute its attractiveness and detract from the economic sustainability of businesses and the focus for community life. There is a risk that poor quality development that is inconsistent with the character of Taradale's town centre would have negative consequences for our community.

TCZ-I3 Residential and other noise sensitive activities in the Town Centre can generate reverse sensitivity effects on noise generating activities

Taradale's town centre has the potential to become an increasingly a vibrant hive of activity including entertainment and hospitality. The establishment of additional residential apartments and other noise-sensitive activities (such as healthcare) in the town centre will contribute to housing choice and the vibrancy and vitality of Taradale. However, these activities also could result in noise complaints and requests for restrictions on noise generating activities.

The town centre and its potential as an entertainment hub serving the local and growing population needs to be protected from reverse sensitivity effects. Where residential activity is established, potential conflicts with other activities such as bars and restaurants therefore needs to be appropriately managed to ensure there are not unintended consequences on the vibrancy and vitality of the town centre.

TCZ-I4 Growth of activity in the Town Centre places additional demands on access routes and car parking

Enhancing connectivity, particularly for walking and cycling, will bring more people into the Taradale town centre, enhance safety, and assist in achieving "Great Urban Areas". There are areas throughout and surrounding the town centre where connectivity could be improved, including for pedestrians and cyclists. This includes connectivity between EIT and the Taradale town centre.

There is a tension between enabling and providing car parking, and ensuring streets are attractive places which are safe for pedestrians and cyclists. The form and location of carparks needs to be carefully considered to ensure they complement the town centre rather than detract from it. Integrating land use and transportation planning will optimise accessibility and contribute to economic and community wellbeing.

Objectives

TCZ-O1: Quality Town Centre

Taradale town centre has a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs

Relates to TCZ-I1

TCZ-O2: Taradale Character

Development and activities contribute to an attractive Town Centre and reinforce a sense of place

and identity

Relates to TC-I1 and TC-I2

TCZ-O3: Town Centre living

A range of residential living opportunities with healthy, safe, high amenity and comfortable living environments which contribute to the vibrancy and vitality of the Taradale town centre

Relates to TCZ-I3

TCZ-O4: Access and Connectivity

Taradale's town centre is highly accessible by a range of transport modes with good quality infrastructure and facilities to support safe, convenient and efficient walking, cycling and public transport

Relates to TCZ-I4

TCZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to SD-I3

Policies

TCZ-P1: Vibrant Town Centre

Provide for the vitality, vibrancy and amenity of the Taradale town centre and protect its function as a service centre for the immediate and surrounding suburbs including by:

- a. providing for a wide range and diverse mix of compatible activities, and
- b. restricting large format retail and industrial activities.

Relates to TCZ-O1

TCZ-P2: Quality public realm

Require development, including signage, to positively contribute to the character of Taradale's town centre and the quality of streets and public open spaces, including by:

- a. managing the height, bulk, form and design of development to:
 - o provide for access to sunlight in streets and public open spaces,
 - o maintain and enhance the character of the town centre
- b. requiring building frontages along key pedestrian routes to be designed to provide character,

interest and variation at street level

- c. requiring development along other routes to provide visual interest through building layout and design, quality landscaping and/or other mitigation measures appropriate for the context of the site
- d. avoiding large blank walls
- e. encouraging the design of new buildings on corner sites to emphasis the shape of the street corner through appropriate scale, form, and articulation
- f. minimising visual clutter

Relates to TCZ-O2

TCZ-P3: Town centre living

Enable residential development including conversions in the Taradale Town Centre while:

- a. managing development to achieving healthy, safe, high amenity and comfortable living environments for residents
- b. discouraging residential units at ground floor along the street frontage of centre streets
- c. minimising potential reverse sensitivity effects on other activities in the town centre, including through acoustic insulation

Relates to TCZ-O3

TCZ-P4: Access and connectivity

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. requiring pedestrian access to new or altered buildings to be flush with street level where feasible
- b. requiring at grade car parking to be located and designed to optimise pedestrian safety and visual quality of the street
- c. encouraging the provision of publicly accessible connections where development fronts two or more streets or public open spaces
- d. supporting the development of public transport, pedestrian and cycle networks to and within the town centre

Relates to TCZ-O4

TCZ-P5: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised and the resilience of the Taradale Town Centre is improved, including by:

- a. requiring water sensitive design / low-impact stormwater management where practicable
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand, including consideration of the effects of climate change

Relates to TCZ-O5

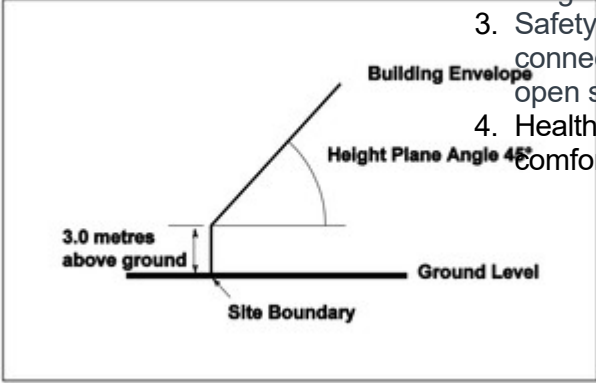
Town Centre Zone - Activity Table

TCZ-R1 Commercial Activities		
TCZ-R1A	TCZ-R1B	
Activity Status: Permitted Where the following activity conditions are met: 1. The gross floor area of a tenancy for retail activity is no greater than 1,000m ²	Activity Status where activity conditions are not met: Discretionary	
TCZ-R2 Residential Activities		
TCZ-R2A	TCZ-R2B	
Activity Status: Permitted Where the following activity conditions are met: 1. Residential units must not be located on the ground floor of the building within 10m of the street frontage <i>Note: Refer also TCZ-R8</i>	Activity Status where activity conditions are not met: Non-complying	
TCZ-R3 Community facilities		
Activity Status: Permitted	NA	
TCZ-R4 Educational activities		
Activity Status: Permitted	NA	
TCZ-R5 Entertainment activities		
Activity Status: Permitted	NA	
TCZ-R6 Visitor accommodation		
Activity Status: Permitted	NA	
TCZ-R7 Car parking areas		
TCZ-R7A	TCZ-R7B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. indigenous specimen tree is provided for every ten car parks 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the town centre 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
<p>TCZ-R8 New buildings and conversion of an existing building to residential units</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the town centre 2. Character of the town centre 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Resilience and infrastructure 5. Healthy, safe, high amenity and comfortable living environments <p>Notification: Non-notified</p>	<p>NA</p>
<p>TCZ-R9 Activities infringing standards</p>	
<p>Activity Status: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>NA</p>
<p>TCZ-R10 Service stations</p>	
<p>Activity Status: Discretionary</p>	<p>NA</p>
<p>TCZ-R11 Drive-through facilities</p>	
<p>Activity Status:Discretionary</p>	<p>NA</p>
<p>TCZ-R12 Activities not otherwise provided for</p>	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is not provided for under Rules TCZ-R1 – 	<p>NA</p>

TCZ-R11	
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Town Centre Zone - Standards Table

TCZ-S1 Height		
<i>Purpose: to maintain the character of Taradale’s Town Centre while enabling growth that contributes to the vibrancy of the town centre</i>	1. Maximum height 12m	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the Town Centre 3. Character of the Town Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
TCZ-S2 Height in relation to boundary		
<i>Purpose: to maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours’ living environment</i>	1. Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level along side and rear boundaries where the boundary abuts a Residential Zone, as shown in TC-S2-Fig1 below  <p>The diagram illustrates a site boundary as a horizontal line. A vertical line extends upwards from the boundary to a point labeled '3.0 metres above ground'. From this point, a diagonal line representing the 'Building Envelope' extends upwards and to the right at a 'Height Plane Angle 45°'. The ground level is indicated by a horizontal line below the boundary.</p>	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
	2. Control TC-S2(1) above does not apply to aerials, lines, support structures, solar heating devices, air conditions units and similar structures housing electronic or mechanical equipment or chimneys, no more than 1m wide in any horizontal direction and less than 2.5m in height beyond the building envelope.	

TCZ-S3 Yards		
<p>Purpose: to maintain a suburban character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</p>	<ol style="list-style-type: none"> 1. Any part of a building must not be erected closer than 6 metres to a side or rear site boundary where the boundary abuts a Residential Zone 2. The yard required under clause (1) above shall include a 2m landscaping strip 3. Any part of a building, fence or structure must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Operation and maintenance of watercourses and open drains
TCZ-S4 Verandahs		
<p>Purpose: to provide a safe and comfortable environment for pedestrians and to maintain a safe and efficient integrated transport network</p>	<ol style="list-style-type: none"> 1. Any part of a building fronting onto a street must have a verandah meeting the following standards: <ol style="list-style-type: none"> a. Suspended from the building b. Not less than 3 metres above the footpath c. No greater than 4 metres above the footpath d. Where there are verandahs on buildings on one or more adjoining sites, the verandah should be contiguous with the height of at least one adjoining verandah to provide continuity of verandah height e. Continuous to provide weather protection along the frontage of each site f. No closer than 450mm to the edge of the road carriageway g. Include drainage to control rain run-off h. Lighting shall be provided under the verandah 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the Town Centre 3. Character of the Town Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
TCZ-S5 Frontages		
<p>Activated streets</p>	<ol style="list-style-type: none"> 1. The building must adjoin the entire 	<p>Activity Status where standards are</p>

<p>Purpose: to provide an active and vibrant frontage along activated streets; to avoid locating activities that require privacy on the ground floor of buildings along activated streets</p>	<p>length of the street frontage excluding vehicle and pedestrian access (where provided)</p> <ol style="list-style-type: none"> 2. Pedestrian access to the building must be provided at the street frontage and be flush with street level 3. A minimum of 70% of the area of the building frontage at ground level shall have a clear, glazed window display space 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the Town Centre 3. Character of the Town Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
<p>Other streets</p> <p>Purpose: to provide for attractive streetscapes within the Town Centre</p>	<ol style="list-style-type: none"> 1. Where a building is not located along the street frontage, a landscape buffer of 2m in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass). 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the Town Centre 3. Character of the Town Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
<p>TCZ-S6 Residential privacy and light access (“outlook space”)</p>		
<p>Residential units and Visitor Accommodation activities only</p> <p>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the town centre</p>	<ol style="list-style-type: none"> 1. An outlook space must be provided from windows to a habitable room. 2. The minimum dimensions for a required outlook space are as follows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth and 3m in width 3. Outlook spaces may be within the site, over a public street, or other public open space 4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments

TC-S7 Minimum residential unit size		
<i>Purpose: Homes that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy. .</i>	<ol style="list-style-type: none"> 1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> a. Studio – 35m² b. 1 bedroom – 45m² c. 2 bedroom – 70m² d. 3 bedroom – 90m² 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments
TCZ-S8 Screening		
<i>Purpose: To provide for the functional needs of activities while ensuring storage areas do not detract from the safety and attractiveness of streetscapes</i>	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be provided on every site for the temporary storage of refuse. This must be screened from the public view and where possible located to the rear of the site 2. The area must be secured so as not to provide a food source for birds or vermin 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
TCZ-S9 Fences and walls		
<i>Purpose: to provide for safety and attractiveness of streetscapes</i>	<ol style="list-style-type: none"> 1. Fences or walls must not be located within 5m of the front boundary. 2. Fences or walls adjoining a site zoned Residential or Open Space must not exceed 2m in height. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces

Assessment criteria

TCZ-AC1 –New buildings exceeding 400m² GFA (TCZ-R1)

Vibrancy, Vitality and Character of Town City Centre; Safety, attractiveness and connectivity of streets and public open spaces

- a. The extent to which the site layout and building design positively contributes to the vibrancy, vitality and character of Taradale's town centre, particularly as experienced from streets, laneways and public open spaces

- b. The extent to which the site layout and building design positively contributes to the attractiveness of streets, laneways and public open spaces
- c. The extent to which the development is easily accessible for all members of Napier's community
- d. Whether publicly accessible pedestrian and cycle connections are provided through the site where development fronts two or more streets or public open spaces (where practicable and appropriate)

Resilience and infrastructure

- e. whether the building contributes to the resilience of the Town Centre to natural hazards and climate change, where feasible

Healthy, safe, high amenity and comfortable living environments

- f. if the building provides residential units, whether the design and layout of the residential units provides healthy, safe, high amenity and comfortable living environments
- g. the criteria GRZ-AC1 of the General Residential Zone apply in addition to the above

Non-statutory guidance for the Town Centre

The following methods may be considered in addressing the above assessment criteria.

Vibrancy, Vitality and Character of the Town Centre; Safety, attractiveness and connectivity of streets and public open spaces (assessment criteria (c) – (g))

This includes consideration of:

- i. the design of roof profiles as part of the overall building form and architectural quality. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design
- ii. avoiding long, unrelieved blank walls (including side/rear walls) when viewed from streets and public open spaces
- iii. visually breaking up the mass of buildings
- iv. providing character, visual interest and variation at street level along key pedestrian routes. This includes providing active frontages, glazing, murals or other mechanisms to contribute to an attractive street
- v. providing visual interest along other routes, including through landscaping
- vi. quality, durable and easily maintained materials and finishes on the façade, particularly at street level
- vii. colour variation and landscaping (however these methods should not be used to mitigate a lack of building articulation or design quality)

- viii. integration of signage into the design of the building façade (where signage is provided)
- ix. integrating plant and services (e.g. air conditioning and rubbish storage) into the building design or otherwise treated to avoid detracting from the attractiveness of the street
- x. for corner sites, through emphasising the shape of the street corner through appropriate scale, form and articulation
- xi. the values of mana whenua (refer the objectives and policies of Chapter x)
- xii. whether the ground floor of a new building is at the same level as the adjoining street
- xiii. the extent to which pedestrian entrances are located on the street frontage and are clearly identifiable and level with the adjoining frontage

Resilience and infrastructure (assessment criteria (h))

This includes consideration of:

- xiv. maintaining, and where practicable enhancing, the legibility of identified evacuation routes

Quality living environments (assessment criteria (i)-(j))

This includes consideration of:

- i. the guidance for multi-residential developments in the General Residential Zone
- ii. the provision of acoustic insulation and mechanical ventilation (as required by the noise chapter)

TCZ-AC2 – Commercial Activities not meeting permitted standards; Service Stations; Drive-through facilities (TCZ-R2, TCZ-R10 and TCZ-R11)

Vibrancy and vitality of the Town Centre

- a. Whether the activity will detract from the purpose and function of the town centre as the focal point for community and economic life for the immediate and neighbouring suburbs, including consideration of cumulative effects

Safety, attractiveness and connectivity of streets and public open spaces

- b. The extent to which:
 - i. the development will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Town Centre
 - ii. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - iii. traffic generation will compromise the character of the Town Centre
 - iv. the location and nature of the commercial activity will reduce reliance on private motor vehicles and increase walking and cycling to, from and within the Town Centre
- c. The extent to which the design and layout of access and parking associated with the

commercial activity will provide safe access to the activity for pedestrians and cyclists, and motorists.

Infrastructure and resilience

- d. Whether the activity can be sufficiently serviced by water, wastewater and stormwater infrastructure, having regard to the potential effects of climate change. This includes incorporating low impact stormwater design, where appropriate.

TCZ-AC3 – Non-accessory car parking areas not meeting permitted standards (TCZ-R7)

Safety, attractiveness and connectivity of streets and public open spaces

- a. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Town Centre
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the Town Centre

TCZ-AC6 – Infringements to standards

Vibrancy, vitality and character of the Town Centre

- a. the extent to which effects of the additional building scale (including sunlight access and visual dominance) and/or infringement to the standard will detract from the attractiveness of the Town Centre
- b. whether the building will be consistent with the character of the Town Centre particularly as perceived from streets and public open spaces
- c. whether a minor height infringement provides for an attractive and integrated roof form

Safety, attractiveness and connectivity of streets and public open spaces

- d. whether infringements to the height standard may be appropriate on corner sites to reinforce the prominence of the corner and assistance with wayfinding
- e. whether the development will contribute to safe and attractive street and public open spaces, including having regard to the function of the street under the functional classification

Healthy, safe, high amenity and comfortable living environments

- f. whether a good standard of privacy and daylight access is achieved for residents
- g. whether a complying residential development would be prevented on an adjoining site as a result of the infringement
- h. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate

circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

General standard infringement

- i. In addition to the specific criteria for a standard infringement, the following criteria apply:
 - i. Any special or unusual characteristic of the site which is relevant to the rule requirement
 - ii. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
 - iii. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- iv. The assessment criteria under CCZ-AC1 apply in addition to the above.

CCZ - City Centre Zone

Introduction

The purpose of the City Centre Zone is to provide for a diverse range of commercial, community, recreational, and residential activities to support the CBD as the 'heart' of Napier.

A key outcome the District Plan seeks to achieve is "City Living for a Vibrant CBD". Increasing the number of people living in and around our city centre will support businesses after 5pm, and improve the vibrancy of our CBD for everybody. It will also add some greater variety to housing choices, and further encourage multi modal transport options including walking and cycling to work and for leisure.

Another key outcome the District Plan seeks to achieve is "Great urban areas". The quality of urban areas, including our city centre, impacts directly on our quality of life. The layout and design of the city centre can contribute to its attractiveness, community cohesion, safety, health and economic and social wellbeing. The provisions of the City Centre Zone seek to ensure development contributes to achieving Great Urban Areas within the focal point for economic and community life.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the City Centre zone provisions provide for the following:

- providing quality environments to live, learn, work, visit and play
- enabling growth, including residential developments, while maintaining the character of Napier's city centre
- improving accessibility and connectivity to, from and within the city centre for all transport modes, including walking and cycling
- improving resilience of the city centre to natural hazards including earthquakes and the effects of climate change
- ensuring appropriate infrastructure is in place to service development reducing the impact of development on infrastructure and the environment through low-impact design.

Issues

CCZ-I1 Poor quality design can detract from the attractiveness of the City Centre, affecting economic and community wellbeing

Research has indicated that the attractiveness of Napier's city centre is a key driver for businesses choosing to locate in the area. Quality design in commercial areas can assist in encouraging pedestrian activity and also people to leave their homes to shop, dine, relax and be entertained in centres. Design that reflects the values of the community, including mana whenua, can enhance a sense of place and belonging. Increased vibrancy and vitality of centres will assist in enhancing social connectivity and economic wellbeing.

Conversely, development of poor quality or out of character with the Napier city centre can dilute its attractiveness and detract from the economic sustainability of businesses and the focus for community life. There is a risk that poor quality development that is inconsistent with the character of Napier's city centre would have negative consequences for our community.

CCZ-I2 A lack of residents living in the inner city means a reliance on business employees and tourists for vibrancy and vitality

A key outcome for the DPR is *City living to support a vibrant CBD*, with a significantly increased residential population in and around the city centre. Although apartments have been enabled in commercial centres in the last District Plan, uptake has been generally low. A lack of vibrancy in Napier's city centre during the winter period and at night can in part be attributed to the lack of a permanent population in and around the city centre. A reliance on tourism and business employees is a risk to the future economic sustainability of activities (including hospitality and entertainment) which contribute to a vibrant city centre.

Residential activity in centres, in particular in and around Napier's city centre, has the potential to contribute to the vibrancy and vitality of the area by having people in the centre in the evenings and weekends. This can enhance economic wellbeing through providing customers for hospitality and entertainment activities. It also contributes to meeting demands for different housing options of residential growth across the city.

CCZ-I3 Residential and other noise sensitive activities in the City Centre can generate reverse sensitivity effects on noise generating activities

Napier's city centre is increasingly becoming a vibrant hive of activity including entertainment and hospitality clustered around Emerson Street, Tennyson Street, Market Street and upper Hastings Street. There is a risk that the establishment of additional residential apartments and other noise-sensitive activities (such as healthcare) in the city centre could result in noise complaints and requests for restrictions on noise generating activities.

The city centre and its use as a vibrant entertainment hub needs to be protected from reverse sensitivity effects. Where residential activity is established, potential conflicts with other city centre activities such as bars and restaurants therefore needs to be appropriately managed to ensure there are not unintended consequences on the vibrancy and vitality of the city centre.

CCZ-I4 Growth of activity in the City Centre places additional demands on access routes and car parking

Enhancing connectivity, particularly for walking and cycling, will bring more people into the city centre, enhance safety, and assist in achieving "Great Urban Areas". There are areas throughout Napier's city centre where connectivity could be improved, including for pedestrians and cyclists. Tension points arise where the railway crosses through key access routes.

There is also a tension between enabling and providing car parking and ensuring streets are attractive places which are safe for pedestrians and cyclists. The form and location of carparks needs to be carefully considered to ensure they complement the city rather than detract from it. Integrating land use and transportation planning will optimise accessibility and contribute to economic and community wellbeing. In the past, Marine Parade has been a primary freight route for products originating from south of the city traveling to the Port. This has created a severance between the city centre and the waterfront. Napier City Council, NZTA and the Port have been working together to encourage alternative freight routes which will enable better connectivity between the city centre and the waterfront which will enhance public safety especially for pedestrians and cyclists as well as contribute to the amenity and vibrancy of the city centre.

CCZ-I5 Retail and office activity outside of the City Centre can detract from the vibrancy and

vitality of our core commercial and community hub

In addition to being centres of economic activity, city centres serve as the ‘heart’ of the community and provide functions such as being a gathering place and a focus for festivals, entertainment and events.

Some New Zealand cities have experienced a decline in the vibrancy and vitality of their city centres due to the establishment of malls or significant large format retail activities co-locating outside of the city centre. This has detrimental impacts on both economic wellbeing and the community function of city centres. Concentrating retail and office activity in centres, particularly the city centre, assists in achieving the community benefits of vibrancy and vitality. A balance needs to be achieved between encouraging economic activity in Napier more generally, and ensuring that the economic and community benefits of agglomeration in the city centre are not lost.

Further, the buildings in the city centre heritage precinct were purpose built to provide for the retail needs of Napier’s community. Managing the distribution of commercial activities will assist in ensuring the efficient use of the existing physical resource.

CCZ-I6 Napier’s City Centre is located on land potentially subject to earthquakes, tsunami and the medium-long term effects of climate change

Napier’s city centre suffered from a significant earthquake in 1931. Due to its coastal location, the city centre is also potentially subject to tsunami. In the medium-long term, the city centre may also be subject to increased natural hazards from climate change such as increased intensity rainfall events and groundwater level rise due to sea level rise. It is currently not feasible to relocate the city centre to avoid all hazards. A balance is required between enabling growth that will contribute to the vibrancy and vitality of the city centre for economic and community wellbeing, while also optimising resilience in this area.

Structural strengthening of buildings to meet current earthquake resilience requirements under the Building Code is a cost on the community and building owners, particularly for changing the use of commercial buildings to residential. Due to its coastal location, tsunami is also a risk, as it is for much of Napier. Land use planning can work alongside Civil Defence emergency response plans to improve resilience of the city, such as protecting escape routes to Mataruahau (Hospital Hill and Bluff Hill) and enabling vertical evacuation facilities.

Integrated land use and infrastructure planning can minimise risk of flooding and other effects occurring as a result of climate change.

Objectives

CCZ-O1: Quality City Centre

Napier’s City Centre is a safe and attractive place to live, learn, work, visit and play, with vibrant and sustainable business, education, entertainment and retail areas that reinforce a sense of place and identity

Relates to CCZ-I1, CCZ-I3 and CCZ-I5

CCZ-O2: City living

A range of residential living opportunities with healthy, safe, high amenity and comfortable living environments which contribute to the vibrancy and vitality of the city centre.

Relates to CCZ-I2

CCZ-O3: Access and Connectivity

Napier's city centre is highly accessible by a range of transport modes with good quality infrastructure and facilities to support safe, convenient and efficient walking, cycling and public transport

Relates to CCZ-I4

CCZ-O4: Resilience

The city centre is resilient to the effects from natural hazards including earthquakes and climate change.

Relates to CCZ-I6

CCZ-O5: Sustainable design and infrastructure

Public health and environmental wellbeing is maintained, and where practicable, enhanced through sustainable design and provision of infrastructure to meet anticipated demand.

Relates to CCZ-I6

Policies

CCZ-P1: Vibrant City Centre

Provide for the vitality, vibrancy and amenity of the city centre including by:

- a. providing for a wide range and diverse mix of compatible activities, and
- b. restricting industrial activities.

Relates to CCZ-O1

CCZ-P2: Retail core (Napier City Heritage precinct)

Optimise the vitality and vibrancy of the Napier City Heritage precinct by discouraging new specialty retail and department stores outside of the precinct.

Relates to PREC17-O2

CCZ-P3: Quality public realm

Require development, including signage, to positively contribute to the character of Napier's City

Centre and the quality of streets and public open spaces, including by:

- a. managing the height, bulk, form and design of development to:
 - provide for access to sunlight in streets and public open spaces,
 - minimise glare and wind
 - maintain and enhance the character of the City Centre
- b. requiring building frontages along key pedestrian routes to be designed to provide character, interest and variation at street level
- c. requiring development along other routes to provide visual interest through building layout and design, quality landscaping and/or other mitigation measures appropriate for the context of the site
- d. avoiding large blank walls where feasible
- e. encouraging the design of new buildings on corner sites to emphasis the shape of the street corner through appropriate scale, form, and articulation
- f. minimising visual clutter
- g. incorporating the values of mana whenua

Relates to CCZ-O1 and CCZ-O4

CCZ-P4: City living

Enable residential development including conversions in the city centre while:

- a. managing development to achieving healthy, safe, high amenity and comfortable living environments for residents
- b. avoiding residential units at ground floor along the street frontage of centre streets
- c. minimising potential reverse sensitivity effects on other activities in the city centre, including through acoustic insulation

Relates to CCZ-O3

CC-P5: Access and connectivity

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. requiring pedestrian access to new or altered buildings to be flush with street level where feasible
- b. requiring at grade car parking to be located and designed to optimise pedestrian safety and visual quality of the street
- c. encouraging the provision of publicly accessible connections where development fronts two or

more streets or public open spaces

- d. supporting the development of public transport, pedestrian and cycle networks to and within the city centre

Relates to CCZ-O4

CCZ-P6: Resilience

Improve the resilience of the City Centre including by:

- a. requiring the strengthening of existing buildings where there is an identified safety risk in the event of an earthquake
- b. enabling vertical evacuation towers in appropriate locations
- c. encouraging building owners to install systems that would facilitate public access to rooftops in the event of a tsunami

Relates to CCZ-O5

CCZ-P7: Sustainable design and infrastructure

Ensure potential public health, environmental health and flooding effects of development are minimised, including by:

- a. requiring water sensitive design / low-impact stormwater management where practicable
- b. requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand, including consideration of the effects of climate change

Relates to CCZ-O5

City Centre Zone - Activity Table

CCZ-R1 Commercial Activities	
<p>CCZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Outside of the Napier City Heritage Precinct, the gross floor area of the commercial activity (excluding hospitality activities) is no less than 500m² 	<p>CCZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the City Centre and Napier City Heritage Precinct 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Infrastructure and resilience

CCZ-R2 Residential Activities	
<p>CCZ-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Residential units must not be located on the ground floor of the building within 10m from the street frontage. 	<p>CCZ-R2B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
CCZ-R3 Community facilities	
Activity Status: Permitted	NA
CCZ-R4 Educational activities	
Activity Status: Permitted	NA
CCZ-R5 Entertainment activities	
Activity Status: Permitted	NA
CCZ-R6 Car parking areas	
<p>CCZ-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The car parking area is not located within the Napier City Heritage Precinct 2. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. 1 indigenous specimen tree is provided for every ten car parks 	<p>CCZ-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the City Centre and Napier City Heritage Precinct 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
CCZ-R7 New buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the City Centre 2. Character of the City Centre 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Resilience and infrastructure 	NA

<p>5. Healthy, safe, high amenity and comfortable living environments</p> <p>Notification: Non-notified</p>	
CCZ-R8 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>NA</p>
CC-R9 Service stations	
<p>CCZ-R9A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. The service station is not located within the Napier City Heritage Precinct.</p>	<p>CCZ-R9B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
CC-R10 Drive-through facilities	
<p>CC-R10A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. The drive-through facility is not located within the Napier City Heritage Precinct</p>	<p>CC-R10B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
CCZ-R11 Industrial activities	
<p>CCZ-R11A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. The activity is not located within the Napier City Heritage Precinct</p> <p>2. The industrial activity is one of the following activities:</p> <ul style="list-style-type: none"> a. Light manufacturing and servicing b. Repair and maintenance services c. Warehousing and storage 	<p>CCZ-R11B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>

CCZ-R12 Activities not otherwise provided for	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p> <p>1. The activity is not provided for under Rules CCZ-R1 – CCZ-R11</p>	NA

City Centre Zone - Standards Table

CCZ-S1 Height	
<p><i>Purpose: to maintain the character of Napier’s City Centre while enabling growth that contributes to the vibrancy of the city centre</i></p>	<p>1. Maximum height 24m</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the City Centre 3. Character of the City Centre 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Resilience
CCZ-S2 Building setback at upper floors	
<p><i>Purpose: to provide adequate daylight and sunlight access to public areas and open space areas; to maintain a “human scale” at street level in the city centre; to maintain the character of the Napier City Heritage Precinct</i></p>	<ol style="list-style-type: none"> 1. Building height over 12m must be set back a minimum of 3m from a front boundary and any boundary with the Napier City Heritage Precinct 2. Building height over 18m must be set back a minimum of 6m from a front boundary and any boundary with the Napier City Heritage Precinct <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the City Centre 3. Character of the City Centre 4. Safety, attractiveness and connectivity of streets and public open spaces
CCZ-S3 Verandahs	
<p>Sites subject to</p>	<p>1. Any part of a building fronting onto</p> <p>Matters of discretion are restricted</p>

<p>Verandah control</p> <p><i>Purpose: to provide a safe and comfortable environment for pedestrians; to maintain a safe and efficient integrated transport network; to maintain the streetscape character</i></p>	<p>a street must have a verandah meeting the following standards:</p> <ol style="list-style-type: none"> Suspended from the building Not less than 3 metres above the footpath No greater than 4 metres above the footpath Where there are verandahs on buildings on one or more adjoining sites, the verandah should be contiguous with the height of at least one adjoining verandah to provide continuity of verandah height Continuous to provide weather protection along the frontage of each site No closer than 450mm to the edge of the road carriageway Include drainage to control rain run-off Lighting shall be provided under the verandah 	<p>to:</p> <ol style="list-style-type: none"> Purpose of the Standard Vibrancy and vitality of the City Centre Character of the City Centre and Napier City Heritage Precinct Safety, attractiveness and connectivity of streets and public open spaces
<p>CCZ-S4 Frontages</p>		
<p>Activated streets</p> <p><i>Purpose: to provide an active and vibrant frontage along key pedestrian routes; to avoid locating activities that require privacy on the ground floor of buildings along key pedestrian routes</i></p>	<ol style="list-style-type: none"> The building must adjoin the entire length of the street frontage excluding vehicle access (where provided) and pedestrian access Pedestrian access to the building must be provided at the street frontage and flush with street level A minimum of 70% of the area of the building frontage at ground level shall have a clear, glazed window display space. This standard shall not apply to scheduled heritage buildings. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Vibrancy and vitality of the Napier City Heritage Precinct and the City Centre Character of the Napier City Heritage Precinct and the City Centre Safety, attractiveness and connectivity of streets and public open spaces
<p>Other streets</p> <p><i>Purpose: to provide for attractive streetscapes within the City Centre</i></p>	<ol style="list-style-type: none"> Where a building is not located along the street frontage, a landscape buffer of 2m in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass). 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Vibrancy and vitality of the Napier City Heritage Precinct and the City Centre Character of the Napier City Heritage Precinct and the City Centre

		4. Safety, attractiveness and connectivity of streets and public open spaces
CCZ-S5 Residential privacy and light access (“outlook space”)		
<p>All City Centre zone (Residential units and Visitor Accommodation activities only)</p> <p><i>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the City Centre</i></p>	<ol style="list-style-type: none"> 1. An outlook space must be provided from windows to a habitable room. 2. The minimum dimensions for a required outlook space are as flows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth and 3m in width 3. Outlook spaces may be within the site, over a public street, or other public open space 4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments
CCZ-S6 Minimum residential unit size		
<p>All City Centre zone</p> <p><i>Purpose: Homes that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy.</i></p>	<ol style="list-style-type: none"> 1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> a. Studio – 35m² b. 1 bedroom – 45m² c. 2 bedroom – 70m² d. 3 bedroom – 90m² 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Healthy, safe, high amenity and comfortable living environments

CCZ-S7 Screening		
All City Centre zone	<ol style="list-style-type: none"> 1. A minimum area of 10m² must be provided for every commercial and industrial tenancy for the temporary storage of refuse. This must be screened from the public view and where possible located to the rear of the site. 2. The area must be secured so as not to provide a food source for birds or vermin. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
CCZ-S8 Garages		
Purpose: provide for a streetscape attractive for pedestrians and cyclists; to minimise risk of vehicles overhanging the footpath	<ol style="list-style-type: none"> 1. A garage door must not be visible from the street within the Napier City Heritage precinct. 2. A garage door facing the street must be set back at least 5m from the site's frontage. 3. Garages integrated within a residential unit building: <ol style="list-style-type: none"> a. Must be no closer to the front boundary than the front line of the residential unit b. the width of the garage door must be no greater than 50% of the width of the front façade of the building. 4. Accessory buildings and garages detached from a residential unit must not obscure the front façade of the unit. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
CCZ-S9 Fences and walls		
City Centre zone	1. Fences or walls (or a combination	Activity Status where standards are

<p>(outside Napier City Heritage Precinct)</p> <p><i>Purpose: to provide for privacy of residential units while enabling opportunities for passive surveillance of the street; minimise visual dominance effects to immediate neighbours and the street</i></p>	<p>of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ol style="list-style-type: none"> a. Within the front yard, and along a common boundary with an Open Space zone, either: <ol style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. b. Within the side and rear yards: 2m. 	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces
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Assessment criteria

CCZ-AC1 – Commercial Activities (CCZ-R1)

Vibrancy and vitality of the City Centre and Napier City Heritage Precinct

- a. Whether the commercial activity will detract from the purpose and function of the Napier City Heritage Precinct as the primary retail core for the city, including consideration of cumulative effects

Safety, attractiveness and connectivity of streets and public open spaces

- b. Whether development outside of the Napier City Heritage Precinct can be accessed from the precinct by high amenity pedestrian access
- c. The extent to which:
 - i. the development will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the City Centre
 - ii. the anticipated traffic generation will impact on the safety and efficient operation of the surrounding integrated transport network
 - iii. traffic generation will compromise the character of the City Centre
 - iv. the location and nature of the commercial activity will reduce reliance on private motor vehicles and increase walking and cycling to, from and within the City Centre
- d. The extent to which the design and layout of access and parking associated with the commercial activity will provide safe access to the activity for pedestrians and cyclists, and motorists.

Infrastructure and resilience

- e. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, having regard to the potential effects of climate change. This includes incorporating low impact stormwater design, where appropriate.

CCZ-AC2 – Car parking areas (CCZ-R6)

Safety, attractiveness and connectivity of streets and public open spaces

- a. The extent to which the design and layout of the car park and access, including landscaping will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the City Centre
- b. The extent to which the anticipated traffic generation associated with the car park will impact on the safety and efficient operation of the surrounding integrated transport network

CCZ-AC3 –New buildings (CCZ-R7)

Vibrancy, Vitality and Character of the City Centre; Safety, attractiveness and connectivity of streets and public open spaces

- a. The extent to which the site layout and building design positively contributes to the vibrancy, vitality and character of Napier's City Centre, particularly as experienced from streets, laneways and public open spaces
- b. The extent to which the site layout and building design positively contributes to the attractiveness of streets, laneways and public open spaces
- c. The extent to which mana whenua values inform the design of the building
- d. The extent to which the development is easily accessible for all members of Napier's community
- e. Whether publicly accessible pedestrian and cycle connections are provided through the site where development fronts two or more streets or public open spaces (where practicable and appropriate)

Resilience and infrastructure

- f. Whether the building contributes to the resilience of the City Centre to natural hazards and climate change, where feasible
- g. Whether suitable provision is made for onsite rubbish storage and sorting of recycling materials that is of sufficient size to service the activities in the buildings, and is easily accessible for collection

Healthy, safe, high amenity and comfortable living environments

- h. if the building provides residential units, whether the design and layout of the residential units provides healthy, safe, high amenity and comfortable living environments
- i. the criteria GRZ-AC1 of the General Residential Zone apply in addition to the above

CCZ-AC5 – Infringements to standards

Vibrancy, vitality and character of the Napier City Heritage Precinct and the City Centre

- a. the extent to which effects of the additional building scale (including sunlight access and visual dominance) and/or infringement to the standard will detract from the attractiveness of the Napier City Heritage Precinct and the City Centre
- b. whether the building will be consistent with the character of the Napier City Heritage Precinct and the City Centre particularly as perceived from streets and public open spaces
- c. whether a minor height infringement provides for an attractive and integrated roof form

Safety, attractiveness and connectivity of streets and public open spaces

- d. whether infringements to the height or building setback at upper floors standards may be appropriate on corner sites to reinforce the prominence of the corner and assistance with wayfinding
- e. whether the development will contribute to safe and attractive streets and public open spaces, including having regard to the function of the street under the functional classification

Healthy, safe, high amenity and comfortable living environments

- f. whether a good standard of privacy and daylight access is achieved for residents
- g. whether a complying residential development would be prevented on an adjoining site as a result of the infringement
- h. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

General standard infringement

- i. In addition to the specific criteria for a standard infringement, the following criteria apply:
 - i. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
 - ii. Any special or unusual characteristic of the site which is relevant to the rule requirement
 - iii. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
 - iv. The assessment criteria under CCZ-AC4 apply in addition to the above.

PREC15 - Foreshore Commercial Precinct

Introduction

The purpose of the Foreshore Commercial Precinct is to provide for a range of commercial and visitor accommodation activities that are appropriate for a sensitive foreshore location.

The precinct is located along the foreshore at Ahuriri. The underlying zone is Local Centre Zone as it is an extension of the Ahuriri Village, albeit with distinguishing characteristics due to its coastal location. The activities and standards in the precinct are more restrictive than the Local Centre Zone to ensure that the values of the surrounding Open Space Zone and the coastal environment are maintained.

A key outcome the District Plan seeks to achieve is “Great urban areas”. Provisions in this precinct seek to maintain the distinctive character and amenity values of the coastal environment while enabling ongoing commercial use of the land. This will complement the provisions of the underlying Local Centre Zone to achieve a great urban area valued by the community.

To achieve this key outcome, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Foreshore Commercial Precinct provide for the following:

- Restricting activities to those that rely on access to the coast or support people’s enjoyment of the coastal environment including hospitality and visitor accommodation
- Achieving quality commercial environments in a coastal setting including by restricting building height and by requiring the design of new buildings to incorporate landscaping

Issues

PREC15-I1 Commercial activities along the coastal edge have the potential to detract from the character and amenity of the coastal environment

In Ahuriri, due to the pattern of historical development, areas of the foreshore were traditionally in industrial use, including oil storage depots, fishing related activities, and other storage uses. In 1989 local government reorganisation vested the ownership of the land in the Council and thus gave it the opportunity to provide for some commercial activity but to limit it to uses that were beach or water related or that supported people’s enjoyment of the coastal environment. Permitting a wide range of land uses on the foreshore would have significant adverse effects on the environment, particularly in terms of reduction in amenity and the open character of the coastal environment. The provisions of the Foreshore Commercial Precinct seek to manage activity and development to contribute to the quality of the coastal environment as well as people’s ability to enjoy the coastal location.

Objectives

The objectives of the Coastal Environment and the underlying Local Centre zone apply in addition to the below.

PREC15-O1: Function and character

The Foreshore Commercial Precinct has a range of commercial and visitor accommodation

activities that do not detract from the established character of the coastal environment at Ahuriri

Relates to PREC15-I1

Policies

The policies of the Coastal Environment and the underlying Local Centre zone apply in addition to the below.

PREC15-P1: Activities

Ensure activities are appropriate for the foreshore location by:

- a. enabling visitor accommodation
- b. enabling commercial activities reliant on a foreshore location
- c. enabling hospitality activities; and
- d. avoiding other activities

Relates to PREC15-O1

PREC15-P2: Coastal character

Manage the form and layout of development (including buildings and landscaping) to respond to the coastal character of the foreshore environment, including by:

- a. managing the height, bulk and form of development
- b. requiring development to minimise adverse visual amenity effects on the street and public open spaces including through incorporating landscaping
- c. minimising visual clutter

Relates to PREC15-O1

Foreshore Commercial Precinct - Activity Table

PREC15-R1 Commercial Activities	
PREC15-R1A Activity Status: Permitted Where the following activity conditions are met: <ol style="list-style-type: none"> 1. The commercial activity is for the hire and sale of recreational craft, beach and water related products and accessories <i>or</i> 2. The commercial activity is a hospitality activity. 	PREC15-R1B Activity Status where activity conditions are not met: Discretionary
PREC15-R2 Community facilities	
PREC15-R2A Activity Status: Permitted Where the following activity conditions are met:	PREC15-R2B Activity Status where activity conditions are not met: Discretionary

1. The activity is a Tourist Information Facility.	
PREC15-R3 New buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Amenity values 2. Character of the area 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Resilience and infrastructure 5. Coastal environment values <p>Notification: Non-notified</p>	NA
PREC15-R4 Car parking areas	
<p>PREC15-R4A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. 1 indigenous specimen tree is provided for every ten car parks <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the area 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Coastal environment values <p>Notification: Non-notified</p>	<p>PREC15-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
PREC15-R5 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA
PREC15-R6 Visitor accommodation	

Activity Status: Discretionary	NA
PREC15-R7 Activities not otherwise provided for	
Activity Status: Non-complying Where the following activity conditions are met: 1. The activity is not provided for under Rules PREC15-R1 – PREC15-R6	NA

Foreshore Commercial Precinct - Standards Table

The following standards of the underlying Local Centre zone apply in addition to the below:

- LC-S8 Screening
- LC-S9 Fences and walls

PREC15-S1 Height		
<i>Purpose: to maintain the character of the coastal environment while enabling appropriate use and development</i>	1. Maximum height 7.5m	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Coastal environment values 3. Safety, attractiveness and connectivity of streets and public open spaces
PREC15-S2 Height in relation to boundary		
<i>Purpose: to maintain a reasonable level of sunlight access and minimise visual dominance effects on the adjacent open space and Local Centre zone</i>	1. Buildings must not project beyond a 45 degree recession plane measured from a point 5.0m vertically above ground level along all site boundaries	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Coastal environment values 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Amenity values
PREC15-S7 Building coverage		
<i>Purpose: To</i>	1. Building coverage must not	Activity Status where standards are

<i>enable efficient use of the precinct while managing effects on coastal character</i>	exceed 80% of the site area.	not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Coastal environment values 3. Safety, attractiveness and connectivity of streets and public open spaces
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Assessment criteria

PREC15-AC1 – New buildings (PREC15-R3)

- a. The relevant assessment criteria at TCZ-AC1 apply

PREC15-AC2 – Vehicle Parking areas (PREC15-R4)

Character of the area

- a. The extent to which the vehicle parking area will detract from the sense of openness and landscape character values of the area
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the area

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the car park and surrounding open space

PREC15-AC4 – Infringements to standards

- a. The relevant assessment criteria at LCZ-AC3 apply

PREC15-AC5 – All activities

- a. In addition to any relevant criteria above, the extent to which the activity and/or development in the Foreshore Commercial zone will be consistent with the following policies:
 - i. CE-P6 Restrictions to areas of the coastal environment
 - ii. CE-P7 Cultural values of existing natural character
 - iii. CE-P8 Retain and re-instate natural values in the coastal environment
 - iv. CE-P10 Activities in coastal and riparian margins
 - v. CE-P11 Pedestrian access to the coast and riparian margins
 - vi. CE-P12 Vehicle access

PREC16 – Iron Pot Character Precinct

Introduction

The Iron Pot Character Precinct is a mix of predominantly industrial and commercial activities, with a small percentage of apartment-style residential living. Buildings are typically current or converted warehouses, built to the front boundary, of robust materials and design. The saw-tooth roofline of the larger warehouses is a dominant feature within the precinct.

The purpose of the Iron Pot Character Precinct is to maintain the specified character values of the Iron Pot to ensure it is protected for current and future generations.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represents a snapshot in time in the development of Napier, in this case, the large warehouse buildings. Protection of these unique character values will complement the provisions of the underlying Mixed Use Zone and Local Centre Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the Iron Pot Character precinct provide for the following:

- Achieving quality urban environments to live, work, visit and play
- Protecting those characteristics that contribute to the defined character of the Iron Pot Character precinct, and ensuring new development is consistent with this character
- Enabling growth through intensification and re-use where this does not impact negatively on character
- improving accessibility and connectivity to, from and within Ahuriri for all transport modes, including walking and cycling

Issues

The issues of the underlying Mixed Use Zone and Local Centre Zone are also relevant in the Iron Pot Character precinct.

PREC16-I1 The identification and protection of areas of special character

The character of the Iron Pot Character Precinct has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character, and their protection from demolition, alterations, and inappropriate new buildings, this character can be easily compromised.

PREC16-I2 The changing needs of housing and commercial accommodation

The desirability of this location, in close proximity to the waterfront in the heart of bustling Ahuriri, and within walking/cycling distance of Napier's CBD, has significantly increased the value of land. The location, and its many attractions, appeal to those wishing to live in non-traditional dwellings such as apartments or terrace-style housing and work in modern premises retro-fitted within industrial buildings. There is a risk that the existing buildings of the Ahuriri Iron Pot area could be demolished

to make way for new housing or commercial accommodation. However, there exists an opportunity to re-use and re-purpose existing building stock so as to maintain the intrinsic values unique to the area. Any new build should only occur where it can be demonstrated that the existing building stock cannot be practicably repurposed and of an appropriate design that maintains the character of the Iron Pot.

Objectives

The objectives of the underlying Mixed Use Zone and Local Centre Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC16-O1 Identification of Iron Pot Character Precinct

The elements and values that define the Iron Pot Character Precinct are identified and the extent of this character area is mapped.

Relates to PREC16-I1

PREC16-O2 Retention of special character values

The special character values of the area, as identified in the Heritage Character Area Statement, are retained.

Relates to PREC16-I1, PREC16-I2

PREC16-O3 New development that is appropriate in certain circumstances

New development that is consistent with the special character of the Iron Pot Character Precinct provided it does not create adverse effects.

Relates to PREC16-I1, PREC16-I2

Policies

The policies of the underlying Mixed Use Zone and Local Centre Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC16-P1: Identify and map the features that make up the special character of the Iron Pot Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development at a point in time. Typical character features include:

- Section size and density, configuration
- Street design (width, layout, and street trees)
- Architectural form of buildings (design and materials)
- Position of buildings on the section

Relates to PREC16-O1

PREC16-P2: Removal or demolition of buildings

Discourage the removal or demolition of buildings that contribute to the continuity or coherence of the special character as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement, and is visible from the street, to demonstrate that the loss of the building would not erode the identified special character values of the area and would not disrupt the cohesiveness of the streetscape. Enable the removal of buildings that detract from the character of the area, or are not visible from the street.

Relates to PREC16-O2 and PREC16-O3

PREC16-P3: New buildings and alterations/additions

Maintain and enhance the character values of the Iron Pot Character Precinct by ensuring new buildings, and alterations and additions to existing buildings maintain the continuity or coherence of the special character area as identified in the special character area statement.

Relates to PREC16-O2 and PREC16-O3

PREC16 – Iron Pot Character – Activity Table

PREC16-R1 Partial demolition of a building	
<p>PREC16-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Demolition is to the rear part of a building that is not visible from an adjoining street 	<p>PREC16-R1B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the area 2. Condition and integrity of the building
PREC16-R2 External additions and alterations to buildings	
<p>PREC16-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. External additions and alterations to building facades are less than 25m² in area 	<p>PREC16-R12B</p> <p>Activity Status where activity conditions are not met:</p> <p>Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the area 2. Compatibility with context

	3. Safety, attractiveness and connectivity of streets and public open spaces 4. Condition and integrity of the building 5. Enabling ongoing use Notification: Non-notified
PREC16-R3 New Buildings	
Activity Status: Discretionary	NA
PREC16-R4 Demolition or relocation off-site of a building	
Activity Status: Discretionary	NA

PREC16 – Iron Pot Character – Standards Table

The Standards of the underlying Mixed Use and Local Centre Zones apply where relevant.

Assessment Criteria

The relevant assessment criteria of the underlying Mixed Use and Local Centre Zones apply in addition to those listed below. In the event of any conflict with the underlying Zone Assessment Criteria, the Character Precinct Assessment Criteria apply.

PREC16 – R1 Partial demolition of a building

Effect on the character of the Precinct

- a. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline an application, the following considerations shall be made:
 - i. The buildings contribution to streetscape character of the area, as described in the Special Character Statement;
 - ii. Its relationship to other adjacent buildings; whether it contributes to a group in such a way that its loss or change would result in the loss of a character value attributable to the group.
 - iii. Whether the part of the building being demolished has a character that is consistent with the character traits as described in the Special Character Statement.

The condition and integrity of the building

- b. To determine whether to approve or decline the application for alterations and/or additions to the building, and/or demolition or partial demolition, the following considerations shall be made:
 - i. The integrity of the building in its current state, having regard to its architectural form and style and authenticity of its component parts.
 - ii. Whether an independent building condition report from a suitably qualified practitioner

confirms that the building is in such a poor state that remediation would be difficult and unfeasible.

- iii. Whether the practicality and cost of any necessary rehabilitation; the inability to achieve reasonable amenity for occupants; reasonable compliance with any requirement of the Building Act; and whether alternatives to the alterations/additions proposed have been considered.

PREC16-R2 External additions and alterations to buildings; PREC16-R3 New Buildings; and PREC16-R4 Demolition or relocation off-site of a building

Effect on the character of the Precinct

- c. The extent to which the proposed work adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline an application, the following considerations shall be made:
 - i. The buildings contribution to streetscape character of the area, as described in the Special Character Statement;
 - ii. Its relationship to other adjacent buildings; whether it contributes to a group in such a way that its loss or change would result in the loss of a character value attributable to the group.

Compatibility with Context

- d. The extent to which the new building, or alterations and/or additions are compatible with the existing principal building on site and/or those in the immediately surrounding character area, as described in the Special Character Statement, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
- e. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.

Safety, attractiveness and connectivity of streets and public open spaces

- f. For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.
- g. Whether visibility is provided over the street and public open space to enhance safety and security.
- h. Whether the development contributes to attractive streets and public open space.

The condition and integrity of the building

- i. To determine whether to approve or decline the application for alterations and/or additions to the

building, and/or demolition or partial demolition, the following considerations shall be made:

- i. The integrity of the building in its current state, having regard to its architectural form and style and authenticity of its component parts.
- ii. For the demolition or removal of a building, whether an independent building condition report from a suitably qualified practitioner confirms that the building is in such a poor state that remediation would be difficult and unfeasible.
- iii. Whether the practicality and cost of any necessary rehabilitation; the inability to achieve reasonable amenity for occupants; reasonable compliance with any requirement of the Building Act; and whether alternatives to the alterations/additions proposed have been considered.

Enabling ongoing use

- j. Whether the work is necessary to enable the ongoing use of the building.

PREC17 - Napier City Heritage Precinct

Introduction

The purpose of the Napier City Heritage Precinct is to:

- manage activities and development to maintain the identified distinctive heritage character values for current and future generations; and
- to maintain the precinct's function as the focus of speciality retail activities for Napier City.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. The precinct complements the provisions of the underlying City Centre and Open Space zones. The precinct provides an additional level of management for building design, additions and alterations, and signage to maintain the distinctive character and amenity values that represents a snapshot in time in the development of Napier, and which now forms a core part of Napier's identity. This includes Art Deco and other architectural styles popular in the post-1931 earthquake development period.

Speciality retailing outside of the precinct is managed through the City Centre and Mixed Use zone provisions, to ensure the vibrancy and vitality of the core shopping area is retained and "Great Urban Areas" achieved in the Napier City Heritage Precinct.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the Napier City Heritage Precinct provides for the following:

- achieving quality environments to live, learn, work, visit and play
- protecting those characteristics that contribute to the defined character of the Napier City Heritage Precinct and which attract people to Napier City's core retail area, and ensuring new development is consistent with this character
- enabling efficient use of the physical building resource while maintaining the distinctive character of that resource.

Issues

PREC17-I1 Poor quality design can detract from the distinctive character of the Napier City Heritage Precinct, affecting economic and community wellbeing

Research has indicated that the attractiveness of Napier's City Centre is a key driver for businesses choosing to locate in the area. The distinctive qualities of the Napier City Heritage Precinct are also a key attraction for bringing people to the CBD, both locals and visitors alike. Quality design in commercial areas can assist in encouraging pedestrian activity and also people to shop, dine, relax and be entertained in centres. Quality design in commercial areas can assist in encouraging pedestrian activity and also people to shop, dine, relax and be entertained in centres. Design that reflects the values of the community can enhance a sense of place and belonging. Increased vibrancy and vitality of centres will assist in enhancing social connectivity and economic wellbeing.

Conversely, development of poor quality or out of character with the Napier City Heritage Precinct can dilute its attractiveness and detract from the economic sustainability of businesses and the focus for community life. There is a risk that poor quality development that is inconsistent with the character of the Napier City Heritage Precinct would have negative consequences for our community. It is important that the qualities that attract people and businesses to the area are maintained for current and future generations. It is important that the qualities that attract people and

businesses to the area are maintained for current and future generations.

PREC17-I2 Functional requirements for activities are changing which put pressure on the integrity of distinctive heritage characteristics within the precinct

Since many of the buildings within the precinct were constructed, there have been changes in technical requirements (through the New Zealand Building Code) and operational requirements of retail, hospitality, office and residential activities. These activities contribute to the vibrancy and vitality of the core of our City Centre. However, they also provide challenges in terms of retaining the distinctive character of buildings within the Napier City Heritage Precinct. For example, acoustic insulation to provide a reasonable degree of quiet for apartments above a bar or restaurant would assist in encouraging a vibrant City Centre, however they could also impact on the heritage character of windows and cladding. A balance needs to be achieved between enabling reuse of buildings for modern activities while maintaining the intrinsic character of the Napier City Heritage precinct.

PREC17-I3 The agglomeration of retail activity within the Napier City Heritage Precinct is at risk from changes in the evolving retail sector, competition from online sales and alternative locations, and large format retail offerings

In addition to being centres of economic activity, city centres serve as the 'heart' of the community and provide functions such as being a gathering place and a focus for festivals, entertainment and events.

Some New Zealand cities have experienced a decline in the vibrancy and vitality of their city centres due to the establishment of malls or significant large format retail activities co-locating outside of the CBD (especially when combined with specialty retailing). This has detrimental impacts on both economic wellbeing and the community function of city centres. Concentrating speciality retail activity in Napier's centres, particularly the Napier City Heritage precinct, assists in achieving the community benefits of vibrancy and vitality. A balance needs to be achieved between encouraging economic activity in Napier more generally, and ensuring that the economic and community benefits of agglomeration in the core shopping area of the City Centre are not lost.

Further, the buildings in the Napier City Heritage precinct were purpose built to provide for the retail needs of Napier's community. Managing the effects and impacts of distribution of commercial activities will assist in ensuring the ongoing efficient use of the existing physical resource.

Objectives

The objectives of the underlying City Centre and Open Space zones apply in addition to the below.

PREC17-O1: Napier City Heritage Precinct Character

The Napier City Heritage precinct retains its attractiveness, and distinctive and special character values

Relates to PREC17-I1 and PREC17-I2

PREC17-O2: Retail activity

The Napier City Heritage precinct is the focus of specialty retail activity and department stores for the city

Relates to PREC17-I3

Policies

The policies of the underlying City Centre and Open Space zones apply in addition to the below.

PREC17-P1: New buildings and alterations/additions

Require development to contribute to the maintenance of the special and distinctive characteristics and heritage values of the Napier City Heritage precinct as identified in the special character area statement, including by:

1. managing building scale and limiting height
2. preserving the continuity of the distinctive character of the heritage precinct along the street
3. requiring continuous active frontage, verandahs and/or other forms of shelter for pedestrians along the street where this would not detract from the architectural integrity of scheduled heritage buildings
4. limiting utility structures, air conditioning units and other chattels on the front facades of buildings
5. managing the colour of facades to maintain the consistent character of the precinct
6. avoiding residential units at ground floor along the street frontage
7. enabling new developments that complement rather than replicate the predominant architectural form where this does not detract from the overall integrity of the heritage character values of the precinct
8. identifying and encouraging the preservation of individual buildings with heritage significance
9. incorporating the values of mana whenua where appropriate.

Relates to PREC17-O1

PREC17-P2: Removal or demolition of buildings

Enable the removal or substantial demolition of non-scheduled heritage buildings provided the continuity of the special character of the streetscape is maintained or enhanced as far as practicable.

Relates to PREC17-O1

Napier City Heritage Precinct - Activity Table

PREC17-R1 Painting of Building Exterior	
<p>PREC17-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Exterior walls of the building shall be maintained in any colour from the British Standard Colour Range 	<p>PREC17-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>BS5252: A01, A03, A05, B15, B17, B19, C31, C33, and E49 categories; and</p> <p>2. Trims (including window frames, doors, balustrades, or any architectural detailing or plaster decoration on the exterior façade of the building) shall be maintained in any colour from the British Standard Colour Range BS5252: A07, A09, A11, A13, A14, B21, B23, B25, B27, B29, C35, C37, C39, C40, D41, D43, D44 and D45 categories. Trim colours must not exceed more than 15% of the total façade area.</p> <p>3. Currently unpainted surfaces shall not be painted.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Heritage character values 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
<p>PREC17-R2 Maintenance, repair, additions and alterations to buildings</p>	
<p>PREC17-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Any alterations are internal to the building 2. External additions are limited to telecommunication, power or gas connections, or air conditioning units, where they do not result in any change or addition to the exterior of the street façade(s) of the building. 	<p>PREC17-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the Napier City Heritage precinct 2. Heritage character values 3. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
<p>PREC17-R3 Demolition or relocation off-site of a building</p>	
<p>Activity Status: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the Napier City Heritage precinct 2. Heritage character values 3. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>	<p>NA</p>
<p>PREC17-R4 Standalone car parking areas</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the Napier City Heritage 	<p>NA</p>

<p>precinct</p> <ol style="list-style-type: none"> 2. Heritage character values 3. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>	
PREC17-R5 New buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Vibrancy and vitality of the City Centre and Napier City Heritage Precinct 2. Character of the City Centre and Napier City Heritage Precinct 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Resilience and infrastructure 5. Healthy, safe, high amenity and comfortable living environments <p>Notification: Non-notified</p>	NA

Napier City Heritage Precinct - Standards Table

PREC17-S1 Standards of the underlying zone		
<i>City Centre Zone</i>	<ol style="list-style-type: none"> 1. Where the underlying zone is City Centre, the following standards apply in addition to the below: <ol style="list-style-type: none"> a. CCZ-S3 – Verandahs b. CCZ-S4 – Frontages c. CCZ-S5 - Residential privacy and light access (“outlook space”) d. CCZ-S6 – Minimum residential unit size e. CCZ-S7 – Screening f. CCZ-S8 – Garages 	<p>Matters of discretion are restricted to:</p> <p><i>Refer to the relevant standard in the underlying zone</i></p>
<i>Open Space Zone</i>	<ol style="list-style-type: none"> 2. Where the underlying zone is Open Space, the following standards apply in addition to the below (tbc): <ol style="list-style-type: none"> a. OSZ-S2 Height in relation to boundary b. OSZ-S3 Yards c. OSZ-S4 Building Coverage d. OSZ-S5 Fences and 	<p>Matters of discretion are restricted to:</p> <p><i>Refer to the relevant standard in the underlying zone</i></p>

	Walls	
PREC17-S2 Height		
<i>Purpose: to maintain the character of the Napier City Heritage precinct; to provide adequate daylight and sunlight access to public areas and open space areas; to maintain a "human scale" in the city centre core</i>	1. Maximum height 10m	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Vibrancy and vitality of the Napier City Heritage Precinct and the City Centre 3. Character of the Napier City Heritage Precinct 4. Safety, attractiveness and connectivity of streets and public open spaces

Assessment criteria

The relevant assessment criteria from the underlying City Centre Zone or Open Space Zone apply in the Napier City Heritage Precinct in addition to the below.

PREC17-AC1 – Additions and alterations (PREC17-R1 and PREC17-R2); New buildings (PREC17-R5)

General

- The assessment criteria for new buildings in the City Centre Zone (CCZ-AC4) apply in addition to the below. Where there is a conflict between the criteria below and the criteria in CCZ-AC4, the criteria below take priority.

Vibrancy, vitality and character of the Napier City Heritage Precinct

- whether the continuity of the heritage character along the street is maintained
- the extent to which additions and alterations to existing buildings do not detract from the distinctive character of the Napier City Heritage Precinct, including consideration of:
 - the extent to which services and infrastructure are visible to public view
 - the extent to which efforts made to hide the building services and infrastructure is consistent with the heritage fabric of the building
 - whether alternative options are available to connecting to services that do not impact adversely, or impact to a lesser extent, on heritage values
 - the extent to which the work enables compatible, original and new adaptive uses of the building
 - positive effects of the proposed work on the heritage character of the precinct
- the extent to which new development complements rather than replicates the art deco architectural form where this does not detract from the overall integrity of the heritage character.

Consistency with the Napier Art Deco Design Guide 2020

1. whether the proposal is consistent with the outcomes sought in the Napier Art Deco Design Guide 2020, with particular reference to:
 - i. Continuity of Heritage Character along the street. This includes consideration of:
 - the established alignment of buildings with the street boundary
 - maintaining a generally consistent building scale, having regard to structure grid lines and patterns of fenestration along the streetscape
 - avoiding monolithic street facades, including of solid masonry, sheet cladding or glass curtain wall
 - the street parapet height of adjoining buildings. Generally, no part of a new building or additions to an existing building shall exceed the street frontage height of adjacent buildings within a distance of 6m back from the street frontage
 - verandahs which align generally in height, depth and relative height above ground with immediately adjacent verandahs
 - verandah roofs should be generally flat, except as required to drain stormwater. Drainage should be incorporated into the architectural design of the verandah
 - ii. additions and alterations. This includes consideration of:
 - avoiding creating new openings in major facades
 - new windows and doors should match the proportions and scale of the original ones
 - retain details and unique features
 - make additions reversible if possible
 - reflecting and supporting the architectural character, scale and proportions of the existing structure while being clearly contemporary in design
 - the existing street parapet height should not be exceeded within a distance of 6m back from the street frontage
 - street frontages above the ground floor retail level should be retained intact or, where previously altered, should be restored
 - pitched roof forms behind the parapet, including hipped or gable roofs (and in some cases curved roofs) should be retained as important elements of the authentic architectural form
 - existing original verandahs should be retained or, where these are not original, should be replaced with new verandahs (refer criterion (i) above)
 - the design, framing and proportions of new shop fronts should be based on those original to the building, or should reflect those which predominate in existing adjacent buildings
 - mechanical units such as HVAC exterior units should not be erected on verandah roofs,

or anywhere visible from the street and must be located behind parapets or at the rear of buildings

iii. New development. This includes consideration of:

- reinforcing the historical street pattern
- maintaining the predominant design aesthetic of street frontages in the Napier City Heritage precinct of walls in which window openings are a secondary element, resulting in streets in which solid walls with pierced openings
- providing pitched roofs to provide a consistent character of roof tops as viewed from elevated vantage points within and around the CBD
- reflecting the scale and architectural rhythms of neighbouring buildings above ground floor retail frontage, while avoiding any direct copying of architectural detail
- floor-to-floor heights which reflect those of existing character buildings within the street block
- the proportions of contemporary retail shopfronts which correspond to the primary structural grid of the building
- balconies, where provided, should be recessed and integral to the building design
- mechanical plants such as HVAC exterior units should not be erected on verandah roofs, or anywhere visible from the street and must be located behind parapets, at the rear of buildings, or within purpose-design screen structures which form part of the design concept.

PREC17-AC2 – Demolition of buildings (PREC17-R3)

Vibrancy and vitality of the Napier City Heritage Precinct

- a. Where no replacement building is proposed, the effects of the removal of the building on the attractiveness of the streetscape, including continuity of active frontages

Character of the Napier City Heritage Precinct

- b. The effect of the removal of the building on its contribution to the character and urban quality of the Napier City Heritage Precinct
- c. Effects on established vistas of, or from, significant buildings or groups of buildings

PREC17-AC3 – Standalone car parking areas (PREC17-R4)

Vibrancy and vitality of the City Centre and Napier City Heritage Precinct

- a. Whether the location of non-accessory car parking area will detract from the purpose and function of the Napier City Heritage Precinct as the primary retail core for the city, including having regard to the cumulative effects of non-retail activities in the retail core

Character of the Art Deco Quarter

- b. The extent to which the car park will detract from the continuity of the heritage character along the street

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the City Centre
- d. The extent to which:
 - i. the anticipated traffic generation associated with the car park will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. vehicles accessing or exiting the car park will compromise the maintenance of the character of the Napier City Heritage Precinct

PREC18 - West Quay Character Precinct

Introduction

The West Quay Character precinct primarily contains buildings of an industrial/warehouse character which are built to the front boundary, and are of robust materials and design. Many of these buildings are no longer used for their original purpose (e.g. wool sheds) and have been successfully redeveloped into a variety of uses, mainly hospitality activities with a smaller percentage of commercial and industrial activities and apartment-style residential living. The saw-tooth roofline of the larger warehouses is a dominant feature within the precinct. Along West Quay, buildings are grander in style, finer in detail, and occupying a narrower road frontage than in the adjacent Iron Pot Character Precinct.

The purpose of the West Quay Character Precinct is to maintain the specified character values of West Quay to ensure it is protected for current and future generations, while enabling activities that leverage the benefits of the waterfront location.

Two key outcomes the District Plan seeks to achieve are 'Great urban areas' and 'Leveraging our heritage'. Provisions in this precinct seek to maintain the distinctive character and amenity values that represents a snapshot in time in the development of Napier. This will complement the provisions of the underlying Mixed Use Zone to achieve a great urban area valued by the community.

To achieve these key outcomes, and to meet relevant key principles and strategic objectives for the District Plan, the provisions for the West Quay Character precinct provide for the following:

- Achieving quality urban environments to live, work, visit and play
- Protecting those characteristics that contribute to the defined character of the West Quay Character precinct, and ensuring new development is consistent with this character
- Enabling growth through intensification and re-use where this does not impact negatively on character
- Improving accessibility and connectivity to, from and within West Quay and wider Ahuriri for all transport modes, including walking and cycling

Issues

The issues of the underlying Mixed Use Zone are also relevant in the West Quay Character Precinct.

PREC18-I1 The identification and protection of areas of special character

The character of the West Quay Character Precinct has been recognised and protected in the Napier District Plan. Without identification of areas that demonstrate a strong consistency of character, and their protection from demolition, alterations, and inappropriate new buildings, this character can be easily compromised.

PREC18-I2 The changing needs of housing and commercial accommodation

The desirability of this location, near to the waterfront and the heart of bustling Ahuriri, and within

walking/cycling distance of Napier's CBD, has significantly increased the value of land. The waterfront location, and its many attractions, appeals to those wishing to live in apartments or terrace-style housing and to work in modern premises retro-fitted into older warehouse buildings. There is a risk that the existing buildings of the West Quay area could be demolished to make way for this new housing or commercial accommodation. However, there exists an opportunity to re-use existing building stock, or to build new in an appropriate design that maintains the character of the West Quay subject to appropriate assessment.

PREC18-I3 Redevelopment and growth in West Quay may have cumulative effects on the transport network, the function of the waterfront for marine industries, and on the vibrancy and vitality of the City Centre

Continuing redevelopment and growth in the area for activities such as offices, residential and visitor accommodation may generate significant cumulative effects, including:

- *Transport network:* Additional vehicle movements may impact the accessibility and functionality of West Quay, and the intersections with Bridge Street/Ahuriri Bypass being the key freight route to Napier port
- *Function of waterfront for marine industries:* The West Quay waterfront is utilised by the fishing industry for water access and associated servicing of the commercial fishing fleet. Increased amenity expectations and people/cycle/vehicle movement can compromise the safe and efficient operation of marine industries in this location
- *Vibrancy and vitality of the City Centre:* West Quay is an attractive area and these values can be leveraged for the benefit of wider Napier. However, this needs to be managed to ensure large-scale diversion of activities away from the City Centre do not compromise the function and success of the City Centre for Napier.

Objectives

The objectives of the underlying Mixed Use Zone apply in addition to the below. Where there is a conflict between the zone and precinct objectives, the precinct objectives apply.

PREC18-O1 Identification of West Quay Character Precinct

The elements and values that define the West Quay Character Precinct are identified and the extent of this character is mapped.

Relates to PREC18-I1

PREC18-O2 Retention of special character values

The special character values of the area, as identified in the Heritage Character Area Statement are retained.

Relates to PREC18-I1, PREC18-I2

PREC18-O3 New development that is appropriate

New development is consistent with the special character of the West Quay Character Precinct and does not create adverse effects.

Relates to PREC18-I1, PREC18-I2

PREC18-O4 West Quay activities

Activities leverage the qualities of the West Quay Character Precinct while managing potential cumulative effects on the transport network, marine industries requiring waterfront access, and the vitality and vibrancy of the City Centre.

Relates to PREC18-I3

Policies

The policies of the underlying Mixed Use Zone apply in addition to the below. Where there is a conflict between the zone and precinct policies, the precinct policies apply.

PREC18-P1: Identify and map the features that make up the special character of the West Quay Character Precinct

Identify properties that when viewed with others in close proximity, form a grouping of properties sharing similar features, and are representative of urban development of a clearly defined era. Typical character features include:

- Section size and configuration, density
- Architectural form of buildings (design and materials) and original use
- Position of buildings on the section

Relates to PREC18-O1

PREC18-P2: Removal or demolition of buildings

Discourage the removal or demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement. Require any application for demolition or removal of any building that is consistent with the special character area statement, and is visible from the street, to demonstrate that the loss of the building would not disrupt the cohesiveness of the streetscape. Engage the West Quay Design Panel to provide design support to the applicant to potentially re-use the existing building rather than demolish and build new.

Relates to PREC18-O2 and PREC18-O3

PREC18-P3: New buildings and alterations/additions

Maintain and enhance the character values of the West Quay Character Precinct by ensuring new buildings, and alterations and additions to existing buildings maintain the continuity or coherence of the special character area statement. Engage the West Quay Design Panel to provide both design support to the applicant, and design recommendations to Council Officers.

Relates to PREC18-O2 and PREC18-O3

PREC18-P4: Mix of activities

Encourage an appropriate and compatible mix of activities within the precinct by:

- a. enabling hospitality activity
- b. limiting retailing and office accommodation to ensure that the function, role and amenity of the City Centre Zone and other centres is not compromised
- c. managing potential traffic generation (including cumulative effects) from residential, commercial, recreational and/or community activities
- d. Managing activities that require a building and site design and scale that is out of character with the West Quay Character Precinct characteristics as outlined in the Character Statements in SCHED4
- e. managing conflicts between new activities and marine industries
- f. avoiding new heavy industry activities, and activities that generate high volumes of heavy vehicle movements

Relates to MUZ-O1, MUZ-O2 and MUZ-O3

PREC18 – West Quay Character – Activity Table

PREC18-R1 Commercial activity	
<p>PREC18-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is a hospitality activity, or 2. The activity is retail or office activity and does not either singularly or cumulatively exceed 100sqm per site (in total) 	<p>PREC18-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function, role and amenity of the City Centre and other centres 2. Amenity values 3. Character of the area 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Reverse sensitivity effects on established marine industries 6. Resilience and infrastructure
PREC18-R2 New buildings	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Character of the area 2. Compatibility with context 3. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>	<p>NA</p>
PREC18-R3 Activities infringing standards PREC18-S1 – PREC18-S3	

<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to: 1. The matters of discretion stated for infringing the relevant standard(s) <i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA
PREC18-R4 Demolition, including partial demolition, or relocation off-site of a building	
<p>Activity status: Discretionary</p>	NA
PREC18-R5 External additions and alterations to buildings	
<p>Activity status: Discretionary</p>	NA
PREC18-R6 Retirement village premises	
<p>Activity Status: Discretionary</p>	NA
PREC18-R7 Service stations, Transport depots, Drive-through facilities	
<p>Activity Status: Non-complying</p>	NA

PREC18 – West Quay Character – Standards Table

PREC18-S1 Underlying zone standards		
<p>PREC18-West Quay Character</p> <p><i>Purpose: as stated for the relevant standard in the Mixed Use Zone</i></p>	<p>1. The following standards of the underlying Mixed Use Zone apply within this Precinct:</p> <ul style="list-style-type: none"> a. MUZ-S4 Frontage b. MUZ-S8 Open Space c. MUZ-S9 Residential privacy and light access ('outlook space') d. MUZ-S10 Minimum residential unit size e. MUZ-S11 Outdoor Storage f. MUZ-S12 Storage of shipping containers g. MUZ-S13 Garages <p>The following standards of the underlying Mixed Use Zone apply within this Precinct:</p> <ul style="list-style-type: none"> h. MUZ-S14 Fences and walls 	<p>Matters of discretion are restricted to: As stated for the relevant standard in the Mixed Use Zone</p>
PREC18-S2		

Height		
<p>Purpose: to maintain the character of the West Quay Character Precinct; to provide adequate daylight and sunlight access to public areas and open space areas including along the waterfront</p>	<ol style="list-style-type: none"> The height of buildings must correspond with the building outline shown in Appendix 2 for each of the blocks Custom Quay to Lever Street and Lever Street to the South. For sites within the zone where buildings are not in existence as at 1 November 2020, the height of new buildings must be RL 24.10 level datum. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Character of the Ahuriri coastal environment Safety, attractiveness and connectivity of streets and public open spaces
PREC18-S3 Yards		
<p>Purpose: To maintain the character of the West Quay Character Zone and enable access</p>	<ol style="list-style-type: none"> There is no side or rear yard requirement, except that where the site adjoins Pt Tn Sec 601, a 3 metre yard must be provided within the Mixed Use Zone as shown as “West Quay control yard” on the planning maps. This yard may be used for the purposes of an accessway. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Safety, attractiveness and connectivity of streets and public open spaces

Assessment Criteria

The relevant assessment criteria of the underlying Mixed Use Zone apply in addition to the below.

PREC18 – R1 Partial demolition of a building; PREC18-R2 Additions and alterations to buildings; PREC6-R4 New buildings; PREC6-R5 Demolition or relocation off-site of a building

Heritage items

- a. The relevant assessment criteria HH-AC1, HH-AC2, HH-AC5, HH-AC8, HH-AC9 apply in addition to the below.

Effect on the character of the Precinct

- b. The extent to which the proposed work or activity adversely affects the existing character of the area in which it is located and what measures have been taken to avoid, remedy or mitigate any potential adverse effects. To determine whether to approve or decline an application, the following considerations shall be made:
 - i. The buildings contribution to streetscape character of the area, as described in the Special Character Statement, and/or the effect of the proposed activity on the existing character of the area;
 - ii. Its relationship to other adjacent buildings; whether it contributes to a group in such a way that its loss would result in the loss of a character value attributable to the group;
 - iii. The recommendations of the West Quay Design Panel.

Compatibility with Context

- c. The extent to which the new building, or alterations and/or additions are compatible with the existing principal building on site and those in the surrounding character area, as described in the Special Character Statement, including in relation to the following:
 - i. Cladding materials
 - ii. Roof materials and pitch
 - iii. Window/joinery materials, size and pattern
 - iv. Design elements such as parapets and decorative elements
 - v. Setback from boundaries
 - vi. Building height and scale
- d. Whether any existing significant existing buildings features would be removed, obscured and otherwise compromised.
- e. The recommendations of the West Quay Design Panel.

LIZ - Light Industrial Zone

Introduction

The Light Industrial Zone applies to single or small clusters of industrial activity that in general are in close proximity to residential areas. Light Industrial zones provide for a range of industrial activities, and associated commercial activities, that only generate adverse effects at a level that is compatible with neighbouring residential zones.

The location, nature and scale of activities are controlled so that surrounding land uses maintain a reasonable level of amenity; however, activities located at the interface between the light industrial and residential zones may not have the same amenity as would be expected within a residential zone. Adverse effects such as traffic, noise and light spill are managed through the district wide chapters and the form and scale of the industrial buildings will be larger with less amenity design features than a typical dwelling. Other potential effects such as odour, dust, fumes and smoke are managed by the regional council.

Heavy Industry, and activities that rely on specialised trade waste infrastructure are not appropriate in the zone because of the close proximity to residential activities and limited or unsuitable infrastructure. Non-industrial use of the zones is discouraged to ensure suitable areas of land remain available for light industrial activities.

'Great Urban Areas' and 'Regional approach to industry' are two key outcomes relevant to Industrial areas. The Key Strategic Objectives relevant to planning for industrial activities are: Smart Growth, Quality Design, Environmental Excellence and Resilient Napier.

To achieve these key strategic outcomes, the industrial zones provide for the following matters:

- Industrial development is enabled in areas where appropriate infrastructure is in place to service existing and new development, or infrastructure can be provided as part of new development.
- A regional and strategic approach is taken to the future demands of all industry based on their requirements (e.g. heavy industry with needs for large land lots and trade waste may be better located in Hastings instead of Napier).
- The potential sources of contaminants in stormwater discharges are addressed.
- Non-industrial activities do not locate in industrial zones unless the activity is ancillary to the primary industrial activity located on the same site.
- The potential for reverse sensitivity from non-industrial activities located within the industrial zones is addressed.
- The health and amenity values of people and communities living near to the Light Industrial environments is maintained.
- Industrial activities are set back from open drains, waterbodies and the coastal marine area to manage potentially contaminated stormwater run-off; to provide for the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health.
- The maintenance and enhancement of urban amenity values in existing industrial zones visible from residential areas and the gateways to the City is promoted where industrial zones abut open space, commercial and residential zones.

Issues

LIZ- I1 The scale and nature of industrial activities and buildings need to be managed to

ensure adverse effects are contained on-site.

The Light Industrial Zone applies to smaller areas of industrial activity scattered throughout the City, generally in close proximity to residential areas. The scale and nature of activities that occur within the zone need to be managed to ensure a reasonable level of amenity is maintained for the surrounding land uses.

LIZ- I2 Infrastructure service levels are based on industrial activities that have low demands for water supply and waste water disposal.

The infrastructure provided in the Light Industrial zones is available on the basis that significant discharges will not occur and that the types of activities typically involve storage, trade depots and servicing activities.

LIZ- I3 The discharge of contaminated stormwater from industrial sites can have adverse effects on the environment

Land uses in the Light Industrial Zone can include areas of outdoor storage and impervious surfaces that affect the rate of stormwater runoff, putting pressure on the council's network. Exposure of rainwater to contaminants, washdown areas and hard surfaces that drain to the stormwater network have potential to affect environmental health of waterbodies and water quality in the inner harbour, at the coast and in the estuary. This may in turn affect human health when contact is made with contaminated water or upon consumption of contaminated marine life.

LIZ-I4 Reverse sensitivity

Reverse sensitivity arises when newly established land uses complain about an established industrial activity that produces adverse effects at adjacent properties. This may ultimately result in operating constraints being placed on existing authorised industrial activities.

While the nature and scale of industrial activities is to remain compatible with surrounding land uses the potential for reverse sensitivity from inappropriate activities within the zone remains (particularly residential activities) and needs to be addressed to ensure the zone can function effectively.

LIZ-I5 – Limited Physical Resource

Light Industrial zoned land is a physical resource of limited supply that provides for essential service and repair activities and for storage needs. Occupation of the Light Industrial Zone by non-industrial land use is a potential threat to the availability and affordability of land suitable for industrial development. Light industrial activities need to be located in appropriate zones where suitable infrastructure is available and the expectations around amenity supports these activities. They typically cannot establish in other locations. Use of this land resource by non-industrial activities needs to be managed to ensure it is not used by non-industrial activities that are permitted within other zones and to ensure that the vibrancy of centres and commercial zones is not undermined.

LIZ- I6 Areas of land suitable for accommodating heavy industrial activities is not available within the Light Industrial Zone.

Heavy and wet industrial activities are directed away from the Light Industrial Zones and from Napier in general into other areas within the wider Hawkes Bay region as part of an agreed regional

approach to industry (with Hastings District Council) where zoned and appropriately serviced land is more readily available. Land use associated with heavy industrial activities can place demands on traffic, waste treatment and stormwater infrastructure, need buffers or separation distances from other activities and sensitive environments, operate for longer hours, require large buildings and lot sizes, generate noise and can have off-site effects that are difficult to mitigate, and which can conflict with land uses in adjacent zones.

Heavier industry that is appropriate for the level of services available within Napier, is directed to the General Industrial Zone and away from the Light Industrial Zone where a higher level of amenity is required due to the smaller site sizes available, the sensitivity of adjacent residential zones and a lack of suitable infrastructure.

LIZ- I7 The effects of industrial activities, including traffic movements, buildings, plant, structures, and outdoor storage can diminish the amenity values and character in adjacent zones.

Traffic and truck queuing can affect accessibility to neighbouring zones, and the amenity values of nearby residential neighbourhoods as well as having a significant impact on the road network. The storage of containers and products can have adverse effects on the amenity in adjacent zones.

Buildings with large footprints, parking and storage areas can be detrimental to the amenity and character of adjacent areas. Dominant buildings and outdoor storage of materials and containers can have adverse visual effects where the Industrial zones have an interface with residential areas.

Objectives

LIZ-O1: Light industrial activities and adjacent land uses

The scale and nature of industrial activities and the effects generated is compatible with surrounding land uses, and a reasonable level of amenity is maintained in surrounding zones.

Relates to LIZ-I1, LIZ-I2, LIZ-I6 and LIZ-I7

LIZ-O2: Activities in the Light Industrial Zone

Industrial activities are enabled in the Light Industrial Zone to the extent that they are of a suburban scale, reflect the character and infrastructural capacity of the area they are located in, and do not reduce cultural, ecological or amenity values.

Relates to LIZ-I1, LIZ-I2, LIZ-I6 and LIZ-I7

LIZ-O3: Incompatible activities

Use and development is not compromised by reverse sensitivity from activities with higher amenity expectations locating within the zone.

Relates to LIZ-I4 and LIZ-I5.

LIZ-O4: Non-Industrial Activities

Ensure that the Light Industrial Zone remains available to industrial activities and that any non-industrial activities are ancillary to, or directly service, the industrial activities within the zone.

Relates to LIZ-I5.

LIZ-O5 Low impact industrial activities

Industrial activities are located and designed to have a low impact on health, safety, cultural and environmental values, including stormwater quality.

Relates to LIZ-I1, LIZ-I2, LIZ-I3; LIZ-I6 and LIZ-I7

Policies

LIZ-P1: Activities in Light Industrial zones

LIZ-P2: Light industrial activities and adjacent land uses

The Light industrial zone is only used for the on-going operation and development of light industrial activities, and related service activities and ancillary activities that are an efficient use of the physical resource of the zone and do not compromise the amenity values of neighbouring residential zones.

Relates to LIZ-O1, LIZ-O2

LIZ-P3: Incompatible activities

To avoid heavy industrial activities with high demands on infrastructure services and incompatible adverse effects and inappropriate non-industrial activities from locating in the Light Industrial Zone.

Relates to LIZ-O2 and LIZ-O5

LIZ-P4: Effects on water and areas with sensitive values

Industrial activities are located and designed so that stormwater runoff from roof and impervious surfaces is not exposed to contaminants, and activities are managed to avoid adverse effects on waterbodies and land with significant or important values.

Relates to LIZ-O2 and LIZ-O5

LIZ-P7: Contaminants

Hazardous substances and contaminants generated by industrial activities are contained within their site of origin and disposed of in an appropriate manner, and adequate measures are in place to control adverse effects on the environment.

Relates to LIZ-O1, LIZ-O2 and LIZ-O5

LIZ-P8: Stormwater and impervious surfaces

The volume of stormwater runoff from roof and impervious surfaces that is exposed to

contaminants is reduced by managing site design and areas of impervious surfaces (including outdoor parking and storage areas)

Relates to LIZ-O1 LIZ-O2 and LIZ-O5

LIZ-P9: Non-industrial and ancillary activities

Non-industrial activities are only located in the Light Industrial Zone when the activity is compatible with industrial activities, and:

- a. supports and is directly related to a permitted or consented industrial activity located on the same site; or
- b. provides essential services to people employed in businesses located in the zone.

Relates to LIZ-O1 LIZ-O2 and LIZ-O4

LIZ-P10: Reverse Sensitivity

To ensure that existing industrial activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities, and activities that are sensitive to the types of effects generated by industrial activities are not be located in the Light Industrial Zone.

Relates to LIZ-O3

Light Industrial Zone - Activity Table

LIZ-R1 Any industrial activity		
LIZ-R1A Activity Status: Permitted Where the following conditions are met: <ol style="list-style-type: none"> 1. All Standards are complied with. 2. The development or activity is connected to the Council reticulated networks for water, sewer (including trade waste) and stormwater. 3. There are no discharges of contaminants from the site. 4. The industrial activity is one of the following activities: <ol style="list-style-type: none"> a. Light manufacturing and servicing b. Repair and maintenance services c. Warehousing and storage 	LIZ-R1B Activity Status where conditions and standards are not met: Discretionary	
LIZ- R2 Office accommodation, retail and commercial activities		
LIZ- R2A	LIZ- R2B	

<p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. All office accommodation relates to the administration of an industrial activity. 3. The goods or services offered must be manufactured, processed, repaired, serviced or warehoused on the site. 4. The activity is connected to the Council's wastewater and stormwater network. 5. No office activity, retail activity and/or commercial activity, either singularly or collectively, occupies more than 25% of the gross floor area of buildings on the site. 6. Operating hours are between 7.30am and 8pm. 	<p>Activity Status where conditions and standards are not met: Discretionary</p>
<p>LIZ- R3 Hospitality, food and beverage services</p>	
<p>LIZ- R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. There is no more than one food and beverage outlet per site 3. The service occupies no more than a maximum gross floor area of 150m² 4. The service must be of a nature that cater for the daily needs of people working within the zone. 5. The service is connected to the Council's wastewater and stormwater network. 	<p>LIZ- R3B</p> <p>Activity Status where conditions are not met: Discretionary</p>
<p>LIZ- R4 Indoor Storage Hire Services</p>	
<p>LIZ- R4A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 	<p>LIZ- R4B</p> <p>Activity Status where conditions and standards are not met Restricted Discretionary</p> <p>Matters of discretion are restricted</p>

<p>2. The development or activity can be connected to Council's reticulated networks.</p>	<p>to:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Fire and pest control 3. Type and volume of contaminants or hazardous substances. 4. Shading or dominance of residential properties. 5. Setbacks from reserves and residential property boundaries. 6. Risk to public health and safety, and the environment 7. Planting, landscaping, fencing and screening. 8. Effects on the estuary, watercourses and open drains. 9. The location of buildings, areas of impervious surfaces and methods to manage runoff. 10. Setback distances for the maintenance, enhancement and protection of watercourses and open drains.
<p>LIZ – R5 Storage of Tyres</p>	
<p>LIZ- R5A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is ancillary to another activity on the site 2. A fire and pest control management plan is prepared and implemented for the site 3. All tyres, or any part of a storage area used for tyres is to be located more than 10m from the front boundary of the site 4. The maximum height of stored tyres is 1.5 metres 5. The area used for tyre storage must not exceed 10m² or have a dimension of more than 4m 6. Tyres are stored in a single storage area that is either inside a building or in a fully covered storage area 7. The tyre storage area must be locked at all times when the premises are not in use 8. Any tyre storage areas must not be visible from any public spaces or adjoining sites 	<p>LIZ- R5B</p> <p>Activity Status where conditions and standards are not met: Discretionary</p>
<p>LIZ- R6 Multi Unit Development for industrial</p>	

activities	
<p>LIZ- R6A</p> <p>Activity Status: Controlled</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards. 2. There will be no more than 3 units per site. 3. The development or activity will be connected to Council's reticulated networks. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Hours of operation. 2. Scale, bulk and built form. 3. Privacy, shading or dominance effects on people and properties in other zones. 4. Mitigation of any risk to public health and safety. 5. Setback distances from a property boundary in the open space or residential zone. 6. Planting, fencing or screening. 7. Areas of impervious surfaces. 8. Mitigation methods for controlling runoff, leachate or potential contamination of stormwater. 9. Setback distances for the maintenance, enhancement and protection of a watercourse or open drain. 10. The effects on the amenity and built character of the area. 11. Acoustic mitigation at the boundary of a residential zone. 	<p>LIZ- R6B</p> <p>Activity Status where conditions and standards are not met Restricted Discretionary</p> <p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Hours of operation 3. Scale, bulk and built form 4. Privacy, shading or dominance effects on people and properties in other zones 5. Risk to public health and safety, and the environment 6. Street frontage and layout 7. Planting, fencing or screening 8. The effects on the amenity and existing character of the area. 9. Acoustic mitigation at the boundary of a residential zone 10. Effects on the estuary, watercourses and open drains 11. Mitigation methods for controlling runoff, leachate or potential contamination of stormwater 12. Setback distances for the maintenance, enhancement and protection of a watercourse or open drain
LIZ- R7 Storage of Shipping Containers	
Activity Status: Non-complying	
LIZ- R8 Land use or development that is not otherwise provided for	
Activity Status: Non-complying	

Industrial Zone - Standards Table

All activities must comply with the following standards:

LIZ-S1 Yards	
<p>Light Industrial Zone</p> <p>Purpose: <i>To establish a</i></p>	<ol style="list-style-type: none"> 1. Setbacks from water No part of a structure or building (including eaves and guttering), fence or permanently fixed structure is located closer than 6 <p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Purpose of the standard 3. The built characteristics of the

<p><i>harmonious streetscape; to provide a buffer and screening of industrial activities from roads and other zones, to mitigate adverse visual and nuisance effects; to provide access to and along watercourses for maintenance monitoring and enhancement purposes .</i></p>	<p>metres from the top of the bank of any watercourse or open drain.</p> <p>2. Front Yards</p> <p>a. No part of a structure or building or storage area (including eaves and guttering) is closer than 2 metres from the road boundary</p> <p>b. No part of a building (including eaves and guttering) is closer than 3 metres from the following road boundaries:</p> <p>i. Hyderabad Road.</p> <p>ii. Gloucester Street.</p> <p>c. With the exception of a driveway, a minimum of a 2 metre wide landscaped area is provided adjacent to the boundaries of:</p> <p>i. Hyderabad Road</p> <p>ii. Gloucester Street.</p> <p>3. Other Yards</p> <p>a. No part of a building or structure or storage area (including eaves and guttering) is closer than 6 metres from the boundary of any land not zoned for industrial activities.</p> <p>b. A minimum of a 2 metre wide landscaped area of indigenous plants must be provided parallel to the boundary of any land not zoned for industrial activities. This landscaped area must create a visual screen with a minimum height of at least 1.8 metres.</p> <p>c. The landscaped area must incorporate an operational irrigation system and be maintained to ensure ongoing plant health.</p>	<p>neighbourhood</p> <p>4. Streetscape and amenity values.</p> <p>5. Manoeuvring areas and pedestrian safety. Landscaping</p> <p>6. Setbacks from water</p> <p>7. Maintenance, enhancement</p> <p>8. Ecology of the watercourse or open drain.</p> <p>Notification: Non-notified</p>
<p>LIZ-S2 Height</p>		
<p>Light Industrial</p>	<p>1. Other than aerials, lines and</p>	<p>Matters over which discretion is</p>

<p>zone</p> <p>Purpose: to mitigate adverse effects of shading, dominance, privacy, visual and nuisance effects</p>	<p>support structures, no part of a building, or structure, can exceed 10 metres in height.</p> <p>2. Buildings, or structures must not exceed the Airport Height Control Designation in Appendix 1.</p>	<p>reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Purpose of the standard 3. The built characteristics of the area. 4. Streetscape and amenity values. 5. The effects of shading on adjacent properties and occupiers. 6. The effects of dominance, overlooking and privacy of adjacent residential properties and occupiers. 7. The scale of the building in relation to the site. 8. The effects on air traffic safety.
<p>LIZ-S3 Height in relation to boundary</p>		
<p>Light Industrial zone</p> <p>Purpose: to recognise the character and amenity of industrial activities in a suburban setting; to manage the effects of bulk and building height on outlook, dominance, access to sunlight / daylight and privacy; to mitigate adverse amenity, visual and nuisance effects</p>	<ol style="list-style-type: none"> 1. No part of any building or structure including container storage shall project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes must commence 7.5 metres above ground level and must be inclined to the horizontal at an angle of 65 degrees. 2. In relation to multi-unit development for an industrial activity, the building envelope must be constructed by drawing planes along all parts of all building site boundaries and must commence at the building site boundary. 3. Where the site adjoins any land zoned other than industrial, the planes must commence 3.0 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees. 4. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition. 5. No account will be taken of aeri-als, lines, support structures, 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Purpose of the standard 3. Height, scale, bulk and built form. 4. The built characteristics of the neighbourhood. 5. The effects on streetscape and amenity values. 6. The availability of daylight to adjacent residential properties. 7. The effects of shading, dominance, overlooking and privacy on people and adjacent properties. 8. The effects on air traffic safety.

	<p>solar heating devices, air conditioning units and similar structures used for housing electronic or mechanical equipment, or chimneys, that are less than 1 metre wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope.</p> <p>Figure</p> <p>Figure</p>	
LIZ-S4 Building coverage		
<p>Light Industrial zone</p> <p>Purpose: <i>to provide for buildings that are of a suburban scale, reflect the character of the area they are located in, and do not reduce amenity values, or effects on residential activities in neighbouring zones</i></p>	<p>1. Building coverage must not exceed 75%.</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Purpose of the standard 3. Streetscape and amenity values. 4. Scale, bulk and built form. 5. The existing character and built density of the area. 6. The area of impervious surfaces and the methods to control stormwater runoff.
LIZ-S6 Stormwater runoff		
<p>Light Industrial zone</p> <p>Purpose: <i>To manage risk to human health and effects on water quality, ecology and the council's reticulated network; to ensure development layout, operation and design does</i></p>	<ol style="list-style-type: none"> 1. All sites must be drained in a manner to ensure that stormwater generated on the site is unable to directly enter the Ahuriri estuary or any waterbody or open drain. 2. Interceptor traps must be used to remove sediment, floating debris and oil products from all stormwater collected from the site including general yards and storage areas prior to its discharge to the Napier City Council reticulated stormwater 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Purpose of the standard 3. The area of impervious surfaces and methods to control of stormwater runoff. 4. The effects on water quality. 5. Risk to public health and safety, and the environment. 6. The effects on ecosystems of the Inner Harbour and Ahuriri Estuary.

<p><i>not contaminate water</i></p>	<p>system or private discharges to any waterbody or watercourse.</p> <p>NOTE: Stormwater may only be discharged to a Council reticulated network in compliance with the Napier City Stormwater Bylaw.</p> <p>All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	
<p>LIZ-S7 Fences</p>		
<p>Light Industrial zone</p> <p>Purpose: to manage effects on amenity values; minimise visual dominance, and to provide a buffer and screening between industrial activities, neighbouring residential zones, and open space zones</p>	<p>1. A fence erected within a front yard, side or rear yard cannot exceed 2 metres in height measured from ground level .</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. The built characteristic of the neighbourhood. 3. The degree of shading of adjacent residential properties. 4. The effects on the visual amenity and privacy of adjacent properties and occupiers. 5. The scale and bulk of the structure in relation to the character of the area 6. The effects on amenity values.
<p>LIZ-S8 Aerials, Lines and support structures</p>		
<p>Light Industrial zone</p> <p>Purpose: To provide for services supporting industrial activities without creating adverse visual effects</p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed 15 metres in height. 2. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1, 3. Dish antenna must not exceed 5 metres in diameter. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. The built characteristic of the neighbourhood. 3. The availability of daylight to adjacent properties. 4. The effects on amenity values at adjacent properties. 5. The scale in relation to adjacent buildings.

	<ol style="list-style-type: none"> 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: <ol style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. b. There must be no more than one such structure on the site. 5. The aerial, line and/or support structure must comply with the conditions relating to yards, and height in relation to boundary. 	<ol style="list-style-type: none"> 6. The bulk and form of the aerial, line and/or supporting structures. 7. The effects of shading. 8. The extent to which heritage or cultural values are adversely affected. 9. The cumulative effect of additional aerials, lines and/or support structures. 10. The prominence of the site taking into account significant public views and any significant landscapes. 11. The effects on public health and safety. 12. The effects on air traffic safety.
LIZ-S9 Roof and painted surfaces		
<p>Light Industrial zone</p> <p>Purpose: <i>to attenuate run-off and ensure materials used and design of buildings and structures do not contaminate stormwater</i></p>	<ol style="list-style-type: none"> 1. All roof surfaces on a building, structure or storage area are to be constructed from inert materials or painted with non-metal based paint and maintained in good order. <p>NOTE: Stormwater may only be discharged to a Council reticulated network in compliance with the Napier City Stormwater Bylaw 2019.</p> <p>All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Purpose of the standard 3. The effects on public health and safety. 4. The effects on amenity values. 5. The measures to avoid contamination from stormwater runoff. 6. The effect on the ecology and aquatic life of the Ahuriri Estuary.
LIZ-S10 Outdoor storage of materials and products		
<p>Light Industrial Zone</p> <p>Purpose: <i>To ensure the outdoor storage of goods and materials is of a suburban scale,</i></p>	<ol style="list-style-type: none"> 1. The stored goods or materials must comply with yard, height and height in relation to boundary standards above. 2. Outdoor storage areas are to be screened from the view of any adjacent residential zone or public open space 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters. 2. Streetscape and amenity values. 3. Scale, bulk and built form. 4. The existing character and built density of the area. 5. The area of impervious surfaces and the methods to control

<p><i>reflects the character of the area, and does not reduce amenity values, or have dominance effects on residential activities in neighbouring zones</i></p>	<ol style="list-style-type: none"> 3. The storage of material likely to generate contaminated leachate is located on a sealed area and is drained into the reticulated network or treatment areas in compliance with standard LIZ-S6. 4. Goods and materials stored (including those which may become airborne due to wind) are to be secured and stored in a way that prevents materials escaping and contaminating any off-site area. 5. Outdoor storage areas, containers or stockpiles must be maintained so as not to provide a food source for birds or vermin. 6. The storage area is not to be located closer than 6 metres from the top of the bank of any watercourse or open drain 7. Where organic matter is stored a Pest Control Management Plan is to be prepared and implemented for the site. 	<p>stormwater runoff.</p>
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Assessment criteria - Light industrial activities

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

LIZ –AC1 All infringements

The assessment criteria in LIZ-AC1 apply in addition to those in LIZ- AC2 to LIZ-AC6

General assessment matters

- a. The implementation of the relevant objectives and policies of the district plan; including the District Wide Chapters and this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics.
- b. Whether the site or setting of the development has any special or unusual characteristics.
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.

Risk to public health and safety, and the environment

- d. Whether the the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate minimises the risk to public health and safety, and the environment.
- e. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- f. Whether the volume of water, or rate and composition of discharges may have adverse effects on
 - i. open drain, fresh water, or coastal water quality
 - ii. the health of any habitats of indigenous species
 - iii. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Height, scale, bulk and built form

- g. The extent to which the layout or design of the building or structure detracts from the streetscape or amenity of neighbouring properties.
- h. The extent to which the positioning, bulk and building design could have adverse effects on people or properties in an adjacent open space or residential zoned property; including:
 - i. whether the activity reduces access to sunlight, increases shading on indoor and outdoor living spaces in adjacent residential and open space zones
 - ii. whether the buildings, structures, parking and storage areas reduce privacy for a residential activity
 - iii. the extent to which the activity diminishes visual character, amenity or dominates
 - iv. the extent to the activity avoids a sense of entrapment or dominance effects.
- i. Whether the scale and intensity of the activity is compatible with surrounding land uses.
- j. Whether the building coverage and impervious surface areas have potential to exacerbate flood risk.

Landscaping and screening

- k. The extent to which the landscaping uses species that are locally appropriate / endemic.
- l. Whether the quality and scale of any landscaping improves outcomes for on the remainder of the site.
- m. The extent to which the amenity values and natural character values of water bodies and open drains are retained or enhanced with riparian planting.

Infrastructure capacity and stormwater management

- n. Whether the development proposal or activity is connected to the municipal trade waste / wastewater treatment network.
- o. Whether the activity involves discharges that may have adverse effects on the Ahuriri Estuary, open drains, or any water body.

- p. Whether the activity makes use of pre-treatment methods to avoid contamination of stormwater and runoff.
- q. Whether the development could reduce the ability of waterways or drains to convey surface water safely, or ponding areas to store water in heavy rainfall events.

Setback distances

- r. The extent to which a setback or separation distance would reduce visual and aural effects of industrial activities on residential amenity and people's health and safety in adjacent residential, conservation or open space zones.
- s. The extent to which the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised.
- t. Whether access to drains and waterways for maintenance is inhibited.
- u. Whether the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is reduced; or flood events may be exacerbated.

Traffic, vehicle parking and access

- v. The extent to which the activity may generate high levels of traffic and other adverse environment effects.
- w. Proximity to public transport, and whether adequate vehicle parking can be provided on-site or other methods are available to mitigate any adverse effects associated with vehicle parking and manoeuvring.
- x. Whether the development will have an adverse effect on residential amenity, pedestrian safety and the safety and efficiency of the transport network.
- y. Whether adequate sight distances are available for vehicular and pedestrian safety.
- z. Whether adequate vehicle parking and manoeuvring can be provided on-site or other methods available.
- aa. Whether the land use will avoid on-road congestion and vehicle queuing.
- ab. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

Cultural Impacts

- ac. Whether the development recognises the cultural values of mana whenua.

Cumulative Effect

- ad. Whether there are already activities located in the area that generate traffic, noise or other adverse effects that are not in keeping with existing surrounding land uses.

- ae. The extent to which there may be cumulative effects from a single or group of non-industrial activities locating in close proximity.
- af. Whether the proposed land use, in conjunction with other activities, will have an adverse effect on the surrounding area.

Noise Mitigation Measures

- ag. Whether noise arising from the activity will have an unreasonable effect on amenity at neighbouring properties.
- ah. The extent to which effective noise mitigation measures are proposed.
- ai. Whether noise generated from industrial activities in the area will have an unreasonable effect on the amenity of the residents, or people attending non-industrial or non-commercial activities.

Noise Mitigation Measures

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- al. Whether noise generated from industrial activities in the area will have an unreasonable effect on the amenity of the residents, or people attending non-industrial or non-commercial activities.

Risk to public health and safety, and the environment

- am. Whether the the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- an. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

Fire and pest control

- ao. The extent to which the activity implements an approved fire or pest management plan.

LIZ-AC2 Industrial Activities

- a. Whether the land use is a light industrial activity.
- b. The extent to which the industrial activity is compatible with residential activities in neighbouring zones.
- c. Whether the development is connected to Council's reticulated water, wastewater and stormwater infrastructure.
- d. Whether the land use involves the use of materials that could have an adverse environmental effect.
- e. Whether the activity is a heavy industrial activity, or is an industry engaged in the large-scale

processing or manufacture of goods or raw materials; has high water use or tradewaste infrastructure requirements.

- f. The extent to which the effects of the activity are contained on-site.
- g. Whether the land use involves the manufacturing, storage or use of materials that could have an adverse environmental effect in the event of inundation or flooding.
- h. Whether there is a risk of contaminants or adverse effects on any residential zone, open drain, water body margin, coastal margins, reserves or open space.
- i. Whether the activity poses a risk to humans, or health and safety measures are needed.

LIZ-AC3 Non-industrial activities

- a. The extent to which the activity is compatible with light industrial activities.
- b. Whether the establishment of the land use would have any adverse effects on the efficient use and/or development of the zone for industrial activities.
- c. Whether the activity is ancillary to an existing industrial or manufacturing activity or group of businesses located in the vicinity and provides an essential service.
- d. The number and location of similar services on the site or within walking distance.
- e. Whether the development could reduce opportunities for industrial activities to establish within the zone.
- f. Whether the land use will alter the character of the industrial zone.
- g. Whether the establishment of the land use would result in significant social or economic impacts in another zone.
- h. Whether the activity supports an existing industrial activity and provides goods or services that are consumed or used within the zone.
- i. Proximity to public transport, and whether adequate vehicle parking can be provided on-site or other methods are available to mitigate any adverse effects associated with vehicle parking and manoeuvring.

LIZ-AC4 Outdoor storage areas

- a. The type and volume of materials to be stored.
- b. Whether any stored materials or tyre storage is ancillary to an existing activity on the site.
- c. The extent to which the mechanisms proposed will control vermin and insects.
- d. The extent to which the outdoor storage will dominate any adjacent residential properties and alternative layouts that have less adverse effects.
- e. Whether the outdoor storage reduces the availability of daylight or privacy of adjacent properties

and occupiers.

- f. Whether the visual amenity, including dominance, privacy, sunlight access or extent of shading at residential properties will be reduced.
- g. The extent, appearance and type of screening of the storage area; and reduction in visual impacts on residential and open space zoned land and from roads.
- h. The effectiveness of noise mitigation measures.
- i. Whether there is adequate provision for entrance and exit from the road, and queuing space.
- j. The extent to which the proposal can reliably control weeds and pests.

LIZ-AC5 Multi-unit development

- a. The extent to which the proposed development is to be occupied by light industrial activities.
- b. Whether the buildings and structures are designed to accommodate future industrial uses.
- c. The extent to which the activity implements the provisions in the subdivision chapter.
- d. Whether the multiunit development and storage areas create adverse effects on visual amenity or character of a residential area.
- e. Whether the development will alter the use of the land or industrial character of the zone.
- f. Whether the impact of the scale and intensity of the development is compatible with surrounding land uses.
- g. Whether the activity would have adverse effects on any residential property, or result in significant social or economic impacts.
- h. Whether noise generated by industrial activities will have an adverse effect on the amenity of residents in adjacent areas or people using non-industrial or commercial services.
- i. Whether the activity would produce any adverse effects that have the potential to impact on the ecology of the Ahuriri Estuary or inner harbour.

LIZ-AC6 Tyre Storage

- a. Whether the tyre storage is ancillary to an existing activity on the site.
- b. The extent to which the tyres will be screened from residential and open space zoned land and from roads.
- c. The layout of the proposed facility including the size and height of storage piles, the distances between piles, and fire breaks proposed.
- d. The extent to which the location of the site and the proposed layout, screening and security measures minimize the potential for arson.

- e. The mechanisms proposed, including a fire management plan, to minimize the risks of fires starting and maximize the chances of any fires being extinguished as quickly as possible.
- f. The mechanisms proposed for avoiding contamination, and the treatment and attenuation of stormwater.
- g. The extent to which the mechanisms proposed will control vermin and insects.
- h. The extent to which the site is of adequate size to accommodate the proposed tyre storage together with the proposed stormwater management regime, firefighting facilities, car parking and landscape treatments.
- i. The duration for which it is proposed the tyres will be stored on the site, and the duration for which the activity is to be undertaken.
- j. The mechanisms proposed that provide certainty that all tyres are removed from the site when the activity ceases; this may include the provision of a bond to Council.
- k. Whether the tyre storage involves new tyres or is part of an activity involving manufacturing or processing.

GIZ - General Industrial Zone

Introduction

The General Industrial Zone identifies the areas where industrial activities can locate, operate and expand, provided infrastructure is available or can be provided to deal with the effects associated with discharges, the effects of industrial development on the environment and surrounding land uses are managed, and risks from natural hazards can be mitigated.

The General Industrial Zone provides for industrial activities that are not compatible with residential or other similarly sensitive uses, and typically require relative isolation from other non-industrial land uses. There is a buffer or set-back where industrial activities adjoin the Residential Zone, Ahuriri Estuary or inner harbour. Incompatible activities need to be managed to address the potential for reverse sensitivity or nuisance effects potentially restricting the operation of industrial activities.

There are three industrial areas in Napier (Onekawa, Awatoto and Pandora) and a mixed use zone in Ahuriri, an area that was founded around industry as Napier developed into a city. The provision of infrastructure and its capacity influences the type of industrial activities that can locate in each area. Infrastructure that is designed to cater for industries that use water and discharge tradewaste as part of their manufacturing processes is located in the Pandora Industrial zone. Any trade waste associated with the expansion or development of new industrial activities within the zone is to be treated and disposed of in accordance with the Napier City Council's Bylaws.

Heavy Industrial activities can have significant adverse effects that cannot always be contained on-site and which are often incompatible with sensitive land uses and ecological areas. Larger lot sizes are often needed to accommodate these types of industrial activities in order to internalise their effects.

The expansion of heavy industry and non-industrial activities are to be avoided in the industrial zones due to the close proximity of receiving environments that are sensitive to contaminant discharges; the limited space available in Napier City and the potential loss of industrial zoned land to non-industrial uses. Non-industrial use of the zones is restricted to ensure suitable areas of land remain available for industrial land uses, which typically have little ability to establish in non-industrial zones.

Specific provision is however, made for land fronting Taradale Road in the Onekawa industrial area to provide for trade supply retail activities in an identified Specific Control Area. The arterial road frontage has created a strong market demand for such activities in this area, which have a functional need for on-site customer vehicle access and in doing so help support industrial activities. Such a need cannot readily be met in the City's centre zones.

Great Urban Areas' and 'Regional approach to industry' are two key outcomes relevant to Industrial areas. The Key Strategic Outcomes relevant to planning for industrial activities in the City are: Smart Growth, Quality Design and Environmental Excellence. Economic activity and innovation is supported in appropriate locations.

To achieve these key strategic outcomes:

- Industrial development is enabled in areas where appropriate infrastructure is in place to service existing and new development, or infrastructure can be provided as part of new development..

- A regional and strategic approach is taken to the future demands of all industry based on their requirements (e.g. heavy industry with needs for large lots and supporting trade waste infrastructure may be better located in Hastings instead of Napier).
- The potential sources of contaminants in stormwater discharges are mitigated on site.
- Non-industrial activities do not locate in industrial zones unless the activity provides ancillary services to an existing industrial activity on the same site
- The potential for reverse sensitivity from non-industrial activities is addressed; and amenity values are maintained.
- Industrial activities are set back from waterbodies and the coastal marine area to manage potentially contaminated stormwater run-off; to provide for the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health.
- The maintenance and enhancement of landscape character in existing industrial zones visible from residential areas and the gateways to the City, and urban amenity values where the industrial zone abuts the residential zone

Issues

GIZ- I1 Investment in industrial activities and employment requires certainty and a predictable regulatory environment.

Investment in industrial activities and employment promotes economic well-being. To be effective however, business requires certainty and a predictable regulatory environment.

The General Industrial Zone allows industrial activities to occur, with some regulatory intervention so that appropriate environmental, health and safety standards are met. The areas zoned for industrial activities feature a range of industrial activities with provision for some ancillary activities.

GIZ- I2 Areas of land suitable for accommodating heavy industrial activities is generally not available within Napier.

Land use associated with heavy industrial activities can place demands on traffic, waste treatment and stormwater infrastructure, need buffers or separation distances from other activities and sensitive environments, operate for longer hours, require large buildings and lot sizes, generate noise and can have off-site effects that are difficult to mitigate, and which can conflict with land uses in adjacent zones. The relative scarcity of suitable land in Napier for heavy and wet industrial activities mean that they are directed away from Napier and into other areas within the wider Hawkes Bay region as part of an agreed regional approach to industry (with Hastings District Council) where zoned and appropriately serviced land are more readily available.

Effective management of the adverse effects of industrial activities relies on adequate infrastructure and servicing proportional to the scale and needs of the operation. Areas of land with the appropriate trade waste connections and other infrastructure necessary to support heavy industrial activities is primarily found outside of Napier. Taking a regional approach enables different types of industrial activity to be located in the region where there is adequate space for expansion, services and infrastructure can be provided, transport and accessibility needs are met, and risks from natural hazards are reduced.

GIZ- I3 Land where suitable infrastructure is available is a limited resource

Industrial zoned land that has adequate infrastructure and services is a limited resource that needs

to be used efficiently. There are already constraints associated with the capacity of infrastructure servicing some of the areas zoned for industrial activities and reticulated three waters network has capacity limitations that cannot be exceeded. Heavy industry in particular typically generates high demands on services that either cannot be met or potentially could monopolise any remaining capacity at the expense of a large number of sites/activities within the wider zone.

Occupation of industrial zones by non-industrial land use is also a potential threat to the availability and affordability of land suitable for industrial development. Industrial activities need to locate in industrial zones as they require infrastructure designed for anticipated industrial development. Alternative locations are generally not feasible or practicable

GIZ- 14 The discharge of contaminated stormwater from industrial sites can have adverse effects on the environment

Industrial zones can include high contaminant generating activities that can have harmful effects on human health and aquatic ecosystems especially when those contaminants are exposed to water.

Land uses in the General Industrial Zone can include areas of outdoor storage and the creation of impervious surfaces that affect the rate of stormwater runoff, putting pressure on the council's network. Exposure of rainwater to contaminants, washdown areas and hard surfaces that drain to the stormwater network have potential to affect environmental health of waterbodies and water quality in the inner harbour, at the coast and in the estuary. This may in turn affect human health when contact is made with contaminated water or upon consumption of contaminated marine life.

GIZ- 15 The effects of industrial activities, including traffic movements, buildings, plant, structures, and outdoor storage can diminish the amenity values and character in adjacent zones.

The operational needs of some industrial activities include products and services that generate large traffic volumes. Industrial activities tend to take advantage of locations along the rail and key arterial road networks, or in close proximity to the Napier Port. Traffic and truck queuing can affect accessibility to neighbouring zones, and the amenity values of nearby residential neighbourhoods as well as having a significant impact on the road network.

Buildings with large footprints, parking and storage areas can be detrimental to the amenity and character of adjacent areas through generation of noise, dust and constant or intermittent operations throughout the day and night. Dominant buildings and outdoor storage of materials and shipping containers can also have adverse visual effects where the Industrial zones have an interface with residential areas.

GIZ- 16: There are environmental constraints associated with developing land adjacent to residential areas, and the ecologically significant Ahuriri Estuary and the airport.

The Ahuriri estuary has particular characteristics that mean that planning constraints need to be applied to industrial activities in the vicinity to ensure potential adverse effects can be assessed and managed. Where industrial activities are located near the ecologically significant Ahuriri Estuary any activities must be low impact and environmentally aware.

The close proximity of industrial activities to coastal water and residentially zoned land has the potential to affect the neighbouring residents as well as the estuarine environment. Industrial activities may involve the generation of noise, dust and odour, the use of hazardous substances and

discharges.

GIZ- 17 Industrial activities tend to be incompatible with sites with significant values or sensitive land uses

The district plan manages the built form and the interface of industrial activities with adjacent uses and activities. Industrial activities that have potential for harmful effects on ecosystems, significant cultural values or human health are not compatible with significant natural areas, areas of significance to Maori, or sensitive land uses such as residential activities.

While the majority of the industrial zone is highly developed, the proximity of industrial activities to water margins including the nationally important Ahuriri Estuary and a Significant Natural Area (SNA) means the expansion of existing industry and some types of new activities may be inappropriate in some locations due to the potential adverse effects on the receiving environments.

GIZ- 18 Reverse sensitivity can arise where industrial activities are lawfully established, but nevertheless generate undesirable effects that extend across a property boundary.

Reverse sensitivity arises when newly established land uses complain about an established industrial activity that produces adverse effects at adjacent properties. This may ultimately result in operating constraints being placed on existing authorised industrial activities.

Sensitive land uses within, or near to, industrial areas have the potential to impinge upon the operating requirements of legitimate industrial activities within these areas. Incompatible land uses (such as residential dwellings and day care centres) will be actively discouraged from establishing in these industrial areas, as their lower tolerance level for nuisance elements such as noise and odour may, over time, impose undesirable constraints on the operational efficiency of the existing and lawfully established enterprises located within the industrial areas.

GIZ- 19 Demand for Trade Supply Retail in Taradale Road, Onekawa

The Taradale Road frontage of the Onekawa industrial area is particularly suited to industrial activities with a retail component and compatible activities with similar traffic generation effects and product offerings that require a site with a profile to a busy road. Examples of such activities are the sale and hire of machinery, equipment and supplies used for industrial, building or landscape purposes, including trade retail activities. The land use pattern on Taradale Road, Onekawa reflects a market preference for the location of such activities in Napier

Occupation of industrial zones by non-industrial land use is recognised as a potential threat to the availability and affordability of land suitable for industrial development. Accordingly, any provision for trade retail activities on Taradale Road, Onekawa needs to be carefully controlled in regard to specific activity type and scale to ensure the land resource is not occupied by activities that could otherwise be appropriately located in centre zones and other zones accommodating commercial and general retail activities.

Objectives

GIZ-O1: Enabling industrial activities

The General Industrial Zone enables the on-going operation and development of industrial activities where reticulated services are available, performance standards are met, and adverse effects on

sites with important or significant values are avoided.

Relates to GIZ-I1; GIZ-I2 and GIZ-I8

GIZ-O2: Non-industrial and ancillary activities

Non-industrial activities are not located in the zone unless the activity is ancillary to the primary industrial use of the land, or is a trade retail activity within the Taradale Road Specific Control Area.

Relates to GIZ-I3, GIZ-I8 and GIZ-I9

GIZ-O3: Incompatible activities and reverse sensitivity

Avoid incompatible activities and sensitive activities that are likely to generate reverse sensitivity (which may compromise existing industrial activities) from locating within the zone.

Relates to GIZ-I1; GIZ-I3; GIZ-I5 and GIZ-I8

GIZ-O4 Industrial activities in close proximity to the Ahuriri Estuary or residential zones

Industrial activities near to the Ahuriri Estuary or residential zones are located and designed to have a low impact on health, safety, cultural and environmental values.

Relates to GIZ-I2; GIZ-I3; GIZ-I4; GIZ-I6; GIZ-I7 and GIZ-I8

Policies

GIZ-P1: Activities in General Industrial zone

To enable industrial activities in the General Industrial zone, recognising that these activities generate higher levels of light, noise, vibration and odour, and high volumes of traffic; while:

- a. managing the effects of the transport, use and storage of hazardous substances on human health and the environment;
- b. managing the proximity and interface of industrial activities to the coast, water bodies and their margins to improve the quality of the natural resources
- c. improving amenity values where the industrial activity is visible from public areas, roads or residential areas;
- d. maintaining residential amenity in adjacent areas at a level that recognises the industrial setting and is reasonable for the location;
- e. ensuring the operation, location and design of industrial activities, and storage areas mitigates any significant risk to human health, safety and the environment;
- f. limiting ancillary activities to those that support the primary industrial activity on the same site, and
- g. managing noise at levels which recognise the needs of existing industry while meeting

reasonable environmental limits for activities within the zone and surrounding areas.

Relates to GIZ-O1; GIZ-O2; GIZ-O3 and GIZ-O4

GIZ-P2: Heavy industrial activities

Heavy industrial activities, and industrial activities that have significant water use or infrastructure requirements, or require large areas of land and access for heavy transport, or generate significant effects that are incompatible with residential amenity are generally avoided in the General Industrial Zone unless appropriate services are available.

Relates to GIZ-O1; GIZ-O3 and GIZ-O4

GIZ-P3: Industrial activities are connected to the reticulated network

Industrial activities that generate industrial waste, trade waste and potentially contaminated stormwater are located where infrastructure services are in place, the quality of the discharge entering the network meets Councils relevant bylaws and the transport, waste and stormwater networks have sufficient capacity to support the activities.

Relates to GIZ-O1 and GIZ-O4

GIZ-P4: Controlling effects on amenity values

To allow the use and development of land for industrial and ancillary activities where:

- a. any adverse effects are fully contained on-site; or
- b. the activity is operated, designed and laid out to ensure the existing amenity (including health, safety, and privacy of residents) of neighbouring areas zoned for residential activities is maintained at a reasonable level.
- c. to require screening or landscaping to reduce the potential conflicts with incompatible activities in adjacent zones and to improve the visual amenity

Relates to GIZ-O1; GIZ-O2; GIZ-O3 and GIZ-O4

GIZ-P5: Reduce effects on the amenity of adjoining non industrial zones and access routes

To require screening or landscaping to reduce the potential conflicts with incompatible activities in adjacent zones and to improve the visual amenity.

Relates to GIZ-O1; GIZ-O3 and GIZ-O4

GIZ-P6: Manage industrial activities to avoid adverse effects on water margins and land with sensitive values

Industrial activities that use hazardous substances, generate industrial waste, trade waste and potentially contaminated stormwater are located, designed and managed to avoid adverse effects on:

- a. the coast or margins of waterbodies,
- b. significant ecological sites,
- c. sites of particular heritage or cultural value,
- d. public reserves and recreational areas, and
- e. sensitive land uses such as schools and residential areas.

Relates to GIZ-O1

GIZ-P7: Contaminants

Hazardous substances and contaminants generated by industrial activities are contained within their site of origin and disposed of in an appropriate manner, and adequate measures are in place to control adverse effects on the [environment](#).

Relates to GIZ-O1

GIZ-P8: Stormwater and impervious surfaces

The volume of stormwater runoff from roof and impervious surfaces that is exposed to contaminants is reduced by managing site design, use of inert building materials and areas of impervious surfaces (including outdoor parking and storage areas)

Relates to GIZ-O1

GIZ-P9: Non-industrial and ancillary activities

Sensitive land uses and non-industrial uses are avoided unless the activity is compatible with the adverse effects generated from industrial activities, and:

- a. supports and is directly related to a permitted or consented industrial or manufacturing activity located on the same site; or
- b. provides essential services to people employed in businesses located in the zone.
- c. or is a trade retail activity within the Taradale Road Specific Control Area.

Relates to GIZ-O1; GIZ-O3 and GIZ-O4

GIZ-P10: Prioritise the use of land with reticulated services for industrial activities

To ensure that land that is connected to the reticulated network is reserved for industrial activities that rely on that infrastructure, particularly activities involving the disposal of liquid trade wastes.

Relates to GIZ-O1; GIZ-O3 and GIZ-O4

GIZ-P11: Reverse Sensitivity

To ensure that existing industrial activities are not unreasonably compromised by reverse sensitivity effects and/or incompatible activities, and activities that are sensitive to the types of effects generated by industrial activities are not located in the General Industrial Zone.

Relates to GIZ-O1; GIZ-O3

GIZ-P12: Cultural values

The cultural values of mana whenua are recognised and supported through methods such as the use of low impact urban design, planting of indigenous species in landscaping, and stormwater treatment and management.

Relates to GIZ-O1;

GIZ-P13: Taradale Road Specific Control Area

To enable trade retail activities requiring a road profile and vehicle access for customers within the Taradale Road Specific Control Area with specific controls to ensure:

- a. industrial zoned land is used efficiently by industrial related activities or those with similar effects; and
- b. that the retail function and viability of the City's centres zones is not undermined.

Relates to GIZ-O1; GIZ-O2;

General Industrial Zone - Activity Table

GIZ-R1 Any industrial activity, and any building or structure associated with industrial activities	
GIZ-R1A Activity Status: Permitted Where the following conditions are met: 1. The activity complies with all of the standards 2. There are no discharges of contaminants from the site; except through a connection to the Council reticulated networks. 3. The goods or services offered must be manufactured, processed, repaired, serviced or warehoused on the site. 4. The activity is not a Heavy or Wet Industrial Activity and does not:	GIZ-R1B Activity Status where conditions and standards are not met: Discretionary

<ul style="list-style-type: none"> a. generate more than 7,000 vehicles per day; b. take, use or discharge more than 0.65 litres per second per hectare of water, liquid waste or materials ; c. is not engaged in the large-scale processing of or large-scale manufacturing of goods 	
GIZ- R2 Office accommodation, retail and commercial activities	
<p>GIZ-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. All office accommodation relates to the administration of an industrial activity. 3. The goods or services offered must be manufactured, processed, repaired, serviced or warehoused on the site. 4. No office activity, retail activity and/or training space, either singularly or collectively, occupies more than 35% of the gross floor area of buildings on the site 5. The service is connected to the Council's wastewater and stormwater network. 	<p>GIZ-R2B</p> <p>Activity Status where conditions are not met: Discretionary</p>
GIZ- R3 Hospitality, food and beverage services	
<p>GIZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. There is no more than one food and beverage outlet per site 3. The service occupies no more than a maximum gross floor area of 150m² The service must be of a nature that cater for the daily needs of people working within the zone. 4. The service is connected to the Council's wastewater and stormwater network. 	<p>GIZ-R3B</p> <p>Activity Status where conditions are not met: Discretionary</p>

GIZ- R4 Storage of tyres	
<p>GIZ-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is ancillary to another activity on the site 2. A fire and pest control management plan is prepared and implemented for the site 3. All tyres, or any part of a storage area used for tyres is to be located more than 10m from the front boundary of the site 4. The maximum height of stored tyres is 1.5 metres 5. The area used for tyre storage must not exceed 10m² or have a dimension of more than 4m 6. Tyres are stored in a single storage area that is either inside a building or in a fully covered storage area 7. The tyre storage area must be locked at all times when the premises are not in use 8. Any tyre storage areas must not be visible from any public spaces or adjoining sites 	<p>GIZ-R4B</p> <p>Activity Status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Pest control 3. Risk of runoff, leachate or contamination of stormwater 4. Stacking height and area 5. Method for storing outdoor products or materials 6. Fire risk mitigation methods 7. Effects on amenity
GIZ- R5 Storage of shipping containers	
<p>GIZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards 2. All shipping containers are located a minimum of 2m from the boundary of any land zoned other than Industrial 3. Any generator used in a refrigerated container is not operating 4. Operating hours for the delivery or movement of shipping containers are between 8am and 10pm on the same day. 	<p>GIZ-R5B</p> <p>Activity Status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Fire and pest control 3. Yards, shipping container setbacks, and outdoor storage 4. Effects of shading and dominance on people and properties in residential zones. 5. Setbacks from waterbodies, open space, reserves and residential property boundaries 6. Stacking height 7. Acoustic mitigation at property

	boundaries	
GIZ- R6 Multi Unit Development for Industrial activities		
GIZ-R6A Activity Status: Controlled Where the following conditions are met: 1. The activity complies with all of the standards 2. There will be no more than 3 units per site. 3. The development or activity must be connected to Council's reticulated networks Matters of control: 1. Privacy, shading or dominance effects at properties zoned for residential or open space purposes 2. Mitigation of any risk to public health and safety. 3. Effects on the estuary, watercourses and open drains 4. Setback distances from the estuary or a property boundary in the open space or residential zone 5. Planting, fencing or screening 6. Areas of impervious surfaces 7. Mitigation methods for controlling runoff, leachate or potential contamination of stormwater 8. Setback distances for the maintenance, enhancement and protection of a watercourse or open drain. 9. The effects on amenity where the site is adjacent to an open space or residential zone 10. Acoustic mitigation at the boundary of a residential zone	GIZ-R6B Activity Status where standards are not met: Restricted Discretionary Matters over which discretion is reserved: 1. General assessment matters 2. Height, scale, bulk and built form 3. Effects on people and properties in residential or open space zones. 4. The effects on the industrial character of the area. 5. Street frontage and layout 6. Landscaping, planting, fencing or screening 7. Acoustic mitigation at the boundary of a residential zone 8. Risk to public health and safety, and the environment 9. Effects on the estuary, watercourses and open drains 10. Mitigation methods for controlling runoff, leachate or potential contamination of stormwater 11. Setback distances for the maintenance, enhancement and protection of a watercourse or open drain.	
GIZ- R7 Land use or development that is not otherwise provided for		
Activity Status: Discretionary		
GIZ- R8 Heavy and Wet industrial activities		
Activity Status: Non-complying		

Taradale Road Specific Control Area- Activity Table

Activities within the Taradale Road Specific Control Area are subject to the following additional rule as well as to the rules in the General Industrial Zone Activity Table and the standards in the General Industrial Zone – Standards Table.

PORTZ - R1 Trade Supply Retail		
PORTZ - R1A	PORTZ - R1B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. All Standards are complied with. 2. The Trade Supply Retail activity only involves the sale or hire of: <ol style="list-style-type: none"> a. Machinery, equipment and supplies used for industrial, building and construction or landscaping purposes. 3. Retail and display floor space does not exceed 200m². 	<p>Activity Status where activity conditions and standards are not met: Discretionary</p>
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General Industrial Zone - Standards Table

All activities must implement the District Wide objectives, policies, and comply with the District Wide rules and standards unless otherwise specified; and must comply with all of the standards set out below:

GIZ-S1 Yards		
<p>General Industrial Zone</p> <p>Purpose: <i>To retain spaces between buildings, establish a harmonious streetscape; to manage effects on visual amenity; to provide a buffer and screening between industrial activities, roads and other zones, to mitigate adverse visual and nuisance effects; to provide access to and along watercourses for maintenance monitoring and enhancement purposes .</i></p>	<ol style="list-style-type: none"> 1. Setbacks from water No part of a structure or building (including eaves and guttering), fence or permanently fixed structure is located closer than 6 metres from the top of the bank of any watercourse or open drain. 2. Front Yards <ol style="list-style-type: none"> a. No part of a structure or building (including eaves and guttering) is erected closer than 2 metres to the road boundary, except that: b. No part of a structure or building (including eaves and guttering) is erected closer than 3 metres from the following road boundaries: <ol style="list-style-type: none"> i. Austin Street. ii. Hyderabad Road iii. Gloucester Street. iv. Niven Street. v. Pandora Road. vi. Taradale Road. vii. Thames Street. viii. Wakefield Street. c. No service station or transport depot is closer than 6 metres 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. The effects on streetscape and amenity values. 4. Risk to public health and safety, and the environment 5. Setbacks from water 6. The effects on the maintenance, enhancement and protection of a watercourse or open drain. 7. Landscaping

	<p>to the road boundary;</p> <p>3. Other Yards</p> <ul style="list-style-type: none"> a. No part of a structure or building (including eaves and guttering) is located closer than 6 metres from the boundary of any land not zoned for industrial activities. b. A minimum of a 2 metre wide landscaped area comprised of indigenous plants must be provided parallel to the boundary of any land not zoned for industrial activities. This landscaped area must create a visual screen with a minimum height of 1.8 metres. c. The landscaped area must incorporate an operational irrigation system and be maintained to ensure ongoing plant health. 	
GIZ-S2 Height		
<p>General Industrial Zone</p> <p><i>Purpose: to maintain the safety of aircraft approaching and taking off from Hawkes Bay Airport</i></p>	<ul style="list-style-type: none"> 1. There is no maximum height except that buildings and structures must not exceed the Airport Height Control Designation in Appendix 1 2. Shipping container storage must not exceed the Airport Height Control Designation in Appendix 1 	<p>Matters over which discretion is reserved:</p> <ul style="list-style-type: none"> 1. General assessment matters 2. The effects on air traffic safety
GIZ-S3 Height in relation to boundary		
General	<ul style="list-style-type: none"> 1. No part of any building or 	Matters over which discretion is

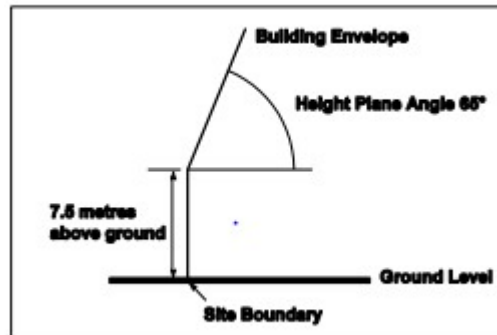
Industrial Zone

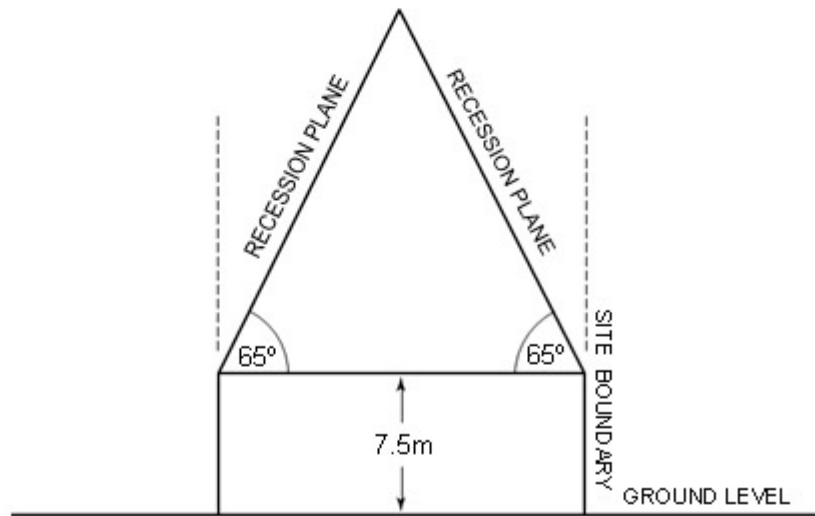
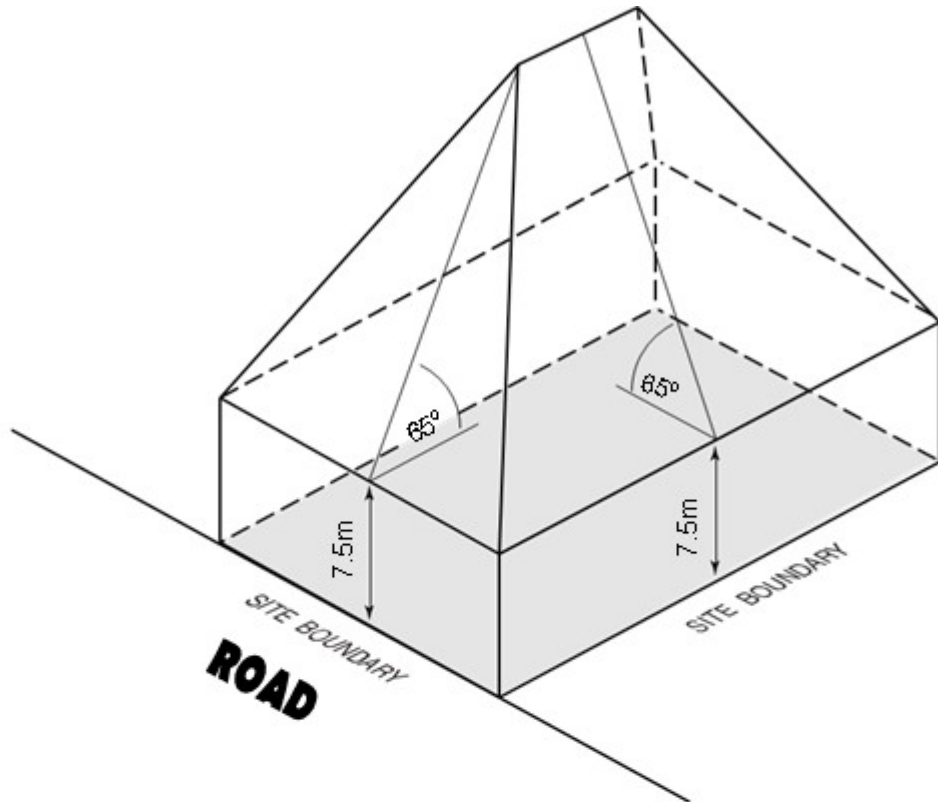
Purpose: to provide for greater height and scale of buildings in industrial areas, and to recognise the character and amenity of industrial areas; to manage the effects of bulk and building height on outlook, dominance, access to sunlight / daylight and privacy on properties in neighbouring residential zones and public open space.

- structure; including shipping container storage; shall project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes must commence 7.5 metres above ground level and must be inclined to the horizontal at an angle of 65 degrees.
2. For multi-unit developments for an industrial activity, the building envelope must be constructed by drawing planes along all parts of all building site boundaries and must commence at the building site boundary.
 3. Where the site adjoins any land zoned other than industrial, the planes must commence 3.0 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees.
 4. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition.

reserved:

1. General assessment matters
2. The purpose of the standard
3. Streetscape
4. The availability of daylight to adjacent properties.
5. The effects of dominance, overlooking and privacy of adjacent properties and occupiers.
6. Scale, height, bulk, setbacks and built form
7. The effects on amenity values.
8. The effects on air traffic safety.
9. Scale, height, bulk, setbacks and built form





Elevation from all boundaries

GIZ-S4 Building coverage

General Industrial Zone

1. Building coverage must not exceed 75%.

Matters over which discretion is reserved:

<p>Purpose: to provide for buildings that are functional and of a sufficient size to provide for a range of industrial activities; to manage the effects of buildings and structures on sunlight and daylight access, character, outlook, privacy, dominance on properties in neighbouring residential zones</p>		<ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. Streetscape and amenity values where adjacent to a residential zone 4. Scale, height, bulk, setbacks and built form 5. The industrial character of the area. 6. The control of stormwater runoff.
<p>GIZ-S5 Outdoor storage of materials and products (excluding storage of shipping containers)</p>		
<p>General Industrial Zone</p> <p>Purpose: to recognise the character and amenity of industrial areas and to mitigate adverse visual and nuisance effects from rubbish and/or storage areas on residential amenity and open space zones</p>	<ol style="list-style-type: none"> 1. The storage is directly related to the existing industrial activity located on the same site 2. Any materials or products stored outside (including those which may become airborne due to wind) are secured and stored in a way that prevents materials escaping and contaminating any off-site area. 3. Outdoor storage areas, containers or stockpiles must not provide a food source for birds or vermin. 4. The outdoor storage of materials, products, containers (excluding shipping containers), recycling receptacles or stockpiles are located more than 1m from the boundary of any land zoned other than Industrial 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Purpose of the standard 3. Pest control 4. Fire risk mitigation 5. Effects of shading and dominance on people and properties in residential zones. 6. Setbacks from waterbodies, open space, reserves and residential property boundaries 7. Risk to public health and safety, and the environment 8. Effects on streetscape, 9. Maximum height, 10. Planting, landscaping, fencing and screening 11. The method of disposal of both the solid material and/or liquid leachate. 12. Areas of impervious surfaces and

	<p>5. Outdoor storage areas, containers or stockpiles must:</p> <ol style="list-style-type: none"> a. be screened from the view of any adjacent residential zone or public open place by tree plantings or a fence that creates a visual screen between the site and the zone boundary to a minimum height of 1.8 metres. b. Where the visual screen is more than 5m in length it must not form a featureless blank facade, and is to be formed from a mixture of trees and shrubs; or a fence with climbing plants between the site and the zone boundary to a minimum height of 1.8 metres. <p>6. The storage of material likely to generate contaminated leachate is located on sealed areas and pre-treated prior to being drained to the reticulated network or a treatment area</p>	<p>methods to manage runoff</p> <ol style="list-style-type: none"> 13. Effects on the estuary, watercourses and open drains 14. Type and volume of contaminants or hazardous substances 15. The nature and quantity of the material to be stored. 16. The area of impervious surface and methods to avoid accidental discharges to ground or water. 17. The control of contaminants in stormwater runoff.
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GIZ-S6 Fences		
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<p>General Industrial Zone</p> <p><i>Purpose: to manage effects on amenity values; minimise visual dominance, and to provide a buffer and screening between industrial activities, neighbouring residential zones, and open space zones</i></p>	<ol style="list-style-type: none"> 1. A fence erected within a front yard, side or rear yard cannot exceed 2 metres in height measured from ground level. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. The effects on amenity values 4. The effects on the shading of adjacent open space or residential zoned properties. 5. The effects on security and privacy 6. Streetscape and the design, scale and bulk of the structure.
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GIZ-S7 Aerials, Lines and support structures other than for the purposes of a network utility operation	
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General	1. Aerials, lines and/or support	Matters over which discretion is
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<p>Industrial Zone</p> <p>Purpose: <i>To provide for services supporting industrial activities without compromising creating adverse visual effects</i></p>	<p>structures must not exceed 20 metres in height.</p> <ol style="list-style-type: none"> 2. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1 3. Dish antenna must not exceed 5 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: <ol style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. b. There must be no more than one such structure on the site. 5. The aerial, line and/or support structure must comply with the conditions relating to yards, and height in relation to boundary. 	<p>reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. The industrial character of the area and effects on amenity values 4. Effects on sunlight access, security and privacy 5. The height, scale, bulk and form of the aerial, pylon, line and/or supporting structures. 6. The extent to which heritage or cultural values are adversely affected. 7. The cumulative effect of additional aerials, lines and/or support structures. 8. The prominence of the site and effects on significant public views and any important natural areas or landscapes. 9. The effects on public health and safety. 10. The effects on air traffic safety.
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GIZ-S8 Roof and painted surfaces

<p>General Industrial Zone</p> <p>Purpose: <i>to attenuate run-off and ensure materials used and design of buildings and structures do not contaminate stormwater, water bodies or the estuary</i></p>	<ol style="list-style-type: none"> 1. All roof surfaces on a building, structure or storage area are to be constructed from inert materials or painted with non-metal based paint and maintained in good order. <p>NOTE: Stormwater may only be discharged to a Council reticulated network in compliance with the Napier City Stormwater Bylaw. All on-site stormwater discharges are regulated by the Hawke’s Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke’s Bay Regional Council for advice .</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. The mitigation measures to avoid contamination from stormwater runoff. 4. Risk to public health and safety, and the environment 5. Any effects on the ecology and aquatic life of the Ahuriri Estuary.
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GIZ-S9 Stormwater runoff

<p>General Industrial Zone</p> <p>Purpose: <i>To manage risk to human health and effects on water quality, ecology and the council's reticulated network; to ensure development layout, operation and design does not contaminate water</i></p>	<ol style="list-style-type: none"> 1. All sites must be drained in a manner to ensure that stormwater generated on the site is unable to directly enter the Ahuriri estuary or any waterbody or open drain. 2. Interceptor traps must be used to remove sediment, floating debris and oil products from all stormwater collected from the site including general yards and storage areas prior to its discharge to the Napier City Council reticulated stormwater system or private discharges to any waterbody or watercourse. <p>NOTES:</p> <ol style="list-style-type: none"> 1. Stormwater may only be discharged to a Council reticulated network in compliance with the Napier City Bylaws. 2. All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The purpose of the standard 3. The effects on water contaminant, public health and safety 4. Risk to public health and safety, and the environment 5. Area of impervious surface, flood water drainage and retention capacity 6. The methods to avoid effects on the ecological health of the estuary, water bodies or open drains.
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Assessment criteria - General industrial activities

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below

GIZ –AC1 All infringements

General assessment matters

- a. The implementation of the relevant objectives and policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics
- b. Whether the site or setting of the development has any special or unusual characteristics
- c. Whether or not the use of the permitted baseline test is appropriate and will ensure RMA Part 2, and the objectives, policies and purpose of the rule will be achieved

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

Scale, height, bulk, setbacks and built form

- e. The extent to which the positioning, bulk and building design could have adverse effects on people or properties in an adjacent open space or residential zoned property; including:
- i. whether the activity reduces access to sunlight, increases shading on indoor and outdoor living spaces in adjacent residential and open space zones
 - ii. whether the activity reduces privacy in adjacent residential zones
 - iii. the extent to which the activity diminishes visual character, amenity or dominates
 - iv. the extent to the activity avoids a sense of entrapment or visual dominance effects
 - v. whether tall walls are placed close to boundaries, and/or the design has un-modulated blank walls, and/or creates convoluted single entrance/exit routes
 - vi. whether the building or structure has a long monotonous building façades that detract from amenity of adjacent residential properties
- f. Whether parking and storage areas are positioned to minimise any adverse effects on the amenity of adjoining land uses that are open space or residential zoned.
- g. Whether an increased setback or separation distance will adequately reduce effects on any residential zone, open drain, water body margin, coastal margins, reserves or open space.
- h. Whether the land use involves the use or storage of materials that could have an adverse environmental effect in the event of heavy rainfall, inundation or flooding.
- i. Whether there is potential for the proposal to draw other non-industrial activities to the area that may compete with retail or commercial outlets in other zones.
- j. The prominence of the site and effects on significant public views and any important natural areas or landscapes.
- k. Whether there is a risk to people's health and safety.

Infrastructure capacity and stormwater management

- l. Whether infrastructure is in place that services wet industries
- m. Whether the activity could reduce the capacity for the industrial zone to accommodate industrial activities that are reliant on available infrastructure.
- n. The degree of risk that hazardous substances or contamination may enter stormwater
- o. The volume and composition of any discharge, and whether the development can be fully serviced by the municipal water, trade waste/ wastewater and stormwater infrastructure; or a satisfactory alternative or level of mitigation is reliable and appropriate
- p. Whether the industrial activity has high water use or infrastructure requirements; and the extent to which the effects of the activity are retained on-site.
- q. Whether impervious surfaces have potential to exacerbate flood risk, or are consistent with protecting the ecological health of the estuary, water bodies or open drains.

- r. The extent to which the nature and scale of the land use could produce effects that have the potential to impact on the habitats, biological diversity, ecosystem functioning or aquatic life of the Ahuriri Estuary, Inner Harbour, open drain, or any water body.
- s. Whether the development proposal or activity makes use of cleaner production equipment and waste minimisation practices
- t. The extent to which stormwater pre-treatment methods and mitigation measures will avoid contamination of runoff.

Risk to public health and safety, and the environment

- u. Whether the method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- v. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- w. Whether the volume of water, or rate and composition of discharges may have adverse effects on
 - i. coastal water quality
 - ii. the health of any habitats of indigenous species
 - iii. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Yards, shipping container setbacks, and outdoor storage

- x. The nature and quantity of the material to be stored and risks to public health and safety, and the environment.
- y. The extent to which the outdoor storage will dominate any adjacent residential properties and alternative layouts that have less adverse effects.
- z. Whether the shipping containers, or nature and scale of outdoor storage reduces the amenity, sunlight access or extent of shading, or privacy of adjacent residential properties and occupiers.
- aa. Whether the scale of the activity dominates residential properties.
- ab. The extent, appearance and type of screening of the storage area; and reduction in visual impacts on residential and open space zoned land and from roads.
- ac. The effectiveness of noise mitigation measures
- ad. Whether mitigation methods in an acoustic design report are implemented.
- ae. Whether the noise generated by the activity will have an adverse effect on the health, safety or amenity of occupants in a residential area.
- af. The extent to which the proposal manages the risk of an increase in weed and pest species, and management of pests.

Vulnerability to hazards

- ag. Whether the land use involves the manufacturing, storage or use of materials that could have an adverse environmental effect
- ah. Whether the site is vulnerable to flooding or inundation, and the risk of contaminants or hazardous substances entering water.
- ai. Health and safety measures; including the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the stormwater and wastewater utilities and the environment

Landscaping and screening

- aj. The extent to which the landscaping selects or proposes species that are locally appropriate / endemic
- ak. Whether the quality and scale of any planting improves the streetscape
- al. The extent to which riparian margins are planted with appropriate species.

Setback distances from the estuary, a watercourse or open drain

- am. The extent to which a setback or separation distance would protect, maintain or enhance biological diversity, ecosystem functioning, or any recreational, cultural or ecological values of the Ahuriri Estuary or Inner Harbour.
- an. The extent to which a setback or separation distance would reduce visual and aural effects on amenity and people's health and safety in adjacent residential, conservation or open space zones.
- ao. Whether adequate access for the maintenance of open drains, water bodies and coastal margins is provided.
- ap. Whether the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is reduced; or flood events may be exacerbated.
- aq. The extent to which the stability of water body banks and adjacent land is maintained; and potential for sedimentation and erosion reduced.

Traffic, vehicle parking and access

- ar. Whether the development will have an adverse effect on the roading network and traffic safety
- as. Whether the land use will avoid on-road congestion and adequate sight distances are available for vehicular and pedestrian safety.
- at. Proximity to public transport, and whether adequate vehicle parking can be provided on-site or other methods are able to avoid, remedy or mitigate any adverse effects associated with vehicle parking and manoeuvring.
- au. The extent to which the activity may generate high levels of traffic and other adverse environment effects.

- av. Whether adequate vehicle parking and manoeuvring can be provided on-site or other methods are able to manage adverse effects associated with vehicle parking and manoeuvring.
- aw. The extent to which site constraints, the location of vehicular access points and vehicle movements may individually or cumulatively impact on residential amenity, adjacent activities, or the safety and efficiency of the transport network.
- ax. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

Cultural Impacts

- ay. Whether the development recognises the cultural values of mana whenua.

Cumulative Effect

- az. Whether the proposed land use, in conjunction with other activities, will have an adverse effect on the surrounding area.
- ba. Whether an increase in the scale and intensity of a land use will result in cumulative effects in an open space or residential zone.
- bb. Whether there are already activities located in the area that are currently generating traffic, noise or other adverse effects that are not in keeping with existing surrounding land uses.
- bc. The extent to which there may be cumulative effects from a single or group of non-industrial activities locating in close proximity.

GIZ –AC2 Multi-unit development

- a. Whether or not the proposed development is to be occupied by an industrial activity
- b. Whether the buildings and structures are designed to accommodate future industrial uses.
- c. Whether the location, design, bulk or scale of the buildings and storage areas creates adverse effects on the industrial character of the area;
- d. Whether buildings and structures, including parking and storage areas, are sited in such a way that take reasonable steps to reduce adverse effects on properties in adjoining zones.
- e. Whether the establishment of the land use would have any adverse effects on the efficient use and/or development of the zone for industrial activities
- f. Whether the proposed use supports an existing industrial or manufacturing activity or group of businesses located in the vicinity and provides an essential service
- g. The extent to which the activity is compatible with industrial activities
- h. Whether the land use will alter the land use or industrial character of the zone.

- i. Whether any alternative locations are available
- j. Whether the impact of the scale and intensity of the land use is compatible with surrounding land uses.
- k. Whether the establishment of the land use would have adverse effects on r any other zone, or result in significant social or economic impacts.
- l. Whether noise generated by industrial activities will have an adverse effect on the amenity of residents in adjacent areas or people using non-industrial or commercial services.
- m. Whether the activity would produce any physical effects that have the potential to impact on the ecology of the Ahuriri Estuary or inner harbour.

GIZ –AC3 Non-industrial activities

- a. The extent to which the activity is compatible with industrial activities
- b. Whether the establishment of the land use would have any adverse effects the efficient use and/or development of the zone for industrial activities
- c. Whether the activity is ancillary to an existing industrial or manufacturing activity or group of businesses located in the vicinity and provides an essential service
- d. Whether the activity provides a commercial or hospitality service that provides goods or services that are consumed or used within the site.
- e. The number and location of similar services on the site or within walking distance
- f. Whether the development will reduce opportunities for industrial activities to establish within the zone; and whether there are alternative locations where the retailing activity could establish.
- g. Whether the development is located within the area that services wet industries and could reduce opportunities for industrial activities that are reliant on the availability of that infrastructure to locate within that area.

GIZ-AC4 Tyre Storage

- a. Whether the tyre storage is ancillary to an existing activity on the site.
- b. The extent to which the tyres will be screened from residential and open space zoned land and from roads.
- c. The layout of the proposed facility including the size and height of storage piles, the distances between piles, and fire breaks proposed.
- d. The extent to which the location of the site and the proposed layout, screening and security measures minimize the potential for arson.
- e. The mechanisms proposed, including a fire management plan, to minimize the risks of fires starting and maximize the chances of any fires being extinguished as quickly as possible.

- f. The mechanisms proposed for avoiding contamination; and the treatment and attenuation of stormwater.
- g. The extent to which the mechanisms proposed will reliability control of vermin and insects.
- h. The extent to which the site is of adequate size to accommodate the proposed tyre storage together with the proposed stormwater management regime, firefighting facilities, car parking and landscape treatments.
- i. The duration for which it is proposed the tyres will be stored on the site, and the duration for which the activity is to be undertaken.
- j. The mechanisms proposed that provide certainty that all tyres are removed from the site when the activity ceases; this may include the provision of a bond to Council.
- k. Whether the tyre storage involves new tyres or is part of an activity involving manufacturing or processing.

GIZ –AC5 Taradale Road Specific Control Area

- a. The extent to which the activity is compatible with industrial activities
- b. Whether the establishment of the land use would have any adverse effects the efficient use and/or development of the zone for industrial activities
- c. Whether the activity has a locational need for customer vehicle accessibility offered by Taradale Road.
- d. Whether the activity provides goods and services for industrial activities or building and construction related trade services.
- e. Whether the development will reduce opportunities for industrial activities to establish within the zone; and whether there are alternative locations where the retailing activity could establish.
- f. Whether the retailing activity is better suited within a centres zone and whether the cumulative effect of the location of similar activities in the Taradale Road Specific Control Area could undermine the viability and amenity of the centres zones.

PREC19 - Marine Industrial Precinct

Introduction

The Marine Industrial Precinct is a small area with an underlying Boat Harbour Special Purpose Zone that is accessible from the inner harbour that provides services to marine-related industries, that includes a commercial slipway, boat maintenance and repairs. The zone provides for marine related industry and non-industrial activities that are compatible and have a functional need to be located on the margins of the coastal marine area; such as the Hawkes Bay Coastguard.

The additional place based provisions in the 'Marine Industrial Precinct' recognise the existing land use, and provide for industrial activities in the coastal environment only where there is a functional need for access to and from coastal waters. Other industrial and non-industrial activities are discouraged due to the close proximity of a receiving environment that is sensitive to contaminant discharges.

Industrial activities associated with the maintenance and servicing of recreational and commercial marine vessels have a functional need to be located alongside the sheltered Napier Inner Harbour. These industries require slipways; the ability to store paints and chemicals; require spaces and hard surfaces for spill containment; bunds around work and storage areas; and hardstand areas that manage the risk that contaminants may discharge into coastal waters.

Any trade waste associated with the expansion or development of new industrial activities within the zone is to be treated and disposed of in accordance with the Napier City Council's Trade Waste Bylaw.

'Great Urban Areas' and 'Regional approach to industry' are two key outcomes relevant to Industrial areas. The Key Strategic Outcomes include Environmental Excellence; Economic activity and innovation is supported and enabled in appropriate locations; and Ecological assets and urban waterways are maintained and enhanced.

To achieve these key strategic outcomes:

- Marine industrial activities are enabled in areas where appropriate infrastructure is in place, or infrastructure can be provided as part of new development.
- The potential sources of contaminants in stormwater discharges are controlled.
- The need to locate marine-related industries adjacent to the coastal marine area is recognised.
- Non-industrial activities do not locate in the Marine Industrial Precinct unless the activity is ancillary to the marine industrial activity located on the same site.
- The potential for reverse sensitivity from non-industrial activities located within the industrial zone is addressed; and the human health and amenity values of occupants within and adjacent to the industrial environment is maintained.
- Where possible, industrial activities are set back from the coastal marine area to manage potentially contaminated stormwater run-off; to recover the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health.
- Where possible, the maintenance and enhancement of amenity values are improved where existing industrial activities are visible from residential areas.

Issues

PREC19 - I1 Investment in marine industrial facilities requires certainty and a predictable regulatory environment.

Investment in marine industrial activities and employment promotes economic well-being. To be effective however, business requires certainty and a predictable regulatory environment.

An area is needed that specifically provides for marine industrial activities to occur adjacent to the coast, with a level of regulatory intervention that ensures that appropriate environmental, health and safety standards are met. The area zoned for marine industrial activities provides for limited ancillary activities.

PREC19 -I2 The efficient use of land and infrastructure for marine industrial activities that require access to and from the coastal marine area.

Facilities for the maintenance, repair and re-fitting of boats are necessary for the continued operation of the fishing industry and pleasure craft economy in Napier and also the wider region. Industrial zoned land adjacent to the coastal marine area with access to the water and adequate servicing is a limited resource that needs to be used efficiently.

The close proximity of the marine industrial activities to the coast and residentially zoned land has the potential to affect the neighbouring residents as well as the estuarine environment. Marine industrial activities should be located where suitable infrastructure is available, and that recognises the character of the existing built environment. Occupation of the Marine Industrial Precinct by non-industrial land use is a potential threat to the availability and affordability of a very limited land resource suitable for marine industrial activities and development.

The District Plan must give effect to the NZ Coastal Policy Statement (NZCPS), which includes objectives and policies that deal with the location of activities in the coastal environment, and ensuring residue from vessel maintenance is safely contained and disposed of. The NZCPS also recognises that some use and development is dependent on a coastal location and are important to the social, economic and cultural wellbeing of people and communities. All practicable steps are to be taken to avoid contamination of coastal waters, substrate, ecosystems and habitats.

PREC19 - I3 The discharge of contaminated stormwater from industrial sites can have adverse effects on the environment.

Facilities associated with boat maintenance require access to the sea, paved surfaces and involve water blasting, the generation of noise, use of hazardous substances and discharges that can have effects on water quality without the infrastructure in place to cater for them (e.g. stormwater/discharge catchment and treatment). If not managed, these activities can have harmful effects on human health and aquatic ecosystems especially when those contaminants come into contact with water.

Land uses in the industrial zone can include areas of outdoor storage and the creation of impervious surfaces that can affect the rate of stormwater runoff, putting pressure on the council's network. Exposure of rainwater to contaminants that drain to the stormwater network has potential to affect the environmental health of waterbodies, and the water quality in the inner harbour, at the coast and in the estuary.

PREC19 -I4 Marine industrial activities, buildings, plant, structures, and outdoor storage have a distinctive scale and character, with effects that can impact on the amenity values in

nearby open space and residential areas.

Marine related services have an operational need to locate where there is access from the water as well as the road. The type of traffic associated with marine industrial activities can affect accessibility in neighbouring zones, and the amenity values of nearby residential neighbourhoods.

The Marine Industrial Precinct is an existing area that is located alongside land that is zoned as open space and for residential activities. Buildings with large footprints, parking and storage areas are part of the character of the area. Dominant buildings and outdoor storage of materials and containers can have adverse visual effects where there is an interface with open space and residential areas.

PREC19 -I5 Industrial activities tend to be incompatible with a location adjacent to the coastal marine area and the ecologically significant Ahuriri Estuary.

While the Marine Industrial Precinct is highly developed, the proximity of industrial activities to residential areas and the nationally important Ahuriri Estuary means the expansion of existing industry and some types of new activities may be inappropriate due to the potential adverse effects on the receiving environments. The performance standards ensure that the level of effects on coastal water and the estuary are negligible.

Land use changes and any future development of the site will need to install adequate services to ensure that the water quality and ecology of the inner harbour and estuary are not affected by land use proposals.

PREC19 -I6 Reverse sensitivity can arise where industrial activities are lawfully established, but nevertheless generate undesirable effects that extend across a property boundary.

Reverse sensitivity arises when newly established land uses complain about an established industrial activity that produces adverse effects at adjacent properties. This may ultimately result in operating constraints being placed on existing authorised industrial activities.

Sensitive land uses such as residential activities within or near to industrial areas have the potential to impinge upon the operating requirements of legitimate industrial activities within these areas.

Objectives**PREC19 -O1: Enabling marine industrial activities**

The on-going operation and development of marine industrial activities is enabled where reticulated services are available, performance standards are met, and adverse effects on sites with significant values are avoided.

Relates to PREC19 -I1; PREC19 -I2; PREC19 -I3; PREC19 -I4; PREC19 -I5; PREC19 -I6

PREC19 -O2: Non-industrial and ancillary activities

Non-industrial activities or ancillary activities are not located in the zone unless the activity is ancillary to the primary industrial use of the land.

Relates to PREC19 -I1; PREC19 -I2; PREC19 -I6

PREC19 -O3: Reverse sensitivity

Reverse sensitivity and/or incompatible activities do not compromise existing lawful marine industrial activities unless the effects are unreasonable.

Relates to PREC19 -I1;PREC19 -I6

PREC19 -O4: Marine industrial activities that require access to the coast

The use of land and development of facilities in the Marine Industrial Precinct is limited to maritime related industrial activities that require a location with safe access to coastal water and the foreshore.

Relates to PREC19 -I1; PREC19 -I2; PREC19 -I4;

Policies

PREC19 -P1: Appropriate marine industrial activities

To ensure that:

- a. only land use associated with the marine environment and industrial activities associated with the marine industry that require access to the coast and foreshore are located in the Marine Industrial Precinct, and
- b. the development of land, activities and storage areas are designed and located to prevent the risk of contamination of the coastal marine area.

Relates to PREC19 -O1; PREC19 -O2 and PREC19 -O4

PREC19 -P2: Activities in the Marine Industrial Precinct

To enable marine industrial activities that:

- a. are operated, designed and located to mitigate any significant risk to human health, safety and the environment,
- b. have a functional need to access the harbour, and
- c. maintain residential amenity in adjacent areas by mitigating effects on amenity values in nearby residential and open space zones.

Relates to PREC19 -O1; PREC19 -O2 and PREC19 -O4

PREC19 -P3: Industrial activities are connected to the reticulated network

Materials associated with hull cleaning and anti-foul, vessel maintenance, industrial waste, trade

waste and potentially contaminated stormwater are managed to avoid effects on coastal water; and the values of the Ahuriri Estuary and inner harbour.

Relates to PREC19 -O1; PREC19 -O2

PREC19 -P4: The effects of the activity on water are controlled

The risk of contaminants entering water is avoided.

Relates to PREC19 -O1; PREC19 -O2 and PREC19 -O4

PREC19 -P5: To avoid adverse effects on water margins and land with sensitive values

Activities that use hazardous substances, generate industrial waste, trade waste and potentially contaminated stormwater are located, designed, and managed to avoid adverse effects on:

- a. the coast or margins of waterbodies,
- b. significant or outstanding values,
- c. sites of heritage or cultural value,
- d. public reserves and recreational areas, and
- e. sensitive land uses such as residential areas.

Relates to PREC19 -O1; PREC19 -O2; PREC19 - O3 and PREC19 - O4

PREC19 - P6: Measures to manage contaminants

Contaminants generated by industrial activities are to be contained within their site of origin and disposed of in an appropriate manner; and adequate measures are to be put in place to control the risk of adverse effects on the environment

Relates to PREC19 -O1; PREC19 -O2 and PREC19 - O4

PREC19 - P7: Reducing exposure to contaminants

To manage site design and areas of impervious surfaces (including hard stands, slipways, outdoor parking and storage areas) to reduce the volume of stormwater runoff from roof and impervious surfaces that is exposed to contaminants.

Relates to PREC19 -O1 and PREC19 - O4

PREC19 - P8: Non-industrial and ancillary activities in the Industrial zones

Non-industrial and ancillary activities are only located in the Marine Industrial Precinct when the activity:

- a. does not increase the degree of adverse effects on neighbouring properties; and

- b. supports and is directly related to a permitted or consented marine industrial activity located adjacent to or on the same site.

Relates to Link,13275,PREC19 -O2} and PREC19 - O4

PREC19 - P9: Reverse Sensitivity

To ensure that existing marine industrial activities are not compromised by reverse sensitivity and/or incompatible activities, and activities that are sensitive to the types of effects generated by marine industrial activities are not located in the area.

Relates to PREC19 -O2 and PREC19 - O3

PREC19 - P10: Cultural values

The cultural values of mana whenua are recognised and supported through methods of stormwater treatment and management.

Relates to PREC19 -O1

PREC19 - Marine Industrial Precinct - Activity Table

PREC19 - R1 The maintenance, replacement, or operation of any marine industrial activity	
<p>PREC19 - R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. All Industrial Zone Standards and Marine Industrial Precinct standards are met. 2. The development or activity has a functional need to access the coastal marine area. 3. Trade waste and wastewater is discharged to a Council reticulated network. 4. All areas within a site where contaminated or hazardous substances are stored, used, handled or produced are sealed and bunded; and able to contain 110% of the total volume of substances stored and used on-site in the event of a spill. 5. All areas used for boat construction, maintenance, or repair (including cleaning, scraping, sanding, water blasting) are sealed or constructed from impervious materials. 6. All water containing contaminants (including 	<p>PREC19 - R1B</p> <p>Activity Status where conditions and standards are not met:</p> <p>Discretionary</p>

<p>fibreglass, paint or hull scrapings); any surface water, and any discharge from any area within the site is drained to an interceptor that prevents contaminants being discharged in or onto any other property, or water margin, or into the Council’s stormwater reticulation system, or from coming into contact with rainwater.</p> <p>7. Any office or other activity that is ancillary to a marine industrial activity occupies no more than 35% of the gross floor area of the building, and is located within the same building on the same site as the marine industrial activity.</p>	
<p>PREC19 - R2 Multi Unit Development for marine industrial activities</p>	
<p>PREC19 - R2A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> All standards are complied with. The activities to occupy the units are a marine or light industrial activity that has a functional requirement to access the coastal marine area. There will be no more than 3 units per site. The development or activity is connected to Council’s reticulated networks. Building coverage and areas of impervious surfaces do not exceed 75% of the site. Roof surfaces and painted surfaces are constructed from inert materials or painted with non-metal based paint. 	<p>PREC19 - R2B</p> <p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> All standards are complied with General assessment criteria Management of waste and discharges Extent and location of areas of impervious surfaces and management of potentially contaminated run-off Risk to public health and safety, and the environment Setback distances from a property boundary, open space or the coastal marine area Placement of structures and setback of buildings from the water Design and maintenance of bunded areas and infrastructure Outdoor storage of any products or materials Landscaping, fencing and screening Extent and location of areas of impervious surfaces and management of potentially contaminated run-off The effects on the amenity of nearby residential zones Management of contamination and hazardous substances Traffic, vehicle parking and access
<p>PREC19 -R3 Any marine industrial activity not</p>	

otherwise provided for		
Activity Status: Discretionary		
PREC19 - R4 Any use or development of land not otherwise provided for by a rule in the Marine Industrial Precinct		
Activity Status: Non-complying		

Marine Industrial Precinct - Standards Table

Unless otherwise specified in the rules above, all activities must comply with the following permitted activity standards set out below:

PREC19 - S1 Yards		
<p>Marine Industrial Precinct</p> <p>Purpose: <i>To retain characteristics and existing amenity of the neighbouring zones; to provide a buffer and screening between industrial activities, roads and other zones, to mitigate adverse visual amenity and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. Front Yards <ol style="list-style-type: none"> a. No part of a structure or building (including eaves and guttering) is located closer than 3 metres to the road frontage. b. A minimum of a 2 metre wide landscaped area must be provided adjacent to the road frontage except for driveways. 2. Other Yards <ol style="list-style-type: none"> a. There is no side or rear yard condition. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment criteria. 2. The effects on amenity values. 3. Street frontage and layout. 4. Landscaping 5. Effects of dominance, shading, and effects on privacy on people and properties in other zones. 6. Setbacks from water.
PREC19 - S2 Height		
<p>Marine Industrial Precinct</p> <p>Purpose: <i>to provide for buildings that are functional and of a sufficient size to provide for marine and wastewater related activities; to manage the effects of building height on outlook,</i></p>	<ol style="list-style-type: none"> 1. The following maximum height conditions shall apply to all land uses, other than aeriels, lines and support structures: <ol style="list-style-type: none"> a. No part of a building, structure or covered storage area can exceed 10 metres in height. b. Any part of a building, structure or tree must not exceed the Airport Height Control Designation in Appendix 1. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment criteria. 2. Height, scale, bulk and built form. 3. The built characteristic of the neighbourhood. 4. The effects on streetscape and amenity values. 5. The reduction of access to daylight at adjacent properties. 6. The effects of dominance, overlooking and privacy of adjacent properties and occupiers. 7. The scale of the building in relation

<p><i>dominance, access to sunlight / daylight and privacy on properties in neighbouring residential and open space zones; to maintain the safety of aircraft approaching and taking off from Hawkes Bay Airport</i></p>		<p>to the site. 8. The effects on air traffic safety.</p>
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<p>PREC19 - S3 Height in relation to boundary</p>	
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<p>Marine Industrial Precinct</p> <p>Purpose: <i>to provide for the character, function and amenity of industrial areas; to manage the effects of bulk and building height on outlook, dominance, access to sunlight and daylight, and privacy on neighbouring properties.</i></p>	<ol style="list-style-type: none"> 1. The following conditions shall apply to all land uses, other than aerials, lines and support structures: <ol style="list-style-type: none"> a. Buildings and structures must not project beyond a building envelope located at ground level that is constructed by drawing planes along all parts of all site boundaries. The inclining planes must commence 7.5 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees. b. The building envelope of any industrial multi-unit development must be constructed by drawing planes along all parts of all building site boundaries and must commence at the building site boundary. c. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the height in relation to boundary condition. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment criteria. 2. The height, built form, scale and bulk of the building. 3. The effects on streetscape and amenity values. 4. The reduction of access to daylight at adjacent properties. 5. The effects of dominance, overlooking and privacy of adjacent properties and occupiers. 6. The scale of the building in relation to the site.
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<p>PREC19 - S4 Building coverage</p>	
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<p>Marine Industrial Precinct</p> <p>Purpose: <i>to provide for buildings that are functional and of a sufficient size to provide for marine industrial activities; to manage the effects of buildings and structures on sunlight and daylight access, character, outlook, privacy, dominance on properties in neighbouring zones</i></p>	<p>1. Building coverage and area of impervious surfaces must not exceed 75%.</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. General assessment criteria. 2. Scale, bulk and built form 3. Setback distances from the estuary, a watercourse or open drain. 4. The existing built density of the neighbourhood. 5. The mitigation measures to avoid contamination from stormwater runoff. 6. Location and area of impervious surfaces, and methods of managing runoff.
<p>PREC19 - S5 Fences</p>		
<p>Marine Industrial Precinct</p> <p>Purpose: <i>to manage effects on amenity values; minimise visual dominance, and to provide a buffer and screening between industrial activities and neighbouring residential zones and open space zones.</i></p>	<p>1. A fence erected within a front yard, side or rear yard cannot exceed 2 metres in height measured from ground level</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Fence design. 2. The need for security. 3. The effects on public safety. 4. The effects on amenity values.
<p>PREC19 - S6 Outdoor storage areas</p>		
<p>Marine Industrial</p>	<p>1. Any area used for refuse or</p>	<p>Matters over which discretion is</p>

<p>Precinct</p> <p>Purpose: <i>To manage risk to human health and ecosystems; to ensure development layout, setback and design does not contaminate water</i></p>	<p>outdoor storage must:</p> <ol style="list-style-type: none"> a. be screened from the view of any residential zone or public open place by tree plantings or a fence or hedge at least 1.8 metres high and any fence may not exceed a maximum of 2 metres in height, b. not provide a food source for birds or vermin, c. be located on a sealed and drained area if there is potential to generate contaminated leachate. <p>2. The refuse storage area must have capacity to store the average volume of trade waste produced on-site over a one week period.</p>	<p>reserved:</p> <ol style="list-style-type: none"> 1. The effects on the amenity of residential or open space zones. 2. Risk to public health and safety, and the environment. 3. The effects on coastal, surface water, or groundwater quality. 4. The risk of soil or water contamination. 5. The methods to contain and control stormwater runoff. 6. Screening or landscaping. 7. Extent and location of areas of impervious surfaces and management of potentially contaminated run-off.
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Assessment criteria – Marine Industrial Precinct

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the objectives and policies of this Plan; the purpose of the rules and standards, any relevant assessment criteria in the industrial zones; and the relevant assessment criteria set out below:

PREC19 - AC1 All infringements

The assessment criteria in PREC19 -AC1; BHSZ-AC1; and LIZ- AC1 apply in addition to those in PREC19 -AC2 to PREC19 – AC4.

General assessment criteria

- a. The implementation of the relevant objectives and policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule and standards, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics.
- b. Whether the site or setting of the development has any special or unusual characteristics, including, but not limited to, those listed below:
 - i. inherent site considerations: including unusual size, shape, topography, substratum, vegetation, risk of coastal inundation or flood susceptibility;
 - ii. particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
 - iii. unusual environmental circumstances: including unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, and the presence of effective on-site screening.
- c. The permitted baseline test is not appropriate in the marine Industrial Precinct;

- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- e. The assessment criteria in the Boat Harbour Special Purpose Zone Chapter apply in addition to those below.

Risk to public health and safety, and the environment

- f. Whether the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- g. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

Infrastructure capacity and stormwater management

- h. Whether the development is connected to the Council's reticulated water, wastewater and stormwater infrastructure.
- i. Whether the volume of water, or rate and composition of discharges may have adverse effects on the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Noise Mitigation Measures

- j. Whether noise generated by the land use is unreasonable.
- k. The extent to which noise mitigation measures have been implemented to protect the aural amenity of properties in residential areas.

Effects on Cultural values

- l. Whether the development recognises the cultural values of mana whenua.

PREC19 -AC2 Marine related industrial activities

- a. Whether the activity is a marine industrial activity that has an operational requirement for access to and from the sea.
- b. The containment capacity of maintenance areas and impervious surfaces.
- c. Whether there is a risk that an accidental spill; wash-down areas; or the use or storage of hazardous substances, or contamination may enter water, stormwater or the Council's networks.
- d. Whether the design, size, bulk, placement on the site, external design and appearance of buildings or structures are compatible with a marine industrial use and neighbouring properties
- e. Whether the activity would produce any physical effects that have the potential to impact on the ecology of the Ahuriri Estuary or inner harbour.
- f. Whether the site layout or separation distance from water will adequately reduce effects on any

open space zone, residential amenity, people's health and safety, or on water, coastal margins, or reserves.

- g. Whether the land use involves the use or storage of materials that could have an adverse environmental effect in the event of heavy rainfall, inundation or flooding.
- h. Whether noise generated by industrial activities will have an adverse effect on the amenity of residents in adjacent areas.

PREC19 - AC3 Multi-unit development

- a. Whether the development provides for marine industrial activities that have an operational requirement for access to and from the sea.
- b. Whether the nature, scale and intensity of the land use is compatible with marine industrial activities and surrounding land uses.

PREC19 -AC4 Non-industrial activities

- a. Whether the activity is ancillary to marine industrial activities.
- b. The extent to which the activity is compatible with marine industrial activities.
- c. Whether the activity supports, and is directly related to, a permitted or consented marine industrial or manufacturing activity located in the Specific Control Area.
- d. Whether the activity could give rise to reverse sensitivity effects.
- e. Whether there is potential for the proposal to draw other non-industrial activities to the Specific Control Area that could have adverse effects on any other zone, or result in detectable social or economic impacts.

WTCA - Wastewater Treatment Specific Control Area

Introduction

Great Urban Areas' is the key outcome that has some relevance to the wastewater treatment Specific Control Area. The Key Strategic Objectives are Environmental Excellence and Resilient Napier. Infrastructure planning is to be integrated into urban form and design and aligned with land use planning to facilitate efficient and affordable development in identified growth areas. Ecological assets and urban waterways are maintained and enhanced and the vulnerability of the community to hazards is reduced. To achieve these outcomes the Wastewater Treatment Specific Control Area provides for the following matters:

- Industrial development is enabled in areas where appropriate infrastructure is in place to service existing and new development, or infrastructure can be provided as part of new development.
- The potential sources of contaminants in stormwater discharges are addressed.
- Rural activities are allowed in the interim, where these are compatible with the future expansion of the wastewater treatment facility
- The potential for reverse sensitivity from activities located in other zones is addressed; and the human health and amenity values are maintained.
- Buildings, structures, treatment ponds and any commercial forestry are set back from waterbodies and the coastal marine area to manage potential contamination; to provide for the natural character of the margins of waterbodies and the coast, and to safeguard the life supporting capacity of natural resources and eco-system health.
- The maintenance and enhancement of landscape character is promoted, and residential, rural and open space amenity values are maintained.

Issues

WTCA- I1 Wastewater treatment is an essential community service that requires certainty and a predictable regulatory environment.

The operation of wastewater treatment services requires certainty and a predictable regulatory environment, and capacity for future treatment and expansion.

Provision needs to be made for the treatment of wastewater and tradewaste to occur with minimal regulatory intervention, so that wastewater treatment infrastructure can be provided, operated and maintained with appropriate environmental, health and safety standards being met.

WTCA- I2 There are unacceptable effects on human health and safety and on water if treatment systems are inadequate and reticulated services do not have sufficient capacity for the safe transport and disposal of sludge and treated wastewater

Wastewater can have a huge effect on the quality of the groundwater and streams from which communities may take their drinking-water supplies, as well as coastal water.

Wastewater includes trade waste. The wastewater treatment infrastructure needs to respond to industry and population growth to avoid potential problems for people's health and safety. Activities in industrial zones can include high contaminant generating activities that can have harmful effects on human health and aquatic ecosystems; especially when those contaminants come into contact

with water.

Where discharges are to coastal water, the NZCPS directs that all practicable steps be taken to avoid contamination of coastal waters, substrate, ecosystems and habitats when operating marine facilities. Similar requirements apply through the NPS freshwater management. The quality, capacity and efficiency of the Council's wastewater treatment facility is important for achieving that outcome.

WTCA- I3 Sufficient areas of suitably zoned land must remain available for the possible future expansion of the wastewater treatment facility, and the disposal of treated sewage sludge or wastewater.

To ensure the wastewater treatment facility retains adequate future capacity, activities on land surrounding the facility must recognise and accommodate the potential future needs of the wastewater infrastructure.

The consent for the wastewater disposal via the treatment facility and ocean outfall is due to expire in 2037. The management of wastewater includes its impacts on the environment and the infrastructural requirements of collection and treatment. The facility is located in an area that may be subject to the effects of hazards such as liquefaction, inundation and flooding, and its single outfall is vulnerable to seismic hazards.

Planning for future growth and future consenting of wastewater treatment and disposal will require consideration of alternatives, such as future land disposal options rather than continued reliance on direct disposal to water.

Compatible rural activities can assist with maintenance and management of the unused areas for the time being. There are security considerations associated with the wastewater treatment plant and uncontrolled public access is inappropriate.

WTCA- I4 Reverse sensitivity can arise where activities are lawfully established, but still generate undesirable effects that extend across a property boundary.

Reverse sensitivity arises when newly established land uses complain about an established industrial activity that produces adverse effects at adjacent properties. The long-term viability of infrastructure can be compromised if sensitive land uses are allowed to develop nearby. This may ultimately result in operating constraints being placed on existing authorised industrial activities.

Issues associated with reverse sensitivity can become more pronounced when industrial activities are located adjacent to sensitive environments and those activities have effects beyond the property boundary; or where incompatible activities are located within the zone that are sensitive the effects of wastewater treatment facilities.

Objectives

WTCA-O1: The use of land for the wastewater facilities

The on-going operation, maintenance, development and expansion of the wastewater collection and treatment facility is enabled.

Relates to WTCA-I1; WTCA-I2; WTCA-I3 and WTCA-I4

WTCA-O2: Rural and temporary activities

Land suitable for wastewater treatment is kept for that purpose, and other temporary rural land uses are allowed in the interim provided the land use is compatible with, and will not prevent or hinder the on-going and future requirements for a wastewater treatment facility and land disposal.

Relates to WTCA-I3 and WTCA-I4

WTCA-O3: Activities other than grazing or wastewater treatment activities

Land in the Specific Control Area is not occupied by non-rural or other activities that are unrelated to, or do not directly support the wastewater treatment facility.

Relates to WTCA-I3 and WTCA-I4

WTCA-O4: Reverse sensitivity

The operation, maintenance and expansion of the wastewater treatment facility, and infrastructure is not unreasonably compromised by reverse sensitivity effects, incompatible activities, or activities that are sensitive to the types of effects generated by the existing land use.

Relates to WTCA-I3 and WTCA-I4

Policies**WTCA-P1: Activities associated with wastewater treatment**

To provide for the health and safety of people and the environment by:

- a. enabling the expansion, maintenance and operation of the wastewater treatment facility and infrastructure for wastewater treatment and disposal
- b. ensuring the wastewater treatment facility is operated, located and designed to avoid any significant risk to human health, safety and the environment
- c. managing the effects of the transport, use and storage of hazardous substances on human health and the environment
- d. by managing the design and performance of the wastewater treatment facility to maintain the amenity values in adjacent areas at a level that is reasonable, recognising the characteristics of the wastewater treatment facility

Relates to WTCA-O1; WTCA-O2; WTCA-O3 and WTCA-O4

WTCA-P2: Infrastructure for wastewater treatment and disposal

To enable the installation of storage ponds and above ground and sub-surface irrigation systems that are set back from water bodies and property boundaries to prevent or mitigate effects on public health and safety and the natural environment.

Relates to WTCA-O1; WTCA-O2; WTCA-O3 and WTCA-O4

WTCA-P3: Limited alternative land uses

Only grazing or stock and land uses associated with rural purposes are allowed on the surrounding land on an interim basis; where rural activities are compatible with the current and future use of the area for municipal wastewater treatment facility and do not require buildings or structures.

Relates to WTCA-O1; WTCA-O3 and WTCA-O4

WTCA-P4: Limited timeframes

Rural activities and commercial forestry are restricted to a limited timeframe so that the expansion and operation of the wastewater facility is not constrained.

Relates to WTCA-O3 and WTCA-O4

WTCA-P5: Limited alternative land uses

To prevent non-rural land uses to ensure that the area remains available for wastewater treatment facility, storage ponds and possible future land disposal options.

Relates to WTCA-O3 and WTCA-O4

WTCA-P6: Amenity values

Activities are operated, designed and laid out to ensure the existing amenity (including shading, health, safety, and privacy of residents) is not reduced.

Relates to WTCA-O3 and WTCA-O4

WTCA-P7: Reduce effects on the amenity on adjoining zones

To require screening or landscaping to reduce the potential conflicts between incompatible activities in adjacent zones

Relates to WTCA-O4

WTCA-P8: Manage industrial activities to avoid adverse effects in water margins and on land with sensitive values

The use, storage, treatment and disposal of hazardous substances or organic matter is located, designed, and managed to avoid adverse effects on:

- a. coastal water and the margins of waterbodies,
- b. significant ecological sites,
- c. sites of heritage or cultural value,
- d. public reserves and recreational areas, and
- e. sensitive land uses

Relates to WTCA-O1

WTCA-P9: Reverse Sensitivity

To ensure that the safe transport, treatment and disposal of wastewater is not unreasonably

compromised by reverse sensitivity effects, incompatible activities, or activities that are sensitive to the types of effects generated by wastewater treatment infrastructure.

Relates to WTCA-O4

WTCA-P10: Cultural values

The cultural values of mana whenua are recognised in wastewater treatment and management, low impact urban design, and the use of use of indigenous species in landscaping.

Relates to WTCA-O1

Wastewater Treatment Specific Control Area - Activity Table

WTCA- R1 Any local authority operated use of land and facilities for the treatment, safe transport and disposal of wastewater		
<p>WTCA- R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. All District Wide and Wastewater Treatment Specific Control Area standards are complied with. 	<p>WTCA- R1B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The positive and adverse effects on the health and safety of people and the environment 3. Cumulative effects 4. Operational considerations including the design and performance of the wastewater treatment system 5. Methods to prevent and minimise noise and odour 6. Vulnerability to natural hazards 7. Setback distances from property boundaries and water bodies 8. Effects on the visual amenity of adjacent properties 9. The location and capacity of storage, sludge and treatment ponds 10. Effects on the natural environmental values 11. Location and design of buildings, infrastructure and ponds 12. Effects on cultural values 	
WTCA- R2 Any agricultural, viticulture, or horticultural activity (except commercial forestry)		

<p>WTCA- R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. All District Wide, Rural and Wastewater Treatment Specific Control Area standards are complied with. 2. There are no storage containers, structures or buildings 	<p>WTCA- R2B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The term of consent 2. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater 3. Risk to public health and safety, and the environment <p>Notification: Non-Notified</p>
<p>WTCA- R3 Commercial forestry</p>	
<p>WTCA- R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. All District Wide, Rural, and Wastewater Treatment Specific Control Area standards are complied with. 2. There are no storage containers, structures or buildings 3. No tree is located within 10m of any site boundary 4. No commercial forestry or associated activity including earthworks and vegetation removal occurs closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>WTCA- R3B</p> <p>Activity Status where conditions and standards are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The term of consent 3. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater 4. The effects on rural character. 5. Risk to public health and safety, and the environment 6. The effects on amenity values in adjacent zones. 7. The effects of shading on neighbouring properties and roads. 8. Sediment discharges, use of hazardous substances, and effects of organic matter on the environment. 9. Chipping or removal of forestry slash and debris from the site 10. Setback distances from water bodies and effects on aquatic ecology
<p>WTCA- R4 Activities not otherwise provided for</p>	
<p>Activity Status: Discretionary</p>	

Wastewater Treatment Specific Control Area - Standards Table

Unless otherwise specified, all activities must comply with the District Wide chapters (including standards) and the permitted activity standards set out below:

WTCA-S1 Yards		
<p>Wastewater Treatment Specific Control Area</p> <p>Purpose: <i>To manage effects on visual amenity, to ensure buildings and structures are adequately set back from water bodies and open drains for maintenance access and to maintain water quality, ecosystem values and indigenous biological diversity; to provide mitigation from natural hazards; to provide a buffer and screening between activities, roads and other zones, to mitigate adverse visual and nuisance effects</i></p>	<ol style="list-style-type: none"> 1. Front Yards <ol style="list-style-type: none"> a. No part of a structure or building (including eaves and guttering) is erected closer than 2 metres to the road boundary. 2. Other Yards <ol style="list-style-type: none"> a. No part of a structure or building (including eaves and guttering), fence or permanently fixed structure is located closer than 6 metres from the top of the bank of any watercourse or open drain. b. No part of a structure or building (including eaves and guttering) is located closer than 6 metres from the boundary of any land zoned other than Industrial c. A landscaped area must create a visual screen that is a minimum of a 2 metre wide that is a minimum of 1.8m high and parallel the boundary of any land zoned other than Industrial d. No outdoor storage of materials, products, containers (including shipping containers), recycling receptacles or stockpiles is located closer than 1m from the boundary of any land zoned other than Industrial 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater 2. The effects on amenity values. 3. Risk to public health and safety, and the environment 4. The effects on water quality. 5. The effects of stormwater runoff. 6. The effects on the maintenance and enhancement of watercourses and open drains 7. Landscaping 8. Setbacks from water <p>Notification: Non-notified</p>
WTCA-S2 Height in relation to boundary		
Wastewater	1. No part of any building or structure	Matters over which discretion is

<p>Treatment Specific Control Area</p> <p><i>Purpose: to provide for the character, function and amenity of neighbouring areas; to manage the effects of bulk and building height on outlook, dominance, access to sunlight and daylight, and privacy on neighbouring properties.</i></p>	<p>or storage or shipping container may project beyond a building envelope that is constructed by drawing planes along all parts of all site boundaries. The planes must commence 7.5 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 65 degrees.</p> <ol style="list-style-type: none"> Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the height in relation to boundary condition. No account will be taken of aerials, lines, support structures, solar heating devices, air conditioning units and similar structures housing electronic or mechanical equipment or chimneys no more than 1 metre wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope. 	<p>reserved:</p> <ol style="list-style-type: none"> The effects on amenity values The effects of shading, dominance and privacy on adjacent properties and occupiers. The height, scale and bulk of buildings and structures
<p>WTCA-S3 Building coverage</p>		
<p>Wastewater Treatment Specific Control Area</p> <p><i>Purpose: to manage the effects of impervious surfaces on run-off to water, and of buildings and structures on sunlight and daylight access, character, outlook, privacy, dominance on properties in</i></p>	<ol style="list-style-type: none"> Building coverage and areas of impervious surfaces must not exceed 75%. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater The effects of stormwater runoff on water quality, human health and ecosystems

<p><i>neighbouring residential zones</i></p>		
<p>WTCA-S4 Landscaping</p>		
<p>Wastewater Treatment Specific Control Area</p> <p><i>Purpose: to provide a buffer and screening between activities and neighbouring zones; and to mitigate adverse visual and nuisance effects;</i></p>	<p>1. A minimum of a 2 metre wide landscaped area adjacent to the boundaries of roads (except for driveways) is planted with a mixture of indigenous trees, shrubs and ground cover within and along the full extent of the front yard to provide a densely planted visual buffer. The landscaped area must incorporate an operational irrigation system and be maintained to ensure ongoing plant health.</p>	<p>Matters over which control is retained:</p> <ol style="list-style-type: none"> 1. The effects of shading on adjacent sites. 2. The effects on the visual amenity
<p>WTCA-S5 Outdoor storage areas</p>		
<p>Wastewater Treatment Specific Control Area</p> <p><i>Purpose: to recognise the character and amenity of industrial areas and to mitigate adverse visual and nuisance effects from rubbish and/or storage areas on residential amenity and open space zones</i></p>	<ol style="list-style-type: none"> 1. Outdoor storage areas, containers or stockpiles must: <ol style="list-style-type: none"> a. be screened from the view of any adjacent residential zone or public open place by tree plantings or a fence that creates a visual screen between the site and the zone boundary to a height of at least 1.8 metres. b. Where the visual screen is more than 5m in length it must not form a featureless blank facade, and is to be formed from a mixture of trees and shrubs; or a fence with climbing plants between the site and the zone boundary to a height of at least 1.8 metres. 2. Outdoor storage areas, containers or stockpiles must: <ol style="list-style-type: none"> a. not provide a food source for birds or vermin. b. be located on sealed and drained areas if they consist of decomposable material likely to generate contaminated leachate. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater 2. The effects of stormwater runoff on water quality, human health and ecosystems 3. The effects on the shading of adjacent sites. 4. The effects on the visual amenity of area. 5. Risk to public health and safety, and the environment. 6. The nature and quantity of the material to be stored. 7. The method of disposal of both the solid material and/or liquid leachate. 8. The methods to be employed to avoid accidental discharges to ground.

WTCA-S6 Fences		
<p>Wastewater Treatment Specific Control Area</p> <p><i>Purpose: to manage effects on amenity values; minimise visual dominance, and to provide a buffer and screening between industrial activities and neighbouring residential zones and open space zones.</i></p>	<ol style="list-style-type: none"> 1. A fence erected within a front yard, side or rear yard cannot exceed 2 metres in height measured from ground level; and must not form a featureless blank facade. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. The effects on amenity values. 2. The effects on traffic and pedestrian safety. 3. The shading effects on adjacent properties.
WTCA-S8 Aerials, Lines and support structures		
<p>Wastewater Treatment Specific Control Area</p> <p><i>Purpose: to manage effects on amenity values and minimise visual dominance</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed 15 metres in height. 2. Dish antenna must not exceed 5 metres in diameter. 3. The aerial, line and/or support structure must comply with the conditions relating to yards and height in relation to boundary in the Wastewater Treatment Specific Control Area 4. Any aerial, line or support structure that exceeds 7 metres in height above the point of its attachment or base support, must also comply with the following conditions: <ol style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. b. There must be no more than one such structure on the site. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater 2. The effects on amenity values 3. The bulk and form of the aerial, line and any support structures. 4. The effects of shading. 5. Any cumulative effects 6. Risk to public health and safety, and the environment.

Assessment criteria - Wastewater Treatment Specific Control Area

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

WTCA –AC1 All infringements

The assessment criteria in WTCA- AC1 apply in addition to those in WTCA-AC2 to WTCA AC- 5

General assessment matters

- a. The implementation of the relevant objectives and policies of the District Wide Chapter and this Chapter, the purpose of the rule, including whether an infringement will more effectively achieve the objectives and policies having regard to the specific site characteristics
- b. Whether the site or setting of the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
 - ii. Particular site development characteristics;
 - iii. Unusual environmental circumstances
- c. Whether or not the use of the permitted baseline test is appropriate and will ensure RMA Part 2, and the objectives, policies and purpose of the rule will be achieved
- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

Risk to public health and safety, and the environment

- e. Whether the the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- f. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.
- g. Whether the volume of water, or rate and composition of discharges may have adverse effects on
 - i. open drains, waterbodies, or coastal water quality
 - ii. the health of any habitats of indigenous species
 - iii. the Council's reticulated tradewaste, wastewater and stormwater network infrastructure.

Setback distances

- h. Whether the development will ensure that the ability of water body margins, channels or open drains or ponding areas to store and/or convey surface water safely and efficiently is not impeded
- i. The extent to which access to open drains for maintenance is enabled

- j. The extent to which a setback or separation distance would promote ecological values of waterbodies or open drains
- k. The extent to which a setback or separation distance would reduce visual and aural effects of activities on residential amenity; or the health and safety of people and the environment
- l. The extent to which the stability of water body banks and adjacent land is maintained and sedimentation and erosion minimised

Vulnerability to natural hazards

- m. Health and safety measures; including the possibility of unscheduled, unexpected or accidental events and the degree of risk these could cause to humans, the stormwater and wastewater utilities and the environment
- n. Whether the site is vulnerable to flooding or inundation,

Landscaping and screening

- o. The effects on the efficient operation of a wastewater treatment facility or land disposal of treated wastewater
- p. The extent to which the landscaping selects or proposes species that are locally appropriate / endemic
- q. Whether the quality and scale of any landscaping improves amenity values, and retains or enhances riparian vegetation.

Cultural impacts

- r. Whether the activity recognises the cultural values of mana whenua

Cumulative effects

- s. Whether the proposed land use will have an adverse cumulative effect on the surrounding area.
- t. Whether an increase in the nature, scale or intensity of a land use will result in cumulative effects on people and properties in an open space or residential zone.
- u. The extent to which there may be cumulative effects from activities that generate high levels of traffic and other adverse environment effects.

WTCA –AC2 Wastewater collection, storage and treatment

- a. Whether the activity is part of the operation, maintenance or expansion of the municipal wastewater treatment facility
- b. The effects on the capacity and efficient operation of a wastewater treatment facility or land disposal of treated wastewater
- c. Whether the activity may have adverse effects on operation, maintenance and expansion of the wastewater treatment facility

- d. Whether the activity services or supports wastewater and stormwater infrastructure
- e. The extent to which the nature and scale of the land use could produce effects that have the potential to impact on the habitats, biological diversity, ecosystem functioning or aquatic life.
- f. Whether buildings and structures, including parking and storage areas, are sited to minimise any adverse effects on the visual privacy of adjoining land uses.

WTCA –AC3 Land uses not associated with wastewater facilities

- a. Whether the activity could have any adverse effects on the use and development of the zone for a wastewater treatment facility or land disposal of treated wastewater
- b. The extent to which health and safety measures are needed
- c. Whether the activity is temporary and is compatible with the future use of the land for a wastewater treatment facility and utilities.
- d. Whether any buildings or structures are proposed
- e. The extent to which activity is a rural land use that is compatible with the wastewater treatment facility, the future disposal of treated wastewater to land; and surrounding land uses.
- f. The effects on the efficient operation of the wastewater treatment facility or land disposal of treated wastewater
- g. The extent to which the activity complies with the rules and standards in the rural chapter
- h. Whether the activity is authorised by a short term lease and is of a type, scale and character that is primarily rural in nature
- i. The extent to which the proposal manages the risk of an increase in weed and pest species, and management of pests
- j. Whether the land use involves the use of materials that could have an adverse environmental effect.
- k. Whether there is a risk that hazardous substances or contamination may enter stormwater
- l. Whether a setback or separation distance will adequately reduce effects on any residential zone, open drain, water body margin, coastal margins, reserves or open space.
- m. Whether the activity includes the construction and use of buildings or structures
- n. The extent to which the activity is compatible with rural land use, wastewater treatment activities and may reduce amenity of adjacent properties.
- o. Whether any impervious surfaces have potential to exacerbate flood risk, or are consistent with protecting the ecological health of the estuary, water bodies or open drains from contaminants.

WTCA –AC4 Storage Areas

- a. The effects on the efficient operation of a wastewater treatment facility or land disposal of treated wastewater
- b. Whether the activity is temporary or short term
- c. The type and volume of materials to be stored.
- d. The extent, appearance and type of screening of the storage area; and reduction in visual impacts on residential and open space zoned land and from roads
- e. Whether the risk of weed and pest species will be increased
- f. The effectiveness of proposed management of pests

WTCA –AC5 Commercial Forestry

- a. Whether the plantation forestry is consistent with best practice in accordance with recognised industry standards or guidelines and any management plan for the operation.
- b. The extent to which wilding conifers will be managed taking into account the potential for the spread of wilding conifers.
- c. The effects of the plantation forestry taking into account:
 - i. the scale and extent of the proposed forestry, including any cumulative effects from existing forestry in the vicinity;
 - ii. any adverse effects of tracking or roading, including visibility, scarring, the extent to which existing contours are followed and any proposed measures to remedy or mitigate the effects;
 - iii. any adverse effects on the landscape values of the site and surrounding environment, including outstanding natural landscapes and features, significant natural features, sites of significance to mana whenua, and the coastal environment;
 - iv. the relationship of the planted area to existing built environment, landforms including ridgelines and in particular identified ridgelines.
- d. The effects of plantation forestry, in particular harvesting, on infrastructure and rural amenity values, in terms of traffic generation and safety, noise, dust and nuisance and proposed management methods to mitigate the potential effects.
- e. The extent to which indigenous biodiversity, sites of ecological significance, waterbodies and open drains will be protected particularly during planting and harvesting, including through the maintenance of adequate buffers with existing or additional planting of indigenous vegetation.
- f. The extent to which the activity complies with the rules and standards in the Rural Chapter

NOSZ - Natural Open Space Zone

Introduction

The purpose of the Natural Open Space Zone is to retain and enhance the natural environment and to ensure activities, buildings and other structures are compatible with the natural characteristics of the zone.

The Natural Open Space Zone applies to areas of land that have an ecological function and provide opportunities for the community to experience and learn about nature. It includes a number of beach/waterfront reserves; Perfume Point; Westshore Wildlife Reserve; Taipo Stream Reserves; Sugarloaf Reserve; Sturms Gully; open space with native bush on Napier Hill/Mataruahou; and public open space adjacent to the Ahuriri Estuary.

Natural and heritage values associated with open space are addressed through the district-wide rules.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the Council as the administering authority. This is in addition to any requirements under the District Plan and the Act. All activities will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Issues

NOSZ-I1 Napier has limited opportunity to encounter nature within the city boundaries

Natural parks are likely to contain natural features that are being restored, enhanced or conserved. Typically, they will be adjacent to water bodies such as coastal areas, estuaries, and river margins, or will be areas of native bush or other native ecological habitat. They can significantly add to visual and landscape values along with providing habitat to support flora and fauna. They provide opportunities for further restoration and to contribute to the objectives for biodiversity. Within open spaces, there is also the opportunity for the public to experience nature and for learning opportunities to be provided. This needs to be balanced with the primary function to ensure that public access and use does not compromise the natural values of the reserve.

NOSZ-I2 Pressure for development and activities in open space may detract from the primary function of the Natural Open Space Zone

Ecological and recreation connectivity can co-exist. The Natural Open Space Zone contributes to connectivity for members of Napier's community through providing linkages between different neighbourhoods. These are generally based on geographic features, where buildings are not possible e.g. stream gullies, drainage areas or steep hillsides. However, other activities have the potential to detract from the natural characteristics of the zone. Development in the zone is therefore generally limited to low impact activities such as walking and bike tracks. Higher use sites may include ancillary visitor facilities such as car parking, signage and toilets, camping facilities and visitor information centres.

Objectives

NOSZ-O1 Natural Open Space Zone purpose

The natural values of the Natural Open Space Zone are retained and enhanced

NOSZ-O2: Quality open space environments

Development contributes to safe, accessible and attractive natural open space environments while maintaining the natural characteristics of the park or reserve

Policies

NOSZ-P1 Activities

Manage activities and development in the Natural Open Space Zone to ensure they are compatible with the natural characteristics of the zone.

NOSZ-P3 Quality natural open space environments

Manage development to achieve quality open space environments including by:

- a. Limiting buildings and structures to those necessary to enhance people’s ability to use and enjoy the open space
- b. Locating and designing buildings, structures and car parking areas to complement the natural character, function and amenity values of the zone
- c. Requiring landscaping to mitigate the visual effects of buildings, structures and vehicle parking areas
- d. Managing vehicle access, parking and traffic generation
- e. Enhancing access and connectivity to the surrounding neighbourhood
- f. Minimising shading, privacy and noise effects on adjacent residential properties.

NOSZ-P3: Infrastructure and natural hazards

Maintain the drainage functions of the City and contribute to the resilience of adjacent development including by:

- 1. Combining open space amenity with drainage functions
- 2. Ensure that linear drainage reserves will be unobstructed by development that impedes anticipated flood levels
- 3. Recognising the risk of liquefaction and lateral spread along open drains and other waterbodies.

Natural Open Space Zone – Activity table

NOSZ-R1 Maintenance and repair to existing buildings		
Activity Status: Permitted		
NOSZ-R2 Recreational activities		
NOSZ-R2A	NOSZ-R2B	

<p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is informal recreation; or 2. Walking and/or bike paths. 	<p>Activity Status where activity conditions are not met: Discretionary</p>
<p>NOSZ-R3 Community activities</p>	
<p>NOSZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Education and research facilities directly related to the open space 2. Information facilities accessory to a permitted activity 3. Public amenities <p><i>Note: NOSZ-R4 applies for any building work associated with this activity not permitted under NOSZ-R1</i></p>	<p>NOSZ-R3B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>NOSZ-R4 Additions, alterations, or new buildings</p>	
<p>NOSZ-R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The building is for public amenities 2. Fences on the boundary 3. Observation areas, viewing platforms and related structures 	<p>NOSZ-R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>NOSZ-R5 Vehicle Parking areas</p>	
<p>NOSZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: 	<p>NOSZ-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted</p>

<p>a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing)</p> <p>b. 1 indigenous specimen tree is provided for every ten car parks</p>	<p>to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and natural open space character 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
NOSZ-R6 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>NA</p>
NOSZ-R7 Relocated buildings	
<p>Activity status: Discretionary</p>	<p>NA</p>
NOSZ-R8 Commercial activities	
<p>NOSZ-R8A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is for the use of recreational clubrooms, or 2. The activity is for the sale of food and drink (including licensed premises). 	<p>NOSZ-R8B</p> <p>Activity Status where activity conditions are not met: Prohibited</p>
NOSZ-R9 Residential activities	
<p>NOSZ-R9A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is required for onsite management 	<p>NOSZ-R9B</p> <p>Activity Status where activity conditions are not met: Prohibited</p>
NOSZ-R10 Industrial activities	
<p>Activity Status: Prohibited</p>	<p>NA</p>
NOSZ-R11 Activities not otherwise provided for	
<p>Activity Status: Non-complying</p> <p>Where the following activity conditions are met:</p>	<p>NA</p>

<p>1. The activity is not provided for under Rules NOSZ-R1 – NOSZ-R10</p>	
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Standards

NOSZ-S1 Height		
<p><i>Purpose: To maintain the natural character of the open space</i></p>	<p>1. Buildings and structures must not exceed 4.5m in height</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Natural character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
NOSZ-S2 Yards		
<p><i>Purpose: To maintain the natural character of the open space; to provide for building maintenance; to provide for a safe and attractive streetscape; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</i></p>	<ol style="list-style-type: none"> 1. Any part of a building (including eaves and guttering) must not be erected closer than 6 metres to any site boundary. 2. Any building, fence, permanently fixed structure or part thereof must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Natural character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
NOSZ-S3 Building coverage		
<p><i>Purpose: To maintain the natural character of the open space</i></p>	<p>1. Building coverage must not exceed 1% of the net site area.</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Natural character 3. Safety, attractiveness and connectivity of streets and public open spaces

		4. Healthy, safe, high amenity and comfortable living environments
NOSZ-S4 Fences and walls		
<i>Purpose: to provide for privacy of sites adjoining open spaces while enabling opportunities for passive surveillance of the public open space</i>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Along a common boundary with an adjacent residential or commercial zone, either: <ol style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Natural character 3. Safety, attractiveness and connectivity public open spaces

Assessment criteria

NOSZ-AC1 – Additions, alterations, or new buildings not meeting permitted conditions (NOSZ-R4); Relocated buildings (NOSZ-R7)

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Natural and landscape character

- a. The extent to which the natural and landscape character of the park or reserve is maintained by the location, layout and external appearance of the proposed building. This includes consideration of:
 - i. any values identified in an approved Reserve Management Plan;
 - ii. any landscape, amenity character, heritage character and/or ecological values identified by overlays applying to the open space.
- b. Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping
- c. Whether proposed landscaping is compatible with the natural and landscape character of the surrounding environment

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which the site layout and building design positively contributes to the attractiveness of streets and public open spaces

- e. The extent to which the development is easily accessible for all members of Napier's community, where feasible
- f. Whether publicly accessible pedestrian and cycle connections are provided through the open space where it fronts two or more streets (where practicable and appropriate)

Healthy, safe, high amenity and comfortable living environments

- g. The extent to which the location and design of the building will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

Coastal environment values

- h. Whether a building located in the coastal environment will meet the following policies:
 - i. CE-P1 Natural features and natural character
 - ii. CE-P2 Limit disturbance of natural features and coastal values
 - iii. CE-P3 Loss of biodiversity and natural values
 - iv. CE-P4 Improve the natural character of the coastal environment
 - v. CE-P6 Natural buffers
 - vi. CE-P7 Restrictions to areas of the coastal environment
 - vii. CE-P8 Retain and re-instate natural values in the coastal environment
 - viii. CE-P9 Buffer areas around significant indigenous biodiversity
 - ix. CE-P10 Activities in coastal and riparian margins
 - x. CE-P11 Pedestrian access to the coast and riparian margins
 - xi. CE-P12 Vehicle access

NOSZ-AC2 – Vehicle Parking areas not meeting permitted conditions (NOSZ-R5)

Natural and landscape character

- a. The extent to which the vehicle parking area will detract from the sense of openness and natural and landscape character values of the park or reserve
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the natural character of the open space and the character of the surrounding neighbourhood

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the open space, where appropriate.

NOSZ-AC3 – Recreational activities not meeting permitted standards (NOSZ-R2); Community facilities not meeting permitted standards (NOSZ-R3); Commercial activities (NOSZ-R8); Residential activities (NOSZ-R9)

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Natural and landscape character

- a. The extent to which the activity would detract from the character and function of the open space, including any values identified in an approved Reserve Management Plan or in a District Plan overlay
- b. The extent to which the activity will contribute to the use, benefit and enjoyment of the open space

Contribution to community wellbeing

- c. The extent to which locating the commercial activity in the Natural Open Space Zone will contribute to the wellbeing of the local community while meeting the intended function of the zone
- d. Whether that contribution could be achieved by locating the activity in a zone other than the Natural Open Space Zone

Safety, attractiveness and connectivity of streets and public open spaces

- e. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists
- f. Whether the activity will restrict public access through the natural open space, including to the coast, estuary and/or rivers.
- g. The extent to which:
 - i. the anticipated traffic generation and/or anticipated onstreet car parking will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of the neighbourhood and natural open space character

Healthy, safe, high amenity and comfortable living environments

- h. The extent to which the activity will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

Infrastructure capacity and stormwater management

- i. Whether the activity can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Vibrancy and vitality of centres

- j. Whether the activity will detract from the purpose and function of centres as set out in the objectives and policies of (Centres zones chapters).

OSZ - Open Space Zone

Introduction

The purpose of the Open Space Zone is to provide for a range of passive and active recreational activities, along with ancillary facilities and structures necessary to support them.

Public open spaces have long had an important role as the focus for public life, activities and events. At a smaller scale, they might simply be somewhere to rest, hang out, and provide opportunities for cycling and walking. Open spaces vary in size from small neighbourhood reserves to large parks.

The Open Space Zone applies to areas of land scattered throughout the City. It includes the larger passive recreation areas such as Anderson Park, the Botanical Gardens as well as the many linear reserves along streams and waterways. Other areas include land set aside for protection of hillsides, trees or historic preservation purposes. Most of these reserves do not cater for permanent facilities apart from those needed for the upkeep of the area or play equipment.

Natural and heritage values associated with open space are addressed through the district-wide rules.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the Council as the administering authority. This is in addition to any requirements under the District Plan and the Building Act 2004. All activities on land vested or gazetted as reserve will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Issues

OSZ-I1 Napier's open space is in high demand and faces development pressure from commercial land uses

The Open Space Zone generally has very high levels of amenity and can attract large numbers of people. As an example, waterfront locations are highly sought after for commercial developments and many of the City's open space areas are on the waterfront. The effects of commercial operations in the open space environments can have significant effects on natural character and values including adverse effects on flora, fauna and their habitats, as well as restricting public access and use of open space.

Strict control is necessary to ensure the effects of commercial activities and other land uses that threaten the efficient use and development of open space are adequately managed so that the primary purpose of the open space is not undermined. Activities that complement and support the function of open space in the community may be appropriate. This can be defined for specific parks and reserves through reserve management plans.

The Marine Parade Recreation Control Area has a specific function within Napier's open space network as it provides the linkage between the city centre and the coast. It also has significant heritage and landscape values, and provides for a range of community and recreational facilities and events.

OSZ-I2 Development may detract from the safety and attractiveness of the open space

Development, including buildings, car parking areas, and art/recreational structures, can contribute to the usability of the open space for the local community. However, poor quality development can detract from the attractiveness and visual amenity of the open space, create safety and security issues, and be inconsistent with the District Plan outcome of “Great Urban Areas”. The Open Space Strategy and Reserve management plans can provide more specific guidance on the appropriate character for specific parks and reserves.

OSZ-I3 Open spaces have an important function in providing for connectivity and recreational cycling and walking options

Connected open spaces are crucial to provide opportunities for the movement of people and fauna. Connected open space networks (along waterways, the coast and through the hills) link communities and provide recreation and environmental benefits along with opportunities to highlight heritage and cultural values.

Access must be considered in terms of natural character and values and be carefully planned to avoid putting ecosystems at risk from additional human pressure. Esplanade reserves will be taken for access purposes from subdivisions adjacent to the coast and adjacent to the major watercourses within the City, to ensure maintenance and enhancement of public access to and along the coastal marine area, rivers and other identified waterbodies.

OSZ-I4 Activities in open space may compromise the amenity values of adjacent residential properties

Napier’s Open Spaces are used for a variety of uses and activities, including sport, education, conservation, passive recreation, walking, community activities, temporary events and temporary commercial activities. Some of these activities are likely to generate congregation of people with associated effects such as noise. Such effects will be of limited duration and the provisions of the zone (and temporary activities chapter) seek to achieve a balance between enabling appropriate use of open space for community wellbeing while managing effects on the amenity of adjacent residential properties. However, where residents are located adjacent to open space, there must be an expectation that the reserves will be used by the public for a range of active and passive recreation.

OSZ-I5 Open space contributes to community resilience including through accommodating stormwater and overland flow

In addition to their function as recreation areas, Napier’s open space zone accommodates open watercourses that are a core component of the stormwater network. Temporary stormwater detention and transmission of overland flows may also be a secondary function of open spaces. Development within the open space zone needs to ensure that this function is maintained. Land adjacent to open watercourses may also be subject to lateral spread risk in case of a large earthquake. This is a relevant consideration for the location and design of new substantial facilities within open space zones.

OSZ-I6 Development and activities in the coastal environment

Many of Napier’s open spaces are located within the coastal environment and the New Zealand Coastal Policy Statement applies.

The degree of natural character varies within the coastal environment. Where significant natural areas remain in places there are opportunities to restore the natural character of areas zoned as open space.

The coastal environment is characterised by an absence of buildings, minimal structures, largely undeveloped areas and open expanses of land. The area provides passive and active recreational opportunities including cycle and walkways, scenic areas and open grassed areas where buildings are inappropriate.

Objectives

The objectives of the coastal environment chapter apply in the coastal environment in addition to the below.

OSZ-01 Open Space Zone purpose

The Open Space Zone is used for a range of passive and active recreational activities appropriate for the location and context, along with ancillary facilities and structures necessary to support them.

Relates to OSZ-I1

OSZ-02: Community wellbeing

Development and activities contribute to safety, security, public health, social wellbeing and connectivity in communities.

Relates to OSZ-I2 and OSZ-I3

OSZ-03: Quality Open Space environments

Development contributes to safe, accessible and attractive open space environments while maintaining quality living environments on adjacent residential sites

Relates to OSZ-I3 and OSZ-I4

OSZ-04: Resilience function

The function of Open Space in contributing to the safe and efficient functioning of the City's stormwater network and in providing resilience is maintained.

Relates to OSZ-I5

Policies

The policies of the coastal environment chapter apply in the coastal environment in addition to the below.

OSZ-P1 Activities

Manage activities and development in the Open Space Zone to retain its primary function for passive and active recreational activities while enabling small-scale community uses and accessory activities that contribute to community wellbeing

Relates to OSZ-I1

OSZ-P2 Marine Parade Recreation Control Area

Enable a limited range of activities and development where they contribute to the vibrancy of the Marine Parade Recreation Control Area and adjacent City Centre zone while:

- a. Maintaining access to and along the coast
- b. Maintaining the identified heritage and landscape values of the former spit as identified in the Marine Parade character statement.

Relates to OSZ-I1

OSZ-P3 Connectivity

Maintain and provide for connectivity and access to and along the coast and to recreational activities

Relates to OSZ-I1

OSZ-P4 Quality open space environments

Manage development to achieve quality open space environments including by:

- a. Limiting buildings and structures to those necessary to enhance people's ability to use and enjoy the open space
- b. Locating and designing buildings, structures and car parking areas to:
 - i. Reflect the local context and identity of an area
 - ii. Celebrate estuarine and coastal features where appropriate
 - iii. Maintain identified natural, heritage and/or mana whenua values
 - iv. Provide safe and accessible places
 - v. Create flexible and adaptable open space that meet changing community needs
- c. Using landscaping to mitigate the visual effects of buildings, structures and vehicle parking areas
- d. Managing vehicle access, parking and traffic generation
- e. Enhancing access and connectivity to the surrounding neighbourhood
- f. Managing development to maintain a reasonable standard of amenity for adjacent residential properties.

OSZ-P5: Infrastructure and natural hazards

Maintain the drainage functions of the City and contribute to the resilience of adjacent development including by:

- a. Integrating green infrastructure where practicable
- b. Combining open space amenity with the use of open space reserves for temporary drainage functions and overland flows for major rainfall events, without compromising the primary purpose of the Open Space
- c. Ensuring that linear drainage reserves will be unobstructed by development that impedes anticipated flood levels

Open Space Zone – Activity table

OSZ-R1 New buildings	
<p>OSZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The gross floor area of the building does not exceed 50m² 2. With the exception of public amenities the building is located outside of the coastal environment. <p><i>Notes:</i></p> <ol style="list-style-type: none"> a. <i>The above standards apply to each individual building (not cumulatively)</i> b. <i>The activity status for the relevant activity(s) to operate within the building, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i> 	<p>OSZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments 4. Infrastructure capacity and stormwater management 5. Coastal environment values (where applicable) <p>Notification: Non-notified</p>
OSZ-R2 Additions, alterations, maintenance and repair to existing buildings	
<p>OSZ-R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The gross floor area of the addition does not exceed 50m² 2. The building is located outside of the coastal environment. <p><i>Note: The activity status for the relevant activity(s) to operate within the building, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>OSZ-R2B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and

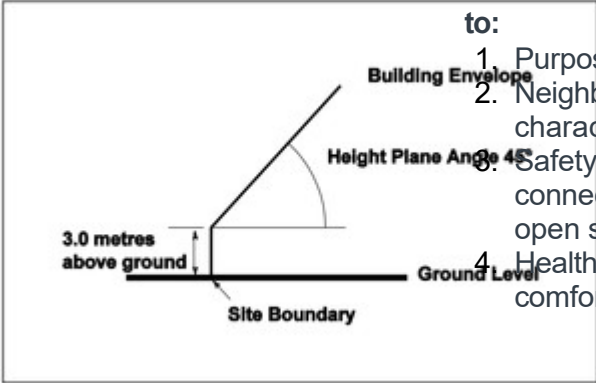
	<p>comfortable living environments</p> <ol style="list-style-type: none"> 4. Infrastructure capacity and stormwater management 5. Coastal environment values (where applicable) <p>Notification: Non-notified</p>
OSZ-R3 Recreational activities	
Activity Status: Permitted	NA
OSZ-R4 Community activities	
Activity Status: Permitted	NA
OSZ-R5 Vehicle Parking areas	
<p>OSZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The vehicle parking area is accessory to a permitted activity in the Open Space zone 2. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. indigenous specimen tree is provided within the car park for every ten car parks 	<p>OSZ-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
OSZ-R6 Cemeteries	
<p>OSZ-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The cemetery is on a site identified as subject to the Cemeteries control 	<p>OSZ-R6B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
OSZ-R7 Boat and beach hire activities	
<p>OSZ-R7A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is within 100m of the coastal marine area 2. The activity does not include any permanent buildings 3. Any signs associated with the activity must be limited 	<p>OSZ-R7B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

<p>to one moveable footpath sign that is removed at the end of each day</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Visual amenity 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Coastal environment values (where applicable) <p>Notification: Non-notified</p>	
<p>OSZ-R8 Relocated buildings</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Visual amenity 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Coastal environment values (where applicable) <p>Notification: Non-notified</p>	<p>NA</p>
<p>OSZ-R9 Commercial activities</p>	
<p>OSZ-R9A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is for the sale of food and drink (including restaurants, cafes, and licensed premises) and is located within the Marine Parade Recreation Control Area; or 2. The activity is for the commercial use of recreational clubrooms. <p><i>Note: Temporary events are provided for under Rule TEMP-R2</i></p> <p>Notification: Non-notified</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Open space character and function 2. Contribution to community wellbeing 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 	<p>OSZ-R9B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

5. Vibrancy and vitality of centres 6. Infrastructure capacity and stormwater management	
OSZ-R10 Activities infringing standards	
Activity Status: Restricted Discretionary 1. The matters of discretion stated for infringing the relevant standard(s) <i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule.</i>	NA
OSZ-R11 Residential activities	
OSZ-R11A Activity Status: Discretionary Where the following activity conditions are met: 1. The activity is required for onsite management	OSZ-R11B Activity Status where activity conditions are not met: Prohibited
OSZ-R12 Industrial activities	
Activity Status: Prohibited	NA
OSZ-R13 Activities not otherwise provided for	
Activity Status: Non-complying Where the following activity conditions are met: 1. The activity is not provided for under Rules OSZ-R1 – OSZ-R14	NA

Open Space Zone – Standards

OSZ-S1 Height	
Purpose: To maintain an open space character that complements the character of the neighbourhood while facilitating appropriate activities; minimise effects on the quality of the neighbours' living environment	1. Buildings and structures must not exceed 10m in height
	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Coastal environment values (where applicable)
OSZ-S2 Height in relation to boundary	

<p>Purpose: To maintain an open space character that complements the character of the neighbourhood while facilitating appropriate activities; maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</p>	<p>1. Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground</p>  <p>2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the standard</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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OSZ-S3 Yards

<p>Purpose: To maintain an open space character that complements the character of the neighbourhood; to provide for building maintenance; to provide for a safe and attractive streetscape; to minimise flooding risk; and provide access to watercourses or open drains for maintenance purposes</p>	<p>1. Any part of a building (including eaves and guttering) must not be erected closer than 6 metres to any site boundary.</p> <p>2. Any building, fence, permanently fixed structure or part thereof must not be erected closer than 6 metres from the top of the bank of any watercourse, open drain, identified stormwater detention area and/or overland flow path.</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
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OSZ-S4 Building coverage

<p>All Open Space</p>	<p>1. Building coverage must not</p>	<p>Activity Status where standards are</p>
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<p><i>zones except within the Marine Parade Recreation Control Area</i></p> <p>Purpose: To maintain the open space character</p> <p><i>Marine Parade Recreation Control Area</i></p> <p>Purpose: To maintain the coastal character while enabling activities which contribute to the vibrancy of the City Centre</p>	<p>exceed 5% of the net site area.</p> <p>2. Building coverage in the Marine Parade Control area must not exceed 10% of the net site area.</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 5. Coastal environment values (where applicable)
<p>OSZ-S5 Fences and walls</p>		
<p>Purpose: to provide for privacy of sites adjoining open spaces while enabling opportunities for passive surveillance of the public open space</p>	<ol style="list-style-type: none"> 1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary: <ol style="list-style-type: none"> a. Along a common boundary with an adjacent residential or commercial zone, either: <ol style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity public open spaces

Assessment criteria

OSZ-AC1 – New buildings not meeting permitted conditions (OSZ-R1); Additions, alterations, maintenance and repair to existing buildings not meeting permitted conditions (OSZ-R2); Relocated buildings (OSZ-R8)

Neighbourhood and open space character

- a. The extent to which the character of the neighbourhood and of the park or reserve are maintained by the proposed building. This includes consideration of:
 - i. any positive characteristics of the neighbourhood identified in a heritage character or amenity character area statement;
 - ii. any values identified in an approved Reserve Management Plan;
 - iii. any landscape, amenity character, heritage character cultural and/or ecosystems and indigenous biodiversity values identified by overlays applying to the open space.
- b. Within the Marine Parade Recreation Control Area, whether the building will maintain the identified coastal character, landscape character and heritage values associated with the former spit and foreshore location
- c. Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping
- d. Whether proposed landscaping is compatible with the landscape character of the surrounding environment

Safety, attractiveness and connectivity of streets and public open spaces

- e. The extent to which the site layout and building design positively contributes to the attractiveness of streets and public open spaces
- f. The extent to which the development is easily accessible for all members of Napier's community
- g. Whether publicly accessible pedestrian and cycle connections are provided through the open space where it fronts two or more streets (where practicable and appropriate)
- h. The extent to which the building will contribute to safety and security.

Design guidance: Crime Prevention through Environmental Design (CPTED) principles will be considered when assessing a proposal against this criterion. Further information is available from National Guidelines for Crime Prevention through Environmental Design in New Zealand

Heathy, safe, high amenity and comfortable living environments

- i. The extent to which the location and design of the building will maintain a healthy, safe and comfortable living environment for neighbouring residents, including having regard to visual and acoustic amenity effects.

Infrastructure capacity and stormwater management

- j. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Coastal environment values

- k. Whether a building located in the coastal environment will meet the following policies:
 - i. CE-P1 Natural features and natural character
 - ii. CE-P2 Limit disturbance of natural features and coastal values

- iii. CE-P3 Loss of biodiversity and natural values
- iv. CE-P4 Improve the natural character of the coastal environment
- v. CE-P5 Natural buffers
- vi. CE-P6 Restrictions to areas of the coastal environment
- vii. CE-P7 Cultural values of existing natural character
- viii. CE-P8 Retain and re-instate natural values in the coastal environment
- ix. CE-P9 Buffer areas around significant indigenous biodiversity
- x. CE-P10 Activities in coastal and riparian margins
- xi. CE-P11 Pedestrian access to the coast and riparian margins
- xii. CE-P12 Vehicle access

OSZ-AC2 – Vehicle Parking areas not meeting permitted conditions (OSZ-R5)

Neighbourhood and open space character

- a. The extent to which the vehicle parking area will detract from the sense of openness and landscape character values of the park or reserve
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the open space and surrounding neighbourhood

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the open space

OSZ-AC3 – Activities infringing standards (OSZ-R10)

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The relevant assessment criteria under OPZ-AC1 apply in addition to the above.

OSZ-AC4 – Commercial activities (OSZ-R9); Residential activities (OSZ-R11)

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Open space character and functions

- a. The extent to which the activity would detract from the character and function of the open space, including any values identified in an approved Reserve Management Plan
- b. The extent to which the activity will contribute to the use, benefit and enjoyment of the open space

Contribution to community wellbeing

- c. The extent to which locating the commercial or entertainment activity in the Open Space Zone will contribute to the wellbeing of the local community
- d. Whether the activity proposed in the Marine Parade Recreation Control Area contributes to the vibrancy of the City Centre and foreshore location
- e. Whether the potential contribution to community wellbeing could be achieved by locating the activity in a zone other than the Open Space Zone

Safety, attractiveness and connectivity of streets and public open spaces

- f. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists
- g. Whether the car park is located to :
 - i. facilitate accessibility to the open space including facilities within the open space; and
 - ii. to optimise the availability and provision of open space for its primary purpose
- h. Whether the activity will restrict public access within and through the open space, including to the coast, estuary and/or rivers, including through the privatisation of space within the park or reserve
- i. The extent to which:
 - i. the anticipated traffic generation and/or anticipated onstreet car parking will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise neighbourhood and open space character

Healthy, safe, high amenity and comfortable living environments

- j. The extent to which the effects from the activity will maintain a healthy, safe and comfortable living environments for neighbouring residents, including having regard to acoustic amenity, dust, odour, and visual amenity of storage areas.

Vibrancy and vitality of centres

- k. Whether the activity will detract from the purpose and function of centres as set out in the objectives and policies of (**Centres zones** chapters).

Infrastructure capacity and stormwater management

- l. Whether the activity can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

SARZ - Sport and Active Recreation Zone

Introduction

The purpose of the Sport and Active Recreation Zone is to provide for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

Napier's sportsgrounds range from facilities of regional and national significance to grounds principally serving local club demand. Council's sports grounds and associated facilities provide for the majority of the city's sporting demand. Included in the Sport and Active Recreation Zone are sporting facilities such as Park Island, Nelson Park, Tareha Park, Taradale Park, and Petane War Memorial Reserve. MacLean Park has a special Stadium Zone.

Council's provision of sports facilities needs to respect traditional aspects of sport (for example, club structures), while ensuring decisions now are sufficiently flexible to respond to changing future demand. The buildings and facilities associated with, and necessary for, operational use of sports grounds are provided for in this zone, although careful consideration has been given to their potential effects on adjacent residential land uses.

In order to meet growth needs and changes arising in the sporting needs of the community, a Master Plan has been drafted for the Park Island Sports Grounds. The Park Island Control Area provides for the community's changing sporting needs for the next 20+ years and also provides for more efficient use of the existing resources.

Natural and heritage values associated with open space are addressed through district-wide rules.

Activities and uses on publicly owned land are required to obtain permission (such as a lease or a licence) from the Council as the administering authority. This is in addition to any requirements under the District Plan and the Resource Management Act. All activities will also have regard to any relevant reserve management plans and legislation (Reserves Act 1977).

Issues

SARZ-I1 High demand for sport and recreation facilities

In recent years there have been substantial changes in user aspirations and increased acceptability of artificial turf pitches along with intensive and co-use of these pitches by sporting codes, rather than reliance on low intensity use of a large number of grass pitches. This has benefits in terms of efficient use of the land resource and affordability but can result in more regular and continuous use of sports grounds, including expanded hours of operation and greater use of floodlighting.

Overall there is a significant improvement in the efficiency of land use with artificial turf as opposed to natural turf, and there is potential for positive flow-on effects in terms of managing and providing associated infrastructure and enabling/retaining participation in sport. Peak traffic movements and parking demand can be better managed through more intensive use of facilities rather than reliance on concurrent use of multiple grass pitches.

SARZ-I2 Development may detract from the safety and attractiveness of the sport and active recreation facility

Development, including buildings and car parking areas, can contribute to the usability of open space for the local community's sport and active recreation requirements. However, poor quality development can detract from the attractiveness and visual amenity of the open space, create safety and security issues, result in inefficient use of the limited land resource, and be inconsistent with the District Plan outcome of "Great Urban Areas". Provisions of the zone seek to ensure that development is appropriate to meet community requirements and contribute to the safe and efficient use of sport and active recreation facilities.

SARZ-I3 Activities in the sport and active recreation zone may compromise the amenity values of adjacent residential properties

Clubs often seek to increase their revenue by hiring out their facilities for social functions. This has the potential to impact on the quality of the living environment for adjacent residential properties. More generally, buildings and activities in sport and active recreation facilities should be located and designed to minimise the effects on the quality of the living environment for adjacent residential properties while also efficiently using the limited land resource to provide for community wellbeing.

Where residents are located adjacent to sport and active recreation facilities, there must be an expectation that the reserves will be used by the public for a range of active and passive recreation. Some of these activities are likely to generate congregation of people with associated effects such as noise and lighting at night. Such effects will be of limited duration and the provisions of the zone (and temporary activities chapter) seek to achieve a balance between enabling appropriate use of open space for community wellbeing while managing effects on the amenity of adjacent residential properties.

Objectives

SARZ-O1 Sport and Active Recreation Zone purpose

The Sport and Active Recreation Zone is used for a range of indoor and outdoor sport and active recreational activities with associated facilities and structures.

Relates to SARZ-I1

SARZ-O2: Community wellbeing

Development and activities provide for the recreational needs of the community including by contributing to sport and active recreation requirements, safety, security, public health, social wellbeing and connectivity.

Relates to SARZ-I1 and SARZ-I2

SARZ-O3: Quality recreational environments

Development contributes to safe, accessible and attractive recreational environments while maintaining a reasonable standard of amenity on adjacent residential sites

Relates to SARZ-I2 and SARZ-I3

Policies

SARZ-P1 Activities

Manage activities and development in the Sport and Active Recreation Zone to retain its primary function for sport and active recreational activities while enabling small-scale community uses and accessory activities that contribute to community wellbeing.

Relates to SARZ-I1 and SARZ-I2

SARZ-P2 Quality recreational environments

Manage development to achieve quality sport and active recreation environments including by:

- a. Limiting buildings and structures to those necessary to enhance people’s ability to use and enjoy the sport and active recreation facilities
- b. Locating and designing buildings, structures and car parking areas to complement the open and spacious character, function and amenity values of the zone and adjacent landuses
- c. Using landscaping to mitigate the visual effects of buildings, structures and vehicle parking areas
- d. Managing vehicle access, parking and traffic generation
- e. Enhancing access and connectivity to the surrounding neighbourhood
- f. Maintaining a reasonable standard of amenity on adjacent residential properties

Relates to SARZ-I1 and SARZ-I2

SARZ-P3: Infrastructure and natural hazards

Maintain the drainage functions of the City and contribute to the resilience of adjacent development by combining the function of sport and active recreation facilities with the use of reserves for temporary drainage functions for major rainfall events.

Sport and Active Recreation Zone – Activity table

SARZ-R1 New buildings	
<p>SARZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. Not within the Park Island Control Area: <ul style="list-style-type: none"> a. The gross floor area of the building does not exceed 75m² 2. Within the Park Island Control Area: <ul style="list-style-type: none"> a. The building is in a location generally in accordance with those identified on the Park Island Master Plan for buildings or temporary accommodation. 	<p>SARZ-R1B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Neighbourhood and open space character 2. Efficient use of the site for sport and active recreation activities 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments

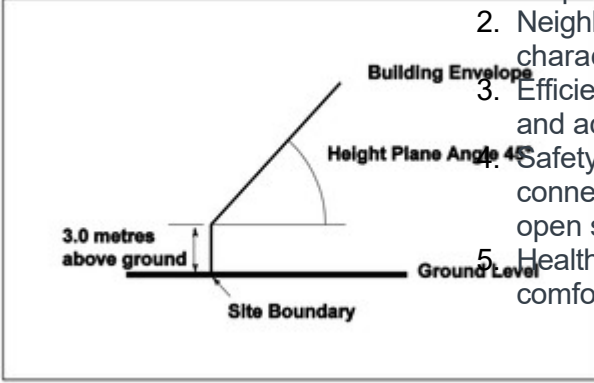
SARZ-R2 Additions, alterations, maintenance and repair to existing buildings	
SARZ-R2A Activity Status: Permitted Where the following activity conditions are met: 1. The gross floor area of the addition does not exceed 50m ²	SARZ-R2B Activity Status where activity conditions are not met: Restricted Discretionary Matters of discretion are restricted to: 1. Neighbourhood and open space character 2. Efficient use of the site for sport and active recreation activities 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
SARZ-R3 Recreational activities	
Activity Status: Permitted <i>Note: Refer to SARZ-R5 for activities within the Park Island Development Area</i>	NA
SARZ-R4 Vehicle Parking areas	
SARZ-R4A Activity Status: Permitted Where the following activity conditions are met: 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. 1 indigenous specimen tree is provided for every ten car parks 	SARZ-R4B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted to: 1. Neighbourhood and open space character 2. Efficient use of the site for sport and active recreation activities 3. Safety, attractiveness and connectivity of streets and public open spaces Notification: Non-notified
SARZ-R5 Activities in the Park Island Development Area	
SARZ-R5A Activity Status: Permitted	SARZ-R5B Activity Status where activity

<p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is identified on the Park Island Masterplan; and 2. The activity is in a location generally in accordance with those identified on the Park Island Masterplan. 	<p>conditions are not met: Discretionary</p>
<p>SARZ-R6 Commercial activities</p>	
<p>SARZ-R6A</p> <p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is for the sale of food and drink; and is ancillary to a recreational activity. <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 2. The layout and design of vehicle parking, access and manouevring areas 3. The design and appearance of the building(s). <p>Notification: Non-notified</p>	<p>SARZ-R6B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>SARZ-R7 Activities infringing standards</p>	
<p>Activity Status: Restricted Discretionary</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>NA</p>
<p>SARZ-R8 Relocated buildings</p>	
<p>Activity Status: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Neighbourhood and open space character 2. Efficient use of the site for sport and active recreation activities 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments 	<p>NA</p>

Notification: Non-notified	
SARZ-R9 Community activities	
Activity Status: Discretionary	NA
SARZ-R10 Residential activities	
SARZ-R10A Activity Status: Discretionary Where the following activity conditions are met: 1. The activity is required for onsite management	SARZ-R10B Activity Status where activity conditions are not met: Prohibited
SARZ-R11 Industrial activities	
Activity Status: Prohibited	NA
SARZ-R12 Activities not otherwise provided for	
Activity Status: Non-complying Where the following activity conditions are met: 1. The activity is not provided for under Rules SARZ-R1 – SARZ-R11	NA

Standards

SARZ-S1 Height		
<i>Purpose: To complement the character of the neighbourhood while facilitating appropriate activities; minimise effects on the quality of the neighbours' living environment; provide for support structures in order to allow for the lighting of sports fields</i>	1. Buildings and structures must not exceed 15m in height 2. Aerials, lines and support structures (excluding for lighting) must not exceed 20m in height	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood and open space character Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
SARZ-S2 Height in relation to boundary		

<p>Purpose: To complement the character of the neighbourhood while facilitating appropriate activities; maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</p>	<ol style="list-style-type: none"> Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m vertically above ground level side and rear boundaries, as shown in SARZ-S2-Fig1 below  <ol style="list-style-type: none"> Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the standard 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood and open space character Efficient use of the site for sport and active recreation activities Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
<p>SARZ-S3 Yards</p>		
<p>Purpose: To complement the character of the neighbourhood while facilitating appropriate activities; to provide for building maintenance; to provide for a safe and attractive streetscape; to maintain water quality and provide access to watercourses or open drains for maintenance purposes</p>	<ol style="list-style-type: none"> Any part of a building (including eaves and guttering) must not be erected closer than 6 metres to any site boundary. Any building, fence, permanently fixed structure or part thereof must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Neighbourhood and open space character Efficient use of the site for sport and active recreation activities Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments
<p>SARZ-S4 Gross floor area</p>		
<p>All Sport and Active Recreation zoned sites</p>	<ol style="list-style-type: none"> The maximum gross floor area of buildings on a site must not exceed 500m² GFA 	<p>Activity Status where standards are not met: Restricted discretionary</p>

<p><i>except for the Park Island Control area</i></p> <p>Purpose: <i>To maintain open space for sport and active recreation activities</i></p> <p><i>Park Island Control Area</i></p> <p>Purpose: <i>To facilitate efficient use of Park Island in accordance with the Masterplan</i></p>	<p>2. The combined maximum gross floor area of buildings within each Sports Hub, as identified on the Park Island Masterplan, must not exceed 4,000m² GFA, provided that:</p> <ul style="list-style-type: none"> a. No one building shall exceed 2,000m² GFA b. Buildings exceeding 500m² GFA shall be located no less than 30m, apart 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Efficient use of the site for sport and active recreation activities 4. Safety, attractiveness and connectivity of streets and public open spaces 5. Healthy, safe, high amenity and comfortable living environments
<p>SARZ-S5 Fences and walls</p>		
<p>Purpose: <i>to provide for privacy of sites adjoining open spaces while enabling opportunities for passive surveillance of the public open space</i></p>	<p>1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary:</p> <ul style="list-style-type: none"> a. Along a common boundary with an adjacent residential or commercial zone, either: <ul style="list-style-type: none"> i. 1.2m in height, or ii. 1.8m in height for no more than 50 per cent of the site frontage and 1.2m for the remainder, or iii. 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary. <p>2. Clause 1 above does not apply to any open mesh or similar design fence erected for the purposes of protecting adjacent land uses and occupiers.</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity public open spaces

Assessment criteria

SARZ-AC1 – New buildings not meeting permitted conditions (SARZ-R1); Additions, alterations, maintenance and repair to existing buildings not meeting permitted conditions

(SARZ-R2); Relocated buildings (SARZ-R8)*Neighbourhood and open space character*

- a. The extent to which the character of the neighbourhood and of the park or reserve are maintained by the proposed building. This includes consideration of:
 - i. any positive defining characteristics of the neighbourhood;
 - ii. any values identified in an approved Reserve Management Plan.
- b. Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping
- c. Whether proposed landscaping is compatible with the landscape character of the surrounding environment

Efficient use of the site for sport and active recreation activities

- d. Whether the scale and/or location of the building will compromise the efficient use and development of the park or reserve for sport and active recreation activities

Safety, attractiveness and connectivity of streets and public open spaces

- e. The extent to which the site layout and building design positively contributes to the attractiveness of streets and public open spaces
- f. The extent to which the development is easily accessible for all members of Napier's community
- g. Whether publicly accessible pedestrian and cycle connections are provided through the open space where it fronts two or more streets (where practicable and appropriate)
- h. The extent to which the building will contribute to safety and security.

Design guidance: Crime Prevention through Environmental Design (CPTED) principles will be considered when assessing a proposal against this criterion. Further information is available at National Guidelines for Crime Prevention through Environmental Design in New Zealand

Healthy, safe, high amenity and comfortable living environments

- i. The extent to which the location and design of the building will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

SARZ-AC2 – Vehicle Parking areas not meeting permitted conditions (SARZ-R4)*Neighbourhood and open space character*

- a. The extent to which the vehicle parking area will detract from the sense of openness and landscape character values of the park or reserve
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the open space and surrounding neighbourhood

Efficient use of the site for sport and active recreation activities

- c. Whether the scale and/or location of the car park will compromise the efficient use and development of the park or reserve for sport and active recreation activities
- d. Whether the car park is required to provide adequate car parking for sport and active recreation facilities while avoiding significant adverse effects on the safety and efficiency of the surrounding integrated transport network

Safety, attractiveness and connectivity of streets and public open spaces

- e. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the open space

SARZ-AC3 – Commercial activities (SARZ-R6); Community activities (SARZ-R8); Residential activities (SARZ-R10)

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Neighbourhood and open space character

- a. The extent to which the character of the neighbourhood and of the park or reserve are maintained by the proposed activity. This includes consideration of:
 - i. any positive defining characteristics of the neighbourhood;
 - ii. any values identified in an approved Reserve Management Plan;

Efficient use of the site for sport and active recreation activities

- b. Whether the scale and/or location of the activity will compromise the efficient use and development of the park or reserve for sport and active recreation activities

Contribution to community wellbeing

- c. The extent to which locating the activity in the Sport and Active Recreation Zone will contribute to the wellbeing of the local community
- d. Whether that contribution could be achieved by locating the activity in a zone other than the Sport and Active Recreation Zone

Safety, attractiveness and connectivity of streets and public open spaces

- e. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists
- f. Whether the activity will restrict public access through the open space, including to the coast, estuary and/or rivers.
- g. The extent to which:
 - i. the anticipated traffic generation and/or anticipated onstreet car parking will impact on the

- safety and efficient operation of the surrounding integrated transport network
- ii. traffic generation will compromise the maintenance of the neighbourhood and open space character

Healthy, safe, high amenity and comfortable living environments

- h. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

Assessment under the above criteria will include consideration of:

- ◊ site layout
- ◊ design and external appearance of buildings
- ◊ dust and/or odour effects
- ◊ hours of operation
- ◊ noise generation
- ◊ screening of storage areas

Infrastructure capacity and stormwater management

- i. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate
- j. Whether the development will compromise the temporary drainage function of the park or reserve for major rainfall events.

Vibrancy and vitality of centres

- k. Whether the activity will detract from the purpose and function of centres as set out in the objectives and policies of (Centres zones chapters).

BHSZ - Boat Harbour Special Purpose Zone

Introduction

The purpose of the Boat Harbour Special Zone is to provide for a range of commercial and recreational fishing along with water-based recreation and related activities.

A key outcome for the District Plan is “A Regional approach to Industry”. This seeks to reflect the operational requirements of different industry types and provide for them on a region wide basis. Access to water around Napier’s Inner Harbour is essential for the Hawkes’ Bay commercial fishing fleet, which is long established in Ahuriri.

Another key outcome is “Great Urban Areas”. One aspect of Napier’s environment which makes it a great place to live is the water access for water-based recreation, including sailing and waka ama.

The Boat Harbour Special Zone applies to most land surrounding the inner harbour at Ahuriri, including being the underlying zone for the Marine Industry precinct, and provides for both recreational and commercial activities. The exceptions being specific open space reserve areas which recognise and provide for their primary purpose. Achieving a balance between the recreational and commercial needs for water access around the Inner Harbour requires a unique set of provisions within a special purpose zone in order to recognise the distinctive characteristics of this area of waterfront and the activities operating here.

Issues

BHSZ-I1 Land with water access for commercial fishing and water-based recreational activities in Napier is limited

The Boat Harbour Special Zone on its southern boundary is the base for the Hawke’s Bay commercial fishing fleet. It is the only practicable location in which this fleet can operate from including berthing, loading equipment and unloading catch.

The land at the western end of the inner harbour accommodates the Sailing Club, the northern portion accommodates the Sea Scouts and the Coast Guard while the land at the eastern end accommodates the Hawkes Bay Sports Fishing Club. All of these water based activities are regional in nature, support important community activities and recreational pursuits and have a functional need to be located immediately adjacent to the coastal marine area. This is appropriate as there is no alternative location for them. Any land uses in this area should therefore be limited to these activities and ancillary activities that support the proper functioning of the water based activities, such as boat storage, dedicated boat trailer parking etc.

BHSZ-I2 The co-existence of commercial fishing and recreational activities may generate conflicts, safety issues and/or reverse sensitivity effects

The Boat Harbour Special Zone is a constrained space that supports a large number and range of ocean-going vessels. It provides access to the inner harbour which is used for a variety of activities and leisure pursuits to meet the wide range of demands from the community. In providing for a number of purposes in a constrained space careful management is required to ensure that facilities necessary to support each use are provided in the most appropriate locations and conversely uses

that can locate elsewhere, do so.

Heavy vehicles are required to service most marine based activities and it is vital that the land-based access immediately adjacent to the marine area is retained largely free of other land uses for this important function.

BHSZ-I3 Development may detract from the safety and attractiveness of the coastal edge

Napier City has a significant coastline that is highly accessible in terms of its proximity to the built environment. Waterfront locations can make it vulnerable to inappropriate land uses especially commercial developments. Strict control is necessary to ensure the effects of commercial activities and other land uses that threaten the efficient use and development of activities that need to access the marine area are adequately managed. Any development in and around the Boat Harbour Special Zone should respect the defining characteristics of the area in which it is located as well as ensure there is no degradation in safety or amenity.

New Zealanders enjoy their access rights to water resources and Council is aware of the significant recreational use of the coastal area. Council however, must also be mindful of the safety of the public and for this reason general access will be strictly limited within the Boat Harbour Special Zone.

Objectives

The objectives of the Coastal Environment chapter apply as relevant in addition to the below.

BHSZ-O1 Boat Harbour Special Zone purpose

The Boat Harbour Special Zone is used for a range of recreational and marine-related activities, along with ancillary facilities and structures necessary to support them.

Relates to BHSZ-I1 and BHSZ-I2

BHSZ-O2: Safe and efficient use and development

Development and activities contribute to safety, security and public health along the coastal edge

Relates to BHSZ-I2 and BHSZ-I3

Policies

The policies of the Coastal Environment chapter apply as relevant in addition to the below.

BHSZ-P1 Activities

Manage activities and development in the Boat Harbour Special Zone to retain its primary function for commercial fishing and water-based recreational activities

BHSZ-P2 Development

Enable a limited range of development where it supports those activities that have a functional need

to be located immediately adjacent to the coastal marine area while maintaining amenity values of the surrounding environment

BHSZ-P3 Connectivity and access

Maintain and provide for connectivity and access to and along the coast where practicable, particularly to those activities requiring access into and out of the marine area

BHSZ-P4 Safety and Security

Maintain the safety and security of the Boat Harbour Special Zone to manage potential conflict with the variety of uses occurring within the area and public seeking to access the waterfront, including by restricting access where appropriate

Boat Harbour Special Zone – Activity table

BHSZ-R1 Recreational activities		
BHSZ-R1A Activity Status: Permitted Where the following activity conditions are met: 1. The activity is a water-related recreational activity.	BHSZ-R1B Activity Status where activity conditions are not met: Discretionary	
BHSZ-R2 Additions, alterations, maintenance and repair to existing buildings		
BHSZ-R2A Activity Status: Permitted Where the following activity conditions are met: 1. The gross floor area of the addition does not exceed 25sqm.	BHSZ-R2B Activity Status where activity conditions are not met: Discretionary	
BHSZ-R3 Community Activities		
Activity Status: Permitted	NA	
BHSZ-R4 Vehicle Parking areas		
BHSZ-R4A Activity Status: Permitted Where the following activity conditions are met: 1. The vehicle parking area is accessory to a permitted activity in the Boat Harbour Special Zone	BHSZ-R4B Activity Status where activity conditions are not met: Restricted discretionary Matters of discretion are restricted to: 1. Neighbourhood and open space	

<ol style="list-style-type: none"> 2. The parking area is at grade 3. A 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) 4. 1 indigenous specimen tree is provided within the car park for every ten car parks 	<p>character</p> <ol style="list-style-type: none"> 2. Coastal environment values 3. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
<p>BHSZ-R5 Commercial activities</p>	
<p>BHSZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is for boat and beach related hire activities or marine-related activities and the following conditions are met: <ol style="list-style-type: none"> a. The land use must not include any permanent buildings b. The land use must not be undertaken within 6 metres from any zone boundary c. Any sign associated with the land use must be limited to one moveable footpath sign that is removed at the end of each day <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 2. The activity is for the sale of food and drink (including restaurants, cafes, and licensed premises); or 3. The activity is for the commercial use of recreational clubrooms. <p><i>Note: Temporary events are provided for under Rule TEMP-R2</i></p> <p>Notification: Non-notified</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose and function of the zone 2. Contribution to community wellbeing 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Infrastructure capacity and stormwater management 	<p>BHSZ-R5B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>BHSZ-R6 Activities infringing standards</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion:</p>	<p>NA</p>

1. The matters of discretion stated for infringing the relevant standard(s) <i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i>	
BHSZ-R7 New or relocated buildings	
Activity Status: Discretionary	NA
BHSZ-R8 Industrial activities	
BHSZ-R8A Activity Status: Discretionary Where the following activity conditions are met: 1. The activity is related to marine industry	BHSZ-R8B Activity Status where activity conditions are not met: Prohibited
BHSZ-R9 Activities not otherwise provided for	
Activity Status: Non-complying Where the following activity conditions are met: 1. The activity is not provided for under Rules BHSZ-R1 – BHSZ-R8	NA

Standards

BHSZ-S1 Height		
<i>Purpose: To maintain an open space character appropriate for the coastal edge while facilitating appropriate activities in the precinct</i>	1. Buildings and structures must not exceed 7.5m in height	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Coastal environment values 3. Safety, attractiveness and connectivity of streets and public open spaces
BHSZ-S2 Height in relation to boundary		
<i>Purpose: To</i>	1. Buildings must not project beyond	Activity Status where standards are

<p><i>maintain an open space character appropriate for the coastal edge and minimise effects on established adjacent activities while facilitating appropriate activities in the precinct</i></p>	<p>a 45 degree recession plane measured from a point 5.0m vertically above ground level along side and rear boundaries.</p> <p>2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the standard</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Coastal character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Amenity of adjacent sites
<p>BHSZ-S3 Yards</p>		
<p>Purpose: <i>To maintain an open space character appropriate for the coastal edge and minimise effects on streetscape amenity while facilitating appropriate activities in the precinct</i></p>	<ol style="list-style-type: none"> 1. Any part of a building (including eaves and guttering) must not be erected closer than 2m from the road boundary, except that a yard of 3m shall apply from Pandora Road 2. Front yards must be landscaped for a distance of 2 metres in width, or an equivalent area of landscaping visible from the road must be provided. 3. There is no side or rear yard requirement 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Coastal character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Amenity of adjacent sites
<p>BHSZ-S4 Building coverage</p>		
<p>Purpose: <i>To maintain the open space character</i></p>	<ol style="list-style-type: none"> 1. Building coverage must not exceed 75% of the net site area. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Coastal character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Amenity of adjacent sites
<p>BHSZ-S5 Outdoor storage</p>		
<p>Purpose: <i>To provide for the functional needs of activities while ensuring storage areas do not</i></p>	<ol style="list-style-type: none"> 1. All outdoor storage areas or stockpiles: <ol style="list-style-type: none"> a. must be screened from the public view by: <ol style="list-style-type: none"> i. a close-boarded or similar solid fence or wall, or 	

<p><i>detract from the safety and attractiveness of streetscapes and the coastal environment</i></p>	<ul style="list-style-type: none"> ii. a 2m wide planting strip consist of shrubs and hedge or tree plantings b. must be secured so as not to provide a food source for birds or vermin c. must not exceed 1.8m in height d. Where the visual screen is more than 5m in length it must not form a featureless blank façade, and is to be formed from a mixture of trees and shrubs; or a fence with climbing plants between the site and the boundary e. must be located on sealed and drained areas if they consist of decomposable material likely to generate contaminated leachate 	
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<p>BHSZ-S6 Aerials, Lines and support structures other than for the purposes of a network utility operation</p>	
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<p>Purpose: <i>To provide for services supporting marine activities while maintaining amenity values</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed 20 metres in height 2. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1. 3. Dish antenna must not exceed 5 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: <ul style="list-style-type: none"> a. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction b. There must be no more than one such structure on the site 	
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	c. The aerial, line and/or support structure must comply with the yards and height in relation to boundary standards	
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Assessment criteria

BHSZ-AC1 – Additions, alterations, maintenance and repair to existing buildings not meeting permitted conditions (BHSZ-R2); New buildings or relocated buildings (BHSZ-R7);

Character and amenity

- a. The extent to which the character of the surrounding area is maintained by the proposed building. This includes consideration of:
 - i. any positive characteristics of the surrounding area identified in a heritage character or amenity character area statement;
 - ii. any values identified in an approved Reserve Management Plan;
 - iii. any landscape, amenity character, heritage character cultural and/or ecosystems and indigenous biodiversity values identified by overlays applying to the open space
- b. Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping
- c. Whether proposed landscaping is compatible with the landscape character of the surrounding environment

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which the site layout and building design positively contributes to the attractiveness of streets and public open spaces
- e. Whether publicly accessible pedestrian and cycle connections are provided through the site to the coastal edge where this would not prevent the safe operation of the proposed activity
- f. The extent to which the building will contribute to safety and security.

Design guidance: Crime Prevention through Environmental Design (CPTED) principles will be considered when assessing a proposal against this criterion. Further information is available at National Guidelines for Crime Prevention through Environmental Design in New Zealand

Purpose and function of the zone

- g. The extent to which the location and design of the building will contribute to the primary purpose of the zone as set out in Objective BHSZ-O1

Infrastructure capacity and stormwater management

- h. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

BHSZ-AC2 – Vehicle Parking areas not meeting permitted conditions (OSZ-R4)

Character and amenity

- a. The extent to which the vehicle parking area will detract from the established character of the coastal edge and surrounding area
- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the coastal edge and surrounding area

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the coastal edge as appropriate

BHSZ-AC3 – Commercial activities (BHSZ-R5) and Industrial activities (BHSZ-R8)

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Purpose and function

- a. The extent to which the location and design of the building will contribute to the primary purpose of the zone as set out in Objective BHSZ-O1
- b. The extent to which the activity will contribute to the use, benefit and enjoyment of the coastal edge
- c. The extent to which the activity would detract from the character and function of the surrounding open space, including any values identified in an approved Reserve Management Plan

Contribution to community wellbeing

- d. The extent to which locating the commercial or entertainment activity in the Boat Harbour Special Zone will contribute to the wellbeing of the local community
- e. Whether the potential contribution to community wellbeing could be achieved by locating the activity in a zone other than the Boat Harbour Special Zone
- f. Whether the activity would detract from the economic wellbeing benefits provided by permitted activities in the Boat Harbour Special Zone including the fishing industry by generating reverse sensitivity and/or safety and security effects

Safety, attractiveness and connectivity of streets and public open spaces

- g. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists
- h. Whether the car park is located to :
 - i. facilitate accessibility to the activity
 - ii. optimise the availability and provision of land within the Boat Harbour Special Zone for its primary purpose
- i. Whether the activity will restrict public access within and through the site, including through the privatisation of space that is currently accessible to the public

- j. The extent to which:
 - i. the anticipated traffic generation and/or anticipated onstreet car parking will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise neighbourhood and open space character

Infrastructure capacity and stormwater management

- k. Whether the activity can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

BHSZ-AC4 – Activities infringing standards (BHSZ-R6)

- a. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
- b. Any special or unusual characteristic of the site which is relevant to the standard
- c. Where more than one standard will be infringed, the cumulative effects of all infringements considered together
- d. The relevant assessment criteria under OSZ-AC1 apply in addition to the above.

BHSZ-AC5 – All activities – Coastal environment

- a. In addition to any relevant criteria above, the extent to which the activity and/or development in the Boat Harbour Special Zone will be consistent with the following coastal environment policies:
 - i. CE-P6 Restrictions to areas of the coastal environment
 - ii. CE-P7 Cultural values of existing natural character
 - iii. CE-P8 Retain and re-instate natural values in the coastal environment
 - iv. CE-P10 Activities in coastal and riparian margins
 - v. CE-P11 Pedestrian access to the coast and riparian margins
 - vi. CE-P12 Vehicle access

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

Introduction

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

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

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

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

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

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

‘Premier Park’ and ‘Great Urban Areas’ are two key outcomes. A key value mentioned in relation to the Ahuriri estuary is Mauri – to visibly see mauri, to be able to safely swim in the water, and safely eat from the estuary. To achieve these key objectives, the provisions in this zone promote the following outcomes:

- To improve the stormwater retention function of the site, and treat stormwater pollutants in constructed wetlands before it reaches the estuary.
- To reduce the amount of sediment and other potential sources of contaminants entering waterways and the estuary
- Use and development is carefully controlled and must be compatible with the values of the adjacent Ahuriri estuary, wildlife reserve and airport
- The estuarine / wetland and stream edges are planted, ecosystem types that are missing from the area are established, and a more natural estuary edge is created.
- Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the

- adjacent estuary and its margins are protected and improved
- The values and interests of mana whenua are recognised and reflected in the use and development of the area
- The exercise of kaitiakitanga and the ethic of stewardship is promoted
- The life-supporting capacity of soil and water is safeguarded, and the intrinsic values of water bodies and ecosystems are recognised
- Use and development occurs in a way that recognises adjacent land uses (such as the airport); improves the management of stormwater discharges, and is compatible with restoration and safeguarding the values of water and the estuary
- Activities are set back from waterbodies and the coastal marine area to manage potentially contaminated stormwater run-off; to promote opportunities to improve the natural character of the area, and to safeguard the life supporting capacity of natural resources and eco-system health
- Indigenous biological diversity and ecosystem functioning of the adjacent Ahuriri estuary and its margins is maintained and improved

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

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

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

Issues

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

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

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

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

The pumps and drainage systems, and activities located adjacent to the estuary have

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

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

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

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

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

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

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

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

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

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

The availability of a large area of publicly owned land adjacent to the estuary presents an opportunity to manage stormwater discharges, and create an improved and resilient estuarine environment.

Improving the quality of water entering the estuary has the potential for educational, recreation and ecological benefits. Directing stormwater onto land and into constructed wetlands can remove contaminants, and play a role in attenuating discharges to manage high rainfall events.

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

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

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

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

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

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

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

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

Objectives

AESZ-O1: Stormwater collection, storage and treatment

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

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

AESZ-O2: Cultural connections and ecological values

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

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

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

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

Relates to AESZ-I1 and AESZ-I7

AESZ-O4: Protection of ecological and cultural values

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

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

AESZ-O5: Cultural associations and values

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

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

AESZ-O6: Avoid inappropriate activities

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

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

AESZ-O7: Reverse sensitivity

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

Relates to AESZ-I1

AESZ-O8: Cumulative Effects

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

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

Policies

AESZ-P1: Improving and protecting estuary values

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

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

AESZ-P2: Use and development

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

- a. increasing biodiversity, natural character, mahinga kai and environmental qualities;
- b. retaining or improving ecological corridors between ecosystems;
- c. improving the connectivity between fragmented indigenous habitats
- d. reflecting the historic landscape of the Ahuriri seabed;
- e. providing recognition of traditional connections and features;
- f. facilitating the ability for the local authority to hold, treat and discharge stormwater from the site
- g. ensuring activities are compatible with the habitats in the nearby wildlife refuge and the status of land subject to the Conservation and Reserves Acts
- h. implementing a 200m wide setback line to protect the estuary ecosystem values providing adequate buffering from the water margins, stopbanks and areas of significant indigenous ecosystems and habitats
- i. avoiding adverse effects on areas that provide seasonal or core habitat for indigenous or migratory species
- j. protecting the life supporting capacity of indigenous ecosystems and habitats
- k. protecting and reinstating the ecological functions of riparian margins
- l. recognising the cultural associations of mana whenua with the site
- m. Implementing opportunities to remedy or mitigate previous damage to the natural character

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

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

To avoid adverse effects on:

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

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

AESZ-P4: Public access

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

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

AESZ-P5: Business and service activities

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

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

Relates to AESZ-O1; AESZ-O4; AESZ-O7; and AESZ-O8

AESZ-P6: Use and development

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

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

AESZ-P7: Compatible activities

To enable activities that contribute to:

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

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

AESZ-P8: Stormwater retention capacity

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

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

AESZ-P9: Stormwater retention and treatment

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

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

AESZ-P10: Adverse effects on the values of water

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

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

AESZ-P11: Education and recreational activities

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

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

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

AESZ-P12: Inappropriate activities

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

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

AESZ-P13: Reverse sensitivity

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

Relates to AESZ-O1; AESZ-O8

AESZ-P14: Incompatible activities

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

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

entering waterbodies

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

AESZ-P15: Conflicts between natural and recreational values

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

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

AESZ-P16: Cultural values

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

- a. connecting people with the estuary and its coastal edge and margins where that does not conflict with habitats of indigenous or migratory species
- b. strengthening the life supporting capacity of the ecosystem,
- c. making improvements to reinstate the mauri of the area,
- d. recognising and providing for the exercise of kaitiakitanga,
- e. the use of indigenous species in landscaping,
- f. improved stormwater treatment and management,
- g. the use of low impact urban design methods and principles,
- h. consultation and consistency with the cultural values, and
- i. the reinstatement of indigenous species and habitats.

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

AESZ-P17: Cumulative Effects

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

Relates to AESZ-O8

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

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

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

Relates to AESZ-O2; AESZ-O4; AESZ-O5; and AESZ-O8

Ahuriri Estuary Ecology and Stormwater Zone - Activity Table

AESZ -R1 Planting, plant maintenance, pest and noxious plant control, habitat restoration, and conservation activities	
<p>AESZ -R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The activity is consistent with an approved planting plan; or a management plan prepared under the Reserves Act or Conservation Act 1987 	<p>AESZ -R1B</p> <p>Activity Status where activity conditions are not met: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. General implementation 2. Timing and location of the activity 3. Planting or landscaping plan 4. Effects on airport safety 5. Pest management planning
AESZ -R2 Growing and supplying native species of plants	
<p>AESZ -R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The plants and seeds collected, propagated and provided for sale and distribution are native species with a priority on supplying plants and seeds eco-sourced from the area 	<p>AESZ -R2B</p> <p>Activity Status where activity conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General Implementation 2. The effects on water quality discharging to the estuary 3. The effects on the ecology of the Ahuriri Estuary. 4. The potential to limit future restoration of the Ahuriri Estuary 5. The effects on the natural character of the area. 6. The effects on the maintenance, use and development of a watercourse or open drain. 7. The location of any buildings or structures on the site 8. Areas of impervious surfaces 9. Storage of hazardous substances 10. Layout and design of vehicle parking, access and manoeuvring areas. 11. The effects on traffic safety. 12. The design and appearance of the building(s). 13. Hours of operation 14. Effects on amenity values 15. Public access

	16. Risk to public health and safety, and the environment
AESZ –R3 Activities associated with stormwater collection, treatment and disposal	
<p>AESZ -R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. The treatment of the stormwater is in accordance with an approved stormwater discharge consent 3. The activity does not reduce the storage capacity 	<p>AESZ -R3B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
AESZ–R4 Business activities associated with cultural practices and mahinga kai	
<p>AESZ -R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the district plan standards 2. All discharges are in accordance with an approved discharge consent 3. The activity does not reduce the storage capacity 	<p>AESZ -R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
AESZ-R5 Business premises for the sale of food and drink	
<p>AESZ -R5A</p> <p>Activity Status: Controlled</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the District Plan Standard that is breached 2. The effects on the hydrological and ecological values of the Ahuriri Estuary, any watercourse or open drain. 3. The effects on the natural character of the area. 4. The effects on recreational, amenity and landscape values. 	<p>AESZ -R5B</p> <p>Activity Status where activity conditions are not met: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all standards except the development setbacks, yards, height, or height

<ol style="list-style-type: none"> 5. The location of and provision of public access and effects on traffic and pedestrian safety. 6. The potential to limit the future restoration of the Estuary 7. The potential to limit the storage and treatment capacity of the stormwater system 8. The effects on the safe and efficient operation of the airport. 9. The effects on the development of the airport 10. The location, design and appearance of a building or structure 11. Layout, location and design of vehicle parking, access and manoeuvring areas. 12. Hours of operation 13. Impervious surfaces and building coverage <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. A lease or licence to occupy has been granted by Napier City Council 2. There are no adverse effects on: <ol style="list-style-type: none"> a. the hydrological and ecological values of the Ahuriri Estuary, or any watercourse or open drain b. existing recreational activities, amenity or landscape values. c. the safe and efficient operation of the airport. 3. The premises is connected to council water supply, stormwater and wastewater infrastructure 4. The Gross Floor Area of any building is less than 80m² 5. The activity complies with all of the district plan standards 	<p>in relation to boundary standards and the activity standards that apply to activities on the surface of water in Chapter xx</p> <ol style="list-style-type: none"> 2. The activity does not have potential to limit the storage and treatment capacity of the stormwater system 3. The premises is connected to council water supply, stormwater and wastewater infrastructure 4. There are no more than two similar operations
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AESZ-R6 Activities not otherwise provided for	
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<p>AESZ -R6A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the Standards 2. Public access is provided to Taipō stream and the Ahuriri Estuary away from significant habitats 3. The activity is not a multi-unit, Residential or Industrial activity 4. The treatment and discharge of any wastewater or stormwater is in accordance with a Stormwater 	<p>AESZ -R6B</p> <p>Activity Status where activity conditions are not met: Non-complying</p>
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Management Plan and approved resource consent	
AESZ-R7 Any activity requiring a resource consent from the Regional Council for a discharge to water, land or air.	
Activity Status: Non-complying	
AESZ-R8 Residential and Industrial activities	
Activity Status: Prohibited	

Ahuriri Estuary Ecology and Stormwater Zone - Standards Table

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

AESZ-S1 Development setback		
Ahuriri Estuary Ecology and Stormwater Zone <i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i>	<ol style="list-style-type: none"> 1. No development is permitted within 200 metres of the boundary with the Ahuriri Estuary, and land administered under the Conservation Act 1987, or the landward toe of any stopbank. 2. No development is permitted within 50 metres of the airport noise control boundary. 	Activity Status where activity conditions are not met: Discretionary
AESZ-S2 Yards		
Ahuriri Estuary	1. Front Yards	Activity Status where activity

<p>Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ul style="list-style-type: none"> a. No part of a building (including eaves and guttering) is closer than 6 metres to the road boundary. b. A minimum of a 3 metre wide area planted with native species is provided adjacent to the boundaries of roads <p>2. Other Yards</p> <ul style="list-style-type: none"> a. No part of a building (including eaves and guttering), fence or permanently fixed structure is closer than 200 metres of the top of the bank of any watercourse or open drain. b. No part of a building (including eaves and guttering) is closer than 6 metres from the boundary of any land with a different zone c. A minimum of a 2 metre wide area planted with native species is provided within this yard parallel to the zone boundary. 	<p>conditions are not met: Discretionary</p>
<p>AESZ-S3 Height</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the</i></p>	<ul style="list-style-type: none"> 1. No part of a building or structure exceeds the Airport Height Control Designation in Appendix 1 2. No part of a building or structure exceeds 4.5m in height 	<p>Activity Status where activity conditions are not met: Discretionary</p>

<i>estuary; and to protect water quality</i>		
AESZ-S5 Height in relation to boundary		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 1. No part of a building or structure exceeds the Airport Height Control Designation in Appendix 1 2. No part of a building or structure projects beyond a building envelope constructed by drawing planes along all site boundaries. The planes must commence 2.0 metres above ground level at the site boundary and must be inclined at an angle of 45 degrees to the horizontal. 3. Where the site abuts an entrance strip or access the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary condition. 	<p>Activity Status where activity conditions are not met: Discretionary</p>
AESZ-S6 Building materials and roof surfaces		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to</i></p>	<ol style="list-style-type: none"> 1. All new roof surfaces are to be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order. <p>Note: All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	<p>Activity Status where activity conditions are not met: Discretionary</p>

<p><i>ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>		
<p>AESZ-S7 Landscaped area</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 1. A minimum two metre wide planted area must be provided adjacent to all buildings. 2. A landscape planting and maintenance plan must be consistent with the reinstatement of the indigenous species and habitats of the estuary and reflects the context of the area. 3. No part of a tree (including when fully mature) exceeds the Airport Height Control Designation in Appendix 1 	<p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Consistency with the reinstatement of values and protection of the Ahuriri Estuary and its margins 2. The effects on the open space and conservation activities. 3. The effects on the shading of adjacent sites. 4. The effects on the visual amenity of the area. 5. The effects on people’s health and safety. 6. The nature and quantity of the material to be stored. 7. The method of disposal of both the solid material and/or liquid leachate. 8. The methods to be employed to avoid accidental discharges to ground. 9. The effects on the quality, maintenance, use and protection of the estuary, watercourse or open drain
<p>AESZ-S8 Building Coverage</p>		
<p>Ahuriri Estuary Ecology and Stormwater</p>	<ol style="list-style-type: none"> 1. Total building coverage on the site does not exceed 1000m² 	<p>Activity Status where activity conditions are not met: Discretionary</p>

<p>Zone</p> <p><i>Purpose: Visual amenity; Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>		
<p>AESZ-S11 Aerials, Lines and Support Structures</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 8m. 2. Aerials, lines and/or support structures must not exceed 12 metres in height. 3. Dish antenna must not exceed 1.2 metres in diameter. 4. Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions: 	<p>Activity Status where activity conditions are not met: Discretionary</p>

<p><i>future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 5. The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. 6. There is no more than one structure on the site. 7. The aerial, line and/or support structure must comply with the conditions relating to development setbacks, yards and height. 	
<p>AESZ-S12 Stormwater retention and treatment facilities</p>		
<p>Ahuriri Estuary Ecology and Stormwater Zone</p> <p><i>Purpose: Activities are compatible with open space and amenity values, the airport, restoration and protection of the ecological values of the estuary and its margins, to ensure development does not compromise future reinstatement or restoration of the estuary; and to protect water quality</i></p>	<ol style="list-style-type: none"> 1. The treatment of the stormwater is to be in accordance with an approved stormwater discharge consent 	<p>Activity Status where activity conditions are not met: Prohibited</p>

Assessment criteria

When considering an application, the Council will have regard to Part 2 of the RMA, the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the relevant assessment criteria set out below:

AESZ –AC1 All infringements

General Implementation

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapter and this Chapter, the purpose of the rule, and whether an infringement will more effectively achieve the objectives and policies having regard to the specific characteristics and context of the site
- b. Whether the site or the development has any special or unusual characteristics; including, but not limited to, those listed below:
 - i. Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood retention capacity or susceptibility to natural hazards;
 - ii. Particular site development characteristics: including the location of existing buildings or their internal layout, unusual use or location of buildings achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of public space, achievement of a better relationship between the site and the Ahuriri Estuary
 - iii. Unusual environmental circumstances: including proximity to an outstanding waterbody, the wildlife reserve or any significant natural areas or habitats
- c. Whether or not the use of the permitted baseline test is appropriate and will ensure RMA Part 2, and the objectives, policies and purpose of the rule will be achieved
- d. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

Consistency with the improvement of ecological values and protection of the Estuary and its margins

- e. Whether the activity promotes the conservation of the values of the estuarine environment
- f. Whether the activity reflects cultural associations with the wider area
- g. Whether the activity may have an adverse effect on any sites of significance to Māori, cultural values or heritage values
- h. The extent to which the activity reduces or improves the ecosystem functioning, cultural or ecological values within the site and the surrounding area.
 - i. Whether the activity is compatible with, or may have adverse effects on the water quality or aquatic habitats in any watercourse, open drain, Ahuriri Estuary or any other waterbody.
 - j. Whether there are any actual or potential positive or adverse effects on indigenous flora and fauna, their habitats or other conservation values within the site or on the surrounding area.
 - k. Whether the land use will have any adverse effects on outstanding natural features, outstanding waterbodies and the tributaries, significant landscapes, character and amenity.
 - l. The extent to which public access and recreation opportunities are located away from sensitive habitats or other conservation values
- m. Whether the activity contributes to the outcomes and vision of the Ahuriri Estuary and Coastal Edge Masterplan 2018 and any subsequent amendments.

Stormwater retention capacity and treatment

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

Risk to public health and safety, and the environment

- s. Whether the the use, storage, or method of disposal of any wastewater, tradewaste, solid material and/or liquid leachate controls the risk to public health and safety, and the environment.
- t. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

Fire and pest control

- u. The extent to which the activity implements an approved fire and pest management plan.

Effects on Physical Environment

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

Setback distances

- y. The location of the land use in relation to the nearest open drain, waterbody or the coastal marine area and the extent to which the proposal may compromise or facilitate the future reinstatement and restoration of the Ahuriri Estuary.
- z. The extent to which a reduced set back or separation distance would protect, maintain or enhance biological diversity, ecosystem functioning, or any recreational, cultural or ecological

values of the Ahuriri Estuary or Inner Harbour.

- aa. The extent to which the nature, scale and location of the land use could produce adverse or positive effects on the habitats, biological diversity, ecosystem functioning or aquatic life of the Ahuriri Estuary.
- ab. Whether the stability of water body banks and adjacent land is maintained and sedimentation and erosion reduced; and access for the planting and maintenance of open drains, water bodies and coastal margins is enabled.
- ac. Whether the development will ensure that the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is not impeded
- ad. Whether there is potential to exacerbate adverse effects from flood events
- ae. The extent to which access for maintenance is enabled
- af. Whether the ability of water body margins, channels or ponding areas to store and/or convey surface water safely and efficiently is impeded

Conflicting development

- ag. Whether the works and activities are inconsistent with the Council's designation for drainage and stormwater treatment and disposal, or could reduce the capacity for floodwater retention.
- ah. Whether or not the proposal complies with any structure plan or infrastructure service standards.
 - ai. The extent to which the land use has potential for positive or adverse effects on human health and safety
 - aj. Whether the development is serviced by a connection to reticulated water, wastewater and stormwater infrastructure with sufficient capacity to ensure untreated discharges to the estuary are avoided.
- ak. Whether the activity is an industrial or residential activity, or includes elements of those activities
 - al. Whether the land use involves the manufacturing, storage or use of materials that could have an adverse environmental effect
- am. Whether the pre-treatment methods and mitigation measures will avoid or reduce existing levels of contamination of water.

Vehicle parking and safe cycle and pedestrian access

- an. The extent to which stormwater runoff from any roof, paved or impervious surfaces is pre-treated and mitigation measures will prevent pollutants entering networks, the Ahuriri Estuary and any waterbodies.
- ao. Whether the land use will have adverse effects on vehicular or pedestrian safety
- ap. Whether the proposed access routes to any buildings or structures may have effects on the

ecology, or pedestrian and vehicle safety

Cumulative Effects

- aq. Whether the land use may generate cumulative adverse effects on habitats of indigenous or migratory species at adjacent sites, or the Ahuriri Estuary or surrounding area.

Air Traffic Safety and Reverse Sensitivities

- ar. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.
- as. Whether in the nature, size and scale of the development may lead to potential conflict with airport activities; or constrain the way in which the Airport operates.

AIRPZ – Airport Zone

Introduction

The Airport is a significant regional infrastructure asset that facilitates access and economic activity in the local and broader regional economies. The Airport provides facilities for the transportation of people and freight and is a key asset in the City and Region in terms of supporting the local tourism industry and the needs of local and business travellers.

A key outcome the District Plan seeks to achieve is “Great urban areas”. The Airport is a key gateway into Napier City as well as the wider Hawke’s Bay Region. It is also located in an area of special landscape and significant cultural values. The Airport needs to grow and evolve to meet changing consumer demands and travel patterns. Quality development at the Airport will contribute to the positive experience of visitors and residents, enhance attractiveness, complement the function of other areas of Napier City, and consequentially contribute to community, social and economic wellbeing. Development at the Airport should however, not detract from the vibrancy and vitality of Napier’s City Centre through dispersal of activities more suitably located in the Centre.

The purpose of the AIRPZ – Airport Zone is to provide for a range of activities that support and complement the operation, development, and primary function of the Hawke’s Bay Airport, and which are not provided for by the Hawke’s Bay Airport – Airport Purposes Designation.

The Airport Purposes Designation applies to land predominantly owned or leased by Hawke’s Bay Airport Limited (HBAL) located within the Airport Zone, and enables a range of airport activities and airport related activities to occur on that land, subject to conditions to manage the actual or potential effects of the activities on the environment. The Designation benefits HBAL (as the Requiring Authority) when undertaking works that are expressly enabled by it.

Any activities undertaken by HBAL that are not provided for by the Airport Purposes Designation, and activities (including airport activities and airport related activities) that are undertaken by other parties, must comply with the rules and standards of the Airport Zone contained within this chapter of the District Plan.

Provisions to manage the effects of other activities on Airport activities (including sensitive land uses locating near the Hawke’s Bay Airport) are contained in the relevant chapters for the nearby zones and precincts.

Matters relating to activities sensitive to aircraft noise within the Outer Control Boundary for aircraft operations noise are addressed in the Noise chapter.

Matters relating to the height of structures both within and outside the Airport Zone are addressed through the existing and operative Airport Height Control Designation (Designation Reference D173) and relevant zones and precincts.

There are a number of other chapters that contain relevant District-Wide provisions for carrying out activities in the AIRPZ – Airport Zone, including:

- NOISE – Noise
- EW – Earthworks
- NH – Natural Hazards
- HAZS – Hazardous Substances

- SIGN – Signs
- SUB – Subdivision
- TPT – Transportation
- NU – Network Utilities

Issues

AIRPZ-I1 Growth in passenger numbers at Hawke's Bay Airport have increased significantly over recent years and growth is anticipated to continue into the future

Hawke's Bay Airport has experienced significant passenger growth over the previous decade, which is anticipated to continue in the future, notwithstanding recent disruption caused by the global pandemic. There has also been growth in the number of private/charter planes utilising the Airport to access Hawke's Bay, with an opportunity for further expansion into complementary services, such as time-sensitive freight. Provision for the safe operation and future development of the Airport is therefore essential.

AIRPZ-I2 Attractiveness of the Hawke's Bay Airport gateway for visitors and residents

As a key gateway to the Region, the Hawke's Bay Airport contributes to the first and last impressions of visitors and residents to the City and Region. Development at the Airport therefore needs to balance the lasting intrinsic impacts of its activities on visitors and residents with the functional and operational imperatives of the Airport. This necessitates managing the built form of buildings and structures to maintain a coherent form of development in what is a sensitive landscape.

AIRPZ-I3 Management of adverse effects on the environment generated by land uses within the Hawke's Bay Airport

The land within the AIRPZ – Airport Zone is generally well buffered from adjoining residential areas by public reserves, estuarine environments, rural land and terrestrial transport routes. However, some Airport operations may generate adverse effects which require careful management, such as noise, light and transportation.

The Airport adjoins the ecologically sensitive areas of the Ahuriri Estuary, Watchman Road Reserve and Westshore Wildlife Reserve, which are recognised as important wetlands and represent some of the few remaining coastal wetlands along the east coast of New Zealand. Activities within the Airport Zone need to be carefully managed to ensure that any adverse effects on these wetlands are avoided.

AIRPZ-I4 Non-Airport related activities can generate reverse sensitivity effects on the safe and efficient operation of the Airport, and/or detract from the vitality and vibrancy of the centre, and commercial and industrial areas, in the City.

Sensitive land uses locating within and near the Hawke's Bay Airport have the potential to impinge upon the operating requirements of the Airport. Noise sensitive activities (such as residential activities, day care centres and visitor accommodation) will be restricted from establishing in close proximity to the Airport. This is due to their lower tolerance level for nuisance elements, such as noise and light spill, which could over time, impose undesirable constraints on both existing and future development of Airport activities within the Airport Zone.

Obstructions within close proximity to the approach and take-off flight paths can threaten the safety of air traffic. Civil aviation requirements promote and encourage the use of restrictions on buildings, structures and trees that are within these flight paths and the airport has an airspace designation that limits the height of these in addition to the normal zone rules for height.

It is important that development of non-airport related activities does not detract from the overall urban form of Napier City through dispersal, including from the city centre and other commercial and industrial areas of the City. This is to ensure an integrated approach to land use and infrastructure planning and the efficient use of it in already serviced areas, along with the continued vibrancy and vitality of the City Centre.

AIRPZ-15 Poor quality development can detract from the attractiveness of the Airport environment for visitors and residents

The airport is a key gateway into Napier City as well as the wider Hawkes Bay region. It is also located in an area of special landscape and significant cultural values. Quality development at the airport will contribute to the positive experience of visitors and residents, enhance attractiveness, complement the function of other areas of Napier City, and consequentially contribute to community, cultural and economic wellbeing.

AIRPZ-16 Passengers are increasingly demanding alternative transport options to and from the Airport

Increasing passenger numbers place demand on the Airport's car parking areas. Passengers are also looking for alternative transport options, including public transport/buses and a greater array of on-demand passenger services, such as Uber. Airport staff may also look to walk or cycle to the Airport. Therefore, future development within the Airport Zone should enable and encourage a range of transport options and maintain safe and efficient access to and from the Airport.

Objectives

AIRPZ-O1: Airport – regionally important infrastructure

Hawke's Bay Airport is regionally important infrastructure that is able to develop, operate and function safely, efficiently and effectively in its core functions and contributes to the social, economic and cultural wellbeing and prosperity of the City and Hawke's Bay Region.

Relates to AIRPZ-11, AIRPZ-12 and AIRPZ-15

AIRPZ-O2: Character and amenity

The Airport is maintained as an attractive gateway to the City and achieves a standard of amenity reflective of the role and function of the Airport and its setting within the landscape known as Te Whanganui a Orotu, as well as its proximity to the Ahuriri Estuary, Watchmand Road Reserve, Westshore Wildlife Reserve and the Westshore residential area.

Relates to AIRPZ-11, AIRPZ-12 and AIRPZ-15

AIRPZ-O3: Adverse effects on the environment

The Airport's special operational and functional needs are provided for while ensuring that the adverse effects of Airport activities on the environment are avoided, remedied or mitigated.

Relates to AIRPZ-I1, AIRPZ-I2 and AIRPZ-I5

AIRPZ-O4: Airport transport modes

The Airport Zone is highly accessible by a range of transport modes with good quality infrastructure and facilities to support safe, convenient and efficient walking, cycling and public transport.

Relates to AIRPZ-I6

AIRPZ-O5: Vibrancy and vitality of the centre, and commercial and industrial areas, of Napier City

The vitality and vibrancy of the centre, and commercial and industrial areas of Napier City are maintained and not compromised by non-core airport activities establishing within the Airport Zone.

Relates to AIRPZ-I4

Policies

AIRPZ-P1: Airport operation and development

Provide for a range of airport activities, and airport-related activities compatible with the role, function and character of the Hawke's Bay Airport, to establish within the Airport Zone to ensure the safe, efficient and effective operation and development of the Airport.

Relates to AIRPZ-O1

AIRPZ-P2: Airport built environment

Maintain and enhance the public transport network and air traffic safety, while maintaining the character and amenity values of the Airport Zone, the gateway to the Airport, Te Whanganui a Orotu landscape, the ecologically sensitive areas of the Ahuriri Estuary, Watchman Road Reserve and Westshore Wildlife Reserve, and the Zone interfaces by managing:

1. The height, bulk and location of buildings and structures;
2. Type of materials used for roof surfaces;
3. Noise and light emissions;
4. Traffic movement, access, loading and parking;
5. Infrastructure and stormwater;
6. Screening of outdoor storage and refuse storage areas; and
7. Setbacks of buildings from zone boundaries and from ecologically sensitive areas.

Relates to AIRPZ-O2, AIRPZ-O3, AIRPZ-O4 and AIRPZ-O5

AIRPZ-P3: Access and connectivity

Manage development within the Airport Zone to contribute to safe, attractive and connected streets

and access corridors that encourage transport modal choice by:

1. Locating and designing car parking to optimise pedestrian safety and visual quality of the street and private accessways.
2. Integrating the development of public transport, pedestrian and cycle networks and facilities to, and within, the Zone.
3. Avoiding activities locating within the zone that will act as significant destinations in their own right and which generate traffic unrelated to airport or airport related activities.

Relates to AIRPZ-O4

AIRPZ-P4: Incompatible activities

1. Ensure the safe, effective and efficient operation and function of the Airport is not constrained or compromised by reverse sensitivity effects and/or conflict between incompatible activities establishing within the Airport Zone or associated noise contours for flight paths.
2. Ensure that any new sensitive activities seeking to establish within the Airport Zone are designed and located appropriately to avoid adverse sensitivity effects and/or potential conflict with permitted, consented or lawfully established activities within the Airport Zone, and where avoidance is not possible, that any potential adverse effects are mitigated.
3. Avoid activities establishing within the Airport Zone that are not related to the primary function of the Hawke's Bay Airport and that could undermine the role, function, vibrancy or vitality of the city centre, and other commercial and industrial areas of Napier.

Relates to AIRPZ-O1 and AIRPZ-O3

Airport Zone - Activity Table

AIRPZ-R1 Airport activities	
<p>AIRPZ-R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> a. Compliance with Standards AIRPZ-S2 – AIRPZ-S6. b. Compliance with Standard AIRPZ-S1 	<p>AIRPZ-R1B</p> <p>Activity status where compliance with activity condition AIRPZ-R1(1) (a) is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to (where relevant to the infringed standard(s)):</p> <ol style="list-style-type: none"> a. Purpose of the standard(s). b. Assessment criteria: <ol style="list-style-type: none"> i. AIRPZ-AC1. ii. AIRPZ-AC2. iii. AIRPZ-AC3. iv. AIRPZ-AC4. v. AIRPZ-AC5. <p>Notification: Non-notified</p>

	Activity status where compliance with activity condition AIRPZ-R1(1) (b) is not achieved: Non-Complying
AIRPZ-R2 Agricultural and horticultural activities	
AIRPZ-R2A Activity Status: Permitted Where the following activity conditions are met: NA	AIRPZ-R2B Activity Status when compliance not achieved: NA
AIRPZ-R3 Cafes located outside the terminal buildings	
AIRPZ-R3A Activity Status: Permitted Where the following activity conditions are met: a. There are no more than 2 cafes within the Airport Zone, excluding any cafes located within the terminal buildings. b. The café has a gross floor area less than 150m ² . c. Compliance with Standards AIRPZ-S2 – AIRPZ-S6. d. Compliance with Standard AIRPZ-S1.	AIRPZ-R3B Activity status where compliance with conditions AIRPZ-R3(1)(c) is not achieved: Restricted Discretionary Matters of discretion are restricted to (where relevant to the infringed standard(s)): a. Purpose of the standard(s). b. Assessment criteria: i. AIRPZ-AC1. ii. AIRPZ-AC2. iii. AIRPZ-AC3. iv. AIRPZ-AC4. v. AIRPZ-AC5. Notification: Non-notified Activity status where compliance with activity condition AIRPZ-R3(1) (a) and/or AIRPZ-R3(1)(b) is not achieved: Discretionary 4. Activity status where compliance with activity condition AIRPZ-R3(1) (d) is not achieved: Non-Complying
AIRPZ-R4 Construction of new cycleways and walkways, and reconstruction (including realignment and widening) of existing cycleways or walkways, located outside roads	
AIRPZ-R4A Activity Status: Permitted Where the following activity conditions are met: NA	AIRPZ-R4B Activity Status when compliance not achieved: NA
AIRPZ-R5 Light manufacturing and servicing	

<p>AIRPZ-R5A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> a. Compliance with Standards AIRPZ-S2 – AIRPZ-S6. b. Compliance with Standard AIRPZ-S1. 	<p>AIRPZ-R5B</p> <p>Activity status where compliance with activity condition AIRPZ-R5(1) (a) is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Purpose of the standard(s). b. Assessment criteria: <ul style="list-style-type: none"> i. AIRPZ-AC1. ii. AIRPZ-AC2. iii. AIRPZ-AC3. iv. AIRPZ-AC4. v. AIRPZ-AC5. vi. AIRPZ-AC6. <p>Activity status where compliance with activity condition AIRPZ-R5(1) (b) is not achieved: Non-Complying</p>
AIRPZ-R6 Offices	
<p>AIRPZ-R6A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> a. The gross floor area of the office exceeds 1500m². b. Compliance with Standards AIRPZ-S2 – AIRPZ-S6. c. Compliance with Standard AIRPZ-S1. 	<p>AIRPZ-R6B</p> <p>Activity status where compliance with condition AIRPZ-R6(1)(b) is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Purpose of the standard(s). b. Assessment criteria: <ul style="list-style-type: none"> i. AIRPZ-AC1. ii. AIRPZ-AC2. iii. AIRPZ-AC3. iv. AIRPZ-AC4. v. AIRPZ-AC5. vi. AIRPZ-AC6. <p>Activity status where compliance with condition AIRPZ-R6(1)(a) is not achieved: Discretionary</p> <p>Activity status where compliance with condition AIRPZ-R6(1)(c) is not achieved: Non-Complying</p>
AIRPZ-R7 Research and innovation activities	

<p>AIRPZ-R7A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> a. Compliance with Standards AIRPZ-S2 – AIRPZ-S6. b. Compliance with Standard AIRPZ-S1. 	<p>AIRPZ-R7B</p> <p>Activity status where compliance with conditions AIRPZ-R7(1)(a) is not achieved: Restricted Discretionary</p> <p>Matters of discretion are restricted to (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Purpose of the standard(s). b. Assessment criteria: <ul style="list-style-type: none"> i. AIRPZ-AC1. ii. AIRPZ-AC2. iii. AIRPZ-AC3. iv. AIRPZ-AC4. v. AIRPZ-AC5. vi. AIRPZ-AC6. <p>Activity status where compliance with condition AIRPZ-R7(1)(b) is not achieved: Non-Complying</p>
AIRPZ-R8 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <ul style="list-style-type: none"> a. The matters of discretion stated for infringing the relevant standard(s) <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	<p>NA</p>
AIRPZ-R9 Activities not otherwise provided for	
<p>AIRPZ-R9A</p> <p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> a. Compliance with Standard AIRPZ-S1. 	<p>AIRPZ-R9B</p> <p>Activity status where compliance with condition AIRPZ-R8(1)(a) is not achieved: Non-Complying</p>

Airport Zone - Standards Table

AIRPZ-S1 Airport height control		
<p><i>Purpose: to maintain the safe approach and departure of aircraft</i></p>	<ul style="list-style-type: none"> 1. Any part of a building or structure shall not exceed the Airport Height Control Designation shown in Appendix 1. 	<p>Matters of Discretion are restricted to:</p> <ul style="list-style-type: none"> 1.Purpose of the Designation 2.Aircraft safety

AIRPZ-S2 General height control		
<i>Purpose: to maintain the character, amenity, landscape and cultural values of the northern entrance to the City while enabling development that can accommodate activities appropriate in the Airport Zone</i>	<ol style="list-style-type: none"> Any part of a building or structure must not exceed 12m in height Standard AIRPZ-S2(1) does not apply to solar panels and solar heating devices ancillary to an existing building and where they do not exceed the height limit in Standard AIRPZ-S2(1) by more than 0.5m measured vertically. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Function of the Airport Zone Amenity Landscape and cultural values
AIRPZ-S3 Height in relation to boundary		
<i>Purpose: to maintain the character, landscape and cultural values of the northern entrance to the City while enabling development that can accommodate activities appropriate in the Airport Zone as well as reduce dominating impacts on adjacent activities</i>	<ol style="list-style-type: none"> Any part of a building or structure must not project beyond a building envelope constructed by drawing planes along all parts of all Airport Zone boundaries. The planes must commence at 3m above ground level at the zone boundary and must be inclined at the horizontal at an angle of 45 degrees. Standard AIRPZ-S3(1) does not apply to antennas, aerials, satellite dishes (less than 1m in diameter), flues, flag poles and chimneys no more than 1m wide in any horizontal direction and less than 2.5m in height beyond the building envelope. Standard AIRPZ-S3(1) does not apply to solar panels and solar heating devices where they do not exceed the height limit in Standard AIRPZ-S2(1) by more than 0.5m measured vertically. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Function of the Airport Zone Effects on amenity values Landscape and cultural values
AIRPZ-S4 Yards		
<i>Purpose: to</i>	1. Any part of a building (including	Matters of discretion are restricted

<p><i>maintain the natural character, landscape, ecological and cultural values of the Ahuriri Estuary, Watchman Road Reserve and Westshore Wildlife Reserve.</i></p>	<p>eaves and guttering), structure or paved surface must not be constructed closer than 30m from the Natural Open Space Zone.</p> <ol style="list-style-type: none"> 2. Any part of a building (including eaves and guttering) must not be erected closer than 5m to any other zone boundary. 3. Standards AIRPZ-S4(1) and AIRPZ-S4(2) do not apply to security fencing around the perimeter of the Airport or fencing required to ensure compliance with Civil aviation regulations. 	<p>to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Airport Zone 3. Effects on amenity values 4. Landscape and cultural values 5. Effects of shading 6. Effects of dominance and on streetscape
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<p>AIRPZ-S5 Outdoor storage (including refuse storage)</p>	
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<p><i>Purpose: to provide for the functional needs of activities while ensuring storage areas do not detract from the visual amenity of the Airport Zone, public roads and adjoining zones, or adversely affect people’s health and safety and the quality of the environment.</i></p>	<ol style="list-style-type: none"> 1. A refuse storage area must be provided that is adequate to store the average volume of trade waste produced on-site over a one week period. 2. Refuse storage areas, outdoor storage areas and stockpiles must: <ol style="list-style-type: none"> a. be screened from public view and from any site in a Residential or Open Space Zone by: <ol style="list-style-type: none"> i. a close-boarded or similar solid fence or wall of a minimum height of 1.8m; or ii. a 2m wide planting strip consisting of shrubs and hedge or tree plantings b. be secured so as not to provide a food source for birds or vermin c. be located on sealed and drained areas if they consist of decomposable material likely to generate contaminated leachate 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Function of the Airport Zone 3. Effects on amenity values 4. Landscape and cultural values
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<p>AIRPZ-S6 Fences and walls</p>	
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<p><i>Purpose: to</i></p>	<ol style="list-style-type: none"> 1. Any fence or wall within 5m of a 	<p>Matters of discretion are restricted</p>
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<i>provide for safety and attractiveness of streetscapes.</i>	public road boundary must not exceed a height of 2m. 2. Any fence or wall within 5m of a boundary adjoining a Residential Zone or Open Space Zone must not exceed a height of 2m.	to: 1. Purpose of the Standard 2. Function of the Airport Zone 3. Effects on amenity values 4. The positive effects of fences to mitigate visual and noise effects of nearby land uses.
AIRPZ-S7 Hazardous Substances		
Purpose: to provide for the health and safety of people and the natural environment, including the ecologically sensitive areas of the Ahuriri Estuary, Watchman Road Reserve and Westshore Wildlife Reserve.	1. Activities must comply with the provisions of the HAZS – Hazardous Substances chapter.	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Function of the Airport Zone 3. Effects on environmental values 4. Refer to the Hazardous Substances chapter.

Assessment criteria

AIRPZ-AC1 – Infringement of general height control and height in relation to boundary standards (AIRPZ-S2 and AIRPZ-S3)

- a. The extent to which the additional height is necessary for the operational or functional needs of the Airport, or otherwise results in adverse effects on the safe, efficient and effective function and operation of the Hawke's Bay Airport.
- b. The extent to which the additional height results in adverse bulk and dominance effects and/or shading on adjoining sites or publicly accessible areas.
- c. The extent to which the building or structure has the potential to become a dominant feature in the landscape.
- d. The ability to mitigate any potential adverse effects.

AIRPZ-AC2 – Infringement of yard standard (AIRPZ-S4)

- a. The degree to which the non-compliance with the standard will allow more efficient, practical and/or pleasant use of the remainder of the site.
- b. The degree to which alternative practical locations are available for the building or structure on the site.

- c. Whether the reduced setback of the building or structure will cause shading or visual dominance and/or adversely affect the character and visual amenity of adjoining properties and/or the existing streetscape and road frontage.
- d. The extent to which adverse effects on amenity values can be avoided, remedied or mitigated through planting, fencing or other amenity treatment (including minimising visual impact through design and colour).
- e. Whether adverse effects on public health and safety, including on the functioning and safe operation of roads, cycleways or walkways.
- f. Whether the dimensions of the site or other physical characteristics of the site preclude reasonable compliance.
- g. Whether there are any characteristics or technical requirements of the proposed use that will make compliance impracticable.

AIRPZ-AC3 – Infringement of outdoor storage (including refuse storage) standard (AIRPZ-S5)

- a. The degree to which materials or equipment associated with the activity need to be stored outside the building, taking account of:
 - i. the nature, coverage area and height of materials or equipment; and
 - ii. the time period over which materials or equipment are intended to be outside a building.
- b. The degree to which provisions would be needed for:
 - i. security;
 - ii. control of litter and vermin; and
 - iii. prevention or containment of fire hazard.
- c. Where goods are not stored to the rear of a building or not screened from public view, the degree to which the outdoor storage will be compatible with the appearance, layout and functioning of other sites in the adjoining area, and the degree to which it will detract from the attractiveness of the site, as viewed from adjoining roads and sites.

AIRPZ-AC4 – Infringement of fences and walls standard (AIRPZ-S6)

- a. The availability of daylight to adjoining properties.
- b. The effects on the privacy of adjoining properties.
- c. The scale and bulk of the building in relation to the site and area.
- d. The effects on character and amenity values of the site and area.

AIRPZ-AC6 - General

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

Function of the Airport Zone

- a. Whether the activity will compromise the functional and operational requirements of Airport activities, including planned or potential growth of the Hawke's Bay Airport.
- b. Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operation (including landings and take-offs) of the Hawke's Bay Airport.

Function of Industrial and Commercial Zones

- c. Whether the activity will compromise the function of industrial and commercial zones in the city as stated in the relevant objectives, including having regard to the Regional Industrial Land Strategy and Retail Strategy.

Amenity and landscape character

- d. Whether the development to accommodate the activity will detract from the local landscape character and visual amenity of the Airport, particularly as perceived from the Airport terminal, streets, public open spaces and residential sites.

Safe and efficient transport network

- e. Whether the development will contribute to safe and attractive streets and private accessways to encourage walking and cycling.
- f. Whether the traffic generation from the activity cumulative with traffic from other activities will compromise the safe and efficient operation of the transport network, including for passenger access to Hawke's Bay Airport.
- g. Whether the location and design of access points will provide sufficient visibility to provide for the safety of pedestrians, cyclists and motorists.
- h. Whether sufficient car parking is available on site to avoid overflow into the wider transport

Infrastructure and servicing

- i. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate.

Internal noise environments and Reverse sensitivity

- j. Whether the internal noise environment of the building will be appropriate to safely facilitate the intended activity.
- k. Whether the activity may lead to constraints on the Airport in carrying out its operations.

MPZ - Special Purposes Zone: Māori Purpose Zone

Introduction

The Māori Purpose Zone identifies areas used predominantly for a range of activities that specifically meet Māori cultural needs including but not limited to residential and commercial activities

This zone recognises and provides for the relationship of Māori and their culture and traditions with their ancestral lands and the connection and continuing tradition associated with access to and use of the sea.

The purpose of the Māori Purpose Zone is to recognise the importance of marae, and traditional land for the health, economic and cultural well-being of Māori. This zone provides for the unique characteristics of spaces and buildings that are located in a marae setting and enabling mana whenua to use land to undertake customary practices. Marae provide a range of social, commercial and cultural activities including meetings, celebrations, tangihanga (funerals), educational workshops and other important events. The traditional canoe landing place (Westshore Canoe Reserve) is included as the only landing place allocated in Napier for canoes after the 1851 purchase and recognises cultural activities and traditional use associated with waka.

Provisions that deal with wāhi taonga, archaeological sites and Statutory Acknowledgements are contained in other chapters.

Key outcomes that provide some context for the Māori Purpose Zone are 'Leveraging Our Heritage' and 'Great Urban Areas'. The strategic objectives include "The relationship of mana whenua with their cultural heritage and with the natural environment is recognised and respected" and "Social and community facilities support the wellbeing of all members of our growing community".

To achieve these key outcomes and strategic objectives, the Māori Purpose Zone provides for the following matters:

- Marae and associated facilities, customary use, and cultural and commercial activities are enabled.
- The use and development of buildings and spaces in a manner that reflects Mana Whenua identity and values.
- The need to incorporate mātauranga and tikanga Māori into the design of the built environment and open space is recognised.
- A range of activities that support the community are enabled.

Issues

MPZ- I1 To recognise historic and contemporary relationships with traditional land, marae and canoe landing sites

The historic and contemporary relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga are to be recognised and provided for; including on land used for marae, and canoe storage and landing sites.

MPZ- I2 The traditional use of Te Whanganui-a-Orotū and the associated waka landing place are of cultural significance to Māori

To recognise the cultural significance of Te Whanganui-a-Orotū and coastal access to Māori, and ensure that Māori are able to undertake cultural practices in association with the waka landing site

MPZ-I3 Provide for the unique characteristics of spaces and buildings that form part of a marae and whare waka

Marae provide a range of social, commercial and cultural activities including meetings, celebrations, tangihanga (funerals), educational workshops and other important events. The use of the site and the unique characteristics of spaces and buildings in a marae setting enables mana whenua to undertake customary practices.

MPZ-I4 The ability to undertake and teach cultural practices on a marae is important for the health, economic and cultural well-being of Māori

A marae is central to the social, cultural and economic well-being of mana whenua. A place where people can exercise their tikanga and kawa (protocols and procedures) in accordance with their cultural practices.

MPZ-I5 Inappropriate placement of utilities and services

The inappropriate placement of utilities and services can have a negative influence on the way spaces can be accessed, and used for Māori purposes. Spaces and buildings in the Māori Purpose Zone may include:

- a. Waharoa (gateway)
- b. Ātea (meeting space)
- c. Wharekai (dining area)
- d. Kauta (kitchens)
- e. Wharepaku (ablutions)
- f. Waka launching and storage facilities

Objectives

MPZ- O1 Use and development of land for Māori purposes

The use and development of land for Māori purposes provides a place to enhance the understanding of tikanga Māori.

Relates to MPZ-I1; MPZ-I2; MPZ-I3; MPZ-I4 and MPZ-I5

MPZ- O2 Customary practices

The use and development of land, buildings and facilities for Māori purposes enables people to undertake customary practices in accordance with tikanga Māori.

Relates to MPZ-I1; MPZ-I2; MPZ-I3; MPZ-I4

MPZ- O3 Social, cultural, and economic development

To recognise and provide for a range of activities for Māori cultural, community and living purposes that support social, cultural, and economic development.

Relates to MPZ-I1; MPZ-I2; MPZ-I3; MPZ-I4 and MPZ-I5

Policies

MPZ- P1 Use and development of land and facilities for Māori purposes

To recognise and provide for contemporary and historic relationships with land by enabling the use and development of land and facilities for [Māori purposes](#), including:

- a. cultural practices
- b. waka launching and storage
- c. preserving, reviving and maintaining the teaching of Maori arts, crafts, language, genealogy, and history
- d. education activities and training that develop peoples understanding of Māori culture, arts and crafts
- e. restoration of cultural heritage; and
- f. hauora

Relates to MPZ-O1; MPZ-O2 and MPZ-O3

MPZ- P2 Traditional building forms, art and architecture

To recognise the associations of Māori with traditional land; and provide for the use of traditional building forms, art and architecture in the use, design and layout of development on Council and Māori land.

Relates to MPZ-O1; MPZ-O2 and MPZ-O3

MPZ- P3 Customary use, and cultural activities

- a. Māori cultural activities and events
- b. meetings
- c. living activities
- d. traditional health care services
- e. services based on cultural knowledge and values
- f. social services
- g. storage of traditional materials and similar services; and
- h. accommodation for visitors involved in meetings, education or cultural activities

Relates to MPZ-O1; MPZ-O2 and MPZ-O3

MPZ-P5 Westshore Canoe Reserve

To provide access to and from coastal water and facilitate the use of land at Westshore Canoe Reserve, 846 Meeanee Quay Westshore for traditional purposes while avoiding adverse environmental effects on the Ahuriri Estuary.

Relates to MPZ-O1; MPZ-O2

MPZ-P6 Amenity values experienced at adjoining residential properties

To provide for the unique characteristics of buildings and structures associated with marae and the use and storage of waka, while maintaining the privacy and amenity values experienced in adjoining residential properties.

Relates to MPZ-O1; MPZ-O2

MPZ-P7 Recognise cultural values

To ensure cultural values are taken into account in the positioning, design, location and installation of buildings, services, infrastructure and utilities.

Relates to MPZ-O2

Activity Table - Māori Purpose Zone (MPZ)

MPZ-R1 Māori Purpose activities	
<p>MPZ-R1A Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. All Māori Purpose Zone Standards are complied with. 2. Any refuse storage area must not provide a food source for birds or vermin. 	<p>MPZ-R1B Activity Status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General implementation assessment matters 2. The scale, intensity and/or character of the activity. 3. Height and scale of buildings associated with the activity. 4. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure. 5. Placement of buildings on the site and whether there are practical alternative locations. 6. Parking and access 7. The extent of impervious surfaces and landscaping <p>Notification: Non-notified</p>
MPZ-R2 Construction and maintenance of Whareniui (meeting house), whare waka, pātaka, storage sheds and accessory buildings	
<p>MPZ-R2A Activity Status: Permitted</p>	<p>MPZ-R2B Activity Status where conditions</p>

<p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. All Māori Purpose Zone Standards are complied with. 	<p>are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General implementation assessment matters 2. The scale, intensity and/or character of the buildings and associated activity. 3. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure. 4. The placement of buildings on the site and whether there are practical alternative locations. 5. Fencing design. 6. The extent of impervious surfaces and landscaping. <p>Notification: Non-notified</p>
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MPZ-R3 Residential units and residential activity (except for Pukemokimoki Marae, at 191 Riverbend Road, Maraenui)		
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<p>MPZ-R3A Activity Status: Permitted</p> <p>Where the following conditions are met:</p> <ol style="list-style-type: none"> 1. All Māori Purpose Zone and General Residential Zone Standards are complied with. 2. One residential dwelling per site. 3. There is a single existing residential dwelling, where waka or wharenui located on the site. 4. All buildings and facilities are connected to the Council’s reticulated networks. 	<p>MPZ-R3B Activity Status where conditions are not met: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General implementation assessment matters 2. Amenity values of nearby neighbouring residential properties, including privacy, shading and sense of overlooking and enclosure. 3. The placement of buildings on the site and whether there are practical alternative locations. 4. The extent of landscaping. 5. Area of impervious surfaces and stormwater management. <p>Notification: Non-notified</p>
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MPZ-R4 Training and educational facilities	
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MPZ-R4A	MPZ-R4B
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Activity Status: Permitted

Where the following conditions are met:

1. All Māori Purpose Zone Standards are complied with
2. There is a single existing residential dwelling, where waka or whareniui located on the site.

Activity Status where conditions are not met: Restricted Discretionary

Matters of discretion are restricted to:

1. General implementation assessment matters
2. The scale, intensity and/or character of the buildings and associated activity.
3. Hours of operation.
4. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure.
5. The placement of buildings on the site and whether there are practical alternative locations
6. Parking and access.
7. The extent of impervious surfaces and landscaping.

Notification: Non-notified

MPZ-R5 Places of assembly and meeting rooms

MPZ-R5A

Activity Status: Permitted

Where the following conditions are met:

1. All Māori Purpose Zone Standards are complied with.
2. There is a single existing residential dwelling, where waka or whareniui located on the site.

MPZ-R5B

Activity Status where conditions are not met: Restricted Discretionary

Matters of discretion are restricted to:

1. General implementation assessment matters
2. The scale, intensity and/or character of the buildings and associated activity.
3. Hours of operation.
4. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure.
5. The placement of buildings on the site and whether there are practical alternative locations.
6. The extent of impervious surfaces and landscaping.

Notification: Non-notified

MPZ-R6 Visitor accommodation associated with Māori cultural practices		
MPZ-R6A Activity Status: Permitted Where the following conditions are met: 1. All Māori Purpose Zone Standards are complied with. 2. The visitor accommodation is within a residential dwelling complying with Rule MPZ-R3 or Wharenuui (meeting house) 3. Any outdoor storage must be screened from any adjacent sites and public places.	MPZ-R6B Activity Status where conditions are not met: Restricted Discretionary Matters of discretion are restricted to: 1. General implementation assessment matters 2. The scale, intensity and/or character of the buildings and associated activity. 3. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure. 4. The placement of buildings on the site and whether there are practical alternatives. 5. The extent of impervious surfaces and landscaping.	
MPZ-R7 Any activity not otherwise provided for		
Activity Status: Discretionary		NA
MPZ-R8 Industrial activities		
Activity Status: Non-complying		NA

Māori Purpose Zone (MPZ) - Standards Table

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

MPZ-S1 Yards		
Māori Purpose Zone Purpose: <i>To enable cultural practices and provide for traditional architecture; establish a buffer with residential properties, and mitigate adverse effects on a</i>	1. Front Yards a. There are no front yard requirements for Waharoa or whare waka. 2. Other Yards a. The minimum setback from an internal zone boundary that adjoins a residential zone is 1.5m. 3. Pukemokimoki Marae, at 191 Riverbend Road, Maraenui a. No part of any building shall be	Matters over which discretion is reserved: 1. Purpose of the Standard 2. The effects on residential amenity values. 3. Effects on streetscape. 4. Landscaping and building design.

<p><i>sense of privacy, overlooking and privacy at neighbouring residential properties</i></p>	<p>located closer than 6 metres to the road frontage or any side or rear site boundary.</p>	
<p>MPZ-S2 Maximum building and structure height</p>		
<p>Māori Purpose Zone</p> <p>Purpose: <i>To enable cultural practices and provide for traditional architecture; and mitigate adverse effects on a sense of privacy, overlooking and privacy at neighbouring residential properties</i></p>	<p>1. A maximum height of any building or structure is 10 m</p>	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure. 3. Site layout, separation distances, and any other methods to mitigate the adverse effects of building height. 4. Fence design
<p>MPZ-S3 Height in relation to boundary</p>		

<p>Māori Purpose Zone</p> <p>Purpose: <i>To enable cultural practices and provide for traditional architecture; to retain spaces between buildings on other residential properties, and mitigate adverse effects on a sense of privacy, overlooking and privacy at neighbouring residential properties</i></p>	<ol style="list-style-type: none"> 1. This standard does not apply to Waharoa located in the front yard. 2. No part of a building or structure, may project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes must commence 3.0 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. The cumulative effects of the scale and bulk of the buildings on the site. 3. Effects on the amenity values of nearby residential properties, including privacy, shading and sense of overlooking and enclosure. 4. Site layout 5. Separation distances from neighbouring properties. 6. Any methods to mitigate the adverse effects of the additional shading from a breach of the height control envelope. 7. The effects on amenity values. 8. The site proportions and ability to mitigate adverse effects through setbacks and building design.
<p>MPZ-S4 Building coverage</p>		
<p>Māori Purpose Zone</p> <p>Purpose: <i>To enable cultural practices and provide for traditional architecture; and mitigate adverse effects on a sense of privacy, overlooking and privacy at neighbouring residential properties</i></p>	<ol style="list-style-type: none"> 1. Building coverage must not exceed 50%. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. The scale and bulk of the building development in relation to the characteristics of the site. 3. The character of the area. 4. The methods to mitigate the effects of stormwater runoff.
<p>MPZ-S4 Impervious Surface Area</p>		
<p>Māori Purpose Zone</p> <p>Purpose: <i>To</i></p>	<ol style="list-style-type: none"> 1. The maximum impervious area must not exceed 60% of site area. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard

<p><i>enable cultural practices and provide for traditional architecture; and improve water quality of discharges</i></p>		<ol style="list-style-type: none"> 2. The effects on streetscape and amenity values. 3. The methods to mitigate the effects of stormwater runoff
<p>MPZ-S5 Fences and traditional gateway</p>		
<p>Māori Purpose Zone</p> <p>Purpose: <i>To enable cultural practices and provide for traditional architecture; and mitigate adverse effects on a sense of privacy, overlooking and privacy at neighbouring residential properties</i></p>	<ol style="list-style-type: none"> 1. Where a fence or wall is constructed (or a combination of these structures) the fence or wall must not exceed the height specified below, measured from the ground level at the boundary: 2. For any fence erected within a front yard, a fence of solid design must not exceed 1.2 metres in height, where such height is exceeded the remaining portion shall be of an open nature up to a maximum height of 2 metres. <div data-bbox="470 981 922 1205" style="text-align: center;"> <p>The diagram illustrates a fence cross-section. It consists of a lower section labeled 'Solid Panel' with a height of 1.2m, and an upper section labeled 'Open trellis or similar effect' that extends to a total height of 2m. Arrows and dimension lines indicate these measurements.</p> </div> <ol style="list-style-type: none"> 3. A gateway of traditional design, or Waharoa and Pou, must not exceed 2m in width and may not exceed 4m in height at its apex. 	<p>Matters over which discretion is reserved:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Fence height and design 3. Shading

Assessment criteria - Māori Purpose Zone

When considering an application, subject to Part 2 of the RMA, the Council will have regard to the relevant Objectives and Policies of this Plan; the purpose of the rules and standards, and regard will also be had to the assessment criteria set out below:

MPZ –AC1 All infringements

General Implementation assessment matters

- a. The implementation of the relevant objectives and policies of the district plan; including the District Wide Activity Chapters and this Chapter, the purpose of the rule and standards,

including whether an infringement will more effectively achieve the objectives and policies having regard to the cultural activity and specific site characteristics.

- b. Whether the site or setting of the development has any special or unusual characteristics that are relevant to any breach of a standard or rule.
- c. The purpose of the rule requirement, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics.
- d. Whether or not the use of the permitted baseline test is appropriate and will ensure RMA Part 2, and the objectives, policies and purpose of the rule will be achieved.
- e. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- f. The assessment criteria in MPZ- AC1 apply in addition to those in MPZ-AC2

Height, scale, bulk and built form

- g. Whether the buildings and structures are designed to accommodate traditional cultural activities.
- h. The extent to which the positioning, bulk and building design could have adverse effects on people or properties in an adjacent residential zoned property.
- i. Whether the activity reduces access to sunlight, increases shading on indoor and outdoor living spaces on residential activities at adjacent properties.
- j. The extent to which the site layout and use of spaces maintains adequate levels of privacy in adjacent residential zones.

Education and services

- k. The extent to which adverse effects may be mitigated by imposing conditions on:
 - i. hours of operation,
 - ii. maximum person capacity,
 - iii. unreasonable noise.
- l. The extent to which the proposed activity is compatible with the use of the land for Māori purposes.
- m. The extent to which the service contributes to local employment and cultural well-being.

Impervious surfaces

- n. Whether impervious surfaces have potential to exacerbate flooding on other properties, and are consistent with protecting the ecological health of the estuary, water bodies or open drains.

Cumulative Effect

- o. Whether an increase in the scale and intensity of a land use will result in cumulative effects in a

residential zone.

- p. Whether there are already activities located in the area that are currently generating traffic, noise or other adverse effects that are not in keeping with existing surrounding land uses.

MPZ-AC2 Māori purpose activities

- a. Whether or not the activity is located on Council land and a lease or licence has been issued that enables the activity.
- b. Whether or not the activity is a Māori purpose, traditional or cultural activity.
- c. Whether the development recognises the cultural values of mana whenua.
- d. Whether the land use requires health and safety measures, or involves the education or training that includes the manufacturing, storage or use of materials that could have an adverse environmental effect.

PORTZ - Port Zone

Introduction

The Port Zone applies to land occupied by the operational Port of Napier Limited (Napier Port) located at the base of Bluff Hill (Mataruahou), and adjacent to Breakwater Road, State Highway 50. Port noise and traffic are in separate Chapters. The effects on people and the environment from discharges to air and coastal water are matters for the regional council.

This chapter provides for port related activities on the operational Port located at the base of Bluff Hill. The infrastructure at the Port includes facilities for the loading or unloading of cargo or passengers carried by sea, and may include Port related commercial facilities.

The Port of Napier services the region and is the only port on the east coast between Gisborne to the north and Wellington to the south. The Port is an established physical resource that is an essential contributor to the wellbeing of both the Napier and Hawke's Bay regional community, through the export of local produce and import of a wide range of goods.

The land area is largely reclaimed from the sea. The activities at the Port cross the boundary of the Coastal Marine Area (CMA) and good connections to major land transport routes by road and rail are essential. Port activities have unique characteristics, with adverse effects on surrounding areas that include visual, noise and transport effects.

There is a geographically separated area of Port Zone land between Breakwater Road and Bluff Hill (Mataruahou) that is subject to a natural hazards risk from rock fall or land slide. As such this area is identified as a Specific Control Area within the Port Zone.

The Hawke's Bay Regional Airport and the Napier Port are considered 'strategic infrastructure', together with specified transport and utility networks, and sewage treatment plants.

The relevant key outcome is: 'Regional approach to Industry'. Key strategic objectives include 'Smart growth', 'Environmental Excellence', and 'Resilient Napier'. Key principles include "Significant infrastructure which supports economic growth, including the Port, Airport, Expressway and railway, is enabled and protected", "Economic activity and innovation is supported and enabled in appropriate locations", "Napier's transport network optimises connectivity, public health and safety, and encourages active and public transport modes", and "Infrastructure design considers long term risk of natural hazards and climate change".

Issues

PORTZ-I1 Napier Port has high regional significance, in terms of its contribution to the regional economy and the regional transportation network

The lack of a natural harbour in the region means that ongoing use, maintenance, enhancement and development of existing and future structures is essential for its efficient and effective contribution to the wellbeing of the regional economy.

PORTZ-I2 The operation and expansion of the Napier Port has adverse effects that are experienced in the surrounding residential areas.

The Napier Port needs to operate, expand, and respond to new markets and technology, and this may result in a change to the nature, character and scale of adverse effects at adjacent residential zones, and adjacent the key transport routes and on the environment generally.

The Napier Port has been located on its site since the 1880s and will need to be able to make operational changes, consideration is given to adjacent residential zones and the environment. It is important that development can occur, however as part of managing adverse effects on the environment, consideration must be given to amenity levels in the surrounding residential zones.

The level of effects experienced on properties in the vicinity of the Port will not be the same as in other residential zones. The effects on transport and from Noise are dealt with in other parts of the plan.

PORTZ-I3 Public health and safety

The nature of activities at the Port mean restrictions on activities and on access to, along and adjacent to the coastal marine area may be necessary for security and to protect public health or safety.

Port activities can also involve the transport, storage and handling of hazardous substances, oil products, logs, and handling of waste from shipping and waterfront activities that could result in contaminants being mobilised in stormwater runoff if not managed carefully.

PORTZ-I4 Rock fall hazard

There is potential for further development on Port Zoned land between Breakwater Road and Bluff Hill. There is however a rock fall and land slide hazard affecting this area which needs to be appropriately managed to avoid safety risks in enabling further development to occur.

Objectives

PORTZ-O1: Provide for the Port

The ongoing operation, maintenance and development of the Port is enabled, while managing off-site adverse effects on the environment.

Relates to PORTZ-I1 and PORTZ-I2

PORTZ-O2: The efficient and effective use and development of the Napier Port

The safe, efficient and effective use of the Napier Port as a major transportation and industrial area, and the ongoing development of port related activities to meet the needs of the City and wider region.

Relates to PORTZ-I1 and PORTZ-I2

PORTZ-O3: Mitigation of hazard risk

The risk to public health and safety from Port operations, and natural hazard from inundation or rock fall and land slide are

mitigated to be appropriately avoided, remedied or mitigated.

Relates to PORTZ-I3 and PORTZ-I4

Policies

PORTZ-P1: Contribution to social, economic and cultural wellbeing

To recognise the Port's importance to the social, economic and cultural wellbeing of the region.

Relates to PORTZ-O1 and PORTZ-O2

PORTZ-P2: Characteristics of Port activities

To recognise and provide for the operation, maintenance and development of the Port of Napier as a regional physical resource that is primarily industrial in its nature and character.

Relates to PORTZ-O1 and PORTZ-O2

PORTZ-P3: Amenity values in the surrounding environment

Port infrastructure and operations are designed and operated to ensure off-site nuisance effects, including artificial lighting, noise, dust, odour and vibration, do not reduce the amenity values of the surrounding environment.

Relates to PORTZ-O1 and PORTZ-O2

PORTZ-P4: Port related activities

To allow the operation and growth of port related activities in the Port Zone, while managing public access, health and safety, risk of rock fall and landslide, and offsite adverse effects through a mix of regulatory and non-regulatory methods.

Relates to PORTZ-O1; PORTZ-O2 and PORTZ-O3

PORTZ-P5 Retail and office activities

To promote public safety and to protect the economic base and vibrancy of commercial zones by avoiding commercial, retail and office activities except where they are ancillary to port activities; or biosecurity activities.

Relates to PORTZ-O1; PORTZ-O2 and PORTZ-O3

PORTZ-P6: Rock Fall Hazard Specific Control Area

That risks to the health and safety of people from natural hazard risks from rock and landslide within the Port Zone Rock Fall Hazard Specific Control Area be appropriately avoided, remedied or mitigated in association with any building development.

Relates to PORTZ-O1; PORTZ-O2 and PORTZ-O3

Port Zone - Activity Table

PORTZ - R1 Any port related activities	
<p>PORTZ - R1A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards in the Port Zone 	<p>PORTZ - R1B</p> <p>Activity Status where activity conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Amenity values in residential zones 3. Site coverage, location of buildings and built form 4. Site layout and building design 5. Stormwater management 6. Risk to public health and safety, and the environment 7. Fire and pest control 8. Rooding and access; pedestrian safety; and the need for traffic control 9. Storage of any products or materials
PORTZ – R2 Port related commercial activities, office accommodation, and retail activities	
<p>PORTZ - R2A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards in the Port Zone. 2. Any office accommodation must directly relate to the administration and management of a port related activity in the Port Zone. 3. Any retail activity is a permitted activity provided that: <ol style="list-style-type: none"> a. The goods or services offered must be manufactured, processed, repaired, serviced or warehoused within the Port Zone. b. The retailing component is limited to 25% of the gross floor area of the building within which the retail activity is located. 	<p>PORTZ - R2B</p> <p>Activity Status where activity conditions and standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The nature, scale and character of the activity 3. Effects on the efficient and effective operation of the port 4. Amenity value of sites in open space zones 5. Effects on cultural values 6. Site layout and building design 7. Amenity values in residential zones 8. Economic viability and vibrancy of commercial zones

	<ul style="list-style-type: none"> 9. Landscaping and screening 10. Tradewaste and wastewater infrastructure 11. Stormwater management 12. Risk to public health, safety, wellbeing and the environment 13. Vulnerability to natural hazards 14. Storage of any products or materials 15. Fire and pest control 16. Cumulative effects
PORTZ – R3 Multi unit development for Port activities	
<p>PORTZ - R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. The activity complies with all of the standards in the Port Zone 2. The activity complies with the objectives, policies, rules and standards in NOISE - Noise Chapter 3. The development or activity is not for an industrial, commercial, retail or residential activity or industrial or residential multi-unit development 4. The access, manoeuvring and parking areas, and queuing lanes comply with the Transportation and Parking standard 	<p>PORTZ - R3B</p> <p>Activity Status where activity conditions and standards are not met: Discretionary</p>
PORTZ– R4 Port related industrial, transport, storage and goods-handling	
<p>PORTZ - R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ul style="list-style-type: none"> 1. The activity complies with all of the standards in the Port Zone 	<p>PORTZ - R4B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
PORTZ – R5 Any use or development that is not otherwise provided for	
Activity Status: Discretionary	

Port Zone Rock Fall Hazard Specific Control Area- Activity Table

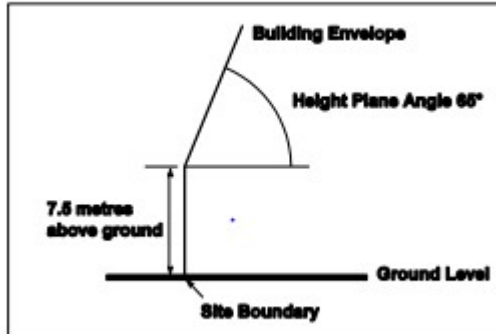
1. Activities within the Port Zone Rock Fall Hazard Specific Control Area are subject to the following additional rule as well as to the rules in the Port Zone Activity Table and the standards in the Port Zone – Standards Table.

PORTZ - R6 Any new buildings or additions to existing buildings	
<p>PORTZ - R6A</p> <p>Activity Status: Restricted Discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity complies with all of the standards in the Port Zone 	<p>PORTZ - R6B</p> <p>Activity Status where activity conditions and standards are not met: Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. The nature, scale and character of the activity 3. Effects on the efficient and effective operation of the port 4. Risk to public health, safety, wellbeing and the environment 5. Ability to mitigate the effects of natural hazards and rock fall in particular

Port Zone - Standards Table

PORTZ- S1 Height		
<p>Port Zone</p> <p>Purpose: <i>to recognise the character and function of buildings, structures and storage areas at the Port</i></p>	<ol style="list-style-type: none"> 1. There are no height controls in the Port Zone. 	
PORTZ- S2 Height in relation to boundary		

<p>Port Zone</p> <p>Purpose: <i>to provide for the character, function and amenity of areas adjacent to the port; to manage the effects of bulk and building height on outlook, dominance, access to sunlight and daylight, and privacy on residential amenity and use of the coastal marine area and open spaces.</i></p>	<ol style="list-style-type: none"> 1. No part of a building, structure, outdoor storage, refuse storage area or stockpile, can exceed the Airport Height Control Designation in Appendix 1, except in a Surface Penetration Area the maximum height shall be 8m. 2. No part of a building, structure, outdoor storage, refuse storage area or stockpile or stored goods can project beyond a building envelope constructed by drawing planes along all parts of all zone boundaries, other than the coastal marine area boundary. The planes must commence 7.5 metres above ground level at the zone boundary and at any site boundary adjoining a road or designated rail corridor and must be inclined to the horizontal at an angle of 65 degrees. 3. This standard does not apply to lighting poles, quayside cranes and container cranes. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Effects on the efficient and effective operation of the port 3. Landscaping and screening 4. Stormwater management 5. Storage of any products or materials 6. Cumulative effects <p>Notification: Non-notified</p>
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<p>PORTZ –S3 Site coverage</p>		
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<p>Port Zone</p> <p>Purpose: <i>to provide for buildings that are functional and of a sufficient size to provide for a range of port</i></p>	<ol style="list-style-type: none"> 1. Site coverage must not exceed 75% of the site. <p>NOTE: For the purposes of this rule the areas of the zone occupied by road or designated rail corridor are not included within the zone area.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Effects on the efficient and effective operation of the port 3. Site layout and building design 4. Amenity values in residential zones 5. Landscaping and screening
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<p><i>related activities; to manage the effects of buildings and structures on residential amenity and use of the coastal marine area and open spaces</i></p>		<ol style="list-style-type: none"> 6. Tradewaste and wastewater infrastructure 7. Stormwater management on impervious surfaces 8. Risk to public health, safety, wellbeing and the environment 9. Vulnerability to natural hazards 10. Storage of any products or materials 11. Fire and pest control 12. Cumulative effects
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<p>PORTZ – S4 Aerials, Lines and support structures (other than for the purposes of a network utility operation)</p>		
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<p>Port Zone</p> <p>Purpose: <i>To provide for services supporting industrial activities without compromising site capacity or building scale</i></p>	<ol style="list-style-type: none"> 1. Aerials, lines and/or support structures must not exceed 40 metres in height. 2. Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Chapter 1 3. Where there is conflict between any of the height control lines or limits; or the Height in relation to Boundary standard, the lowest height must prevail. 4. Where the Airport Height Control Designation applies: <ol style="list-style-type: none"> a. Any application for a building consent must be accompanied by a registered surveyor’s certificate verifying that the building plans do not exceed the Airport Height Control Designation in Chapter 1. b. Prior to a person requesting a Certificate of Compliance, a registered surveyor’s certificate must be supplied, verifying compliance with the Airport Height Control Designation in in Chapter 1. 5. Dish antenna must not exceed 5 metres in diameter. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. General assessment matters 2. Effects on the efficient and effective operation of the port 3. Amenity values in residential zones 4. Roading and access; pedestrian safety; and the need for traffic control 5. Site layout and building design 6. Landscaping and screening 7. Stormwater management on impervious surfaces 8. Risk to public health, safety, wellbeing and the environment 9. Vulnerability to natural hazards 10. Cumulative effects
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	6. Where an aerial, line or support structure must comply with the Height in relation to Boundary standards.	
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Assessment criteria - Port Zone

PORTZ -AC1 Non-statutory guidance

Statutory Direction	
Management of noise emissions must be in accordance with the mandatory noise measurement methods and symbols in the applicable New Zealand Standards incorporated by reference into the planning standards: New Zealand Standard 6809:1999 Acoustics – Port noise management and land use planning	
Non-statutory Guidance	
Noise management plans - refer to NOISE	
Port strategy	
Guidelines for Port & Harbour Risk Assessment and Safety Management Systems in New Zealand https://www.maritimenz.govt.nz/commercial/ports-and-harbours/documents/Port-harbour-risk-assessment.pdf	

Assessment criteria

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

PORTZ –AC2 All infringements

The assessment criteria in LIZ- AC1 apply in addition to those in PREC19-AC2 to PREC19 AC- 4

General assessment matters

- a. The implementation of the relevant Objectives and Policies of the district plan; including the District Wide Chapters and this Chapter, the purpose of the rules including whether an infringement will more effectively achieve the objectives and policies having regard to the effects on the efficient and effective operation of the Napier Port.
- b. Where more than one standard will be infringed, the cumulative effects of all infringements considered together.
- c. The assessment criteria in PORTZ-AC3 apply in addition to those below.

Site layout and building design

- c. The extent to which the layout of the site and design of the buildings:

- i. reflect the area's maritime character and any natural, heritage and cultural values, including through building form and materials,
 - ii. takes into account the amenity of adjacent properties, roads and public open spaces.
- d. The extent to which monitoring would assist with management of potential adverse environmental (including amenity) effects, and the extent to which this can be done remotely and provide readily accessible information for residents in the surrounding area.
- e. Whether the activity is located well within the Port boundaries and is substantially separated from residential or recreational activities.
- f. The extent to which there is separation provided between buildings to allow for view shafts to the harbour from publicly accessible areas.
- g. Whether the development recognises the cultural values of mana whenua.
- h. Location of any impervious surfaces, buildings, structures, earthworks, or access in relation to any drain or the coastal marine area.
- i. Whether buildings and structures including parking and storage areas are sited in a way or adequately screened to minimise any adverse effects on the visual and aural privacy of adjacent land uses, public open spaces and roads.

Landscaping and screening

- j. Whether landscaping uses species that are locally or cultural appropriate.
- k. The extent to which landscaping improves habitat of species in the coastal margins or the coastal marine area.
- l. Whether the quality and scale of any landscaping, or the location of buildings within the site improves the degree of natural character of the coastal environment.
- m. Whether a landscaped setback or separation distance will mitigate any effects from Port activities on residents or people using the coast.

Tradewaste and wastewater infrastructure

- n. The extent to which the nature or scale of the activity will place additional demand on public services.
- o. The extent to which the development complies with the Napier City Trade Waste Bylaw.
- p. Whether the activity discharges wastewater and has the ability to connect to the municipal trade waste / wastewater treatment network.
- q. The volume and composition of any discharge and the effects on the Council utilities and receiving environment.
- r. Whether the activity makes use of cleaner production equipment and waste minimisation practices.

Stormwater management

- s. Whether buildings and hard surfaces are laid out and designed to avoid the runoff of untreated stormwater to the coastal marine area.
- t. Whether impervious surfaces have potential to exacerbate flood risk, or are designed to have beneficial effects for the coastal marine area.
- u. The reliability of stormwater pre-treatment methods and mitigation measures in avoiding contaminated runoff.
- v. Whether the volume of water, or rate and composition of discharges may have adverse effects on:
 - i. coastal water quality,
 - ii. the health of any habitats of indigenous species,
 - iii. the Council's reticulated services.
- w. Whether there is a risk that accidental spill or wash-down areas may contain hazardous substances or contamination that may enter stormwater or the Council's networks.

Stormwater management

- x. Whether buildings and hard surfaces are laid out and designed to avoid the runoff of untreated stormwater to the coastal marine area.
- y. Whether impervious surfaces have potential to exacerbate flood risk, or are designed to have beneficial effects for the coastal marine area.
- z. The reliability of stormwater pre-treatment methods and mitigation measures in avoiding contaminated runoff.
- aa. Whether the volume of water, or rate and composition of discharges may have adverse effects on:
 - i. coastal water quality,
 - ii. the health of any habitats of indigenous species,
 - iii. the Council's reticulated services.
- ab. Whether there is a risk that accidental spill or wash-down areas may contain hazardous substances or contamination that may enter stormwater or the Council's networks.

Risk to public health, safety, wellbeing and the environment

- ac. The extent to which health and safety measures are needed to manage the possibility that unscheduled, unexpected or accidental events pose a risk to humans, the stormwater and wastewater utilities or the environment.
- ad. Whether the transport, use, storage, or method of disposal of any hazardous substances wastewater, tradewaste, solid material and/or liquid leachate reliably manages the risk to public health and safety, and the environment.
- ae. The area of impervious surface and whether the methods to avoid accidental discharges to ground or water are reliable.

- af. The degree of risk that hazardous substances or contamination may enter the coastal marine area or stormwater, or the Council's reticulated networks.
- ag. Whether the land use involves the storage or use of materials that could have an adverse environmental effect in the event of inundation or flooding.
- ah. Whether industry best practice has been applied and the degree to which a risk assessment has been undertaken in accordance with the Guidelines for Port & Harbour Risk Assessment and Safety Management Systems in New Zealand

Vulnerability to natural hazards

- ai. Whether the activity reduces risk to the Port from natural hazards, or increases recovery capacity for the City following a natural hazard event.
- aj. The extent to which hazard mitigation measures will reliably avoid risks to people and property from rock fall or landslide hazards for development within the Port Zone Rock Fall Hazard Specific Control Area.

Fire and pest control

- ak. The extent to which the activity implements an approved fire or pest management plan.

Cumulative effects

- al. Whether the proposed land use will have an adverse cumulative effect on the surrounding area.
- am. The nature and scale of the effects on the surrounding environment.
- an. The extent to which locating an activity at the Port may generate additional traffic, noise and other cumulative adverse effects on surrounding land uses.
- ao. Whether an increase in the operating hours, scale and intensity of Port related activities will result in cumulative effects on a residential zone.
- ap. Whether there is an aggregation of facilities containing hazardous substances in the area and the cumulative risk that may pose to people and the environment.

PORTZ –AC4 Port related activities

- a. Whether buildings, structures, facilities and storage areas are sited in a way that minimises any adverse effects on visual and aural amenity.
- b. The extent to which the activity is consistent with any industry best practice or guidelines.
- c. The extent to which the nature and scale of the activity could produce effects that can not be mitigated.
- d. Whether the activity involves the transport, use or storage of materials that could have an adverse environmental effect in the event of inundation or flooding.
- e. The extent to which the land use is compatible with other Port related activities.

PORTZ –AC3 Port related industrial, transport, storage and goods-handling

- a. Whether the activity has an operational requirement to be located in the Port Zone.
- b. Whether cleaner production equipment and waste minimisation practices are proposed.
- c. Whether the size, bulk, placement on the site, external design and appearance of the building is compatible with other buildings in the vicinity.
- d. Whether the activity could give rise to reverse sensitivity effects.
- e. Whether there is adequate infrastructure (access, wastewater, stormwater connections).

PORTZ- AC5 Retail Activity

- a. Whether the activity provides services to support Port activities.
- b. Whether the nature, scale and intensity of the activity is compatible with the surrounding environment.
- c. Whether the activity is ancillary to, and provides a service to a Port related activity
- d. Whether there are alternative suitably zoned locations for the activity.
- e. Whether the activity provides a commercial or hospitality service such as a convenience store or café to the area; and the extent to which the activity will provide goods or services to workers or cruise ship passengers at the Port.

PORTZ-AC6 Activities that are not directly related to the port activities

- a. Whether the nature, scale and intensity of the activity is compatible with Port activities and the surrounding environment.
- b. The extent to which the activity is compatible with Port related activities and services.
- c. The risk that a new activity could generate reverse sensitivity effects on existing Port related activities leading to the Port having to limit operations, or undertake mitigation measures.
- d. Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative locations have been considered.
- e. Whether the impact of the scale and intensity of the land use is compatible with port related activities and surrounding land uses.
- f. Whether the land use will alter the nature or character of the services provided at the Port.
- g. Whether there are any effects from natural hazards that are of a low probability, but high potential impact.
- h. Whether the establishment of the land use would have adverse effects on the efficient use

and/or development of natural and physical resources of the Port or industrial zone or any other zone including commercial zones, or result in significant social or economic impacts.

- i. Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- j. Whether the activity provides a commercial or hospitality service such as a convenience store or café to the area rather than traditional retailing; and the extent to which the activity will provide goods or services the majority of which are consumed or used within the zone.

STADZ - Stadium Zone

Introduction

The purpose of the Stadium Zone is to provide for the operation and development of large-scale sport and recreation facilities, buildings and structures. In Napier City, the Stadium Zone applies to McLean Park.

McLean Park comprises an international standard outdoor turf sportsground, stands and associated lighting. The park's main uses are rugby and cricket at international and provincial levels. Other events held on the park have included pipe band contests, displays and marching competitions. A multi-function indoor stadium – the Rodney Green Centennial Event Centre – complements the outdoor facility.

The park is named in memory of Donald McLean who, as Native Minister and Government Land Commissioner, purchased a large block of land from local Maori in the early days of European settlement in this area.

In 1905, a trust was formed to establish a memorial to Sir Donald McLean and to that end, ten acres was purchased for recreational purposes - the future McLean Park. In its early years, the Highland Society was very strong and the park was mainly used for highland games and athletic events.

The park has undergone significant refurbishment of the turf. Seating accommodation across four stands is 9704, with an additional 10,000 capacity standing on the embankment. Six light towers light the park for night games.

The Stadium Zone provides for the ongoing use of McLean Park for its intended activities while also seeking to minimise impacts on the surrounding residential neighbourhood.

Issues

STADZ-I1 Development and activities may detract from the efficient use of the McLean Park for its primary function

McLean Park accommodates many types of sporting, recreational and community activities. Venues are also available for events. The stadium and outdoor sportsground are of regional significance and it is important to manage these resources to protect their function for their primary use, i.e. sporting activities.

STADZ-I2 Development and activities in the Stadium Zone may compromise the amenity values of adjacent residential properties

New buildings and structures, and an increase in activity at McLean Park could compromise the amenity values of residential properties. A balance needs to be achieved between enabling efficient use of the park for its primary purpose while maintaining a reasonable living environment for neighbours. This includes consideration of noise and light levels, height, bulk and location of buildings.

Objectives

STADZ-O1 Stadium Zone purpose

The Stadium Zone provides for the operation and development of large-scale sports and recreation facilities, buildings and structures along with appropriate temporary uses.

STADZ-O2: Quality open space environments

Development contributes to a safe, accessible and attractive Stadium environment while maintaining quality living environments on adjacent residential sites

Policies

STADZ-P1 Activities

Manage activities and development in the Stadium Zone to retain its primary function for large scale sport and recreation activities while enabling temporary uses and accessory activities that contribute to community and economic wellbeing

STADZ-P2 Quality open space environments

Manage development to achieve a quality Stadium environment including by:

- a. Locating and designing buildings, structures and car parking areas to complement the character, function and amenity values of the Stadium zone
- b. Requiring landscaping to manage the visual effects of buildings, structures and vehicle parking areas
- c. Managing vehicle access, parking and traffic generation
- d. Minimising shading, privacy and noise effects on adjacent residential properties.

Stadium Zone – Activity table

STADZ-R1 Additions, alterations, maintenance and repair to existing buildings		
STADZ-R1A Activity Status: Permitted Where the following activity conditions are met: 1. The gross floor area of the addition does not exceed 75m ²	STADZ-R1B Activity Status where activity conditions are not met: Discretionary	
STADZ-R2 New or relocated buildings		
STADZ-R2A Activity Status: Permitted Where the following activity conditions are met:	STADZ-R2B Activity Status where activity conditions are not met: Discretionary	

<p>1. The gross floor area of the new building does not exceed 75m²</p> <p>Note: Refer to STADZ-R7 for temporary seating</p>	
STADZ-R3 Recreational activities	
<p>STADZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. Any sporting event, including commercial and entertainment activities ancillary to the activity:</p> <p>a. The noise provisions in District-Wide apply.</p>	<p>STADZ-R3B</p> <p>Activity Status where activity conditions are not met: Refer to Noise provisions</p>
STADZ-R4 Entertainment Activities	
<p>STADZ - R4A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. Entertainment Activities:</p> <p>a. The temporary event provisions in District-Wide Apply.</p> <p>Note: This provision applies to entertainment activities not provided for by STADZ-R3</p>	<p>STADZ - R4B</p> <p>Activity Status where activity conditions are not met: Refer to Temporary Event provisions</p>
STADZ-R5 Vehicle Parking areas	
<p>STADZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p>1. Where the car parking area is at-grade:</p> <p>a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing)</p> <p>b. 1 indigenous specimen tree is provided for every ten car parks</p>	<p>STADZ-R5B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. Neighbourhood and open space character</p> <p>2. Safety, attractiveness and connectivity of streets and public open spaces</p> <p>Notification: Non-notified</p>
STADZ-R6 Commercial activities	
<p>STADZ-R6A</p>	<p>STADZ-R6B</p>

<p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is for the sale of food and drink 2. The activity is not a licensed premise <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 3. The layout and design of vehicle parking, access and manouevring areas 4. The design and appearance of the building or structures. <p>Notification: Non-notified</p> <p>Note: This provision applies to commercial activities not provided for by STADZ-R3</p>	<p>Activity Status where activity conditions are not met: Discretionary</p>
<p>STADZ-R7 Temporary Seating</p>	
<p>Activity Status: Controlled</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The temporary seating is associated with a permitted activity <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 2. The duration of how long the temporary seating will remain 3. The height and height in relation to boundary of the temporary seating 4. The design and appearance of the temporary seating 5. The movement of traffic associated with the erection and dismantling of the temporary seating <p>Notification: Non-notified</p> <p>Note: Temporary seating is exempt from the building coverage provision STADZ-S4 due to its temporary nature</p>	<p>Activity Status where activity conditions are not met: NA</p>
<p>STADZ-R8 Activities infringing standards</p>	
<p>Activity Status: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The matters of discretion stated for infringing the relevant standard(s) <p>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</p>	<p>NA</p>

STADZ-R9 Community facilities		
Activity Status: Discretionary	NA	
STADZ-R10 Residential activities		
STADZ-R10A Activity Status: Discretionary Where the following activity conditions are met: 1. The activity is required for onsite management	STADZ-R10B Activity Status where activity conditions are not met: Prohibited	
STADZ-R11 Industrial activities		
Activity Status: Prohibited	NA	
STADZ-R12 Activities not otherwise provided for		
Activity Status: Non-complying Where the following activity conditions are met: 1. The activity is not provided for under Rules OSZ-R1 – OSZ-R11	NA	

Standards

STADZ-S1 Height		
Purpose: To maintain an Stadium character that facilitates appropriate activities; minimise effects on the quality of the neighbours' living environment :	1. Buildings and structures must not exceed 20m in height	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
STADZ-S2 Height in relation to boundary		
Purpose: To maintain a Stadium	1. Buildings must not project beyond a 45 degree recession plane measured from a point 3.0m	Activity Status where standards are not met: Restricted discretionary

<i>character that facilitates appropriate activities; maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</i>	vertically above ground level along side and rear boundaries, as shown in STADZ-S2-Fig1 below 2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of the standard	Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
STADZ-S3 Yards		
Purpose: To maintain a Stadium character that facilitates appropriate activities; to provide for building maintenance; to provide for a safe and attractive streetscape;	1. Any part of a building (including eaves and guttering) must not be erected closer than 6 metres to any site boundary.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environment
STADZ-S4 Building coverage		
Purpose: To maintain open space to facilitate the activities anticipated in the Stadium Zone	1. The maximum floorspace of buildings on a site must not exceed 1000m ² gross floor area	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
STADZ-S5 Fences and walls		
Purpose: to	1. Any fence erected within 6 metres	Activity Status where standards are

<p><i>provide for privacy of sites adjoining the Stadium Zone:</i></p>	<p>of the Stadium Zone boundary must not exceed 2 metres in height, except that any open mesh or similar design fence erected for the purposes of protecting adjacent land uses and occupiers need not comply with this condition.</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Neighbourhood and open space character 3. Safety, attractiveness and connectivity public open spaces
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Assessment criteria

STADZ-AC1 – Additions, alterations, maintenance and repair to existing building not meeting permitted standards (STADZ-R1); New or relocated buildings (STADZ-R2)

Neighbourhood and Stadium character

- a. The extent to which the character of the neighbourhood and of the Stadium Zone are maintained by the proposed building. This includes consideration of:
 - i. any positive defining characteristics of the neighbourhood;
 - ii. any values identified in an approved Reserve Management Plan;
 - iii. the extent to which the building will facilitate activities anticipated in the zone
- b. Whether parking, storage areas and buildings are adequately screened from adjoining sites or public places and roads by fencing and/or landscaping
- c. Whether proposed landscaping is compatible with the landscape character of the surrounding environment

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which the site layout and building design positively contributes to the attractiveness of streets and public open spaces
- e. The extent to which the development is easily accessible for all members of Napier's community

Healthy, safe, high amenity and comfortable living environments

- f. The extent to which the location and design of buildings will maintain healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

STADZ-AC2 – Vehicle Parking areas not meeting permitted conditions (STADZ-R5)

Neighbourhood and open space character

- a. The extent to which the vehicle parking area will detract from the sense of openness and landscape character values of the Stadium

- b. The extent to which vehicles accessing or exiting the car park will compromise the maintenance of the character of the open space and surrounding neighbourhood

Safety, attractiveness and connectivity of streets and public open spaces

- c. The extent to which the design and layout of the car park and access, including landscaping and low impact stormwater design, will contribute to a safe, attractive and connected pedestrian and cycle network to, from and within the Stadium

**STADZ-AC3 – Commercial activities not meeting permitted standards (STADZ-R6);
Community facilities (STADZ-R9); Residential activities (OSZ-R10)**

The criteria below will be considered in addition to the relevant objectives and policies of the plan.

Neighbourhood and Stadium character

- a. The extent to which the character of the neighbourhood and of the Stadium are maintained by the proposed activity. This includes consideration of:
- i. any positive defining characteristics of the neighbourhood;
 - ii. any values identified in an approved Reserve Management Plan;
 - iii. the extent to which the proposed activities will compromise activities anticipated in the zone

Contribution to community wellbeing

- b. The extent to which locating the commercial activity in the Stadium Zone will contribute to the wellbeing of the local community
- c. Whether that contribution could be achieved by locating the activity in a zone other than the Stadium Zone

Safety, attractiveness and connectivity of streets and public open spaces

- d. The extent to which access and parking associated with the activity will provide safe access to the activity for pedestrians, cyclists and motorists
- e. The extent to which:
- i. the anticipated traffic generation and/or anticipated onstreet car parking will impact on the safety and efficient operation of the surrounding integrated transport network
 - ii. traffic generation will compromise the maintenance of the neighbourhood and Stadium character

Healthy, safe, high amenity and comfortable living environments

- f. The extent to which the buildings and activity will maintain a healthy, safe and comfortable living environments for neighbouring residents, having regard to visual and acoustic amenity effects.

Assessment under the above criteria will include consideration of:

- ◊ site layout
- ◊ design and external appearance of buildings
- ◊ dust and/or odour effects
- ◊ hours of operation
- ◊ noise generation

- ◊ screening of storage areas

Infrastructure capacity and stormwater management

- g. Whether the development can be sufficiently serviced by water, wastewater and stormwater infrastructure, including through the use of low impact stormwater design, where appropriate

Vibrancy and vitality of centres

- h. Whether the activity will detract from the purpose and function of centres as set out in the objectives and policies of Centres zones chapters.

TEDZ - Tertiary Education Zone

Introduction

The purpose of the Tertiary education zone is to provide for the operation and development of tertiary education facilities and associated activities.

A key outcome the District Plan seeks to achieve is “Great urban areas”. Napier’s tertiary education facilities at EIT contribute to the overall community and economic wellbeing of the city. Connectivity of the campus with residential areas (for students and staff), and industrial and commercial areas (for workplace learning and amenities) will improve the quality of the learning environment. Further, the layout and design of the Tertiary Education zone can contribute to its attractiveness, safety, health and economic and social wellbeing.

The EIT is located on the urban edge of Taradale next to the Tutaekuri River, with close proximity to areas of significant landscape and cultural value. Future development can be accommodated in the campus provided it recognises and responds to this context.

To achieve the key outcome of “Great Urban Areas”, and to meet relevant key principles and strategic objectives for the District Plan, the zone provisions provide for an appropriate range of activities which will facilitate a quality and future-focussed learning environment, while managing the bulk and location of buildings to contribute to the attractiveness of Taradale and the southern entry to Napier city.

Issues

TEZ-I1 Tertiary education services are evolving and there is a greater emphasis on integrating learning with commerce and industry

Tertiary education activities provide an important contribution to community and economic wellbeing in Hawke’s Bay. It is essential that the growing and changing education requirements are enabled under the District Plan. The EIT campus provides for a range of learning facilities that reflect a range of study options, from traditional classrooms and lecture theatres, to computer labs, workshops, working restaurants and hairdressers.

The tertiary education sector is continuing to evolve and there is a growing emphasis on integrating learning with commerce and industry. The range and types of activities and development within the tertiary education zone may therefore evolve over time, including increased commercial and industrial activities on campus for training purposes. Improving connectivity between the Tertiary Education zone and commercial and industrial areas is also important to facilitate the integration of learning with work as students may share their time between campus and the working environment.

TEZ-I2 Poor quality development within the Tertiary education zone may detract from the amenity values of adjacent sites, wider landscape and cultural values, and the character of the southern accessway into Taradale and Napier

Quality design in the Tertiary education zone can assist in providing a safe and attractive environment for students and staff. It is important that increased intensity and additional development is managed to achieve a reasonable standard of amenity (sunlight access, privacy, visual and aural amenity) for adjacent residents, and for residents within the campus including

student and/or staff accommodation. Development should also ensure that identified landscape and cultural values of adjacent land are maintained.

Enhancing connectivity, particularly for walking and cycling, will contribute to integrating the learning environment with local amenities and will assist in achieving "Great Urban Areas". Encouraging walking, cycling and enabling improved public transport connections will also assist in reducing reliance on private vehicles, with the associated reduced demand for onsite car parking, and in improving public and environmental health.

Objectives

TEZ-O1: Tertiary education function

Tertiary educational facilities in Hawkes' Bay provide for the regional learning needs of current and future generations

Relates to TEZ-I1

TEZ-O2: Character and amenity

Development and activities contribute to an attractive Tertiary education campus that does not detract from the character and amenity values of the area

Relates to TEZ-I2

TEZ-O3: Culture and landscape

Development maintains the cultural and landscape values of Otatara Pa and the surrounding Taradale Hills

Relates to TEZ-I2

TEZ-O4: Quality living environments

Development and activities provides for healthy, safe, high amenity and comfortable living environments for residents

Relates to TEZ-I2

TEZ-O4 Access and Connectivity

The Tertiary Education zone is highly accessible by a range of transport modes with good quality infrastructure and facilities to support safe, convenient and efficient walking, cycling and public transport

Relates to TEZ-I1 and TEZ-I2

Policies

TEZ-P1: Activities

Provide for a range of education activities, student and staff accommodation, and ancillary commercial and industrial activities that provide for the learning requirements of the region

Relates to TEZ-O1

TEZ-P2: Quality public realm

Manage the height, bulk and form of development within the zone to reflect the intensity, scale and character of the campus and surrounding area including by

- a. providing for access to sunlight in streets, public open spaces, and adjacent residential properties
- b. limiting the height of buildings on elevated ground to minimise landscape and cultural effects on Otatara Pa and the wider Taradale Hills
- c. requiring development to minimise visual amenity effects on street, public open spaces and adjacent residential properties including through design and landscaping

Relates to TEZ-O2

TEZ-P3: Campus living

Enable residential development for staff and student accommodation in the Tertiary Education zone while managing development to achieving healthy, safe, high amenity and comfortable living environments for residents

Relates to TEZ-O4

TEZ-P4: Access and connectivity

Manage development to contribute to safe, attractive and connected streets and public open space that encourage active transport modes, community interaction and resilience to natural hazards, including by:

- a. requiring at grade car parking to be located and designed to optimise pedestrian safety and visual quality of the street
- b. supporting the development of public transport, pedestrian and cycle networks and facilities to and within the tertiary education zone

Relates to TEZ-O4

Tertiary Education Zone - Activity Table

TEZ-R1 New buildings	Activity Status where activity conditions are not met	
Activity Status: Permitted	NA	
TEZ-R2 Educational Facilities		
Activity Status: Permitted	NA	
TEZ-R3 Community facilities		

<p>TEZ-R3A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The facility will provide primarily for students and/or staff 	<p>TEZ-R3B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>TEZ-R4 Agricultural and horticultural activities</p>	
<p>Activity Status: Permitted</p>	<p>NA</p>
<p>TEZ-R5 Commercial activities</p>	
<p>TEZ-R5A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The activity is ancillary to education facilities <i>or</i> 2. The total commercial gross floor area within the zone that is not ancillary to education facilities does not exceed 500m². 	<p>TEZ-R5B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>
<p>TEZ-R6 Car parking areas</p>	
<p>TEZ-R6A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. Where the car parking area is at-grade: <ol style="list-style-type: none"> a. a 2 metre wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing) b. 1 indigenous specimen tree is provided for every ten car parks 	<p>TEZ-R6B</p> <p>Activity Status where activity conditions are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Function of the Tertiary Education zone 2. Safety, attractiveness and connectivity of streets and public open spaces <p>Notification: Non-notified</p>
<p>TEZ-R7 Residential Activities</p>	
<p>TEZ-R7A</p> <p>Activity Status: Restricted discretionary</p> <p>Where the following activity conditions are met:</p> <ol style="list-style-type: none"> 1. The residential activity is for staff and/or student accommodation <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 2. Local character, landscape and cultural values 3. Safety, attractiveness and connectivity of streets and public open spaces 	<p>TEZ-R7B</p> <p>Activity Status where activity conditions are not met: Discretionary</p>

<p>4. Healthy, safe, high amenity and comfortable living environments</p> <p>5. Infrastructure capacity and stormwater management</p> <p>Notification: Non-notified</p>	
TEZ-R8 Activities infringing standards	
<p>Activity Status: Restricted Discretionary</p> <p>1. The matters of discretion stated for infringing the relevant standard(s)</p> <p><i>Note: The activity status for the relevant activity, and the associated matters of control/discretion (where applicable) applies in addition to this rule</i></p>	NA
TEZ-R9 Activities not otherwise provided for	
<p>Activity Status: Discretionary</p> <p>Where the following activity conditions are met:</p> <p>1. The activity is not provided for under Rules TEZ-R1 – TEZ-R7</p>	NA

Tertiary education zone - Standards Table

TEZ-S1 Height		Activity status when standards are not met
<p>Purpose: to maintain the character, landscape and cultural values of the southern entrance to the city while enabling development that can accommodate educational facilities</p>	<ol style="list-style-type: none"> Any part of a building or structure below the 25 metre site contour line shown on the planning maps must not exceed 20m in height. Any part of a building or structure above the 25 metre site contour line shown on the planning maps must not exceed 10m in height. Rules TEZ-S1(1) and (2) do not apply to poles and aerials. 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Purpose of the Standard Function of the Tertiary Education Zone Local character, landscape and cultural values Safety, attractiveness and connectivity of streets and public open spaces
TEZ-S2 Height in relation to boundary		
<p>Purpose: to</p>	<ol style="list-style-type: none"> Buildings must not project beyond 	Activity Status where standards are

<p><i>maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment</i></p>	<p>a 45 degree recession plane measured from a point 3.0m vertically above ground level along the zone boundary</p> <p>2. Rule TEZ-S2(1) above does not apply to radio and television aerials, solar heating devices, chimneys no more than 1 metre wide in any horizontal direction and less than 2.5m in height beyond the building envelope.</p>	<p>not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Local character, landscape and cultural values 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>TEZ-S3 Yards</p>		
<p>Purpose: to maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment; to provide for building maintenance</p>	<p>1. Any part of a building must not be erected closer than 6 metres to a side or rear site boundary where the boundary abuts a Residential Zone.</p>	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Local character, landscape and cultural values 3. Safety, attractiveness and connectivity of streets and public open spaces 4. Healthy, safe, high amenity and comfortable living environments
<p>TEZ-S4 Residential privacy and light access ("outlook space")</p>		
<p><i>Residential units only</i></p> <p>Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors in the Tertiary Education zone</p>	<ol style="list-style-type: none"> 1. An outlook space must be provided from windows to a habitable room. 2. The minimum dimensions for a required outlook space are as flows: <ol style="list-style-type: none"> a. a principal living room must have an outlook space with a minimum dimension of 6m in depth (perpendicular with the window) and 4m in width; and b. all other habitable rooms must have an outlook space with a minimum dimension of 3m in depth (perpendicular with the window) and 3m in width 3. Outlook spaces may be within the site, over a public street, or other public open space 	<p>Activity Status where standards are not met: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Purpose of the Standard 2. Safety, attractiveness and connectivity of streets and public open spaces 3. Healthy, safe, high amenity and comfortable living environments

	4. Outlook spaces must be clear and unobstructed by buildings, or overlap with the privacy and light access space required by another residential unit or visitor accommodation.	
TEZ-S5 Minimum residential unit size		
<i>Purpose: Homes that have sufficient room to accommodate standard furniture and space to get around, for the anticipated number of residents, are more comfortable and healthy.</i>	1. Residential units must have a minimum net internal floor area as follows: <ol style="list-style-type: none"> Studio – 35m² 1 bedroom – 45m² 2 bedroom – 70m² 3 bedroom – 90m² 	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Healthy, safe, high amenity and comfortable living environments
TEZ-S6 Fences and walls		
<i>Purpose: to provide for safety and attractiveness of streetscapes</i>	1. Any fence or wall within 5m of the front boundary must not exceed 1.2m in height. 2. Any fence within 6 metres of a boundary with a residential zone must not exceed 2.0m in height.	Activity Status where standards are not met: Restricted discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> Purpose of the Standard Safety, attractiveness and connectivity of streets and public open spaces Healthy, safe, high amenity and comfortable living environments

Assessment criteria

TEZ-AC1 – Residential activities

- The assessment criteria for multi-unit residential developments at GRZ-AC1 apply in the Tertiary Education Zone in addition to the below
- The extent to which the residential activity will provide a quality living environment for students and/or staff
- The extent to which the location, intensity and layout of the residential activity will compromise the core educational function of the Tertiary Education Zone.

TEZ-AC2 – Infringements to standards

Function of the Tertiary Education zone

- a. Whether the infringement is required to provide for the functional and operational requirements of facilities anticipated in the Tertiary Education zone

Local character, landscape and cultural values

- b. the extent to which effects of the additional building scale (including sunlight access and visual dominance) and/or infringement to the standard will detract from the character of the campus and surrounding area
- c. whether the building will be consistent with the character of the local suburban character particularly as perceived from streets and public open spaces
- d. whether a minor height infringement provides for an attractive and integrated roof form
- e. the extent to which additional height and building design will affect the identified landscape and cultural values associated with Otātara Pa and the wider Taradale Hills

Safety, attractiveness and connectivity of streets and public open spaces

- f. whether the development will contribute to safe and attractive street and public open spaces

Healthy, safe, high amenity and comfortable living environments

- g. whether a good standard of privacy and daylight access is achieved for residents (including residents of adjacent sites)
- h. whether a complying residential development would be prevented on an adjoining site as a result of the infringement
- i. whether the layout of the residential unit will provide for a comfortable living environment for the number of occupants the residential unit is designed for, including providing for adequate circulation around standard sized furniture. This may be achieved through the use of built in furniture and mezzanine areas with good access and head height.

General standard infringement

- j. In addition to the specific criteria for a standard infringement, the following criteria apply:
 - i. The purpose of the standard, including whether an infringement will more effectively achieve the purpose having regard to the specific site characteristics
 - ii. Where more than one standard will be infringed, the cumulative effects of all infringements considered together

DEV1 - Te Awa Development Area

Introduction

The Te Awa Structure Plan was developed in 2012 to provide for residential greenfield growth on approximately 125ha of land around 3.5km south of Napier's City Centre. It sets out a framework to enable urban development in an integrated, planned and staged manner which allows for adequate and timely supply of land and associated infrastructure in the Te Awa Development Area.

The Te Awa Development Area complements the underlying General Residential Zone provisions to ensure that the key objectives of the structure plan are achieved. These include:

- staging of development to ensure efficient and co-ordinated provision of infrastructure
- mitigation of hazards
- reserve and transport connectivity
- quality living environment

The Structure Plan includes the Te Awa Structure Plan Map which shows key features including landuse, indicative open space areas, stormwater infrastructure, proposed roads, and proposed off-road pedestrian and cycleways.

The Te Awa Structure Plan - Water Supply Network Plan (Appendix 15A), the Te Awa Structure Plan - Stormwater Network Plan (Appendix 15B) and the Te Awa Structure Plan – Wastewater Plan (Appendix 15C) show the layout of proposed core service infrastructure.

Issues

DEV1-I1 Ad hoc development in the Te Awa Development Area can result in inefficient provision of infrastructure and/or adverse cumulative effects on the capacity of the infrastructure network

At the time the Te Awa Structure Plan was prepared, most of the land was in rural land use and unserved by three waters infrastructure or urban roads. To enable urban development, engineering analysis determined that additional bulk infrastructure and transport upgrades would be required. In particular, an integrated stormwater solution was identified as being needed for the Te Awa Development Area to enable efficient development of the land for residential activities and to minimise flooding risk during high intensity rainfall events. Providing all of the bulk infrastructure in advance of urban development would be a high cost to ratepayers particularly given the uncertainty around timing of growth in the area. To enable efficient and timely provision of infrastructure, a staging approach was developed through the structure plan. This includes the requirement for financial contributions to be paid to mitigate the effects of growth on the infrastructure network.

The integrated infrastructure solutions for the Te Awa Development Area are based on the residential density requirements for greenfield development deemed appropriate at the time of structure planning, being a minimum of 12 residential units per hectare. Density lower than this would not achieve the growth requirements, and would also detract from the affordable and efficient provision of infrastructure as the required economies of scale would be lost.

Growth that does not occur in accordance with the staging provisions can result in loss of efficiencies in the provision of infrastructure through a loss of economies of scale. Further, ad hoc

approaches to infrastructure provision can have adverse cumulative effects on the capacity of the infrastructure network. This may include safety at road intersections that have not been upgraded to accommodate additional traffic movements, or capacity constraints on the stormwater network resulting in flooding hazards. To mitigate this issue, the Te Awa Development Area provisions provide a framework for assessing potential impacts on the efficient and timely provision of infrastructure for out of stage development.

DEV1-I2 Resilience to natural hazards

Due to the relatively low ground level of land within the Te Awa Development Area, without any mitigation the land would be potentially subject to flooding in low frequency high intensity rainfall events. To mitigate this risk, the structure plan developed an integrated stormwater management solution including a network of drainage reserves, stormwater detention and a new pump station. The solution also ensures that capacity of the Cross Country Drain to service future inland development is retained.

Since preparation of the structure plan, additional analysis has been undertaken on liquefaction risk for Napier in the event of an earthquake. Due to the soil type and groundwater level, much of Napier's urban area, including the Te Awa Development Area, is potentially subject to liquefaction and lateral spread along waterways/open drains. Building code requirements require appropriate foundations to be provided for residential development in this area. The subdivision provisions require this to be considered at the time of subdivision.

DEV1-I3 Sense of community

Unplanned, ad hoc development can result in urban sprawl without generating a sense of community. Sense of place and provision of local facilities can assist in improving public health and community wellbeing. The structure plan provides for provision of a neighbourhood commercial centre and a network of open space to provide local facilities for the community and opportunities for interaction

DEV1-I4 Rural context

At the time of preparation of the Te Awa Development Area, most of the land was utilised for rural purposes. Productive use of land enables efficient use and economic benefits to be gained until such time as urban development occurs. Urban development may generate reverse sensitivity issues on rural land uses, and can also detract from the visual amenity of the surrounding rural environment. Staging seeks to minimise these issues. The structure plan also requires a landscaped buffer along the western extent to provide for the visual amenity of rural land outside of the Te Awa Development Area.

Objectives

The objectives of the underlying General Residential Zone apply in addition to the below.

DEV1-O1: Integration of development and infrastructure provision

Urban development and provision of infrastructure in the Te Awa Development Area occurs in an integrated, planned and staged manner.

Relates to DEV1-I1

DEV1-O2: Residential density

Residential densities enable efficient and affordable provision of infrastructure.

Relates to DEV1-I1

DEV1-O3: Connectivity and resilience

Development is resilient to natural hazards including through the provision of integrated transport and reserve linkages.

Relates to DEV1-I2

DEV1-O4: Rural context

Rural production and rural amenity values are maintained until such time as the land is developed for urban activities.

Relates to DEV1-I4

Policies

The policies of the underlying General Residential Zone apply in addition to the below.

DEV1-P1: Provision of infrastructure

Provide for the co-ordinated, integrated, efficient and timely provision of infrastructure through:

- a. requiring subdivision and development to be staged in accordance with the Te Awa Structure Plan
- b. discouraging subdivision and development that is out-of-sequence with the staging set out in the Te Awa Structure Plan including by :
 - i. requiring developers to fund the full cost of infrastructure to service all development up to and including the applicable stage
 - ii. requiring developers to provide buffers to surrounding rural uses to avoid reverse sensitivity effects
- c. requiring infrastructure to be provided in accordance with the Te Awa Structure Plan at the time of subdivision and development
- d. the collection of financial contributions to fund the provision of infrastructure services and capacity to the Te Awa Development Area; and
- e. planned Council investment and delivery of services.

Relates to DEV1-O1

DEV1-P2: Density

Require residential development to contribute to Napier's housing supply and the efficient provision of infrastructure by providing a minimum density of 12 residential units per hectare.

Relates to DEV1-O2

DEV1-P3: Connectivity and resilience

Development contributes to the resilience of the area including through:

- a. providing an integrated transport and reserve network consistent with the Te Awa Structure Plan (Appendix x)
- b. minimising the use of cul-de-sacs
- c. avoiding the creation of gated communities

Relates to DEV1-O3

DEV1-P4: Public open space

Manage the integrated provision, development and use of public open space to contribute to high amenity living environments for the community.

Relates to DEV1-O4

DEV1-P5: Neighbourhood centre

Enable appropriately scaled retail and ancillary commercial and community activities in a neighbourhood centre to serve the needs of local residents and to provide a focus for the Te Awa Development Area community while minimising adverse effects on the vitality and vibrancy of other existing or planned centres

Relates to DEV1-O4

DEV1-P6: Rural context

Recognise the rural context of the Te Awa Development Area as it transitions to urban including by:

- a. enabling non-intensive rural activities
- b. requiring a landscape buffer to be established along the western boundary of the Te Awa Development Area at the time of subdivision and development
- c. requiring buffers to be established on land where it is developed out of sequence with the staging of the Te Awa Structure Plan.

Relates to DEV1-O4

Te Awa Development Area - Standards

DEV1-S1 Staging of development														
<p>DEV1-S1A</p> <p>Purpose: to achieve alignment between subdivision and development, and the efficient provision of infrastructure</p> <p>1. Prior to subdivision and/or development commencing in each of the consecutive steps of staged development identified on the Structure Plan Map – Staging (Appendix 15D), the percentage of lots (as a total across the relevant stage/s) that must have received Section 224 certification is as follows:</p> <table border="1"> <thead> <tr> <th>Staged Development Step</th> <th>Prerequisite (no. of lots with Section 224 Certification)</th> </tr> </thead> <tbody> <tr> <td>1 + 2</td> <td>None</td> </tr> <tr> <td>3</td> <td>Stage 1+2 = 65%</td> </tr> <tr> <td>4</td> <td>Stage 1+2+3 = 70%</td> </tr> <tr> <td>5</td> <td>Stage 1+2+3+4 = 75%</td> </tr> <tr> <td>6</td> <td>Stage 1+2+3+4+5 = 80%</td> </tr> </tbody> </table> <p>Note: As an example Staged Development Step 3 will not commence until 65% of the total number of lots across Stages 1 and 2 have received Section 224 Certification, Staged Development Step 4 will not commence until 70% of the total number of lots across Stages 1, 2 and 3 have received Section 224 Certification, and Staged Development Step 5 will not commence until 75% of the total lots across Stages 1, 2, 3 and 4 have received Section 224 Certification, and so on.</p>		Staged Development Step	Prerequisite (no. of lots with Section 224 Certification)	1 + 2	None	3	Stage 1+2 = 65%	4	Stage 1+2+3 = 70%	5	Stage 1+2+3+4 = 75%	6	Stage 1+2+3+4+5 = 80%	<p>DEV1-S1B</p> <p>Activity Status where standards are not met: Discretionary</p>
Staged Development Step	Prerequisite (no. of lots with Section 224 Certification)													
1 + 2	None													
3	Stage 1+2 = 65%													
4	Stage 1+2+3 = 70%													
5	Stage 1+2+3+4 = 75%													
6	Stage 1+2+3+4+5 = 80%													
DEV1-S2 Density														
<p>DEV1-S2A</p> <p>Purpose: to provide sufficient housing supply to meet the growth demands and to provide for the efficient provision of infrastructure</p> <p>Subdivision must provide for a minimum density of 12 residential units per hectare (net of roads and reserves).</p>		<p>DEV1-S2B</p> <p>Activity Status where standards are not met: Discretionary</p>												
DEV1-S3 Landscape buffer														

<p>DEV1-S3A</p> <p>Purpose: to provide a quality visual buffer between the new urban development area and the rural environment to the west</p> <ol style="list-style-type: none"> 1. Where the site is located along the western boundary of the Te Awa Development Area (fronting Willowbank Avenue), a landscaped buffer strip of 3m comprised of indigenous vegetation must be provided in accordance with the Te Awa Structure Plan Map. 2. 75% of the landscaped buffer strip required under (1) above must be densely planted at the time of development with specimens of indigenous vegetation that will reach 3-5m at maturity. 	<p>DEV1-S3B</p> <p>Activity Status where standards are not met: Discretionary</p>
DEV1-S4 Retail threshold	
<p>DEV1-S4A</p> <p>Purpose: to ensure the scale of retail activities to serve the local community does not detract from the function of other centres</p> <ol style="list-style-type: none"> 1. The total GFA of retail in the Te Awa Development Area must not exceed 2,500m². 	<p>DEV1-S4B</p> <p>Activity Status where standards are not met: Discretionary</p>

Assessment criteria

The following assessment criteria apply in addition to those in the relevant zone and District-wide chapters.

DEV1-AC1 – All subdivision and development

General

1. The extent to which the proposed subdivision and/or development is consistent with the Te Awa Structure Plan as set out in the maps at Appendix 15E.

Transport and reserve connections

2. Whether the proposal provides for the north to south “sub-spine” street running between Willowbank Avenue and Eriksen Road as indicated on the Te Awa Structure Plan Map.
3. The extent to which the open drainage network (indicatively shown on the Te Awa Structure Plan Map) is an integrated feature of the north to south “sub-spine” street required under (2) above where practicable, and other local street networks.
4. The extent to which local streets are orientated north-south to maximise the quality of living environments including sunlight access.

5. The extent to which the road layout enhances connectivity and achieves an integrated approach to land use and transportation planning. This includes meeting the following requirements of the structure plan:
 - a. urban blocks shall be designed within the range of 60 to 100m to 90 by 170m.
 - b. the collector street network shall intersect via single lane roundabouts.
 - c. the use of on-street traffic calming using cycle lanes and on-street car parking and berm design, together with future provision for public transport infrastructure on collector streets, shall be considered fundamental design elements of the street cross section
 - d. minimising the use of cul-de-sacs.
6. Whether off road pedestrian and cycle linkages (indicatively shown on the Te Awa Structure Plan Map) which link open spaces to each other, to the street network and the Serpentine stormwater pond are wide, open and safe and connect to one another.

Quality streetscapes

7. The extent to which the proposed subdivision and/or development layout activates the street frontage through the orientation of dwellings to face the street and overlook public open space (where applicable) to enable passive surveillance and improved street amenity outcomes.
8. Whether the proposed subdivision and/or development provides for the consistent landscaping treatment of streets and reserves (including the Serpentine Pond environments and open drainage channels) that contribute to urban amenity and landscape values and retains and enhances vistas through the Te Awa Development

Roading infrastructure

9. Road upgrading shall proceed in conjunction with staging of development within the Te Awa Development area. The road upgrading is shown indicatively on the Te Awa Structure Plan Map. Financial contributions may be sought from the developer to contribute towards the works to be undertaken by Council at the relevant stage (refer criteria (14) below). Out of stage development will be required to complete the works.

The following works are required:

Off Site Non Local

The following intersections must be upgraded:

- Riverbend / Latham Street intersection shall be upgraded to a single lane roundabout.
- State Highway 2 / Kennedy Road intersection shall be upgraded to incorporate intersection control (improvements to signals).

Off Site Local

The following intersections must be upgraded:

- State Highway 2 / Awatoto Road.
- State Highway 2 / Te Awa Avenue / McGrath Street.
- State Highway 2 / Marine Parade.

The following local collector streets must be upgraded or constructed to Napier City Council standards and design and in general accordance with the Main Street and Local Street typical cross sections (see the Te Awa Structure Plan – Transportation report) to serve as the primary connections through the Te Awa Development area:

- Kenny Road, 10m carriageway with cycle lanes, footpaths, car park / landscaped berm areas, pedestrian footpaths and verge.
- Eriksen Road, 10m carriageway with cycle lanes, footpaths, car park / landscape berm areas, pedestrian footpaths and verge. Eriksen Road will be designed and upgraded with single lane roundabouts at all major intersections (see below) with 1200 deflection designed into the roundabout design to assist in reducing traffic speeds along this length of road.
- Three additional cross link roads (linking Eriksen Road to Willowbank Avenue and Te Awa Avenue), 10m carriageway with cycle lanes, footpaths, car park / landscape berm areas, pedestrian footpaths and verge.
- Three priority intersections shall be provided to Te Awa Avenue.
- One priority intersection shall be provided to Willowbank Avenue.
- Single lane roundabouts shall be provided at the following intersections:
 - Eriksen Road / Kenny Road.
 - Along Eriksen Road at all junctions with cross link roads – three intersections.
 - Willowbank Avenue / Kenny Road.
 - Willowbank Avenue / Eriksen Road.
- Street design shall provide for consistent landscaping treatment that contributes to urban amenity and landscape.

No additional collector streets are necessary within the Te Awa Development area. Internal streets shall generally comply with Napier City Council standards and design for local streets, except where Council may wish to promote with a developer innovative and attractive solutions that enhance residential amenity, safety and sense of place. Therefore Council will look favourably on alternative subdivision concepts that achieve safe, pedestrian and cycle friendly streets and discourage through traffic.

Stormwater infrastructure

10. Whether stormwater management infrastructure is provided conjunction with the staging of the Te Awa Structure Plan – Staging (Appendix 15D), and in accordance with the Te Awa Structure Plan – Stormwater Network (Appendix 15B) (and as more fully described in the Te Awa Structure Plan – Three Waters report) (*note if we include this reference we should have a*

hyperlink to this document from the e-Plan so it is easily accessible). Financial contributions may be sought from the developer to contribute towards the works to be undertaken by Council at the relevant stage (refer criteria (14) below). Out of stage development will be required to complete the works.

This includes combination of a reticulated pipe network (constructed to Napier City Council standards), open drains, the Serpentine stormwater pond and a new pump station and coastal discharge point.

The following works are required:

- A network of pipes (various sizes) to convey runoff from sub-catchments to open drains.
- Construction of new open drains west of Eriksen Road. A north-south orientated open drain with a total width of 40m will be constructed adjacent Willowbank Avenue and will drain through to an upgraded Cowshed Drain.
- Widening and reshaping of the existing Serpentine Drain to achieve a total width of 31m.
- Widening and reshaping of the existing Cowshed Drain to achieve a total width of 40m.
- Construction of a 4.4 hectare stormwater pond with a cumulative storage capacity of 71,000m³ (the Serpentine stormwater pond).
- Construction of a new pump station with a capacity of 3.97m³/s adjacent to the Serpentine stormwater pond with an associated coastal discharge point and beach discharge structure, unless further stormwater design work demonstrates to the satisfaction of the Council that the capacity of the pumping station can be adjusted to reflect optimum requirements for flood protection.

Flooding hazards

11. Whether the subdivision and development mitigates flooding hazards by setting minimum front boundary levels in various sub-catchments to take account of maximum water levels associated with the 2% AEP rainfall event. These minimum front boundary levels range from RL58m to RL12.21m. *Refer to the Te Awa Structure Plan – Three Waters Report for further details.*

Wastewater infrastructure

12. Whether wastewater infrastructure is provided conjunction with the staging of the Te Awa Structure Plan – Staging (Appendix 15D), and in accordance with the Te Awa Structure Plan – Wastewater Network (Appendix 15C) (and as more fully described in the Te Awa Structure Plan – Three Waters report). Financial contributions may be sought from the developer to contribute towards the works to be undertaken by Council at the relevant stage (refer criteria (14) below). Out of stage development will be required to complete the works.

Wastewater infrastructure shall comprise of a combination of a reticulated pipe network (constructed to Napier City Council standards) and three (no. 3) pumping stations. The wastewater system will connect into the future wastewater pressure main from a new pump station near Taradale Road that will feed directly to the Awatoto milliscreen plant to the south (via Eriksen Road).

The following works are required:

- A network of 225 and 150mm diameter pipes to convey wastewater to three (no. 3 pumping stations).
- Pumping stations. Three pump stations are located on Eriksen Road.

Water supply infrastructure

13. Whether water infrastructure is provided conjunction with the staging of the Te Awa Structure Plan – Staging (Appendix 15D), and in accordance with the Te Awa Structure Plan - Water Supply Network (Appendix 15A) (and as more fully described in the Te Awa Structure Plan – Three Waters report) Financial contributions may be sought from the developer to contribute towards the works to be undertaken by Council at the relevant stage (refer criteria (14) below). Out of stage development will be required to complete the works.

Water supply network infrastructure shall comprise of a combination of a reticulated pipe network (constructed to Napier City Council standards) and two 450mm main connections. The primary supply point will be at the intersection of the CCD and Eriksen Road where the proposed 450mm Awatoto Trunk Main is proposed to be built. The Awatoto Trunk Main will eventually be extended to connect with the Enfield Reservoir via Eriksen Road, giving an additional northern supply point at the intersection of Willowbank Avenue and Eriksen Road.

The following works are required:

- A network of pipes (various sizes) to convey potable water. A 200mm ring main will provide reticulation around the Te Awa Development area, with 100mm and 150mm internal mains supplying local streets.

Financial contributions

14. Whether the developers meet fair and reasonable costs towards the provision of essential utility services, road upgrading and open space. This obligation may be met by physical works, financial contributions or a combination of both subject to agreement with Council.

Costs for various utility infrastructure service provision have been assessed as part of the technical background work. Financial contributions are specified in (cross-reference).

DEV1-AC2 – Subdivision and development not complying with the Staging standard DEV1-S1

1. Where subdivision and/or development is undertaken outside of the staging required by Standard DEV1-S1, whether the developer:
 - a. funds the full cost of infrastructure required to service stages up to and including the relevant stage set out in the Te Awa Structure Plan – Staging for the subject site
 - b. provides at their own cost an internal buffer from surrounding rural landuse activities.

DEV1-AC3 – Commercial activities

1. Whether the commercial activity is located within the indicative neighbourhood centre location as indicated on the map at Appendix 15E.

2. If an alternative location is proposed, whether the activity will serve as a focal point for the residential community.
3. Whether the activity will detract from the function of other centres in the hierarchy, including having regard to cumulative effects of approved commercial activities in the Te Awa Development Area.

DEV2 - Wharerangi Road Development Area

Introduction

The Wharerangi Road Development Area is approximately 18ha of land located in the north-western part of the city on the corner of Wharerangi Road and Westminster Avenue. The area is part of the former Lagoon Farm, Citrus Grove and Park Island Structure Plan which was developed to facilitate residential greenfield growth in the north-west of the city under the previous District Plan.

The provisions of the Wharerangi Road Development Area set out a framework to enable urban development in an integrated and planned manner which ensure infrastructure and reserves are provided to facilitate the key District Plan outcome of “Great Urban Areas” including by requiring connectivity and recreation opportunities for the new residents.

The Wharerangi Road Development Area complements the underlying General Residential Zone provisions to ensure that the key objectives of the structure plan are achieved. These include:

- ensuring efficient and co-ordinated provision of infrastructure
- Reserve and walking/cycling connectivity

The Wharerangi Road Development Area includes the Wharerangi Road Structure Plan Map which shows key features including indicative open space areas (including a 20m esplanade reserve along Taipo Stream, a neighbourhood reserve and walkways/cycleway connectivity), and water and wastewater infrastructure.

Issues

DEV2-I1 Ad hoc development in the Wharerangi Road Development Area can result in inefficient provision of infrastructure, adverse cumulative effects on the capacity of the infrastructure network, and/or health, safety and resilience issues for new residents

The integrated infrastructure solutions for the Wharerangi Road Development Area will ensure that the full density potential of the land is enabled through provision of sufficient capacity in the network. The Taipo Stream located to the west of the development area provides a potential source of flooding for this low lying area of land.

DEV-I2 Recreation and connectivity

People expect to have reasonable access to the city’s coastal environment, Ahuriri estuary, waterways and recreational reserves. The maintenance and enhancement of public access to the coast and waterbodies is recognised in the RMA as a matter of national importance. The Taipo Stream adjacent to the Wharerangi Road Development Area provides opportunity for access to this waterbody and also for continuous off-road public access to Ahuriri Estuary to the north. Further, the number of residential units able to be developed in this area generates additional demand for areas of recreation. To provide for the recreational needs of residents, the Wharerangi Road Development Area requires a new centralised neighbourhood reserve with connectivity to the Taipo Stream and beyond.

DEV2-I3 Rural context

At the time of preparation of the Wharerangi Road Development Area, most of the land was and still is utilised for rural purposes. Productive use of land enables efficient use and economic benefits to be gained until such time as urban development occurs. Urban development may generate reverse sensitivity issues on rural land uses, and can also detract from the visual amenity of the surrounding rural environment. The provisions of the Development Area seek to recognise this issue as the area is developed.

Objectives

DEV2-O1: Integration of development and infrastructure provision

Urban development and provision of infrastructure in the Wharerangi Road Development Area occurs in an integrated and planned manner.

Relates to DEV2-I1

DEV2-O2: Residential density

Residential densities enable efficient and affordable provision of infrastructure.

Relates to DEV2-I1

DEV2-O3: Connectivity

Development links residents to the wider environment including through the provision of integrated transport and reserve linkages and

DEV2-O4: Resilience

Development is resilient to the effects of natural hazards including potential flooding from the Taipo Stream.

Relates to DEV2-I1

DEV2-O5: Community wellbeing

Public open space reflects the needs of residents and contributes to community wellbeing in the Wharerangi Road Development Area.

Relates to DEV2-I2

DEV2-O6: Rural context

Rural production and rural amenity values are maintained until such time as the land is developed for urban activities.

Relates to DEV2-I3

Policies

DEV2-P1: Provision of infrastructure

Provide for the co-ordinated, integrated, and efficient provision of infrastructure through:

- a. requiring infrastructure to be provided in accordance with the Whararangi Road Structure Plan at the time of subdivision and development
- b. the collection of financial contributions to fund the provision of infrastructure services and capacity to the Whararangi Road Development Area; and
- c. planned Council investment and delivery of services.

Relates to DEV2-O1

DEV2-P2: Density

Require residential development to contribute to Napier's housing supply and the efficient provision of infrastructure by providing a minimum density of 12 residential units per hectare.

Relates to DEV2-O2

DEV2-P3: Connectivity and resilience

Development contributes to the connectivity and resilience of the area including through:

- a. providing an integrated transport and reserve network consistent with the Whararangi Road Structure Plan (Appendix 16)
- b. requiring connectivity to the Taipo Stream and Ahuriri Estuary through new pathways and reserves
- c. requiring flood protection for new residential units through a stopbank or alternative method
- d. minimising the use of cul-de-sacs
- e. avoiding the creation of gated communities

Relates to DEV2-O3 and DEV2-O4

DEV2-P4: Public open space

Manage the integrated provision, development and use of public open space to contribute to high amenity living environments for the community.

Relates to DEV2-O4

DEV2-P5: Rural context

Recognise the interim rural context of the Te Awa Development Area including by enabling non-intensive rural activities

Relates to DEV2-O5

Activities

The provisions for activities in the General Residential Zone and District Wide chapters apply in the Wharerangi Road Development Area.

Standards

DEV2-S1 Infrastructure		
<p>Purpose: to achieve alignment between subdivision and development, and the efficient provision of infrastructure</p> <ol style="list-style-type: none"> 1. Prior to development commencing in the Wharerangi Road Development Area, the following infrastructure should be in place: <ol style="list-style-type: none"> a. A new wastewater pumping main as shown on the Wharerangi Road structure plan b. A new 200mm diameter water main in the location shown on the Wharerangi Road structure plan to connect to the ring-main route serving the wider area c. A 20m wide flood berm and a new stopbank along the western boundary of the development d. A neighbourhood reserve of a minimum 0.2ha on the location shown on the Wharerangi Road structure plan. Play facilities must be provided by the developer to the satisfaction of the NCC Team Leader: Parks and Reserves e. A walkway reserve incorporating all weather footpaths, connecting the neighbourhood reserve to Taipo Stream in the location shown on the Wharerangi Road structure plan f. Esplanade reserves along the Taipo Stream must be provided in accordance with standard SUB-S18 <p><i>Note: The above standards may be satisfied through conditions of subdivision consent for the first subdivision in the Wharerangi Road Development Area</i></p>	<p>Activity Status where standards are not met: Discretionary</p>	
DEV2-S2 Density		
<p>Purpose: to provide sufficient housing supply to meet the growth demands and to provide for the efficient provision of infrastructure</p> <ol style="list-style-type: none"> 1. Subdivision must provide for a minimum density of 12 	<p>Activity Status where standards are not met: Discretionary</p>	

residential units per hectare (net of roads and reserves).	
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Assessment criteria

The following assessment criteria apply in addition to those in the relevant zone and District-wide chapters.

DEV2-AC1 – All subdivision and development

General

- a. The extent to which the proposed subdivision and/or development is consistent with the Wharerangi Road Structure Plan as set out in the maps at Appendix 16.

Reserve and transport connections

- b. Whether the proposal provides for the western reserve connection to link between the neighbourhood reserve and the Taipo Stream
- c. The extent to which the transport network enhances connectivity to the wider environment, including the Taipo Stream esplanade reserve and Park Island
- d. The extent to which local streets are orientated north-south to maximise the quality of living environments including sunlight access.
- e. The extent to which the road layout enhances connectivity and achieves an integrated approach to land use and transportation planning. This includes:
 - i. the use of on-street traffic calming, including through methods such as cycle lanes, on-street car parking and berm design, shall be considered fundamental design elements of the street cross section
 - ii. minimising the use of cul-de-sacs.

Quality streetscapes

- f. The extent to which the proposed subdivision and/or development layout activates the street frontage through the orientation of dwellings to face the street and overlook public open space (where applicable) to enable passive surveillance and improved street amenity outcomes.
- g. Whether the proposed subdivision and/or development provides for the consistent landscaping treatment of streets and reserves that contribute to urban amenity and landscape values and retains and enhances vistas through the Wharerangi Road Development area.

Stormwater infrastructure

- h. Whether stormwater management infrastructure is provided in accordance with the objectives, policies and rules of the stormwater chapter and the Code of Practice.

Flooding hazards

- i. Whether the subdivision and development mitigates flooding hazards including from the Taipo

Stream by meeting standard DEV2-S1(c) or through an alternative resilience solution.

Wastewater infrastructure

- j. Whether wastewater infrastructure is provided in conjunction with the Wharerangi Road Development Area including standard DEV2-S1(a), or an alternative solution is proposed that will ensure efficient provision of infrastructure to meet the anticipated capacity of additional development in the north-west of the city.

Water supply infrastructure

- k. Whether water infrastructure is provided in conjunction with the Wharerangi Road Development Area including standard DEV2-S1(b), or an alternative solution is proposed that will ensure efficient provision of infrastructure to meet the anticipated capacity of additional development in the north-west of the city.

Financial contributions

- l. Whether the developers meet fair and reasonable costs towards the provision of essential utility services, road upgrading and provision of open space. This obligation may be met by physical works, financial contributions or a combination of both subject to agreement with Council.

DEV3 - Mission Development Area

Introduction

The Mission Development Area covers land occupied by the Mission Estate winery and originally purchased by the Marist Mission in 1897. The 289ha property integrates a number of productive land use activities including, sheep and beef farming, forestry, olive growing and bee keeping in conjunction with viticulture and winemaking. Commercial activities include the winery restaurant, conference and wedding venue facilities, concert venue and farm house accommodation. Historic uses included the Marist brother's seminary and the productive rural activities that supported the seminary.

The Mission Development Area seeks to provide for the sustainable and integrated management of these various land uses as well as enabling the residential potential of the hill area of the property to be realised and for its tourism potential to be further developed. The residential component of the Mission Development Area is the first stage of giving effect to the key District Plan Outcome "Greenfield growth in the hills" which seeks to improve resilience of Napier's growth to natural hazards and to maintain the Heretaunga Plains for productive uses.

The Mission Development Area is supported by precincts based on land use capabilities and landscape and character protection principles. The activity status and standards for land use and development within the Development Area are located within each precinct chapter. These precincts are:

- Mission Residential Precinct
- Mission Landscape and Visitor Precinct
- Mission Productive Rural Precinct
- Mission Rural Residential Precinct

In promoting sustainable management, the Mission Development Area recognises and seeks to protect and enhance the landscape significance of the east facing slopes above the vineyard and winery setting, along with the heritage values of the Mission Estate winery including the Grande Maison building and identified archaeological sites. The Mission Development Area also seeks to sustainably manage the versatile land of the vineyard flats.

Issues

DEV3-I1 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).

Some of these characteristics, along with elevated building sites, make the Mission property desirable for residential and tourism development. It is important that such development does not compromise the values of the Mission landscape.

DEV3-I2 Potential public benefit of a walkway network (between Sugar Loaf and Park Island) along the hills behind the Mission.

Any walkway would need to balance the landscape and recreational experience that it would provide with potential adverse effects on the surrounding Mission property, such as loss of privacy, security and outlook and potentially landscape effects of any earthworks required to form the tracks. As well as the linkage between Sugar Loaf and Park Island there is also potential to link with the Mission building precinct and the tourism and recreational opportunities that such a linkage would provide.

DEV3-I3 A lack of diversity in the options available for greenfields residential development within the City and the need for an elevated and landform responsive option.

Existing greenfield residential building areas within the City are all located on flat topography with a conventional suburban layout. A supply of elevated and undulating land offering different section sizes would enhance the available residential development options for the City. The Mission property has the potential to offer such a land supply.

DEV3-I4 Urban development can impact on the sustainability of the City's remaining versatile land resource, including the Mission Estate flats.

The versatile and productive land of the Heretaunga Plains have provided a significant resource base for horticultural activities, and in the case of the Church Road area, vineyards and wineries. Issues relating to the sustainable management of land resources include the following:

Versatile and productive land is a limited resource in Napier and need appropriate management to ensure that this land can be used for a variety of land uses in the future.

Because the City's productive land is often immediately adjacent to urban areas there is pressure for urban development and for the establishment of non-rural uses. This can potentially result in adverse effects on the amenity and character of the rural environment.

Reducing the size of land holdings through subdivision may reduce the range of possible productive land uses.

There is the potential for conflict between rural land uses and neighbouring residential, rural residential and non-rural land uses. This can lead to 'reverse sensitivity' effects on rural land uses.

The Mission Estate flats, in their current unurbanised form and viticultural use, contribute to landscape and amenity values.

DEV3-I5 The potential of the Mission property to contribute further to the City as a tourism destination.

The Mission property currently includes a vertically integrated winery including grape growing, wine making, cellar door sales and a restaurant. There is the potential to add an additional layer to this vertical integration by providing tourist accommodation through both the use of existing former

seminary buildings and the development of new standalone accommodation buildings. The potential contribution to the cycle and walkway network would also provide additional tourism opportunities.

Development of new tourism infrastructure has the potential to reduce the values of the landscape, heritage, archaeological and versatile land resources that create the special character of the property. There is also potential for additional tourism development to create off site effects. The size of the Mission property is such however that potential adverse effects on these values or on neighbouring residents can be avoided, remedied or mitigated.

DEV3-I6 Subdivision and development can have significant adverse effects on natural and physical resources, and on cultural and heritage sites including cumulative effects.

Some land uses may deplete the life supporting capacity, quality and diversity of rural resources. The cumulative effect of development over the long-term continues to place pressures on natural and physical resources and their associated values. If not managed in an integrated manner, they can eventually lead to the gradual diminishing of environmental quality. The cumulative effects of residential land uses in the rural environment could pose a significant threat to the amenity and quality of the environment. Similarly rural industries which process produce grown in the rural environment, or more general industrial and commercial activities, pose a similar threat.

It is important that the value of cultural and heritage sites in the rural environment is recognised and provided for. Significant damage to cultural and heritage sites (including archaeological sites) can occur from inappropriate development.

In addition to the effects on the matters identified in the above issues regarding subdivision and development, cumulative adverse effects are of particular concern regarding:

- Land uses with the potential to have adverse effects on the quality of land and water resources.
- Reduced amenity values and safety from increasing vehicular traffic movements on roads.

Objectives

DEV3-O1: Special character

The special character of the Mission Development Area is maintained through sustainable management including the retention and enhancement of the values of the landscape, heritage, cultural, archaeology and versatile land resources.

Relates to DEV3-I1, DEV3-I4 and DEV3-I6

DEV3-O2: Quality growth

New residential and greater tourism activities are established in the Mission Development Area while avoiding, remedying and mitigating adverse effects on the environment.

Relates to DEV3-I2, DEV3-I3 and DEV3-I5

DEV3-O3: Landscape character

The contribution of the eastern hill face backdrop to the Mission's significant landscape character is retained and enhanced.

Relates to DEV3-I1 and DEV3-I2

DEV3-O4: Ecology and stormwater management

A series of ecological corridors of indigenous vegetation associated with a low impact stormwater network services the residential development and integrates with the City's walkway network.

Relates to DEV3-I1, DEV3-I2 and DEV3-I6

Policies

DEV3-P1: Landscape - General

Ensure that future building and development avoids, remedies or mitigates any adverse effects on the special character of the Mission landscape, particularly as viewed from Church Road. The features that provide this special character include:

- a. Coherence of land use to landform (rural production vineyard on valley floor, historic building precinct on terrace),
- b. Backdrop of unbuilt on hill face;
- c. Landmark and historic qualities of the Grande Maison;
- d. Proximity to landmark qualities of Sugar Loaf;
- e. The entry gates and avenue of plane trees lining entrance road; and
- f. Meandering course of Taipo Stream in juxtaposition to lines of vines.

Relates to DEV3-O1

DEV3-P2: Landscape – Eastern hill face

Ensure the landscape value of the eastern hill face backdrop is not adversely affected by building and development including by requiring the implementation and retention of woodland planting to the hill face to retain its undeveloped appearance and to stabilise the slope while softening and adding visual interest to the landscape.

Relates to DEV3-O3

DEV3-P3: Heritage values

Ensure that the heritage values of the Mission, including the 'Grande Maison' building and its setting are retained.

Relates to DEV3-O1

DEV3-P4: Archaeology

Ensure that earthworks and building development avoid, remedy and mitigate any adverse effects on identified archaeological sites.

Relates to DEV3-O1

DEV3-P5: Mana whenua ancestral values

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.

Relates to DEV3-O1

DEV3-P6: Versatile land resource

Protect the versatile land resource of the Mission vineyard flats from urban development and activities unrelated to the productive use of the land resource or the vertical integration of the wine industry (or vertical integration of any other crops grown on the land).

Relates to DEV3-O1

DEV3-P7: Integrated planning framework

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.

Relates to DEV3-O1

DEV3-P8: Precincts

Manage the use and development of the Mission Special Character Zone within four precincts of like character and physical attributes. The precincts consist of:

- the Residential Precinct (comprising the north western segment of the zone);
- the Productive Rural Precinct (correlating with the boundaries of the former Main Rural Zone on the flats fronting Church Road)
- the Landscape and Visitor Precinct (comprising the existing Mission Estate buildings and facilities and the eastern hill face); and
- the Rural Residential Precinct (comprising the balance of the zone, being the south western and south eastern corners).

Relates to DEV3-O2

DEV3-P9: Innovation

To enable innovative approaches to land use and development within the Mission Special Character Zone to enhance tourism and / or recreation opportunity provided that such approaches do not undermine the values that contribute to the Character of the Zone.

Relates to DEV3-O2

DEV3-P10: Walkway and cycleway network

Enable the use of the eastern hill face for the development of a walkway and cycleway network.

Relates to DEV3-03

DEV3-P11: Ecology and stormwater

Require planting and low impact stormwater design to maintain and enhance environmental values.

Relates to DEV3-04

Assessment criteria

The following assessment criteria apply in addition to those in the relevant Mission precinct, underlying zone and District-wide chapters.

DEV3-AC1 – All subdivision and development

General

- a. The extent to which the proposed subdivision and/or development is consistent with the Mission Structure Plan as set out in the maps at Appendix 13A
- b. The extent to which the objectives and policies for the Mission Development Area will be achieved by the proposed subdivision and/or development.

Green Network and Reserves

- c. Whether the subdivision and development provides for a single interconnected green network for the west-facing valleys of the Residential Precinct as depicted on the Structure Plan Overall Plan (Appendix 13A).
- d. Whether the green network is designed to integrated 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 particularly, the green network must include:
 - i. Open grassed areas and wetlands within the valley floors
 - ii. Stormwater ponds and wetlands designed as amenity features
 - iii. Planting design that creates an attractive park-like character
 - iv. Connected corridors of restored and maintained indigenous vegetation – particularly on south facing slopes
 - v. A path network
 - vi. The location and size of the green network and vested reserves is to be generally consistent with that shown on the Structure Plan Area Map (Appendix 13B)
 - vii. The reserves identified on the map at Appendix 13A shall 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 13D, the time of vesting would be Lookout Reserve – Stage 2; Neighbourhood Centre Reserve – Stage 3; and Local Neighbourhood Reserves – Stages 2 and 5 respectively.
 - viii. 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.

Public path

- e. Whether a publicly accessible path will 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 13D (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:
- i. 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 13A.
 - ii. A high amenity experience of the Mission landscape.
 - iii. Access to hilltop lookouts.
 - iv. 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.'
 - v. 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.

Stormwater

- f. Whether stormwater from the subdivision and development is regulated and treated by means of a low impact stormwater system that echoes the natural wetland systems that would have previously existed on the valley floors.
- g. Whether the stormwater system meets 'the design principles of wetland for stormwater attenuation and treatment' as set out in the Hawke's Bay Regional Council, April 2009, Hawke's Bay Waterway Guidelines – Low Impact Design. (needs hyperlink). The system is to achieve best practice from source through to discharge at the boundary so as to mitigate the effects of urban development on stormwater quality and quantity. In particular, the system is to:
- i. Be in general accordance with the drawing in Appendix 13E
 - ii. Attenuate stormwater onsite to achieve a discharge at the boundary that is no greater than predevelopment flow.
- h. Whether wetlands are proposed to be constructed in step with the staging of development within the relevant catchments identified in Appendix 13E and as per the 'Residential Precinct 3 Waters Staging Plan' in Appendix 13D.
- i. Whether the stormwater infrastructure is proposed to be vested in the Napier City Council upon subdivision.
- j. Whether the subdivision application includes the following information:
- i. Details about what comprises the stormwater infrastructure to be vested, including its design, location and the approximate area of associated land to be vested;
 - ii. Relevant easements granted in favour of Napier City Council and formed to an appropriate standard to provide ongoing access over the site for service vehicles and machinery to the stormwater infrastructure and associated land;
 - iii. An Operation and Maintenance Plan for the stormwater system and Budget Estimates of the associated annual costs; and
 - iv. Explanation of how compliance will be achieved with the relevant Hawke's Bay Regional

Council regional plan, or resource consent for the diversion and discharge of stormwater from the development on an ongoing basis. This means that there must be a resource consent for the discharge of stormwater from the Residential Precinct in place prior to any subdivision consent being lodged.

Archaeology

- k. Whether subdivision and development, including tree planting, is designed to avoid the disturbance of the 'Recorded Identified Sites' as shown on the Map of Archaeological Sites in Appendix 13F, including a 10m buffer zone around such sites.
- l. Whether an updated archaeological Assessment of Environmental Effects is submitted with applications for the following activities:
 - i. Subdivision consent within the Residential Precinct
 - ii. Felling the southern pine plantation
 - iii. Constructing walkway paths
 - iv. Construction of 'art cabin' accommodation

Māori Cultural Values

- m. Whether the design of the development recognises and respect cultural values, in particular, in open spaces and public pathways, and reflect the whakapapa, ancestral names, history and stories of the area through engagement with Te Taiwhenua o te Whanganui a Orotu and Ngati Parau. This may include:
 - i. The erection of pou whenua and/or cultural art on the development
 - ii. The possible gifting of names for precincts, streets and/or reserves
 - iii. The acknowledgement of stories in the form of plaques or memorials in the area
 - iv. Locally sourced fruiting and flowering natives appropriate for the environment
 - v. The acknowledgement of the historical pathways of Ngati Hinepare in the design of public pathways.

Mission Landscape

- n. Whether the proposed subdivision and development will maintain and enhance the special amenity of the Mission landscape, and where relevant, enhance the visitor activities associated with the Mission. Particular landscape outcomes include:
 - a. Retention of the visual dominance of the Grande Maison as the keynote building
 - b. Maintenance of the picturesque Mission landscape composition comprising of:
 - i. Foreground vineyard on the flat land adjoining Church Road
 - ii. Grande Maison and associated buildings on the middle-ground terraced spur
 - iii. Backdrop wooded hillside
 - c. Retention of other characteristic elements including:
 - i. Views of Pukekura / Sugar Loaf as a background feature (acknowledging that the hill falls outside the Mission Development Area)
 - ii. The distinctive avenue of pollarded plane trees and gateway from Church Road
 - iii. The separate cluster of 'retreat' buildings on the hillside at Mary Knoll.

It is noted that other buildings are part of the existing landscape including the cluster of winery buildings below the Grande Maison, including the historic cellars, the traditional woolshed, and other scattered rural buildings amongst the vineyard.

Woodland Hillside

- o. Whether the hillside facing Church Road, behind the Mission vineyard and Grande Maison, will be planted with trees established prior to subdivision of the Residential Precinct and retained as a woodland to achieve the following specific outcomes:
 - i. A high amenity landscape comprising a mix of deciduous and evergreen species.
 - ii. A green skyline and backdrop to the Mission landscape when viewed from Church Road.
 - iii. The screening of houses in the Residential Precinct when viewed from Church Road.
 - iv. Provision for paths and 'art cabins' within the woodland (see assessment criteria (x)).

Long term retention of the woodland backdrop while providing for individual trees to be selectively harvested on an on-going basis. Such harvesting is not to apply to trees on the upper slopes so that the skyline retains a permanent screening function and is to be undertaken so that the green woodland backdrop is maintained.

Mission Rural Residential Precinct Buffer

- p. Whether the subdivision and development provides for a buffer between the Mission Residential Precinct and Mission Productive Rural Precinct and the adjacent properties to the south. Specific outcomes for the Mission Rural Residential precinct include:
 - i. Maintenance of open farmland on the Church Road frontage of the Mission Rural Residential Precinct
 - ii. Planting a band of indigenous vegetation (nominally 20m wide) on the south side of the Mission Residential Precinct to soften views of housing, and provide shelter, in the event the existing pine plantation is removed.

Taipo Stream Esplanade Reserve

- q. Any subdivision application for land in the Mission Development Area which falls with the Mission Productive Rural Precinct, and/or Mission Landscape & Visitor Precinct, and/or Mission Rural Residential precinct where sites of less than 4ha are created wholly and partly within 100m of the Taipo Stream will be subject to the provision of a 20m esplanade reserve requirement adjacent to those sites. The esplanade reserve of 20m allows for the protection of conservation values and particularly effective stormwater quality improvements, in addition to access for maintenance purposes. An esplanade reserve also provides for the mitigation of natural hazards, public access and recreational use. Not requiring the esplanade reserve at this point in time mitigates health and safety concerns of public access through a working vineyard. This allows the productive uses of the Mission Development Area to continue until such time as there is a change of land use away from rural activity.

Police Purposes	Minister of Police
Stormwater Detention	Napier City Council
State Highway 2	New Zealand Transport Agency
Stormwater Detention	Napier City Council
Meteorological Purposes	The Meteorological Service of New Zealand
Meteorological Purposes	The Meteorological Service of New Zealand
State Highway 2	New Zealand Transport Agency
Stormwater Detention	Napier City Council
Proposed Motorway	New Zealand Transport Agency
Electricity Distribution Purposes	Unison Networks Limited
Electricity Distribution Purposes	Unison Networks Limited
Electricity Distribution Purposes	Unison Networks Limited
Proposed Motorway	New Zealand Transport Agency
State Highway 50	New Zealand Transport Agency
State Highway 50	New Zealand Transport Agency
State Highway 50	New Zealand Transport Agency
[Napier Girls' High] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
Proposed Road	Napier City Council
Proposed Reserve	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited
Electricity Distribution Purposes	Unison Networks Limited
Proposed Motorway	New Zealand Transport Agency
Drainage Purposes for Stormwater Treatment and Disposal	Napier City Council
Proposed Road	Napier City Council
Proposed Reserve	Napier City Council
Proposed Road	Napier City Council
Drainage Purposes	Napier City Council
Proposed Road	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited
State Highway 2	New Zealand Transport Agency
State Highway 2 and 50	New Zealand Transport Agency

Works Depot	Land Information NZ
Proposed Drainage Reserve	Napier City Council
Proposed Road	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited
State Highway 50	New Zealand Transport Agency
Proposed Road	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited
Proposed Service Lane	Napier City Council
Electricity Distribution Purposes and Depot	Unison Networks Limited
State Highway 2 and 50	New Zealand Transport Agency
Proposed Road	Napier City Council
Proposed Road	Napier City Council
Proposed Road	Napier City Council
Proposed Road	Napier City Council
State Highway 2	New Zealand Transport Agency
[Napier Intermediate] School	Ministry of Education
State Highway 50	New Zealand Transport Agency
[Nelson Park] School	Ministry of Education
[Napier Girls' High] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
[Central] School	Ministry of Education
Telecommunication and Radiocommunication and ancillary purposes	Telecom New Zealand Limited
Radiocommunication and Telecommunication and Ancillary Purposes	The Radio Network Limited
Police Purposes	Minister of Police
Napier Court House	Minister for Courts
Proposed Service Lane	Napier City Council
Proposed Service Lane	Napier City Council
State Highway 2	New Zealand Transport Agency
Proposed Service Lane	Napier City Council
Proposed Road	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited

Proposed Drainage Reserve	Napier City Council
[Porritt] School	Ministry of Education
Proposed Motorway	New Zealand Transport Agency
[Tamatea Primary] School	Ministry of Education
State Highway 50	New Zealand Transport Agency
State Highway 50 and Motorway	New Zealand Transport Agency
[Tamatea Intermediate] School	Ministry of Education
[Tamatea High] School	Ministry of Education
State Highway 50	New Zealand Transport Agency
[Onekawa] School	Ministry of Education
[Colenso High] School	Ministry of Education
[Wycliffe Intermediate] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
State Highway 50 and Motorway	New Zealand Transport Agency
[Henry Hill] School	Ministry of Education
[Pirimai] School	Ministry of Education
Police Purposes	Minister of Police
Telecommunication and Radiocommunication and ancillary purposes	Telecom New Zealand Limited
Electricity Distribution Purposes	Unison Networks Limited
Electricity Distribution Purposes	Unison Networks Limited
[Marewa] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
Electricity Distribution Purposes	Unison Networks Limited
[Maraenui] School	Ministry of Education
[Richmond] School	Ministry of Education
State Highway 2	New Zealand Transport Agency
[Te Awa] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
[Napier Boys' High] School	Ministry of Education
Flood Detention Dam and Ponding Area	Hawke's Bay Regional Council
Flood Detention Dam and Ponding Area	Hawke's Bay Regional Council
Water Supply Purposes	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited

Flood Detention Dam and Ponding Area	Hawke's Bay Regional Council
Proposed Road	Napier City Council
Telecommunication and Radiocommunication and ancillary purposes	Telecom New Zealand Limited
Police Purposes	Minister of Police
[Taradale Primary] School	Ministry of Education
[Bledisloe/Fairhaven] Schools	Ministry of Education
Proposed Road	Napier City Council
[Greenmeadows] School	Ministry of Education
State Highway 50 and Motorway	New Zealand Transport Agency
Proposed State Highway 50 and Motorway	New Zealand Transport Agency
State Highway 50 and Motorway	New Zealand Transport Agency
Proposed Stormwater Drainage and Reserve Purposes	Napier City Council
Electricity Distribution Purposes	Unison Networks Limited
Stormwater Drainage and Reserve Purposes	Napier City Council
Soil Conservation and River Control	Hawke's Bay Regional Council
State Highway 2	New Zealand Transport Agency
Soil Conservation and River Control	Hawke's Bay Regional Council
Electricity Substation	Transpower NZ Limited
Electricity Distribution Purposes	Unison Networks Limited
Flood Detention Dam and Ponding Area	Hawke's Bay Regional Council
Proposed Road	Napier City Council
[Taradale Intermediate] School	Ministry of Education
[Taradale High] School	Ministry of Education
Proposed Road	Napier City Council
Proposed Road	Napier City Council
State Highway 50 and Motorway	New Zealand Transport Agency
Proposed State Highway 50 and Motorway	New Zealand Transport Agency
[Arthur Millar] School	Ministry of Education
Electricity Distribution Purposes	Unison Networks Limited
[Meeanee] School	Ministry of Education
Soil Conservation and River Control	Hawke's Bay Regional Council
State Highway 2	New Zealand Transport Agency

Electricity Distribution Purposes	Hawke's Bay Network Limited
State Highway 2	New Zealand Transport Agency
Proposed Road	Napier City Council
Proposed Road	Napier City Council
Proposed Road	Napier City Council
Proposed Stormwater Drainage	Napier City Council
Hawkes Bay Airport Height Control Designation	Hawkes Bay Airport Limited
Airport Purposes	Hawkes Bay Airport Limited
Westshore School	Ministry of Education
Port Ahuriri School	Ministry of Education

SCHED1 – Schedule of Notable Trees

Notable Trees

This schedule lists the notable trees in the district that are protected.

Site ID	Common Name	Botanical Name	Address	Single/Group	No. of Trees
1	Norfolk Island Pines (4) and Pohutukawa (3)	Araucaria heterophylla and Metrosideros excelsa	Corner Coote Road and Marine Parade	Group	7
2	Southern Magnolia	Magnolia grandiflora	Corner Thistle Street and Georges Drive	Single	1
3	Pohutukawa	Metrosideros excelsa	Corner Jull and Carnell Streets	Single	1
4	Norfolk Island Pines	Araucaria heterophylla	Marine Parade & State Highway 2	Group	350
5	Red River Gum	Eucalyptus ficifolia	Tom Parker Avenue	Group	68
6	Canary Islands Palm	Phoenix canariensis	Kennedy Road	Group	51
7	Canary Island Pine	Pinus canariensis	France Road Reserve	Single	1
8	Prickly cycad	Encephalartos altensteinii	Clive Square	Single	1
9	Blue Atlantic Cedar	Cedrus atlantica glauca	Clive Square	Single	1
10	Albany Red Gum	Corymbia ficifolia	Nelson Crescent Road Reserve (outside 143 Nelson Crescent)	Single	1
11	Himalayan Cedar	Cedrus deodara	Clive Square	Single	1
12	Mexican Hand Tree	Chiranthodendron pentadactylon	Clive Square	Single	1
13	Senegal Date Palm	Phoenix reclinata	Nelson Park	Single	1
14	Red River Gum	Eucalyptus ficifolia	Botanical Gardens	Single	1

15	Himalayan Hemlock	<i>Tsuga dumosa</i>	Botanical Gardens	Single	1
16	White Tea Tree	<i>Leptospermum ericoides</i>	Botanical Gardens	Single	1
17	Gordonia	<i>Gordonia axillaris</i>	Botanical Gardens	Single	1
18	Italian Cypress	<i>Cupressus sempervirens</i> var. <i>sempervirens</i>	Park Island Cemetery	Group	23
19	Japanese Pagoda Tree	<i>Sophora japonica</i>	Wharerangi Cemetery	Single	1
20	Water Gum	<i>Tristania laurina</i>	Wharerangi Cemetery	Single	1
21	Puriri	<i>Vitex lucens</i>	Morris Street	Group	23
22	Aleppo Pine	<i>Pinus halepensis</i>	Taradale Cemetery	Single	1
23	Monkey Puzzle	<i>Araucaria araucana</i>	Nelson Park	Single	1
24	Brisbane Box	<i>Lophostemon confertus</i>	Taradale Cemetery	Single	1
25	Himalayan Cedar	<i>Cedrus deodara</i>	Botanical Gardens	Single	1
26	Sycamore	<i>Acer pseudoplatanus</i>	Botanical Gardens	Single	1
27	Monterey Pine	<i>Pinus pinaster</i>	Botanical Gardens	Single	1
28	Tree of Heaven	<i>Ailanthus altissima</i>	Botanical Gardens	Single	1
29	Linden Lime	<i>Tilia cordata</i>	Munroe Street Road reserve	Group	5
30	Oriental Plane	<i>Platanus orientalis</i>	Munroe Street Road reserve	Group	11
31	London Plane	<i>Platanus acerfolia</i>	Munroe Street Road reserve	Group	5
32	English Elm	<i>Ulmus procera</i>	Munroe Street Road reserve	Group	10
33	Pohutakawa	<i>Metrosideros excelsa</i>	Between Marine Parade & Herschell Street (outside the Masonic)	Group	2
34	Pohutakawa	<i>Metrosideros</i>	Herschell Street	Group	2

		excelsa	opposite County Hotel		
35	Pohutakawa	Metrosideros excelsa	Corner Herschell Street and Tennyson Street	Single	1
36	Pohutakawa	Metrosideros excelsa	Corner Herschell and Tennyson Streets	Single	1
37	Totara	Podocarpus totara	Carnell Street Road reserve	Group	11
38	Pohutakawa	Metrosideros excelsa	Taradale Clock tower, Gloucester Street	Group	2
39	Moreton Bay Fig	Ficus macrophylla	Kennedy Road Holiday Park next to unit 32	Single	1
40	Swamp Cypress	Taxodium distichum	Wharerangi Cemetery (next to Cato Road entrance)	Group	2
41	Pohutakawa	Metrosideros excelsa	Corner Waghorne Street and Battery Roads (road reserve)	Single	1
42	Puriri	Vitex lucens	119 Tennyson Street (next to Municipal Theatre)	Single	1
43	Norfolk Island Pine	Araucaria heterophylla	Domain Road reserve	Group	8
44	Pohutakawa	Metrosideros excelsa	Domain Road reserve (next to dump station)	Single	1
45	Norfolk Island Pine	Araucaria heterophylla	Pandora Road reserve	Group	5
46	Norfolk Island Pine	Araucaria heterophylla	Pukeko Place Road reserve	Group	9
47	London Plane	Platanus acerfolia	Anderson Park opposite 17 Islington Place	Single	1
48	English Oak	Querus robur	Meeanee Road reserve	Group	18

49	Himalayan Cedar	Cedrus deodara	Botanical Gardens (path near Napier Terrace end)	Single	1
50	Monkey Puzzle	Acaucaria bidwillii	Botanical Gardens	Group	2
51	Mexican White Cedar	Cupressus lusitanica	Botanical Gardens (near Napier Terrace end)	Single	1
52	Macrocarpa	Cupressus macrocarpa	Botanical Gardens	Single	1
53	Stone Pine	Pinus pinea	Anderson Park (next to Skate bowl)	Single	1
54	Norfolk Island Pine	Araucaria heterophylla	Botanical Gardens (next to Aviary)	Single	1
55	Mexican White Cedar	Cupressus lusitanica	Botanical Gardens (next to toilets)	Single	1
56	Albany Red Gum	Corymbia ficifolia	Botanical Gardens (near amphitheatre)	Single	1
57	Himalayan Cedar	Cedrus deodara	Botanical Gardens (first steps top of amphitheatre)	Single	1
58	Scots Pine	Pinus sylvestris	Botanical Gardens (top of amphitheatre)	Single	1
59	Dawn Redwood	Metasequoia glyptosroboides	Botanical Gardens	Single	1
60	Himalayan Cedar	Cedrus deodara	Botanical Gardens (near Spencer Road)	Single	1
61	Lawson cypress	Cupressus lawsoniana	Botanical Gardens	Single	1
62	Mexican White Cedar	Cupressus lusitanica	Botanical Gardens (near the Monkey Puzzle tree)	Single	1
63	Himalayan Cedar	Cedrus deodara	Botanical Gardens (near	Single	1

			the cemetery)		
64	Queensland Kauri	Agathis robusta	Botanical Gardens (near Simla Road)	Single	1
65	London Plane	Platanus acerfolia	Station Street Road reserve	Group	9
66	Willow peppermint	Eucalyptus nicholii	Taradale Road Road reserve (outside 360 Taradale Road)	Single	1
67	Norfolk Island Pine	Araucaria heterophylla	Hardinge Road Road reserve	Group	28
68	English Oak	Querus robur	Hetley Crescent Reserve	Group	2
69	Pohutukawa	Metrosideros excelsa	Station Street (outside Civic Building)	Group	2

SCHED2 - Schedule of Natural Features and Landscapes

This is a summary of landscape values for Napier's significant natural features and landscapes, and the attributes that underpin those values. For completeness, reference needs to be made to the full Napier Landscape Study available on our website.

Outstanding Natural Feature:

ONF-01: Ōtātara-Hikurangi

Values:

- Ōtātara-Hikurangi has outstanding values as a distinctive sentinel landmark, of great cultural and historical significance, commanding the southern end of the District, and as a bulwark at the end of the Taradale Hills. These values are accentuated by the patina of extensive pā earthworks.

Valued attributes (characteristics and qualities):

- The dominance of the landmark proud on an open skyline unchallenged by encroaching development or plantations.
- The legibility of the archaeological earthworks over the upper slopes and spurs accentuated by the open grassland land cover.
- Buffering (physical and visual) from nearby development that would undermine Ōtātara-Hikurangi as a contemplative place.
- The unobstructed outlook over the coastal plain.
- The physical and visual connection to the Tūtaekuri River.

Special Character Landscapes:

SCL-01: Taradale Hills

Values:

- The values of the Taradale Hills' as a natural skyline and backdrop to the coastal plain and city, and for recreational open space in places that are a destination for hill-top walks and provide outlook over the city (the value of which would be amplified by connection of sections to form a continuous track).

Valued attributes (characteristics and qualities):

- The long, undulating skyline distinguished by the two dominant landmarks of Ōtātara-Hikurangi and Pukekura/Sugar Loaf
- The predominantly natural appearance of the skyline and upper slopes, with development recessive and unobtrusive relative to natural landform and vegetation
- The sections of walking tracks (with potential to be connected)
- Open views over the coastal plains and city.

SCL-02: Esk Hills/Heipipi

Values:

- The Esk Hills/Heipipi are valued as a sentinel landmark (one of the District's three sentinels with Mataruahou and Ōtātara) of great cultural and historical significance, commanding and defining the northern end of the Te Whanganui-ā-Orotū landscape, and the District. These values accentuated by pā and occupation sites evident in certain places on the hill.

Valued attributes (characteristics and qualities):

- The hill's continuing legibility as a natural landform (despite development) due to the relatively undeveloped steep perimeter hillsides (to south, east, and north), development being predominantly limited to hilltops and within a matrix of natural vegetation
- Sightlines that maintain the historical connection between Heipipi Pā and Te Whanganui-ā-Orotū (e.g. with Roro-ō-kuri, Keteketerau, Mataruahou)
- The openness of archaeological sites and their buffering (visually and physically) from development that would undermine their nature as contemplative places.
- Public awareness and access to Heipipi Pā

SCL:03 Te Whanganui-ā-Orotū

Te Whanganui-ā-Orotū is an expansive and open landscape comprising the Ahuriri estuary and outfall channels, the seabed of the former lagoon, and the features of former shorelines, islands, and barrier shingle spits. The landscape is anchored by the sentinels of Mataruahou/Napier Hill and Heipipi/Esk Hills. The Te Whanganui-ā-Orotū landscape makes up a significant portion of Napier's non-urban area.

Values:

- The importance of the landscape to Napier's sense of place because of its unusual and distinctive nature, its expression of significant historical events pre and post-Earthquake that are central to Napier's identity, and its importance as the historical focus of the District for mana whenua along with the events and meanings associated with its features. It is also recognised has a significant earth-science feature.
- Te Whanganui-ā-Orotū has value as a whole landscape more than the sum of its parts. In addition to the individual values listed below, each feature also contributes to the group value of Whanganui-ā-Orotū.

Valued attributes (characteristics and qualities):

- The distinctive combination of features (former islands, barrier spits, shorelines) in the unifying context of the former lagoon sea floor.
- The collective histories, narratives, and meanings associated with Te Whanganui-ā-Orotū.
- The scale and openness of Te Whanganui-ā-Orotū against the backdrop of the western hills.

*Ahuriri Estuary and Outfall Channel (Middle and Upper Estuary)**Values:*

- The estuary's value as a residual element and context for the formerly much more expansive Te Whanganui-ā-Orotū.
- Its aesthetic value as a natural feature, and expression of natural processes, near the heart of the

city.

- Its strategic importance as estuarine habitat for marine life and wading birds (including seasonal migrating birds)
- The cultural values of the estuary arising from its intrinsic natural attributes, historical associations, and source of kai moana
- Its value for recreation including water-based (in the lower estuary), and nature-based activities (walking, cycling)

Valued attributes (characteristics and qualities):

- The continuing tidal processes and their associated natural features (shell and shingle spits, mud banks, salt marsh)
- The continuing ecological processes (including habitat quality for marine and bird life)
- The natural character of the estuary and its margins.
- The natural character of the shoreline with the western hills, including naturalness of relict beaches, inlets, and cliffs.
- Relative remoteness and placidness of the middle and upper estuary
- Evident presence of wildlife (birds and fish)

Former lagoon sea floor

Values:

- The value of the open plain is as an expression of the former lagoon seabed as the unifying element of Te Whanganui-ā-Orotū landscape

Valued attributes (characteristics and qualities):

- Its flatness, openness, and expansiveness: Its legibility as the former seafloor
- Integrity and legibility of former shoreline elements (beaches, headlands, spits) around islands, and along the barrier shingle spits and western shoreline.
- Legibility of the dips in the western barrier spit and that adjacent wetlands as an expression of the former entrance channels at Keteketerau (the Beacons)

Individual special character features within Te Whanganui-ā-Orotū:

SCF:01 Poraiti Pā (Pā Poto)

Values:

- Poraiti Pā is a small headland, amplified by pā earthworks, that has values as the most distinctive remnant and centre-piece of a significant cultural landscape that occupied the former Poraiti Bay. The cultural landscape context for Poraiti Pā include Ohuarau (opposite headland), the adjacent Hinewaka Cliffs, the urupā on the adjacent Rere-ā-Tawhaki spur, the location of the Tiheruheru settlement within the bay, and connections to the wider Te Whangui-ā-Orotū landscape.

Valued attributes (characteristics and qualities):

- Local prominence as a landmark and its legibility as a pā accentuated by the open grassland land cover.
- Visual and physical buffering from dominating development that would undermine the pā as a

contemplative place.

- Unobstructed views from the pā over Poraiti Bay and Te Whanganui-ā-Orotū and access between the pā and shoreline.

SCF-02: Ohuarau Pā Headland

Values:

- Ohuarau is peninsula headland that has values as a natural landmark in a prominent location at the main bend of the outfall channel, with historical significance as a former pā commanding the southern side of Poraiti Bay (see Poraiti Pā above).

Valued attributes (characteristics and qualities):

- The headland's prominence, terminating sightlines along the outfall channel, and proud of Te Whanganui-ā-Orotū's western shoreline.
- The natural character of the headland comprising of its perimeter cliffs and shoreline, and its summit unencumbered by visible development.

SCF-03: Tapu-te-Ranga (the Watchman)

Values:

- Tapu-te-Ranga has values as a solitary landmark rising abruptly from the featureless former lagoon seabed, its distinctiveness captured by its colloquial name of 'the Watchman'. It has cultural significance as a tapu site for important baptisms, and historical associations with Kahungunu. Exposed fossils in the stack also have earth science significance.

Valued attributes (characteristics and qualities):

- Prominence and legibility as an isolated feature including the contrast with the flatness and openness of the surrounding former lagoon seabed.
- Physical integrity as a natural feature, including integrity of the subtle former shoreline features.

SCF-04: Roro-ō-Kurī

Values:

- Roro-ō-Kurī has values as the largest and most important of the former islands of Te Whanganui-ō-Orotū, with the most intricate stranded shoreline, and substantial cultural and historical significance. Its historical associations are amplified by headland pā, the most distinctive of which is Otiere. It is associated with the voyaging narratives of Tamatea Pokaiwhenua and Kahungunu who brought their waka to the island. Roro-ō-kurī affords commanding 'island' views of the Te Whanganui-ō-Orotū landscape and is a destination for walkers and cyclists.

Valued attributes (characteristics and qualities):

- Prominence and legibility of the hill as a former island including the contrast with the flatness and openness of the surrounding former lagoon seabed
- Physical integrity of the former island as a natural feature, including its stranded shoreline features

- Fidelity of the perimeter path to the natural shoreline (accentuating legibility of the shoreline and island)
- Panoramic views over Te Whanganui-ō-Orotū from the hilltops, headlands, and shoreline (including visual connections with Ihu-ō-Te-Rei and Keteketerau)

SCF-05: Te Iho-ō-Te Rei (Quarantine Island)

Values:

- Te Iho-ō-Te Rei is a small, flat-topped former island that has values as a landmark on the approach to Napier from the north, cultural significance as a pā and urupā, and historical associations as a former quarantine island. It forms part of a group of closely related features in conjunction with the nearby Roro-ō-kurī and Keteketerau.

Valued attributes (characteristics and qualities):

- Prominence and legibility of the hill as a former island including its contrast with the flatness and openness of the surrounding former lagoon seabed, buffered from encroaching development.
- Its natural character, comprising natural landform (including former cliffs and shoreline features) and vegetation.
- Visual connections with Roro-ō-kurī and Keteketerau.

SCF-06: Keteketerau

Values:

- Keteketerau has values as the only relatively natural section of the barrier shingle spit, coinciding with the location of the culturally significant former northern entrance to Te Whanganui-ā-Orotū. It provides important gateway views towards Mataruahou/Napier Hill across the bay, and inland over Te Whanganui-ā-Orotū to the backdrop western hills. The two historic shipping beacons (reflected by 'the Beacons' colloquial name for the locality) also contribute to the historical value of the area.

Valued attributes (characteristics and qualities):

- The open views toward Mataruahou/Napier Hill and over Te Whanganui-ā-Orotū
- Legibility of the natural form of the shingle spit, and of the former lagoon entrances expressed in the adjacent wetlands
- Visual connections, free of distracting development, between Keteketerau and the former islands controlling the northern entrance (Ihu-ō-Te-Rei and Roro-ō-Kurī)
- Natural processes and character on the seaward side of the spit (sights and sounds of the surf on the shingle, exposed shingle bank, exposure to the scale of Hawke Bay and an open horizon)

SCF-07: Pukeiohio/Puka/Te Umuroimata

Values:

- Pukeiohio/Puka/Te Umuroimata (collectively 'Park Island') have values as a landmark cluster of former islands in a highly visible location (adjacent to Prebensen Drive) overlooking the southern end of Te Whanganui-ā-Orotū. Pukeiohio and Puka have significance as historic and current cemeteries (Park Island and Western Hills respectively), and Te Umuroimata as a former battle

site and urupā.

Valued attributes (characteristics and qualities):

- Legibility of the three features as a group of former islands, including a sufficiently wide buffer of flat open land to provide a contrasting expression of the former lagoon seabed.
- Legibility of Pukeiohiohio and Puka as natural hills with relatively undeveloped steep perimeter scarps, and cemetery development within a matrix of trees on the top of the islands.
- Legibility of Te Umuroimata as a natural landform maintained by the contrast between its natural vegetation cover and surrounding open flat ground.
- Panoramic views from places on Pukeiohiohio and Puka over Te Whanganui-ā-Orotū to the north and east.

SCF-08 Pukekura/Sugar loaf

Values:

- Pukekura/Sugar Loaf has values as a memorable landmark that is an emblem for Taradale and a source of identity for the area (its colloquial name being in the form of a term of endearment/familiarity). These values are reinforced by its value as a lookout destination providing an overview of Taradale, views to regional landmarks, and as a key compositional element of the emblematic Mission landscape on Church Road. Pukekura was a pā with some cultural significance.

Valued attributes (characteristics and qualities):

- Unbroken (clean) silhouette of the distinctive symmetrical natural landform unencumbered by encroaching development, planting, or fencing.
- Unencumbered panoramic outlook over Taradale, and over the coastal plains to Hawke Bay and regional landmarks.
- Visually seamless connection with the Mission landscape as seen from Church Road.

SCHED3 - Draft Heritage Items Schedule

Ref. No.	HNZ Category	Name	Address	Legal Description	Heritage Category
1	ii	Balquhidder House	5 Balquhidder Road	Lot 2 DP 18808	2
2		Ellison & Duncan Facade	10 Barry Street	Lot 14 DP 24487	2
3		Shakespeare Road Tram Shelter	Corner Battery & Shakespeare Roads	Road Reserve	2
4	ii	Fitzgerald House	6a Battery Road	Lot 3 DP 3847	1
5	ii	Shepherds Cottage	20 Battery Road	Lot 3 DP 509564	1
6		Coastal Defence Boxes (x8)	Beach reserve	Beach reserve	2
7		Scinde Island House	2 Brewster Street	Part Town Section 152 Napier	2
8		Wilkinson Cottage	19 Brewster Street	Lot 11 DEEDS 427	2
9	ii	Hawke's Bay County Council/County Hotel	12 Browning Street	Lots 1-7 10 DP 6356 Int in ROW	1
10	ii	Ministry of Works	21-23 Browning Street	Sec 1, 2, 3 SO 9738	1
11		Selwyn's Rock/Moremore's Rock	21 Browning Street	Section 2 SO 9738	2
12		St John the Evangelist/Waiapu Cathedral, Cathedral of Saint John the Evangelist	28 Browning Street	Town Section 130, 131,132 Napier, Lot 1 DP 4224, Town Section 751 Napier	1
13	ii	Telephone Exchange	35 Browning Street	Pt TN Sec 717, Pt TN Sec 718, TN Sec 719	1
14			2, 4, 6, 8, 10, 12, & 14	LOT 1 DP 13901, LOT 1,2,	2

			Carnell Street	3, 4, 5 & 6 DP 6410,	
15		Old Napier Cemetery Shelter (former porch of St Andrew's Church)	Chaucer Road, Botanical Gardens	Cemetery Survey Office Plan 805	2
16	i	Ormond Chapel	55 Chaucer Road South	Pt Lot 29 DDP 718	1
17	ii	Anleigh Heights	115 Chaucer Road North	Lot 3 DP 26173	2
18	ii	House	23 Childers Road	Lot 3 DP 6158	2
19		La Grande Maison (Mission Estate Winery) & observatory base	198 Church Road	Part Lot 1 DP 27138	2?
20	ii	Blythe Fountain	5 Clive Square East	Lot 6 DP 22314	1
21	i	Women's Rest	5 Clive Square East	Lot 3 DP 22314	1
22		Trinity Methodist Church (including interior)	32 Clive Square East	Town Section 199 Napier	2
23	ii	Cenotaph	35 Clive Square East	Lot 6 DP 22314	1
24		Waterworths	54 Clive Square East	Pt Lot 1 DP 1146	1
25		Napier Girls' High School Main Block	4 Clyde Road	Part Suburban Section 90 Napier	1
26		Samuel Begg's House	17 Clyde Road	Part Suburban Section 85 Napier	2
27	ii	Ben Lomond	18 Clyde Road	Pt Lot 1 DP 9167	2
28	ii	Cluden Bank	1-6/24 Clyde Road	Lot 2 DP 317783	2
29		Taumata House	1-3/25 Clyde Road	Lot 3 DP 6941, Part Lot 2 DP 6941	2
30	ii	Colenso Cottage	10 Colenso Avenue	Lot 2 DP 7647	2
31		Old Bakery/Store	22 Coote Road	Lot 1 DP 469895	2

32		Old Napier Prison	55 Coote Road	Lot 1 DP 22991	1
33	ii	Drill Hall	56 Coote Road	Town Sec 713 Napier, Drill Shed Reserve	2
34	i	Napier Prison Wall	55 Coote Road	Lot 1 DP 22991	1
35	ii	Lower Prison Wall	55 Coote Road	Lot 1 DP 22991	2
36	ii	House	31 Coote Road	Lot 1 DP 10952	2
37	ii	Former Customhouse	1 Custom Quay	Lot 3 DP 22454	2
38	ii	Foundations of the former St Paul's Church	2 Dalton Street	Lot 1 DP 26528 and Lot 1 DP 25661	2
39	ii	Hildebrandt's	18-20 Dalton Street & 90 Tennyson St	Pt Lot 1 DP 2324	1
40	i	Hotel Central	47-61 Dalton Street & 183-189 Emerson Street	Pt TN Sec 204 & 205 Napier	1
41		CD Cox	58 Dalton Street	Pt TN Sec 206 SO 5008	1
42	ii	Masson House	66 Dalton Street	Lots 1 & 2 DP 6057	1
43		CB Hansen	73-81 Dalton Street	Pt Lot 3 DP 21781	1
44		Dalton Chambers	93 Dalton Street	Pt Lot 2 DP 21781	1
45		HB Farmers Garage	97 Dalton Street	Pt Lot 2 DP 21781	1
46		Chisholm Building	1-3/128 Dalton Street	Pt TN Sec 263	1
47	ii	Post Office	1-6/7, 1 Dickens Street, 151 Hastings Street	Lot 1 DP 6129	2
48	ii	Golding Building	38 Dickens Street	TN Sec 268 Napier	1

49	ii	Gaiety Theatre	88-94 Dickens Street	Pt TN Sec 264 Napier	1
50	ii	Dalgety Building	105 Dickens Street, 88 Dalton Street	Lots 1 & 2 DP 4400, and int in ROW	1
51	ii	State Theatre	110 Dickens Street	Lot 1 DP 26516	1
52		HB Farmers Co-op	141 Dickens Street	Lot 1 DP 21781	1
53	ii	Forresters Hall	176 Dickens Street	Lot 1 DP 383525	2
54	ii	Post Box	Corner of Emerson Street & Dalton Street. Extent includes surrounding curtilage of 1m in all directions	Pt Town Sec 205 Napier, Legal Road, Hawke's Bay Land District	1
55	i	T & G Building	1-8/1 Emerson Street, 101 Marine Parade	Lots 1 & 2 DP 6368 (Supplementary: Unit 1 and Accessory Unit 1 DP 343200)	1
56	i	Criterion Building	40-62 Emerson Street, 81-89 Hastings Street, 6-8 Market Street	Lot 1 DP 20497 (Supplementary: Unit A-G, I, DP 10498; A, U DP 22673)	1
57		Hannah's	49 Emerson Street	Lot 1 DP 15543	1
58	ii	McGruers Building	69-91 Emerson Street	Pt Tn Sec 212 & 213 SO 5008, Pt Lot 6 DP 3408	1
59	ii	HB Chambers	78-82 Emerson Street	Pt Tn Sec 170 Napier	1
60		Emerson Building	93 Emerson Street	Lot 1 DP 8905	1

61		Olympic Properties	116-118 Emerson Street	Lot 1 DP 6324	1
62	ii	Olympic Properties Building	112 Emerson Street	Lot 2 DP 6324	1
63		Clausens Building	105-111 Emerson Street	Lot 2 DP 8905, Pt Lots 1-4 DP 5325	1
64	ii	Smith and Chambers Building	122-132 Emerson Street	Pt Lot 5 DP 2324	1
65		Hurst's Building	125 Emerson Street	Lot 2 DP 5244	1
66	ii	Former Triggs and Morgan Building	131 Emerson Street	Pt Lots 1 & 2 DP 5288	1
67		JS Golding	134 Emerson Street	Pt Lot 4 DP 2324	1
68		Rice's Building	143, 147 Emerson Street	Pt Lot 1 DP 14390	1
69	ii	Self Help Shoppers Fair Building	144 Emerson Street	Pt Lots 1 & 2 DP 4865	1
70		Gallate's	148 Emerson Street	Lot 3 DP 6825	1
71		Lockyer's Building	153-155 Emerson Street	Lot 1 DP 5160 (Supplementary: UNIT 3 DP 363118 & ACCESSORY UNIT 3-4, 6 & 1/3)	1
72		(Former) Reading's Building	152 Emerson Street	LOT 2 DP 6825	1
73	ii	Briasco's Building	156 & 162 Emerson Street	Lot 3 DP 2324 & Pt Lot 1 DP 5204	1
74		Welsfords	157 Emerson	PT Lot 1 DP 4614	1

			Street		
75	ii	Kidson's Corner Building	172 Emerson Street & 26- 28 Dalton Street	Lot 1 DP 6088	1
76	ii	Napier Building	174-180 Emerson Street	Pt Lot 1 DP 4856	1
77		Burton's Building	182 Emerson Street	PT TN SEC 162 NAPIER	1
78	ii	CE Rogers Building	190 Emerson Street	PT TN SEC 162 NAPIER	1
79		Fenwick Building	196-200 Emerson Street	Pt Lot 1 DP 6176	1
80		A King Building	202 Emerson Street	Lot 2 DP 1761	1
81		Mid City Plaza	205-221 Emerson Street, 137- 141 Dickens Street	Lot 1 DP 21781 LOT 1 DP 25914	1
82		Singer Building	208 Emerson Street	Lot 1 DP 1761	1
83		Colenso Chambers	210-222 Emerson Street	Lot 1 DP 25329 (Supplementary: Units 1, 2, 6, and 7 DP 25414)	1
84		Hope Building	226 Emerson Street	Lot 2 DP 11892	1
85		Shanghai Building	232 Emerson Street	Lot 1 DP 11892	1
86		Stevens Building	242-246 Emerson Street	Lots 1 and 2 DP15645	1
87		Loo Kee & Co	239 Emerson	LOT 1 DP 6805	1

			Street		
88		Boylands	245-247 Emerson	LOT 1 DP 27839 (Supplementary: UNIT 2 DP 27934)	1
89	ii	Provincial Hotel	256-262 Emerson Street	LOT 1 DP 367243 (Supplementary: UNIT 2 DP 378008 & ACCESSORY UNIT 2 DP 378008; UNIT 1 DP 378008 & ACCESSORY UNIT 1 DP 378008)	1
90		Methodist Trustees Building	251, 251a Emerson Street	PT TN SEC 200 NAPIER	1
91		Concord House	269-279 Emerson Street, 28 Clive Square East	PT LOT 1 DDP 641	1
92	ii	Petane Grange (Dwelling)	45 Eskdale Drive	Pt Lot 2 DP 12966	2
93		Vigor Brown House	28a George Street	Lot 1 DP 14972	2
94		Coach House	9 Gladstone Road	Lot 1 DP 7110	2
95	ii	War Memorial & Clock Tower	193a Gloucester Street	Secs 1 and 2 SO 454293	1
96		Taradale Hotel (McDonalds)	330 Gloucester Street	LOT 1 DP 26682, SEC 1 SO 10725	1
97	ii	House	3 Hadfield Terrace	LOT 1 DP 348560	2
98		The Mount/The Large House	4 Hadfield Terrace	Lot 4 DP 17935	2
99			24 Hardinge Road	Lot 3 DP 4292	2
100			32 Hardinge	Lot 1 DP 26160	2

			Road		
101	ii	Knox Church & Hall	33 Hardinge Road	Tn Sec 480 Napier	1
102		Peggy Higgins House	73 Hardinge Road	Part Town Section 457 Napier	2
103		Diamond Drycleaners	2 Hastings Street	Lot 6 DP 6356	1
104		Abbott's Building	4, 6, 14 & 18 Hastings Street	Lot 5 DP 6356, Lot 1 DP 6096, Pt Lot 1 DP 2310, Pt Lot 2 DP 6096	1
105		Barry Bros. Building	21 Hastings Street	Lot 1 DP 233	1
106		Former McKenzie's Building	24 Hastings Street	Lot 3 DP 20353	1
107	ii	Ringland's Building	29-31 Hastings Street	Pt Town Section 135 Napier	1
108	ii	Former Bank of New South Wales Building	32 Hastings Street	Lot 1 DP 8717	1
109	i	Harstons Building	33-35 Hastings Street	Lot 1 DP 5069	1
110	ii	Thorp's Building	40 & 42 Hastings Street & 4 Herschell Street	Lot 1 & 2 DP 6126	1
111		Cox's Building	44 & 46 Hastings Street	Pt Town Section 138 Napier	1
112		Holland's Building	52 Hastings Street	Pt Town Section 138 Napier	1
113		Former Robert Holt Building	52 Hastings Street & 17, 21, and 23 Tennyson Street	Section 1 SO 4372 & Pt Town Section 138 Napier	1
114		Ritchie's	45 & 45A Hastings Street	Lot 3, 4 & 6 DP 6127	1
115		Byrant Building	61 Hastings	Lot 1 DP 6127	1

			Street		
116	ii	Masonic Hotel	64-74 Hastings Street, 2 Tennyson Street	PT TN SEC 172 NAPIER, PT TN SEC 173 NAPIER, and int in ROW	1
117	i	ASB Bank	100 & 104 Hastings Street	Lot 1 DP 24894	1
118		Mutual Chambers	103, 105, 108, 110 Hastings Street	Pt Town Section 271 Napier	1
119		McClurgs	116 & 118 Hastings Street	Pt Town Section 272 Napier	1
120	ii	Former Blythes Building	125, 127, 129 Hastings Street & 65 Emerson Street	Lot 3, 4, 5 DP 1211	1
121	ii	Bennett's Building	131-139 Hastings Street	Lot 25 Deeds 33	1
122		Former Bestall's Building	134 Hastings Street & 123 Marine Parade	Pt Town Section 272 Napier	1
123		Haynes Building	136 Hastings Street	Lot 1 DP 462753	1
124		Friv's Variety Theatre	164 Hastings Street	Lot 1 DP 1957	1
125		Hyde's Building	141-145 Hastings Street	Lot 1 DP 17553	1
126		Callinicos Building	164 Hastings Street	Lot 1 DP 6719	1
127	ii	Paxie's Building	180-184 Hastings Street	Lot 1 DP 449657	1
128		Former Northe's Building	192 Hastings Street	Lot 1 DP 6110	1
129		Arkwright's Store	422 Hastings Street	Lot 1 DP 957	2

130	ii	Cottage	445 Hastings Street	Pt Lot 6 DDP 30	2
131	ii	House	463 Hastings Street	Pt Town Section 313 Napier	2
132	ii	Lamp	Herschell Street (currently in storage at Depot)	Road Reserve	2
133	ii	Parkers Chambers	10 Herschell Street & 24A Hastings Street	Lot 1 & 2 DP 20353	1
134	ii	Former AA Building	14 Herschell Street	Pt Lot 1 DP 1783	2
135		King George's Hall	1 Hill Road	Part Lot 1 DP 2563	1
136		Frederick Williams House: Te Rawhiti, now Warrawong	9 Hukarere Road	Lot 2 DP 7110	2
137	ii	Mahia (dwelling)	11 Hukarere Road	Lot 2 DP 4869	2
138		Jull Road Coker Memorial Gates & Morris Street Harvey Memorial	Jull Road and Morris Street		2
139	ii	Gilberd & Co. building	47 Kennedy Road	Lot 5 & 6 DP 3949	2
140	ii	Part of Nelson Park School, incorporating: · Main Classroom Block · Jubilee Hall · boundary wall & gates · lych-gate	48 Kennedy Road	Lot 599, 600, 601, 603, 604, 609, 610, 611, 612 DP 2497	2
141		Marewa Shopping Centre	106-144a Kennedy Road & 28-29 Douglas McLean Avenue	LOT 1, 2, 3, 4, 7 and 8 DP 8979 LOT 1 and 2 DP 16355 LOT 2, 3, 4, 5, 6, 7, 9 and 10 DP 7893 LOT 1-4 DP 7989 LOT 1 DP	2

				14580	
142		Donald McLean's Memorial Cairn	32 Latham Street	LOT 1 DP 432808	2
143	ii	Lincoln Grange (House)	16 Lincoln Road	Pt Lot 11 DP 9519	2
144			5 Lucy Road	Lot 1 DP 516631	2
145	ii	Cottage	15 Main Street	Town Section 20 Napier	2
146	ii	Cottage	24 Main Street	Lot 2 DP 19689	2
147	ii	Kane Carding Co Building	32 and 32A Main Street	Lot 2 DP 406668 & Lot 1 DP 346877/Pt Lot 1 DP 1437	2
148	ii	Boer War Memorial	Road Reserve, Marine Parade	Road Reserve	1
150	ii	Clive Flood Memorial	Road Reserve, Marine Parade	Road Reserve	1
151	ii	Cluster Lamps	Road Reserve, Marine Parade	Road Reserve	1
152	ii	Seawall	Road Reserve, Marine Parade	Road Reserve	1
153	ii	Street Lamp	Road Reserve, Marine Parade	Road Reserve	1
154	i	Napier Soldiers' Club	39 Marine Parade	LOT 1 DP 392394	1
155	ii	Swan Memorial Paddling Pool Shelter	42 Marine Parade	Section 2 SO 396199	1
156		Napier War Memorial	48 Marine Parade	Section 2 SO 396199	2
157		Napier Working Men's Club	49 Marine Parade	Lot 1 DP 162	2

158	i	Hawke's Bay Club	53a Marine Parade, 9 & 9A Byron Street	Lot 1 & 2 DP 807, Pt Lot 1 & Lot 2 DDP 792	1
159		Pania statue	56 Marine Parade	Section 3 SO 396199	2
160		Tom Parker Fountain	56 Marine Parade	Section 3 SO 396199	1
161	i	Former Napier Courthouse	59 Marine Parade	Sec 1 SO 2726	1
162	ii	Hawke's Bay Earthquake Memorial Complex, incorporating: · New Napier Arch · Kirk Sundial · Harold Latham Arch · Robert Wright Arch · Colonnades · Veronica Sunbay	60 & 70 Marine Parade	Section 3 SO 396199 & Lot 1 DP 25889	1
163	ii	Spiller Reflecting Ball	60 Marine Parade	Section 3 SO 396199	2
164	ii	Sound Shell	70 Marine Parade	Lot 1 DP 25889	1
165	ii	House (Six Sisters)	185 Marine Parade	Lot 1 DP 12445	1
166	ii	House (Six Sisters)	189 Marine Parade	Lot 2 Deeds 763	1
167	ii	House (Six Sisters)	193 Marine Parade	Lot 3 DDP 763	1
168	ii	House (Six Sisters)	197 Marine Parade	Lot 1 DP 7138	1
169	ii	House (Six Sisters)	201 Marine Parade	Lot 2 DP 7138	1
170	ii	House (Six Sisters)	205 Marine Parade	Pt Lot 3 DP 7138 and int. in ROW	1
171		Ranui Flats	541 A-E Marine Parade	Lot 1 DP 327829	2
172	ii	House 'Bondi'	571 Marine Parade	Lots 8 & 9 DP 3822, & Pt Tn Sec 565 SO 9694	2
173		Arrowsmith House	29 McKeefry	Lot 2 DP 15716	1

			Avenue		
174		Taradale Town Hall	8 Meeanee Road	Lot 2 DP 22047	1
175	ii	St Mary's Church	199 Meeanee Road	Lot 3 DP 27296	2
176		Rita Angus' Family House	2 Milton Terrace	Part Lot 2 DP 4940	2
177		Louis Hay's House & Brick wall surrounding the property and garage	13 Milton Terrace	Lot 1 DP 7677	2
178		Milton Road State Flats (Former)	41-47a Milton Road	Lot 1 and 2 DP 26365, Lot 11 DEEDS 47	2
179		Napier CBD Street Name Signs	Napier CBD (various streets)	Roading Reserve	2
180		Former Bishop's Court	43 Napier Terrace	Part Lot 73 DEEDS 458	2
181	i	Rothmans Building, including: · Original Admin. Building · Industrial building to the rear	1 Ossian Street	Lots 1, 2, 4 DP 8332, Tn Secs 604, 605, 606, & 607 Part Town Section 608 Napier	1
183	ii	Cottage	7 Paradise Road	Lot 1 DP 6242	2
184	ii	Cottage	8 Paradise Road	Lot 2 DP 4310	2
185	ii	All Saints Church & Hall	23 Puketapu Road	Sub Sec 63 Meeanee, Sec 1 SO 9756	2
186	ii	House	2 Sealy Road	Lot 1 DP 16159	2
187		Holt's Lane Houses	17 Sealy Road (may also have interior listed), 502 and 504 Shakespeare Terrace, 12 and 14 Cameron	Lot 3 DP 5123 Part Lot 27 DEEDS 47 Lot 2 DP 10656 Lot 2 DP 7473 Part Lot 1 DP 7473	2

			Road		
188		Croyden (Blythe House)	23 Sealy Road	PT LOT 2 DDP 876	2
189			1, 2, 3, 4, 4A, 5, & 6 Seaview Terrace	Part Lot 4 DEEDS 427 Lot 5-10 DEEDS 427	2
190	i	Former AMP Building	1 Shakespeare Road	Lots 3, 5 & 6 DP 1112	1
191		Shakespeare Hotel	11 Shakespeare Road	Pt Tn Sec 149	1
192	ii	Dr Waterworth's House, Surgery & Stables	22, 1/22 and 2/22 Shakespeare Road, 22A Shakespeare Road	Lot 1 DP 6492 Lot 1 DP 3113	2
193		Union Bank of Australia residence & Union Bank of Australia Banking Chamber	61 and 63 Shakespeare Road	Lot 1 DP 26778 Part Lot 2 DP 4943	2
194	ii	House	181 Shakespeare Road	Lot 6 DP 7717	2
195		Rush & James Houses	505, 507, 509 & 511 Shakespeare Terrace, & 20 Cameron Road	PT LOT 1 DP 7233 LOT 1-4 DDP 739	2
196	ii	Cottage	2 Spencer Road	Lot 2 DP 3426	2
197		The Beacons	38 & 125 Main North Road (State Highway 2)	Section 1 SO 10213	2
198		Worker's Cottage	7 Swan Street	Lot 2 and 3 DP 139	2
199	ii	HB Museum	1 Tennyson Street	Lot 1 DP 28641	1
200	ii	NZ Insurance now known as 'Hallesdon House'	7 Tennyson Street	Lot 1 DP 19183	1
201	i	Market Reserve Building	28-34	Lot 1 DP 20497	1

			Tennyson Street, 63-77 Hastings Street, and 2-4 Market Street		
202	ii	Bowman Building	36-40 Tennyson Street & 1-7 Market Street	Lots 1, 4, 5, 8 & 9 DP 6107	1
203	ii	State Insurance Office Building	42 Tennyson Street	Pt Tn Sec 170	1
204	i	(Former) Daily Telegraph Building	49 Tennyson Street	Part Lot 1 DP 3371	1
205		(Former) McGlashan's Building	39 Tennyson Street	Lot 5 DP 6127	1
206		(Former) Macky Logan & Cadwell Building	47 Tennyson Street	PT LOT 1 DP 503	1
207	ii	Gladstone Chambers	50 Tennyson Street	Pt Tn Sec 169	1
208	ii	Tennyson Chambers	54 Tennyson Street	Lot 1 DP 6588	1
209		Devon House	58 Tennyson Street	Lot 1 DP 4302	1
210	ii	Munster Chambers	61 Tennyson Street	Pt Tn Sec 126	1
211	ii	Sainsbury, Logan & Williams Building	61 Tennyson Street	Pt Lot 1 DP 387 and Pt TN Sec 126	1
212	ii	(Former) Ross & Glendinning Building (Antiques Centre)	65 Tennyson Street & 17 Cathedral Lane	Lots 4 & 5 DP 6117	1
213	ii	Scinde Building	71 Tennyson Street	Lots 1, 2, 3 DP 6134 & Lot 6 DP 6117	1
214		Halsbury Chambers	74 Tennyson Street	Pt Tn Sec 166	1
215		(Former) McCulloch Butler & Spence Building	76 Tennyson Street	Lot 1 DP 5801	1
216		(Former) Murray Roberts Building	79 Tennyson Street	Lots 1 and 7 DP 6117	1
217		(Former) HB Building &	86 Tennyson	Pt Tn Sec 165	1

		Investment Society Building	Street		
218	i	Public Trust Building	100 Tennyson Street	Pt Tn Sec 163, Napier	1
219		(Former) Fenwick Flats	112 Tennyson Street	Lot 2 DP 6176	1
220		Salmon Motors	116 Tennyson St	Lot 3 DP 460	1
221	i	Municipal Theatre	119 Tennyson St	Lot 2 DP 27955	1
222		Red Cross Building	138 Tennyson Street	Lot 1 DP 6940	2
223	ii	(Former) Fire Chief's House (part of Deco Centre)	155, 155B & 155C and 157 Tennyson St	Lot 3 DP 327618, Lot 2 DP 327618	1
224	ii	Desco Centre (Former Napier Central Fire Station)	163 Tennyson St	Lot 1 DP 327618	1
225		Captain Todd's House	106 Thompson Road	Lot 2 DP 7831	2
226		Bluff Hill Water Tower	Thompson Road	Lot 2 DP 270	1
227		JJ Niven Manhole Covers (x4)	Waghorne Street,	Road Reserve	2
228		Buildings within the West Quay Waterfront Zone (including but not limited to those listed)	West Quay 60 - 68 West Quay 58 & 58A West Quay 56 West Quay	Tn Sec 590, 591 & 592 Napier, Tn Sec 764 Napier, Lot 1 DP 11188, Lot 1 DP 6028 Lot 1 DP 6122 Lot 2 DP 6122	1

			G01/1 – G03/1 Lever Street, 101/1- 107/1 Lever Street 201/1 – 216/1 Lever Street	Lot 1 DP321505	
			48 West Quay	LOT 1 DP 478162 & Lot 1 DP 4951	
			44 West Quay	Lot 2 DP 4951	
			40 West Quay	LOT 2 DP 478162	
			34-36 West Quay	TN SEC 601 NAPIER	
229		Part Wrightsons Woolstore within the Ahuriri Local Retail Zone (see Appendix 15 11A)	1/87 – 7/87 Bridge Street, 20A- G Waghorne Street	Lot 11 DP 28535	2
230		Union Hotel Façade	3 Waghorne Street	Lots 5 and 6 DP 6105	2
231		Crown Hotel Facade	22 Waghorne Street	LOT 1 DP 432115	2
184		Buildings within the West Quay Waterfront Zone (including but not limited to those listed)	West Quay 5 Customs Quay 9 Customs Quay 60 - 68 West Quay 58 & 58A West Quay	Lot 2 DP 22454 Lot 4 DP 22454 Tn Sec 590, 591 & 592 Napier, Tn Sec 764 Napier, Lot 1 DP 11188, Lot 1 DP 6028 Lot 1 DP 6122	1

			56 West Quay	Lot 2 DP 6122	
				Lot 1 DP321505	
			G01/1 – G03/1 Lever Street, 101/1- 107/1 Lever Street	LOT 1 DP 478162 & Lot 1 DP 4951	
			201/1 – 216/1 Lever Street	Lot 2 DP 4951	
			48 West Quay	LOT 2 DP 478162	
			44 West Quay	TN SEC 601 NAPIER	
			40 West Quay		
			34-36 West Quay		
185		Part Wrightsons Woolstore within the Ahuriri Local Retail Zone (see Appendix 15 11A)	1/87 – 7/87 Bridge Street, 20A-G Waghorne Street	Lot 11 DP 28535	2
186		Union Hotel Façade	3 Waghorne Street	Lots 5 and 6 DP 6105	2
187		Crown Hotel Façade	22 Waghorne Street	LOT 1 DP 432115	2

SCHED4 - Character Area Statements

Special Character Areas

Napier City Heritage Precinct

Historical Statement

Napier's CBD developed from the mid to late 1850's, developing first on raised shingle areas and expanding as allowed through localized reclamation. By 1930, the central city had grown to a similar size and street layout as we have today, but with buildings predominantly of Edwardian and Victorian style, built in brick.

The February 1931 Hawke's Bay earthquake destroyed much of the city, leaving only a small number of buildings unscathed (or damaged but able to be reconditioned). The city was rebuilt in a planned manner. The best earthquake-resistant building technology of the time was employed, and the simplicity of the materials and design reflected both the restriction on building materials during the Depression and the fear of decorative elements falling in the event of an earthquake. The Reconstruction Committee chose Art Deco and Spanish Mission as styles in which the city would be rebuilt – styles that had been popular in America in the 1920's, reflecting the community's desire to be a modern city for the modern age. Decorative elements reflected the fascination at the time of exotic cultures and countries such as Mayan, Egyptian, and Māori, along with design concepts such as speed, technology, and modernity.

All of these elements contribute to a city centre that is 'of its time', cohesive in design and built form and one that has been remarkably preserved. The Napier City Centre is a registered historic site with Heritage NZ, and is on the UNESCO World Heritage tentative list.

Character Area Statement

The City of Napier is predominantly built in the Art Deco style – encompassing a number of related architectural styles including Art Deco, Spanish Mission, Stripped Classical, International Style, Chicago School and the Praire Style. Buildings were built using reinforced concrete construction, with a smooth plaster finish, and were restricted to two (or three at the most) storeys. Decorative elements, particularly on Art Deco buildings, are created using plaster, and are primarily abstract geometric designs such as sunbursts, chevrons, zig zags and speed lines. Other patterns include natural forms and Māori motifs.

Verandas were supported by rods attached to the building above the verandas, with pressed tin ceilings decorating the ceiling underneath. Roofs are generally hipped and constructed of corrugated iron, hidden behind square parapets, and in the case of Spanish Mission buildings, with terracotta tiles visible along the upper edge.

Entrances are typically central, stepped in, and given decorative treatment. Buildings with multiple tenancies also had stepped in entrances and were very symmetrical in nature. Glazing frames were in steel or timber, and windows typically have a symmetrical pattern, sometimes in pairs or groups of three, and with shapes that reflect the style of the building. Shopfront glazing typically incorporates a band of lead lighting at the top, with simple geometric patterns. Beneath the glazing, a short stall board, often tiled in small square tiles or in terrazzo, elevates the display windows and makes them a feature. Columns on the ground floor are clad in either terrazzo or tiles, or with a

smooth plaster finish. Corner buildings have splayed corners with a stepped elevated roof height at the corner.

As evidenced above each building has been carefully designed and any change from the original built fabric is strongly discouraged. Restoration to the original is sought at all times, and any alteration requires considerable justification.

For further information about art deco character in Napier, refer to the Napier Central City Design Guide and the Art Deco Design Guide.

Marewa Art Deco Character

Historical Statement

The suburb of Marewa north of Kennedy Road has changed little since it was developed following reclamation between 1920 and 1935. Pockets of this area have survived better than others, and demonstrate consistency in character and a clear representation of the housing styles and community needs of the time.

Character Area Statement

Housing is typically located on large sections, with deep street setbacks, low building and front fence height, garaging to the rear, and plenty of garden space. Houses are either built in the Art Deco style, or of a style typical of the mid-1930s to 1950.

Housing in Sanders Avenue, Logan Avenue and Morse Street comprise a high proportion of art deco style buildings. This style consists of apparently flat roofs (although some have pitched roofs hidden by a parapet), textured masonry walls (often stucco), and windows arranged in horizontal bands flush with the wall surface. In some buildings, walls curve around corners, and facades are absent of the detailed decoration present in villas, though decorative motifs are typically present in the form of plastered horizontal bands, chevrons etc. The front boundary is often marked by a low stucco wall, some decorated to match the house.

Tom Parker Avenue has been lauded for many years as Napier's 'showpiece street', with its avenue of protected gum trees, large sites with deeply set houses and attractive front yards. Housing is well-maintained and a mix of art deco style and other housing typical of the era, with the same features as those in Sanders, Logan and Morse streets outlined above.

Marewa State Housing Character

Historical Statement

The suburb of Marewa south of Kennedy Road has changed little since it was developed following reclamation between the mid-1930's and the mid-1950's. The majority of this area has avoided redevelopment, though some areas present a more consistent character, architectural style and use of building materials than others. The Marewa State Housing Character precinct is an excellent example of the government housing schemes being rolled out across the country by the Labour Government at the time, and is reflective of the building materials available, the need for self-sufficiency, and the community values present in the between-war and post-war years.

Character Area Statement

Housing is typically located on large sections, with deep street setbacks, low building and front fence height (or no front fence), garaging to the rear, and plenty of garden space. Houses are either built in a style instantly recognised as 'State House' – small to medium size square houses, clad in weatherboard and roofed with terracotta tiles. Houses were typically positioned closer to the southern boundary, so as to provide for access to sunlight, and leaving space for a driveway with a garage to the rear.

Te Awa Bungalow Character

Historical Statement

The Te Awa Bungalow Character Precinct is located to the south of the city and is one of the areas subject to reclamation and redevelopment in the mid 1920's, when the Napier Borough Council extended its boundaries to provide for the growth of the city of Napier. This six-acre block was developed in only a few years and as a result, has a very consistent character of bungalow housing.

Character Area Statement

Housing is typically located on medium-sized sections of around 530m², with houses set back approximately 4-5 metres from the front boundary, low front fence height, garaging to the rear, and single story houses constructed in the Bungalow style. Houses are typically positioned on the western boundary, allowing for sunlight penetration on the east. Streets are wide, with footpaths on both sides and grass berms.

Ahuriri Spit Character

Historical Statement

Alongside Corunna Bay, Ahuriri's Eastern Spit was the first part of Ahuriri to be developed by early settlers (from around the mid-1850's), as it was in close proximity to the trading ships entering the inner harbour, and provided the only real flat land available for development at the time. Although the Spits character has evolved over time, particularly since the 1990's, pockets of original character remain, particularly in Waghorne Street, where original workers' cottages on small narrow sites dominate the streetscape. The Spit also still retains a small number of original industrial and commercial buildings that were scattered amongst the workers' cottages, and it is this mix of activities that contributes to Ahuriri's 'working mans' charm.

Character Area Statement

Housing is typically located on small, narrow sections, with very small (or no) street setbacks. Housing is typically single storied and front fences are picket fences no more than 1.2m in height. A reflection of the time, no provision for garaging is provided on-site in most cases, resulting in houses being built very close to the side boundaries, and small yard to the rear. Houses are most commonly workers' cottage or small villas, although larger villas located at the eastern end of Hardinge Road are positioned within large, spacious gardens. Buildings are simple in form and small; simple and relatively inexpensive to build. Building materials are reflection of the materials available at the time: weatherboard cladding in native timbers, corrugated iron roofs, and limited glazing. There is also a small number of bungalows present and while these houses came at a later date to the villas and workers' cottages, their construction materials, and size are in keeping with the earlier builds.

Coronation Street Character

Historical Statement

The southern side of Battery Road east of Burns Road was one of the earliest parts of Ahuriri to be developed (from the 1860's), and was once at the edge of the lagoon known as North Pond. The area once contained a scattering of early workers' cottages, alongside commercial enterprises including a hotel and steam flour mill. Reclamation of the north pond began with the construction of a causeway between the spit and Napier Hill, and another between Battery Point (at Napier Hill) and Pakake and Te Koau Islands in the 1880's. Once land was sufficiently dry, further development continued along this street, both to the east and west.

Tramways came to Napier in 1911, and in 1913 the Shakespeare Road Tram Station was completed (it remains today), a stop that collected passengers from Battery Road and surrounds and carried them over the hill to the city. The northern side of Battery Road was developed later, from the 1910's but primarily in the 1920's, reflected in the bungalows building style.

Further west, the land that abuts Coronation Street (a former causeway) was previously developed as the Morton's sheep dip factory. The closure of this business in the 1920's saw the construction of a series of bungalows, with the remainder of the factory building now housing Tabard Theatre. The style of buildings located in both Coronation and Ossian Streets are a reflection of their time, as is the mix of residential, commercial and industrial activities.

Special Character Statement

The area has a character that illustrates the shortage of dry land in the early years of the development of Napier – with a mix of industrial, early workers cottages, simple villas and bungalows. Section sizes are typically small (around 360m² to 500m²). Garaging, where available, is typically positioned to the side or rear, with housing positioned in close proximity to one side boundary and a greater distance to the other. Building materials of original buildings consist of timber cladding and corrugated iron gable-pitch roofs.

Iron Pot Character

Historical Statement

The Iron Pot is the area located in close proximity to the Inner Harbour, and saw the earliest reclamation works and breastworks to create mooring facilities, now known as West Quay and Iron Pot. A 'working mans' area, the character of the Iron Pot is of great historical significance, and is the most easily recognized and often used brand for Ahuriri. The area includes a commercial and recreational fishing wharf, the warehouse buildings at the top end of Coronation, Ossian, Lever and Riddell Streets, and the most original parts of the Ahuriri Shopping Centre.

Some of these large warehouses and stores have now been converted to alternative uses: those located on the southern side of Bridge Street have converted to offices, boutique retail, hospitality and manufacturing. Some of these buildings date from the earthquake and were the manufacturing and administration hub for Rothman's Limited Tobacco. The company's office at the corner of Lever and Ossian Streets is one of the finest examples of Art Deco commercial architecture in Napier, and is a highly photographed façade. Other buildings date from the 1800's and were associated with the storage and export of our region's primary produce such as wool. There remains a small number of empty or under-utilised warehouses that are ripe for redevelopment.

The Old Custom House, located on Custom Quay and facing the Iron Pot is located within the Iron Pot Character Area. The Old Custom House was built in 1895 and served Napier until 1953. It is now used as a maritime museum and meeting space. The old St Mary's Church, shifted onto its present site in Coronation Street in 1910, formerly abutted the waterfront of north pond.

Within the primarily commercial/industrial character of the Iron Pot Character Area is two hotels that date from the post-earthquake period (Union Hotel and Crown Hotel). Despite their art deco style, materials and scale, they sit comfortably amongst the more industrial buildings of the area.

Special Character Statement

The Iron Pot precinct primarily presents and retains the character of an industrial area, and today some industry remains, however the area has evolved to occupy these old warehouses for more commercial, professional, and hospitality uses.

Elements of the Iron Pot character include:

- Comparatively large sites
- Large, high warehouses built using native timber beams and iron sheet cladding
- Depending on age and function, either gable roof-design with colonial/saloon parapet façade, or a saw-tooth roof-design. Saw-tooth roofs generally have the shorter side of the saw-tooth facing south to let in diffused light and ventilation.
- Buildings positioned to the site boundary, except where space to the side or rear has been allowed for outdoor storage or vehicle movements.
- Wide streets (though some of these have been narrowed to cater better for the changed uses)

West Quay Character Precinct

Historical Statement

West Quay, as a close neighbour to the wider Iron Pot area, is the area located in close proximity to the Inner Harbour, and saw the earliest reclamation works and breastworks to create mooring facilities. A 'working mans' area, the character of the Iron Pot is of great historical significance, and is the most easily recognized and often used brand for Ahuriri.

The area includes the West Quay's industrial/commercial warehouses and a commercial and recreational fishing wharf. The majority of these large warehouses and stores have now been converted to alternative uses: those along the waterfront, which date from the late 1890's and early 1900's, have taken advantage of the views to convert to hospitality, offices, or apartments. These buildings were associated with the storage and export of our region's primary produce such as wool. There remains a small number of empty or under-utilised warehouses that are ripe for redevelopment.

Special Character Statement

The West Quay waterfront differs from the neighbouring Iron Pot Character Precinct in that the buildings are typically older, dating back to the development of this wharf and its primary production industries such as fisheries and the export of wool. Sites are typically smaller than elsewhere in the Iron Pot, densely packed, and some with a greater level of decoration, such as the Nissho Roberts building. Cladding is a mixture of corrugated iron (on sawtooth warehouses), smooth plaster (the NZ Shipping Company building), and timber (the Nissho Roberts building). Buildings are located on the front boundary, with service areas at the rear. The buildings themselves are industrial in nature but have since given way to hospitality uses.

Railway Housing Character Precinct

Historical Statement

The railway line from Napier to Hastings was constructed in 1874. Construction of the line to the north (Eskdale) was commenced in 1912 and completed in 1922, finally reaching Gisborne in 1942.

The Railways Department provided housing for its workers from as early as the 1880's, most often alongside the railway corridors on which they worked. In the 1920's, a shortage of suitable housing led the Department to increase provision, setting up a factory at Frankton and Lower Hutt to produce prefabricated housing to a series of standardized designs. Early architectural designs include a hipped roof, symmetrical façade with a window either side of a recessed entranceway. Later architectural design includes a pitched roof entry porch supported by wooden pillars, eaved front windows and transversely pitched roof. Development patterns are also generally consistent, and are further described below.

Special Character Statement

Common features of the character of this area are:

- Standard Railways Corporate housing designs
- Buildings are generally positioned close to the road
- Little side yard provision
- Low picket fences along the road boundary
- Timber cladding
- Corrugated iron roofing
- Small section sizes (165m² to 450m²)

Napier South Character Precinct

Historical Statement

Following the continual reclamation of small areas of Ahuriri to enable development, the creation of Napier South was the first large reclamation project for Napier, being undertaken between 1900 and 1908. The city's leaders conceived of the idea after the 1897 flood, which showed that silt from the Tutaekuri River could be used to reclaim large areas of swamp if the River were to be realigned and flooding were to occur in a controlled manner. The first sections went on the market in 1908, by 1913 200 homes had been built, and by 1930 Napier South was largely developed. The suburb also included two large parks; McLean Park and Nelson Park, and a primary school. Napier South was part of the larger Whare-o-Maraenui Block.

Napier South's built environment reflects the building styles, materials availability, and societal patterns and needs of the time. The majority of housing is single story Villas and Bungalows on larger sections. Some streets have beautiful tree-lined avenues, and corner or neighbourhood shops were a feature of the suburb although many have since been converted into residential use. Despite the popularity of this suburb, there has been little modern development, and the majority of older homes remain largely intact. It is the continuity and cohesiveness of the building style in the area that attracts people to this suburb. The majority of homes are well cared for and restored.

Special Character Statement

Common features of the character of this area are:

- Narrow, deep sections of varying sizes, but typically between 620m² and 1100m²
- Wide (20m), tree-lined streets, some with grass berms and footpaths on both sides
- Very little setback from one or both side boundaries
- Front setbacks vary, but typically around 5m – 8m
- Housing styles are Villa or Bungalow, built using native timbers, with weatherboard cladding and corrugated iron roofs
- Garages (if provided) are positioned to the rear. Low (no higher than 1.2m) or no front fences

Amenity Character Areas

Napier Hill / Mataruahou Character

The expansiveness of the Napier Hill, its underlying topography and the organic relationship between buildings and landform make it a distinctive townscape feature and a unique residential environment long associated with the city's history and the early stages of its development.

Main characteristics of the area are:

- mix of one and two storey stand-alone dwelling, the majority of which were built prior to 1940, mixed with buildings of later periods. Cottages, villas and bungalows are recurring building types. Architectural styles of later time periods are represented by arts and crafts, art deco and modern houses. While the area is dominated by stand-alone dwellings, multi-unit developments of variable form and scale are also found throughout the area.
- many streets do not have any defined or formal footpath, or have a footpath on one side only. Berms along street edges are rare.
- Street edges are often defined by street walls of variable height, raised gardens and/or garages. Heavily planted steep banks and mature planting (typically found within front/rear yards) provide a green edge along most streets
- fencing patterns are diverse in terms of height and style. However, most often fences are low and allow views to the dwelling and its front garden
- houses often sit above or below the street. Alignment of dwellings on internal lots is typically determined by the contours
- buildings present a 'public face' to the street with bay windows, entrances and verandahs oriented to the street.
- frontage setbacks are highly variable and largely determined by the topography. However, most dwellings have generous front yards.
- green image of the landscape is enhanced by distinctive clusters of mature vegetation that accentuate the landform, complemented by large public reserves
- characteristic townscape character with buildings nestled into the landform amongst the greenery of the hill, forming an organic pattern of development
- intricate street character based on original street layout and subdivision pattern
- expansive multiple views to the city's wider landscape setting.

Battery Road Character Area

The Battery Road Character area is defined by the cliff to the south and the railway line and Ahuriri Mixed Use Zone to the north. As an integral part of the Bluff Hill landscape, the southern side of Battery Road has a steeper topography while its northern side is flatter and closely associated with the history of Port Ahuriri and the land reclamation in that area.

Main characteristics of the area are:

- compact linear structure with long blocks confined by the hill on the southern side and larger and irregular shape blocks on the northern side at the interface with the Ahuriri Mixed Use Zone
- streets with footpaths on either side devoid of street trees/planting, except for the area in the vicinity of Battery Road/Shakespeare Road and Waghorne Street intersection
- street views along Battery Road enclosed by the hill on one side and open towards the Ahuriri industrial landscape on the other
- relative low density, with predominantly single-storey stand-alone dwellings on individual lots mixed with two/three-storey multi-unit developments and some infill development on rear lots
- generally deep front yards with some mature front yard planting
- street edge defined by fences of variable type/height with predominance of low or no front fencing
- building entrances and windows facing the street
- consistent built character derived from the relatively large number of pre-1940s buildings, many of which are clustered together forming distinctive rows of similar in age/scale buildings with respect to the street.
- predominant lot sizes and site coverage are smaller than the General Residential zone.

Westshore Character Area

The Westshore Character area is defined by State Highway 2 (SH2) and the estuary to the west, and the foreshore reserve at the edge of the spit to the east. The railway corridor, which runs parallel to parts of SH2, provides the immediate western boundary for part of the area. The topography slopes gently down to the west.

Main characteristics of the area are:

- a street network comprised of long slightly curving north/south oriented streets following the layout of the spit and short east-west cross-streets providing views to the foreshore and the ocean to the east and the former estuary Te Whanganui o Orotu and backdrop hills to the west
- a street character based on intermittent berms and no established pattern of street trees for the area as a whole, except for parts of SH2 and some of the streets at the south/east end of Westshore
- public open space is represented by a continuous foreshore reserve along the eastern boundary of the area and the sense of openness characteristic for the area is further enhanced by the 'gap reserve' at the northern end associated with the airport operations
- relatively low-density environment with an open character dominated by one and two-storey stand-alone dwellings on individual lots. However, there is an emerging pattern of small-scale multi-unit development and infill development creating additional 'rear' units through the subdivision of existing larger lots
- streets along the foreshore characterized by expansive views, a high degree of openness and larger homes (Ferguson Avenue/The Esplanade)
- 'internal' streets with a more typical suburban feel (e.g. Charles Street)
- vehicle-dominated streets along the western boundary of the area associated with taller front fencing and travellers' accommodation (SH2, Domain Road, Meeanee Quay)
- relatively large front yards with established planting
- street edges defined in various ways but characterized mainly by low, permeable or no front fencing
- no established pattern of garages built at, or close to, the street boundary
- building entrances and windows typically facing the street

SCHED5 - Archeological Sites

NZAA_ID	Name	Site Type	Site Feature	Period	Ethnicity
V21/367		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/254		Educational	Building - school	Colonial 1840-1900	Non Maori
V21/408	Fitzgerald House	Historic - domestic	Building - homestead	Colonial 1840-1900	Non Maori
V20/82		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V21/218	Otatara	Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/321	Napier Railway Station	Transport/communication		Colonial 1840-1900	Non Maori
V21/275		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V21/407		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V20/110		Pit/Terrace	Artefact, Midden	Indigenous pre-1769	Maori
V21/284		Pit/Terrace	Terrace, Pit - bell	Indigenous pre-1769	Maori
V21/287		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V20/15		Pit/Terrace	Terrace, Fence - ditch and bank, Pit	Indigenous pre-1769	Maori
V21/396	Callinicos building	Commercial	Building - commercial	Modern 1900-, Colonial 1840-1900	Non Maori
V21/259		Military (non-Maori)	Pill box	Modern 1900-	Non Maori
V21/370		Midden/Oven	Midden	Indigenous pre-1769	Maori
V20/129		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/226		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/269		Pit/Terrace	Pit	Indigenous pre-1769	Maori

V20/102		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/195	Te Ika a Tuwhenua	Pa	Midden	Indigenous pre-1769	Maori
V21/426	Higgins/Bestalls/Crossin	Commercial	Building - butchery	Colonial 1840-1900	Combination
V21/301		Midden/Oven	Artefact - adze, Artefact, Midden	Indigenous pre-1769	Maori
V21/385	Old Courthouse	Historic - land parcel	Artefact, Building - courthouse, Midden	Contact 1769-1840, Colonial 1840-1900, Indigenous pre-1769, Modern 1900-	Combination
V21/290		Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V20/190		Burial/ cemetery	Burial	Indigenous pre-1769	Maori
V21/422		Midden/Oven	Midden, Artefact - obsidian, Post hole, Building - commercial, Pit, Building - school, Artefact - stone flakes, Fireplace/ hearth	Colonial 1840-1900, Indigenous pre-1769, Contact 1769-1840	Combination
V21/412		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/411	Dean House and General Store (Former)	Commercial	Building - cottage, Building - general store	Colonial 1840-1900	Non Maori
V21/155		Historic - land parcel	Well	Colonial 1840-1900	Non Maori
V21/420		Commercial	Building foundations (unspecified), Rubbish dump/ pit, Post hole, Artefact - historic	Colonial 1840-1900	Non Maori

V21/375		Historic - land parcel	Building foundations (unspecified)	Modern 1900-	Non Maori
V21/205		Midden/Oven	Oven (intact), Midden	Indigenous pre-1769	Maori
V21/39		Pit/Terrace	Midden, Terrace	Indigenous pre-1769	Maori
V21/282		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/224		Pit/Terrace	Pit - raised rim, Pit	Indigenous pre-1769	Maori
V21/307		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/42		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/211	Te Rere a Tawhaki	Burial/ cemetery	Cemetery/ urupa, Midden	Colonial 1840-1900	Maori
V21/263		Commercial	Building - hotel	Colonial 1840-1900	Non Maori
V21/279		Historic - land parcel	Midden	Colonial 1840-1900	Non Maori
V21/75		Burial/ cemetery	Burial, Terrace	Indigenous pre-1769	Maori
V20/30	Heipipi	Pit/Terrace	Midden, Terrace, Pit	Indigenous pre-1769	Maori
V21/357		Midden/Oven	Midden	Indigenous pre-1769	Maori
V20/132		Midden/Oven	Midden		Maori
V21/28		Pa - island/ swamp	Midden, Grave	Indigenous pre-1769, Colonial 1840-1900	Maori
V21/266		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/9	Pa Poto	Pa	Terrace, Ditch, Pit	Indigenous pre-1769	Maori
V21/365		Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V20/108		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/208	Montmorency	Shipwreck	Artefact - historic,	Colonial 1840-1900	Non Maori

			Shipwreck		
V21/397	Odeon Theatre, Napier Frivolity Minstrels	Commercial	Building	Colonial 1840-1900, Modern 1900-	Non Maori
V21/311		Midden/Oven	Midden	Indigenous pre-1769	Maori
V20/12	Titi-O-Haweia	Pit/Terrace	Pit, Terrace, Ditch	Indigenous pre-1769	Maori
V21/81		Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V21/270		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/252		Military (non-Maori)	Pill box	Modern 1900-	Non Maori
V21/215		Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V20/105		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/417	Maori Providence School	Educational		Colonial 1840-1900, Modern 1900-	Combination
V20/127		Artefact find	Artefact - adze	Indigenous pre-1769	Maori
V21/371		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/276		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V21/260		Industrial	Freezing works	Colonial 1840-1900	Combination
V21/433	Tiffen House	Historic - domestic	Building foundations (unspecified)	Colonial 1840-1900	Non Maori
V21/404	Napier Hospital	Hospital	Artefact - historic, Stone retaining/facing, Artefact - bottle, Artefact - ceramic, Stone wall	Colonial 1840-1900	Non Maori
V20/13		Pit/Terrace	Midden, Pit, Terrace,	Indigenous pre-1769	Maori

			House floor/ site		
V20/18	Kaimata	Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/227		Pit/Terrace		Indigenous pre-1769	Maori
V20/16		Pit/Terrace	Midden, House floor/ site, Pit	Indigenous pre-1769	Maori
V21/368		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V20/219	Heipipi Pa	Pit/Terrace	Terrace, Pit - rectangular	Indigenous pre-1769	Maori
V20/185		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/257		Commercial	Building - hotel	Colonial 1840- 1900	Non Maori
V21/364		Military (non- Maori)	Pill box	Colonial 1840- 1900	Maori
V20/83		Pit/Terrace	Pit, Midden	Indigenous pre-1769	Maori
V21/219		Burial/ cemetery	Burial	Indigenous pre-1769	Maori
V21/322		Administrative	Building	Colonial 1840- 1900	Non Maori
V21/413	All Saints' Church	Religious	Church/ chapel	Colonial 1840- 1900	Non Maori
V21/192	Te Pakeke Pa	Pa		Indigenous pre-1769, Contact 1769- 1840	Maori
V20/111		Midden/Oven	Pit	Indigenous pre-1769	Maori
V21/291		Historic - domestic	House floor/ site	Colonial 1840- 1900	Non Maori
V21/299	Te Awapuni	Mission station		Contact 1769- 1840	Combination
V21/354		Religious		Colonial 1840- 1900	Combination
V21/400	Te Ahi o Te Waru	Burial/ cemetery	Burial, Midden	Colonial 1840- 1900, Indigenous pre-1769	Combination

V21/285		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V20/80		Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V21/409		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/273		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/288		Pit/Terrace	Pit, Midden, Terrace	Indigenous pre-1769	Maori
V21/309		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/264		Administrative		Colonial 1840-1900	Non Maori
V21/79		Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V21/421	4 Munro Street	Historic - domestic	Building foundations (unspecified), Building - cottage	Colonial 1840-1900	Non Maori
V20/106		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/206		Historic - domestic	House floor/site	Colonial 1840-1900	Non Maori
V21/241		Unclassified		Colonial 1840-1900	Non Maori
V21/415	Drill Hall	Military (non-Maori)	Building - hall	Colonial 1840-1900	Non Maori
V20/103		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V20/130		Midden/Oven	Terrace, Midden	Indigenous pre-1769	Maori
V21/37		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/168	Otatara	Pa		Indigenous pre-1769	Maori
V21/1		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/261		Military (non-Maori)	Pill box	Modern 1900-	Non Maori
V21/312		Midden/Oven	Midden	Indigenous	Maori

				pre-1769	
V21/181		Pit/Terrace	Terrace, Pit, Midden	Indigenous pre-1769	Maori
V21/209		Pa - island/swamp	Midden	Indigenous pre-1769	Maori
V21/73		Pit/Terrace	Midden, Terrace, Pit	Indigenous pre-1769	Maori
V21/302		Unclassified	Rubbish dump/pit, Artefact - historic	Colonial 1840-1900	Combination
V21/395		Commercial	Building - commercial	Colonial 1840-1900, Modern 1900-	Non Maori
V21/425	Mid-City Plaza	Commercial	Building - bakery, Building	Colonial 1840-1900	Non Maori
V21/286		Pit/Terrace	Depression, Pit	Indigenous pre-1769	Maori
V20/10	Heipipi	Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V21/356		Pa	Midden	Indigenous pre-1769	Maori
V21/217		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/250	Awa Mauka	Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/268		Pit/Terrace	Midden, Terrace	Indigenous pre-1769	Maori
V21/283	Otatara	Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V21/213		Burial/cemetery	Burial	Indigenous pre-1769	Maori
V21/428	F G Smith & Co	Commercial	Building, Midden, Post hole	Contact 1769-1840, Colonial 1840-1900, Indigenous pre-1769	Combination
V21/308		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/212	Possibly Hukarere	Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/280		Midden/Oven	Midden	Indigenous	Maori

				pre-1769	
V21/258		Military (non-Maori)	Pill box	Modern 1900-	Non Maori
V21/393	Conroy & Co. Butcher	Commercial	Building - butchery	Colonial 1840-1900	Non Maori
V20/31		Pit/Terrace	Pit - raised rim	Indigenous pre-1769	Maori
V21/225		Pit/Terrace	Midden, Depression, Pit - raised rim, Pit	Indigenous pre-1769	Maori
V20/238		Burial/ cemetery	Burial, Skeletal remains - human	Indigenous pre-1769	Maori
V21/430		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/366		Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V20/109		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/253		Military (non-Maori)	Pill box	Modern 1900-	Non Maori
V21/194	Ohuarau	Pa	Midden	Indigenous pre-1769	Maori
V20/17		Midden/Oven	Pit - raised rim	Indigenous pre-1769	Maori
V21/300	Napier Prison	Administrative	Building, Stone wall, Building - police station/ gaol	Colonial 1840-1900	Non Maori
V20/81		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V21/289	Otatara	Pit/Terrace	Terrace, Pit - bell	Indigenous pre-1769	Maori
V20/188		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V20/70		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/372		Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V21/403	Napier Sea Wall	Administrative	Harbour wall	Colonial 1840-1900, Modern	Non Maori

				1900-	
V20/186		Midden/Oven	Fireplace/ hearth, Midden	Indigenous pre-1769	Maori
V21/369		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/410		Historic - domestic	Building - cottage	Colonial 1840- 1900	Non Maori
V21/274		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V20/128		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/414	Knox Church Hall (Presbyterian)	Religious	Building - hall, Church/ chapel	Colonial 1840- 1900	Non Maori
V20/14	Heipipi	Pit/Terrace	Midden, Terrace, Pit, Skeletal remains	Indigenous pre-1769	Maori
V21/292		Unclassified	Rubbish dump/ pit	Colonial 1840- 1900	Non Maori
V21/313		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/210		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/278		Industrial	Building - brewery	Colonial 1840- 1900	Non Maori
V21/435		Historic - domestic	Building - cottage	Colonial 1840- 1900	Non Maori
V21/310		Midden/Oven	Midden	Indigenous pre-1769	Maori
V20/107		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V20/11	Heipipi	Pit/Terrace	Terrace, Ditch, Pit	Indigenous pre-1769	Maori
V21/80		Pit/Terrace	Pit, Terrace	Indigenous pre-1769	Maori
V21/262		Military (non- Maori)	Gun emplacement	Modern 1900-	Non Maori
V21/295		Military (non- Maori)	Pill box	Modern 1900-	Non Maori
V20/104		Pit/Terrace	Pit	Indigenous pre-1769	Maori

V21/416		Religious		Colonial 1840-1900, Modern 1900-	Non Maori
V21/355		Midden/Oven	Midden	Indigenous pre-1769	Maori
V20/8	Kaimata Pa	Pa	Pit, Scarp, Terrace, Ditch	Indigenous pre-1769	Maori
V21/130		Pit/Terrace	Terrace, Pit	Indigenous pre-1769	Maori
V20/131		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/265		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/281		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/30		Artefact find	Artefact - grindstone	Indigenous pre-1769	Maori
V21/2		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/41	Hikurangi	Pa	Terrace, Pit	Indigenous pre-1769	Maori
V21/296		Military (non-Maori)		Modern 1900-	Non Maori
V21/326		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/484		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/508		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/513	Old Customhouse Napier	Administrative	Building - custom house	Colonial 1840-1900, Modern 1900-	Non Maori
V21/424	Dunstalls Funeral Services (St Augustine's Church)	Religious		Colonial 1840-1900	Non Maori
V21/406		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/510		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/487		Historic -		Colonial 1840-	Non Maori

		domestic		1900	
V21/489	Begg's House.	Historic - domestic		Colonial 1840-1900	Non Maori
V21/297	Arkwright's Store and 19th century cottages	Historic - domestic	Building - cottage, Building - general store	Colonial 1840-1900	Non Maori
V21/444	65th Regiment camp site Onepoto	Military (non-Maori)	Pit, Military camp	Colonial 1840-1900	Non Maori
V21/496		Historic - domestic	Occupation layer, Artefact - ceramic, Artefact - bottle	Colonial 1840-1900	Non Maori
V21/509		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/501		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/500	Benmore House	Historic - domestic	Building	Colonial 1840-1900	Non Maori
V21/78	Marutuna Pa	Pa	Ditch - transverse, Terrace, Bank, Pit - raised rim, Scarp	Indigenous pre-1769	Maori
V21/470		Midden/Oven	Midden	Indigenous pre-1769	Combination
V21/469	Clive Square	Recreation	Garden - historic	Colonial 1840-1900, Indigenous pre-1769, Contact 1769-1840	Combination
V21/450		Midden/Oven	Artefact - ceramic, Midden	Indigenous pre-1769, Modern 1900-	Combination
V21/451		Midden/Oven	Midden, Artefact - historic, Artefact - ceramic	Indigenous pre-1769, Modern 1900-, Colonial 1840-1900	Combination
V20/262		Pit/Terrace	Pit	Indigenous pre-1769, Contact 1769-1840	Maori

V21/294		Pit/Terrace		Indigenous pre-1769	Maori
V20/9	Heipipi	Midden/Oven	Midden, Terrace, Pit - raised rim	Indigenous pre-1769	Maori
V21/34		Midden/Oven	Terrace, Burial, Midden, Pit	Indigenous pre-1769	Maori
V21/437		Midden/Oven	Ovenstones, Midden, Oven - Umu ti	Contact 1769-1840	Maori
V21/31	Otiere Pa	Pa	Bank (earth), Platform, Terrace, Ditch, Midden	Indigenous pre-1769	Maori
V20/187		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/458		Midden/Oven	Midden	Indigenous pre-1769, Contact 1769-1840	Maori
V21/454		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/511		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/506		Historic - domestic		Colonial 1840-1900	Non Maori
V21/499		Historic - domestic	Building - cottage	Colonial 1840-1900, Modern 1900-	Non Maori
V21/456		Midden/Oven	Midden	Indigenous pre-1769, Contact 1769-1840	Maori
V21/485	Tapu Te Ranga	Pa - island/ swamp		Contact 1769-1840, Indigenous pre-1769	Maori
V21/32	Otaia Pa	Pa	Midden, Terrace, Ditch - defensive	Indigenous pre-1769	Maori
V20/249		Pit/Terrace	Terrace	Indigenous pre-1769	Maori
V21/36	Roro o Kuri	Pit/Terrace	Pit, Terrace,	Indigenous	Maori

			Midden	pre-1769	
V21/471		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/483		Midden/Oven	Midden, Artefact	Indigenous pre-1769, Contact 1769-1840	Maori
V21/40	Okahungunu Headland	Midden/Oven	Pit, Cave, Midden, Terrace	Indigenous pre-1769	Maori
V21/38		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/29		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/35		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/166		Pit/Terrace	Terrace, Midden	Indigenous pre-1769	Maori
V21/272		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/453		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/457		Midden/Oven	Midden	Indigenous pre-1769, Contact 1769-1840	Maori
V21/449		Midden/Oven	Ovenstones	Indigenous pre-1769, Contact 1769-1840	Maori
V21/491		Unclassified	Well	Colonial 1840-1900	Non Maori
V21/466	Perfume Point	Transport/communication		Colonial 1840-1900	Non Maori
V21/448		Midden/Oven	Midden	Contact 1769-1840, Indigenous pre-1769	Maori
V21/455		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/429		Historic - domestic	Building - cannery	Colonial 1840-1900	Non Maori
V21/392	Paxies	Commercial	Building -	Colonial 1840-	Non Maori

	Restaurant		commercial	1900	
V21/443		Unclassified	Stone wall	Colonial 1840-1900	Non Maori
V21/497		Historic - domestic	Building - cottage, House floor/ site	Colonial 1840-1900	Non Maori
V21/442		Historic - domestic	Building - cottage	Colonial 1840-1900	Non Maori
V21/74		Pit/Terrace	Pit	Indigenous pre-1769	Maori
V21/277		Historic - domestic	House floor/ site, Midden	Contact 1769-1840, Colonial 1840-1900	Combination
V21/193	Parapara	Pa		Contact 1769-1840, Indigenous pre-1769	Maori
V21/204		Historic - domestic	Midden, House floor/ site	Colonial 1840-1900	Non Maori
V21/447	Park Island Old Mens' Home, 1907	Historic - domestic	Midden, Building foundations (unspecified)	Modern 1900-, Indigenous pre-1769	Non Maori
V21/490		Historic - land parcel		Modern 1900-, Colonial 1840-1900	Non Maori
V21/478		Historic - domestic		Colonial 1840-1900, Modern 1900-	Non Maori
V21/472		Transport/ communication	Road	Colonial 1840-1900	Non Maori
V21/488	Napier Fire Brigade Station	Transport/ communication	Building foundations (unspecified)	Colonial 1840-1900	Non Maori
V21/480		Historic - land parcel	Building	Modern 1900-, Colonial 1840-1900	Non Maori
V21/477		Historic - domestic		Modern 1900-, Colonial 1840-1900	Non Maori
V21/475		Historic - domestic		Colonial 1840-1900, Modern 1900-	Non Maori

V21/498		Historic - domestic	Artefact - ceramic, Artefact - bottle	Modern 1900-	Non Maori
V21/474		Historic - domestic		Modern 1900-, Colonial 1840-1900	Non Maori
V21/460		Historic - domestic	Terrace	Colonial 1840-1900	Non Maori
V21/476		Historic - domestic		Modern 1900-, Colonial 1840-1900	Non Maori
V21/434		Historic - domestic	Artefact - historic	Colonial 1840-1900, Indigenous pre-1769, Contact 1769-1840, Modern 1900-	Non Maori
V21/459		Agricultural/pastoral		Modern 1900-	Non Maori
V21/481	Market Reserve Criterion Hotel	Commercial	Building - hotel	Colonial 1840-1900	Non Maori
V21/473		Commercial		Modern 1900-, Colonial 1840-1900	Non Maori
V21/452		Midden/Oven	Midden, Artefact - ceramic, Ovenstones	Indigenous pre-1769, Colonial 1840-1900	Combination
V21/505		Historic - domestic	Midden	Indigenous pre-1769, Colonial 1840-1900	Combination
V21/504		Fishing	Rubbish dump/pit, Building, Post hole, Fireplace/hearth, Stone alignment, Ovenstones, Oven (intact), Fireplace - stone lined	Indigenous pre-1769, Colonial 1840-1900, Modern 1900-, Contact 1769-1840	Combination
V21/427	Royal Hotel / midden &	Midden/Oven	Building - hotel, Working area/	Colonial 1840-1900,	Combination

	resource processing site		flaking floor, Midden, Building - accomodation/ boarding house	Indigenous pre-1769, Contact 1769-1840	
V21/512		Midden/Oven	Midden	Indigenous pre-1769, Contact 1769-1840	Maori
V20/261	Nga Urunga Waka	Canoe building	Canoe landing, Trench, Track	Indigenous pre-1769	Maori
V21/486	Pukekura	Pa	Midden	Indigenous pre-1769	Maori
V21/432		Midden/Oven	Midden	Indigenous pre-1769	Maori
V21/33		Midden/Oven	Terrace, Midden, Pit	Indigenous pre-1769	Maori
V21/445		Midden/Oven	Midden	Contact 1769-1840	Maori

APP1 - Airport Height Control Designation

Description of Airport Height Control Designation

Hawke's Bay Airport Limited

1. Explanatory Notes for Airport Height Control Overlays in Appendices 1(a) - 1(e)

Any activity conflicting with the airport height control designation requires in the first instance the prior approval of Hawke's Bay Airport Ltd.

All plan elevations are expressed in terms of the Napier City Council Local Authority Datum 1972, where mean sea level equals RL 10.00 (MSL=10.00 metres).

The Airport Reference Point is RL 10.88, equating to 0.88 metres above mean sea level.

The maximum permitted building height in terms of the Airport height control designation is obtained by subtracting the RL level of each property from the airport height controls. For example, a property with an RL of 15.11 and a 20 metre height restriction will have a net building height above ground of 4.89 metres.

2. Surface Penetration Areas

The Surface Penetration Areas identify areas where terrain penetrates the Inner Horizontal Surface and Outer Limit of Conical Surface.

Within the Surface Penetration Areas, buildings, aerials, lines, and support structures, and trees may penetrate the Inner Horizontal and Outer Limit of Conical Surface, but must also comply with the height conditions of the relevant underlying zone.

Refer to the planning maps for the underlying zoning.

3. General Description

The approach and takeoff surfaces for the main runway extend upwards and outwards from the main runway strip ends, at upward gradients of 1v:50h (2.0%) and 1v:62.5h (1.6%) respectively, to the territorial boundary of Napier City Council.

The combined approach and takeoff surfaces for the cross runway extend upwards and outwards from the cross runway strip ends, at an upward gradient of 1v:25h (4.0%), to the territorial boundary of Napier City Council.

The transitional surfaces extend upwards and outwards from the main and cross runway strip edges. The inner horizontal surface extend outward horizontally from the outer edges of the main runway transitional surfaces and the conical surface upwards and outwards from the outer edges of the horizontal surface.

Technical description

The following technical description of the Height Control Surfaces is the basis of Appendices 1(a) to 1(e) and is intended to enable a registered land surveyor to determine the height of the relevant surface/s at a particular location.

(a) Take-off Climb and Approach Surfaces for Main Runway 16-34 South End of Main Runway 16-34

i. Inner edge location and width

In order to provide for planned runway extensions, the protection surfaces and associated height controls are also extended outwards. This requires the origin points (inner edges) of the takeoff and approach surfaces at the south end of the runway to be located approximately 530m further south than their current location.

The takeoff and approach surfaces have a common inner edge location on runway centreline co-incident with the strip ends as listed in table 1.

The takeoff surface inner edge width is 180m and the approach surface inner edge is 300m wide.

ii. Take-off Surface

The take-off surface commences at its inner edge and rises at a gradient of 1:62.5 (1.6%) with its centreline on a bearing of 185° 00' 16" degrees grid. The surface continues until reaching a total distance of 18,750m from the inner edge, measured along the centreline of the surface. At that point the surface ends.

The edges of the surface commence at the inner edge 90m either side of the strip centreline and expand outward at 12.5% of the distance along the centreline until a distance of 4080m from the inner edge. At that point the edges of the surface become parallel to the centreline and are located 600m either side of the centreline. The surface edges continue to the end of the surface at 18,750m from the inner edge.

iii. Approach Surface

The approach surface at the south end commences at its inner edge and rises at a gradient of 1:50 (2.0%) with its centreline on a bearing of 185° 00' 16" degrees grid until a distance of 15,000m from the inner edge. At that point the surface ends.

The edges of the approach surface commence at the inner edge 150m either side of the surface centreline and expand outward at 15.0% of the distance along the centreline until the end of the surface.

The final total width of the approach surface is 4800m at 15,000m from its inner edge.

North End of Main Runway 16-34

(b) Take-Off Climb and Approach Surfaces for Cross Wind Runway 07-25 West End of Cross Wind Runway 07-25

i. Inner edge location and width

A combined takeoff and approach surface is specified for this runway. The surface inner edge location on runway centreline is co-incident with the strip ends as listed in table 1.

The surface has an inner edge width of 80m.

ii. Take-off and approach surface

The western take-off and approach surface commences at the inner edge and rises at a gradient of 1v:25h (4.0%) with its centreline on a bearing of 268° 58' 54" grid. The surface continues until reaching a total distance of 2500m from the inner edge, measured along the centreline of the surface at which point the surface ends.

The edges of the surface commence at the inner edge 40m either side of the strip centreline and expand outward at 10.0% of the distance along the centreline. The final width of the combined takeoff and approach surface is 580m at 2500m from its inner edge.

East End of Cross Wind Runway 07-25

i. Inner edge location and width

A combined takeoff and approach surface is specified for this runway. The surface inner edge location on runway centreline is co-incident with the strip ends as listed in table 1.

The surface has an inner edge width of 80m.

ii. Take-off and approach surface

The western take-off and approach surface commences at the inner edge and rises at a gradient of 1v:25h (4.0%) with its centreline on a bearing of 088° 58' 54" grid. The surface continues until reaching a total distance of 2500m from the inner edge, measured along the centreline of the surface at which point the surface ends.

The edges of the surface commence at the inner edge 40m either side of the strip centreline and expand outward at 10.0% of the distance along the centreline. The final width of the combined takeoff and approach surface is 580m at 2500m from its inner edge.

(c) Transitional Side Surfaces Main Runway 16-34

The transitional side surfaces extend from the edges of the 300m wide runway strip upwards and outwards at a gradient of 1v:7h (14.3%) until they reach the inner horizontal surface at a height of RL 56.8m (45m above the aerodrome reference height of RL 11.8m). The transitional surfaces join the edge of the approach surface at each runway end.

The strip edges where the transitional surfaces originate are assumed to slope linearly between the heights of the approach surface inner edges at each end of the strip.

(d) Transitional Side Surfaces Cross Runway 07-25

The transitional side surfaces extend from the edges of the 80m wide runway strip upwards and outwards at a gradient of 1v:5h (20%) until they reach the inner horizontal surface at a height of RL 56.8m (45m above the aerodrome reference height of RL 11.8m). The transitional surfaces join the

edges of the combined takeoff and approach surface at each runway end.

The strip edges where the transitional surfaces originate are assumed to slope linearly between the heights of the approach surface inner edges at each end of the strip.

(e) Inner Horizontal Surface

The inner horizontal surface is located at a height of RL 56.8m (45m above the aerodrome reference height of RL 11.8m). The surface for runway 16-34 extends out to a distance of 4000m from the runway 16-34 strip edges and approach surface origin points at each end of the runway.

There is no inner horizontal surface for runway 07-25 as adequate protection is provided by the runway 16-34 inner horizontal surface.

(f) Conical Surface

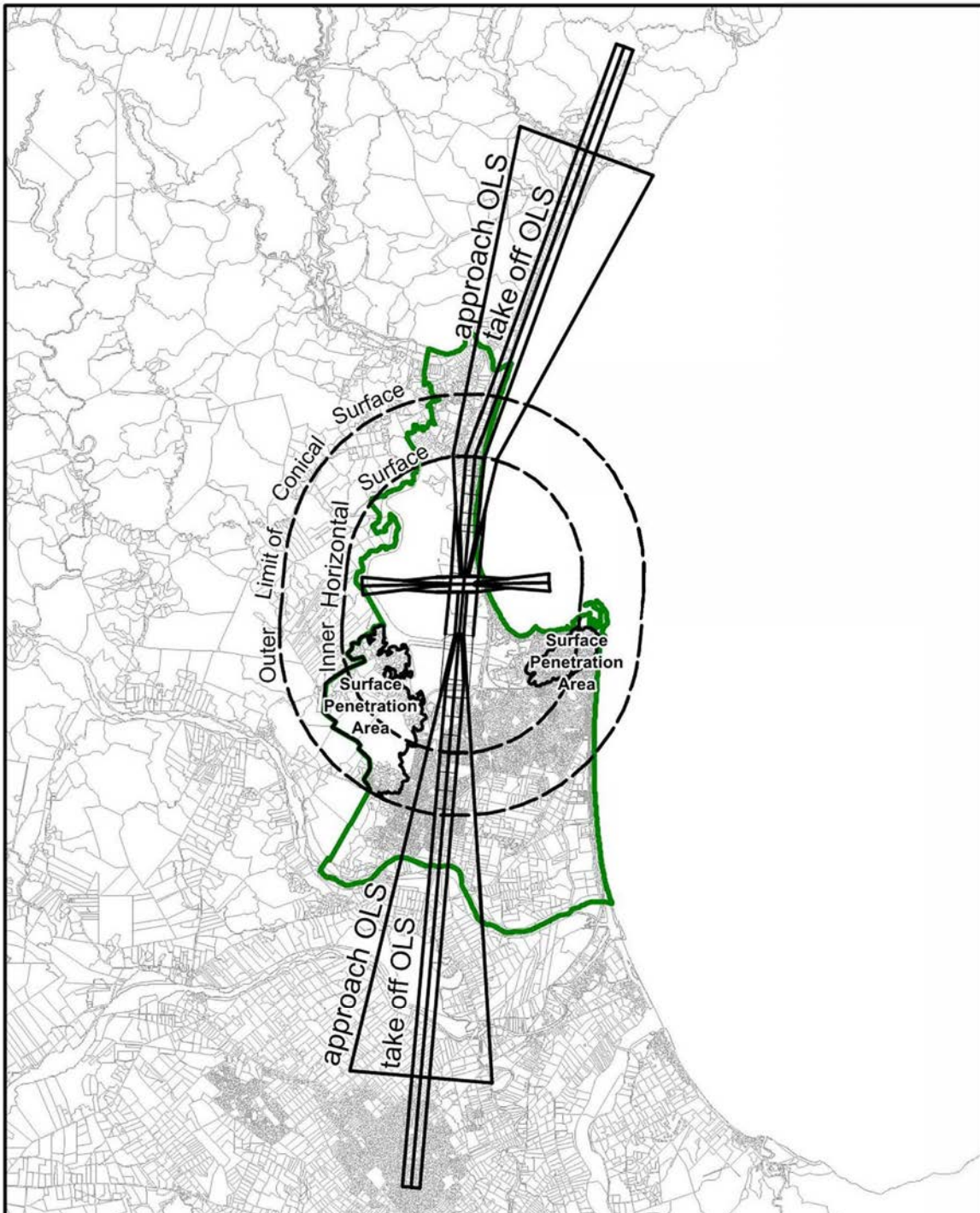
The conical surface for runway 16-34 slopes upward and outward from the periphery of each inner horizontal surface rising at a gradient of 1v:20h (5%) to a height of RL 161.8m (150m above the aerodrome reference height of RL 11.8m).

There is no conical surface for runway 07-25 as adequate protection is provided by the runway 16-34 conical surface.

Table 1 – Schedule of coordinates – Hawke’s Bay Airport Height Controls

SCHEDULE OF CO-ORDINATES	mN	mE	Elevation m RL
Sealed runway 16-34 strip end, take-off & approach OLS inner edge - north end	821009.43	416737.81	11.683
Sealed runway 16-34 strip end, take-off & approach OLS inner edge - south end	818956.90	416558.07	10.861
Cross runway 07-25 strip end and takeoff and approach OLS inner edge – west end Fan Origin BM 6 SO 5480 (61m – grass end)	820,664.30	415,775.96	10.80
Cross runway 07-25 strip end and combined takeoff and approach OLS inner edge – east end Fan Origin (61m – end)	820,687.79	417,096.00	11.46
NOTES: Coordinates are in terms of Hawke’s Bay Geodetic Datum 2000 Elevations are in terms of Napier City Council Local Authority Datum 1972			

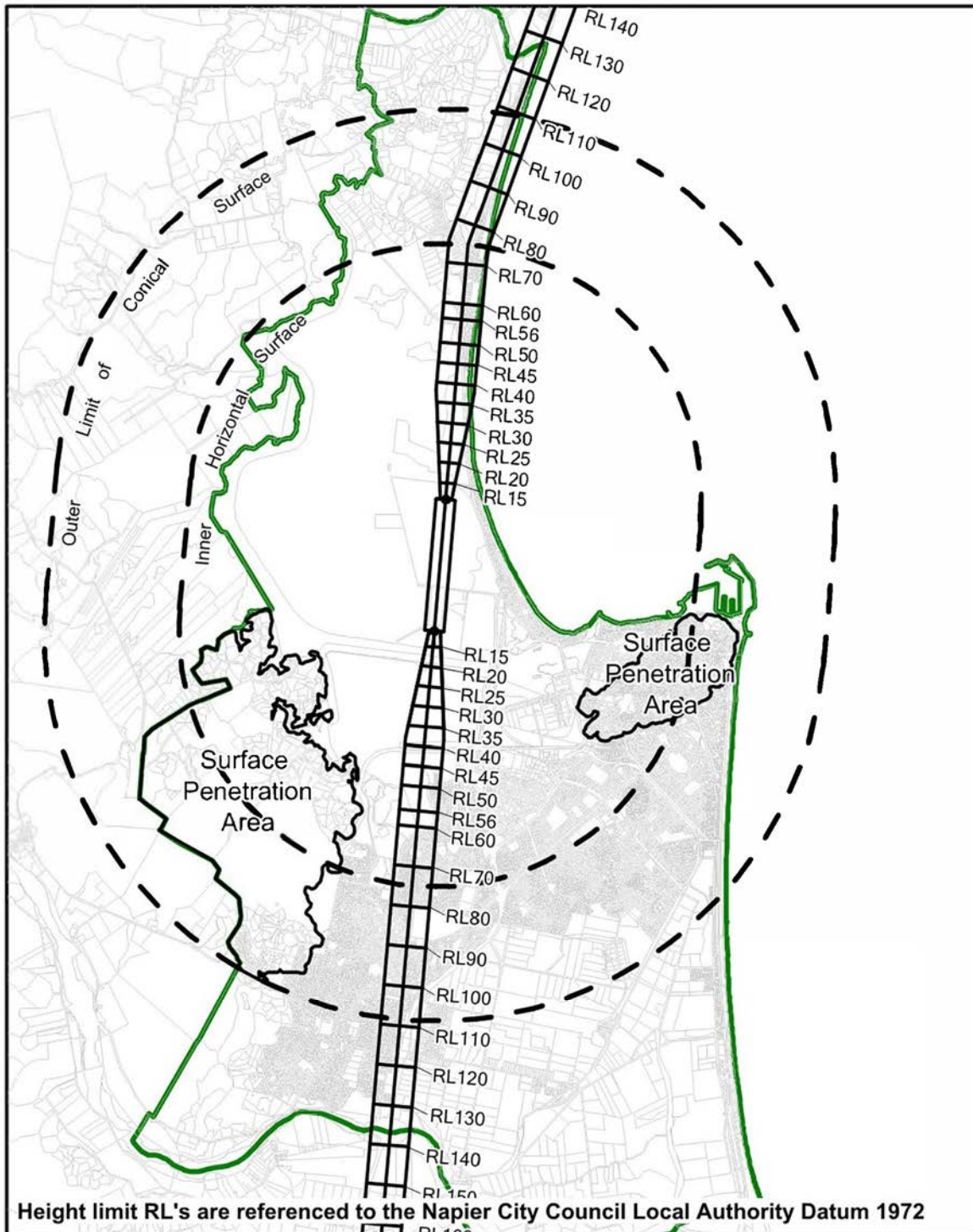
1(a) - Airport Height Control Designation



Height limit RL's are referenced to the Napier City Council Local Authority Datum 1972

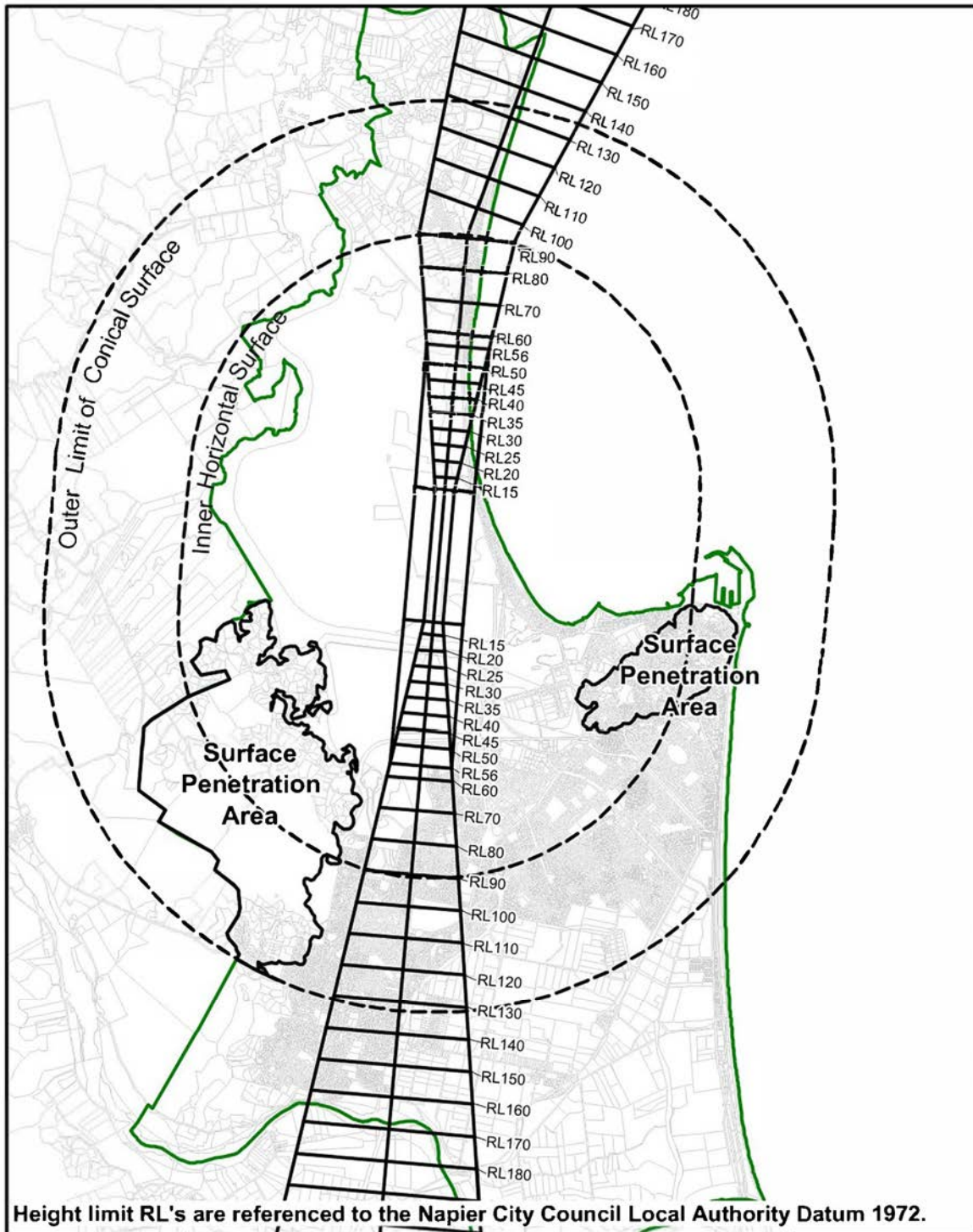
 <p>CITY OF NAPIER NAPIER The ArtDeco City Copyright Reserved Napier City Council</p>	<p align="center">Appendix 1(a): Airport Height Controls all Runways Hawkes Bay Airport Limited</p> <p align="center">Scale 1: 175,000</p>  <p align="center"><small>Digital map data sourced from Land Information New Zealand CROWN COPYRIGHT RESERVED</small></p> <p align="center"><small>The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.</small></p>	<p> PitneyBowes MapInfo</p> <p>Date: 23/06/2011 Time: 09:45 By: TPGIS</p> <p><small>Aerial Photography Flown Jan 2009 Datum: NZGD49 Projection: NZMG</small></p> <p>ORIGINAL SHEET SIZE A4</p>
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APP1(b) - Airport Height Control Designation



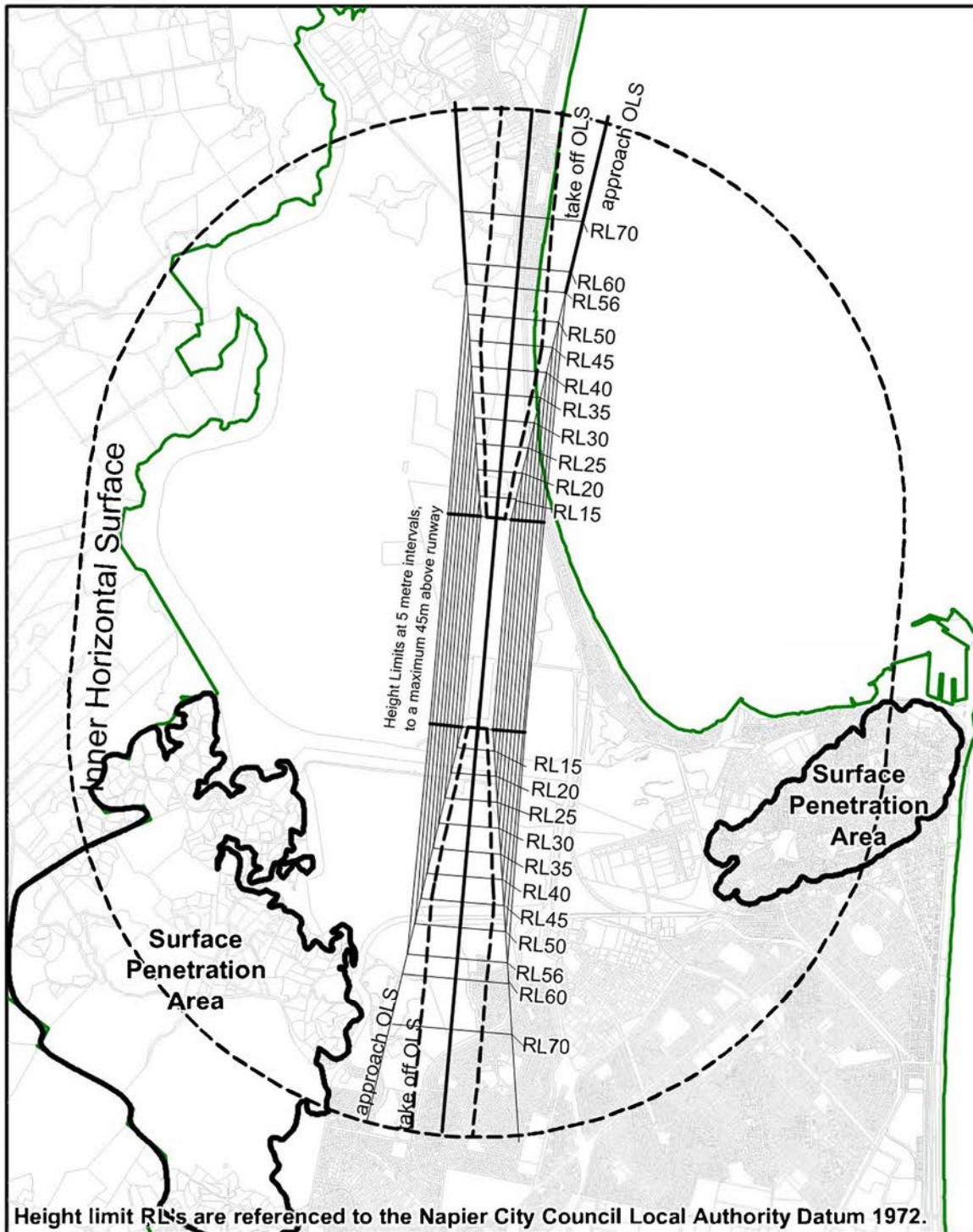
 <p>CITY OF NAPIER NAPIER The Art Deco City Copyright Reserved Napier City Council</p>	<p>Appendix 1(B): Airport Height Controls Takeoff path runway 16-34 Hawkes Bay Airport Limited</p> <p>Scale 1: 80,000</p> <p><small>Digital map data sourced from Land Information New Zealand CROWN COPYRIGHT RESERVED</small></p> <p><small>The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.</small></p>	 <p>Date: 24/01/2011 Time: 09:48 By: TPGIS</p> <p><small>Aerial Photography Flown Jan 2009 Datum: NZGD49 Projection: NZMG</small></p> <p>ORIGINAL SHEET SIZE A4</p>
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APP1(c) - Airport Height Control Designation



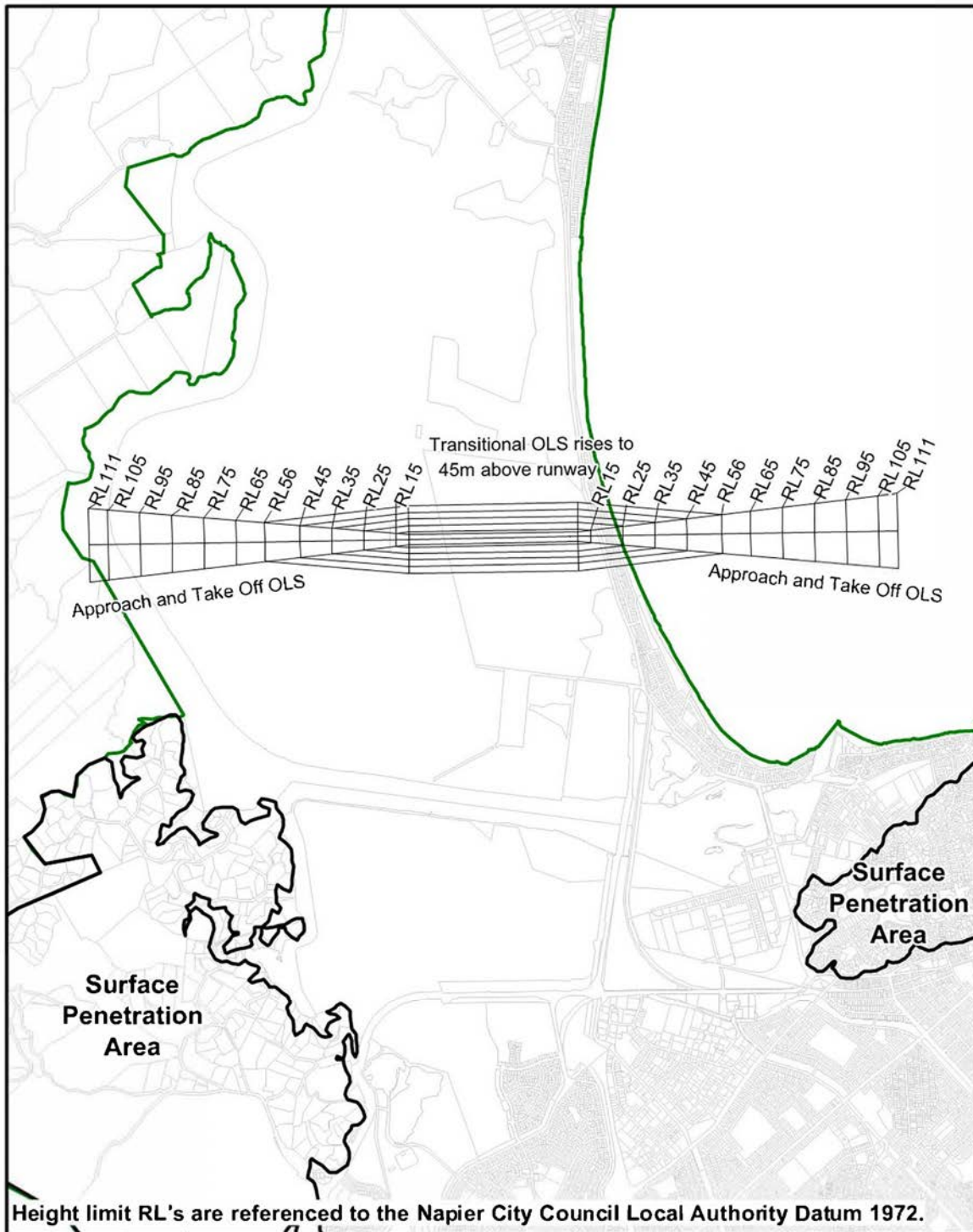
 <p>CITY OF NAPIER NAPIER The Art Deco City Copyright Reserved Napier City Council</p>	<p align="center">Appendix 1(c): Airport Height Controls approach path runway 16-34 Hawkes Bay Airport Limited</p> <p align="center">Scale 1: 80,000</p> <p align="center"><small>Digital map data sourced from Land Information New Zealand CROWN COPYRIGHT RESERVED The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.</small></p>	<p> Pitney Bowes MapInfo</p> <p>Date: 23/06/2011 Time: 10:43 By: TPGIS</p> <p><small>Aerial Photography Flown Jan 2009 Datum: NZGD49 Projection: NZMG ORIGINAL SHEET SIZE</small></p> <p align="right">A4</p>
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APP1 (d) - Airport Height Control Designation



 <p>CITY OF NAPIER</p> <p><i>The Art Deco City</i></p> <p>Copyright Reserved Napier City Council</p>	<p>Appendix 1(d): Airport Height Controls transitional runway 16-34</p> <p>Hawkes Bay Airport Limited</p> <p>Scale 1: 50,000</p> <p>1000 0 1000 m</p> <p><small>Digital map data sourced from Land Information New Zealand CROWN COPYRIGHT RESERVED</small></p> <p><small>The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.</small></p>	<p> PitneyBowes MapInfo</p> <p>Date: 23/06/2011</p> <p>Time: 11:27</p> <p>By: TPGIS</p> <p><small>Aerial Photography Flown Jan 2009 Datum: NZGD49 Projection: NZMG</small></p> <p>ORIGINAL SHEET SIZE A4</p>
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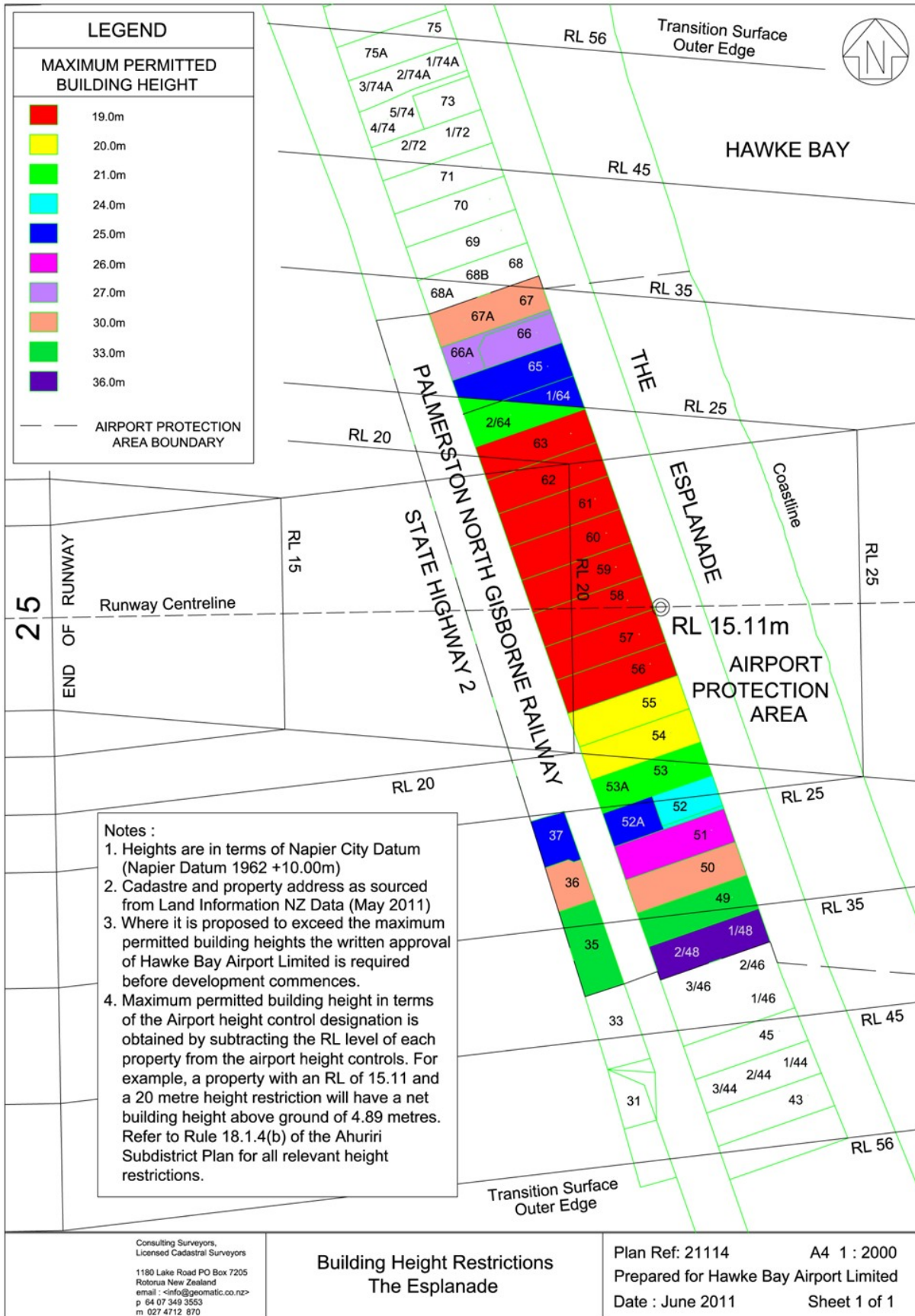
APP1 (e) - Airport Height Control Designation



Height limit RL's are referenced to the Napier City Council Local Authority Datum 1972.

 <p>CITY OF NAPIER NAPIER The Art Deco City Copyright Reserved Napier City Council</p>	<p align="center">Appendix 1(e): Airport Height Controls Runway 07-25 Hawkes Bay Airport Limited</p> <p align="center">Scale 1: 40,000</p>  <p align="center"><small>Digital map data sourced from Land Information New Zealand CROWN COPYRIGHT RESERVED</small></p> <p align="center"><small>The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.</small></p>	<p> PitneyBowes MapInfo</p> <p>Date: 23/06/2011 Time: 11:35 By: TPGIS</p> <p><small>Aerial Photography Flown Jan 2009 Datum: NZGD49 Projection: NZMG</small></p> <p>ORIGINAL SHEET SIZE A4</p>
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APP1 (f) - Airport Height Control Designation - Building Height Restrictions - The Esplanade



APP3 - Redclyffe Substation 12m Setback



Appendix 3 - Redclyffe Substation 12m Setback

PitneyBowes
MapInfo

Scale 1: 2,500



- Property Boundary
- 12m Setback

Date: 7/05/2015
Time: 09:18
By: TPGIS



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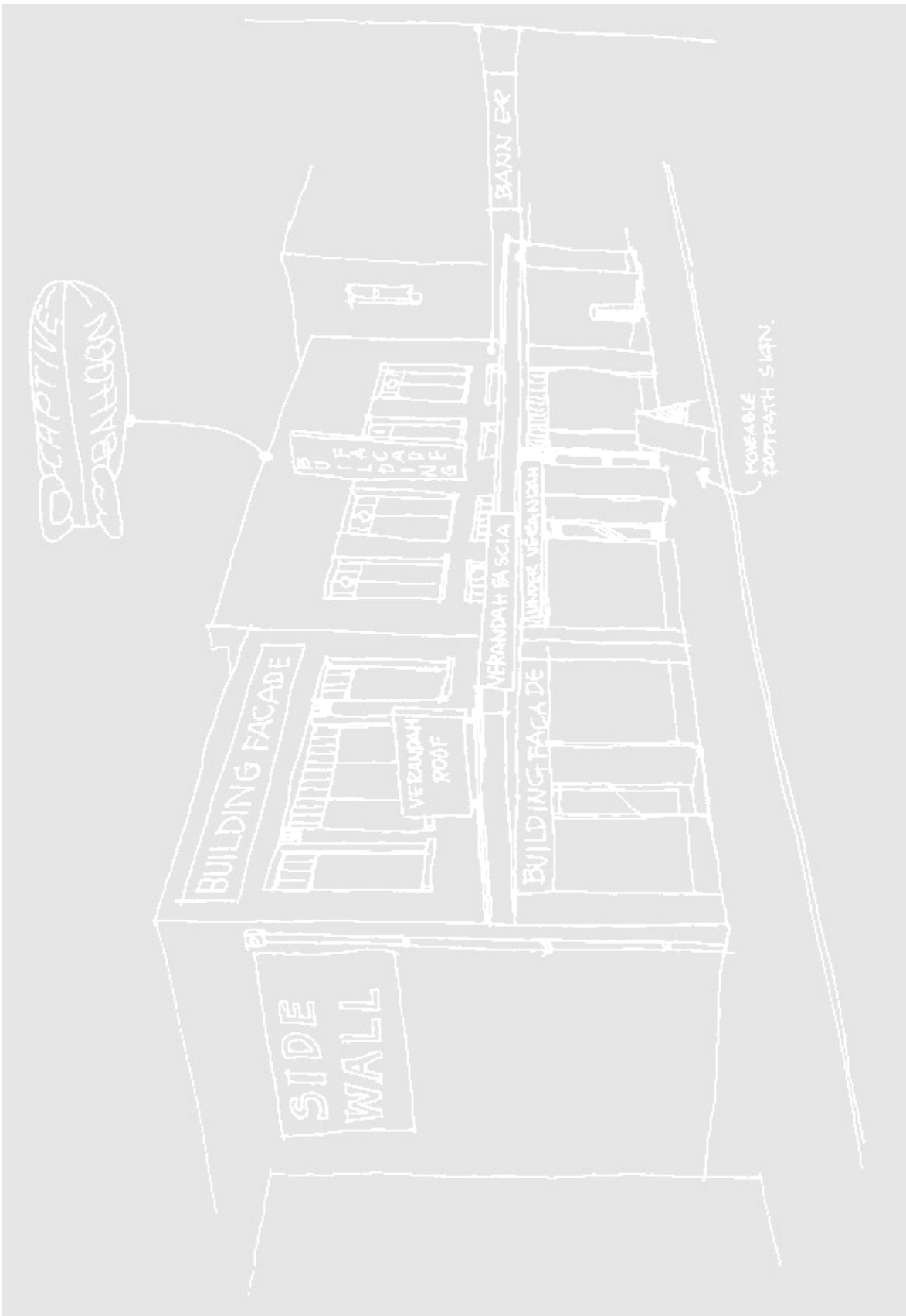
Digital map data sourced from Land Information New Zealand
CROWN COPYRIGHT RESERVED
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It is made available in good faith but its accuracy or completeness is not guaranteed.
If the information is relied on in support of a resource consent it should be verified independently.

Aerial Photography Flown 2011
Datum: NZGD2000 Projection: NZTM
ORIGINAL SHEET SIZE **A4**

APP4 - Access Sight Distance Lines

For information on Access Sight Distance Lines, refer to Chapter 8 (Code or Practice for Land Development and Subdivision Infrastructure 2021)

APP5 - Sign Diagram



APP6 (a) - Port Noise Management Plan

This appendix prescribes the matters that the Port Operator shall include in a Port Noise Management Plan.

Port Noise Management Plan

1. Minimum Port Noise Management Plan Provisions

The Port Noise Management Plan required under Rule 28.15.1(b) shall contain the following:

(a) Port Noise Management Plan objectives.

(b) Detailed procedures for the implementation of the Port Noise Mitigation Requirements outlined in Appendix 6B and the establishment and maintenance of a Port Noise Liaison Committee outlined in Appendix 6C.

(c) A list of Port Noise Liaison Committee functions.

(d) Procedures for recommendations of the Port Noise Liaison Committee to be considered and determined by the Port Operator.

(e) Noise modelling; noise monitoring; auditing and reporting procedures.

(f) Complaint handling procedures.

(g) Procedures for achieving noise reduction through Port operational procedures and staff and contractor training.

(h) Procedures for alterations to the Port Noise Management Plan.

(i) Allocation of an annual budget providing for the implementation of the Port Noise

Management Plan, and Port Noise Mitigation Requirements in Appendix 6B.

2. Minimum Monitoring and Reporting Requirements

The minimum monitoring and reporting requirements are as follows:

(a) The Port Operator shall maintain at its expense permanent sound level monitoring equipment operating 24 hours a day 7 days a week to ensure that the provisions specified in Rule 28.15 are complied with and to provide sound level data to produce the current Port Noise Contour Map which determines the Port Noise Mitigation Offers in accordance with Appendix 6B.

(b) The Port Operator shall provide the results of the permanent sound level monitoring to the Council and the Port Noise Liaison Committee showing Leq, Lmax, calculated Ldn sound exposure and all attended Lmax levels on a quarterly basis. Significant port noise emissions shall be highlighted and correlated with port activity and wind speed and wind direction data.

(c) The Port Operator shall produce, a Port Noise Contour Map based on the sound level monitoring measured in (a) above and the port noise contours shall be modelled at 1dB intervals from 65 dBA

Ldn. This Port Noise Contour Map is to be attached to the Port Noise Management Plan and updated annually at the expense of the Port Operator.

(d) To ensure the accuracy of the current port noise contour map the Port Operator shall undertake field verification of calculated sound exposure levels of port noise at monitoring points identified in the Port Noise Management Plan. These monitoring points shall be as decided by agreement between the Port Operator's acoustic consultant and the Napier City Council. The Napier City Council may also undertake noise measurements and/or obtain a peer review of the current port noise contour map in accordance with its monitoring responsibilities under section 35 of the Resource Management Act 1991.

(e) In the event that sound level monitoring indicates that port noise may be exceeding 65 dBA Ldn (5 day average) or 65 dBA Leq (15min, 10pm - 7am) within the boundary of a noise sensitive activity landward of the current port noise contour line, that is 65 dBA Ldn (5 day average), the exceedance shall be recorded, investigated and reported to the Port Noise Liaison Committee. If the exceedance is confirmed on more than three occasions (more than 24 hours apart) during any rolling 12 month period the noise sensitive activity shall be included on the list for acoustic treatment in accordance with Appendix 6B.

(f) A copy of an acoustic certificate register and acoustic certificates for noise sensitive activities shall be supplied to the Napier City Council. Copies of the register and acoustic certificates shall also be held at the offices of the Port Operator and the Napier City Council and made available to members of the public on request.

(g) When a noise complaint is received the Port Operator will advise the Napier City Council within 7 days (if the complaint is not received through the Napier City Council).

(h) The Port Operator shall maintain a register of noise complaints and report the details of complaints and any action taken to investigate and resolve complaints to the Port Noise Liaison Committee at the earliest opportunity.

(i) Copies of the Port Noise Management Plan are to be held at the offices of the Port Operator and the Napier City Council and made available to members of the public on request.

APP6 (b) - Port Noise Mitigation Requirements

1. **Offers of Acoustic Treatment 65 dBA and up to 68 dBA in accordance with Rule 28.15.1(c).**
 - a. The Port Operator shall make an offer in writing to the owner(s) of any noise sensitive activity eligible in accordance with Rule 28.15.1(c) to install acoustic treatment to achieve an internal acoustic environment in the existing habitable spaces of the building(s) of 45 dBA Ldn. The indoor design sound level must be achieved with all windows and doors open unless adequate alternative ventilation means is provided, used and maintained in operating order.
 - b. The offer must be made to all noise sensitive activities eligible in (a) above. To avoid doubt new offers must be made to noise sensitive activities who have previously refused the offer.
 - c. The Port Operator shall contribute 60% of the cost of acoustic treatment and any remaining amount above \$20,000 including GST, of the property owners contribution (adjusted annually thereafter by the percentage increase in the Consumer Price Index (All Groups) to compensate for inflation).
2. **Offers of Acoustic Treatment equal to or greater than 68 dBA in accordance with Rule 28.15.1(d).**
 - a. The Port Operator shall make an offer in writing to the owner(s) of any noise sensitive activity eligible in accordance with Rule 28.15.1(d) to install acoustic treatment to achieve an internal acoustic environment in the existing habitable spaces of the building(s) of 45 dBA Ldn. The indoor design sound level must be achieved with all windows and doors open unless adequate alternative ventilation means is provided, used and maintained in operating order.
 - b. The offer must be made to all noise sensitive activities eligible in (a) above. To avoid doubt new offers must be made to noise sensitive activities who have previously refused the offer.
 - c. The Port operator shall contribute 100% of the cost of acoustic treatment.

3. **Obligations of the Port Operator**

Budget

- a. The Port Operator shall allocate from the beginning of each financial year (1 October) \$250,000 including GST (adjusted annually thereafter by the percentage increase in the Consumer Price Index (All Groups) to compensate for inflation) for the implementation of the Port Noise Mitigation Requirements.
- b. The annual budget does not accrue, but will carry forward those offers that have been accepted, but not completed.
- c. The Port Operator will take direction as to which properties the annual budget should be applied to from the Port Noise Liaison Committee.

Acoustic Treatment

- d. Where necessary seek advice of an appropriately qualified acoustic consultant when considering the acoustic treatment required to achieve the internal design sound level and to assist in the verification of the internal design sound level. When determining the appropriate internal design sound level the external noise environment will be based on an assumption that the Port Inner Noise Boundary is experiencing noise at 65 dBA Ldn.
- e. Ensure all treatment work for a noise sensitive activity is carried out within 2 years of the date of acceptance of the offer in a cost effective manner and to the appropriate standard, while at the same time ensuring that the treatment work does not significantly compromise the character of the house.
- f. Organise the payment of the necessary costs for acoustic treatment.
- g. Where the Port Operator installs any acoustic treatment it shall forward on completion of the work a copy of an acoustic certificate to the Napier City Council signed by a suitably qualified acoustic engineer certifying acoustic treatment of a residential property and specifying that the noise sensitive activity will achieve a spatial average indoor design sound level of 45 dBA Ldn in all habitable spaces, based on an assumption that the Port Inner Noise Boundary is experiencing noise at 65 dBA Ldn.

4. Obligations of the Property Owner

- a. The owner(s) of each such noise sensitive activity must decide whether to accept the offer of acoustic treatment within 60 days from the date of the offer.
- b. Notify the Port Noise Liaison Committee whether the offer is accepted, and if so, approve the acoustic treatment, including any construction details associated with the proposed acoustic treatment, and agree to treatment proceeding before any treatment commences.
- c. If the noise sensitive activity is eligible for acoustic treatment in accordance with Rule 28.15.1(c) contribute 40% of the cost of the acoustic treatment up to a maximum of \$20,000 including GST (adjusted annually thereafter by the percentage increase in the Consumer Price Index (All Groups) to compensate for inflation).
- d. Enter into a civil covenant with the Port Operator. The purpose of the covenant is to ensure that any acoustic treatment measures installed must not be removed or altered (which results in a lessening of the effectiveness of the acoustic treatment) without prior written consent of the Port Operator. The cost of preparation and registration of the covenant on the site's title shall be met by the Port Operator. The Port Operator shall meet the reasonable legal costs incurred by the owner for the perusal and approval of the covenant.

APP6 (c) Port Noise Liaison Committee

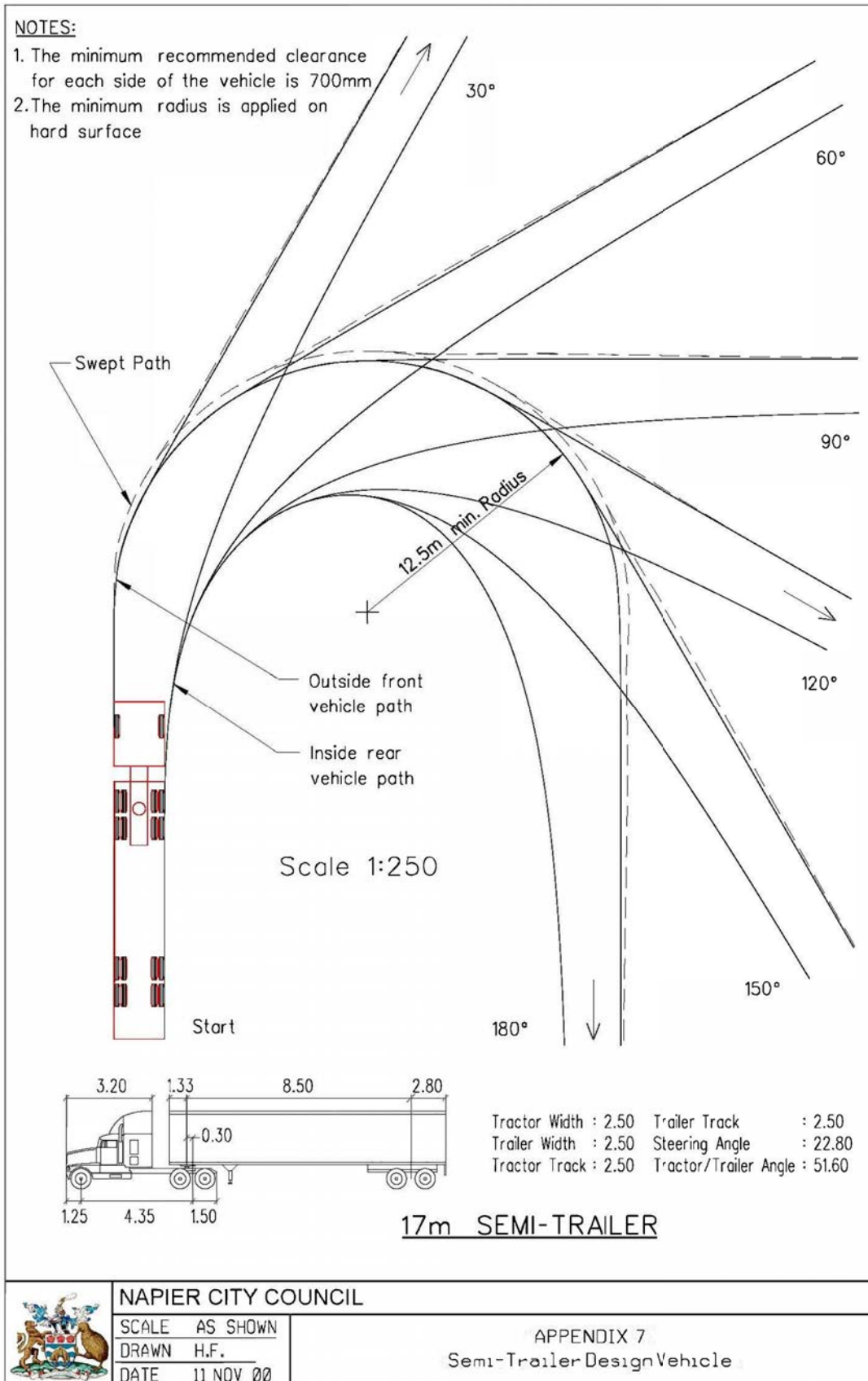
1. Port Noise Liaison Committee composition

The Port Noise Liaison Committee required under Rule 28.15.1(d) shall comprise but is not limited to members appointed by the following organisations:

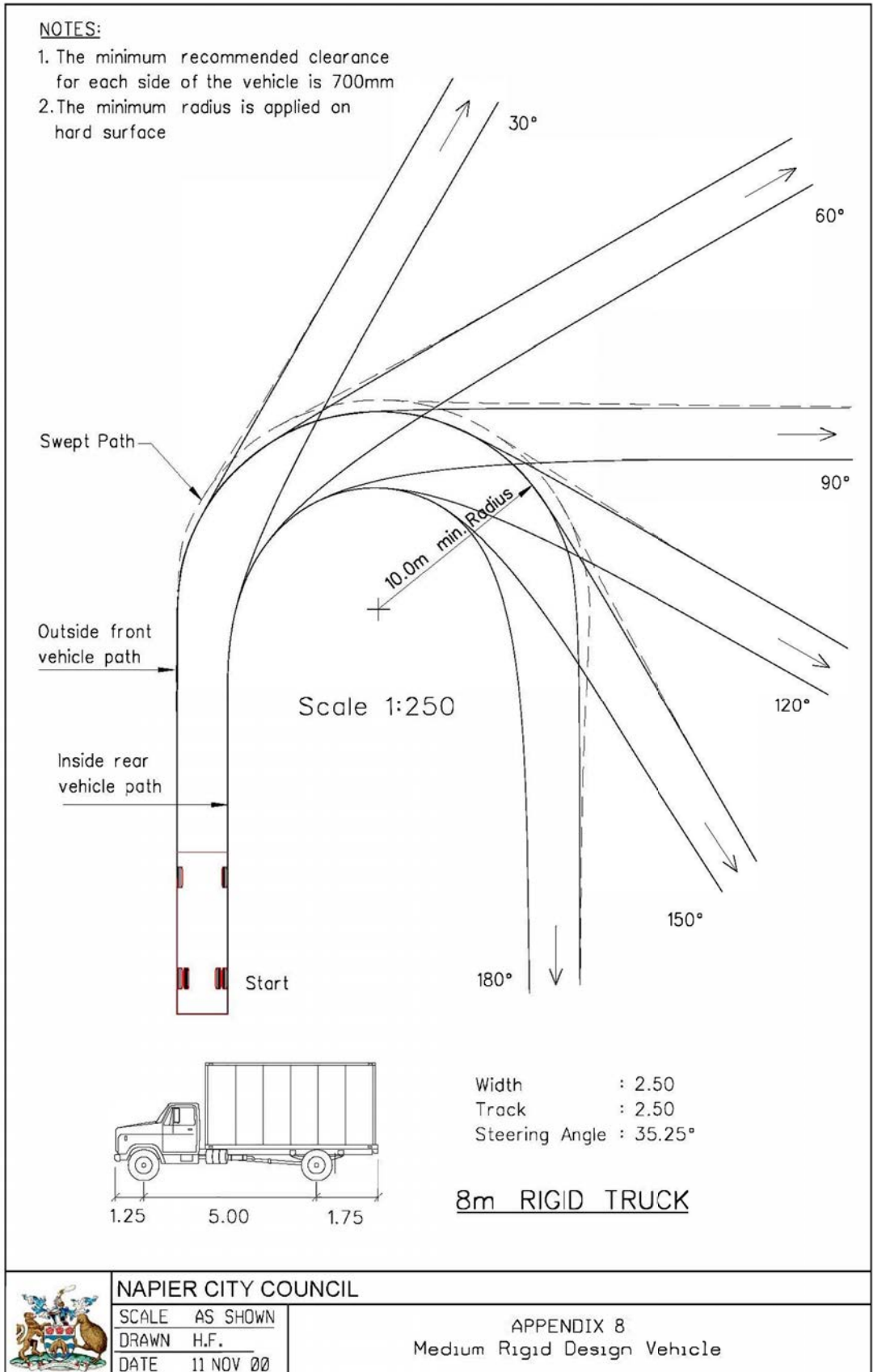
- The Port Operator (2)
- Port Users (2)
- Napier City Council (1)
- Hawke's Bay Regional Council (1)
- Seascope Environment Society Inc (2) and/or residents within the Port Noise Boundary (2)

(Note: If Seascope Environment Society ceases to exist or be in a position to supply members, then the number of members of residents within the Port Noise Boundary may be (4)).

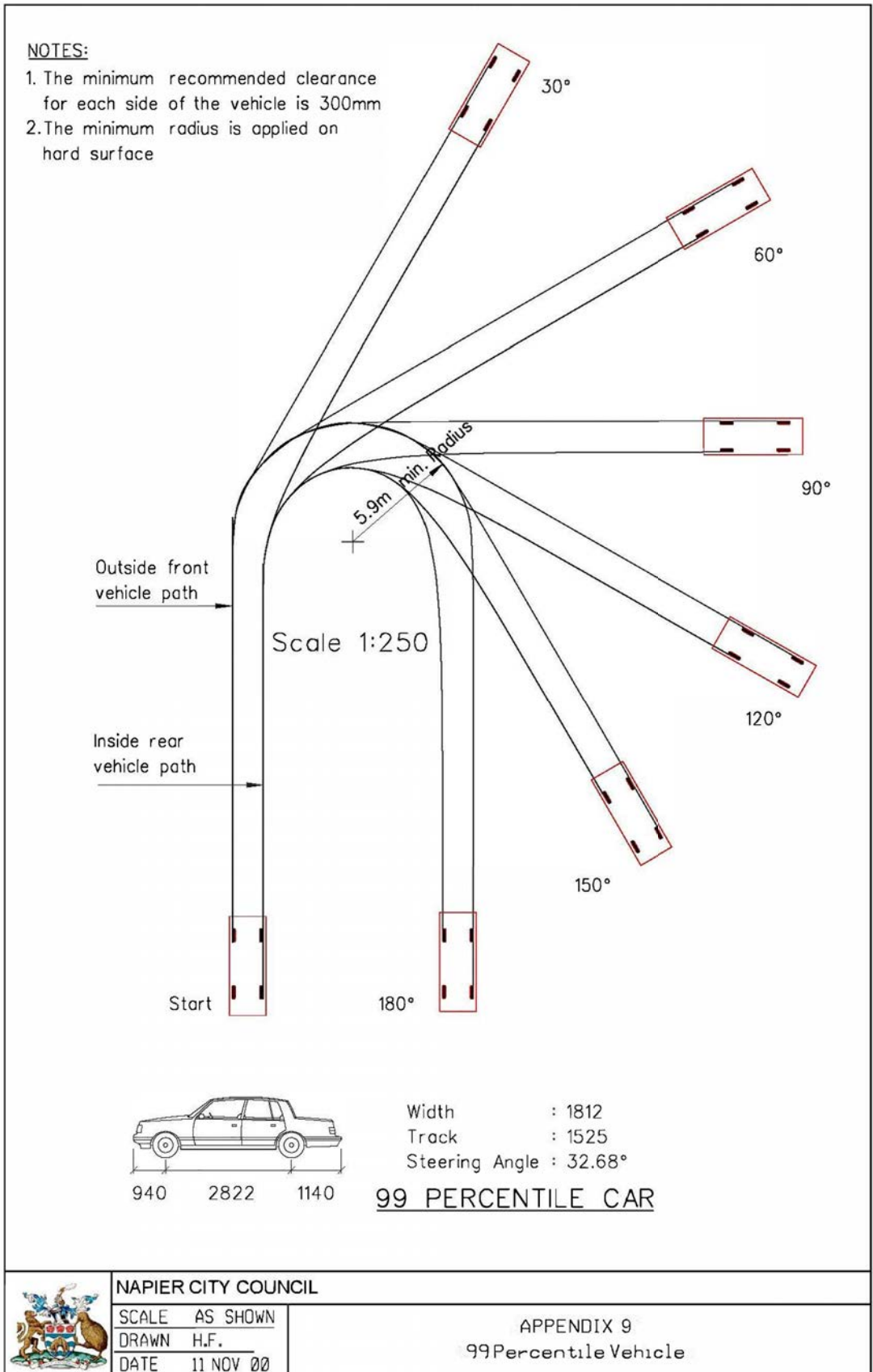
APP7 - Semi Trailer Design Vehicle



APP8 - Medium Rigid Design Vehicle



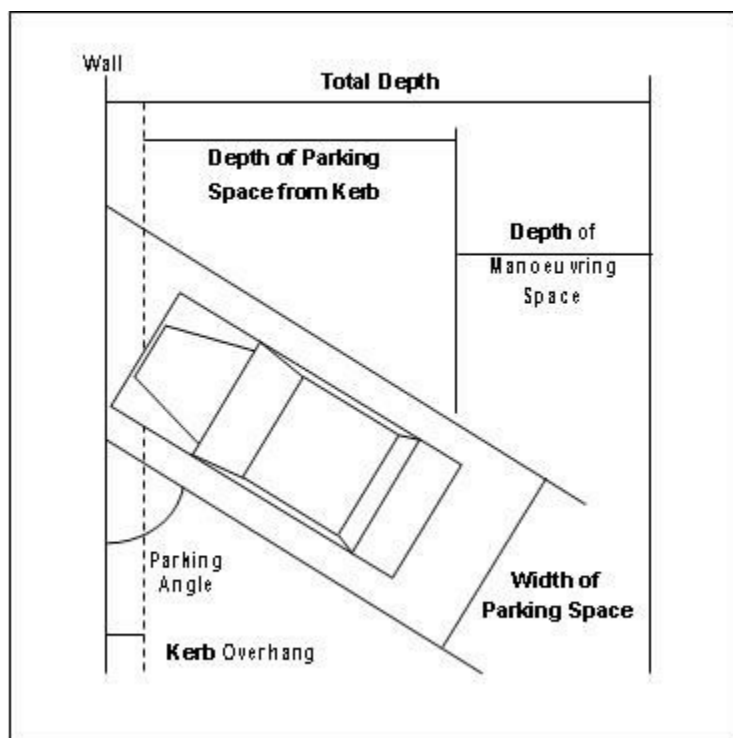
APP9 - 99 Percentile Tracking Curve



APP10 - Non-Residential Vehicle Parking Spaces Dimensions

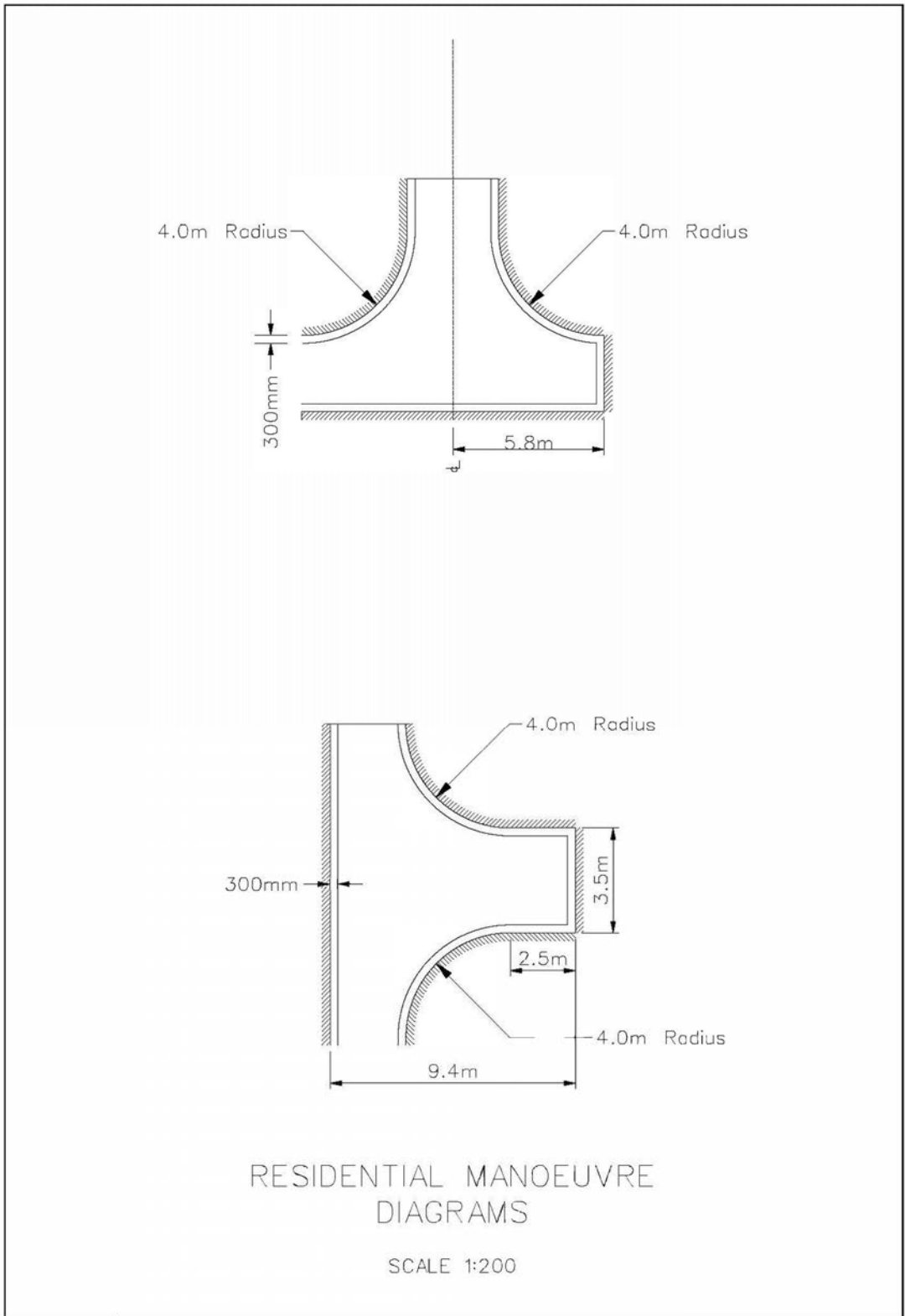
Standard Dimensions for Non-Residential Vehicle Parking

Parking Angles	Width of Parking	Kerb Overhang	Depth of Space from Kerb	Depth of Manoeuvring	Total Depth*
90 Degrees (Perpendicular)	2.40 m 2.55 m 2.70 m	600 mm	4.30 m	8.20 m 7.30 m 6.40 m	13.10 m 12.20 m 11.30 m
75 Degrees	2.40 m 2.55 m 2.70 m	600 mm	4.50 m	5.50 m 4.90 m 4.30 m	10.60 m 10.00 m 9.40 m
60 Degrees	2.40 m 2.55 m 2.70 m	600 mm	4.50 m	4.00 m 3.60 m 3.60 m	9.10 m 8.70 m 8.70 m
45 Degrees	2.40 m 2.55 m 2.70 m	600 mm	4.40 m	3.60 m	8.60 m
30 Degrees	2.40 m 2.55 m 2.70 m	600 mm	3.60 m	3.60 m	7.80 m
0 Degrees (Parallel)	2.40 m	300 mm	2.10 m	3.60 m	6.00 m



* “Total Depth” of parallel parking angles refers to the length of vehicle parking space (i.e.: total space dimensions equal 2.4 metres (width) x 6.0 metres (length)).

APP11 - Residential Manoeuvre Diagrams



RESIDENTIAL MANOEUVRE
DIAGRAMS

SCALE 1:200



NAPIER CITY COUNCIL

SCALE AS SHOWN

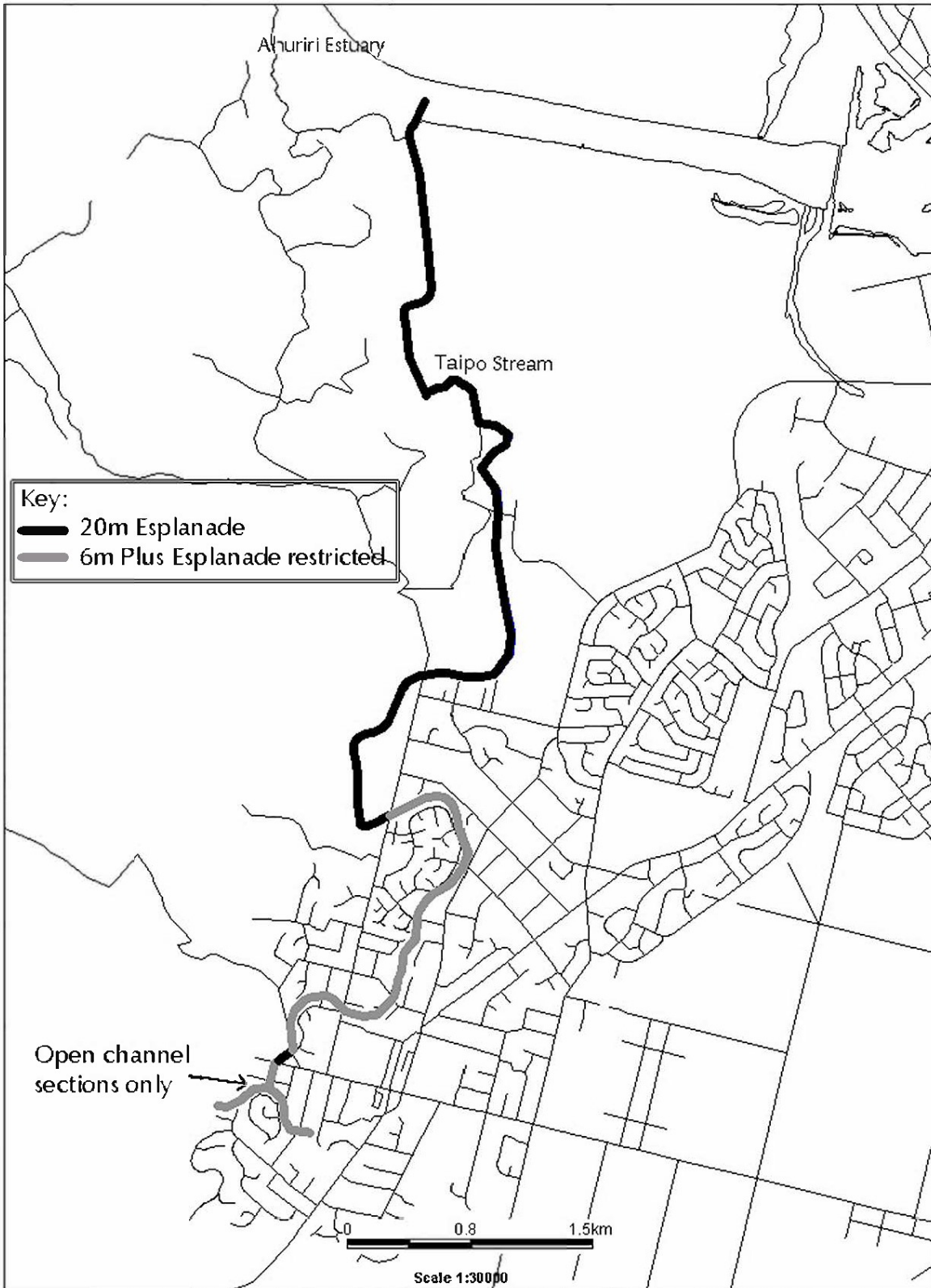
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DATE 11 NOV 00

APPENDIX 11
Residential Manoeuvre Diagrams

APP12 - Esplanade Reserve Requirements Taipo Stream

APPENDIX 12: ESPLANADE RESERVE REQUIREMENTS TAIPO STREAM



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APP12 (a) - Ownership Transfer Agreement

Ownership Transfer Agreement:

This agreement is to be used where ownership of assets are to be transferred to the Council.

Ownership of all assets to be vested in the Council will, subject to the following clauses, be deemed to be transferred to the Council at the time an Asset Compliance Certificate pursuant to Section 224 of the RMA 1991 is signed by the Council notwithstanding that some services may already be in use and may be connected to City services.

- a. All maintenance periods and guarantees shall commence from the date the Asset Compliance Certificate is signed or such time as work is completed where it is subject to a bond for due completion.
- b. Where plant and equipment is involved the Council will only accept ownership when all plant and equipment has been proven notwithstanding that an Asset Compliance Certificate may have been issued.
- c. All guarantees for plant and equipment shall commence from the date of the Asset Compliance Certificate or date of proof that all plant and equipment is in operating order and complies with the specifications approved by the Council whichever is the later.
- d. All assets transferred to the Council must be free of all encumbrances, liens or other claims and title must be available for Council.
- e. All assets must be insured for full replacement cost until vested in the Council in terms of the above.

This is to certify that the above conditions have been or are being complied with and that title will be available to Council on the transfer of assets in terms of the above conditions.

The Developer acknowledges that they will remain responsible for construction defects.

NAME OF DEVELOPMENT

.....
Signed for Developer (AUTHORISED Signatory)

Name *Position*

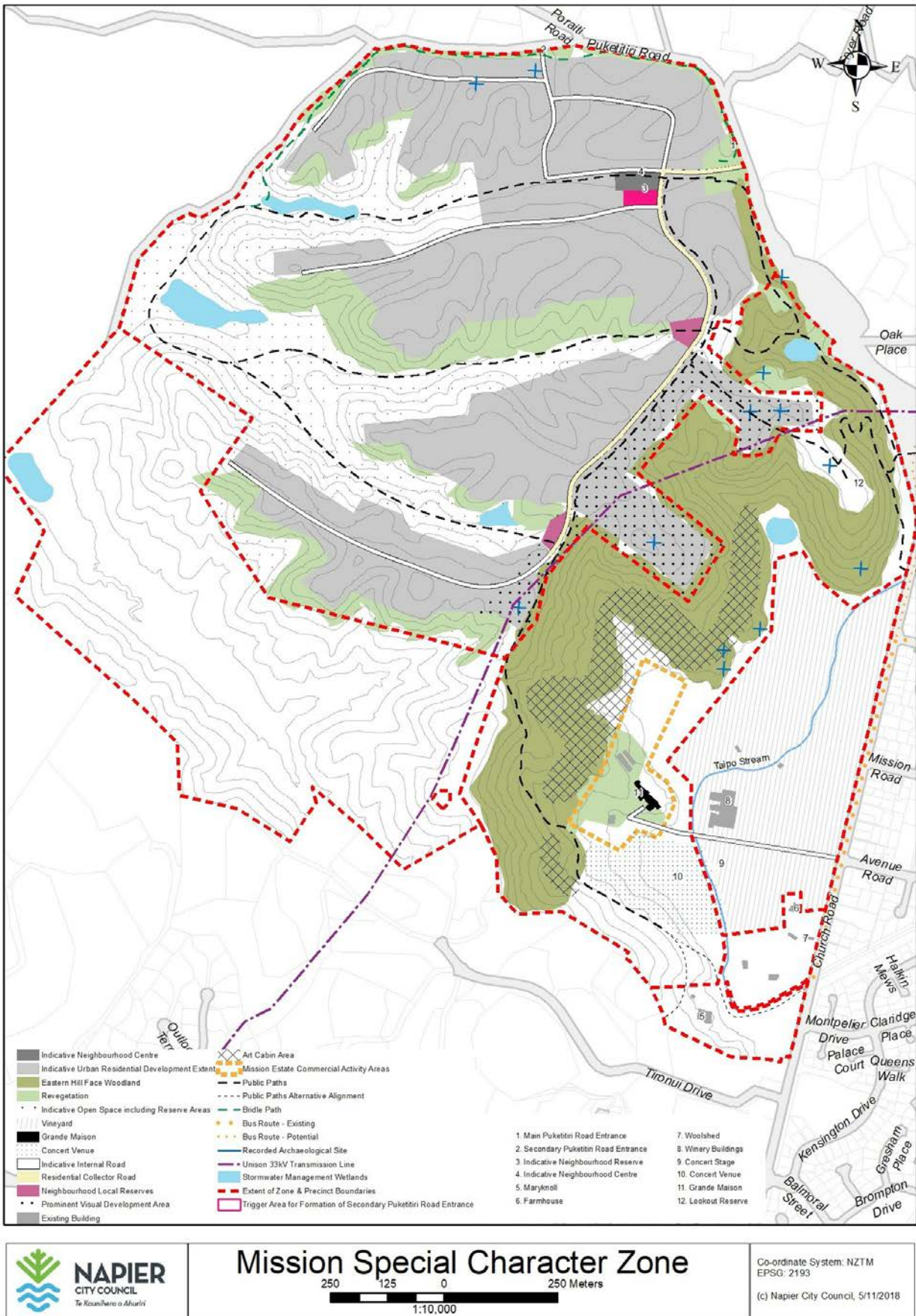
Date

Signed for Council

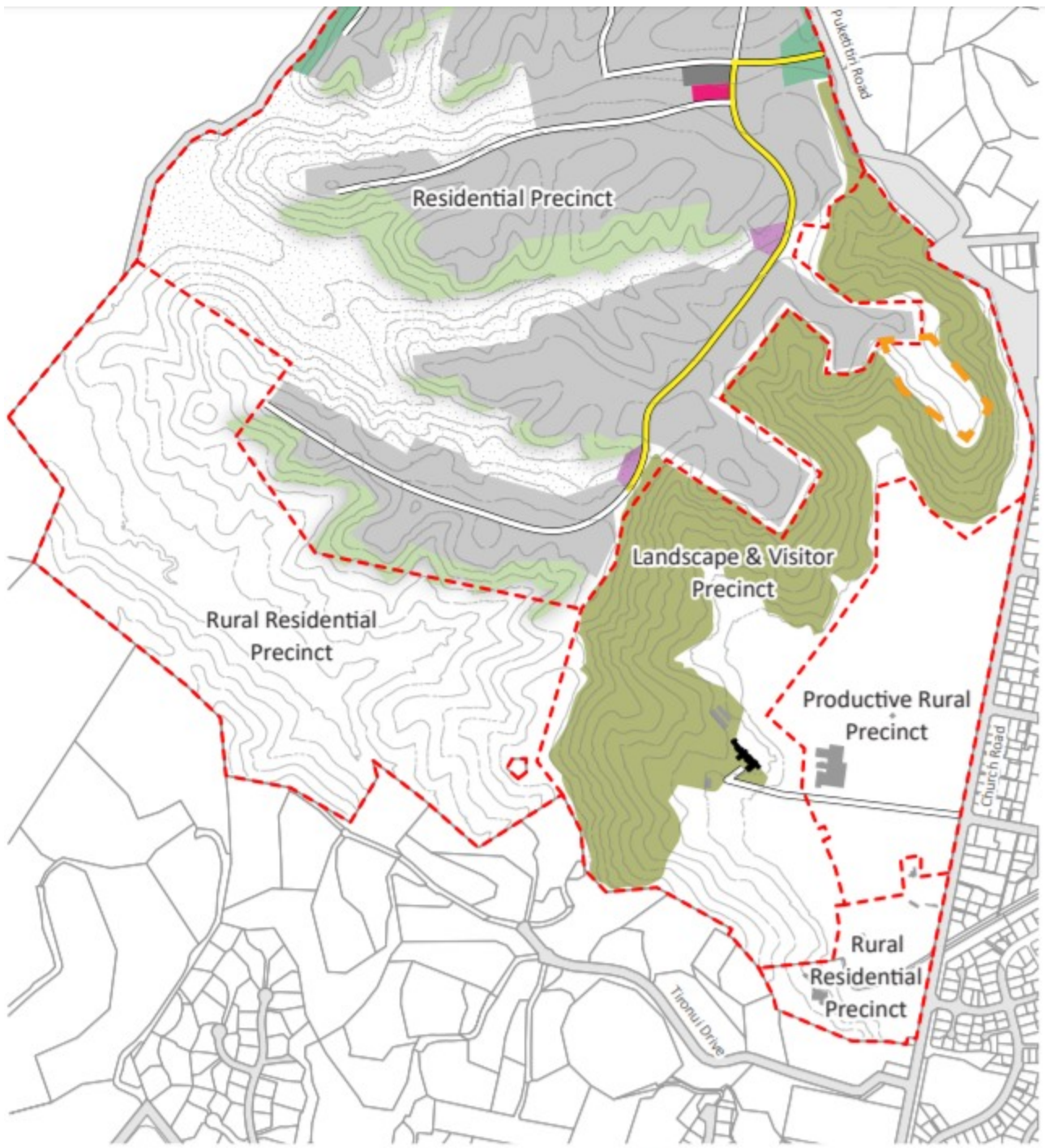
Name *Position*

Date

APP13 (a) - Mission Special Character Zone Structure Plan - Overall Map



APP13 (b) - Mission Special Character Zone Structure Plan - Area Plan Map



Residential Precinct	135ha	Indicative Internal Road - 2.8km	Lookout Reserve - 2.5ha
Rural Residential Precinct	60ha	Residential Collector Road - 1km	Neighbourhood Centre - 0.25ha
Landscape & Visitor Precinct	95ha	Eastern Hill Face Woodland - 43ha	Puketitiri Road Buffer Strip Reserve - 2.7ha
Productive Rural Precinct	24ha	Revegetation - 14ha	Neighbourhood Centre Reserve - 0.2ha
Rural Residential Precinct	7ha	Indicative Open Space including Reserve Areas - 58ha	Neighbourhood Local Reserves - 0.6ha

Structure Area Plan

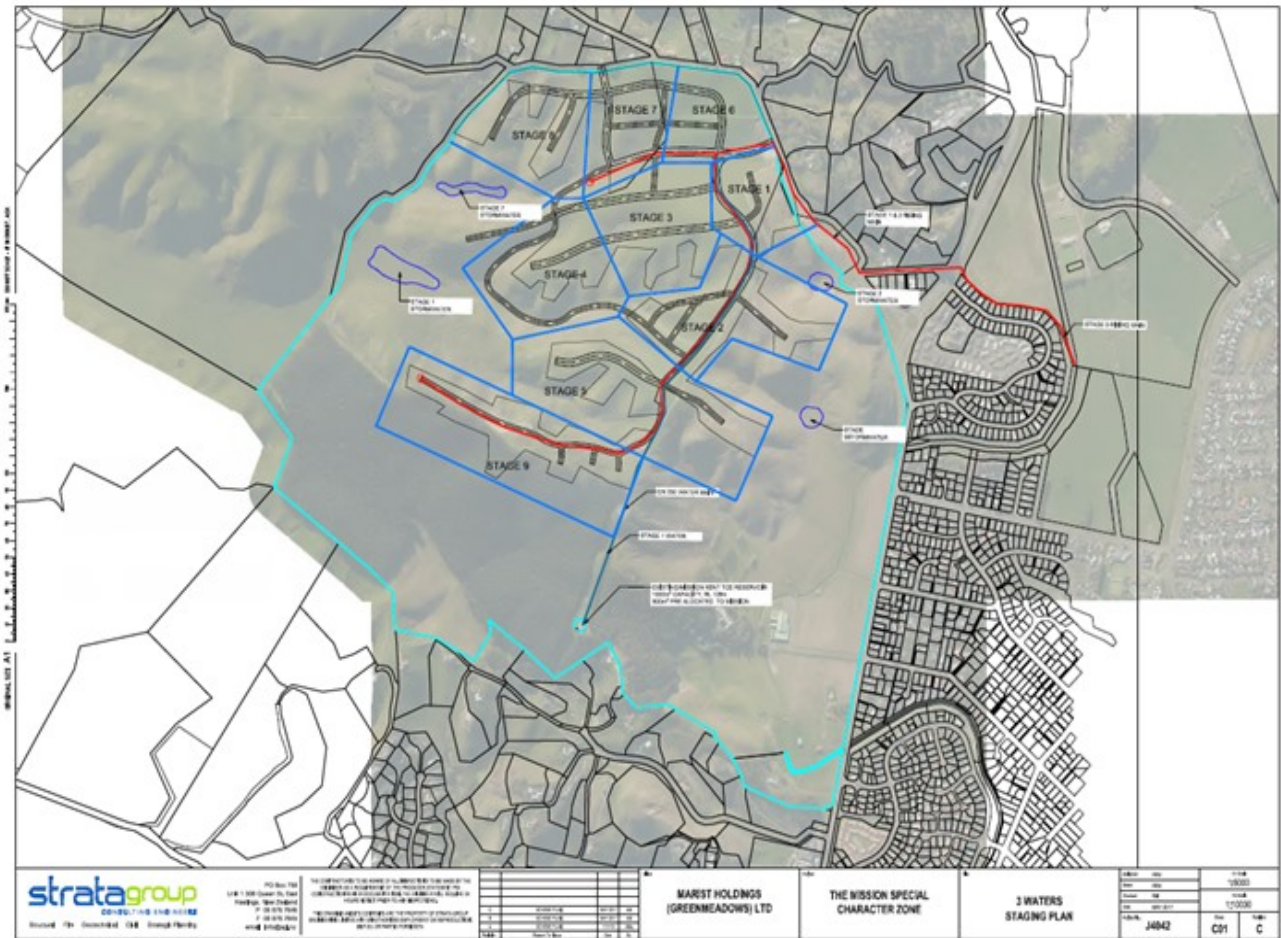
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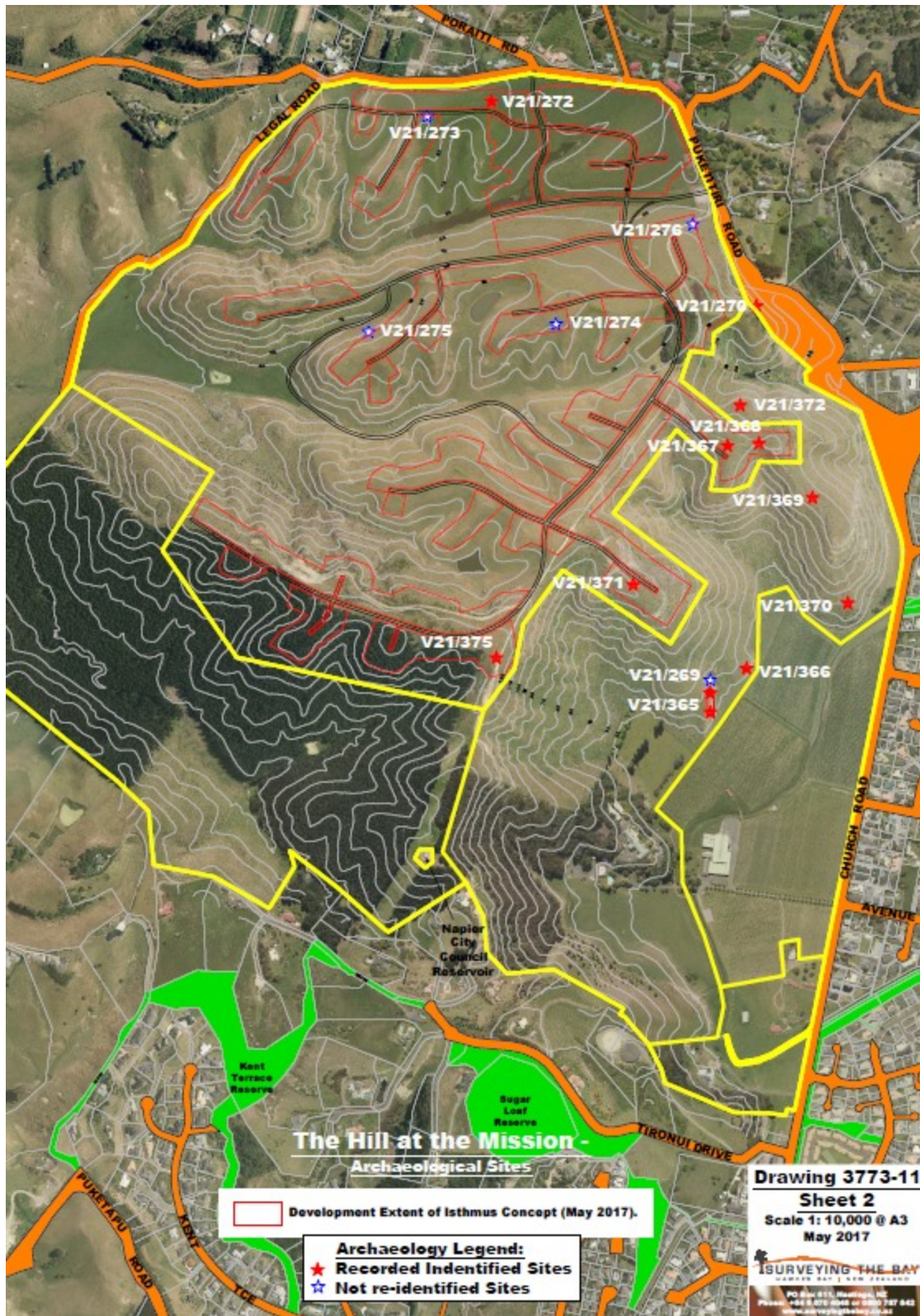
isthmus

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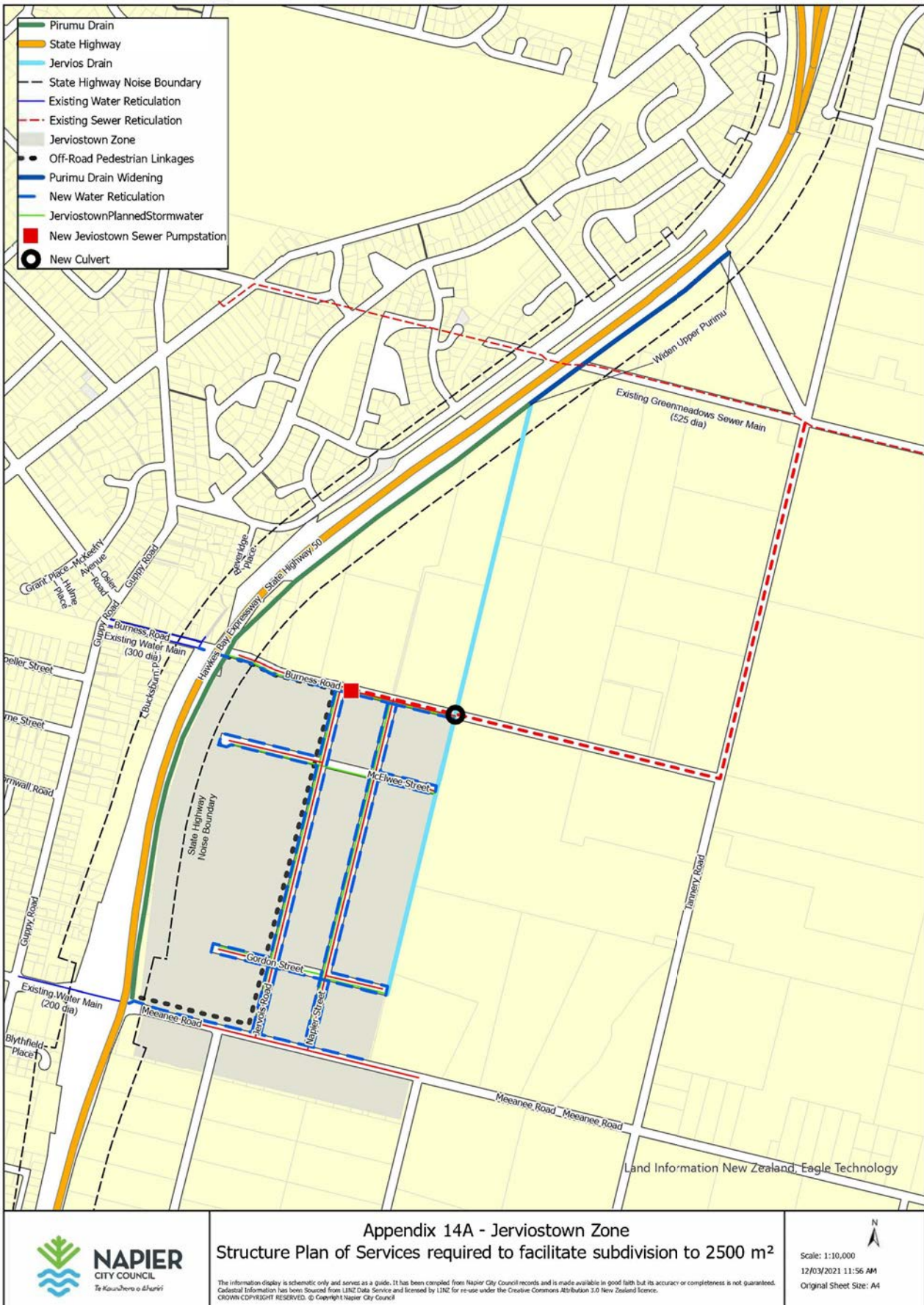
APP13 (d) - Mission Special Character Zone Structure Plan - 3 Waters Staging Plan



APP13 (f) - Mission Special Character Zone Structure Plan - Map of Archaeological Sites

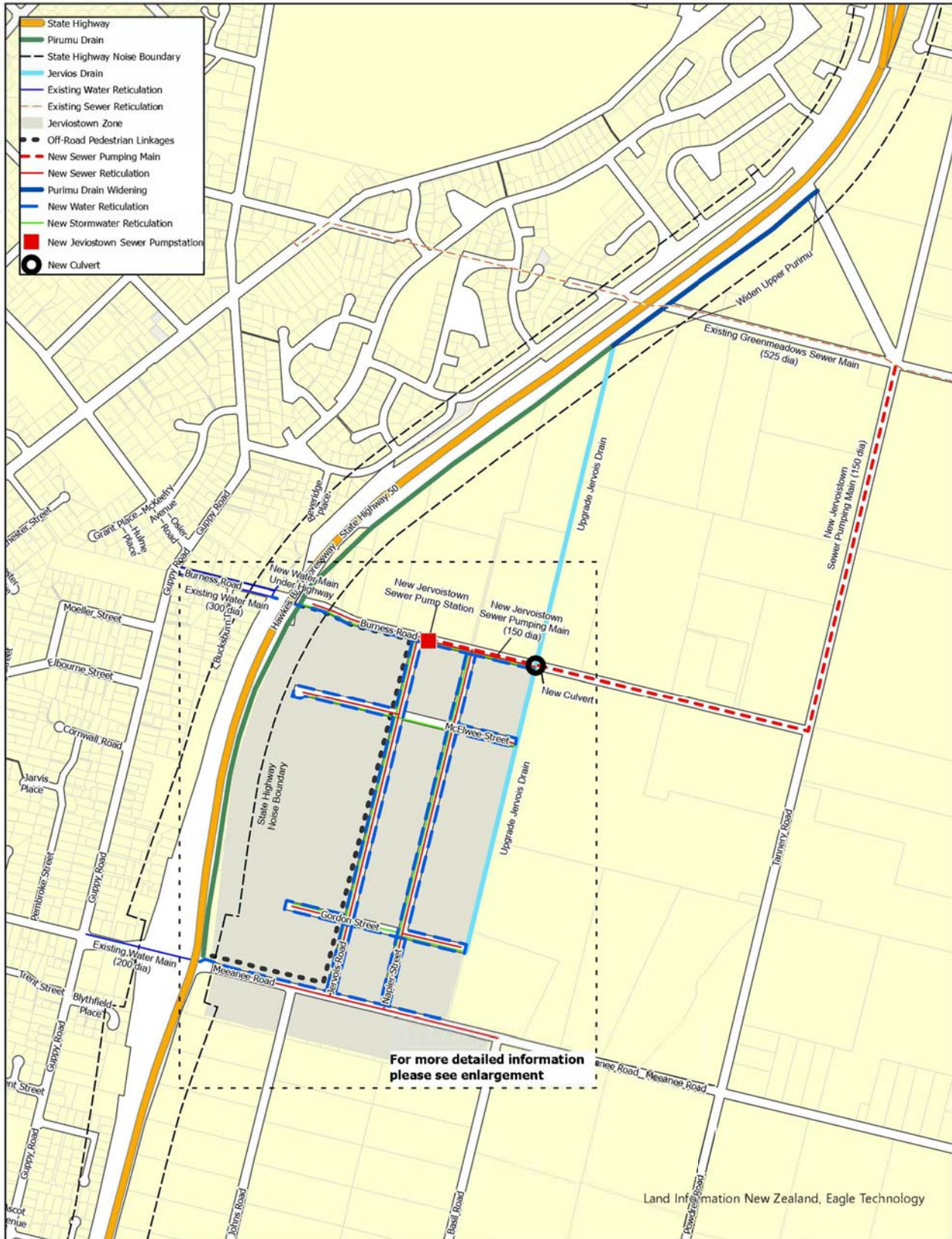


APP14 (a) - Jerviostown Zone Structure Plan of Services required to facilitate subdivision to 2500 m2





APP14 (b) - Jervoistown Structure Plan

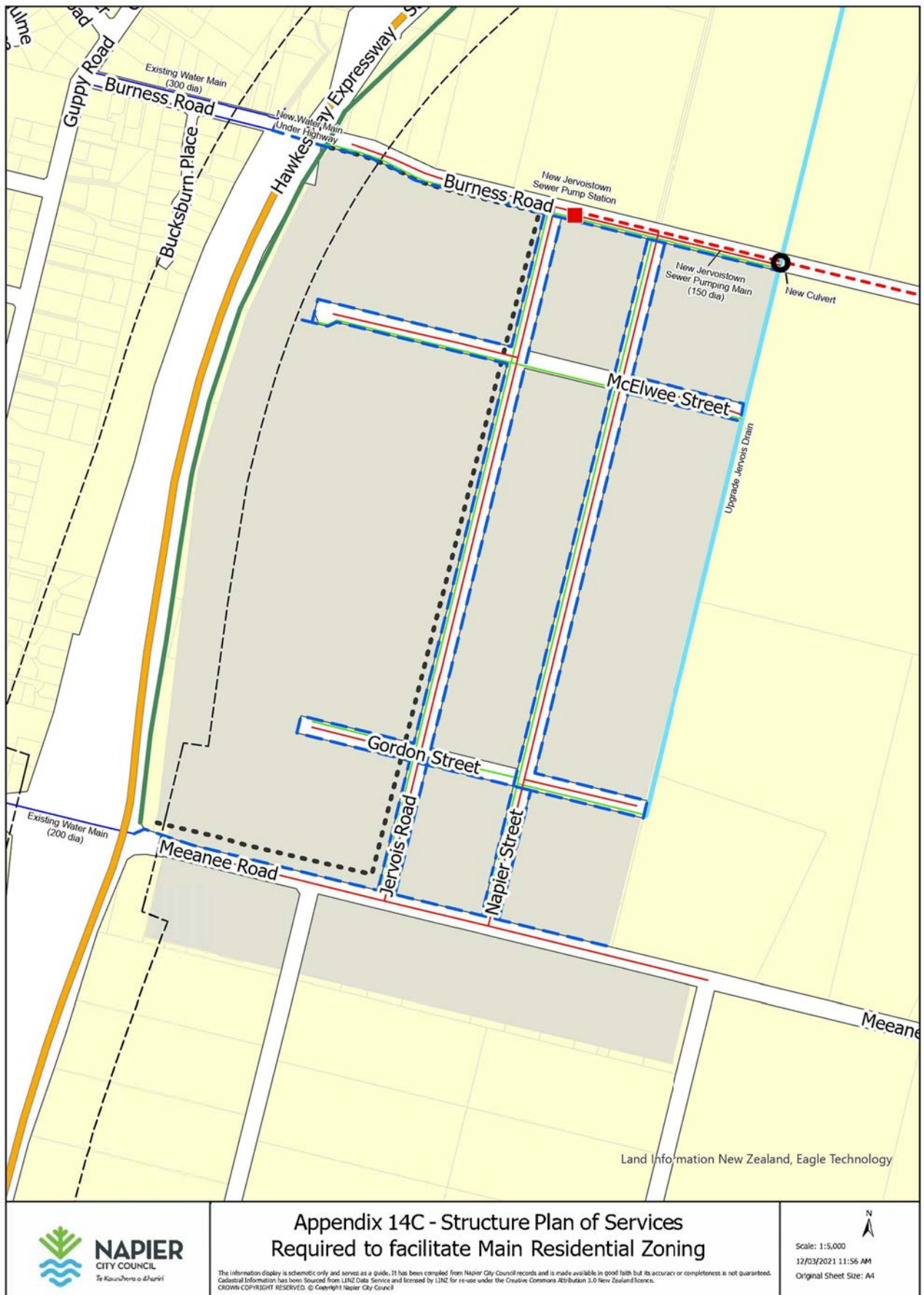


Appendix 14B - Jerviostown Structure Plan

The information display is schematic only and serves as a guide. It has been compiled from Napier City Council records and is made available in good faith but its accuracy or completeness is not guaranteed. Cadastral information has been sourced from LINZ Data Service and licensed by LINZ for re-use under the Creative Commons Attribution 3.0 New Zealand licence. CROWN COPYRIGHT RESERVED. © Copyright Napier City Council

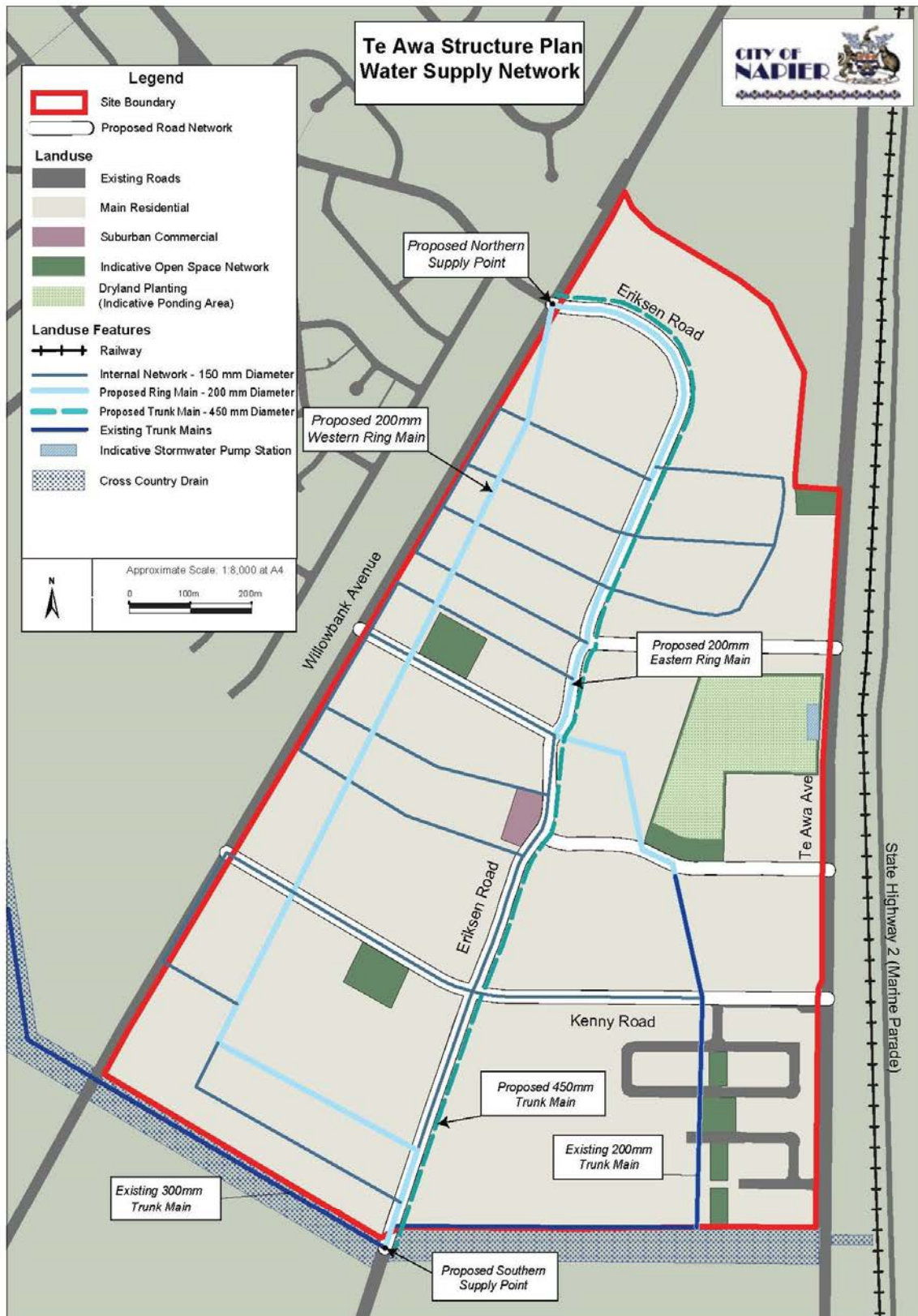
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APP14 (c) - Structure Plan of Services Required to facilitate Main Residential Zoning

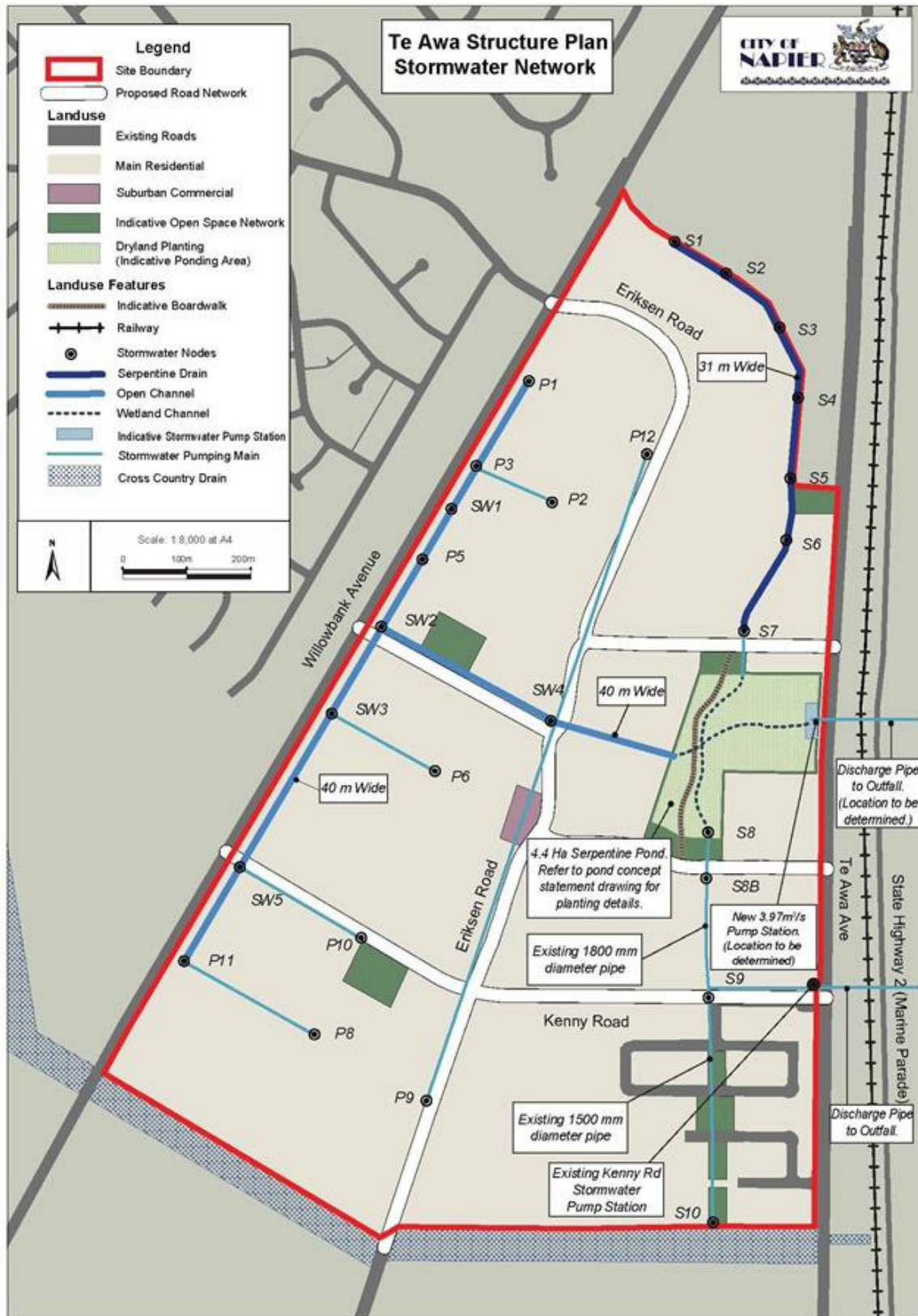




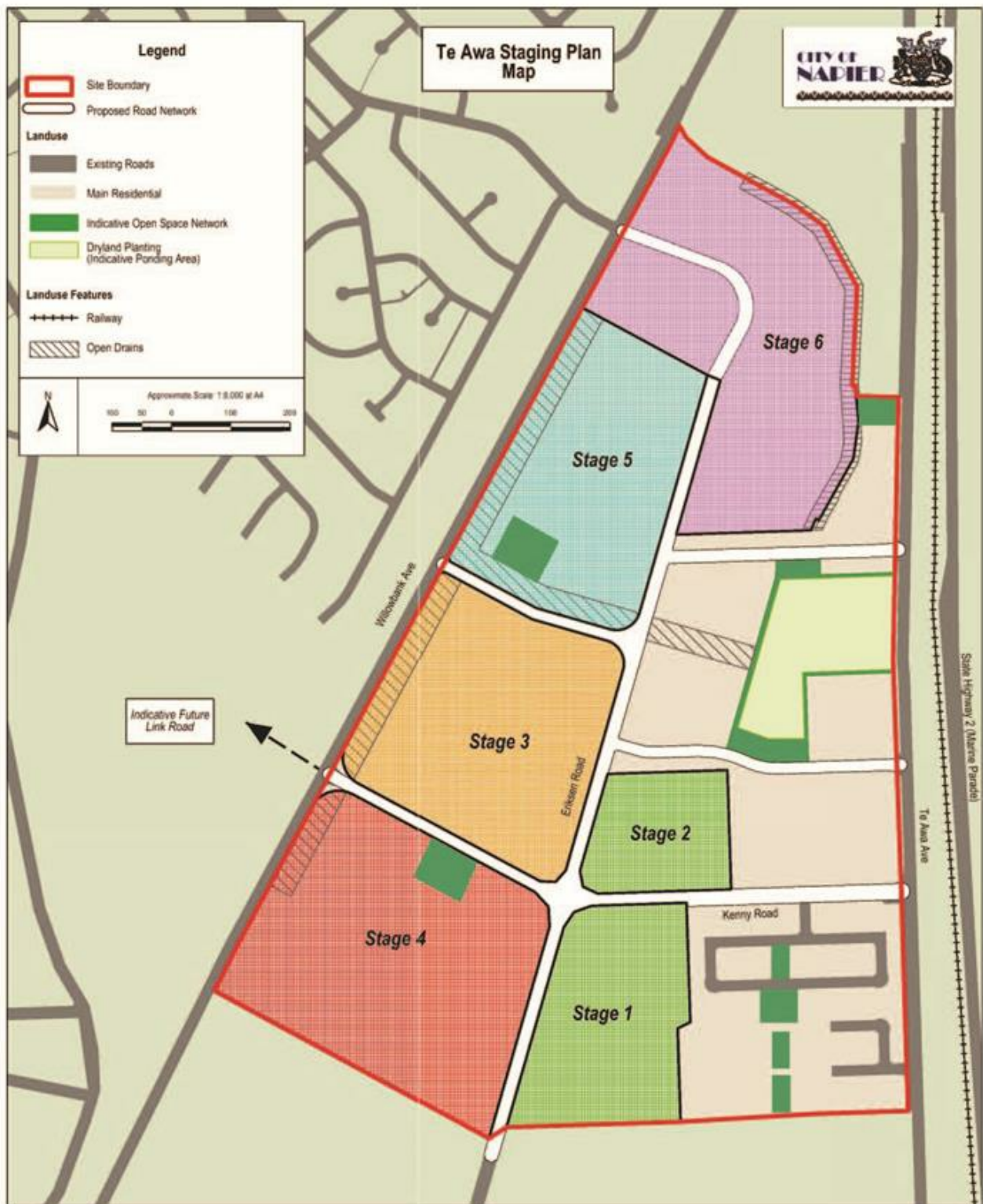
APP15 (a) - Te Awa Structure Plan - Water Supply Network



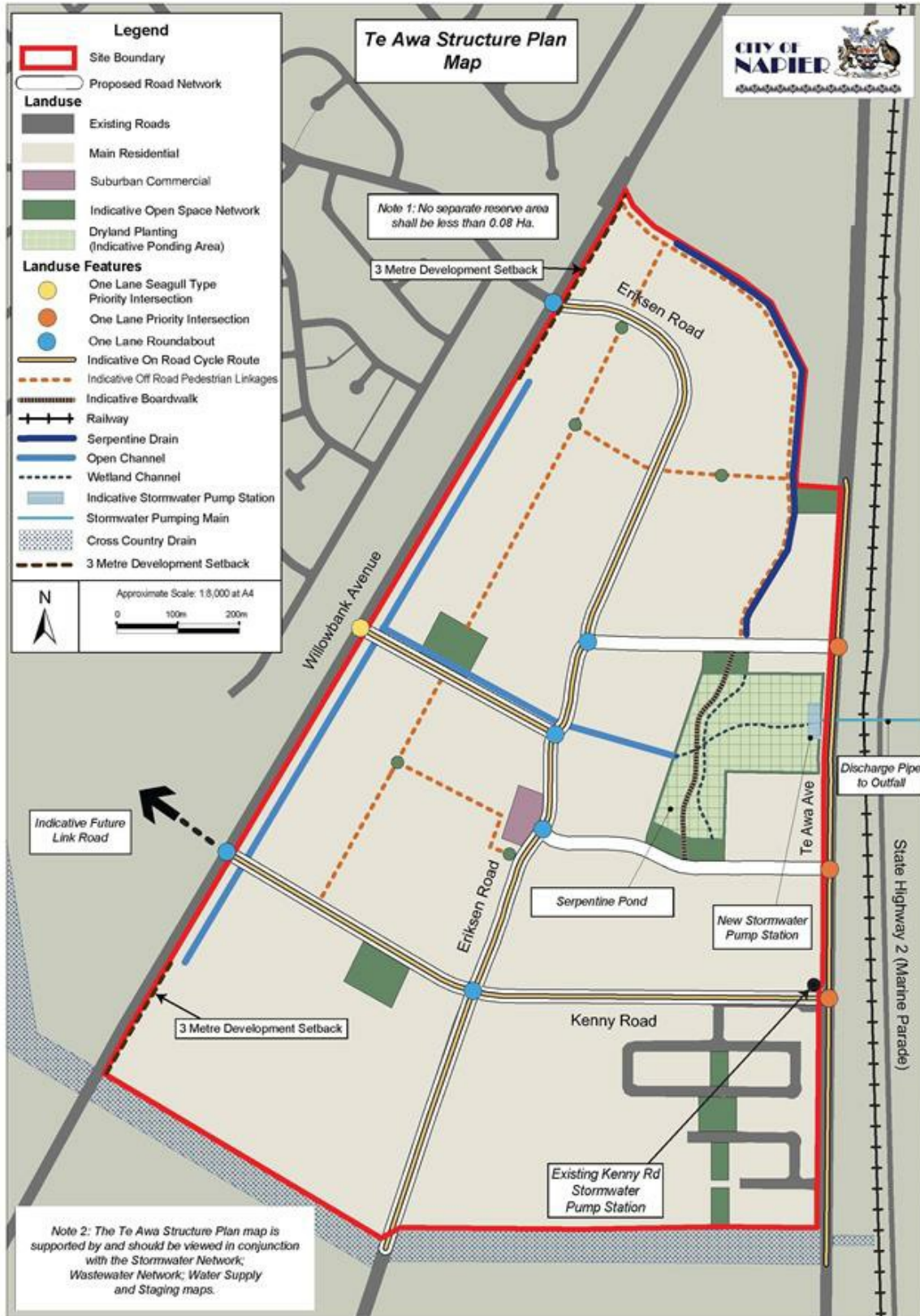
APP15 (b) - Te Awa Structure Plan - Stormwater Network



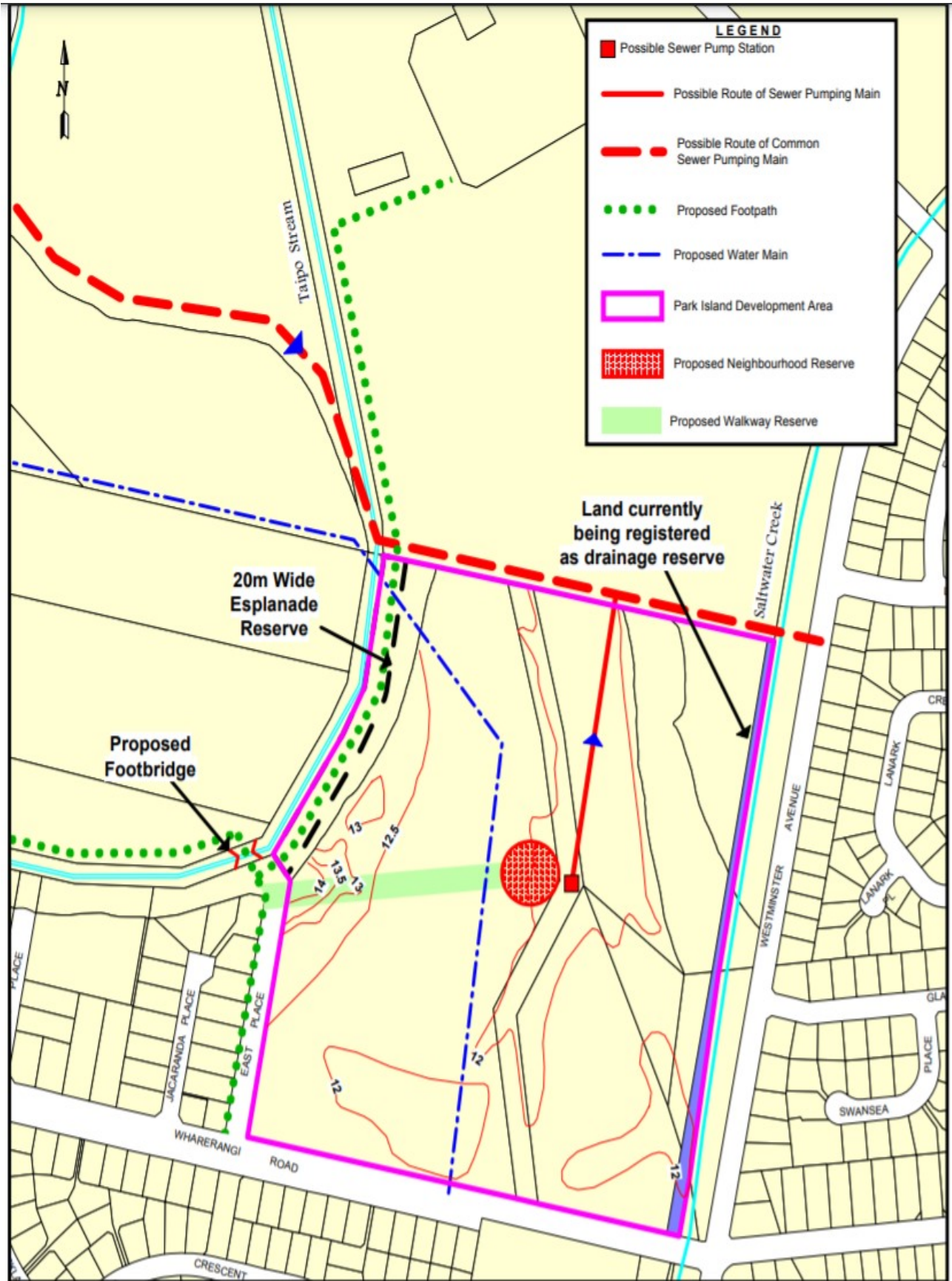
APP15 (d) - Te Awa Structure Plan - Staging



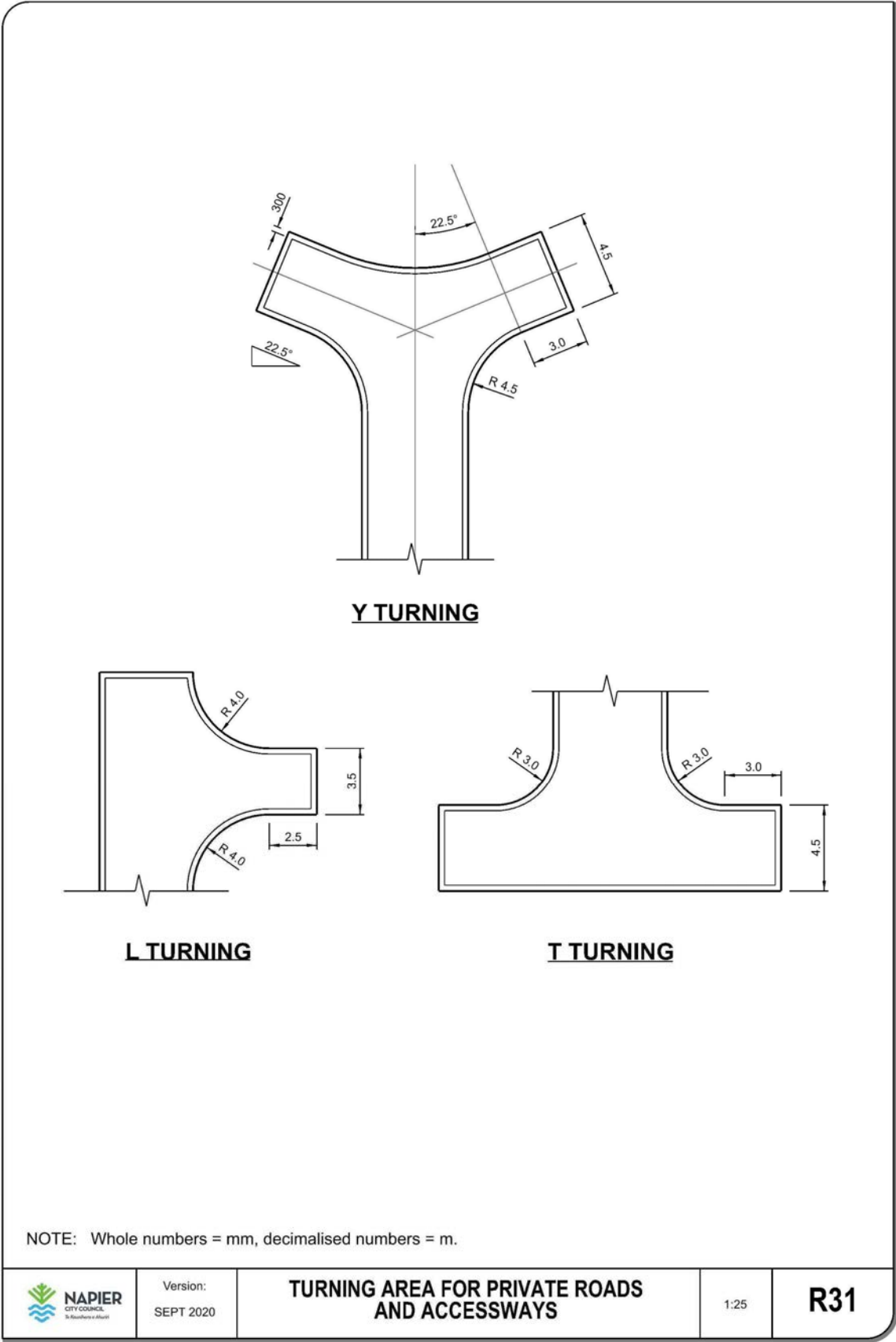
APP15 (e) - Te Awa Structure Plan Map



APP16 - Wharerangi Road Development Area map



APP17 - Turning Area For Private Roads and Accessways



APP18 - Minimum Legal Widths of Access

TPT 1-1 MINIMUM LEGAL WIDTHS OF PRIVATE ACCESS – RESIDENTIAL AND HOME OCCUPATION*											
PLACE CONTEXT		TYPICAL CLASSIFICATION	DESIGN ENVIRONMENT					LINK CONTENT			
Area	Land Use	Hierarchy	Locality Served	Target operating speed (km/h)	Minimum Legal Access Width (m)(see Note D)	Maximum Width of Vehicle Crossing	Max Grade	Pedestrians (See Note: A)	Passing, Parking, Loading & Shoulder	Cyclists (See Note A)	Minimum formed movement lane (excluding shoulder)
Urban Zones	Residential & Home Occupation	Private Access/ Lane (See Note C)	1-2 household units Note E	10	3m	4.8m	20%	Shared (in movement lane)	Allow for passing every 50m	Shared (in movement lane)	2.75m
			3 household units Note E	10	3.6	4.8					
			4-6 household units	10	4.5m	4.8m					
			7+ household units	10	6m	6m					
Rural Zones	Residential and Home Occupation	Private Road/ Lane (See Note C)	1-2 household units	20	4m		12% unsealed Note F, 20% sealed	Shared (on shoulder & Berm)	Allow for passing every 100m, total shoulder 0.5m, sealed	Shared (in movement Lane)	3m
Rural Zones	Residential & Home Occupation	Private Road/ Lane	3-6 household units	20	6m		12% unsealed Note F, 20% sealed	Shared (on shoulder and berm)	Allow for passing every 100m, total shoulder 0.5m, sealed	Shared (in movement Lane)	3m
			7-20 household units	20	9m						2 x 2.75m

Note A : Provision will be in accordance with NCC Transportation Strategy.

Note B: The full movement lane can be reduced at intervals to provide for increased amenity and greening of the street and/or traffic calming.

Note C : Any private road or lane serving greater than 6 household units or sites may be required to be offered as public road to be vested in Council.

* New roads are to be designed and constructed in accordance with the Engineering Code of Practice 2020

Note D : Applies to the legal width of the legal road, the Right of Way, or the Access Lot or access leg where this provides the primary point of access to the lot/site.

Note E : For a development where a fire appliance is not able to reach either a dwelling or the source of the fire fighting water supply from a public road in accordance with the NZ Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008, this code of practice should be consulted for compliance with the accessway dimensions required for the fire appliances. Applies to the legal width of the legal road, the Right of Way or the Access Lot or access leg where this provides the primary point of access to the lot/site.

Note F: In some cases higher grades of up to 15% can be allowed for short sections (about 50m).

TPT 1-2 MINIMUM LEGAL WIDTHS OF PRIVATE ACCESS RURAL ENVIRONMENTS– COMMERCIAL, INDUSTRIAL AND OTHER ACTIVITIES										
PLACE CONTEXT		TYPICAL CLASSIFICATION	DESIGN ENVIRONMENT				LINK CONTENT (SEE NOTE D)			
Area	Land Use	Hierarchy	Locality Served	Target operating speed (km/h)	Minimum Legal Access Width (m)	Max Grade (Note F)	Pedestrians (See Note A)	Passing, Parking, Loading & Shoulder (Note E)	Cyclists (See Note A)	Minimum formed movement lane (excluding shoulder) (See Note B)
Rural	Commercial and Industrial and Other Activities	Private Road / Lane (See Note C below)	Side or rear service access (1-20 sites) Where it is not the primary access	10	6	12% unsealed	Shared (in movement lane)	Loading bays	Shared (in movement lane)	2.75m
		Private Road / Lane (See Note C below)	1 to 3 sites	10	6m	20% sealed	Shared (in movement lane)	Parking	Shared (in movement lane)	3.0m
			4-6 sites	10	6.5m	20% sealed	1.5m one side or 1.5m each side	Parking	Shared (in movement lane)	2 x 2.5m
			7-20 sites	10	9m	16%	1.5m one side or 1.5m each side	Parking	Shared (in movement lane)	2 x 2.5m
		Private Road / Lane (See Note C below)	21 to 200 sites	30	20	10%	3m each side	Parking and loading bays	Shared (in movement lane)	2 x 2.75m

Note A : Provision will be in accordance with NCC Transportation Strategy

Note B : The full movement lane can be reduced at intervals to provide for increased amenity and greening of the street and/or traffic calming.

Note C: Any private road or lane serving greater than 6 sites may be required to be offered as public road to be vested in Council.

Note D: Link context in Rural areas will only apply where residential activities are located within 800m of the subject site.

Note E: Passing bays may be required where the length of the access exceeds 100m.

Note F : In some cases higher grades of up to 15% can be allowed for short sections (about 50m).

TPT 1-3 MINIMUM LEGAL WIDTHS OF ACCESS - COMMERCIAL, INDUSTRIAL											
PLACE CONTEXT		TYPICAL CLASSIFICATION	DESIGN ENVIRONMENT					LINK CONTENT			
Area	Land Use	Hierarchy	Traffic Volume max (vpd)	Locality Served	Target operating speed (km/h)	Minimum Legal Access Width (m)	Max Grade	Pedestrians (See Note A)	Passing, Parking, Loading & Shoulder	Cyclists (See Note A)	Minimum formed movement lane (excluding shoulder) (See Note B)
Urban	Commercial and Industrial	Private Lane		1-2 lots	10	6m	12.50%	Shared (in movement lane)	No (Note D)	Shared (in movement lane)	3.0m
		Side or rear service access where it is not the primary access		1-20 lots							
		Private Road / Lane (See Note C below)		3 - 6 lots	10	15m	10%	1.5m one side	No (Note D)	Shared (in movement lane)	2 x 3.0m
		Private Road / Lane (See Note C below)		7-20 lots	20	20m	10%	1.5m each side	Parking and loading bays	Cycle lane and footpath	2 x 3.0m
CBD or Shopping Centre	Commercial Infill	Lane (Private)	20vpd	1-2 lots	10	4.5m	12.50%	Shared (in movement lane)	No (Note D)	Shared (in movement lane)	3.0m
		Side or rear service access where it is not the primary access.		1-20 lots							
		Lane (Private)	60 vpd	3-6 lots	10	9m	10%	1.5m one side	No (Note D)	Cycle lane and footpath	2 x 2.75
		Lane (private)	200vpd	7-20 lots	20	15m	10%	1.5m each side	Parking and loading bays	Cycle lane and footpath	2 x 2.75
CBD or Shopping Centre	Commercial Greenfield	Lane (Private)	20vpd	1-2 lots	10	6m	12.50%	Shared (in movement lane)	No (Note D)	Shared (in movement lane)	3.0m
		Side or rear service access		1-20 lots							
		Lane (Private)	60vpd	3-6 lots	10	9m	10%	1.5m one side	No (Note D)	Cycle lane and footpath	2x 2.75
		Lane (Private)	200vpd	7-20 lots	20	15m	10%	1.5m each side	Parking and loading bays	Cycle lane and footpath	2x 2.75

Note A : Provision will be in accordance with NCC Transportation Strategy

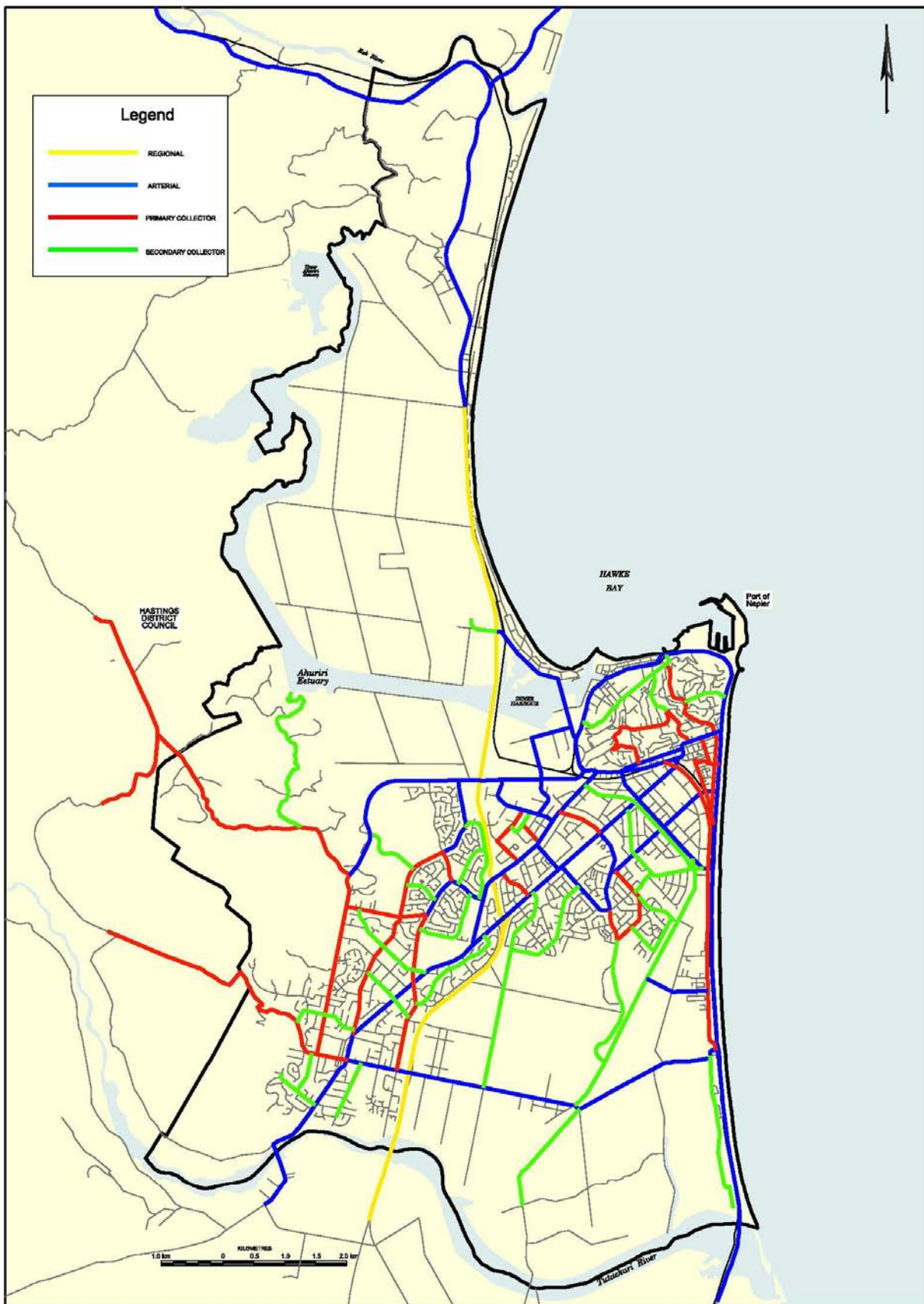
Note B : The full movement lane can be reduced at intervals to provide for increased amenity and greening of the street and/or traffic calming.

Note C: Any private road or lane serving greater than 6 sites/lots be required to be offered as public road to be vested in Council.

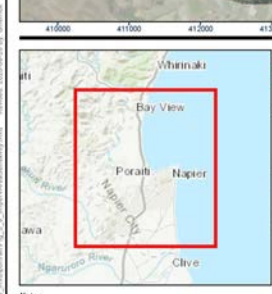
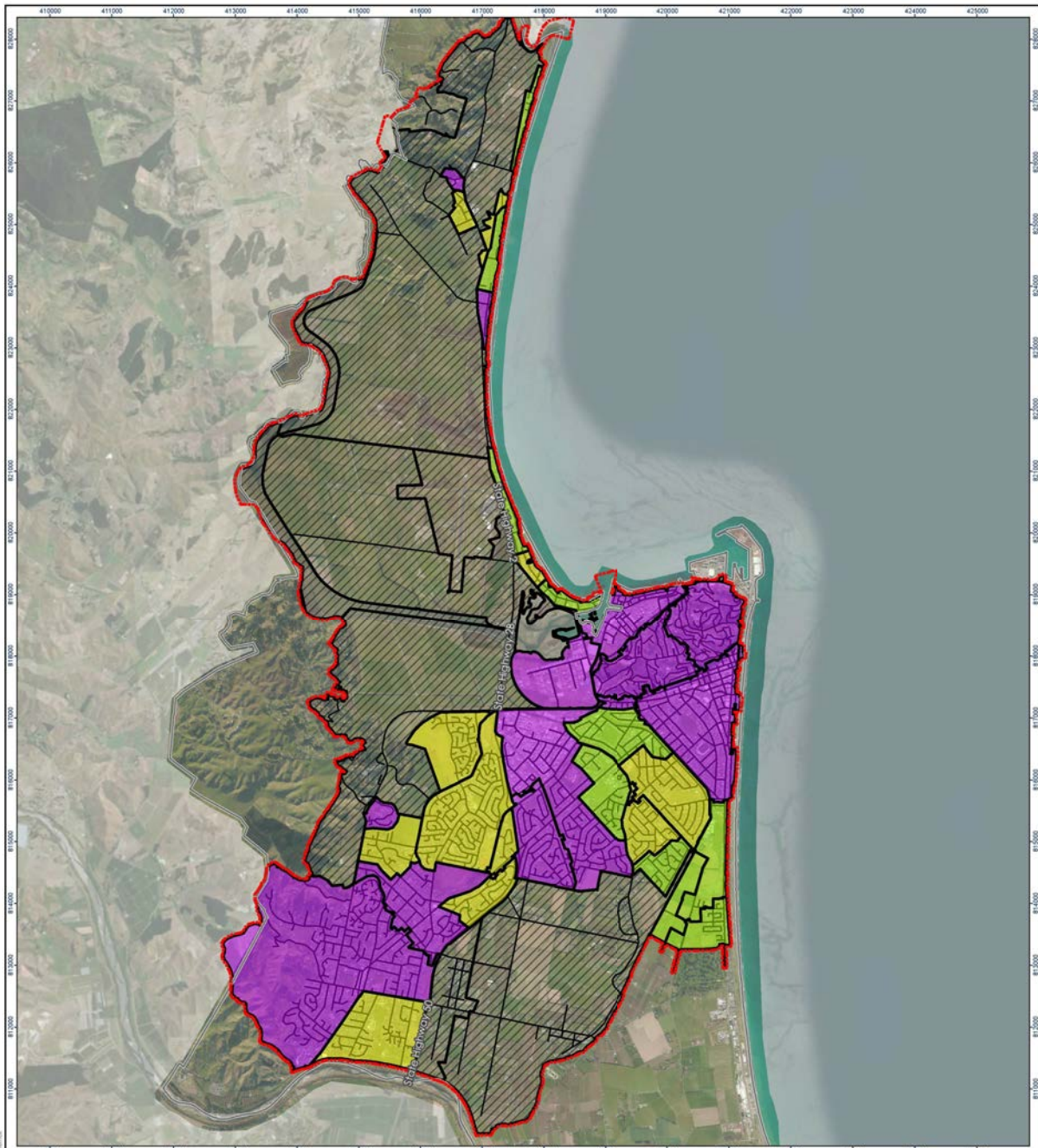
Note D: The maximum length of the lane where no parking, passing or loading bays are required is 50m

Note E: New Roads are to be designed and constructed in accordance with the Engineering Code of Practice 2020

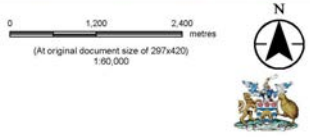
APP19 - Roding Hierarchy



APP20 - Napier Stormwater Management Areas



- Legend**
- Study Boundary
 - Napier City Boundary
 - Roads
 - Agricultural / not assessed
 - Stormwater Management Area 1, No detention required.
 - Stormwater Management Area 2, Permitted with retention and detention
 - Stormwater Management Area 3, Stormwater Management Plan Required



Project Location: Napier, NZ
 Prepared by DM on 2020-Aug-25
 TB by NC on 2020-Aug-26
 IR Review by BS on 2020-Aug-26

Client/Project: info Recommendations based on Impervious Area Sensitivity Analysis. REVA
 Napier City Council
 Napier Stormwater Network Plan Development

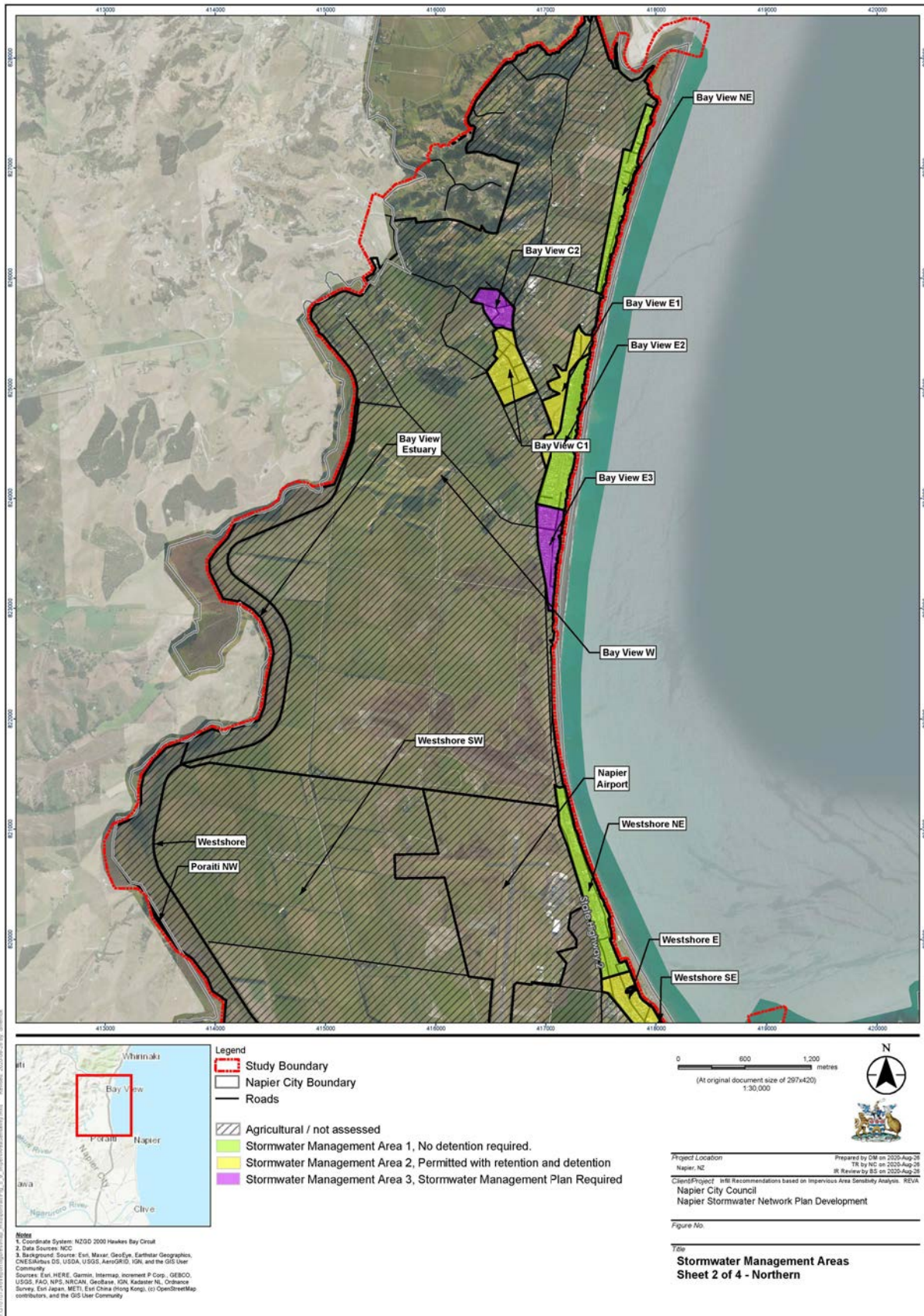
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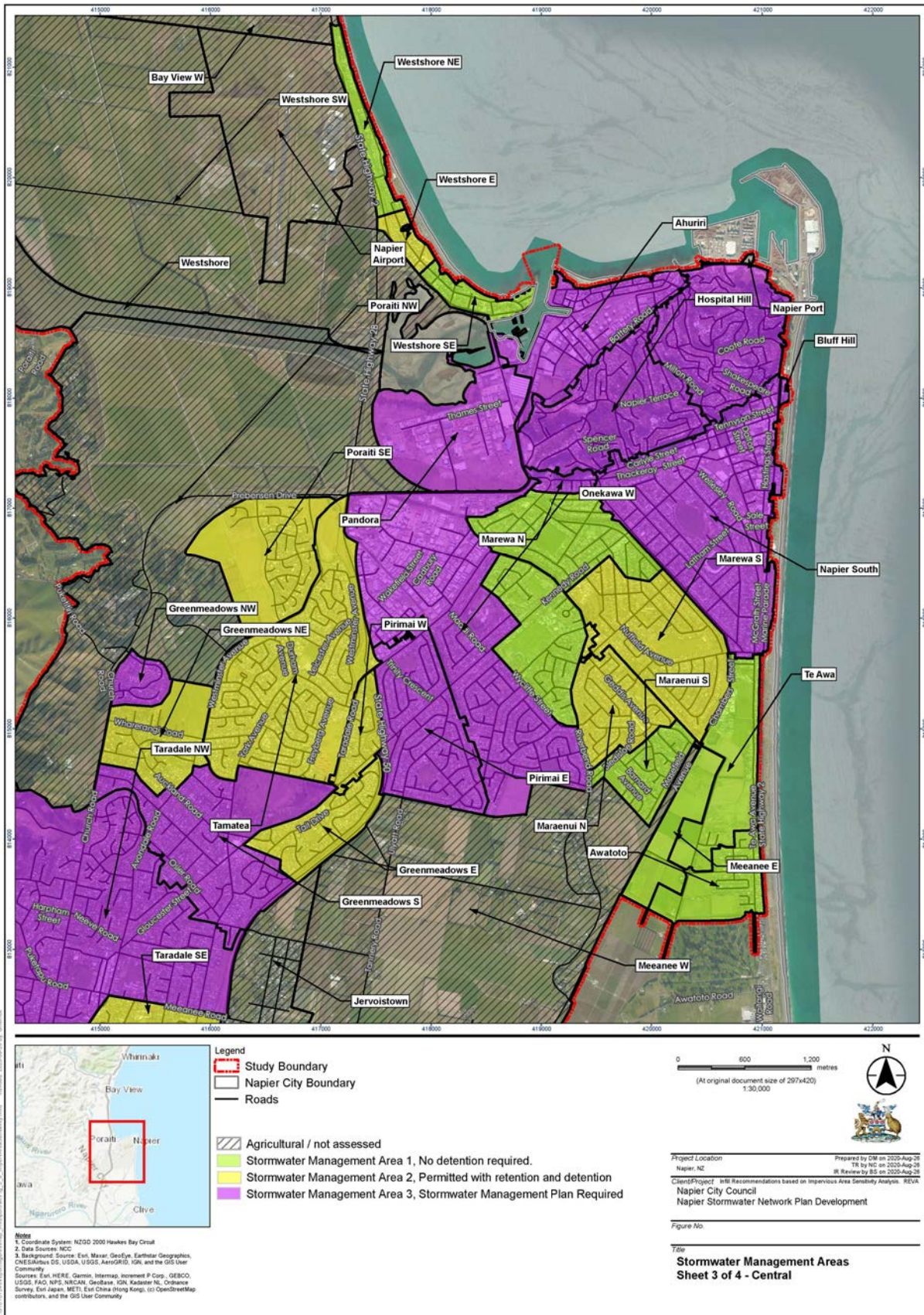
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Sheet 1 of 4 - Overview

Notes

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2. Data Sources: MCC
3. Background: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
4. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCast, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Swisstopo, contributors, and the GIS User Community

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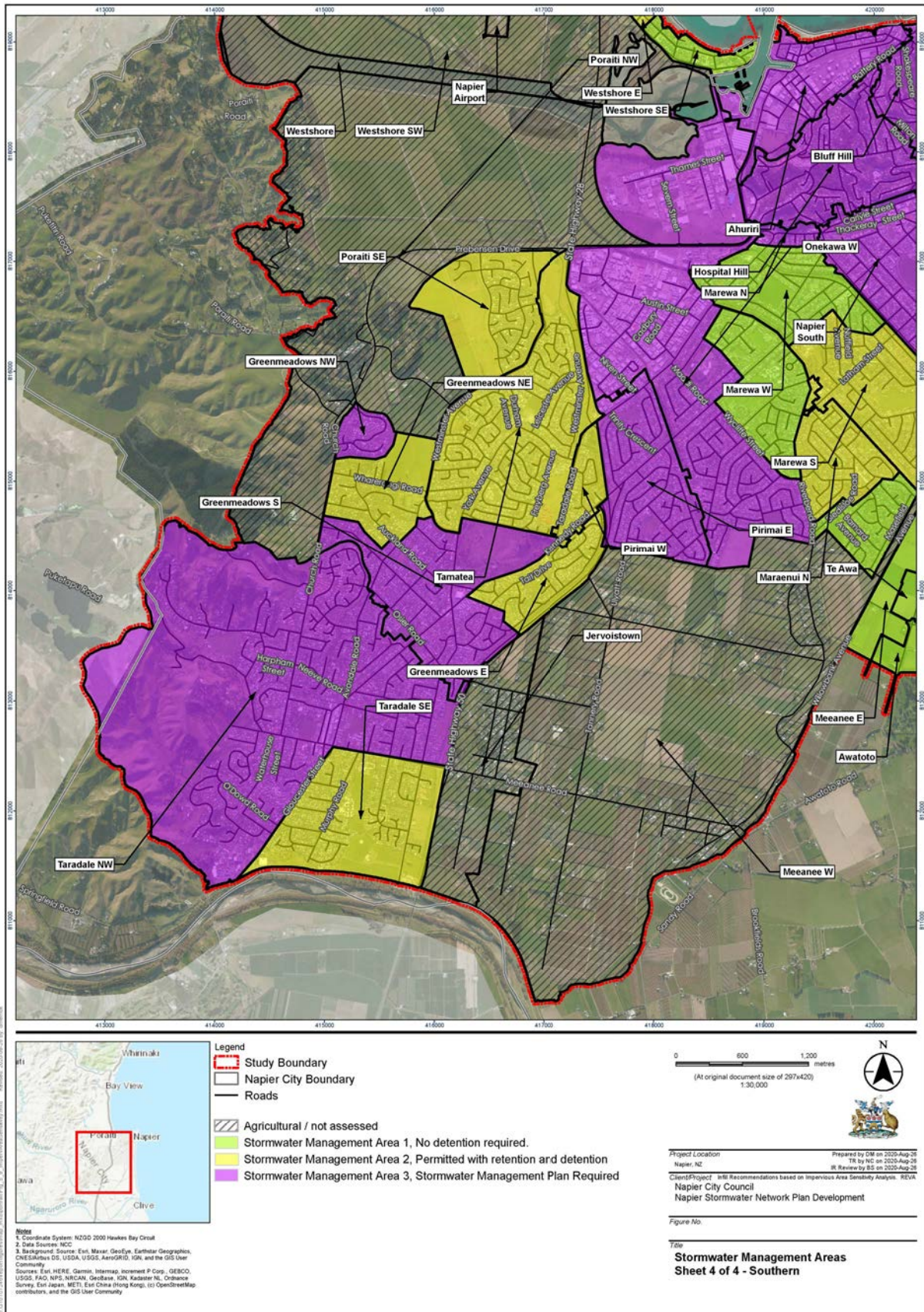




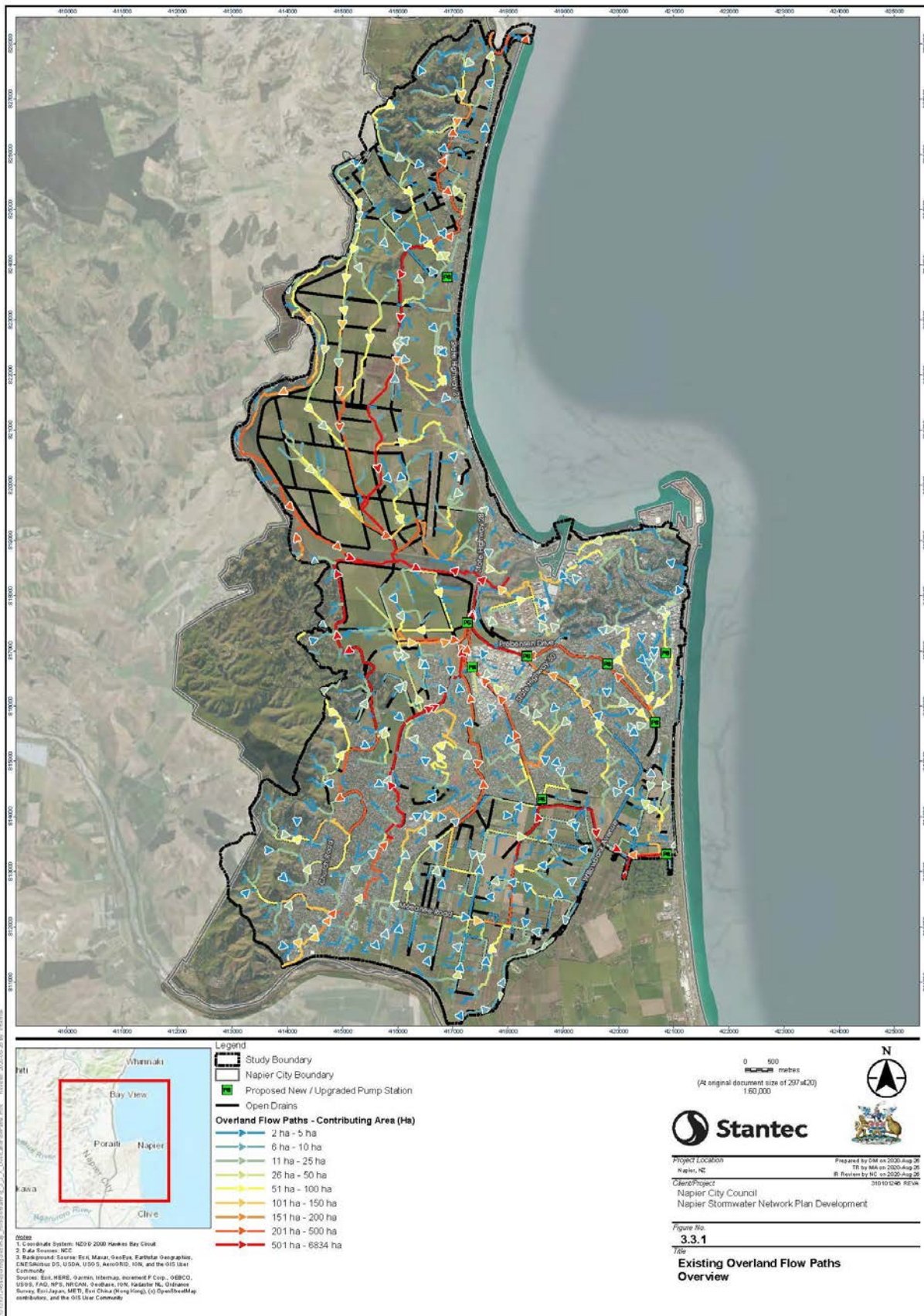
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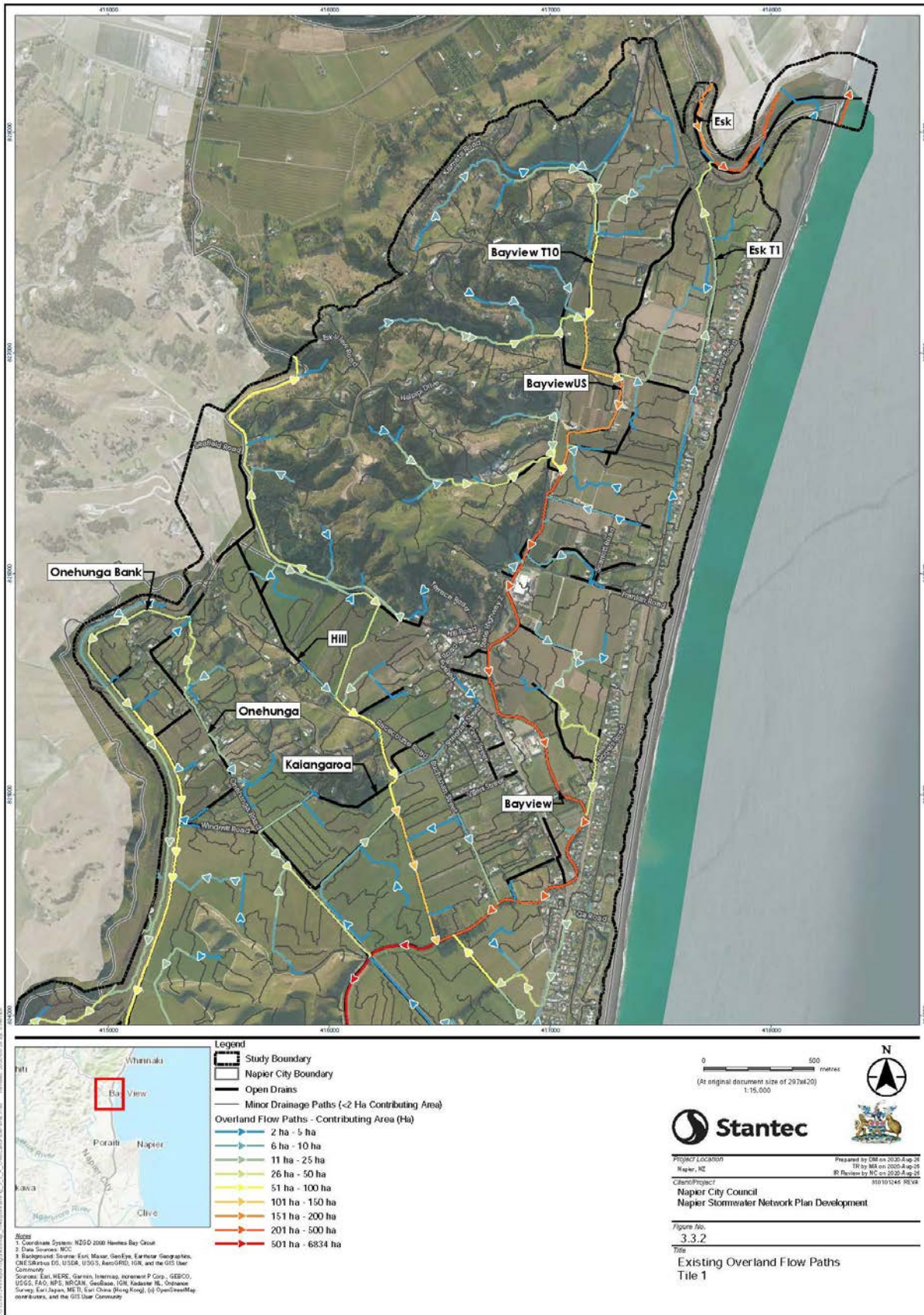
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- Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCO, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, contributors, and the GIS User Community

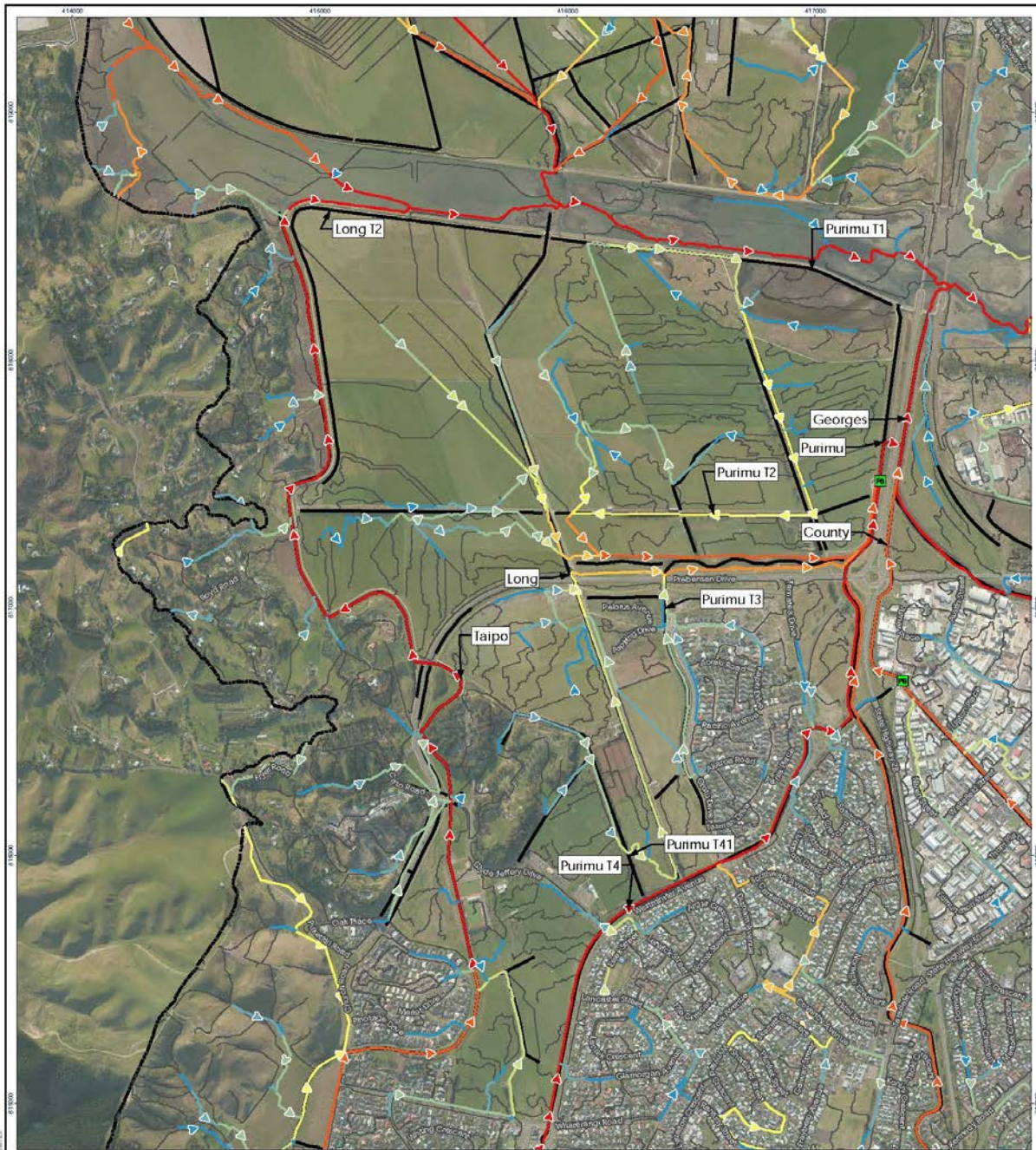
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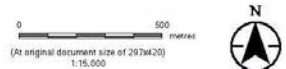
APP21 - NCC Overland Flow Paths







- Legend**
- Study Boundary
 - Napier City Boundary
 - Proposed New / Upgraded Pump Station
 - Open Drains
 - Minor Drainage Paths (<2 Ha Contributing Area)
 - Overland Flow Paths - Contributing Area (Ha)**
 - 2 ha - 5 ha
 - 6 ha - 10 ha
 - 11 ha - 25 ha
 - 26 ha - 50 ha
 - 51 ha - 100 ha
 - 101 ha - 150 ha
 - 151 ha - 200 ha
 - 201 ha - 500 ha
 - 501 ha - 6834 ha



Project Location
 Napier, NZ
 Client/Project
 Napier City Council
 Napier Stormwater Network Plan Development

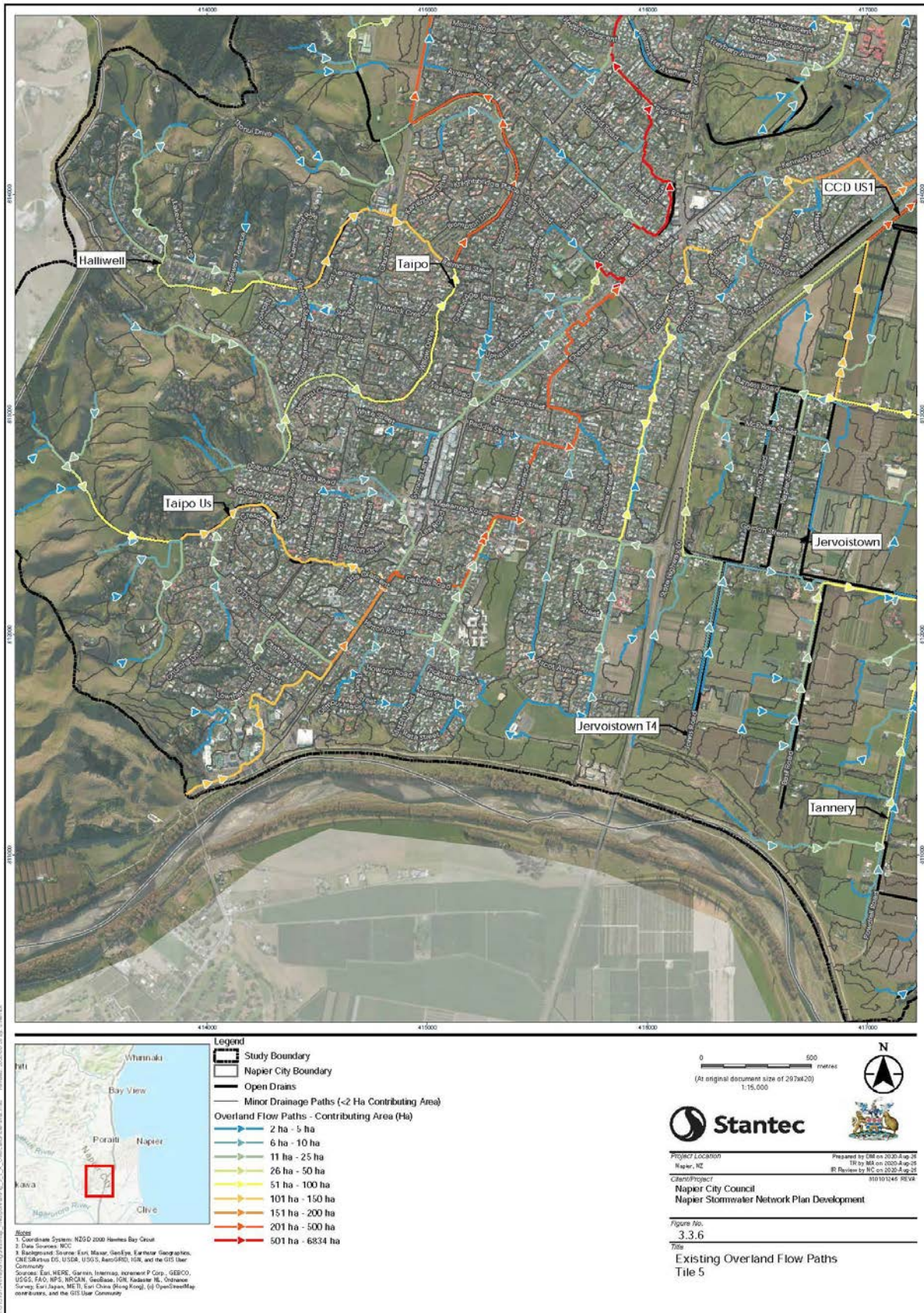
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 3.3.4
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 Existing Overland Flow Paths
 Title 3

Notes

1. Coordinate System: NZGD 2000 Haines Bay Grid
2. Data Sources: NCC
3. Background Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNR/Airbase DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
4. Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeBCO, IGN, Radarsat, OpenStreetMap, Swire, Esri, Japan, METI, Swire, Swire (Hong Kong), Swire (Taiwan), and the GIS User Community

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