



NapierTheArtDecoCity

OPERATIVE CITY OF NAPIER DISTRICT PLAN

DISTRICT PLAN CHANGE 10

INCORPORATING THE AHURIRI
SUBDISTRICT PLAN INTO THE
NAPIER DISTRICT PLAN;

HARMONISING PROVISIONS
WHERE PRACTICABLE BETWEEN
THE NAPIER AND HASTINGS
DISTRICT PLANS; AND

INCORPORATING RECENT
COUNCIL POLICY CHANGES AND
DECISIONS

SECTION 32

Volume Two
Section 5





SECTION 32 REPORT

DISTRICT PLAN CHANGE 10 – CITY OF NAPIER DISTRICT PLAN

- **INCORPORATING AHURIRI SUBDISTRICT PLAN INTO THE NAPIER DISTRICT PLAN**
- **HARMONISING PROVISIONS WHERE PRACTICABLE BETWEEN THE NAPIER AND HASTINGS DISTRICT PLANS, AND**
- **INCORPORATING RECENT COUNCIL POLICY CHANGES AND DECISIONS**

1.0 INTRODUCTION

Section 32 of the Resource Management Act (RMA) stipulates a requirement that, in achieving the purpose of the Act, a decision maker must consider alternatives and assess the benefits and costs of adopting any objective, policy, rule or method in the District Plan. Under section 32(3) the assessment must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

Section 32(4) states that for the purposes of this examination, an evaluation must take into account:

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods*

A report summarising a section 32 evaluation and giving reasons for the evaluation must be available for public inspection at the same time as public notification.

This report provides background information regarding the Plan Change; assesses the Plan Change against Section 32 of the RMA; considers the cost and benefits of the Plan Change; and confirms how the Plan Change achieves the purpose of the RMA.

This report should be read in conjunction with the Schedule of Amendments to the District Plan.

2.0 **BACKGROUND TO CHANGE**

2.1 **Overview**

Plan Change 10 is a community-driven Plan Change that largely aims to harmonise wherever practicable provisions in both the Napier District Plan and the Hastings District Plan while retaining a focus on 'place-based' planning. 'Place based' planning can be defined in a number of ways but essentially it is about creating rules and standards that recognise the existing character of an area and protecting those elements that make the area unique, instead of focusing only on conventional categories of land use.

Napier City Council has received significant feedback from the public, directly and through the media, that there is a growing discontent with (seemingly) arbitrary differences between how the Napier City Council and the Hastings District Council operate.

These concerns are not simply based on the District Plan but cover the full ambit of services provided by both Councils. These include, but are not limited to, the following:

- Differences between Dog Control charges
- Different interpretations of the Building Act
- Variances in the number of inspections required in each District for a similar building consent
- Hourly rate charges for staff

The Napier City Council and the Hastings District Council recognise that there are situations where some of these differences are unnecessary and both Councils are committed to working together to get consistency across both Districts. This is an ongoing commitment that both Councils have been working on for a number of years and will continue to work towards in the future. Examples where this cooperation has been successful to date include:

- The Omarunui Landfill, which is owned and operated jointly by the Hastings and Napier Councils
- The alignment of the fees and charges for the use of sports grounds in both districts
- The Heretaunga Plains Urban Development Strategy

In terms of this plan change Napier City Council is taking action to support the community campaign to align the Napier District Plan and Hastings District Plan where possible, removing differences that are generic in nature and which should apply equally to both Hastings and Napier. A place based approach to planning will however be retained in both District Plans to recognise the unique characteristics of the Districts that the individual District Plans represent. On the 'big picture' scale Hastings is mainly rural while Napier is mainly urban but even within those parameters there is a considerable diversity of communities that need to be protected to ensure their unique characteristics are preserved and enhanced through the process of development.

2.2 Incorporating the Ahuriri Subdistrict Plan into the Napier District Plan

A crucial precursor to this Napier-Hastings harmonisation process is that there first needs to be harmony within the Napier City provisions. Land within Napier is currently either subject to the Napier District Plan or the Ahuriri Subdistrict Plan and there are a number of minor discrepancies between them. Before the inconsistencies between Napier and Hastings can be removed, those that exist between Ahuriri and Napier need to be addressed first.

Prior to the current Napier District Plan, there were a number of 'Subdistrict Plans' including the Bay View Subdistrict Plan, the Western Hills Subdistrict Plan and the Ahuriri Subdistrict Plan. It was always the intention of the Napier City Council to create one District Plan to incorporate all of these subdistricts. The current Napier District Plan was first drafted including the land in Ahuriri however due an Environment Court ruling this was not possible, which is why Napier currently has two District Plans. Given that the District Plan was originally written to incorporate the provisions for Ahuriri it is a relatively straight forward process to insert those provisions back in to the Napier District Plan. Further, because the rules of the Napier District Plan (declared operative in 2011) are more recent than the rules of the Ahuriri Subdistrict Plan (declared operative in 2001) they are considered to be closer to 'best practice'. If and when this Plan Change becomes operative, the Ahuriri Subdistrict Plan will no longer exist and there will be one District Plan for Napier City.

One of the purposes of Plan Change 10 therefore, is to firstly incorporate the Ahuriri Subdistrict Plan into the Napier District Plan. This will include introducing a number of different zones and Heritage items into the Napier Plan, to recognise the distinct character of the different environments in Ahuriri. However, Properties located within the Ahuriri Subdistrict will also become subject to the 'District Wide' rules of the Napier District Plan. This means that rules for things such as signage, car parking, heritage etc. will be consistent across the City. The intent of this plan change is not to introduce any additional regulation but simply to retain what currently exists and/or standardise it with district wide rules applying throughout the rest of Napier.

This will be a significant step towards the 'harmonisation' of Napier and Hastings' District Plans, because harmonisation cannot be achieved without first rectifying irregularities within the rules that govern our own City.

In parallel to the Plan Change 10 process, the Ahuriri Mixed Use Zone is currently being reviewed. The first stage of this review process was the assessment of the strengths and weaknesses of the zone, and a report detailing the findings was released for public comment on 10 October 2013. Further assessment of the appropriateness of provisions for this zone will continue as this process progresses to a draft plan change. Council does not wish to unwittingly predetermine how this zone should be managed, and as such has inserted the Ahuriri Mixed Use Zone as a stand-alone chapter under the tab of 'Other Zones', with its own policy framework taken directly from the Operative Ahuriri Subdistrict Plan. Following the review of this zone, further changes may be made to the provisions of the zone, and it may or may not be moved elsewhere within the Plan.

2.3 Harmonising provisions where practicable between the Napier and Hastings District Plans

Hastings District Council and Napier City Council have agreed to work collaboratively towards formulating consistent district plan rules where practicable. However in adopting a place based approach there will always be differences that recognise the unique character and neighbourhood amenity of a particular area (for example a neighbourhood that contains a cluster of a particular architectural style of housing, such as 1930's art deco style architecture that warrant a form of protection, compared to a general suburban area containing a mixture of architectural styles). A 'one rule fits all' approach may not be relevant in this scenario. The rules considered having the most potential to be harmonised or made consistent across Hastings and Napier are:

- Natural Hazards
- Network Utilities
- Activities on the Surface of Water
- Earthworks
- Signs
- Hazardous Substances
- Noise
- Transport (car parking ratios only)
- Definitions
- Safety alterations for heritage items
- Renewable Electricity Generation
- Noise standards associated with Temporary Activities
- Contaminated Sites

➤ **Natural Hazards**

The changes to the Natural Hazards chapter of the Plan involve the introduction of a new overlay titled the 'River Hazard Area'. This Area identifies the land likely to be covered by fast moving floodwaters during extreme weather events. Due to the fast moving nature of these flood waters, there is a greater risk of loss of life if effects are not mitigated effectively. As such, the controls sought by the District Plan in these areas are more stringent than those for the 'Flooding Hazard Area'.

Both Napier City and Hastings District Councils used the same dataset to map the River Hazard Area for the rivers where they share jurisdictional responsibility, and both District Plans contain the same provisions of the Plan associated with this overlay.

➤ **Network Utilities**

Changes to Chapter 53 Network Utility Operations include amendments to take into account the NES for Telecommunications Facilities Regulations 2008, the NES for Electricity Transmission Activities Regulations 2009, and the NPS on Electricity Transmission 2009.

The National Environmental Standards for Telecommunication Facilities describe certain telecommunication activities that can occur without resource consent, providing they meet specific terms and conditions. This NES has been written to provide for a nationally consistent planning framework for radiofrequency fields for telecommunication facilities and for low impact telecommunications infrastructure on road reserves.

The National Environmental Standards (NES) for Electricity Transmission Activities Regulations 2009 sets out a national framework of permissions and consent requirements for activities on existing high voltage electricity transmission network (the national grid).

The National Policy Statement on Electricity Transmission sets out the objective and policies to enable the management of the effects of the national grid including transmission lines and cables, stations and substations. This national policy statement also requires local authorities to identify high voltage transmission lines on their planning maps and a subsequent buffer corridor where specific land use activities are subject to additional controls.

Chapter 53 gives effect to the above mentioned provisions and also harmonises with similar provisions in the Proposed Hastings District Plan. Amendments have been made to the Introduction, Policies, Methods, and Rules of Chapter 53.

➤ **Activities on the Surface of Water**

Activities on the surface of water were previously located within the River Conservation Zone. These provisions have been harmonised with those of the proposed Hastings District Plan, which treats Activities on the Surface of Water as a District-wide Activity and importantly only require a single consent for activities on the surface of water which are provided for but not permitted.

➤ **Earthworks**

The earthworks provisions are currently embodied within the Code of Practice for Subdivision and Land Development (Volume 2 of the District Plan). Due to this, these provisions have been difficult to administer and do not provide specific conditions within each zone as to the volume of earthworks that can occur, but rather identifies a blanket volume that can be undertaken as of right of 100m³ irrespective of what zone the earthworks is being undertaken in. In practical terms it is sensible that there should be differences between the rural, industrial, commercial, open space and residential areas. A new chapter on Earthworks has been included in Plan Change 10 in response to the need to shift the current provisions out of the Code of Practice for Subdivision and Land Development as well as Hastings District Council identifying earthworks as a separate district wide activity in their Proposed District Plan. As part of harmonising plan provisions with Hastings, Napier has developed the new separate earthworks chapter based on the Hastings model but tailored to the Napier District Plan format and will include Issues, Objectives, Policies, Methods, and Rules and the policy framework required to support these provisions. The new chapter has specific standards within each zone for the level of earthworks to be undertaken as a permitted activity and lists specific activities that are exempt from earthworks provisions.

➤ **Signs**

Changes to the District-wide Signs provisions include the replacement of the Objectives, Policies, Methods, Anticipated Environmental Results, and Principal Reasons for Adopting Objectives and Policies with those of the Proposed Hastings District Plan (albeit in the Napier District Plan format). A number of the standards for signs set out in the Activity Table have also been amended to harmonise with those of the Proposed Hastings District Plan, particularly in regard to sign area.

➤ **Hazardous Substances**

Chapter 63 Hazardous Substances has been reviewed and rewritten to align with the provisions of the Hazardous Substances and New Organisms Act 1996 (HSNO). The advice from the Ministry for Environment is that Council's should recognise that hazardous facilities are generally managed adequately through the HSNO Act. Compliance with this legislation will generally ensure that any adverse effects arising from an accident or incident will be internalised within the hazardous facility site. Subsequently Chapter 63 has been rewritten to avoid any duplication of regulation with the HSNO Act.

Section 31 of the Resource Management Act 1991 does, however, allow for additional controls where these are needed to minimise potential adverse effects of hazardous substances on the surrounding environment and/or on the general population.

In this regard Chapter 63 has specific provisions to protect a sensitive ecological environment and to control large scale and/or high impact hazardous facilities. The Ahuriri Estuary is considered to a sensitive ecological environment, while "major hazardous facilities" will be assessed as to their appropriateness via the resource consent process.

➤ **Noise**

The Introduction, Issues, Objectives, Policies, Methods, Principal Reasons for Adopting Objectives and Policies, and Anticipated Environmental Outcomes of the District-wide Noise chapter have been replaced with those from the Proposed Hastings District Plan District-wide Signs chapter. Rules governing district-wide noise sources (such as watercraft noise, gas guns etc) have also been harmonised with the Proposed Hastings District Plan rules, while the noise standards for each zone are found within their respective zone chapters.

An independent assessment of noise provisions in the Napier and Hastings District Plans was jointly commissioned by both Napier City and Hastings District Councils in 2012. The recommendations from this report (undertaken by Malcolm Hunt Associates) led to the majority of changes made to both Plans, and harmonisation particularly in regards to methods of measurement and maximum noise levels where zones are comparable. Where zones are not comparable, provisions have been formulated through a combination of the recommendations put forward by the Malcolm Hunt report, the provisions notified under the November 2000 Proposed Plan, and the submissions received on Draft Plan Change 10.

➤ **Transport**

Napier and Hastings Councils agreed to align mainly the car parking ratios where practicable in the transport chapter. The changes to car parking ratios promulgated in Plan Change 10 are minor and are aligned with the Hastings District Plan. The technical rules i.e. physical aspects of building car parks remain detailed in the Engineering Code of Practice.

The most significant change to the Transport section however is the introduction of Alternative Modes of Travel and End of Journey Facilities. To support this initiative, two new policies, supported by rules, have been added to the Napier Plan to encourage alternative transport modes. These new provisions harmonise with Hastings District Plan and support The Napier Cycling Strategy that was developed to provide a framework and direction for Council to recognise the needs of cyclists and to integrate their needs in to transport planning and design.

The loading space rules have also been aligned with the Hastings District Plan with the most significant change being to the requirement by businesses located within the 100% and 50% parking exemption areas to be exempt from having to provide a loading space where the gross floor area is less than 1000m².

➤ **Definitions**

Harmonising various district plan provisions with Hastings has meant that some of the definitions have also needed to be aligned for consistency and clarity. Some of the definitions relate to new activities, for example, SAFETY ALTERATIONS, SEASONAL WORKERS ACCOMMODATION, NATIONAL GRID TRANSMISSION LINE, and therefore require definitions to provide clarity. Other existing definitions have been aligned where practicable with the Proposed Hastings District Plan and include, but are not limited to, GROUND LEVEL, EXTERNAL ILLUMINATION, TRAVELLERS' ACCOMMODATION, and SIGN. Napier City Council recognises the importance of providing consistency with the definitions between the Napier and Hastings District Plans. The consistency will reduce confusion for plan users and eliminate misinterpretation of the same activities.

➤ **Provisions for Safety Alterations of Heritage Items**

Canterbury's September 2011 and February 2012 earthquakes brought home to New Zealanders the consequences of a large seismic event occurring within our towns and cities. Due to the age of heritage in Napier City, many buildings may not meet current standards under the Building Act 2004 and therefore they may not be safe to occupy in the event of an earthquake. The District Plan seeks to provide for safety alterations to those buildings where there is an identified safety risk, whilst maintaining the heritage value of those buildings. This work will enable the buildings to continue to be used in a safe and economical manner, as well as assist in retaining the heritage fabric of the City. The aim is to ensure that, where possible, regulation is not a barrier to upgrading buildings and that demolition is not the only option left for owners.

➤ **Introduction of Renewable Electricity Generation Chapter**

A new chapter on Renewable Energy has been included in response to Hastings District Council including this chapter in their Proposed District Plan. All District Plans are required to give effect to the National Policy Statement for Renewable Electricity Generation (2011), which sets a target for 90% of the country's electricity to be generated from renewable resources by the year 2025. The new chapter to be included in Proposed Plan Change 10 will replicate that from the Proposed Hastings District Plan, albeit in the format of the Napier District Plan, and will include Issues, Objectives, Policies, Methods, and Rules and the policy framework required to support these provisions. Permitted activities include domestic scale renewable energy activities such as solar panels, single wind turbines, single electric vehicle charging points, and electric vehicle charging points within the public road reserve. Those domestic scale renewable electricity generation activities not meeting the relevant conditions and any other renewable electricity generation activities would require resource consent. The conditions that must be met are generally the underlying conditions of the zone.

➤ **Noise standards associated with Temporary Activities**

These changes relate to both the way temporary military training activities and the way carnivals, circuses, exhibitions, concerts, sporting events etc are assessed under the District Plan. Following a submission from the NZ Defence Force, the only matter of assessment for temporary military training activities is now noise. New noise standards are imposed under Plan Change 10. In relation to other temporary activities, existing rules 54.5 and 54.6 have effectively been combined, with some changes in duration of activities. An additional rule has been created to manage sporting events at McLean Park. This sets noise restrictions for activities within the Park but does not restrict the number or duration of sporting events at the park. These changes have resulted from a need to recognise McLean Park as a premier sporting and cultural facility in Napier, whilst also protecting the amenity of the parks neighbouring residents.

➤ Contaminated Sites

Chapter 64 Contaminated Sites has been deleted and replaced with a new chapter to reflect the NES for Assessing and Managing Contaminants in Soil to Protect Human Health that came into effect on January 2012. The purpose of the NES is to ensure national consistency in the management of contaminated land. It includes national planning rules that direct the requirements for consent or otherwise for activities on contaminated or potentially contaminated land, and standardised methods for the establishment of numerical standards for contaminants in soils. An inability to meet the standards or undertaking of particular activities in certain locations will result in the need for resource consent. All territorial authorities are required to give effect to and enforce the requirements of the NES and Chapter 64 has been rewritten to explain and reference the NES.

There are also some 'place based' rules that could be harmonised without affecting character or uniqueness of any particular area. Currently the rules in the Napier District Plan do not prevent an accumulation of a number of non-rural activities from occurring on the same site in the rural zones if the site is large enough to accommodate those activities. These activities include:

- Home occupations
- Supplementary Units (limited to 80m² including notional garage)
- Residential Care Facilities
- Day Care Centres
- Education Facilities, and
- Travellers' Accommodation

At present, any number and size of the above activities may be undertaken anywhere on any Main Rural or Rural Residential property, provided that overall site coverage provisions are not exceeded. These activities are also often used as a 'permitted baseline' argument in an attempt to justify an additional dwelling or a subdivision.

The plan change would require that the floor area of the above activities as a permitted activity would be restricted to 80m² - per site, not per activity. In addition, it is being proposed that these activities must share an access with the primary dwelling and be located within 25m of the dwelling.

The purpose of the new provisions is to protect the productive capacity, rural character and amenity of these rural areas and also remove any 'permitted baseline' argument - while not removing rights altogether for a variety of activities

to occur. A similar approach is also being adopted in the review of the Hastings District Plan.

In addition to the 'placed based' rules outlined above, other 'place based' provisions where harmonisation with the Hastings District Plan can be achieved include:

- The requirement to erect roofs constructed of inert materials in selected areas of the City;
 - A consenting regime for the storage of end of use tyres; and
 - Introducing a new activity of seasonal workers accommodation in the rural zone.
 - Introducing non-complying activities
 - Stage One implementation of HPUDS
- **Introduction of a requirement for inert roofing materials in specified areas**

There are concerns that the elevated levels of zinc in the Ahuriri Estuary are a result of stormwater runoff from galvanised metal roofing in the industrial areas of Onekawa and Pandora contaminating these estuarine environments. Although the Hawke's Bay Regional Council controls the discharge of contaminants to land and water, the Napier City Council can assist in the avoidance of this discharge by requiring roofing materials in these areas to be inert. The Draft Hastings District Plan includes these provisions, and it is recommended that the Napier District Plan harmonise with Hastings by also including these provisions. This is an action that has been requested and championed by the Napier City Council Works Asset Department and is aimed at 'future-proofing' a potential contamination issue.

- **Introducing a consent regime for the storage of tyres.**

Council has concerns in relation to the adverse effects generated from the temporary or permanent storage of tyres, particularly end-of-life tyres or tyre products (such as chipped or shredded tyres), following a number of cases within Napier City that caused considerable issues for the community. Currently, this activity is deemed an Industrial Activity under the definitions section of the District Plan, and is therefore permitted within Industrial Environments. A consenting regime is proposed to ensure that adverse effects associated with tyre storage can be appropriately managed. Small scale storage of tyres will be permitted but the appropriateness of large scale storage of tyres will be assessed through the resource consent process.

- **Introducing a consent regime for seasonal workers accommodation**

The operative Hastings District Plan provides for seasonal workers accommodation as permitted activities provided they comply with a number of conditions. The Proposed Hastings District Plan proposes introducing additional conditions relating to a reduction in the maximum Gross Floor Area (GFA) of seasonal workers accommodation from 125m² to 100m². This standard is consistent with other non-rural activities in the Plains Zone, and the introduction of a requirement for seasonal workers accommodation to be sited on a property that is a minimum of 12 hectares.

It is proposed to adopt the conditions of the Proposed Hastings District Plan rule, with the exception that the maximum GFA in Napier will be 80m² (to be consistent with other non-rural activities in the Rural Zone), and the minimum area of land on which seasonal workers accommodation can be sited is 4ha. In addition, the definition of 'seasonal workers accommodation' will be amended by making it clear that the kitchen/common room and ablution facilities associated with seasonal workers accommodation, but located physically separate to the accommodation unit, do not have to meet the minimum GFA (as they are deemed buildings ancillary to the rural use of the land). These activities would ordinarily be defined as ancillary activities in a rural setting, and already permitted. The net result of this is the accommodation component of seasonal accommodation will easily fit within the maximum GFA. A new policy will ensure that the subdivision of these non-rural activities from the main rural property is actively discouraged.

- **Introducing Non-Complying Activities**

The Napier District Plan does not currently contain any activities that are non-complying activity, with discretionary being the highest level of restriction (other than prohibited). Adopting a non-complying activity status for those activities that are inconsistent with the intent of the Plan and damaging to the environment, presents a strong signal to the plan user that these activities are generally discouraged and consent may not be granted.

However the introduction of a new activity status alone will not prevent undesirable activities from establishing. The change must also be supported by an enhanced policy framework, and as such, new and amended policies, and changes to the Principal Reasons sections and Assessment Criteria are proposed. These changes have been addressed under Stage One Implementation of HPUDS. Other activities now subject to the non-complying activity status include signs not located on the site to which they relate, and new rules relating to network utility operations and renewable energy generation. The use of non-complying activities has been harmonised with Hastings wherever practicable.

- **Stage One Implementation of HPUDS**

Plan Change 4 to the Hawke's Bay Regional Resource Management Plan (incorporating the Regional Policy Statement) is now effectively operative. This Plan Change implemented the recommendations of HPUDS, a document and approach the Napier City Council is a signatory to. Local Authorities must give effect to the RPS in their District Plans. The Proposed Hastings District Plan has done this through various means. Draft Plan Change 10 did not originally propose any implementation of HPUDS; a matter that HBRC submitted on. Napier City Council has decided to utilise this opportunity to harmonise with Hastings on this matter and introduce new provisions to recognise the importance of HPUDS.

At this stage, due to limited consultation being undertaken on the matter which has the potential to have a material effect on private property rights, it is proposed to limit the implementation of HPUDS to:

- Addressing ad hoc and inappropriate residential and rural residential subdivision and development in rural areas;

- Addressing ad hoc residential development in residential greenfield growth areas;
- Mapping the urban limit and residential greenfield growth areas;
- Cross-referencing existing and new policies with the Hawke's Bay Regional Resource Management Plan where these are related to the implementation of HPUDS and the built environment.

Although the provisions put forward for Proposed Plan Change 10 do not exactly mirror those of the Proposed Hastings District Plan due to a different plan structure, the intent is essentially the same.

2.4 Incorporating recent Council policy changes and decisions

The Napier City Council has recently made certain policy decisions that will impact on the Napier District Plan. This plan change provides an opportunity to update provisions affected by these policy decisions. Such decisions include but are not limited to:

- Provisions for temporary signs in rural areas
- Realigning the parking exemption boundary with the rating differential boundary in the inner city
- A proposed change to the Sports Park at Park Island to accommodate the long term plans for Park Island.
- Rezoning Western Hills and Park Island Cemeteries from Sports Park to Reserve Zone.
- The proposed change to the boundary of the Sports Park Zone as it applies to Sir Donald McLean Park.
- Update the Code of Practice for Subdivision and Land Development to reflect current practice.
- A proposed change to the site coverage requirements in the Rural Settlement Zone.

An explanation of the changes proposed above, are outlined below:

- **Provisions for Temporary Signs in Rural Areas**

Napier City Council passed a resolution at their 30 October 2012 Ordinary Meeting to consider a change to the District Plan to allow temporary off-site signage to advertise seasonal produce, subject to certain criteria being met. This resolution was in response to concerns that provisions restricting 'billboard-type signage' would also apply to small scale signage designed to direct people to roadside stalls located nearby selling seasonal produce. Council considers such signs to be appropriate, provided criteria are met that limit effects on amenity and motorist safety.

This change proposes a new policy, an addition to the Principal Reasons for Adopting the Objective and Policies, and new provisions permitting temporary signs associated with roadside stalls in the Main Rural and Rural Residential Zones, subject to a number of criteria. Those signs that do not advertise any services, goods or products that are not directly related to the primary use or activities occurring on the site of the sign, or do not meet the criteria listed in the Permitted Activity rule are deemed Non-Complying Activities.

- **Realigning the parking exemption boundary with the rating differential boundary in the inner city**

Appendix 24 maps properties that are not required to comply with the parking requirements of the District Plan. Those properties identified as exempt are instead required to pay a parking levy in their Rates that enable Council to provide for shared parking facilities within the inner city. It has been brought to Council's attention that some properties have in the past either been required to pay a parking levy despite not being exempt from parking requirements in the District Plan, or have been exempt from parking requirements but not expected to pay a parking levy. This plan change will correct these anomalies so that all properties that are required to pay a parking levy in their Rates are correctly identified on District Plan maps that they are exempt from parking requirements.

- **A proposed change to the Sports Park at Park Island to accommodate the long term plans for Park Island.**

This plan change recognises the recently prepared Park Island Sports Ground Master Plan, which sets out how this site will be developed and used over the next 20+ years. It is proposed to append the Master Plan to the District Plan, and include policies, methods and rules that give effect to the Master Plan.

- **Rezoning Western Hills and Park Island Cemeteries from Sports Park to Reserve Zone.**

Both the Park Island and Western Hills cemeteries are scheduled sites with an underlying zoning of Sports Park. The remainder of Napier's cemeteries are zoned Reserve. The proposed rezoning of these two sites will address an anomaly in the District Plan, match the land uses with an appropriate zoning and correctly identify them as Reserve Zone.

- **Proposed change to the boundary of the Sports Park Zone as it applies to Sir Donald McLean Park**

Sir Donald McLean Park occupies two small areas of land that have recently been purchased to accommodate the new south-eastern stand. These areas are currently zoned Main Residential. The proposed change in the zoning boundary will ensure that the entirety of this Park can continue to operate under the rules of the Sports Park Zone. There is no actual material change likely to occur as a result of the rezoning as the new stand and all its associated effects are now in existence.

- **Update the Code of Practice for Subdivision and Land Development to reflect current practice and apply a consistent approach across the Region.**

The primary purpose of these changes is to update the Code requirements to reflect current operating practices, with the main areas being:

- Refinements to improve the understanding of Code requirements
- Recognition of the need to address climate change and seismic events
- The increase in use of electronic data
- Improvements in engineering performance criteria and standards

- **A proposed change to the site coverage requirements in the Rural**

Settlement Zone.

Maximum site coverage for the Rural Settlement Zone is currently set at 60% despite the zone being primarily serviced by on-site means rather than by way of reticulated services. This is an anomaly and it is proposed to amend the maximum site coverage to 30% to be consistent with similar zones, such as the Lifestyle Character Zone and Jervoistown Zone, and less than the 50% maximum site coverage set within many of the (reticulated) Residential Environments.

3.0 CONSULTATION

- 3.1 Napier City Council has received significant feedback from the public, directly and via the media, that there is a growing discontent with (seemingly) arbitrary differences between how the Napier City Council and the Hastings District Council operate.
- 3.2 The Napier City Council and the Hastings District Council recognise that there are situations where some of these differences are unnecessary and both Councils are committed to working together to get consistency across both Districts. This is an ongoing commitment that both Councils have been working on for a number of years and will continue to work towards in the future.
- 3.3 In terms of this plan change Napier City Council is taking action to support the community campaign to align the Napier District Plan and Hastings District Plan where possible, removing differences that are generic in nature and which should apply equally to both Hastings and Napier.
- 3.4 Plan Change 10 is largely a community-driven Plan Change that aims to harmonise District Plan provisions in the Napier District Plan and the Hastings District Plan wherever practicable while retaining a primary focus on 'place-based' planning in both District Plans. Plan Change 10 is therefore a proposed change to the Napier District Plan that is mainly 'technical' in nature rather than seeking to add or remove significant zoning provisions that impact on people or property rights.
- 3.5 As part of the community consultation, the Council adopted a 'draft' plan change which allowed any interested person the opportunity to comment on the 'draft' provisions prior to public notification. It was considered to be an effective way to consult on its content. This allowed any person the opportunity to actually consider the impact of the intended changes for a matter that is primarily technical in nature rather than substantive in issue and therefore difficult to understand in a hypothetical sense.
- 3.6 The timing of the draft plan change was intentionally scheduled so that it coincided with release of the 'Draft' Hastings District Plan in order that interested parties were able to make comment on both documents where harmonisation of the District Plan provisions were proposed.
- 3.7 A total of 40 informal comments were received. Issues raised were wide and varied and include (but are not limited to) matters related to the effects of recent development in Ahuriri; changes in the way the effects and impacts on transportation on state highways and rail corridors are managed; the management of roadside stall signs, the provision of network utilities generally and in natural hazard areas; the implementation of HPUDS; parking standards; earthquake strengthening of heritage items; and earthworks.

4.0 RESOURCE MANAGEMENT ACT 1991 CONTEXT - ASSESSMENT IN TERMS OF PART 2 OF THE ACT

4.1 The purpose of the Act is contained in Section 5 and is as follows:

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management 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 wellbeing and for their health and safety while –

a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generations; and

b) Safeguarding the life supporting capacity of air, water, soil, and ecosystems; and

c) Avoiding, remedying, or mitigating any adverse effects on the environment.

Section 6

4.2 The Plan Change must also recognise and provide for Matters of National Importance, as identified in Section 6 of the Act.

Section 7

4.3 Matters to which decision-makers must have particular regard include:

7(b) The efficient use and development of natural and physical resources

7(c) The maintenance and enhancement of amenity values

7(f) Maintenance and enhancement of the quality of the environment

7(g) Any finite characteristics of natural and physical resources

Section 8

4.4 The Plan Change must take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

4.5 Plan Change 10 is largely a community-driven Plan Change that aims to harmonise District Plan provisions in the Napier District Plan and the Hastings District Plan wherever practicable while retaining a primary focus on ‘place-based’ planning in both District Plans. Plan Change 10 is therefore a proposed change to the Napier District Plan that is mainly ‘technical’ in nature rather than seeking to add or remove significant zoning provisions that impact on people or property rights.

4.6 Given that Plan Change 10 is primarily ‘technical’ in nature no issues have been identified as arising under Part 2 of the Act. Similarly there are no known Treaty principles that will be impacted on by the Plan Change.

5.0 SECTION 32 EVALUATION

5.1 Section 32 requires that regard be given to the reasons for and against the relevant alternative methods, that there be an evaluation of the likely benefits and costs and the efficiency and effectiveness of the methods. Where provisions have been

harmonised with those of the Proposed Hastings District Plan, Napier City Council accepts the outcomes of the section 32 assessment prepared by Hastings District Council for its Proposed District Plan, whilst recognising the minor differences in format, wording, and provisions required to ensure consistency of approach and that address those activities and zones unique to Napier.

Undertaking a Section 32 evaluation for the other provisions has involved identifying the resource management issues in broad terms and determining why changes to existing plan provisions are needed. The submission process on the proposed plan provides an opportunity for challenges to the objectives, policies, rules or other methods to be assessed and if necessary modified.

Issue 1: Incorporating the Ahuriri Subdistrict Plan into the Napier District Plan

The community has delivered a clear message that they expect the Napier City Council and Hastings District Council to work collaboratively wherever possible and remove any arbitrary differences between the ways the Council operate. One area which has been identified is the District Plans where there is an expectation that the District Plan provisions of both councils will be harmonized wherever practicable while retaining a primary focus on place based planning. A crucial precursor to this Napier-Hastings harmonisation process is that there first needs to be harmony within the Napier City provisions. Land within Napier is currently either subject to the Napier District Plan or the Ahuriri Subdistrict Plan and there are a number of minor discrepancies between them. Before the inconsistencies between Napier and Hastings can be removed, those that exist between the Ahuriri Subdistrict Plan and the Napier District Plan need to be addressed first.

Options	Advantages	Disadvantages (costs)	Effectiveness and Efficiency
Option One: Status Quo	No need for a plan change.	<p>Would undermine the community led demand for harmonisation of District Plan provisions between Napier and Hastings.</p> <p>Having a Napier District Plan and an Ahuriri Subdistrict Plan is not a user friendly approach - particularly for non-local users who tend to assume that the Napier District Plan covers all of the Napier District.</p> <p>Would fail to respond to recent Council decisions and policy changes that can be addressed through District Plan provisions.</p>	<p>This option is not very efficient or effective. Having two plans means that if one change is sought for the whole city, then two separate plan changes need to be done concurrently. Submissions on one plan change do not necessarily affect the other. This makes the process very confusing.</p> <p>It also means that for some projects two separate plans need to be taken into account. This is common for infrastructure that crosses the boundary between Ahuriri and Napier. These projects need to be assessed against their zoning(s) in the Napier Plan, the zoning(s) in the Ahuriri Plan, the District Wide chapters of the Napier Plan and the District Wide Chapters of the Ahuriri Plan. This is inefficient and unnecessary.</p>
Option Two: Retain all Ahuriri Subdistrict Plan provisions, but incorporate into one document	Bringing the two sets of general rules into one document could lessen the risk of misunderstanding.	Having the Ahuriri Subdistrict Plan brought into the Napier Plan but retaining all provisions as they are would also be confusing for the Plan user	This option would still experience the same inefficiencies as option one above. The Plans would physically be in one document, but the duplication of provisions would carry on.

Options	Advantages	Disadvantages (costs)	Effectiveness and Efficiency
		<p>because there would be two sets of District Wide provisions.</p> <p>The Ahuriri Plan is also structured and formatted differently to the Napier District Plan. If the two plans were combined into one document without any changes it would be a chaotic outcome with seemingly random differences that could not be justified.</p> <p>The community led drive to achieve consistency with the Hastings Plan would be difficult to achieve.</p>	<p>It would be difficult to make the plan easy to understand for a non-local plan user if Ahuriri has separate District Wide provisions than the rest of Napier.</p> <p>Plan Changes would be easier to prepare because there would only be one document to change, but within that one document there would still be the same number of provisions that need amending (two sets of zoning provisions, two sets of District Wide provisions).</p> <p>For all these reasons this option is considered to be the most inefficient and least effective.</p>
<p>Option Three: Incorporate the Ahuriri Zones and any relevant District Wide Activities into the Napier District Plan and align them to fit within the Plan structure.</p>	<p>Learning from the lessons about arbitrary inconsistencies associated with subdistrict plans, it has long been the intention that there should be one District Plan for all of Napier. This is the case in most Districts throughout New Zealand because it is the most simple, user friendly, easy to maintain and improve system.</p> <p>The population of Napier and Hastings are demanding more consistency between the services that both Councils offer. Part of responding to this is to align the provisions of the District Plans. This process will</p>	<p>The time and resources needed to process a plan change to incorporate Ahuriri Subdistrict into the District Plan.</p> <p>Short term inconveniences by existing plan users who are familiar with the Ahuriri Subdistrict Plan.</p>	<p>Long term it will be very effective and efficient to have one District Plan for the whole of Napier. This has long been the intention of Council but due to a legal technicality at the time of notification of the proposed District Plan, the court ruled that the Ahuriri Subdistrict Plan shall remain.</p> <p>In terms of efficiency, the continual improvement of the District Plan through Plan Changes will be made a lot easier by only having one District Plan to change.</p> <p>Importantly for the current community led demand for the Hawkes Bay Councils to work collaboratively wherever possible and to remove any</p>

Options	Advantages	Disadvantages (costs)	Effectiveness and Efficiency
	<p>be greatly assisted by first ensuring consistency throughout the Napier District.</p> <p>Lastly, because the provisions of the Ahuriri Subdistrict Plan are significantly older than the provisions of the Napier Plan, those within the Napier Plan are 'better practice' and achieve better outcomes. By aligning the Ahuriri Subdistrict Plan provisions with those of the Napier Plan it will improve future outcomes in that area.</p>		<p>duplications and inefficiencies, first harmonising the Ahuriri Subdistrict Plan with the Napier District Plan will make the efforts of harmonisation with the Hastings District Plan provisions wherever possible far easier.</p> <p>For these reasons Option Three is the most efficient and effective method.</p>

Issue 2: Harmonising provisions where practicable between the Napier and the Hastings District Plans

With both Napier and Hastings having previously developed their urban growth strategies and district plans in isolation there are a number of inconsistencies and differences between the Napier District Plan and the Hastings District Plan that serve no justifiable purpose. These variations are inconvenient for those who work with both district plans and in the case of district wide provisions that do not relate to a specific place there are also in some instances arbitrary differences for the same activities or effects that cannot be reasonably justified. Below is an overall evaluation of the harmonisation of provisions between the two district plans, followed by individual evaluation tables for each 'topic'.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>Each Council can concentrate on their own approach to achieve the best outcome for their particular circumstances and which serve the needs of their own respective communities.</p>	<p>Because Napier City and Hastings District are so interconnected, there are a number of businesses and people that operate in both areas. It is difficult for these people to have to learn the intricacies of both District Plans and understand what can at times be arbitrary differences</p>	<p>The status quo is effective in that the rules and provisions of both District Plans have been developed specifically for their Districts with the input of the residents that live there.</p> <p>However, in terms of efficiency, this approach is lacking. It makes it difficult for users of both District Plans to understand their respective</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
		which serve no useful purpose.	<p>content, particularly when there may be arbitrary differences for the same activities or land uses simply by virtue of which District they are located within.</p> <p>Also, in terms of efficiency, for some aspects of the District Plan it is inefficient for both Councils to work on these and invest time and resources separately. This is particularly relevant for subjects such as Network Utilities, Hazardous Substances and Noise which are all highly specialized areas which do not typically benefit from having different terms and conditions applying to them or for which their technical nature may require specialized input from external consultants.</p>
<p>Option Two: Harmonise provisions across the board.</p>	<p>Effectively this option would mean that there would be in some form one District Plan for both Hastings and Napier. This may be more convenient for the members of the public who use both plans frequently.</p>	<p>A single District Plan would require a political commitment by both Councils to undertake this process. Currently there is no such mandate.</p> <p>Both Hastings and Napier have distinct characters and this could be undermined by having one joint District Plan that seeks to rationalize the number of planning zones within the region at the expense of retaining unique characteristics and amenity. This effectively would remove both Councils and their respective communities' primary desire to</p>	<p>This option cannot be actioned unless there is a political mandate to do so. As there is currently no such mandate this option is both inefficient and ineffective.</p> <p>The disadvantages of this approach identified previously also demonstrate that this option has other efficiency and effectiveness problems irrespective of the political mandate.</p> <p>This option also ignores the widely accepted premise that decision making is most effectively done at the most local level.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
		<p>move away from homogenous planning provisions in favour of an emphasis on 'place-based' planning.</p> <p>Ensuring both District Plans are administered consistently could prove problematic and result in extra resources and time trying to coordinate a consistent response.</p> <p>There would be potential for conflict in future in cases where one Council on behalf of its community wants to make a change to a section of the District Plan but the other Council does not. For example, if Hastings decided that heritage buildings were too dangerous and wanted to lift their protection, but Napier did not (example is purely hypothetical).</p>	

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option Three: Harmonise wherever practicable those provisions that are typically not ‘place-based’ and are common to both districts:</p> <ul style="list-style-type: none"> • Natural Hazards • Network Utilities • Activities on the Surface of Water • Earthworks • Signs • Hazardous Substances • Noise • Transport (car parking ratios only) • Definitions (where relevant) • Safety alterations to heritage items • Renewable Electricity Generation • Noise standards for Temporary Activities • Contaminated Sites <p>And</p> <p>Harmonise some ‘place-based’ activities that will not result in a degradation of character and uniqueness of an area or neighbourhood but where similar resource management issues exist in both districts:</p> <ul style="list-style-type: none"> ➤ Non-Rural Activities in Rural Zones ➤ Inert roofing materials 	<p>In terms of regulation this is not ‘place-based’, (for example – standard noise limits, network utilities and activities on the surface of water) it is desirable that the same provisions should apply in both districts (unless there are exceptional reasons justifying differences).</p> <p>This option allows discretion for the communities of both Councils to decide where inconsistencies between the plans are justified and also allows both Councils to identify special areas or characteristics of their District and incorporate provisions within their respective district plans to protect these.</p> <p>Allows each Council to initiate a plan change to its own district plan in response to a local issue that does not necessarily apply throughout the region.</p>	<p>‘Place-based’ planning by definition means that rules are tailored for a specific location/community to preserve the unique characteristics of that locality/community. As a result there will not be a one size fits all approach to planning. As an example this means that if a company is building one house in Napier and one house in Hastings or indeed in different locations within both cities they may have different planning rules to comply with and may need to amend the design of the building accordingly.</p>	<p>Harmonisation of regulation that is not ‘place-based’, and where there is no justification for different standards, is the most effective and efficient approach as it means both Council’s can coordinate their response to resource management issues so that development is treated equitably with a minimum of ‘red tape’ irrespective of jurisdictional boundaries.</p> <p>This option will ensure that no arbitrary cross boundary issues arise, or where they are present, the activity and its effects are dealt with consistently.</p> <p>This option will mean the community can easily understand any resource consenting process irrespective of what district plan is invoked and any decision making is delivered in a consistent way.</p> <p>While place based planning potentially results in different rules and regulations this approach is the most effective method for preserving the unique characteristics and amenity of a place which may otherwise be permanently compromised by inappropriate development facilitated by a one size fits all approach to regulation.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<ul style="list-style-type: none"> ➤ Consenting regime for storage of tyres ➤ Seasonal Workers Accommodation ➤ Non-Complying Activities ➤ Stage Implementation of HPUDS 			

Proposed Harmonised Provisions

1. Natural Hazards

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The District Plan maps do not currently identify areas of risk from fast flowing flood waters during an extreme weather event, and rules do not provide any control of activities to mitigate effects where risk is high. This may result in people and property being put at unnecessary risk of flood waters during an extreme weather event.	This option is neither effective or efficient. Council should act to protect life and property where a higher than average risk is known and can be controlled or prevented.
Option Two: Amend the Napier District Plan to introduce a River Hazard Area overlay and associated policy and rules.	The public will be able to clearly see where the likelihood of land being covered in fast moving flood flows in an extreme weather event is high.	The time and resources needed to process this Plan Change to incorporate the changes. Landowners affected by the River Hazard Area will now have	This option is considered overall to be the most efficient and effective method. This option allows appropriate and necessary activities to continue to

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>The District Plan will identify which activities are appropriate within these Areas, and which activities are not.</p> <p>The prevention of inappropriate activities and structures within the River Hazard Area will reduce the likelihood of damage or loss of life and property, and reduce the likelihood of these structures becoming flotsam and jetsam and damaging vital infrastructure (such as bridges) downstream.</p>	<p>added restrictions on the use of their land within this Area.</p> <p>Activities currently identified as permitted, may now be required to obtain resource consent should they wish to establish and operate within the River Hazard Area.</p>	<p>establish and operate within the River Hazard Area whilst preventing those activities that would further endanger life and property during extreme weather events.</p>

2. Network Utilities

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>The Network Utility Operations Chapter 53 will not be amended to take into account the NES for Telecommunications Facilities Regulations 2008, the NES for Electricity Transmission Activities Regulations 2009, and the NPS on Electricity Transmission 2009. The Chapter will not be harmonised with similar provisions in the Proposed Hastings District Plan.</p>	<p>This option is neither effective or efficient.</p>
<p>Option Two: Amend the Napier District Plan to take into account the NES for Telecommunications Facilities Regulations 2008, the NES for Electricity</p>	<p>Legislative requirements are met and there is harmonisation with similar provisions in the Proposed Hastings District Plan.</p>	<p>The time and resources needed to process this Plan Change to incorporate the changes.</p>	<p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Transmission Regulations 2009, and the NPS on Electricity Transmission 2009.			

3. Activities on the Surface of Water

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	Retaining the District Plan provisions relating to activities on the surface of water will mean that these provisions are not harmonised with those of the Proposed Hastings District Plan, and users of both Plans would need to be familiar with where provisions for these activities are found and what standards apply to both districts. Activities carried out within the jurisdiction of both districts on the Esk and Tutaekuri Rivers will be required to meet the provisions of both District Plans. This may result in resource consent being needed from one Council and not the other, or in different standards applying across an arbitrary line in the river.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to harmonise the provisions for surface of water activities, and to locate these provisions within a District-wide chapter.	These provisions are 100% harmonised with those of the Proposed Hastings District Plan. The public will not have to refer to both Plans if they undertake activities on the Esk or Tutaekuri Rivers.	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	Where surface of water activities are being undertaken on the Esk or Tutaekuri Rivers and are within the jurisdiction of both Napier City and Hastings District, only one resource consent is required from either Council (where resource consent is required).		

4. Earthworks

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The earthworks provisions will continue to be embodied within the Code of Practice for Subdivision and Land Development. Administering these rules will continue to remain confusing for Plan users. A blanket provision of 100m ³ for permitted earthworks irrespective of what zone a property may be located in will continue to be inappropriate in some instances.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to introduce a new separate chapter for Earthworks within main District Plan document.	This option creates an opportunity to harmonise where practicable provisions with the Proposed Hastings District Plan. A new separate district wide chapter for earthworks provides; a practical solution to integrate the earthworks	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>provisions with other chapters and activities within the Plan; a policy framework from which the rules can be applied; and provides an opportunity to impose specific rules commensurate with each zone of the level of earthworks that is permitted or exempt.</p> <p>Shifting the earthworks provisions out of the Code of Practice for Subdivision and Land Development decreases the level of confusion for Plan users by having all the provisions located in one document.</p>		

5. Signs

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>Retaining the current provisions relating to signs will not achieve the purpose of this plan change, which is to harmonise the district-wide provisions of the Napier and Proposed Hastings District Plans.</p> <p>For businesses operating across both districts, they will be required to be familiar with both sets of standards. This may mean that they might need resource consent within one of the district's or that their signs are different in each district.</p>	<p>This option is neither effective or efficient.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option Two: Amend the Napier District Plan to harmonise the provisions applying to signs with those of the Proposed Hastings District Plan.	Where appropriate, the standards set for the design, size, and location of signs in Napier city are consistent with those set by the Proposed Hastings District Plan. This enables businesses who operate across both districts to standardise their signage with the knowledge that they can comply in both districts.	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

6. Hazardous Substances

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	Chapter 63 Hazardous Substances does not align with the provisions of the Hazardous Substances and New Organisms Act 1996 (HSNO) and does not harmonise with the Proposed Hastings District Plan.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to harmonise the provisions applying to hazardous substances with those of the Proposed Hasting District Plan, and to update the provisions in accordance with the HSNO Act 1996.	Chapter 63 Hazardous Substances aligns with the provisions of the Hazardous Substances and New Organisms Act 1996 (HSNO) and harmonises with similar provisions in the the Proposed Hastings District Plan.	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

7. Noise

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The noise provisions would not be updated to take account of best practice or the most	This option is neither effective or efficient.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
		<p>current methods of measurement or standards.</p> <p>Activities identified in the District-Wide Noise chapter of the Napier District Plan would be subject to a different set of noise requirements from those identified in the Proposed Hastings District Plan, for no real benefit.</p>	
<p>Option Two: Amend the Napier District Plan to harmonise district-wide noise provisions with those of the Proposed Hastings District Plan, and where appropriate, zone noise provisions.</p>	<p>Persons or businesses carrying out noise producing activities (such as frost fans, helicopter landing etc) will be subject to one set of noise standards across both districts.</p> <p>The proposed noise standards have been updated to take account of current best practice, and to use the most up to date methods of measurement and standards.</p> <p>Zone noise standards have been harmonised where appropriate, providing greater consistency across the two districts on the type of noise environment that can be expected within each living/working environment.</p>	<p>The time and resources needed to process this Plan Change to incorporate the changes.</p> <p>In some circumstances, Hastings does not have a comparable zone, and therefore noise standards have been set based on the recommendations of the Malcolm Hunt report.</p>	<p>This option is considered overall to be the most efficient and effective method.</p>

8. Transport

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>Parking ratios, i.e. the number of carparks required for an activity, will continue to be different from those in the Proposed Hastings Plan.</p> <p>No provision is made to encourage alternative modes of transport within the City and/or potentially encouraging the demolition of heritage buildings.</p> <p>Proliferation of loading zones within the city centre not based on floor area resulting in loss of customer parking.</p> <p>Time and cost of processing resource consents to exempt activities from providing loading zones when in reality they are not needed for most small scale activities.</p>	<p>This option is neither effective or efficient.</p>
<p>Option Two: Amend the Napier District Plan to adopt where practicable the same provisions as the Proposed Hastings District Plan.</p>	<p>Where appropriate, the parking standards/ratios prescribed in Napier City are consistent with those set by the Proposed Hastings District Plan. This enables businesses who operate across both districts to factor in the required carparking as part of their business planning with the knowledge that they can comply in Napier and Hastings.</p>	<p>The time and resources needed to process this Plan Change to incorporate the changes.</p>	<p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>The public will not have to refer to both District Plans for activities that are comparable.</p> <p>Napier and Hastings have a consistent approach to encouraging alternative modes of transport by providing policies and rules that require end of journey facilities. This approach supports the cycling strategies of both Councils.</p> <p>Requiring owners of any commercial or Industrial activity that employs more than 15 full time equivalent employees to provide showering facilities will encourage cycling as a method of travelling to and from work. This benefits the health of the community and the environment in the longer term.</p> <p>On street carparking in the Inner City and Fringe Commercial zones will not be sacrificed as a result of a loading zone per activity requirement that is currently required in the District Plan.</p>		

9. Definitions

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>Definitions for activities located in Hastings District will vary from definitions of the same activity in the Napier District Plan. This is likely to confuse owners of properties and/or businesses that have property in both areas.</p> <p>Some new activities would not have a corresponding definition leading to confusion and misinterpretation of District Plan rules.</p>	<p>This option is neither effective or efficient.</p>
<p>Option Two: Amend the Napier District Plan to harmonise where practicable with the Proposed Hastings District Plan existing definitions and definitions for new activities being provided in both District Plans.</p>	<p>This option creates an opportunity to harmonise where practicable provisions with the Proposed Hastings District Plan.</p> <p>Identical definitions result in consistency in interpretation of District Plan rules.</p> <p>Identical definitions provide certainty to business and property owners that operate both in the City and District areas as to how their activity sits within the rules of the respective District Plans.</p> <p>Some new activities provided in Plan Change 10 to the Napier District Plan and the Proposed Hastings District Plan need to be defined in order to</p>	<p>The time and resources needed to process this Plan Change to incorporate the changes.</p>	<p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	provide certainty of the description of the activity, in order to reduce the level of inconsistent decision making across both Napier and Hastings territorial areas.		

10. *Safety Alterations to Heritage Items*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	Building owners will be required to obtain resource consent and consult with the Historic Places Trust (and in some cases Art Deco Trust) before any safety alteration work can commence. The additional costs and delays resulting from the need to obtain resource consent may result in a decision by the building owner to demolish rather than seismically strengthen.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to provide for safety alterations to Group 3 and 3A heritage items, and internal safety alterations to Group 2 heritage items as permitted activities, for external safety alterations to Group 2 heritage items as Controlled Activities, and for the internal and external safety alteration of Group 1 heritage items as Restricted Discretionary Activities.	Heritage items are of cultural, historic, and amenity value to both the owner and the community as a whole. The Building Code requirement to seismically strengthen (safety alterations) buildings, places costs on building owners, and in the case of heritage buildings, this cost may be significant. Retention of these buildings is important to the community and to New Zealand.	The time and resources needed to process this Plan Change to amend the alteration to heritage items provisions. There is a risk of the loss of heritage values from a Group 3 and 3A Heritage items, and the interior of Group 2 heritage item as safety alterations are now a Permitted Activity with Council having no planning control over the changes proposed. Safety alterations to the external	This is the only effective and efficient option available. Retention of the City's heritage items is of considerable importance to the community. The proposed changes hope to lessen the burden on building owners whilst maintaining a certain level of control over the preservation of heritage features. This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>The proposed provisions will enable building owners to undertake these works without the additional cost and inconvenience of applying for Discretionary Activity resource consents.</p> <p>The proposed provisions are consistent with those of the Hastings District Plan.</p> <p>The Historic Places Trust and Art Deco Trust have given their support for these provisions.</p>	<p>façade of a Group 2 building, and to a Group 1 heritage building (both internally and externally) will require resource consent as a Controlled and Restricted Discretionary Activity (respectively).</p>	

11. **Renewable Electricity Generation**

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The National Policy Statement for Renewable Electricity Generation (2011) is not given effect to. There is no alignment with the Proposed Hastings District Plan on this matter.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to insert a new Chapter 53A "Renewable Energy Generation"	The National Policy Statement for Renewable Electricity Generation (2011) is given effect to and there is harmonisation with the Proposed Hastings District Plan on this matter.	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

12. *Amend Noise standards associated with Temporary Activities*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>The District Plan will not adequately provide for the needs of temporary military training activities, nor sports activities within McLean Park.</p>	<p>This option is neither effective or efficient.</p>
<p>Option Two: Amend the Napier District Plan so that the two rules for temporary activities are combined, and introduce one additional rule relating to sports activities in Sir Donald McLean Park.</p> <p>Amend the District Plan so that noise is the only matter of discretion for temporary military training activities and that new methods of measurement and new noise standards are set that are more applicable to these types of activities.</p>	<p>The standards set have been harmonised as far as practicable with those of the Proposed Hastings District Plan, whilst providing for the needs of Council and the community.</p> <p>The new rule specifically targeted to sporting activities at McLean Park, allows this venue to host sporting events that operate beyond the hours normally associated with other sporting grounds, and with amplified sound that would normally exceed the requirements for that zone.</p> <p>Changes to the two rules outlined above will reflect what is already happening in practice.</p> <p>The changes to the noise standards for temporary military training activities reflect best current practice and are consistent with those being incorporated into District Plans nation-wide. Due</p>	<p>The time and resources needed to process this Plan Change.</p> <p>Although the neighbours of McLean Park are very unlikely to notice any change in the use of the facility and its associated effects, the new rule provides for a greater level of noise to be produced than what is currently allowed under the rules for the Sports Park Zone. This is to reflect the current situation for activities operating within the facility.</p> <p>Control will be restricted to the matter of noise when assessing the appropriateness of any future temporary military training activity; and the determination of compliance with these noise standards will require knowledge of the type of noise source and distance it is fired from a noise sensitive activity.</p>	<p>This is the only effective and efficient option available.</p> <p>Changes to temporary activities have been harmonised with the Proposed Hastings District Plan where possible to ensure greater consistency across these two plans.</p> <p>The introduction of a new rule that provides for sporting events at McLean Park reflects the ‘premier’ status of this park and legitimises for the level of effects already occurring as a result of sporting activities on the site.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	to the strict requirements and tight controls applying to these types of activities, the other non-noise related standards under this rule are not considered necessary.		

13. Contaminated Sites

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 is not referenced in the District Plan. There is no alignment with Hastings District Plan where there is a reference to the NES.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan by rewriting Chapter 64 "Contaminated Sites".	The NES for Assessing and Managing Contaminants in Soil to Protect Human Health is referenced in the District Plan (Chapter 64 is updated accordingly).	The time and resources needed to process this Plan Change to introduce non-complying activities into the District Plan.	This option is considered overall to be the most efficient and effective method.

14. *Non-Rural Activities in Rural Zones*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	As it currently stands, a number of non-rural activities (such as supplementary units, residential care facilities, education facilities and day care centres) can each establish as a permitted activity on a site in the Rural Zone. Although the likelihood of this happening is low, the ability to do so sets a	This option is neither effective or efficient.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
		permitted baseline of effects that can be used when determining the appropriateness of another activity for which resource consent is needed.	
Option Two: Amend the Napier District Plan to only allow one of the non-rural activities additional to another permitted activity (such as residential activities).	The proposed change will address the issue of applicants using the combined effect of all permitted activities in the Rural Zone as the permitted baseline.	The time and resources needed to process this Plan Change to incorporate the changes.	This option is considered overall to be the most efficient and effective method.

15. *Introduction of new requirement to erect roofs constructed of inert materials in selected areas of the City.*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan. Building owners and occupiers will not bear the additional cost (if any) of using inert roofing materials (including non-metal based paints) when repairing or re-roofing their buildings.	Runoff from roofs that are constructed of inert materials will continue to be a concern, as studies have found that raised zinc levels in streams and estuaries may be linked to roof runoff, particularly in industrial and commercial areas.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to require all roof surfaces to be constructed of inert materials or painted in non-metal based paint in the Main Industrial, Business Park, Suburban Commercial (Corunna Bay only), Large Format Retail, and Airport Zones.	The provisions proposed are consistent with those put forward by the Proposed Hastings District Plan, and are designed to protect the estaurine environment of Napier. Any repair work needed on existing roofs, or the construction of new roofs in the zones listed, will be	The time and resources needed to process this Plan Change to amend the relevant provisions through the Plan. Building owners and occupiers may be required to bear the additional cost (if any) of using inert roofing materials (including non-metal based paints) when repairing or re-roofing their buildings.	This is the only effective and efficient option available. The proposed changes hope to reduce the potential for Napier's stream and estaurine environment to be polluted with toxins and metals as a result of stormwater runoff from roofs. This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	required to use inert roofing materials and non-metal based paint. Runoff from these materials will be free of toxins and metals and would not pollute the streams and waters of the estuarine environment.	Building owners and occupiers would be required to obtain resource consent should the roofing materials used for repair, replacement or new roofs not meet the requirements of the proposed provisions.	

16. *Introduction of a consenting regime for the storage of tyres*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	Tyre storage is currently classified as an Industrial Activity. These activities are permitted in a number of zones in Napier City. Without specific conditions relating specifically to tyre storage activities, these activities would be permitted as of right.	This option is neither effective or efficient. Retaining the status quo will not address the effects associated with bulk tyre storage.
Option Two: Amend the Napier District Plan to include policies and rules that manage the storage of tyres throughout the City	This option enables Council to manage tyre storage separate from other industrial activities. The provisions permit tyre storage where this is ancillary to another activity on the site, and meets a set of conditions relating to their scale, distance from the front boundary, screening, and access. This means that activities such as service stations, transport depots and activities associated with the servicing and repair of vehicles within industrial zones and the Fringe	The time and resources needed to process this Plan Change to introduce tyre storage provisions into the District Plan.	This is the only effective and efficient option available. The provisions will allow legitimately established activities to continue storing tyres at an appropriate scale, but will require stand alone tyre storage activities to obtain resource consent. This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>Commercial zone are still allowed to store tyres (at an appropriate scale), however the large scale storage/dumping of tyres would require resource consent. Assessment criteria guides the Council in their consideration of the appropriateness of any tyre storage resource consent.</p> <p>The Plan provisions have been harmonised with Hastings.</p>		

17. *Introducing a new activity of Seasonal Workers Accommodation in the Rural Zone*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>Seasonal workers accommodation would currently be defined as travellers accommodation under the Napier District Plan. Under the current provisions, orchard owners would invariably be required to obtain resource consent for this type of accommodation as the number of workers required would exceed the standards for this type of accommodation.</p> <p>The Proposed Hastings District Plan provides for seasonal workers accommodation as a separate activity. Retaining the status quo would not result in harmonisation.</p>	<p>This option is neither effective nor efficient.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option Two: Amend the Napier District Plan to adopt the same provisions as the Proposed Hastings District Plan (max. GFA of 100m² and on a minimum area of 12 hectares). Adopt HDP definition of Seasonal Workers Accommodation.</p>	<p>The provisions would be 100% harmonised with those of the Proposed Hastings District Plan.</p>	<p>The time and resources needed to process this Plan Change to introduce seasonal workers accommodation provisions into the District Plan.</p> <p>The maximum GFA of 100m² will be inconsistent with the maximum GFA for other non-rural activities such as supplementary units, residential care facilities, day care centres etc, where the maximum GFA is 80m². Establishing a maximum GFA of 100m² for seasonal workers accommodation would effectively set the permitted baseline for other activities where the effects generated would be similar in nature.</p> <p>In addition, the required minimum area on which seasonal workers accommodation can establish is connected to the minimum lot size for the Plains Zone. The Rural Zone minimum lot size is 4 hectares, and therefore setting a minimum area of 12 hectares has no relevance to the Rural Zone in the Napier District Plan.</p>	<p>This option is neither effective nor efficient.</p> <p>Adopting the Proposed Hastings District Plan provisions 100% would result in an inconsistent approach in dealing with other non-rural activities such as supplementary units and residential care facilities.</p>
<p>Option Three: Amend the Napier District Plan to adopt the same provisions as the Proposed Hastings District Plan with the exception of two standards - max. GFA of</p>	<p>The provisions will be harmonised with those of the Proposed Hastings District Plan, with the exception that the maximum GFA would be consistent with the maximum</p>	<p>The time and resources needed to process this Plan Change to introduce seasonal workers accommodation provisions into the District Plan.</p>	<p>This option is neither effective nor efficient.</p> <p>Whilst protecting the rural environment from an inappropriate level of development, the inclusion of</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>80m² and on a minimum area of 4 hectares. Adopt Proposed HDP definition of Seasonal Workers Accommodation.</p>	<p>GFA for non-rural activities in the Rural Zone (supplementary units, residential care facilities etc). This means that no greater permitted baseline would be set by the inclusion of this activity into the District Plan. In addition, it will be a condition that seasonal workers accommodation must be located on a minimum area of 4 hectares. This area is the minimum lot size in the Rural Zone.</p>	<p>Adopting the same definition of Seasonal Workers Accommodation as that of the Proposed Hastings District Plan would mean that orchard owners/managers would be required to apply for resource consent for every accommodation complex established to house workers brought in under the RSE (Recognised Seasonal Employer) Scheme. This is because the area needed to accommodate workers would exceed the 80m² allowed under the District Plan.</p>	<p>this rule would not assist orchard owners/managers any more than the current situation. Further to this, consent would be required for activities that would ordinarily be permitted as ancillary activities.</p>
<p>Option Four: Amend the Napier District Plan to adopt the same provisions as the Proposed Hastings District Plan with the exception of two standards - max. GFA of 80m² and on a minimum area of 4 hectares. Amend the Proposed HDP definition of Seasonal Workers Accommodation to exclude ablution and kitchen/common room facilities associated with seasonal workers accommodation, provided they are located within a separate building.</p>	<p>The column above identifies the advantages associated with the inclusion of a seasonal workers accommodation provision with a maximum GFA of 80m² and a minimum area of 4 hectares.</p> <p>In addition, a change to the definition of 'seasonal workers accommodation' to that put forward in the Proposed Hastings District Plan, will enable these types of developments to establish without the need for resource consent. Kitchen/common room and ablution facilities associated with rural activities would normally be considered ancillary activities, and would therefore be permitted. It is therefore considered</p>	<p>The time and resources needed to process this Plan Change to introduce seasonal workers accommodation provisions into the District Plan.</p>	<p>This option is the most effective and efficient.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	appropriate that they be excluded from the requirement for seasonal workers accommodation to not exceed 80m ² in GFA.		

18. *Introduction of Non-Complying Activities*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	Where provisions are to be harmonised with those of the Proposed Hastings District Plan, and harmonisation requires that an activity be classed a Non-Complying Activity, 100% harmonisation can not be achieved. The most restrictive activity status in the Napier District Plan will remain Discretionary Activity. This activity class provides for activities that are appropriate in the zone, but not in all locations; while an activity may in fact be inappropriate in the zone, but for exceptional circumstances. Inappropriate activities therefore cannot be actively discouraged.	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to include non-complying activities	This option enables activities that are inconsistent with the intent of the Plan and possibly damaging to the environment to be classified as non-complying activities. This activity status sends a clear signal to the Plan user that	The time and resources needed to process this Plan Change to introduce non-complying activities into the District Plan.	This option is considered overall to be the most efficient and effective method.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	<p>ther activity is inappropriate and will be discouraged.</p> <p>The introduction of the non-complying activity status enables further harmonisation with the Proposed Hastings District Plan, particularly in the subdivision and development of non-rural uses on rural or lifestyle land.</p> <p>The introduction of the non-complying activity status enables the implementation of the outcomes sought by HPUDS.</p>		

19. *Stage One Implementation of HPUDS*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	<p>The District Plan would be inconsistent with HPUDS and the Hawke’s Bay Regional Resource Management Plan.</p> <p>The District Plan would not be harmonised with the Proposed Hastings District Plan.</p> <p>The provisions of the Plan would not actively discourage ad hoc or inappropriate subdivision and development in rural and lifestyle areas.</p>	This option is neither effective nor efficient.
Option Two: Amend the Napier District Plan to implement all of the changes	The District Plan will be consistent with, and implement the outcomes sought by	The time and resources needed to process this Plan Change to implement HPUDS and the	This option is not the most efficient or effective.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>sought by HPUDS and the changes made under Plan Change 4 to the HB Regional Resource Management Plan.</p>	<p>HPUDS and the HBRRMP.</p> <p>Although the changes made to the Napier District Plan to implement HPUDS do not involve the wholesale adoption of provisions from the Proposed Hastings District Plan, the intent of the provisions is the same.</p> <p>The changes proposed are intended to discourage ad hoc or inappropriate subdivision and development in rural and lifestyle areas.</p>	<p>HBRRMP.</p> <p>In relation to the HPUDS provisions seeking to intensify urban areas so that the density target is met by 2045, there has not been sufficient consultation with the community on options for achieving this target. Changes to these provisions could have considerable impact on the lives of people and the enjoyment of their properties. Introducing changes to the District Plan at the Proposed stage would be unfair to the general public and would potentially not allow sufficient time to achieve the best outcomes.</p>	
<p>Option Three: Amend the Napier District Plan to implement some of the changes sought by HPUDS and the changes made under Plan Change 4 to the HB Regional Resource Management Plan. Delay HPUDS requirements for urban intensification until all options have been properly assessed and if necessary implemented by way of a future plan change.</p>	<p>This option has the advantages outlined in the column above, but with the added advantage that if necessary, a future plan change will provide greater ability to properly explore options for urban intensification, and will allow greater opportunity for the public to have a say in how these options will affect them.</p>	<p>The time and resources needed to process this Plan Change to implement HPUDS and the HBRRMP.</p>	<p>This option is the most effective and efficient.</p>

Issue 3: Incorporating Recent Council Policy Changes and Decisions

There are a number of recent Council policy changes and decisions that are aimed at improving the effectiveness of the Napier District Plan in responding to the aspirations of the local community and updating the District Plan to remove ambiguities.

Proposed Council Policy Changes and Decisions Provisions

1. *Provisions for temporary signs in rural areas*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	<p>The District Plan rules do not currently permit temporary signs, located off-site, for the purpose of directing travellers to roadside stalls selling seasonal produce. This activity currently requires resource consent as a Restricted Discretionary Activity.</p> <p>Obtaining resource consent for this type of signage is an additional expense for the owners and operators of roadside stalls. A Council Resolution made on 30 October 2012 provided an allowance of one temporary sign per legitimately established roadside stall to be located off-site. Retaining the status quo would prevent this Resolution from being implemented.</p>	This option is neither effective or efficient. Activities which are consistent with current Council policies or strategic directions would be at odds with district plan rules that seek different outcomes based on previous (and now outdated) policies.
Option Two: Amend the Napier District Plan to permit temporary signs for roadside stalls located off-site, subject	The District Plan will contain rules and policies that support the recently resolved Council decision to allow such signage.	The time and resources needed to process separate Plan Changes to incorporate what is already new policy direction of	This is the only effective and efficient option available. It means that the District Plan will be amended to reflect the Council resolution made in

Options	Advantages	Disadvantages	Effectiveness and Efficiency
to meeting specified criteria	<p>Although the District Plan does not currently permit roadside signage advertising seasonable produce sold by road-side stalls, such signage is a common sight within Napier's rural areas. The community is generally accepting of these signs provided they maintain an appropriate scale, as they are helpful for directing travellers to where they can find fresh, seasonal, locally grown produce.</p> <p>The proposed rules give roadside stall operators a clear signal of what is appropriate in terms of the number of signs, sign size, and location.</p> <p>The proposed rule will permit the majority of those roadside stall signs already erected and will reduce compliance costs for any future signage.</p>	Council.	<p>October 2012. It demonstrates that the District Plan is a 'living' plan responding to changes over time rather than being viewed as a static anachronism. The proposed rules, supported by policy, are an efficient means of ensuring that effects from signage can be managed appropriately.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

2. *Realigning the parking exemption boundary with the rating differential boundary in the inner city*

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The District Plan identifies a number of inner city properties that are not required to comply with the District Plan car parking requirements, and instead pay a	This option is neither effective or efficient. The disconnect between the parking exemption and rating differential boundaries is unfair to both the property owners and the

Options	Advantages	Disadvantages	Effectiveness and Efficiency
		<p>parking levy in their rates. The parking levy enables Council to provide shared parking facilities for the inner city through roadside parking and car parks. This ensures the streetscape is maintained and buildings or parts of buildings are not demolished to allow for parking.</p> <p>There is currently a disconnect of the parking exemption and rating differential boundaries.</p> <p>Retaining the status quo will result in some properties being required to pay a parking levy as well as being required to comply with car parking requirements, while others will be exempt from the car parking requirements, but not required to pay a parking levy.</p>	<p>wider community, and does not achieve the outcome desired by these tools.</p>
<p>Option Two: Amend the Napier District Plan to realign the parking exemption boundary with the rating differential boundary</p>	<p>Appendix 24 of the District Plan will correctly map the parking exemption boundary to align with the rating differential boundary. This will enable these two tools to better work together to ensure the retention of the inner city streetscape and the efficient provision of shared parking within the inner city.</p>	<p>The time and resources needed to process this Plan Change to realign the inner city parking exemption boundary in the District Plan.</p>	<p>This is the only effective and efficient option available. It means that the District Plan will be corrected so that the parking exemption boundaries within Appendix 24 will be aligned with the rating differential boundary.</p> <p>Shared parking within the inner city is the most efficient means of providing parking.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

3. A proposed change to the Open Space Environments, Sports Park and Reserve Zone chapters to accommodate the long term plans for Park Island and rezoning Western Hills and Park Island Cemeteries from Sports Park to Reserve Zone.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
<p>Option One: Status Quo</p>	<p>No need for changing the District Plan.</p>	<p>Council has recently adopted the Park Island Sports Ground Masterplan, which sets out how the park will be developed and used over the next 20 or more years. Retaining the status quo would mean the District Plan would not support the development of this Park in a manner consistent with the Master Plan. Development may be permitted or consented to that was inconsistent with the overall vision for the Park.</p> <p>Retaining the current Sportsground zoning for these two cemeteries is inappropriate given their long term use, and is inconsistent with the zoning of the City's other cemeteries, being Reserve zone.</p>	<p>This option is neither effective or efficient. The Park Island Sports Ground Master Plan needs the support of other policies, including the District Plan, for its effective implementation.</p> <p>A Reserve zoning of cemeteries is a more effective zoning than Sports Ground as it is better suited to the purpose of cemeteries, and consistent with the zoning of other cemeteries.</p>
<p>Option Two: Amend the Napier District Plan to include policies, methods and rules that give effect to the Park Island Sports Ground Master Plan, and rezone the Western Hills and Park Island Cemeteries from Sports Ground to Reserve.</p>	<p>The changes to the District Plan will ensure development does not occur within the Park Island Sports Ground that is inconsistent with the vision of how this site will be developed and used over the next 20+ years. Park users will have greater certainty of the facilities likely to establish on this proposed development site in the future.</p> <p>Although the rezoning of these</p>	<p>The time and resources needed to process this Plan Change to support the Park Island Sports Ground Master Plan through District Plan policies, methods and rules, and rezone the two cemeteries from Sports Ground to Reserve.</p>	<p>This is the only effective and efficient option available. The District Plan is an effective means of ensuring the Park Island Sports Ground Master Plan is not compromised by ad hoc development.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

Options	Advantages	Disadvantages	Effectiveness and Efficiency
	two cemeteries will not impact on their operational management, it will more accurately define the use of the sites and make the zoning consistent with other cemeteries within the City.		

4. A proposed change to the site coverage requirements in the Rural Settlement Zone.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	<p>The District Plan will allow a maximum site coverage of 60% within the Rural Settlement zone. This site coverage is inappropriate given the sparsely developed nature typical of this zone.</p> <p>A larger maximum site coverage may also result in a reduced area available for effluent disposal.</p>	This option is neither effective or efficient.
Option Two: Amend the Napier District Plan to change the maximum site coverage from 60% to 30%	The proposed changes address an anomaly in the District Plan and allows a density of development that is more suitable within this environment where on-site servicing is the norm and residential services are typically not provided.	The time and resources needed to process this Plan Change to amend the density and site coverage provisions within the Rural Settlement zone.	<p>This is the only effective and efficient option available.</p> <p>This option is considered overall to be the most efficient and effective method.</p>

5. Update the Code of Practice for Subdivision and Land Development to reflect current practice and apply a consistent approach across the Region.

Options	Advantages	Disadvantages	Effectiveness and Efficiency
Option One: Status Quo	No need for changing the District Plan.	The Code of Practice for Subdivision and Land Development will not be updated to reflect best practice that has emerged since the District Plan was made operative.	This option is neither effective or efficient. Council will be inconsistent with best practice and with requirements and assessment techniques applied by other councils in New Zealand with regard to subdivision and land development.
Option Two: Update the Code of Practice for Subdivision and Land Development to be consistent with best practice	The amended provisions will be consistent with best practice and with Hastings DC and other Councils throughout New Zealand. The changes include new standards, methods of measurements, and address the emergence of issues such as climate change and seismic issues.	The time and resources needed to process this Plan Change to update the Code of Practice for Subdivision and Land Development.	This is the only effective and efficient option available. Best practice is ever-changing and the Code of Practice must be regularly updated to take account of these changes. This option is considered overall to be the most efficient and effective method.

9.0 SUMMARY AND CONCLUSIONS

This report documents the analysis of the resource management issues associated with amending the Napier District Plan in order to harmonise its provisions with the Hastings District Plan wherever practicable while retaining a primary focus on 'place-based' planning, in accordance with the requirements of Section 32 of the Resource Management Act 1991.

It is considered that Plan Change 10 (PC10) is necessary to achieve the purpose of the Resource Management Act 1991 and is the most appropriate means available to the Council in exercising its functions and duties under the Act, having regard to the efficiency and effectiveness of the alternative methods.

Plan Change 10 is a proposed change to the Napier District Plan that is mainly 'technical' in nature rather than seeking to add or remove significant zoning provisions that impact on people or property rights. It identifies that the most efficient and effective means to achieve harmonisation with the provisions of the Hastings District Plan is firstly to harmonise provisions within Napier City. Land within Napier is currently either subject to the Napier District Plan or the Ahuriri Subdistrict Plan and there are a number of minor discrepancies between the two District Plans. Before the inconsistencies between Napier and Hastings can be removed, those that exist between Ahuriri and Napier need to be addressed first.

Plan Change 10 is also an opportunity to update a number of recent Council policy changes and decisions that are aimed at improving the effectiveness of the Napier District Plan in responding to the aspirations of the local community and amending the district plan to remove ambiguities and anomalies.

PC10 therefore provides for the sustainable management of the resources within Napier City by responding to the community led drive to remove arbitrary differences in how the two adjoining territorial authorities (Napier and Hastings) deal with identical resource management issues within their respective jurisdictional boundaries. The proposed provisions amended as a result of PC10 are intended to be implemented in a manner that properly achieves the purpose of the Act.