



Marist Holdings (Greenmeadows) Ltd

**MISSION SPECIAL CHARACTER
ZONE PLAN CHANGE**

Assessment of Environmental Effects
and Proposed Plan Change
Description

February 2018 (updated from original February
2017 lodgement version)

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REPORT INFORMATION

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1. INTRODUCTION

1.1 BACKGROUND

This Assessment for Environmental Effects (AEE) report is a supporting document for the Mission Special Character Zone Plan Change Request to the City of Napier District Plan (the District Plan) and a companion document to the Evaluation under Section 32 of the Resource Management Act 1991 (the RMA). In turn this AEE report is supported by the technical reports set out in Table 1 below.

Table 1 Technical Reports & Documents Prepared in Support of the Plan Change

Appendix #	Report Title	Author
A1	<i>Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects</i>	Gavin Lister, Isthmus
A2	<i>Proposed Mission Special Character Zone – Recreation and Open Space Assessment</i>	Gavin Lister, Isthmus
B1	<i>Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier</i>	Russell Nettlingham & Gerard Moat, Strata Group Consulting Engineers Ltd
B2	<i>Letter Response to Stormwater and Staging components of Further Information Request</i>	Russell Nettlingham, Strata Group Consulting Engineers Ltd
C1	<i>Marist Holdings Limited, The Mission Special Character Zone, Transportation Report</i>	Andrew Prosser, TDG
C2	<i>Engineering Location Plan of Second Intersection with Puketitiri Road</i>	Andrew Prosser, TDG
C3	<i>Mission Special Character Zone Private Plan Change Further Information Request – Traffic Response</i>	Mark Georgeson, TDG
C4	<i>Mission Special Character Zone Private Plan Change Further Information Request – Second Traffic Response</i>	Mark Georgeson, TDG
D	<i>Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone</i>	Dianne Harlow, Architage Heritage Consultancy
E	<i>Proposed Mission Special Character Zone – Economic Benefit Assessment</i>	Sean Bevin, Economic Solutions Ltd
F	<i>Stormwater Runoff and Flood Effects Assessment</i>	Hamish Smith and Jon Rix, Tonkin & Taylor Ltd
G	<i>Confirmation of Applicability of Previous Geotechnical Reports</i>	Andy Pomfret, Tonkin & Taylor Ltd
H1	<i>The Mission Special Character Zone Financial Contributions Considerations</i>	Andrew Taylor, Surveying the Bay

Appendix #	Report Title	Author
H2	<i>The Mission Special Character Zone Financial Contributions Further Information Response, 2 June 2017</i>	Andrew Taylor, Surveying the Bay
H3	<i>Notes of Financial Contributions Meeting 22 September 2017 (confirming requested Further Information)</i>	
I	<i>Mission Special Character Zone Plan Change, Ecological Significance and Merit of Proposed Planting</i>	Adam Forbes, Forbes Ecology
J1	<i>Consultation – Correspondence with Hastings District Council regarding Stormwater</i>	
J2	<i>Consultation – Correspondence with Ministry of Education regarding effect on schools</i>	

The land subject to the Plan Change is owned by Marist Holdings (Greenmeadows) Limited (MHL) and comprises the Mission Estate Winery and associated vineyard, a range of buildings on the lower slopes and areas of farmland and forestry. The total area of the property is 288.6ha and the Mission Special Character Zone is proposed over the whole property. The property is currently under a mixture of zonings, being the Western Hills Residential Zone (51ha), the Rural Residential Zone (207ha) and the Main Rural Zone (31ha).

The residential development opportunity provided by the current Western Hills Residential Zone (all of which is within the MHL property) in the District Plan is considered to be sub-optimal in terms of the character and amenity that would result from its development and in regards to market expectations. Therefore, following a reassessment of the opportunities for the site, a new zone has been proposed for the whole property as detailed further in this document.

1.2 DEVELOPMENT OBJECTIVES

Development objectives (not to be confused with the proposed district plan objectives for the Mission Special Character Zone) for the proposed future of the MHL land have been formulated in consultation with the Napier City Council (the Council). These development objectives are to:

- Protect the visual amenity value of this landscape as a backdrop to Taradale and the City of Napier and in particular the integrity of the skyline;
- Provide connectivity as a walkway link across the Western Hills;
- Provide connectivity as part of an ecological corridor within the City Reserves Network; and
- Provide a different style of residential opportunity in Napier (world class).

At a high level these objectives are proposed to be achieved through the Mission Special Character Zone by:

- Providing for residential development on the hills behind the front (eastern) face, hence maintaining the classic Mission landscape as viewed from Church Road and beyond, with the pattern of grapevines on the valley floor, Grande Maison on the terrace, and a replanted woodland backdrop on the hills;
- Providing for walking tracks through the replanted eastern hill face;
- Replanting of the eastern hill face to provide the desired ecological corridor connectivity;
- Providing a residential choice not currently being offered in Napier, referencing some of the design cues from Napier Hill while creating a community with its own distinctive character that is in keeping with the Mission's character and values. The proposed residential development is conceived as a single entity responsive to the landscape of the site within an overall special character zoning, rather than the current split zonings of Western Hills Residential, Rural Residential and Main Rural.

1.3 RESOURCE MANAGEMENT PRINCIPLES & ISSUES

Having regard to these development objectives a list of resource management principles and issues to be addressed by the proposed plan change has been identified in consultation between MHL and the Council. These are listed as follows:

The Mission Landscape

Maintain and enhance the characteristics that contribute to the heritage and visual **amenity values** of the Mission Landscape (especially as experienced from Church Road), such as:

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

Recreation (walkways)

Investigate options for development of a **walkway network** (between Sugar Loaf and Park Island) along the hills behind the Mission in a way that balances the landscape experience with potential adverse effects on the surrounding property.

Align walkways to minimise any adverse effects on land uses and residents (e.g. minimise such effects as loss of privacy, security, outlook). (Note: Not essential for walkways to follow ridgeline or have continuous views. It could be aligned in part through trees with open view locations, could follow contours around hill face).

That specific consideration be given to ensuring recreation/open space linkages between the historic precinct and the hills behind.

Urban Development

Design the Mission land as a **single entity** with a consistent overall character (while it may be staged, each stage should be conceived as part of an overall masterplan).

Design to create a **community** (which requires a distinct identity, an integrated street network, sufficient numbers, community focal points and facilities).

Design as a **high quality area** that adds to Napier's attractiveness for new and existing residents.

Design to provide an **alternative** not met by other new development (an alternative to life-style properties or conventional suburbia).

Design to have a **distinctive Napier identity** that echoes design cues from the Mission and historical Napier Hill.

Design the area in **response to landform** (distinctive street layout that follows contours, valleys or ridges; housing on ridges and upper slopes; roads following natural network aligned with valleys).

Design to take advantage of **landscape attributes** (sun; views to Hawke Bay, Napier City, and west to inland hills and Kaweka Ranges).

Design a high level of **internal amenity**.

- Adopt specific road designs to fit topography and create a distinctive character (i.e. more intimate, slow speed, mixed space streets similar to historical Napier Hill rather than code of practice).
- Adopt architectural guidelines (and a design review process) to create a distinctive and quality built form, while maintaining variety and individual creativity.
- Create an open space network that connects with circular walkways and accommodates natural drainage.
- Create physical and visual connections with the Mission.

District Plan Issues to be Addressed

- Development of a new Special Character Zone with Objective, Policies and Rules including any consequential changes to other parts of the District Plan to give effect to the above principles.
- Replacement of Existing Western Hills Residential Zone and associated Concept Plan (Appendix 26) and Rural Residential Zone as it relates to the Mission land with this Special Character Zoning.
- Incorporate a precinct within the Special Character Zone, for the productive vineyard portion of the property.
- Reconsideration of the Taipo Stream esplanade reserve requirements.

- Consideration of the provisions in Chapter 66 and Volume 2 'Code of Practice for Subdivision and Land Development' as they may apply to any Special Character Zone developed.

2. EXISTING ENVIRONMENT

2.1 SITE DESCRIPTION

At 289ha the MHL property is a significant land holding in the context of Napier City. The property is varied in topography and this is reflected in the different land uses that currently occupy the site. These land uses include intensive viticulture and wine making facilities on the flats; the historic seminary buildings and existing restaurant, conference facilities and concert venue occupying the terrace behind; and pastoral farming and forestry on the hills that form the largest portion of the site. Other productive land uses include olive growing and bee keeping.

With regard to hospitality the Mission buildings are used as a wedding venue and farm house accommodation is also offered.

The property has frontage to Church Road, which provides access to the winery, restaurant and concert venue. The flat land fronting Church Road contains the vineyard, which is bisected by the Taipo Stream. The following landscape description is provided in the Urban Design Statement and Landscape Assessment Report¹, in relation to this Church Road frontage.

“The Mission landscape has three main components:

- *The flat land occupied by the vineyard, farmland and the meandering Taipo Stream.*
- *The ‘Grande Maison’ and associated buildings on a terrace overlooking the vineyard.*
- *The backdrop hills which frame the landscape.*

The Mission is a particularly picturesque landscape. Compositional attributes include:

- *A clear foreground, middle-ground and backdrop, and defined boundaries.*
- *Distinctive focal landmarks – the Grande Maison and Pukekura/Sugar Loaf.*
- *Land use patterns which correspond with, and accentuate, the natural topography.*
- *A strong figure-ground relationship between the meanders of the Taipō Stream and the straight lines of vines.*
- *The memorable avenue of pollard plane trees and entrance from Church Road.”*

The property also has frontage on to and access off Puketitiri Road. This part of the property is in grazing pasture over undulating topography lying on top of and behind ‘the backdrop of hills’ referred to above. The south western portion of the property is covered in pine plantation as can be seen in the following aerial photograph.

¹ *Proposed Mission Special Character Zone - Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (page 8).

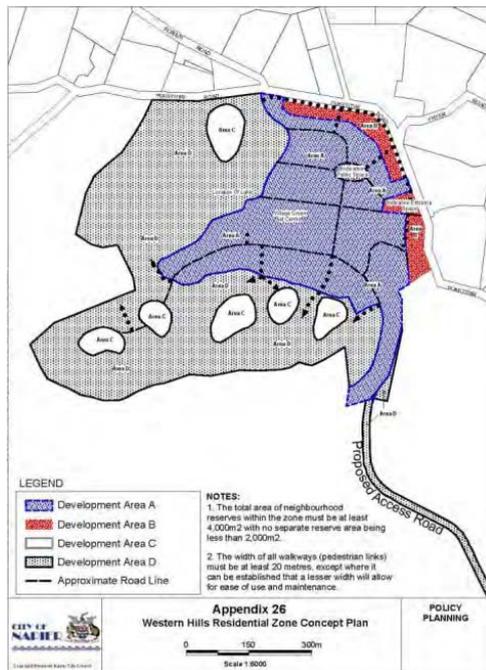
Figure 1 – Aerial Photograph of MHL Property from 2014



2.2 WESTERN HILLS RESIDENTIAL ZONE

The 51ha portion of the property currently zoned Western Hills Residential fronts onto Puketitiri Road and as its name suggests is located on hills. This zone is identified by the shaded area on the map below.

Figure 2 – Appendix 26 Western Hills Residential Zone Concept Plan



Left – This map identifies the breakdown of the Western Hills Residential Zone into four separate ‘development areas’.

The different development areas have different subdivision minimum sites sizes applying to them:

Development Area A = 250m²

Development Area B = 1,500m²

Development Area C = 200m²

Development Area D = 5,000m² with 1.5ha average.

The concept of this zone was to provide for medium density development in the Area C nodes and over the blue hatched Area A, with lower densities applying to Area B and rural residential densities applying to Area D.

The Western Hills Residential Zone has rules that are typical of residential zones. The list of permitted activities includes: residential activities, home occupations and other activities compatible with residential environments. The rules relating to ‘Development Area D’ are however cross referenced to the Rural Residential Zone.

Section 4.9 of the District Plan includes descriptions of the various residential zones. The following description is provided for the Western Hills Residential Zone at section 4.9.10:

The Western Hills Residential Zone applies to the 50 hectare area of land that is situated on the western side of Puketitiri Road and centred approximately 900 metres north of the Oak Road intersection. Currently rolling hill country, the area of land and subsequent development is subject to an integrated and comprehensive design concept. The emphasis of the design concept is on the creation of a unique and strong community with the scale and form of a village. This area of land was the subject of a private plan change request to the Western Hills section of the Napier City district plan.

Subdivision and development of this area will have a significant impact on the existing road network. For this reason, the deferred zoning is to apply until physical works have been completed to upgrade Puketitiri Road between Wharerangi Road and Fryer Road or alternatively, the developer constructs an access road linking to the Wharerangi Road/Church Road intersection. Completion of either one of these road upgrading works should significantly mitigate the effects of further development in the Western Hills Residential Zone and wider Poraiti Area.

2.3 RURAL RESIDENTIAL ZONE

The majority of the MHL property is currently zoned Rural Residential. The zone’s subdivision provisions provide for a minimum site size of 5,000m² with a 1.5ha average. Subdivision that does not comply with these provisions generally falls to be assessed as a

‘non-complying activity’, however Rule 35.13(m) sets out that on the MHL property such subdivision would be assessed as a ‘discretionary activity’. Rule 35.13(m) of the District Plan is quoted as follows:

Any subdivision of the land described as Pt Lot 1 DP 27138 & Sec 3 SO 365528 comprised in CFR 326029 (Pt Cancelled) and Pt Lot 2 DP 25932 comprised in CFR HBW1/63 (Pt Cancelled), situated at Church Road and Puketitiri Road, Greenmeadows (excluding any boundary adjustment) that does not comply with the minimum lot size and/or minimum average lot size specified in Chapter 66 of this Plan.

This discretionary activity rule was included in the Plan in 2015 as a result of a consent order to resolve an appeal to the Environment Court on Plan Change 10.

The Rural Residential Zone rules permit agriculture, horticulture, viticulture and forestry as well as residential and other activities.

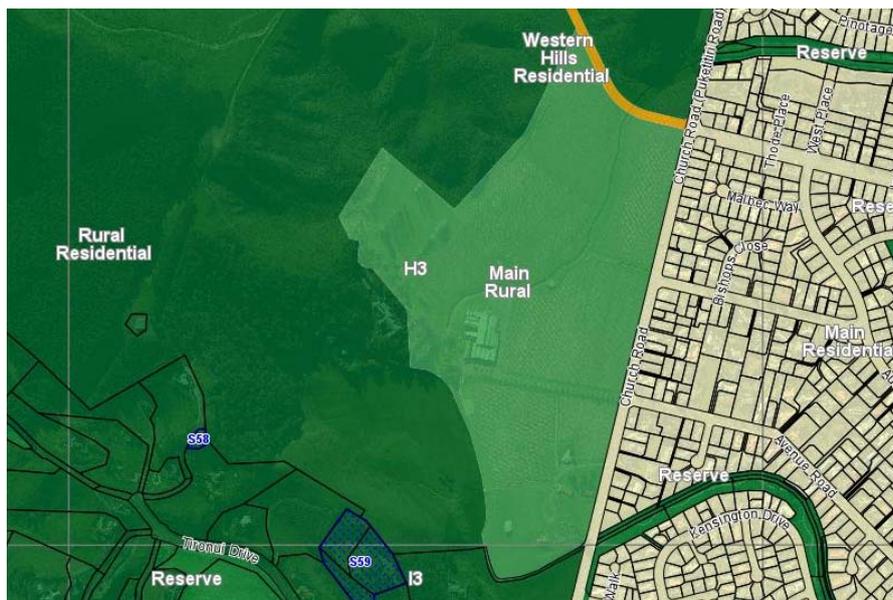
Section 33.9 of the District Plan includes descriptions of the various rural zones. The following description is provided for the Rural Residential Zone at section 33.9.3:

This zone applies to the rural residential areas of Poraiti, the elevated parts of the Taradale hills and Bay View. The sites in the Poraiti and Bay View areas are relatively small and the land generally does not have high productive potential. The Taradale hill areas of this zone are currently in larger land holdings and used primarily for pastoral farming. In some areas, development of the land is constrained by servicing difficulties, and can be affected by noise, dust and odour from adjacent rural land uses. The Poraiti and Bay View rural residential areas adjoin the Ahuriri Estuary which is an area of high natural value.

2.4 MAIN RURAL ZONE

The flat land portion of the MHL property, being some 31ha in area, is currently included in the Main Rural Zone as identified on the following map.

Figure 3 – Existing District Plan Zones – Main Rural Zone



The subdivision provisions of the Main Rural Zone require a 4ha minimum site size.

The Main Rural Zone rules permit agriculture, horticulture, viticulture, forestry and rural processing industries amongst other activities. One dwelling per site is also permitted.

The following description is provided for the Main Rural Zone at section 33.9.2 of the District Plan:

This zone applies to the most productive and versatile soils of the City which are northwest of Bay View, pockets of the Western Hills, and the area to the south of the urban areas of the City known as Awatoto/Meeanee. These are characterised by agricultural, horticultural, and viticultural land uses. Bird scaring devices, movement of stock, application of chemicals, noise from machinery (e.g.: trucks, tractors, harvesters, cultivators, etc.) chemical applicators (e.g.: helicopters) and stock are examples of the types of activities that are associated with these land uses that may generated adverse effects which are often part of typical rural land use practices.

3. DESCRIPTION OF PROPOSED SPECIAL CHARACTER ZONE

The Mission Special Character Zone seeks to provide for the sustainable management of the various land uses of the MHL property as well as enabling the residential potential of the hill area of the property to be realised (which includes land that has been zoned 'Western Hills Residential' but never developed under that zoning) and for its tourism potential to be further developed. Specifically the proposed special character zone is to be divided into precincts based on land use capabilities and landscape character protection principles.

The proposed 'Residential Precinct' includes the existing Western Hills Residential Zone and part of the existing Rural Residential Zone. The intent of the proposed residential precinct is to enable the establishment of a new community with a more distinctive character than currently provided for in the Western Hills Residential zoning. It is designed to have a character reflective of the heritage and landscape setting of the Mission Estate and drawing on historical cues from Napier Hill. It is also designed to respond to the natural topography, including a low impact stormwater system and extensive open space network utilising the gullies and valleys. The precinct will also provide for a variety of section sizes and housing types, and have a distinctive street layout in response to topography, resulting in a new place and a community, rather than just a new suburb.

The proposed 'Landscape and Visitor Precinct' includes the existing hub of the Mission Estate in the Grande Maison building and other buildings and facilities, including the concert venue. It also includes the backdrop hills framing the Mission landscape as viewed from Church Road. This precinct is proposed to accommodate and provide for the existing hospitality activities of the Mission Estate. In protecting and enhancing the landscape values the steep eastern hillside is to be planted as woodland, including deciduous and evergreen trees. In the long term individual trees on the lower slopes may be able to be selectively harvested for timber in time and replanted, however the trees on the upper slopes will be retained permanently to ensure the skyline of the landscape as viewed from Church Road is enhanced by vegetation that also screens any visibility of buildings within the Residential Precinct on the hill tops.

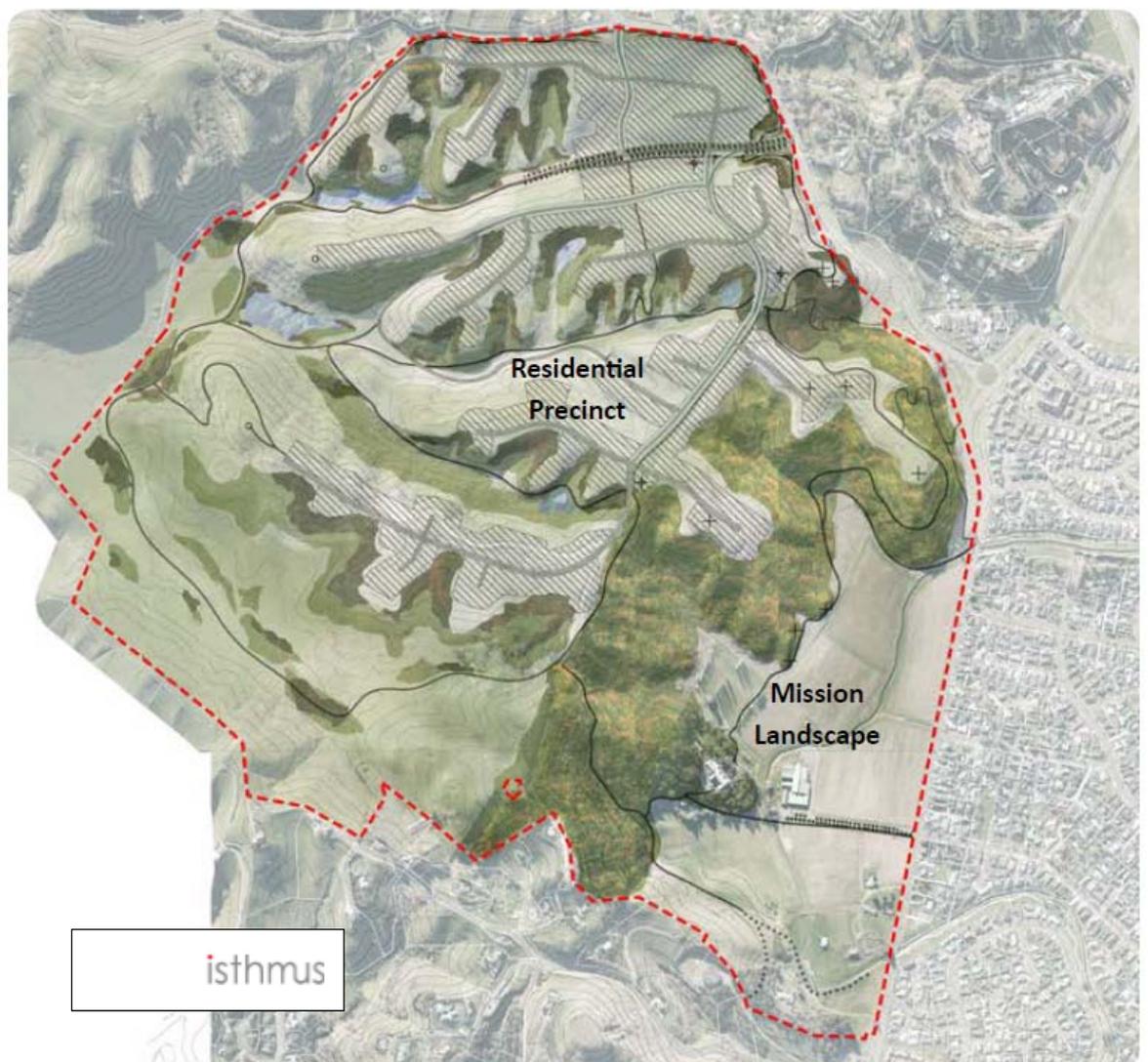
Walkways are also proposed to be established in the Landscape and Visitor Precinct connecting with the Napier City walkway network at either end of the property as well as providing walking access to the Grande Maison and to the proposed hill top reserve and the walkway and street network proposed within the Residential Precinct. The Landscape and Visitor Precinct also provides opportunity through the resource consent process, for the development of a boutique hotel (via the redevelopment of the accommodation buildings used by the former seminary) and discretely located and designed individual accommodation buildings termed 'Art Cabins'. These Art Cabins are proposed to be separately located within or adjacent the proposed woodland on the lower slopes of the hill within the area identified on the proposed structure plan map (Appendix 26B-1).

The other two precincts proposed are the 'Productive Rural' and 'Rural Residential' precincts which will be reflective of the existing Main Rural and Rural Residential zones respectively, with specific modifications appropriate to their setting within the wider Mission landscape.

In achieving sustainable management the proposed new Mission Special Character Zone recognises and seeks to protect and enhance the landscape significance of the east facing slopes above the vineyard and winery setting, along with the heritage values of the Mission Estate winery including the La Grande Maison building and identified archaeological sites. The zone also seeks to sustainably manage the versatile soils of the vineyard flats.

To adequately provide for the wide range of existing and potential activities in an integrated manner, the area is proposed to have a separate ‘special character’ zoning in the District Plan via this private plan change request. Figure 4 below illustrates the development concept of the Mission Special Character Zone.

Figure 4 – Proposed Development Concept



The intent and purpose of the development concept illustrated by Figure 4 above is provided in the Isthmus Report² as follows:

The concept for the Mission Special Character Zone comprises two over-arching ideas – the maintenance of the Mission landscape, and the creation of a new residential community on the hills west of the Mission.

The Mission landscape is to be maintained as a visitor destination. The hospitality and visitor activities are to continue, with provision to enhance these with boutique visitor accommodation. The east facing hills are to be replanted with woodland so as to provide a natural skyline in views from Church Road, and a public path constructed across the site to complete a ‘missing link’ in Napier’s network of paths.

The residential development on the hills west of the Mission is to replace the existing ‘Western Hills Residential Zone’. In contrast to the existing zoning, the proposed development is to have a distinctive character, drawing on cues from Napier Hill. The design is to respond to the natural topography, have a distinctive street layout, and incorporate a variety of section sizes and houses. It is envisaged as a community with a strong sense of place.

The planning tools proposed to implement this design concept are to apply a Mission Special Character Zone over the whole MHL property. This zoning will provide an overarching planning framework. Within the Special Character Zone, precincts are used to apply different planning provisions as appropriate to the proposed residential development and the remainder of the property.

These consist of the:

- Residential Precinct;
- Landscape and Visitor Precinct;
- Productive Rural Precinct; and
- Rural Residential Precinct.

A full explanation of the planning provisions is provided in section 8 of this report below.

² *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (page 11).

4. RELEVANT STATUTORY PROVISIONS

The relevant statutory provisions for consideration in the preparation and assessment of this private plan change request are set out as follows.

4.1 RESOURCE MANAGEMENT ACT PART 2

Section 5 of the RMA sets out the Act's 'purpose' 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 well-being and for their health and safety while—*
 - (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably 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 of activities on the environment.*

RMA Sections 6 'Matters of National Importance', 7 'Other Matters' and 8 'Treaty of Waitangi' are the other components of Part 2. The private plan change request is assessed against Part 2 of the Act under section 10 of this report below and the relevant components of sections 6, 7 and 8 are quoted in that assessment.

4.2 RESOURCE MANAGEMENT ACT PART 5 (SECTIONS 72 – 75)

Section 72 'Purpose of District Plans' states:

"The purpose of the preparation, implementation, and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of this Act."

The function of territorial local authorities is set out in section 31 of the RMA and is focused around the 'integrated management of effects' with the purpose of the Act being 'sustainable management' as set out in 4.1 above.

Section 73 of the RMA, 'Preparation and Change of District Plans', sets out the requirement for territorial local authorities to have a district plan and that it may be changed. It also sets out circumstances when a district plan must be changed. Section 73(2) states that: *"Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Schedule 1."* It is therefore under this provision that the MHL private plan change request has been lodged.

Section 74 'Matters to be considered by territorial authority' is as follows:

- A territorial authority must prepare and change its district plan in accordance with—*
 - (a) its functions under section 31; and*
 - (b) the provisions of Part 2; and*



- (c) *a direction given under section 25A(2); and*
- (d) *its obligation (if any) to prepare an evaluation report in accordance with section 32; and*
- (e) *its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and*
- (f) *any regulations.*

Of the above sections 74(1)(a), (b), (d) and (e) are most relevant to consider in terms of this private plan change request. The purpose of the Mission Special Character Zone is to ensure 'the integrated management of effects' in regards to the development and protection of this land. There is a separate heading assessing the plan change request against Part 2 of the RMA below (in section 10).

Section 75 'Contents of District Plans' sets out under sub section (3)(c) that a district plan must 'give effect to a Regional Policy Statement'. The relevant provisions of the Hawke's Bay Regional Policy Statement are set out under 4.5 below and assessment of the plan change request against the key policies is provided under section 9.

4.3 RESOURCE MANAGEMENT ACT SECTION 32

The RMA requires under section 32 that an evaluation be undertaken of any proposed plan, plan change or variation. Section 32 is set out in full as follows:

32 Requirements for preparing and publishing evaluation reports

- (1) *An evaluation report required under this Act must—*
 - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
 - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*

- (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—*
- (a) *the provisions and objectives of the amending proposal; and*
 - (b) *the objectives of the existing proposal to the extent that those objectives—*
 - (i) *are relevant to the objectives of the amending proposal; and*
 - (ii) *would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*
- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
- (a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
 - (b) *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection—*
- (a) *as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
 - (b) *at the same time as the proposal is notified.*
- (6) *In this section,—*
- Objectives** *means,—*
- (a) *for a proposal that contains or states objectives, those objectives;*
 - (b) *for all other proposals, the purpose of the proposal*
- Proposal** *means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*
- Provisions** *means,—*
- (a) *for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change;*
 - (b) *for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.*

The required evaluation against section 32 of the RMA is provided in a separate report³ as a companion to this report.

4.4 RESOURCE MANAGEMENT ACT SCHEDULE 1

The procedural requirements for a private plan change request are set out in Part 2 of Schedule 1 of the RMA. Clause 21(1) allows any person to request a change to a district plan. Clause 22 sets out the required form of a private plan change request as follows:

- (1) *A request made under clause 21 shall be made to the appropriate local authority in writing and shall explain the purpose of, and reasons for, the proposed plan or change to a policy statement or plan and contain an evaluation report prepared in accordance with section 32 for the proposed plan or change.*
- (2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4,⁴ in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

This report seeks to address these clause 22 requirements. Clauses 23 – 29 of Schedule 1 set out the procedure for the processing and consideration of private plan change requests.

4.5 HAWKE'S BAY REGIONAL RESOURCE MANAGEMENT PLAN

Change 4 ('Managing the Built Environment') introduced a new section to the Regional Policy Statement component of the Hawkes Bay Regional Resource Management Plan (RPS), regarding urban growth. Change 4 provides statutory implementation of the Heretaunga Plains Urban Development Strategy 2010 (HPUDS). This strategy is an initiative between the Hawke's Bay Regional, Napier City and Hastings District councils in adopting a planned and strategic approach to the growth of the urban areas of the Heretaunga Plains out to 2045. In short, the strategy seeks to achieve a more compact urban form, with less urban encroachment onto the versatile land of the Plains and a greater proportion of new development provided for as intensification within existing urban areas. HPUDS recognises that there is a need for greenfield residential development and in doing so identifies specific areas that such growth should be confined to. The MHL property is one of these areas. It is noted that these components of the strategy all hold trues in the revised HPUDS released in 2017.

The RPS lists the following two issues for the section on 'Managing the Built Environment':

ISS UD1 The adverse effects of sporadic and unplanned urban development (particularly in the Heretaunga Plains sub-region), on:

- a) *the natural environment (land and water);*

³ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017 (and updated December 2017)

⁴ The titles of Clauses 6 & 7 of Schedule 4 of the Resource Management Act 1991 are: Clause 6 'Information required in assessment of environmental effects'; and Clause 7 'Matters that must be addressed by assessment of environmental effects'.

- b) *the efficient provision, operation, maintenance and upgrading of physical infrastructure or services (particularly strategic infrastructure); and*
- c) *the economic, cultural and social wellbeing of the Region's people and communities.*

ISS UD2 The adverse effects from urban development encroaching on versatile land (particularly in the Heretaunga Plains sub-region where the land supports regionally and nationally significant intensive economic activity), and ultimately the adverse effects of this on the economic wellbeing of the Region's people and communities both now and for future generations.

This private plan change request is based on providing for a design led residential development that achieves high levels of amenity for both future residents and to the Napier City environment. The location of the residential development component of the plan change is on land currently zoned for residential and rural residential development and is consistent with the provision for greenfields residential development in the 'Taradale Hills' as identified in HPUDs. On this basis the MHL private plan change request seeks to address both of the above listed issues.

The RPS includes the following objective regarding 'urban form':

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

- a) *achieves quality built environments that:*
 - i. *provide for a range of housing choices and affordability,*
 - ii. *have a sense of character and identity,*
 - iii. *retain heritage values and values important to tangata whenua,*
 - iv. *are healthy, environmentally sustainable, functionally efficient, and economically and socially resilient, and*
 - v. *demonstrates consideration of the principles of urban design;*
- b) *avoids, remedies or mitigates reverse sensitivity effects in accordance with objectives and policies in Chapter 3.5 of this plan;*
- c) *avoids, remedies or mitigates reverse sensitivity effects on existing strategic and other physical infrastructure in accordance with objectives and policies in Chapter 3.5 and 3.13 of this plan;*
- d) *avoids unnecessary encroachment of urban activities on the versatile land of the Heretaunga Plains; and*
- e) *avoids or mitigates increasing the frequency or severity of risk to people and property from natural hazards.*

The location of the proposed residential development on the hill portion of the MHL property, in association with the proposed design and district plan provisions generally addresses those matters listed in b) – e) of the above objective. The concept design for the proposed residential development shown in Figure 4 above is based on achieving a quality built environment as set out in a). The remainder of this report will set out more specifically how this will be achieved in terms of the structure plan and district plan provisions.

Policy UD4.3 identifies 'appropriate residential greenfield growth areas' as follows:



POL UD4.3 Within the Heretaunga Plains sub-region, areas where future residential greenfield growth for the 2015-2045 period has been identified as appropriate and providing choice in location, subject to further assessment referred to in POL UD10.1, POL UD10.3, POL UD10.4 and POL UD12, are:

- a) ...
- c) Taradale Hills
- d) ...

All indicative areas are shown in Schedule XIVa.1b

The following map is extracted from part of Schedule XIVa.1b:

Figure 5 – RPS Map of Indicative Greenfield Residential Growth Areas

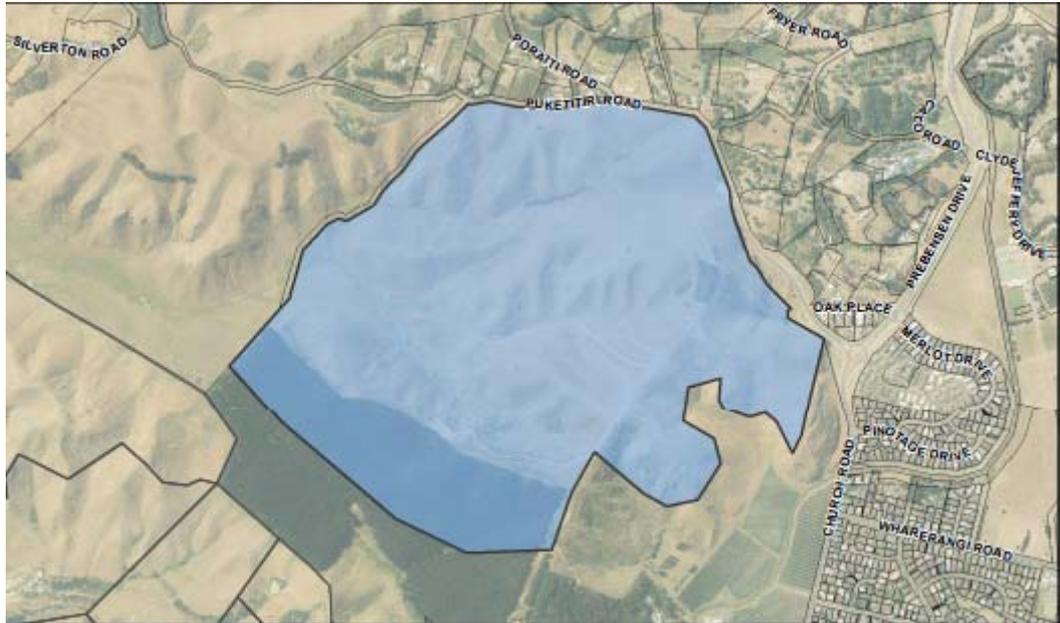


Left - At the scale of this map it is difficult to determine the exact boundaries of the 'appropriate residential greenfield growth areas' identified for Napier. The blue shading representing the Taradale Hills is however based on the existing Western Hills Residential Zone on the MHL land. This RPS map is based on the more detailed maps provided in the HPUDS document.

It is noted that the HPUDS Implementation Working Group released its decisions on the 2016 revised HPUDS which were adopted by the three partner Councils in 2017. The revised HPUDS 2017 is a result of the first five yearly review of the document and has provided an opportunity to provide any necessary alterations and iterations to the strategy as result of changes in actual v projected population and dwelling growth and the latest growth projections and to address other issues that have emerged.

The 2017 revised HPUDS includes the following map for the renamed 'Western Hills' greenfield growth area, which corresponds with the Proposed Mission Special Character Zone area:

Figure 6 – HPUDS Updated Map (red outline) of the Western Hills Greenfield Growth Area



In accordance with POL UD4.3 (as set out above) the ‘appropriate residential greenfield growth areas’ are subject to further assessment under policies UD 10.1, UD 10.3, UD10.4 and UD12. The structure plan and plan change is assessed against these policies in section 9 of this report below.

The MHL private plan change request and structure plan for the Mission Special Character Zone seek to give effect to the matters listed in policies UD 10.1, UD 10.3, UD10.4 and UD12 as is shown through the remainder of this report and the accompanying Section 32 Evaluation report.

4.6 NAPIER DISTRICT PLAN OBJECTIVES AND POLICIES

The City of Napier District Plan includes overarching objectives in the following Chapters that will be relevant to the Proposed Mission Special Character Zone:

- Chapter 4 ‘Residential Environments’
- Chapter 33 ‘Rural Environments’
- Part A of the Code of Practice for Subdivision and Land Development

The most relevant of these objectives and policies are listed below, along with an assessment of the consistency of the proposed Mission Special Character Zone with them.

4.6.1 Chapter 4 Residential Environments

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

Relevant Policies:

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

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

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

As set out under section 3 above, the intent of the Mission Special Character Zone is to provide a range of different lot sizes and therefore housing types in a manner that enhances the environment.

In terms of landscape and visual effects the Mission is classified as part of a 'Significant Amenity Landscape' in the Napier City Landscape Assessment Study 2009. The design of the residential development seeks to respond to the landscape and this is explained in more detail in section 5.4 (Assessment of Environmental Effects – Landscape and Visual) of this report and more particularly in the Isthmus Assessment of Landscape and Visual Effects⁵ attached as Appendix A.

Objective 4.5: To maintain and enhance those qualities and characteristics that contribute to the wellbeing of the City's residents and the amenity of the residential zones.

Relevant Policies:

4.5.1 Control land uses that generate noise, odour, dust or vibration to ensure it is undertaken in a way that does not cause a nuisance, or otherwise have an adverse effect on the health, safety or comfort of residents of surrounding areas.

4.5.2 Ensure land uses and any associated artificial lighting of roads, driveways, signs, sites and the exterior of buildings do not significantly detract from the ability of residents of surrounding areas to achieve uninterrupted and adequate levels of sleep.

4.5.3 Control the location of buildings on front and corner sites to maintain a degree of consistency of setback from the road.

4.5.4 Control building height and bulk to ensure it is compatible with the height and bulk of the surrounding residential area.

4.5.5 Control buildings so they are designed and located in a manner to ensure that adequate levels of sunlight and daylight reach adjacent residential properties throughout the year.

4.5.6 Ensure storage and parking areas are designed, located and/or screened in a way that maintains the on-site amenity and privacy of adjacent residential properties and visual amenity when viewed from the road.

4.5.7 Control residential development so it is designed and located in a way that takes into account the type of development, likely occupants and provides: a) sufficient outdoor space for the anticipated number of occupants of the dwelling; b) outdoor space which is of a useable shape for recreation; c) sunlight access to the outdoor space area; d) privacy of outdoor space.

⁵ Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects, Isthmus, February 2018

4.5.8 Ensure residential development that increases the density of buildings and/or population within an area, provide for or contribute to, the provision of public reserves and/or the establishment of appropriate community facilities, sufficient to maintain the health, safety and wellbeing of local residents.

4.5.9 Avoid, remedy or mitigate the adverse effects of residential and rural activities on one another by requiring a separation distance between the residential and main rural zones where any new greenfield residential subdivision occurs.

This objective and suite of policies is responded to in the rules and conditions proposed for the Residential Precinct. The existing rules of the Napier City Residential Zones are drawn on for the Residential Precinct of the Mission Special Character Zone except for where the unique characteristics of the site require a different response to contribute to the wellbeing of both the future residents within the Residential Precinct and neighbouring residents to the Zone.

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

Relevant Policies:

4.7.1 Encourage land use and development to minimise the need to remove significant stands of trees or native vegetation (particularly on Napier Hill), or significant individual tree specimens.

4.7.2 Ensure buildings are designed and located and land uses carried out in a manner that minimises coverage of or damage to the root systems of significant stands of trees or native vegetation, or significant individual tree specimens.

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

As described in sections 1 - 3 of this report, a key component of the concept for the zone is the planting of the eastern hill face as well as the valleys and gullies within the Residential Precinct. The character of the existing Mission Estate restaurant and conference facility area is also enhanced by the surrounding trees. The proposed Special Character Zone seeks to retain this character.

4.6.2 Chapter 33 Rural Environment Objectives and Policies

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

Relevant:

33.2.1 Ensure that on rural land; potential is maintained for a range of current and future productive land uses to occur.

33.2.2 Ensure that the rural character of rural land is maintained for future generations.

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

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

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

33.2.6 Avoid, remedy and mitigate the adverse effects of residential and rural land uses on each other.

33.2.7 Restrict the location of any business of prostitution to ensure that any adverse effects on the character and amenity of the rural environment are avoided.

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

33.2.9 Discourage the separation of dwellings from the productive use of rural land.

33.2.10 Supplementary units, residential care facilities, day care centres, education facilities, travellers' accommodation, or seasonal workers accommodation shall remain incidental to the main use of the land and shall not be subdivided from the remainder of the site.

33.2.11 Restrict activities which may cumulatively deplete the versatility and productivity of the soil resource.

The intent of the proposed Mission Special Character Zone is to retain the productive flat and versatile land for agriculture, horticulture and viticulture and to ensure that the subdivision, use and development of the remainder of the property is undertaken in such a way as to maintain and enhance the character of the landscape.

The proposed zoning will fall under 'Part 8 other Zones' of the District Plan, so will no longer be part of the Rural Environment. Nevertheless as the majority of the MHL property is currently within the Rural Environment it is still useful to be guided by this objective and the more general policies, which sit comfortably with the intent of the proposed zoning. This is because both the rules of the Landscape and Visitor Precinct and the Productive Rural Precinct do not provide for subdivision for lifestyle residential purpose so as to protect those special character values of the zone relating to landscape quality and the versatile soils. Subdivision is directed to the Residential and Rural Residential precincts which under the proposed new plan provisions will be able to accommodate development without compromising the special character values of the zone.

Objective 33.3: Rural Character and Amenity – To maintain and enhance the character and amenity values of the rural environment.

Policies:

33.3.1 Control the scale and intensity of land use and development (including subdivision) in the rural areas to maintain rural character and amenity, and a sense of openness and privacy.

33.3.2 Assist community and interest groups to prepare community vision documents and plans, and have regard to any such documents when making decisions on resource consent applications.

33.3.3 Recognise the concept of vertical integration when assessing the effects of land-based primary production activities and any associated 'non-rural' activities intended to complement those activities.

33.3.4 Restrict the number and scale of residential dwelling units, supplementary units and other non-rural uses permitted in rural areas.

In terms of this objective, it is the intention of the proposed Special Character Zoning to maintain and enhance the general environment which will include both urban and rural components. The proposed residential development concept ensures that the openness, character and amenity of the flat vineyard area and the east face of the hills is retained, with residential development being confined to the western hills above and behind this face. Further to this, as can be seen from Figure 4 above, even within the Residential Precinct it intended to confine urban residential development to the elevated ridges and spurs with the significant areas of lower slopes and valley floors being left with a more open character. These areas are intended to be planted as part of the low impact stormwater and walkway systems to be vested as reserve with residue areas to be left in MHL ownership for stock grazing or potentially for the development of several rural residential sections.

Regarding Policy 33.3.1, as explained above residential subdivision is to be confined to the 'Residential Precinct' of the proposed special character zone, allowing a more rural character and openness over the remainder of the property. Neither policies 33.3.2 and 33.3.4 are relevant to consider given the proposed change of zoning. In terms of Policy 33.3.3 the vertical integration of the vineyards, wine making, cellar door sales and restaurant are a key component of the MHL operations and is proposed to continue under the special character zoning. The new zoning however proposes to enable visitor accommodation as an additional component of the vertical integration of the Mission winery and wine tourism.

Objective 33.4 – Residential and Rural Residential Development – To enable residential and rural residential development in a manner that avoids, remedies or mitigates adverse effects on the environment and the rural character of the environment.

Policies:

33.4.1 Ensure that residential, lifestyle character and rural residential development avoids, remedies or mitigates any adverse effects on the capacity of existing infrastructure or on the receiving environment.

33.4.2 Manage the adverse effects of agricultural, horticultural and viticultural activities in a manner which safeguards the life-supporting capacity of air, water, soil and ecosystems and avoid, remedy or mitigate any adverse effects on peoples' health and safety who reside in residential or rural residential zones.

33.4.3 Discourage or avoid rural residential development outside of existing rural residential zones, particularly on soils of high versatility or which have a long-term potential for productive use.

33.4.4 Encourage rural residents to recognise noise, dust and other amenity issues are part of the rural environment.

33.4.5 Ensure that residential, lifestyle character and rural residential development does not adversely effect the long term sustainability and development of natural and physical resources in the rural environment.

33.4.6 Ensure the adverse effects of residential and rural activities on one another are avoided, remedied or mitigated by creating a separation distance between the residential and rural environments where any new greenfield residential subdivision occurs.

33.4.7 Restrict the location, scale and extent of lifestyle character development to area located between established residential and rural residential development, and away from highly versatile soils.

33.4.8 Ensure that amenity and character values are not adversely affected and/or services over committed by the overall density of development within lifestyle character zones.

33.4.9 Within the Rural Zone, avoid residential or rural residential subdivision and development outside of the residential greenfield growth areas identified in Appendix 35.

33.4.10 Inappropriate ad hoc subdivision and development within residential greenfield growth areas identified in Appendix 35 prior to rezoning shall be avoided.

33.4.11 Encourage the clustering of non-rural buildings in order to retain land for productive use and minimise effects on rural character and amenity.

This objective and suite of policies has limited relevance in that they relate to residential or rural residential development in the Rural Environment and the purpose of this plan change is to rezone the MHL property such that it would no longer be part of the Rural Environment, at least in terms of district plan structure. Reference is made to the identified greenfield growth areas in Appendix 35, which identifies the Western Hills Residential Zone on the MHL property. Part of this private plan change request is to amend Appendix 35 to show a wider area of the MHL property identified in Appendix 35 to accommodate the residential development concept for the property. The identification of this wider area now forms part of the revised HPUDS 2017 document. On the basis that Appendix 35 is amended to reflect the 2017 revision of HPUDS (as proposed by this private plan change), the Proposed Special Character Zone would be generally consistent with those policies referencing Appendix 35 (Policies 33.4.9 & 10).

Objective 33.5: Services and Infrastructure – To enable the use and development of services and infrastructure in a manner which avoids, remedies or mitigates adverse effects on the environment.

Policies:

33.5.1 Carefully manage the subdivision and development of land surrounding and within the flight path of Hawke's Bay Airport, to protect the efficient operation and future expansion of the airport.

33.5.2 Maintain a buffer between Ahuriri Estuary and the existing and proposed urban areas to the south, to protect the Ahuriri Estuary ecosystem.

33.5.3 Protect and provide for the maintenance and, where necessary, expansion of existing infrastructure, in particular the Hawke's Bay Airport, roads, the wastewater treatment plant and river control works.

33.5.4 Ensure that the design, development and servicing of subdivision and land development avoids, remedies or mitigates adverse effects on natural and physical resources.

It is the intention of the proposed Mission Special Character Zone for stormwater to be attenuated and then flow directed to the rural area to the west (the catchment configuration means that a smaller proportion of stormwater will also be attenuated and directed to the east to the Taipo Stream). Connection to reticulated waste water and water services is however proposed. A full description of the servicing of the proposed residential development, including transportation, and how any adverse effects on the environment will be avoided, remedied or mitigated is provided in section 7 of this report

below and more particularly in the Strata Group Engineering Assessment⁶ included as Appendix B and the TDG transportation reports and documents within Appendix C.

Objective 33.6 – Cumulative Effects To ensure that the cumulative adverse effects of subdivision, use and development of land on rural resources are recognised, and avoided, remedied or mitigated.

Policies:

33.6.1 Ensure that subdivision, use and development of natural and physical resources are managed in an integrated manner, so that cumulative adverse effects, including effects that range across resources or across jurisdictional boundaries, are avoided, remedied or mitigated.

33.6.2 Manage the cumulative adverse effects of subdivision, residential development, and commercial and industrial activities on the character and amenity of the City's rural areas, so that these effects are avoided, remedied or mitigated.

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

33.6.4 Closely monitor the effects of the creation of small allotments in the Rural Residential Zone on the rural amenity, landscape character and land resources such as groundwater.

33.6.5 Closely monitor the effects of residential development on the Rural Environment.

Again, as the proposed rezoning takes the MHL property out of the Rural Environment, the development that is proposed would not be included in the consideration of any cumulative effects on that environment as it applies to the District Plan. Nevertheless, the intent of the Mission Special Character Zone is to manage the effects of future development on the MHL property in an integrated way that avoids, remedies or mitigates any adverse effects on the environment, including cumulative effects. Given the comprehensive design of the residential development concept and the structure plan proposed to implement that concept, each lot and building will be designed to contribute to the overall vision of a new suburb of high amenity and character, rather than to contribute 'cumulative effects' in the manner that multiple one off subdivisions may do.

4.6.3 Code of Practice for Subdivision and Land Development – Part A Resource Management Requirements

Objective 1: *The life-supporting capacity of the City's air, water, soil and ecosystems are safeguarded. This objective addresses one of the fundamental elements of the definition of sustainable management under section 5(2) of the Act, as poorly designed, located, built or maintained development (including utilities, services and roads) can adversely effect the life supporting capacity of air, water, soil or ecosystems.*

It is the intention of the Mission Special Character Zone to enhance the life supporting capacity of the surface water resource through the proposed low impact stormwater design for the development of the residential precinct. By necessity the life-supporting capacity of the soil of a proportion of the MHL property will be reduced by urban development and associated building and impervious surface coverage. There will also be relatively significant earthworks to contour the varied topography to be able to

⁶ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier, Strata Group Consulting Engineers, December 2016.*

accommodate roads and building platforms. The effect of this will however be temporary. It is notable however that the proposed provisions of the Productive Rural Precinct seek to protect the life supporting capacity of the most versatile soils on the property.

The proposed planting of open spaces (including the eastern hill face), gullies and wetlands will also enhance the ecosystems present on the property in comparison to the existing pastoral farmland. This is verified in the assessment undertaken by Forbes Ecology⁷ which is included as Appendix I.

Objective 2: *The amenity values comprising the character of Napier's diverse localities are maintained or enhanced. This objective addresses one of the matters of national importance under Part II of the Act (section 7(c)), the maintenance and enhancement of amenity values, which, in Napier, go towards forming the distinct characteristics of the City's neighbourhood.*

The proposed Mission Special Character Zone is very much designed in keeping with this objective as it will 'enhance the character of Napier's diverse localities'. 'The Mission' is classified as part of a 'Significant Amenity Landscape' in the Napier City Landscape Assessment Study 2009. The design of the residential development seeks to respond to and enhance the amenity values of the landscape. Further to this, the proposed planting of the eastern hill face, the proposed provisions promoting the prominence of La Grande Maison in the landscape and the proposed walking and cycling tracks will also enhance amenity values. These aspects of the proposal are explained in more detail in section 5.4 (Assessment of Environmental Effects – Landscape and Amenity) of this report and more particularly in the Isthmus Assessment of Landscape and Visual Effects⁸ attached as Appendix A.

Objective 3: *The provision of a range of reserves and open spaces located in appropriate sites to provide for the recreational, amenity, tourist, and intrinsic values of Napier. The maintenance and further development of a system of reserves and open spaces is essential for meeting the recreational, cultural and other requirements of the City, as well as maintaining and enhancing amenity values. One of the most effective methods of implementing a reserves strategy is through the subdivision process.*

The proposed Mission Special Character Zone seeks to respond to this objective by offering a range of reserves and open spaces including linkages to the Napier City walkway networks. This will add significantly to the recreational, amenity and tourist values of Napier given the woodland plantings and elevated viewing spaces that these walkways would feature. Also, the walkways would link with the existing tourist attraction of the Mission Restaurant and cellar door. Again, this concept is explained in more detail in the Isthmus Assessment of Landscape and Visual Effects⁹.

Objective 4: *To ensure that the subdivision and land development process does not adversely affect accessibility to the coast, estuary and rivers. There is a public expectation within the City that access to the coastline, estuary and river margins would be readily available.*

Given the inland location of the MHL property, accessibility to the coast and estuary will not be affected. In terms of rivers, this plan change application seeks to address the

⁷ *Mission Special Character Zone Plan Change, Ecological Significance and Merit of Proposed Planting.* Forbes Ecology, July 2017.

⁸ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects,* Isthmus, February 2018.

⁹ *Ibid.*

appropriateness of the existing esplanade reserve provisions relating to the Taipo Stream which require a 20m esplanade reserve upon subdivision of the MHL property (City of Napier District Plan, Code of Practice for Subdivision and Land Development Rule 6.3). The intended subdivision of the property to implement the residential development concept will create residential allotments some distance away from the Taipo Stream. The proposal through this plan change request is for public walkways to be created on and along the eastern hill face and throughout the new residential precinct, in lieu of creating 20m esplanade reserves either side of the Taipo Stream. Esplanade reserves of the specified 20m width along the Taipo Stream would adversely affect the operations of the existing vineyard, create health and safety issues and result in the loss of productive vines and affect existing buildings and structures. This is explained in more detail in section 8.6 below and is evaluated in the accompanying Section 32 Report¹⁰. See also the Isthmus *Recreation and Open Space Assessment* (May 2017) attached as Appendix A2.

Objective 5: *The maintenance of acceptable levels of risks posed by natural hazards and the effects of climate change to the environment and inhabitants of Napier City. The avoidance or mitigation of the risks posed by natural hazards on the inhabitants and the environment of Napier is an important element of sustainable management, in that natural hazards can inhibit the opportunities for people and the community to provide for their health, safety and wellbeing. This matter should be addressed prior to the development and use of land, particularly at the subdivision stage.*

The elevated nature of the proposed residential precinct provides a residential choice option for Napier City well clear of any coastal, inundation, Tsunami or liquefaction hazards. Due to the topography of the site, significant earthworks will be required and these will need to be undertaken in accordance with geotechnical engineering advice as will future buildings on some of the steeper land. This issue is addressed in more detail under section 5.5 below.

Objective 6: *The provision of an efficient and effective infrastructure, services and utility network that provides for the current and reasonably foreseeable needs of the City. The efficient use of resources, particularly finite resources, are other matters to be considered under the Act (sections 7[b] and [g]). Promoting efficient use of the City's land resource at the development stage is fundamental to providing for these matters, as is the efficient design and establishment of the City's network of services, utilities, roads (including the state highway network) and other infrastructural components. Promoting efficient land development will help to reduce the environmental costs of development for present and future generations, and to sustain the future potential of the resources.*

This proposal is consistent with HPUDS which in turn has provided residential growth inputs into regional land transport planning. The proposed residential development will be well connected to the Hawke's Bay Expressway and State Highway network by Prebensen Drive. A description of the proposed utility servicing of the Mission Special Character Zone residential precinct is provided under sections 5.1 – 5.3 below and more particularly in the Strata Group Engineering Assessment¹¹ included as Appendix B and the TDG Transportation Assessment and letter reports included in Appendix C.

¹⁰ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017 (pages 50 & 51)

¹¹ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier*, Strata Group Consulting Engineers, December 2016.

Objective 7: *The provision of allotments that have adequate vehicular access to provide for the actual and potential needs of a range of permitted activities, and that such access is appropriately integrated with the City's road network. The provision of adequate access and the formation of adequate roads and links with the City's road network is a critical consideration at the subdivision and land development stage, including consideration of a range of possible land uses, including further intensification.*

The proposed structure plan and residential development concept will ensure adequate vehicular access to the new allotments created. Given the topography of the area, narrower streets are envisaged (compared to the requirements of the District Plan's Code of Practice for Subdivision and Land Development) as part of the design intention to work with the topography of the site and reflect on the character of Napier Hill as well as distinctive landscape character values of the site. The street network will however still be designed and formed with mitigation measures to ensure a slower vehicle speed environment so that traffic, cyclist and pedestrian safety is not compromised. Departures from the Code are proposed to be justified in regards to safety, appropriateness and accepted engineering practice in a comprehensive engineering design plan to be submitted as part of the resource consent application for the first stage of subdivision. Further explanation of the proposed traffic network is provided in the TDG Transportation Report¹² and responses to further information attached as Appendix C.

Objective 8: *The protection of the City's areas of significant vegetation, significant habitats of indigenous fauna and high quality soils. Another important consideration at the subdivision and land development stage is the protection of the City's areas of significant vegetation, significant habitats of indigenous fauna and high quality soils, as developments may have an adverse effect on protecting or maintaining areas of important conservation value within the City, such as estuarine environments. This objective addresses another matter of national significance under the Act (section 6(c)).*

There are no areas of significant indigenous vegetation or significant habitats of indigenous fauna on the property in regards to RMA s6(c). The implementation of the structure plan for the residential precinct will result in the addition of areas of vegetation (including indigenous vegetation in the western gullies and valleys) to the property and the City. See the report from Forbes Ecology in Appendix I: 'Mission Special Character Zone Plan Change, Ecological Significance and Merit of Proposed Planting' (July 2017); which confirms that the site does not contain ecological elements that could be regarded as significant under Section 6(c) of the RMA (1991). This report also acknowledges the ecological benefits of the plantings proposed.

Objective 9: *The maintenance and enhancement of Napier's outstanding natural features and significant landscapes and the natural character of the coastal environment. This objective addresses the requirement to protect outstanding natural features and significant landscapes, as identified in the Napier City Landscape Assessment Study, from inappropriate subdivision, use and development (section 6(b)).*

As discussed above the Mission landscape is identified as part of a 'Significant Amenity Landscape' in the Napier City Landscape Assessment Study 2009. The proposed plan change and structure plan seeks to respond to the landscape and protect its significant values and this is explained in more detail in section 5.4 (Assessment of Environmental

¹² Marist Holdings Limited, *The Mission Special Character Zone, Transportation Report*, TDG, November 2016 (pages 10 - 13).

Effects – Landscape and Amenity) of this report and more particularly in the Isthmus Assessment of Landscape and Visual Effects¹³ attached as Appendix A.

Objective 10: *The maintenance and enhancement of Napier's significant places, features and items of heritage value. The protection of historic heritage is a matter of national importance (section 6(ff)). The recognition and protection of the heritage values of sites, buildings, places, or areas can be given effect to at the early stages of development, in the subdivision and the development design and construction process.*

The RMA definition of 'historic heritage' includes archaeological sites. The MHL property includes some 13 recorded archaeological sites on the City of Napier District Plan Maps. The descriptions of these sites include pits, terraces and middens. A description of the archaeology of the proposed new zone is provided in section 5.6 below with a detailed Archaeological AEE Report from Dianne Harlow (Architage)¹⁴ attached as Appendix D.

There are no buildings on the MHL property identified in the District Plan as items of heritage value. Nevertheless, there is a distinctive historic character to the Mission buildings and the La Grande Maison (Mission Estate restaurant and main office) building in particular. The provisions of the proposed zone seek to maintain and enhance these historic values. Further explanation of the historic values of the La Grande Maison building is provided in both the Architage Archaeological Report¹⁵ (Appendix D) and the Isthmus Urban Design and Landscape Report¹⁶ (Appendix A). An explanation of how the historic values of the La Grande Maison are to be protected is provided in the Section 32 Report¹⁷ and addressed specifically in design outcomes DO13 and DO16 in the proposed Structure Plan.

Objective 11: *The recognition of and provision for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. This objective addresses section 6(e) and 7(a) of the Act, and recognises that often this issue is most effectively addressed at the subdivision and land development stage.*

The archaeological sites on the MHL property as identified and described in the Architage Report are Maori in origin (with the exception of V21/375)¹⁸. A detailed description of Maori historical association with the area and site is also provided in the Architage Report¹⁹ (see Appendix D).

A consultation meeting was held with Mana Ahuriri as a group representing tangata whenua with mana whenua for this area, was held on 9 December 2016. A presentation was provided on the proposed plan change and development concept for the Mission Special Character Zone and copies of the Architage Archaeology AEE were provided.

¹³ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018.

¹⁴ *Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone*, Architage Heritage Consultancy, November 2016.

¹⁵ *Ibid* (pages 15 – 18).

¹⁶ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (pages 8,9 & 19).

¹⁷ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017 (Rule 51b.38 page 32).

¹⁸ *Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone*, Architage Heritage Consultancy, November 2016 (page 36)

¹⁹ *Ibid* (pages 11 & 12).

As discussed in section 5.6 below these archaeological sites are proposed to be avoided in the development, as is specified in Structure Plan Design Outcome DO19. Archaeological sites are also protected by the Heritage New Zealand Pouhere Taonga Act 2014.

Objective 12: *The protection of people’s health and safety in a manner that is compatible with, and complementary to, other legislative requirements and management systems. Enabling people and communities to provide for their wellbeing and their health and safety is a fundamental element of sustainable management under the Act. This objective recognises that this goal is most often best given effect at the land development stage in the design and construction of buildings and sites (including works and servicing). It also recognises, though, that this has to be undertaken in a manner that complements the requirements, powers and processes under other legislation that are of relevance, such as the Building Act and the Health and Safety in Employment Act.*

The proposed Mission Special Character Zone intends to provide a safe and healthy residential environment. The proposed walking tracks will provide recreational opportunities for people²⁰ in meeting their health needs, roading design and layout will ensure traffic and pedestrian safety and reticulated water and sewer services will provide the sanitary needs expected of a residential development. Geotechnical design at subdivision stage will ensure that people are protected from the risk of land slide and subsidence.

Objective 13: *To ensure that residential subdivision (including the rural settlement and Jervoistown zones) does not conflict with the sustainable management of rural land with a high potential for primary production. The ability of rural land owners to carry out traditional farming activities is becoming increasingly difficult adjacent to residential activities. In considering greenfield residential subdivision proposals these reverse sensitivity effects should be taken into account.*

The proposed Mission Special Character Zone seeks to retain the most versatile land in productive use (the area including the vineyards) and to develop the less versatile hill country for residential use as is sought by this objective. In terms of reverse sensitivity the greatest risk is generally with the most versatile intensively used land, the closest of which to the proposed residential precinct would be the Mission vineyards, which will be vertically separated by the hill and buffered by the proposed woodland planning of the eastern hill face. There will be an interface with the pastoral farm land on the property to the west. A walking track and vegetation buffer between this zone boundary and the residential development is proposed as can be seen in both Figure 4 above and Figure 11 below.

²⁰ See Proposed Mission Special Character Zone – Recreation and Open Space Assessment, Isthmus, May 2017.

5. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

5.1 TRANSPORTATION

A transportation report has been prepared by TDG to assess the potential effects on the environment relating to transportation. That report is provided as Appendix C. The summary is extracted from that report as follows²¹:

This report provides a traffic engineering review of the proposed residential development in the Mission Special Character Zone to support a private plan change. The appropriateness of the intended design elements are outlined, and further road safety considerations are identified.

On the basis that the proposed second entrance will be positioned as recommended in this report, the proposed access roads that are intended to support the proposed development will be of an appropriate standard to meet the immediate and future needs of the proposed development and the local roading network. The proposed concept design meets most, but not all current Council roading standards, which reflects a desire to achieve better environmental outcomes in a manner that also achieves the required levels of safety, capacity and amenity.

With the appropriate engineering and application of design principles, it is concluded that the proposed residential subdivision to follow the private plan change request will offer a properly balanced level of service for all users. It will provide good quality access to, from and within the site in a manner that will not compromise the safety or convenience of any road users.

Justifications for the conclusions reached in the above summary that the proposed plan change will not compromise the safety or convenience of any road users can be found in the body of the TDG report in Appendix C and need not be repeated here.

It is noted that both the summary and the body of the TDG report refer to repositioning²² the second entrance onto Puketitiri Road. The body of the report recommends that this entrance way be positioned approximately 100m west of the intersection with Poraiti Road.

Subsequent to the completion of the TDG report consultation with the Napier City Council Transportation Team has resulted in agreement for the location of this second entrance to be as is shown on the structure plan in the position recommended in the TDG report. A preliminary engineering design of this proposed second intersection is attached as Appendix C2. Additional explanation of the suitability of this intersection and its proposed traffic volumes is provided in the TDG letters responding to further information attached as Appendix C3 and C4. It is noted that the Structure Plan Map (Appendix 26B-1 of the Plan Change) identifies a trigger area, the development of which would require the formation of this second intersection.

With regard to the primary access into the proposed residential development from Puketitiri Road, this is to be at the location previously approved for residential

²¹ Marist Holdings Limited, *The Mission Special Character Zone, Transportation Report*, TDG, November 2016 (page 13).

²² The repositioning was in reference to the draft structure plan which showed the second entrance way opposite Poraiti Road.

development within the existing Western Hills Residential Zone. The background to this is explained in the following extract from the Strata Group Engineering Report²³:

Provisions were made during construction of the realigned and upgraded Puketitiri Road in 2003 for an intersection into the development area. The intersection position took into account safe sight stopping distances for vehicles. An intersection design was undertaken by Opus to the satisfaction of Napier City Council. The Mission Special Character Zone would adopt this approved design.

The proposed Mission Special Character Zone will have a positive effect on the environment in regard to passive transportation, as it will create a connected walking and cycling network that will not only be of benefit to future residents but to the wider public and visitors. For example, the proposed path fronting Puketitiri Road will connect with other paths within the Zone and provide access through to Church Road. This proposed pathway network connecting Puketitiri Road with Church Road and pathways to the south towards Sugar Loaf will be publicly accessible, therefore providing off road connections for Poraiti residents. The concept for the Residential Precinct in regard to transportation is explained in the Isthmus Urban Design and Landscape Report²⁴ as follows:

The two entrances to Puketitiri Road would ensure safe and resilient connections to the road network. The extensive path network is connected with, and completes missing links in, Napier City's pedestrian and cycle path network. While the site is currently some distance from the nearest bus route, a new route along Church Road and Prebensen Drive would be within 800m of the proposed neighbourhood centre. The two entrances to Puketitiri Road also provide for a potential circular bus route through the Residential Precinct.

Given the above the Proposed Mission Special Character Zone can be developed as proposed for residential purposes without adversely affecting the Napier City transportation networks. Further to this, the effects of the plan change in regard to passive transportation (walking and cycling) will be positive in terms of the new networks and connections between existing networks that will be provided. Detail of the proposed walkway network is further explained in the Isthmus Recreation and Open Space Report attached as Appendix A2.

5.2 UTILITY SERVICING

The Strata Group Engineering Report and accompanying drawings set out the utility servicing proposed for the development of the Residential Precinct of the new zone (see Appendix B1 and B2). The relevant conclusions from this report are provided below.

5.2.1 Water Supply

The Strata Group Engineering Report concludes the development of a 550 Lot subdivision is technically feasible within the new zone subject to the following in regard to water supply²⁵:

²³ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier*, Strata Group Consulting Engineers, December 2016 (page 5).

²⁴ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (page 28).

²⁵ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier*, Strata Group Consulting Engineers, December 2016 (page 9).

Water supply is provided via the existing MHL/Kent Terrace reservoir which has existing capacity for the proposed zoning.

See the Strata Group report in Appendix B for further explanation. As explained in that report the reservoir servicing Kent Terrace was designed to also service the residential development on the Mission property so a connection to this reservoir can be made without any adverse effects on the existing Napier City water supply network. The water supply services are to be vested in the Council.

5.2.2 Waste Water

The Strata Group Engineering Report concludes the development of a 550 lot subdivision is technically feasible within the new zone subject to the following in regards to waste water disposal²⁶:

Wastewater is connected to the Napier City Council pumping main down stream of the Pinotage pump station.

As set out in the Strata Group reports in Appendix C1 and C2, consultation with Napier City Council has confirmed that connection will be made to the proposed new zone into the wastewater network by a rising main on the northern side of Merlot Drive. Wastewater services are to be vested in the Council.

5.2.3 Other Utilities

The Strata Group engineering report advises²⁷:

Both power and telecommunication providers have confirmed they are able to provide services to the development.

5.3 STORMWATER

Urban development increases the impervious surface cover of the ground from its natural state resulting in the potential for increased quantities and a reduced quality of stormwater resulting from such development. The Strata Group Engineering Report includes calculations of the volumes of stormwater that will result from the proposed development and considers various options for disposal, before reaching the following conclusion²⁸:

We consider the impact of stormwater on the receiving water courses can be mitigated through the construction of wetlands within the 290 Hectare property. The wetlands would restore the natural habitat in the gullies and watercourses and act as a "sponge" to absorb stormwater volumes, control peak runoff to the predevelopment flow and treat the stormwater quality.

The Strata Group Report recommends that the proposed development is technically feasible provided²⁹:

²⁶ Ibid.

²⁷ Ibid (page 8)

²⁸ Ibid (page 6)

²⁹ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier, Strata Group Consulting Engineers, December 2016 (page 9).*

Stormwater attenuation and water quality treatment shall be undertaken on site through wetlands in accordance with the Hawke's Bay Regional Council Waterway Guidelines ...

It is noted that this approach will be applied on the basis of the natural catchments and runoff flows on the property. The majority of the Residential Precinct is within west flowing catchments that enter the Turirau Stream and then the Tutaekuri River, while a small portion flows east to the Taipo Stream. This is shown in drawing C03 of the Strata Group Engineering Report attachments. The Strata Group letter responding to further information requests on Stormwater and Staging³⁰ provides a staging plan (which is incorporated within the Plan Change Structure Plan as Appendix 26G) setting out when the development of particular sub catchments would result in the various components of stormwater infrastructure being constructed.

There will be positive ecological and water quality effects resulting from the low impact wetland-based system in comparison to the runoff from the current cattle grazing pasture.

The various components of the stormwater infrastructure from road reserve, through to the point of discharge from the proposed wetlands to the natural water course at the property boundary to the west, are to be vested in Council. The balance of the land beyond the wetlands, watercourses and associated revegetation and walk ways; will likely be retained in the ownership of MHL, with exact details to be determined at the time of subdivision.

Resource Consent from the Hawke's Bay Regional Council is required for the proposed urban stormwater discharge into the Turirau catchment. Discussions have been ongoing with Regional Council staff through the latter half of 2017 regarding this consent. A report titled: '*Stormwater Runoff and Flood Effects Assessment*' (October 2017) prepared by Tonkin & Taylor assesses the downstream effects of the stormwater discharge. This report is attached as Appendix F. Subsequent discussion with Hawke's Bay Regional Council staff has revealed that additional rainfall events should be modelled to those referenced in the Tonkin and Taylor report to achieve greater certainty in regard to the downstream effects. This work is now proposed to be undertaken as part of a stormwater discharge consent application to the Regional Council. This resource consent will be applied for in early 2018.

It is assumed that the stormwater discharge consent will have been obtained prior to the hearing of submissions on this plan change. In the event that this is delayed safeguards are included in the Plan Change. Rule 51b.77c) includes the following wording:

A resource consent for the discharge of stormwater from development within the Residential Precinct of the Mission Special Character Zone (in the manner shown on Structure Plan Overall Map in Appendix 26B) has been obtained from the Hawke's Bay Regional Council.

This would mean that this rule could not be met if subdivision consent was applied for prior to the stormwater discharge consent being obtained. This would mean that the subdivision would be required to be assessed as a non-complying activity. Its assessment would also be subject to the Mission Special Character Zone Structure Plan Design Outcomes. Design Outcome 2 of which relates to Stormwater and includes the following:

³⁰ See Appendix B2

Explanation of how compliance will be achieved with the relevant Hawke's Bay Regional Council regional plan, or resource consent for the diversion and discharge of stormwater from the development on an ongoing basis. This means that there must be a resource consent for the discharge of stormwater from the Residential Precinct in place prior to any subdivision consent being lodged.

These safeguards ensure that any subdivision application for residential development would be unlikely to progress through the resource consent process until such time as the necessary stormwater discharge consents are obtained from the Hawke's Bay Regional Council.

5.4 LANDSCAPE AND AMENITY

As mentioned under 4.6.3 above regarding objective 2 of the Code of Practice for Subdivision and Land Development, 'the Mission' is classified as part of a 'Significant Amenity Landscape' in the Napier City Landscape Assessment Study 2009. The landscape values of the site are one of the justifications for the proposed Mission Special Character Zone. The proposed zone seeks to enable these recognised landscape values to be maintained and enhanced along with the heritage, archaeological and versatile soils values that also create the character of the site.

The design of the residential development within the structure plan seeks to respond to and enhance the amenity values of the landscape. This design includes the native plantings within the west draining gullies and valley floors as part of the low impact stormwater system as well as the 'woodland planting' of the eastern hill face. This woodland planting of the eastern hill face has a mitigation function in terms of screening future dwellings on the hill tops from view from Church Road. It also has an enhancement function in softening the prominent eastern hill face. The landscape values present and the proposed response to maintain and enhance these values through the Mission Special Character Zone are explained in detail in the Isthmus Assessment of Landscape and Visual Effects³¹ attached as Appendix A.

The Isthmus assessment reaches the following conclusions³²:

The Mission Special Character Zone will provide for two key outcomes:

- > Maintenance of the special character Mission landscape; and*
- > Creation of a hill suburb with distinctive characteristics echoing those of Napier hill.*

The provisions of the 'Landscape – Visitor Precinct' and 'Productive Rural Precinct' are designed to maintain the key elements of the Mission landscape – namely the vineyard on the flat land, the Grande Maison on the terrace overlooking the vineyard, and the backdrop hill replanted in woodland. The provisions will help ensure the Mission continues as a special character landscape within the city, and as a visitor attraction that is part of Napier's identity. The provisions will enable accommodation to enhance the visitor activities, including a boutique hotel and 'art cabins' that engage with the landscape setting.

³¹ Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects, Isthmus, February 2018

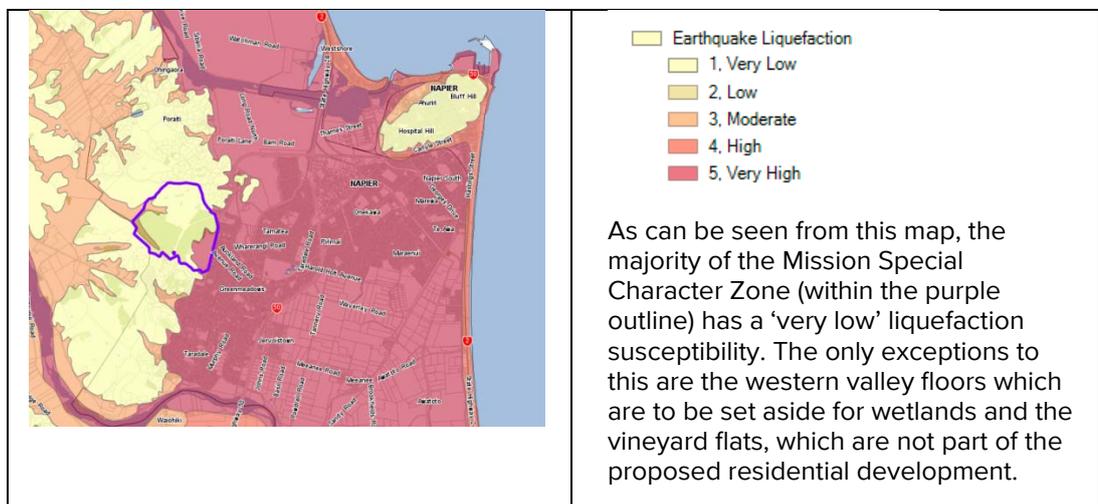
³² Ibid (page 24).

Given the information and conclusions in the Isthmus assessment the Proposed Mission Special Character Zone can be developed as proposed without adversely affecting the identified 'significant amenity landscape' values of the Mission. Further to this, the effects of the plan change in terms of the planting of the woodland planting of the eastern hill face in particular, will be positive in providing permanent vegetation cover to provide visual interest and soften this prominent landscape feature.

5.5 NATURAL HAZARDS

The elevation of the majority of the Mission Special Character Zone and the Residential Precinct on bedrock above the surrounding flat suburbs of Napier City, result in a reduced susceptibility to a number of natural hazards such as earthquake liquefaction, earthquake amplification, tsunami and flooding. The following maps are extracted from the Hawke's Bay Emergency Management Hazard Information Portal.³³

Figure 7 – Earthquake Liquefaction Hazard Map – Napier City



³³ <http://www.hbemergency.govt.nz/hazards/portal>

Figure 8 – Earthquake Amplification Hazard Map – Napier City

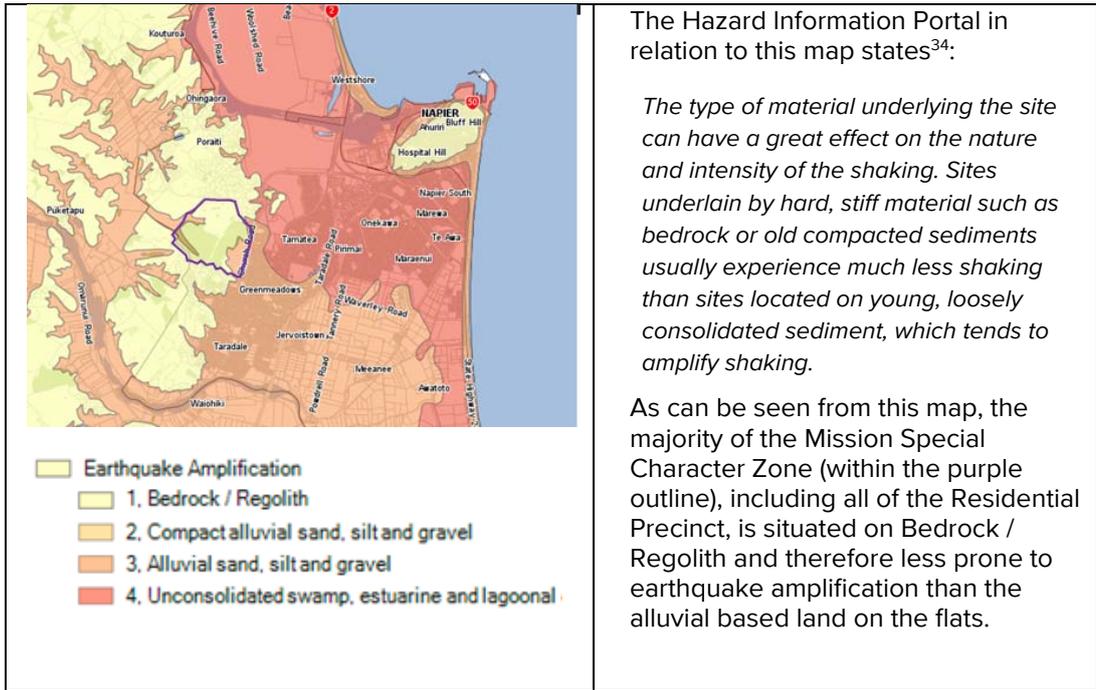
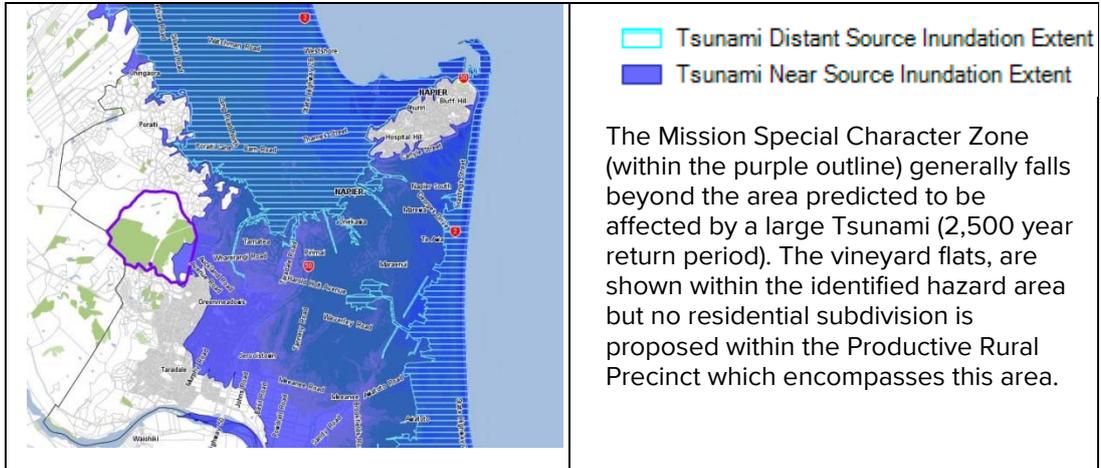


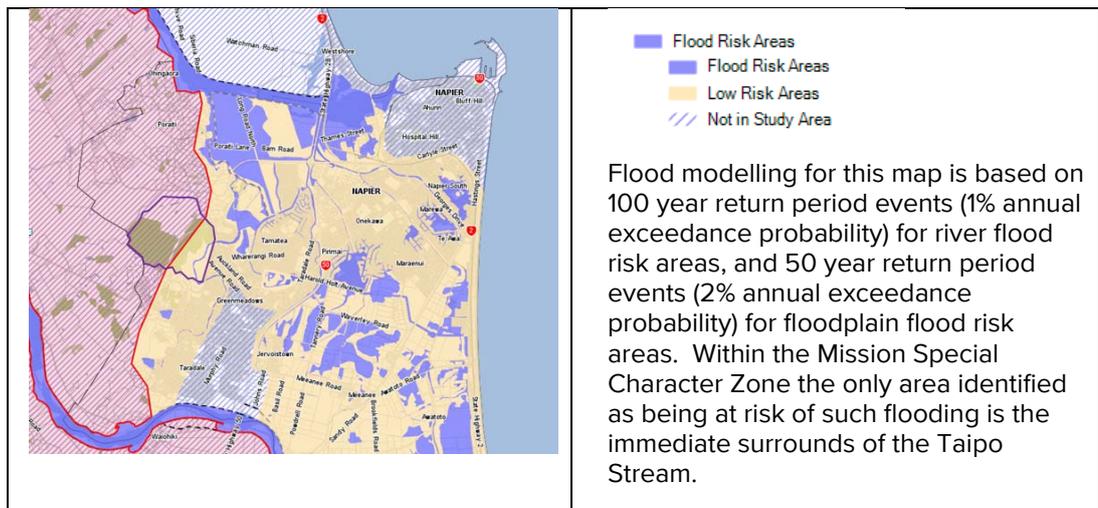
Figure 9 – Tsunami Inundation Extent – Napier City



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<http://hbhazards.intramaps.co.nz/IntraMaps/DMSNZ/ManyMaps4/manymaps.aspx?print=open&context=HBHazardReport&mapkey=6893788>

Figure 10 – Flood Hazard Extent – Napier City



As can be seen from Figures 7 – 10 above, the proposed Mission Special Character Zone and the area where residential development is proposed within the Zone is clear of identified hazard risks for earthquake liquefaction, earthquake amplification, tsunami and flooding. In comparison the majority of the Napier City residential area outside of Napier Hill and the elevated areas of Taradale, is susceptible to these hazards. This makes the proposed new zone an important greenfields development area to Napier City in providing a residential option where physical works or other measures are not required to mitigate the above mentioned natural hazards.

As parts of the Residential Precinct are relatively steeply sloping, necessitating earthworks to provide safe vehicular access and building platforms, geotechnical instability is a potential natural hazard. This matter is addressed in the Strata Group Engineering report, with the following conclusion made³⁵:

Based on the previous geotechnical report³⁶ there are no technical reasons to restrict the extent of earthworks provided it is undertaken in accordance with the recommendations of the geotechnical engineer and NZS4402: “Code of practice for earth fill for residential development”.

Each stage of development would require a detailed investigation of the existing ground and the proposed earthworks. The geotechnical report would address the stability of the proposed earthworks and that each lot satisfies the requirements of “good ground” under the New Zealand Building Code: NZBC B1/AS4.

In regard to ‘the previous geotechnical report’, Appendix G includes a letter from Andy Pomfret of Tonkin & Taylor (dated 17 February 2017) confirming the conclusions of these previous reports still stand, but that geotechnical input should be provided at the time of earthworks design in regards to the latest Ministry of Business Innovation and Employment guidelines.

³⁵ Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier, Strata Group Consulting Engineers, December 2016 (page 4)

³⁶ Tonkin and Taylor Report Ref Number 21027 dated February 2004 prepared by Bernard Hegan

Given the above, future residential development within the Mission Special Character Zone is well placed in regards to being outside of most natural hazard risk areas and land stability hazards will be able to be avoided, remedied or mitigated with appropriate geotechnical engineering input to future subdivision design (as will be required by Design Outcome 14 of proposed Appendix 26A³⁷ and Standard C5.5 of the Code of Practice for Subdivision and Land Development of the City of Napier District Plan).

5.6 ARCHAEOLOGICAL AND HISTORIC HERITAGE VALUES

An archaeological assessment of the proposed Zone has been undertaken and reported on by Dianne Harlow of Architage³⁸ attached as Appendix D. The summary from Ms Harlow's report is extracted as follows³⁹:

This archaeological assessment for Marist Holdings (Greenmeadows) Limited is with respect to the proposed Mission Special Character Zone Plan Change for the Mission Estate in Greenmeadows, Napier. Methodology has included literary research, searching old plans, checking the NZ Archaeological Association site record data base and archaeology reports. A visual survey of the property was undertaken completing the coverage of the extent of the proposed development in October 2016. This was additional to an archaeological survey in November 2010 prior to the harvesting of pinus radiata on the Mission land holdings.

There are ten recorded and identified archaeological sites on the property, one recorded heritage site and five unidentified recorded sites. All site locations are marked on GIS maps within this report and all identified sites will be avoided in any future subdivision plans therefore no adverse effects are anticipated.

If consent for the proposed plan change is granted, the implementation of the proposed activity has the potential to affect unidentified subsurface archaeological remains which may be exposed during development. It is advised that an updated archaeological assessment be prepared prior to application for resource consent which would include a recommendation that an authority application be submitted to Heritage New Zealand.

Ms Harlow's report includes a map showing both the identified archaeological sites and those recorded archaeological sites which have been unable to be identified. This map is proposed to be included as a separate map within the Mission Special Character Zone Structure Plan series of maps (see Appendix 26F of the proposed plan change). The recommendations from Ms Harlow's report are incorporated into the Structure Plan Design Outcomes (see DO19 in Appendix 26A of the proposed plan change).

Given the above, any adverse effects on identified archaeological sites will be avoided, while any effects on unidentified sites will be mitigate via appropriate assessment under the Heritage New Zealand Pouhere Taonga Act 2014.

In addition to the ten recorded and identified archaeological sites referred to in Ms Harlow's summary above, another site is marked on the map as V21/375 and recorded as 'observatory pedestal'. This includes the remains of Father David Kennedy's astronomical observatory, which was relocated from Meeanee in 1911. The historical significance of this observatory is explained in Ms Harlow's report, which recommends that its remains

³⁷ Mission Special Character Zone Structure Plan Design Outcomes

³⁸ Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone, Architage Heritage Consultancy, November 2016.

³⁹ Ibid (page 4).

identified as V21/375 be retained.⁴⁰ The proposed Mission Special Character Zone Structure Plan design outcome 'DO19' requires the protection of these remains which are mapped as an identified archaeological site.

Ms Harlow's report also documents the historic significance of the Grande Maison building, although it is noted that this building is not listed in the District Plan as a heritage building. An explanation of how the heritage values of this building are to be protected is provided under section 4.6.3 above regarding objective 10 of the Code of Practice of Subdivision and Land Development (via Structure Plan design outcomes DO13 and DO16. Given the above any potential effects on historic heritage of the proposed plan change will be avoided, remedied or mitigated.

5.7 MAORI CULTURAL VALUES

As stated in the discussion relating to objective 11 of the Code of Practice of Subdivision and Land Development under 4.6.3 above, the Mission Special Character Zone includes evidence of historic Maori settlement (as is well documented in Ms Harlow's report).

In the consultation meeting with Mana Ahuriri on 9 December 2016 the information regarding the Mission Special Character Zone and copies of the Architag Archaeology Report were received, with Mana Ahuriri reserving the right to consider the information before responding. No response has been received. A subsequent meeting has been held with Mana Ahuriri on 13th December 2017 to outline the amendments that have occurred to the Plan Change since the 2016 meeting.

The RMA schedule 1 submission process will provide opportunity for a formal response to be made should Mana Ahuriri (or any other tangata whenua groups) have any concerns with the proposed Mission Special Character Zone from a Maori cultural perspective.

Opportunity exists to provide signage relating to the significance of any of the archaeological sites at the time of subdivision and or walkway development. This would be a matter of discussion between Mana Ahuriri, MHL and Napier City Council.

As discussed above the identified archaeological sites (which are related to historic Maori settlement within the area) are proposed to be avoided by future development. This is a requirement of the proposed Mission Special Character Zone Structure Plan Design Outcome 3. Archaeological sites are also protected by the Heritage New Zealand Pouhere Taonga Act 2014.

5.8 VERSATILE LAND

The 'Land Use Capability Report' produced from the Hawke's Bay Regional Council online mapping tool⁴¹ identifies that some 42ha of the MHL property (which has a total area of 289ha) is 'Land Use Capability Class 1'. That is the highest classification for land use versatility.

⁴⁰ Ibid (pages 20 and 62).

⁴¹

<http://maps.hbrc.govt.nz/IntraMaps/DMSNZ/ManyMaps3/manymaps.aspx?print=open&context=HBRCLandManagement&mapkey=6893788>



One of the primary purposes of the proposed Mission Special Character Zone is to protect the various natural and physical resource values that create its special character. One of these values is the versatile land included within the zone. Accordingly, this plan change proposes the following specific policy for the Mission Special Character Zone:

51b.3.4 Protect the versatile land resource of the Mission vineyard flats from urban development and activities unrelated to the productive use of the land resource or the vertical integration of the wine industry.

This policy is implemented by the 'Productive Rural Precinct' which incorporates all of this 'Class 1' land. The proposed rules relating to this precinct ensure that the most productive and versatile land on the property is retained into the future and not 'lost' to urban development. No provision is made for subdivision within the Productive Rural Precinct as subdivision is directed to the less versatile soils of the Residential Precinct and the Rural Residential Precinct.

The existing Main Rural Zone, which is the existing zoning of the majority of these Class 1 soils (approximately 31ha of the MHL property is currently zoned Main Rural), does allow for subdivision down to 4ha. As the productive use of these Class 1 soils also contributes to the significant landscape character of the Mission, the subdivision provisions of the proposed Productive Rural Precinct go further than the status quo provisions of the Main Rural Zone in seeking to retain this land in production and protecting it from lifestyle residential or full residential development.

Given the above the effects on the environment of the Proposed Mission Special Character Zone in regard to versatile land (or soils) are positive in providing for their protection from non-productive encroachment to a greater extent than the status quo plan provisions.

5.9 ECONOMIC BENEFIT

Sean Bevin of Economic Solutions Ltd has provided an assessment of the economic and employment benefits and costs of the proposed plan change in a report attached as Appendix E. The overall conclusion of Mr Bevin's assessment is set out as follows⁴²:

The MHL proposal provides for a comprehensive and large-scale residential, visitor accommodation and recreational development on the Company's major landholding in the Greenmeadows-Taradale area of Napier City. The development will add to the wide range of hospitality and visitor services currently provided at the location which already generate significant economic impact gains and other economic benefits for Napier and the wider Hawkes Bay region. Over the initial 25-year development period, most of the local and regional economic impact gain will arise from the actual construction activity currently estimated at a total direct expenditure figure of approximately \$484 million. This will be supplemented by the impact gains arising from the ongoing annual operation during the period of the various new dwellings and visitor facilities built as part of the development, with a total direct financial impact over the full period of approximately \$63 million. Both development categories will generate significant flow-on economic impact gains within the Hawkes Bay region, with the latter category (annual dwelling and facility operations) considerably outweighing 'downside' economic impacts associated with foregone rural production and

⁴² Proposed Mission Special Character Zone – Economic Benefit Assessment, Economic Solutions Limited, November 2016 (page 15).

potential reduced custom for other visitor accommodation outlets in Napier. The report also identifies a number of other potential flow-on economic benefits for the City and region flowing from the development. Overall then, it is anticipated that the development will have a major positive net economic effect for Napier and the wider region.

Mr Bevin's report sets out his assumptions and quantifies the various components of the proposed development. Potential costs were explored in terms of opportunity cost of planting the suitable parts of the Residential Precinct in grapes and utilising the remainder for pastoral farming and the loss of trade to existing visitor accommodation providers (although this would be considered a trade competition matter and cannot therefore be taken into account under the RMA). As would be expected for a development proposal of this scale, the overall conclusion is that it will be of significant economic benefit to the local economy. With regards to the effects on the environment of the proposed Mission Special Character Zone the anticipated economic effects are therefore positive.

6. CONSULTATION

The consultation phase in the plan change preparation process was largely undertaken in the period from mid-November through to Christmas 2016. However, both prior to and since this period there has been ongoing consultation with the Napier City Council in seeking to ensure an acceptable plan change is submitted with compatibility to the District Plan and other Council expectations.

Ongoing discussions have also occurred with relevant Hawke's Bay Regional Council staff from September 2016 to the present in regard to the acceptability of the proposed stormwater management of development within the Residential Precinct.

The following table summarises the general consultation undertaken since November 2016.

Table 2 – Summary of Consultation Phase of the Plan Change Preparation

Date	Group Consulted With	Comments
22/11/16	Heritage New Zealand (3 representatives).	Copies of Diane Harlow's Archaeological Assessment report were provided to the Heritage NZ representatives and the intent of the plan change and future development was explained to them. Heritage NZ received the information and advised that it was important for consultation to occur with the appropriate tangata whenua representatives.
9/12/16	Mana Ahuriri (3 representatives).	A powerpoint presentation was run through and a copy of the archaeological assessment report was provided. The presentation was received by the Mana Ahuriri representatives, who advised that they may seek advice on the archaeological assessment.
12/12/16	Invited business people from the Taradale & Greenmeadows area (12 of whom attended the meeting).	A powerpoint presentation was given. A number of queries were raised from the floor including queries regarding the road entrances and servicing. Positive feedback in regards to the proposal was also received.
16/12/16	Public Open Day – invitations by letter drop to 800 households in the area as well as an open invitation in the Napier Mail. There was no final count of those attending but estimated to be well in excess of 100. There were 7 MHL representatives in attendance to provide explanations of the displayed information and to answer questions.	Display posters were set up in a marquee at the Mission explaining the plan change and development proposal. People were invited to attend between 4pm & 7pm. The posters were generally based on the powerpoint presentation used in the consultation meetings listed above. MHL representatives circulated and answered questions of those in attendance. Much of the feedback was positive. Concerns raised were generally in relation to the effects of additional traffic on Puketitiri Road, some Poraiti residents were also concerned about a loss of rural views.
19/12/16	Meeting with Mr Alexander as	The proposed stormwater system was outlined to Mr

Date	Group Consulted With	Comments
	owner of the neighbouring farm to the west in regards to stormwater issues.	Alexander, with the key point being the low impact system will retain stormwater on site in wetlands with the rate of release over the boundary being no greater than it is now. Mr Alexander received the information.
3/2/17	Roading and Stormwater information forwarded to Hastings District Council.	Details of the proposed plan change relating to the potential traffic effects on Puketitiri Road and to the proposed stormwater mitigation prior to discharge to the west, were forwarded to the appropriate Hastings District Council staff in conjunction with an explanatory phone call. A meeting was offered for further explanation. No written response has been received. A phone call to the HDC Stormwater Manager on 23 February 2007 confirmed that he is interested in the proposed stormwater mitigation for the Mission Special Character Zone and will be satisfied provided that there is no increased discharge volume resulting from the development.
16/2/17	Presentation to Taradale Rotary Club	Peter Holley gave a presentation on what is proposed via the plan change for a Mission Special Character Zone.
12/4/17 - 15/5/17	Ministry of Education, via Alan Dibley, Regional Property Advisor	Telephone conversations were had with Mr Dibley by both Peter Holley and Philip McKay in April 2017 to inform the Ministry of the future residential development proposed. The Mission Special Character Zone Structure Plan and AEE were forwarded to my Dibley by E-mail on 12/4/17. An e-mail from Mr Dibley dated 15/5/17 confirmed receipt of the information and that it will be considered in future school growth planning as roll movements occur. The email correspondence is attached in Appendix J.
20/4/17 - 23/5/17	Hastings District Council, via Matthew Kneebone, Stormwater Manager	Further to the correspondence with Mr Kneebone in February 2017, consultation was had with Mr Kneebone by consultants acting for MHL, Russell Nettlingham and John Rix and on a separate occasion Philip McKay. Mr Kneebone's expectation is that any adverse effects on stormwater entering the Hastings District will be mitigated and tested through the HBRC Plan consent process. The resulting email correspondence dated 23/5/17 is attached in Appendix J.
1/12/17	Hawke's Bay Regional Council policy staff, Gavin Ide and Ceri Edmunds	Various plan change documents were forwarded by e-mail to provide the opportunity to discuss consistency with the relevant objectives and policies of the 'Managing the Built Environment' section of the Regional Policy Statement component of the Regional Resource Management Plan.
13/12/17	Mana Ahuriri (3 representatives).	A powerpoint presentation was run through updating progress and refinements since the previous meeting

Date	Group Consulted With	Comments
		in December 2016. The presentation was generally well received by the Mana Ahuriri representatives, whose primary concern is that stormwater discharges achieve a high level of water quality. The proposed land based treatment of stormwater prior to discharge will help achieve this. Refer to the Tonkin & Taylor report in Appendix F.
Various Dates	Several one on one meetings between MHL, represented by Peter Holley, CEO of Mission Estate Winery and various neighbouring land owners.	Peter Holley outlined what is proposed via the plan change for a Mission Special Character Zone.

Matters raised during consultation on the plan change have been noted and have sought to be addressed through the structure plan and plan change.

7. EXPLANATION AND APPRAISAL OF THE STRUCTURE PLAN

To give effect to the Regional Policy Statement (RPS) a structure plan is required (specifically by policies UD10.1 & UD10.3 of the RPS). A structure plan has therefore been prepared as part of this private plan change request.

7.1 STRUCTURE PLAN

A Mission Special Character Zone structure plan is proposed to be added to the District Plan as Appendix 26 in replacing the Western Hills Residential Zone concept plan. The Mission Special Character Zone Structure Plan however consists of a number of documents which are explained as follows.

The Mission Special Character Zone Structure Plan Map (Appendix 26B-1)⁴³ shows key features including: land use precincts within the Zone, indicative open space areas, stormwater infrastructure, indicative collector road layout, indicative off-road pedestrian and cycleway routes. This map is shown in Figure 11 below.

Additional Mission Special Character Zone Structure Plan maps include the following:

Mission Special Character Zone Structure Plan Area Plan Map (Appendix 26B-2⁴⁴), which identifies the proposed precincts and reserves areas without the additional notations of the Appendix 26B-1.

Water Supply Network Plan (Appendix 26C)⁴⁵;

Wastewater Plan (Appendix 26D)⁴⁶;

Stormwater Network Plan (Appendix 26E⁴⁷); and

Map of Archaeological Sites (Appendix 26F)⁴⁸.

Residential Precinct 3 Waters Staging Plan (Appendix 26G⁴⁹)

Appendix 26A lists, 'design outcomes' which are cross referenced in the proposed district plan rules relating to the Mission Special Character Zone. The design outcomes provide a written explanation of what is sought by components of the structure plan map as well as providing an 'assessment criteria' function for the assessment of subdivision and land use consent applications within the Mission Special Character Zone. This is explained and evaluated in more detail in the separate section 32 report⁵⁰.

⁴³ Map sourced from the *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (Appendix Two – List of Figures, Figure 17)

⁴⁴ Prepared by Isthmus

⁴⁵ Plan source from *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier*, Strata Group Consulting Engineers, December 2016 (Appendix A)

⁴⁶ Ibid.

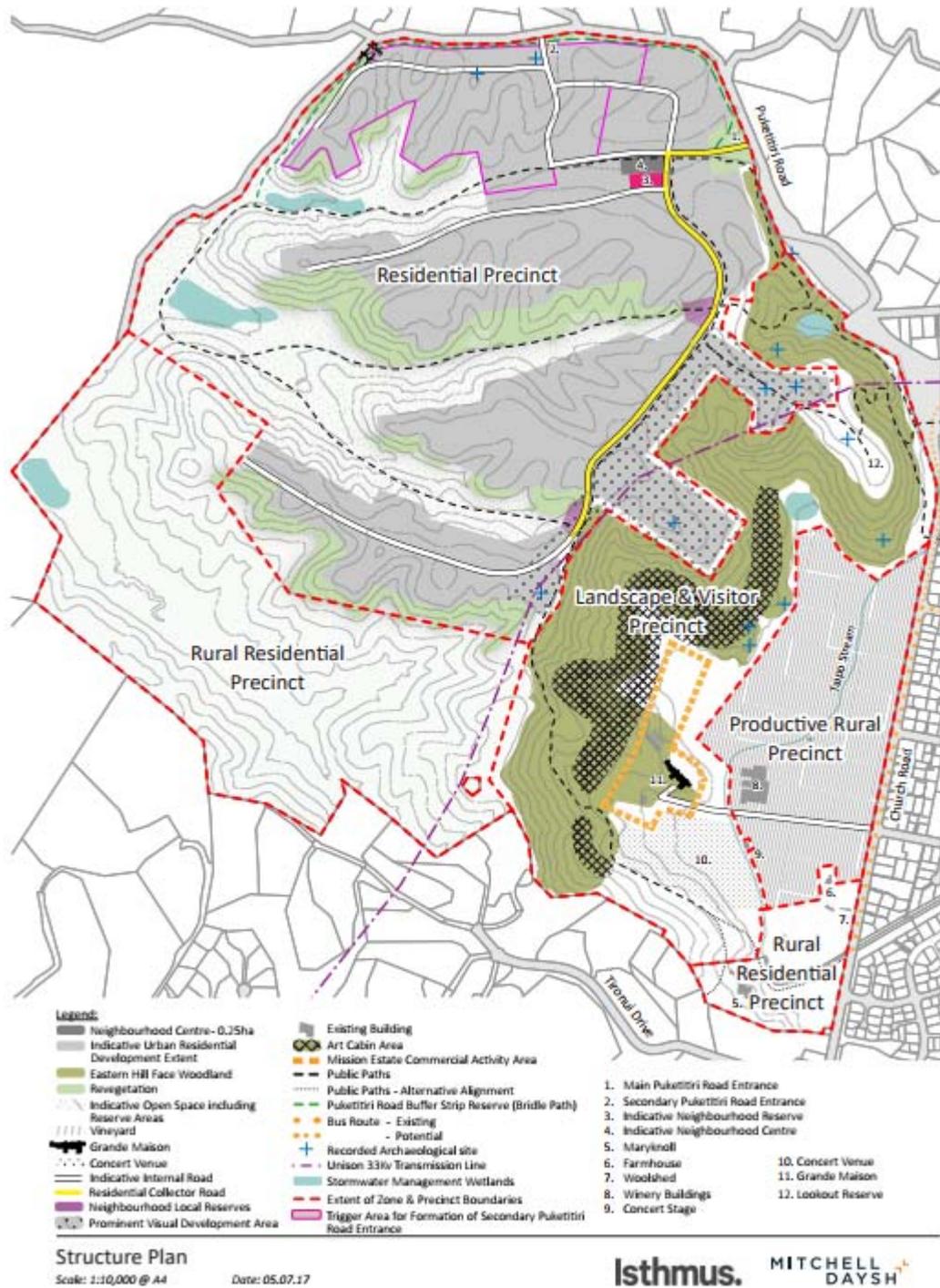
⁴⁷ Ibid.

⁴⁸ Map sourced from *Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone*, Architage Heritage Consultancy, November 2016 (page 50).

⁴⁹ Prepared by Strata Group

⁵⁰ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017 (sections 4.3.2.6 & 4.3.2.7).

Figure 11 – Mission Special Character Zone Structure Plan Map



A key point to note from this map is the separation of the Zone into four separate precincts to which different district plan rules will apply. These being the: ‘Residential Precinct’; ‘Rural Residential Precinct’; ‘Landscape and Visitor Precinct’; and ‘Productive Rural Precinct’. See section 8 below for a summary of the district plan provisions applying to each precinct. Other features to note are the dark shading notating the extent of proposed

residential development within the Residential Precinct and the black dashed lines showing a potential walkway network.

The overall concept map shown as Figure 4 above should be referred to alongside the structure plan map for orientation and also to see the details of the proposed planting of the eastern hill face and western valleys. The planting of the eastern hill face in woodland is an important component of the proposal in both mitigating the effects of residential development on the hill tops and in enhancing the landscape as viewed from Church Road.

7.2 DESIGN INTENT

The intent of the Mission Special Character Zone Structure Plan is to provide for quality residential development within the Residential Precinct, consistent with the special character of the Zone; and to enhance the landscape to the east of the main ridge while enabling the development of tourist accommodation. This intent is summarised in the Urban Design Statement section of the Isthmus report⁵¹ as follows:

The concept for the Mission Special Character Zone comprises two over-arching ideas – the maintenance of the Mission landscape, and the creation of a new residential community on the hills west of the Mission.

The Mission landscape is to be maintained as a visitor destination. The hospitality and visitor activities are to continue, with provision to enhance these with boutique visitor accommodation. The east facing hills are to be replanted with woodland so as to provide a natural skyline in views from Church Road, and a public path constructed across the site to complete a 'missing link' in Napier's network of paths.

The residential development on the hills west of the Mission is to replace the existing 'Western Hills Residential Zone'. In contrast to the existing zoning, the proposed development is to have a distinctive character, drawing on cues from Napier Hill. The design is to respond to the natural topography, have a distinctive street layout, and incorporate a variety of section sizes and houses. It is envisaged as a community with a strong sense of place.

The residential design concept that has formed the Structure Plan Map has been prepared by Gavin Lister of Isthmus. Mr Lister refers to the plan being conceptualised by a layering of the following elements: Topography; Green Network; Path Network; Street Network; Blocks; and Lots⁵². A brief description of each of these layers is provided under the following headings.

7.3 TOPOGRAPHY

The topography of the Zone includes the flats planted in vineyards adjacent Church Road, the steep eastern hillside forming a backdrop to the Mission and the ridges, spurs and west flowing valleys within the proposed Residential Precinct. The residential design concept is based on the elevation provided by these ridges.

⁵¹ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (Page 11)

⁵² *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (Page 11 & Figure 5)

7.4 GREEN NETWORK

The proposed green network is shown on the Structure Plan Map in Figure 11 above and includes the woodland on the eastern hill face and revegetation of the western valleys including native species on the south facing slopes and grasslands and groups of trees merging with the stormwater wetlands on the valley floors. See the Isthmus Report for a more detailed description⁵³. More formal neighbourhood reserve areas are also proposed within the urban component of the Residential Precinct (including the reserve shown adjacent the Neighbourhood Centre on the Structure Plan Map), with exact layouts and locations to be determined through the subdivision consent process. Structure Plan Design Outcome DO5 sets out criteria for the design of the reserve network to achieve. The green network is also required to be implemented by the following proposed Mission Special Character Zone policies: 51b.4.2. d) & f); 51b.4.4c); and 51b.5.2.

In regard to the eastern hill face woodland, it is noted that unlike the other components of the green network it is proposed to stay in the ownership of MHL with the certainty of vegetation cover protected by the district plan provisions, including objective 51b.5; policies 51b.5.1 and 51b.5.2; and structure plan design outcome DO16.

7.5 PATH NETWORK

The path network will link the Residential Precinct with Puketitiri Road (including a path parallel to this road), the Mission Estate buildings and Church Road. It is also designed to provide off road linkages from Sugar Loaf in the south across the Mission Estate to both Church Road and into the Residential Precinct. The pathways providing these key linkages will provide public access, with the exact legal mechanism to achieve this to be determined through the subdivision consent process (options include: access reserves, public right of ways or other forms of easement).

Both the Isthmus Urban Design & Landscape⁵⁴ and Recreation and Open Space⁵⁵ reports should be referred to for a more detailed description of the path network. The Structure Plan includes a separate design outcome for the path network, Design Outcomes 8 and 17. The path network is also specifically referenced in proposed policies 51b.4.2 d); 51b.4.3c); 51b.4.4c) and 51b.5.3 and is also identified on the structure plan map in Appendix 26B-1.

7.6 STREET NETWORK

The exact layout and alignment of the Residential Precinct's internal street network cannot be determined until detailed earthwork design is completed as part of the subdivision preparation and it is proposed that this detail will be locked in through the subdivision consent process. The Structure Plan map therefore shows an indicative alignment for the main collector roads, but the level of detail of the minor residential streets is not shown. The two road entrances from Puketitiri Road into the Residential Precinct are shown on the Structure Plan map in their intended locations as per the descriptions in section 5.1 of the AEE above.

⁵³ Ibid (Page 12 & Figure 7)

⁵⁴ Ibid (Page 12 & Figure 8)

⁵⁵ *Proposed Mission Special Character Zone – Recreation and Open Space Assessment*, Isthmus, May 2017 (Pages 7 & 8)

The street network will be an important component of the character of the proposed residential development as is described in the Isthmus Report⁵⁶:

The street network is to respond to the topography in a similar manner to streets on Napier Hill, mostly following ridges and contours. The streets are a key element of the special character envisaged for the Residential Precinct, picking up on such idiosyncrasies of Napier hill as:

- > *Distinctive intersections.*
- > *Non-standard cross sections (footpaths on one side, irregular parking bays fitted to the topography).*
- > *Retaining walls faced in limestone.*
- > *Narrow carriageways (especially away from the principal streets).*
- > *Garaging close to the street in those instances where it can contribute to streetscape.*
- > *Avoidance of standard nature strips and footpaths – instead relying on sloping berms, informal street trees, and trees on adjacent properties and reserves.*

With regard to the plan change this street character is proposed to be implemented by Structure Plan Design Outcome 4. It is important to note however that appropriate and safe engineering design of the street network is also required by Design Outcome 5. Where the standards of the District Plan's Code of Practice for Subdivision and Land Development are unable to be met in implementing the proposed design, this will be justified in regards to traffic safety through a comprehensive design and access statement for the street network at the time of subdivision. This approach is provided for by proposed policy 51b.3.5 which requires general consistency with the district plan rules and conditions but allows for deviation from these where appropriate to achieve the objectives and implement the policies of the Mission Special Character Zone.

7.7 STREET BLOCKS AND LOTS

The intent of the street block design and allotment layout is set out in the Isthmus report⁵⁷ as follows:

The principal pattern envisaged is of relatively deep blocks between streets following ridges or contours. Such a pattern fits the topography and is also a characteristic of much of Napier hill. A likely outcome of deep lots on steep slopes is bands of vegetation between houses (see Figure 13 of Isthmus Report).

Lot width (and therefore size) is to be varied to accommodate different house types – for instance family homes and narrow town-houses within the same street. Larger lots would be on prime sites and prominent locations (to set the tone for the development). Smaller lots would be scattered to increase density but avoid homogeneity.

This matter is important in regard to establishing and maintaining an appropriate character for the residential development, consistent with the objectives of the Mission Special Character Zone. Again, there is a corresponding Design Outcome, DO6 listed in the Structure Plan to provide certainty that this design will be achieved. As explained above

⁵⁶ Ibid (Page 14 & Figures 11 & 12)

⁵⁷ Ibid (Page 14 & Figures 13 – 15)

regarding the street layout, until the detailed earthworks design has been completed at the time of subdivision preparation, a block and lot layout cannot be proposed with any certainty. That is why minor streets and lot layouts are not shown in the structure plan.

The proposed Structure Plan design outcome approach maintains flexibility for the future residential development street and lot layout to be designed upon completion of the earthworks design and to have regard to the detailed design of the utility services but provides certainty as to the outcomes that the development must achieve. The consideration of the proposed Mission Special Character Zone objectives and policies by any subdivision application will also assist in providing this certainty (and policy 51b.4.2a) & c) in particular).

7.8 DESIGN MANUAL

A design manual is required to be submitted with the first subdivision consent for development within the Residential Precinct by Structure Plan Design Outcome 7. The intent of the design manual is explained in the Isthmus report⁵⁸ as follows:

The Design Manual will address development of individual lots including:

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

House design and appearance (e.g. the Design Manual is to set out themes characteristic of Napier houses; design principles such as variety, use of materials characteristic of the area, and modelling of façade and roof forms to create interest to streetscape).

Garaging (including avoidance of visual dominance of garage doors, maximum garage door width as proportion of house width, setbacks from the street, – but also including instances where garages may be appropriate close to street boundary as part of the distinctive character of the precinct).

Landscape design (including street fencing, contribution of trees in front yards to streetscape, suitable species for conditions and character).

Liveability (including design for winter sun and summer shade, passive heating and cooling, privacy, outdoor connection, energy and water conservation).

The design manual will need to achieve Structure Plan Design Outcome 7 in regard to its content. The proposed design manual will be an important tool in ensuring that the desired character and amenity of the Residential Precinct is achieved. In terms of development on individual residential lots, it is proposed (as is referenced in Design Outcome 7) that the building design process will be administered by Marist Holdings Ltd (to ensure that the design of each dwelling is in accordance with the design guide) as a condition of subdivision consent enforced by consent notice. Napier City Council would need to certify that the condition had been met at the time that building consent is sought for each dwelling, in satisfying that all relevant resource management matters have been satisfied as part of the building consent process.

7.9 NEIGHBOURHOOD CENTRE

⁵⁸ Ibid (Pages 15 & 16)

The location of a Neighbourhood Centre is marked on the Structure Plan map adjacent the first internal street intersection within the Residential Precinct. This will ensure that it is passed by the majority of traffic entering and leaving the Residential Precinct. The intent of the Neighbourhood Centre is explained in the Isthmus Report⁵⁹ as follows:

Provision is made for a neighbourhood centre at the intersection of the spine roads near the entrance to the community (See Figure 11). Such a location is central to the street network and will be passed by all residents as they enter or leave. The provisions allow for local convenience shopping (e.g. dairy), food and beverage (e.g. café / bar), personal services (e.g. hair dresser), and small offices – as may typically be found in local shopping areas.

It is also a suitable location for a cluster of higher density housing, such as 'loft apartments', to reinforce the variety of the Residential Precinct and help support the neighbourhood centre.

In terms of the proposed district plan provisions, Structure Plan Design Outcome 9 sets out the expectations for the design of buildings within the neighbourhood centre. Rule 51b.78 provides for commercial activities within the neighbourhood centre subject to 'Restricted Discretionary Activity' resource consent (with no public notification or requirement to serve notice), subject to a number of conditions. These include a height limit of 12m to enable up to three stories and residential apartments above ground floor level along with conditions to ensure an appropriate urban design.

In the medium to long term the neighbourhood centre will be important in providing a focal point for the community.

7.10 BOUTIQUE HOTEL AREA

The Structure Plan map denotes an area around the existing Mission Estate buildings as 'Boutique Hotel Area'. The purpose of this area is to enable the establishment of tourist accommodation as is explained in the Isthmus Report⁶⁰:

The purpose of the 'Landscape – Visitor Precinct' is to maintain the backdrop landscape to Greenmeadows, and to enable the ongoing enhancement of the visitor activities associated with the Mission...

Three types of accommodation are envisaged.

- *Continued use of existing accommodation at Maryknoll and the 'Farmhouse'.*
- *A boutique hotel on the terrace adjacent to the Grande Maison. The location envisaged is the existing unused accommodation buildings from the former seminary which could be re-furbished or re-built (see Figure 1). There would be a synergy between such accommodation and existing activities such as the restaurant and catering, conference facilities, and use of the Mission for weddings.*
- *Smaller 'art cabins'...*

The Landscape and Visitor Precinct includes a specific Restricted Discretionary Activity rule: 51b.42 'Commercial Activities associated with the Mission Estate Winery, including Hotel Accommodation and on licence facilities, within area identified on Structure Plan Map in Appendix 26B' (with no public notification or requirement to serve notice). Structure Plan Design Outcome 18 provides assessment criteria for a 'Boutique Hotel' and

⁵⁹ Ibid (Page 15)

⁶⁰ Ibid (Page 13 and Figure 9)

‘Commercial Activities Associated with the Mission Estate Winery’. This design outcome seeks to protect the status and visual integrity of the Grande Maison building, preventing any new buildings in front of this iconic building or from affecting the visual prominence of this building. These provisions also seek to implement proposed policy 51b.4.4.

As there is a degree of subjectivity in the assessment of these matters regarding visual and landscape effects, it is appropriate that these activities are subject to resource consent. Balance is achieved in providing a degree of certainty that such development can occur with the non-notification status of the resource consent.

7.11 ART CABINS

The Structure Plan map identifies an ‘Art Cabin Area’ along the lower slopes of the eastern hill face (see Figure 11 above or Appendix 26B-1 of the Plan Change). The intent of providing for ‘Art Cabins’ is explained in the Isthmus Report⁶¹ as follows:

Smaller ‘art cabins’ offering unique experience of different settings. An archetype is the Treehotel in Sweden. They are envisaged as an adjunct to the boutique hotel – for instance guests would walk to the ‘art cabins’ and make use of the restaurant. Each would be in a separate setting, and designed to engage with the setting. Likely settings are within the woodland or at the edge of the vineyard. The zone in which they would be permitted is limited to the lower slopes of the eastern hills and the western edge of the vineyard.

The small size and discrete individual location of these Art Cabins is important to ensure that potential effects on the Mission landscape are avoided. As such, a separate district plan definition is proposed to distinguish them from general ‘Travellers’ Accommodation’ as follows:

Art Cabin: Means a standalone self-contained single unit accommodation BUILDING within the Landscape and Visitor Precinct of the Mission Special Character Zone, principally used for the day-to-day accommodation of travellers for not more than 50 days in any twelve month period by any given individual, and includes access to the licensed services which are provided on the SITE.

Art Cabins are provided for by Rule 51b.41 of the Landscape and Visitor Precinct as a ‘Restricted Discretionary Activity’ (with no public notification or requirement to serve notice), subject to a number of conditions. These conditions include a maximum floor area of 80m², a minimum separation distance from each other of 50m and a maximum of 10 separate cabins. The assessment will be subject to Structure Plan Design Outcome 19.

This rule structure, including a requirement for resource consent seeks to ensure the balance sought by the objectives of the zone in protecting its landscape character values while enabling greater tourism opportunities, can be achieved.

7.12 PROMINENT VISUAL DEVELOPMENT AREAS

This is an area identified on the Structure Plan map east of the main ridge line and currently visible from Church Road. This area will be screened from Church Road in time by the proposed woodland plantings. Until these plantings establish and mature however they will not provide a full screening function. For this reason, residential activities (or

⁶¹ Ibid (Page 13 and Figures 9 & 10)

dwelling) within the area identified on the map require controlled activity resource consent under Rule 51b.75 of the Residential Precinct. Discretion is restricted to ensuring the visual integrity of the eastern hill face as viewed from Church Road. The conditions in the rule require cross section diagrams to demonstrate that buildings will be screened from view by the plantings (as at the time that consent is applied for).

The background to the Prominent Visual Development Area rule is explained in the Isthmus Report⁶²:

The principle is that houses will not be visible on the skyline in views from Church Road. Such houses are to be screened by topography or the woodland. This is demonstrated by cross section analysis and illustrated by before and after photomontages from representative viewpoints on Church Road and Prebensen Drive. The principle would be given effect to by precise location of houses as part of subdivision consent.

This resource consent requirement enables consideration to be given to ‘the precise location’ of future dwellings as referred to above. It also implements policy 51b.5.1.

7.13 PUKETITIRI ROAD BUFFER

The Isthmus report identifies the need for specific screening plantings adjacent Puketitiri Road in association with the off-road path proposed to run parallel to that road as follows⁶³:

Amenity values from Puketitiri Road will be maintained by the reserve strip and path proposed along the boundary. The strip is to provide for a path that links to the wider path network, and which may be used as a bridle path in recognition of existing riding of horses in the area. It will provide a buffer between the road and housing in the Residential Precinct. The buffer is illustrated by indicative cross sections – noting that the precise cross sections will depend on the bulk earthworks within the Residential Precinct.

Certainty that this intent will be implemented is provided by Structure Plan Design Outcome 11 ‘Puketitiri Road Buffer Strip’ and policy 51b.4.2.f).

⁶² Ibid (Page 18, Figures 18 – 26).

⁶³ Ibid (Page 20 & 21, Figure 31 & 32)



8. EXPLANATION AND APPRAISAL OF PLAN CHANGE

8.1 NEW SPECIAL CHARACTER ZONE

8.1.1 Explanation

A description of the proposed Mission Special Character Zone is provided in section 3 above. In summary it is a bespoke district plan zone with its own new zone chapter and provisions supported by a structure plan. As explained above, to ensure integrated and sustainable management of the different natural and physical resources within the zone it is divided into four separate precincts to which different district plan rules apply. These precincts are summarised below.

8.1.2 Objectives and Policies

The direction for the Mission Special Character Zone is set by its objectives and policies. These components of the plan change are listed and evaluated in the separate Section 32 evaluation⁶⁴ so no further explanation is provided here. For completeness however the three objectives of the proposed Mission Special Character Zone are listed as follows:

Objective 51b.3⁶⁵

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

Objective 51b.4

To enable the use and development of the Mission Special Character Zone and to provide new residential and greater tourism and recreational opportunities, while avoiding, remedying and mitigating adverse effects on the environment.

Objective 51b.5

To retain and enhance the contribution of the eastern hill face backdrop to the Mission's significant landscape character.

8.2 RESIDENTIAL PRECINCT

The Residential Precinct at 135ha in area is considerably larger than the existing Western Hills Residential Zone with an area of 51ha. This is slightly deceptive however as significant proportions of this precinct will not be developed for residential housing and will be left as reserves to provide for the low impact stormwater network, including wetlands, as well as walkways. Other residue areas not considered appropriate for residential development and not required for reserves or stormwater management, are proposed to be subject to the Rural Residential Precinct provisions which would allow for stock grazing or provide for subdivision creating sites with a minimum site area of 5,000m² with a 1.5ha average (although there is only likely to be a yield of several such sections) within this residue area.

⁶⁴ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017 (sections 2.0 – 4.1).

⁶⁵ As per the numbering used in the Mission Special Character Zone Chapter of the plan change.

The district plan provisions for the Residential Precinct are loosely based on the existing Western Hills Residential Zone, but some important differences are proposed so as to both achieve a more desirable residential character based on a modern take of Napier Hill, and to retain more flexibility in subdivision design and layout. The proposed Residential Precinct is also designed with the intention of reducing the necessary volume of earthworks that will need to be undertaken in comparison to the existing Western Hills Residential Zone. Table 2 below summarises the key differences between the existing Western Hills Residential Zone and the proposed Residential Precinct of the Mission Special Character Zone.

Table 3 – Differences between the Western Hills Residential Zone & the Residential Precinct

District Plan Provision	Existing Western Hills Residential	Proposed Residential Precinct
Subdivision minimum lot sizes	Development Area A = 250m ² Development Area B = 1500m ² Development Area C = 200m ² Development Area D = Refer to Rural Residential Zone	250m ² within the area identified on the Appendix 26B Structure Plan as 'Indicative Urban Residential Development Extent'.
		For the remainder of the Residential Precinct the Rural Residential Precinct subdivision rules shall apply (5,000m ² minimum & 1.5ha average) (although as noted above such subdivision would form a very minor proportion of the total section yield from the Residential Precinct).
	Comment- A flat 250m ² minimum provides flexibility for the intended variety of lot sizes. There may not be many lots as small as 250m ² , although this provides for some terraced town housing style development.	
Front Yard building setbacks	Garages 5m, other buildings 6m	5m on the main collector road, 3m on other roads, with exemptions for entrance porches and balconies to intrude into the front yard. Opportunity for consent for garages to locate up to the front boundary where justified by typography.
		Comment - Modern subdivisions with minimum setbacks similar to those applying to the Western Hills Residential Zone can result in a streetscape dominated by double garage doors. The combination of more flexible rules and the intended building design guide, seek to avoid this and create a high amenity street scape.
Landscaped Area	All sites must have a landscaped area not less than 30% of the net	All sites must have a landscaped area not less than 30% of the net

District Plan Provision	Existing Western Hills Residential	Proposed Residential Precinct
	<p>site area, except that:</p> <p>i) Within Development Area B, all sites must have a landscaped area not less than 50% of the net site area.</p> <p>ii) All sites adjacent to Puketitiri Road (Development Area B) must have a minimum of 50% of the net site area planted in trees and other vegetation. Such trees and other vegetation must be of a species that when mature, have the potential to grow to at least 6 metres in height.</p>	<p>site area.</p>
	<p>Comment – The additional Western Hills provisions applying to ‘Area B’ were designed to ensure a lower density and more landscaping adjacent to Puketitiri Road to mitigate visual effects when viewed from that road and nearby properties. The proposed plan change rather proposes to soften the development edge with Puketitiri Road through the ‘bridle path’ and associated landscaping fronting the road, therefore addressing the mitigation responsibility in the public space.</p>	
Fences	<p>a) Any fence erected within a front, side or rear yard must not exceed 2 metres in height.</p>	<p>a) Any fence erected within a front yard shall not exceed 1.2m in height;</p> <p>b) Any fence erected within a side or rear yard must not exceed 2 metres in height.</p>
	<p>Comment – Although front fences can also be controlled through developers’ covenants, it is not appropriate for the district plan to enable 2m high fences to be erected along front boundaries when other provisions are seeking to create an attractive street scape.</p>	
Additional Provisions	<p>The proposed Residential Precinct would provide for residential development east of the main ridgeline on the hill tops, which is not provided for under the current zoning. The landscape effects of such development on the ridge are proposed to be mitigated by screening as viewed from Church Road by the woodland planting. To provide additional certainty in mitigating the effects of such development, controlled activity resource consent is proposed to be required for building development east of the ridgeline (see 7.12 above) with the matters of assessment restricted to the visibility of the proposed buildings from Church Road.</p> <p>Provision for commercial buildings and activities in the ‘neighbourhood centre’ (as shown on the structure plan map) is also made. Such buildings would require resource consent in terms of building design.</p>	

8.3 LANDSCAPE AND VISITOR PRECINCT

This precinct is important to ensure that the Mission's significant landscape values will be retained and enhanced as sought by the objectives of the Zone. In providing certainty of landscape effects, subdivision of this area is not provided for in the proposed plan rules. If subdivision was necessary to achieve an outcome consistent with the objectives and policies of the zone a non-complying activity resource consent could be applied for. The application would need to demonstrate that it was consistent with the objectives and policies of the plan.

The rules for the Landscape and Visitor Precinct are designed to enable expansion of Mission Estate's hospitality, accommodation and entertainment offerings. Provision for 'Art Cabins' and a 'Boutique Hotel' is made, as discussed under sections 7.10 and 7.11 above. They would be subject to resource consent with building design and location within the landscape being the primary matters of assessment. Provision is also provided for the expansion of the existing commercial operations (within the same area identified on the structure plan as for the boutique hotel as is also explained under 7.10 above).

Regarding entertainment, the proposed rules (Rule 51b.33) enable the establishment of permanent structures for the concert venue as a permitted activity subject to conditions, including the location within the existing venue area as identified on the structure plan map. The current district plan 'temporary event' rules do not provide for this as a temporary activity.

8.4 RURAL RESIDENTIAL PRECINCT

As can be seen from the Structure Plan Map in Figure 11 above, the proposed Rural Residential Precinct covers two separate areas of the Zone: a larger area in the southwestern corner which includes the existing pine plantation; and a smaller area at the southern extent of the Church Road frontage, which includes both the Mary Knoll retreat buildings and the cluster of buildings around the woolshed, including the farm house accommodation.

The proposed Rural Residential Precinct rules do largely reflect the existing Rural Residential Zone rules, including the 5,000m² minimum / 1.5ha average site size rules for subdivision. Subdivision not meeting the minimum site size rules are provided for as a discretionary activity as per the current District Plan in regard to the Rural Residential Zone on the MHL property.

In providing for the efficient use and development of existing physical resources and in achieving the objectives of the zone relating to greater tourism opportunities, specific rules are provided to enable the upgrading and development of the Mary Knoll accommodation and retreat facility, while a restricted discretionary activity rule provides for the reuse of the woolshed and surrounding buildings for commercial activities (which could also include travellers' accommodation).

8.5 PRODUCTIVE RURAL PRECINCT

This is the area currently occupied by the existing vineyard and wine production facility. This precinct is important in ensuring that the Mission's significant landscape values will be retained (particularly in regard to the view from Church Road) and that the versatile land resource is not lost to urban encroachment, as sought by the objectives of the Zone.

To a large extent the existing 'Main Rural Zone' rules have been rolled over to continue to apply to this precinct, including provision for 'Rural Processing Activities' as a permitted activity. This would enable any future expansion of the winery facility. An exception to this is the subdivision rules, whereas for similar reasons to the Landscape and Visitor Precinct, no minimum subdivision rules are provided (the existing provisions allow subdivision to a minimum of 4ha). Again, subdivision would still be possible as a non-complying activity if it could be justified as being consistent with the objectives and policies of the district plan.

There are some differences proposed in comparison to the Main Rural Zone, which only allows for up to 80m² of building area for 'travellers' or 'seasonal workers' accommodation. A permitted floor area of 200m² is proposed for these activities in the Productive Rural Precinct in the plan change. This is due to the large size of this precinct and the lack of provision for the future subdivision of it. A less restrictive building site coverage rule is also proposed for these reasons (10% of site area as opposed to a maximum allowable building coverage of 2,500m²).

As with the Rural Residential Precinct some specific provision is also made for the reuse of existing buildings for commercial activities associated with the winery. This would for example, allow the winery barrel room to be used for hospitality purposes.

8.6 OTHER POINTS OF DIFFERENCE

8.6.1 Esplanade Reserve Requirements

The current district plan provisions require a 20m esplanade reserve to be vested in Council along the banks of the Taipo Stream upon any subdivision of the property. The plan change seeks to remove this rule from applying within the Mission Special Character Zone on the basis of the public access and amenity enhancements provided by the proposed walkways and woodland planting. The plan change justifies this through the following policy and reasons:

Policy 51b.4.3 Within the Productive Rural Precinct

c) To provide for public access via walkways through the Zone and around the Productive Rural Precinct, rather than by reducing the productive use of the versatile soils by requiring esplanade reserves adjacent the banks of the Taipo Stream through the midst of this Precinct.

Principal Reasons for Adopting Objective and Policies ...

Policy 51b.4.3 c) is implemented though the esplanade reserve requirements in the Code of Practice for Subdivision and Land Development and avoids the health and safety and reverse sensitivity concerns of providing public access via 20m wide esplanade reserves through a working vineyard, particularly when no subdivision and development of that vineyard is proposed. Public benefit will still be accrued by the woodland planting of the eastern hill face

improving water quality entering the Taipo Stream and in regards to public access by the series of walkways proposed across and through the Mission Special Character Zone.

It is noted that Design Outcome 21 provides for a 6m wide maintenance easement along the banks of the Taipo Stream to enable the Napier City and or Hawkes's Bay Regional Council to access the stream for maintenance purposes, but for the reasons explained above does not provide for public access.

8.6.2 Exemption from Engineering Code of Practice Requirements

One of the reasons why MHL has not implemented the existing Western Hills Residential concept plan is the minimum road width and formation requirements of the Code of Practice for Subdivision and Land Development, which would necessitate significant volumes of earthworks to be undertaken. An ability to deviate from the Code where justified via a comprehensive design and access statement for the roading network is set out in the Mission Special Character Zone Structure Plan Design Outcomes 4 and 5 proposed as part of the plan change. The following reason is provided in the plan change for this approach:

In regard to the Mission Special Character Zone, the Structure Plan in Appendix 26 also includes 'Design Outcomes' which help define the intentions of the Structure Plan. In some instances the 'Design Outcomes' of the Structure Plan are required to be achieved as an alternative to meeting the Code of Practice for Subdivision and Land Development. In these instances the Design Outcomes are considered to be more appropriate to ensuring that the Special Character of the Zone can be maintained and enhanced as opposed to the more general Code of Practice standards which would dilute this character to be similar to other new subdivision areas around the City.

In general, the Structure Plan Design Outcomes therefore allow for the streets to be narrower and steeper (where necessary in response to topography) than would otherwise be required by the NCC Code of Practice, to be more in keeping with the character being sought. Traffic safety will still be provided for by incorporating design features to reduce traffic speeds, and in achieving this, the street design would need to be consistent with the recognised national standard NZS4404 'Land Development and Subdivision Infrastructure'.

8.7 FINANCIAL CONTRIBUTIONS

As a greenfield growth area (replacing the existing Mission Heights) subdivision within the Residential Precinct of the Mission Special Character Zone is subject to District Plan Chapter 65 'Financial Contributions'. A reassessment of the 'per lot' financial contributions compared to the existing Western Hills Residential Zone has been made and has resulted in the 'local off-site contributions' being reduced (due to a change in the proposed connection to the public wastewater system. It has also resulted in an acknowledgement that the reserves contribution has been met by the proposed contribution of land reserves.

Financial contribution assessments are contained in a report and further information response from Surveying the Bay are attached in Appendix H as is the notes from a meeting between Napier City Council and MHL representatives. The final content of the

Financial Contributions for the Mission Special Character Zone are incorporated into the amendments requested to Chapter 65 in the plan change documents.

9. ASSESSMENT AGAINST REGIONAL POLICY STATEMENT

As established under section 4.5 above, part of the MHL property is identified as being within an appropriate greenfields residential growth area in the RPS.

9.1 POL UD8 DENSITY OF RESIDENTIAL DEVELOPMENT AREAS

Policy UD8 requires the average section yield to achieve a minimum density of 15 dwellings per hectare. The relevant portions of this policy are set out as follows:

In the Heretaunga Plains sub-region, residential subdivision and development shall seek to achieve the following minimum net densities, where appropriate, within greenfield growth or intensification development areas, to be achieved in a staged manner by 2045:

- a) *an average yield of 15 lots or dwellings per hectare in each greenfield growth area developed post 31 December 2015; ...*

This policy recognises that land within greenfield residential areas should be treated as an important natural resource and be utilised as efficiently as possible. Although the proposed Residential Precinct of the Mission Special Character Zone is a relatively large area at 142ha, only a portion of it, estimated at 43ha, is identified for urban development on the Structure Plan. The proposed minimum subdivision site size enables the flexibility to utilise this land efficiently, although given the topographical constraints of the site and the design intent to provide a variety of lot sizes, achieving an average yield of 15 dwellings per hectare within the identified urban development area may be unrealistic. Nevertheless, achieving the intent of this policy, in efficiently utilising greenfield development areas is sought by the Mission Special Character Zone.

9.2 POL UD10.3 STRUCTURE PLANS

Policy 10.1 of the RPS requires that comprehensive structure plans are to be prepared for the development of greenfield growth areas. The Structure Plan Map proposed as Appendix 26-1 to the District Plan achieves this policy. Policy 10.3 stipulates specific matters that a structure plan is required to address and is as follows:

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

- a) *Be prepared as a single plan for the whole of a greenfield growth area;*
- b) *Be prepared in accordance with the matters set out in POL UD12;*
- c) *Show indicative land uses, including:*
 - i. *principal roads and connections with the surrounding road network and relevant infrastructure and services;*
 - ii. *land required for stormwater treatment, retention and drainage paths;*
 - iii. *any land to be set aside for business activities, recreation, social infrastructure, environmental or landscape protection or enhancement, or set aside from development for any other reason; and*
 - iv. *pedestrian walkways, cycle ways, and potential public passenger transport routes both within and adjoining the area to be developed;*
- d) *Identify significant natural, cultural and historic or heritage features;*
- e) *Identify existing strategic infrastructure; and*

f) Identify the National Grid (including an appropriate buffer corridor).

In providing a check list of these matters the following points are noted:

- In the case of the Mission Special Character Zone the structure plan covers the whole zone which includes the full area set aside for residential development within the Residential Precinct.
- The matters in UD 12 are considered below.
- The principle roads and their connection points with Puketitiri Road are shown. Other utility infrastructure are depicted in the separate structure plan maps in Appendix 26C, D and E in regards to water supply, wastewater and stormwater network respectively. Stormwater features are also shown on the Structure Plan map in Appendix 26B.
- Land set aside for business activities is identified on the Structure Plan map as the 'Neighbourhood Centre'. Recreation features in terms of the path network are also shown on this map, as are areas identified for revegetation. The proposed reserves to be vested however are easier to discern on Structure Plan Map Appendix 26B-2.
- In regard to potential public transport passenger routes, reference is made to a potential bus route in the Isthmus Report and shown on the Structure Plan map. As this matter has not been mentioned elsewhere in this report, the reference in the Isthmus report⁶⁶ is provided as follows:

It will, however, not be well served by the existing bus network, being typically in the order of 1.3km – 2km from route 13 on Church Road – Wharerangi Road. Routes might evolve following development. A route along Church Road and Prebensen Drive, for instance, would be a more reasonable 800m walk from the Residential Precinct's neighbourhood centre. The two entrances to Puketitiri Road would also enable a circular bus route connecting through the Residential Precinct.

- The Mission Special Character Zone Structure Plan – Map of Archaeological Sites (Appendix 26F) identifies the archaeological features within the zone, these are also referenced on the main Structure Plan map (Appendix 26B). In terms of other heritage features, there are no Heritage items within the Zone identified within Appendix 13 of the District Plan, but the remains of the Kennedy observatory is referenced on the Appendix 26F Map of Archaeological Sites (as V21/375) and the Grand Maison building is identified on the main Structure Plan map.
- In terms of strategic infrastructure, the Unison 33kv transmission line is identified on the main Structure Plan map, while the relevant water and wastewater networks are identified in Appendix 26C and D respectively.
- There are no National Grid lines within the Mission Special Character Zone.

⁶⁶ Ibid (page 16)



9.3 POL UD10.4 MATTERS TO BE ADDRESSED BY STRUCTURE PLAN SUPPORTING DOCUMENTS

In assessing the proposed plan change against this policy, each component of the policy is quoted in italics followed by an assessment in normal font.

POLUD10.4 Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:

- a) *The infrastructure required, and when it will be required to service the development area;*
- b) *How development may present opportunities for improvements to existing infrastructure provision;*

Regarding both a) and b) the necessary infrastructure is outlined in section 5 of this report above (Assessment of Effects on the Environment) and in the Strata Group Engineering Services⁶⁷ and TDG Traffic reports⁶⁸ and responses to further information prepared in support of this plan change. In terms of b) this proposed plan change presents opportunities for improvements to the existing walkway / cycleway networks as discussed previously in this report.

- c) *How effective provision is made for a range of transport options and integration between transport modes;*
- d) *How provision is made for the continued use, maintenance and development of strategic infrastructure;*

The extensive pathway network enables use of passive transport options and as explained above the street network would enable a future bus route. With regard to strategic infrastructure, engineering advice and consultation with Napier City Council has determined the most appropriate locations for the two proposed intersections with Puketitiri Road to ensure that the efficiency and safety of that road is maintained. This consultation has ensured that the location for the secondary access (the furthest west) on to Puketitiri Road has been determined in consideration of the plans for the future upgrading of this section of the road.

- e) *How effective management of stormwater and wastewater discharges is to be achieved;*

This is explained in section 5.3 of this report above and in the Strata Group Engineering Services report⁶⁹.and further information response.

- f) *How significant natural, cultural and historic or heritage features and values are to be protected and/or enhanced;*

As explained throughout this report the natural feature of the eastern hill face is to be enhanced with woodland planting and the west facing valleys are also to be revegetated as shown on the Structure Plan map. An explanation of the mitigation of effects on cultural

⁶⁷ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier, Strata Group Consulting Engineers, December 2016*

⁶⁸ *Marist Holdings Limited, The Mission Special Character Zone, Transportation Report, TDG, November 2016*

⁶⁹ *Engineering Assessment, The Mission Special Character Zone, Puketitiri Road, Napier, Strata Group Consulting Engineers, December 2016*

and heritage features is provided in section 5.6 and 5.7 of this report above and in the Architage Archaeological AEE⁷⁰.

g) How any natural hazards will be avoided or mitigated; and

An assessment of the potential effects of natural hazards is provided in section 5.5 of this report above.

h) Any other aspects relevant to an understanding of the development and its proposed zoning.

The AEE section of this report also provides explanations of the proposed zoning regarding 'landscape and amenity' (section 5.4), 'versatile land' (section 5.8) and 'economic benefits and costs' (section 5.9).

9.4 POL UD12 MATTERS FOR DECISION MAKING IN ASSESSING REZONING & STRUCTURE PLANS

Policy UD12 of the RPPS is set out as follows:

POL UD12 In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities^{1f} shall have regard to:

- a) The principles of the New Zealand Urban Design Protocol (Ministry for the Environment, 2005);*
- b) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;*
- c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*
- d) Location within walkable distance to community, social and commercial facilities;*
- e) Provision for a range of residential densities and lot sizes, with higher residential densities located within walking distance of commercial centres;*
- f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;*
- g) Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;*
- h) Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features;*
- i) Provision for a high standard of visual interest and amenity;*
- j) Provision for people's health and well-being through good building design, including energy efficiency and the provision of natural light;*
- k) Provision for low impact stormwater treatment and disposal;*

⁷⁰ Archaeological AEE Report to Marist Holdings (Greenmeadows) Limited with regard to Proposed Mission Special Character Zone, Architage Heritage Consultancy, November 2016

- l) *Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;*
- m) *Avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure, to the extent reasonably possible;*
- n) *Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;*
- o) *Location and operational constraints of existing and planned strategic infrastructure;*
- p) *Appropriate relationships in terms of scale and style with the surrounding neighbourhood; and*
- q) *Provision of social infrastructure.*

A comprehensive response to each of these matters is provided within Appendix 1 of the Isthmus Report⁷¹ as attached as Appendix A to this Report. This response is referred to for an outline of the proposals consistency with UD12, rather than being repeated here. Additional comments are however offered below in regard to where the matters in policy UD12 are specifically addressed by provisions in the proposed plan change.

Regarding b) and NZS4404 it is noted that Structure Plan Design Outcome 5 requires a comprehensive design and access statement for roading to be submitted with subdivision consent applications for development within the Residential Precinct. This statement is required to identify areas of non-compliance with the District Plan's Code of Practice for Subdivision and Land Development, and justify how the proposed design is acceptable, including by verifying compliance with NZS4404. In this regard the plan change is seeking to give effect to the RPS in providing for some flexibility under the existing District Plan regarding engineering design.

Regarding e) and providing for higher densities within walking distances of commercial centres, restricted discretionary activity Rule 51b.78 provides for up to two floors of residential apartments to be established above ground floor commercial activities in the 'Neighbourhood Centre'. The subdivision provisions in applying a minimum site area of 250m² throughout the Residential Precinct also provides the flexibility to provide for higher densities of residential development near to the neighbourhood centre.

Regarding h) and the 'protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features' the response provided to policy UD10.4f) applies as listed under section 9.3 of this report above.

Clauses l) and m) relate to reverse sensitivity in terms of conflicting land uses and strategic infrastructure respectively. The main potential for conflicting land uses from proposed residential or rural residential development is with nearby farming, horticultural or viticultural activities. This matter has been discussed on pages 29 & 30 of this report above in regard to objective 13 of the Code of Practice for Subdivision and Land Development. In brief the most versatile intensively used land to the proposed residential

⁷¹ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018.

and rural residential development is the Mission vineyards, which will be vertically separated by the hill and buffered by the proposed woodland planting of the eastern hill face. There will also be an interface with the pastoral farm land on the property to the west. A walking track and vegetation buffer between this zone boundary and the residential development is proposed as can be seen in both Figures 4 and 11 above and in the proposed district plan structure plan maps Appendix 26B-1 (which identifies a 20m buffer of reserve between the western boundary and the indicative road) and 26B-2. The matter of reverse sensitivity is also addressed in the proposed district plan provisions, specifically: issue 51b.2.4, policy 51b.4.2(f), and the matters that Council reserves its discretion to, for the Rules applying to the Productive Rural, Rural Residential and Landscape and Visitor Precincts.

In terms of conflicting land uses with strategic infrastructure, this is unlikely to arise from the proposed development. With regard to the principle roads adjacent to the proposed new zone, residential development is set well back from Church Road and will be buffered from Puketitiri Road by the proposed Puketitiri Road Buffer Strip Reserve.

The only other network infrastructure of note is the Unison 33Kv transmission lines that skirt the eastern fringe of the proposed residential precinct. MHL may arrange for this transmission line to be undergrounded at the time of development (this would be a permitted activity under Rule 53.6). In the event that this does not occur, the transmission line is identified on the structure plan (proposed Appendix 26B-1) as can be seen in Figure 11 above and its presence will be obvious to any prospective purchasers. This transmission line is not part of the National Grid so there are no district plan setback rules that apply. Further to this at 33Kv the lines do not meet the 110Kv definition of a high voltage line in the District Plan to which specific subdivision assessment criteria apply⁷². The main effect from such lines is therefore visual, which MHL will need to manage in subdivision design from a commercial perspective to ensure that the value of the new sites created is not diminished by the proximity of the 33Kv lines in relation to the potential building platforms and outlook.

All of the other matters to be had regard to in policy UD12 of the RPS are specifically addressed in the Isthmus Report as mentioned above, and have also been covered by the information provided within this report.

Given the above, the proposed plan change is generally consistent with and gives effect to the relevant objectives and policies of the RPS.

⁷² Code of Practice for Subdivision and land Development, Part A, Assessment Criteria 8.3(f).

10. ASSESSMENT AGAINST PART 2 RMA

This is an assessment of the proposal in terms of its consistency with part 2 of the RMA.

10.1 SECTION 5 PURPOSE

The purpose of the Resource Management Act 1991 (the RMA) is set out in section 5 as follows:

5 Purpose

(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 well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably 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 of activities on the environment.

In terms of section 5(1) the Proposed Mission Special Character Zone has a number of natural and physical resources of significance and these are identified comprehensively in section 2.1 of the separate Section 32 Evaluation⁷³. A summary of these resources is provided as follows:

Natural Resources

- Versatile soils on the flats adjacent to Church Road;
- Identified significant landscape of the undeveloped hill face above flats and terrace;
- Rolling Hill Country forming the bulk of the zone;
- Gullies and valleys of the hill country and ephemeral stream system; and
- The Taipo Stream crossing the vineyard flats.

Physical Resources

- Historic Grande Maison building and other Mission Estate buildings;
- Archaeological Sites;
- Vineyard plantings and wine processing infrastructure and buildings;
- Other primary production buildings, infrastructure and vegetation;
- Mission Concert venue; and

⁷³ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017

- The entrance avenue of Plane trees and other amenity trees.

These natural and physical resources (as set out above) in combination create a character that the provisions of the proposed Mission Special Character Zone seek to maintain and enhance in achieving sustainable management. Some of this character is based on the on-going use and development of the resources of the Zone, such as the historic vertically integrated wine production from the versatile land resource, and the continued use of the Grande Maison and other former seminary buildings for the Mission Estate's hospitality businesses.

The provisions of the proposed Mission Special Character Zone seek to achieve sustainable management by ensuring that the natural and physical resources that provide the Zones special character are retained and enhanced regarding their use, development and protection.

The proposed use and development of the proposed Residential Precinct and the proposed additional visitor accommodation facilities in the Landscape and Visitor and other precincts, enables MHL to provide for their economic well-being by utilising their land resource to a greater potential (the greater potential economic returns of giving effect to this objective are quantified in the ESL Report⁷⁴). This will in turn enable future residents of the Zone to provide for their social, economic and cultural well-being; and for visitors to the Mission Estate facilities and accommodation, and users of the proposed walking tracks and reserves to provide for their social and cultural well-being.

The proposed structure plan and district plan provisions for the Mission Special Character Zone are designed to ensure that this use and development avoids, remedies and mitigates adverse effects on the environment, in achieving the purpose of the Act.

As discussed throughout this report and identified in Isthmus landscape assessment,⁷⁵ the Mission landscape provides an important contribution to the 'special character' of the Zone and has been identified through consultation with Napier City Council as providing a significant contribution to the amenity values of the City. On this basis the proposed woodland planting and protection of the landscape values of the eastern hill face backdrop would contribute to the social and cultural wellbeing of Napier and wider regional community and therefore to sustainable management.

In terms of section 5(2)(a) and (b), the plan change is designed to protect the versatile land resource of the vineyard flats from urban or lifestyle subdivision and development. This is relevant both in terms of (a) regarding the natural resource of the versatile soils meeting the needs of future generations; and (b) in terms of the life supporting capacity of the soil. In terms of safeguarding the life supporting capacity of water and ecosystems the proposed low impact stormwater system and associated plantings in the western gullies and valley's will provide a positive benefit, as will the proposed woodland planting of the eastern hill face.

⁷⁴ *Proposed Mission Special Character Zone – Economic Benefit Assessment*, Sean Bevin, Economic Solutions Limited (November 2016).

⁷⁵ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018.

Given the above assessment and the evaluation of the proposed Mission Special Character Zone objectives in the separate Section 32 Evaluation⁷⁶, the plan change will achieve the sustainable management purpose of the RMA.

10.2 SECTION 6 MATTERS OF NATIONAL IMPORTANCE

Section 6 of the Act 'Matters of National Importance' is set out as follows:

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

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

(g) the protection of protected customary rights.

(h) the management of significant risks from natural hazards.

Each of these matters is commented on briefly as follows, but these matters of National Importance are generally of limited applicability to the MHL property.

Regarding 6(a), the only surface water features to note are the Taipo Stream and the stock watering ponds in the valleys of the western hills. The plan change does not propose any changes to the Taipo Stream or its margins, while natural character will be enhanced with regards to the low impact stormwater management and associated plantings within the Residential Precinct including the valleys of the western hills.

Although the 'Mission Landscape' has been identified as having significant amenity values by landscape architect, Gavin Lister, it is not outstanding in the context of section 6(b) as confirmed by Mr Lister in his report.⁷⁷ Similarly there are no areas of significant indigenous vegetation or habitats within the MHL property in terms of 6(c), given its long-standing viticulture and agricultural use. This is confirmed in the report from Forbes Ecology attached in Appendix I.

Public access along the Taipo Stream (6(d)) is not currently available and as discussed under sections 4.6.3 (objective 4) and 8.6.1 above, is not proposed to be provided in the

⁷⁶ *Mission Special Character Zone – Evaluation under Section 32 of the Resource Management Act 1991*, Mitchell Daysh, February 2017

⁷⁷ *Proposed Mission Special Character Zone – Urban Design Statement + Assessment of Landscape and Visual Effects*, Isthmus, February 2018 (page 25).

future. In lieu of this, public access is to be provided through the new zone connecting existing walkways and providing views, scenery and more useful passive transport connections than that which would be available from an esplanade reserve along the banks of the Taipo stream.

The relationship of Maori with the subject property is discussed under 5.7 above. While there is archaeological evidence of historic Maori activities on the land, no matters of concern regarding section 6(e) have been identified with the proposed plan change and there are not known to be any 6(g) protected customary rights relating to the property. The archaeology, Grande Maison building and remains of the astronomical observatory are examples of historic heritage in terms of section 6(f). As discussed under 5.6 above the plan change seeks to provide for the protection of this historic heritage.

The management of significant risks of natural hazards (section 6(h)) has been addressed under section 5.5 of this report above. Regarding natural hazards the proposed Mission Special Character Zone will provide a significant of area for residential development clear of the coastal, flooding and liquefaction hazards that exist on the flatter low lying areas of Napier.

In summary then those Matters of National Importance that relate to the subject area have been recognised and provided for in the proposed plan change.

10.3 SECTION 7 OTHER MATTERS

With regard to section 7 and 'Other Matters' to be given particular regard, the relevant provisions to the Mission Special Character Zone plan change are listed as follows:

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(i) the effects of climate change:

In terms of 7(b), the proposed zone enables efficient use and development of resources in the following ways:

- The Productive Rural Precinct enables the efficient use of the versatile land resource for productive purposes to continue.
- The Landscape and Visitor Precinct provisions enable the efficient use and development of the eastern hill face and terrace (for art cabins and further development of the Mission Estate hospitality complex) without detracting from the significant amenity landscape value of this area.
- The Residential Precinct provides for an efficient use of the elevated portions of the western hills for residential development in conjunction with the efficient use of the gullies and valley floors for the associated low impact stormwater system.

- The Rural Residential precinct provides for lifestyle residential subdivision and development in a manner consistent with the existing plan.
- The provisions of the Mission Special Character Zone enable existing buildings to be used for commercial activities consistent with the character zone in encouraging efficient uses of existing physical resources.

Regarding 7(ba) and the ‘efficiency of the end use of energy’, the proposed Residential Precinct is well situated in terms of access to the arterial road network via the Church Road / Prebensen Drive / Puketitiri Road roundabout. As with any greenfield residential area it is on the edge of the existing urban area rather than, within it. It could be argued that residential development of the vineyard flats would be more efficient from a transportation energy perspective than the proposed location of the Residential Precinct, which is physically separated from the existing residential edge along Church Road. There are however, important significant landscape and versatile land protection reasons as to why the vineyard flats are best left undeveloped and why the proposed location better achieves sustainable management.

The maintenance and enhancement of amenity values in terms of s7(c) is relevant both in terms of the amenity values of neighbouring residents to the zone and to the amenity within the zone. As explained throughout this report and in sections 4.6.3 (objective 2) and 5.4 in particular, the maintenance and enhancement of the significant amenity landscape values of the Mission landscape is a fundamental premise of the Zone. In terms of future development within the Residential Precinct, the proposed plan change is focused on achieving a residential area of high amenity value as is evidenced by the amenity values sought by the proposed Structure Plan Design Outcomes. Another point to note that will result in the enhancement of amenity values, is the proposed woodland planting of the eastern hill face.

These same matters are also relevant in terms of section 7(f) and the maintenance and enhancement of the quality of the environment. Also, of relevance to 7(f) is the proposed low impact stormwater system based on the gully and valley system of the western hills with wetlands absorbing the stormwater flowing from the Residential Precinct. The proposed plantings within this stormwater system will also add ecosystems that do not currently exist (in the landscape of stock grazing pasture) and will therefore enhance the quality of the environment.

In terms of section 7(g) and the finite characteristics of natural and physical resources, the versatile soils of the vineyard flats are a relevant matter. As discussed through this report the values of this resource are sought to be retained by the proposed plan change.

Finally, in regard to 7(i) and the effects of climate change, the proposed plan change is of significant benefit to the City of Napier in providing a new residential area in an elevated location well clear of the hazards of coastal inundation, tsunami and flooding, all of which are predicted to worsen with climate change. See section 5.5 above for a detailed explanation of natural hazard effects.

10.4 SECTION 8 TREATY OF WAITANGI

Section 8 of the RMA ‘Treaty of Waitangi’, is as follows:

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

Consultation with Mana Ahuriri has been undertaken as detailed in section 5.7 of this report above. A report had been prepared by Dianne Harlow of Architage assessing the potential effects of the Plan Change on archaeological sites and documenting some of the history of Maori settlement in the wider area. The plan change is proposed on the basis that identified archaeological sites will be protected as set out in more detail under section 5.6 above.

11. SUMMARY AND CONCLUSION

The plan change proposed on the MHL property has resulted from discussion with the Napier City Council and agreement that it should address the following four matters: the protection of the Mission landscape; the provision of walking track linkages; connectivity of ecological corridors; and the provision of a different style of residential opportunity.

The proposed Mission Special Character Zone seeks to address these matters by:

- Only providing for residential development on the hills behind the front (eastern) face, hence maintaining the classic Mission landscape as viewed from Church Road and beyond, with the pattern of grapevines on the valley floor, Grande Maison on the terrace, and a replanted woodland backdrop on the hills;
- Providing for walking tracks through the replanted eastern hill face and connecting these tracks to Sugar Loaf, Church Road and Puketitiri Road;
- Replanting of the eastern hill face along with the west facing valleys to provide the desired ecological corridor connectivity; and
- Providing a residential choice not currently being offered in Napier, referencing some of the design cues from Napier Hill while creating a community with its own distinctive character that is in keeping with the Mission's character and values. The proposed residential development is a comprehensive design responsive to the landscape of the site.

The proposed Mission Special Character Zone seeks to provide for the sustainable and integrated management of the various land uses of the MHL property as well as enabling the residential potential of the hill area of the property to be realised (which includes land that has been zoned 'Western Hills Residential' but never developed under that zoning) and for its tourism potential to be further developed. Specifically, the proposed special character zone is to be divided into precincts based on land use capability and landscape and character protection principles, applying different planning provisions as appropriate to the proposed residential development and the remainder of the property.

These consist of the:

- Residential Precinct;
- Landscape and Visitor Precinct;
- Productive Rural Precinct; and
- Rural Residential Precinct.

Under the RMA any plan change is required to be assessed against various statutory instruments. Such an assessment is provided in this report, including an assessment of the proposed variation against:

- Sections 72 – 75 of the RMA
- The relevant high-level objectives and policies of the City of Napier District Plan

- Schedule 1 of the RMA, including: an Assessment of the Effects on the Environment of the proposed Plan Change; a summary of consultation undertaken; and explanation of the proposed structure plan; and an explanation of the new district plan provisions being proposed.
- The Regional Policy Statement (Hawke's Bay Regional Resource Management Plan)
- Part 2 of the RMA

An evaluation of the plan change against Section 32 of the RMA is provided in a separate companion report and should be read in conjunction with this report.

The preceding report demonstrates that the methods and district plan provisions incorporated in the proposed Mission Special Character Zone plan change promotes sustainable management in terms of the purpose of the RMA and is consistent with, or achieves the matters required by, the various statutory instruments, including giving effect to the Regional Policy Statement component of the Hawke's Bay Regional Resource Management Plan.