

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of hearing by Commissioners appointed by the Napier City Council regarding submissions to Plan Change 12 to the City of Napier District Plan

JOINT STATEMENT OF:

MS KIM ANSTEY FOR NAPIER CITY COUNCIL;

MR PHILIP MCKAY FOR MARIST HOLDINGS (GREENMEADOWS) LIMITED; AND

MR GAVIN IDE FOR HAWKE'S BAY REGIONAL COUNCIL

INTRODUCTION

1. At the adjournment of the Hearing on Tuesday 18 September 2018 the Hearing Commissioners issued Minute #4.
2. This Minute has directed that the following persons ('the planners') are to conference and provide the Panel with a single version of the provisions for an esplanade reserve for the Taipo Stream and what would be the trigger, if any, for requiring the establishment of said esplanade reserve:
 - a. Ms Kim Anstey, for Napier City Council
 - b. Mr Philip McKay, for Marist Holdings (Greenmeadows) Limited and
 - c. Mr Gavin Ide, for Hawke's Bay Regional Council.
3. The Minute also directed that the planners' joint statement was to record matters of agreement and/or disagreement.

PLANNER CONFERENCING

4. Following receipt of the Minute, the three Planners agreed that a pragmatic approach would be for Ms Anstey to prepare a draft paper that purports to consolidate the various versions of provisions that had been presented to the Panel during the hearing. Rather than face-to-face conferencing taking place, the planners were able to reach agreement on the provisions via a brief email exchange. This statement subsequently records that agreement.
5. It has been agreed that the following wording is appropriate for an esplanade reserve requirement for the Taipo Stream within the Mission Special Character Zone. Provisions are to be included in Part A6 of the Code of Practice for Subdivision and Land Development¹ and the Structure Plan Design Outcome 22.

Chapter 66, Code of Practice for Subdivision and Land Development

Part A6, Provision 6.1.3 (4)

Amend Provision 6.1.3(4) to read as follows:

4. The esplanade reserves for the Taipo Stream shall be 6 metres and 20 metres as shown on Appendix A4 attached. Consideration of the need to apply the esplanade reserve for the Mission Special Character Zone shall only apply in the following circumstances:
 - Any subdivision application for land comprised in (either Lot 1 DP 27138 held in Certificate of Title W3/453 W1/63 and/or Part Lot 2 DP25932 held in Certificate of Title HBW1/63 (as at 12 September 2018) which falls within the Productive Rural, and/or Landscape & Visitor, and/or Rural Residential (fronting Church Road) Precincts where sites of less than 4ha are created wholly or partly within 100m of the Taipo Stream.
 - Upon such subdivision an esplanade reserve shall be set aside either from, or adjacent to, the site created of less than 4ha.

¹ For the avoidance of doubt, Part A of the Code of Practice for Subdivision and Land Development forms part of Volume 3 to the Napier District Plan.

- The exception to this provision is that no esplanade reserve will be required for sites created through subdivision within the Residential Precinct and the Rural Residential Precinct which adjoins the Residential Precinct.

And consequently, Appendix A4 is to be retained without amendment by Plan Change 12.

Amend Appendix 26A Design Outcome 22 to read as follows:

Appendix 26A – Mission Special Character Zone, Structure Plan Design Outcomes

Design Outcome 22 – Taipo Stream Esplanade Reserve

Any subdivision application for land in the Mission Special Character Zone which falls within the Productive Rural, and/or Landscape & Visitor, and/or Rural Residential (fronting Church Road) Precincts where sites of less than 4ha are created wholly and partly within 100m of the Taipo Stream will be subject to the provision of a 20m esplanade reserve requirement adjacent to those sites. An esplanade reserve of 20m allows for the protection of conservation values and particularly effective stormwater quality improvements, in addition to access for maintenance purposes. An esplanade reserve also provides for the mitigation of natural hazards, public access and recreational use. Not requiring the esplanade reserve at this point in time mitigates health and safety concerns of public access through a working vineyard. This allows the productive uses of the MSCZ to continue until such time as there is a change of land use away from rural activity.

Signed:



Kim Anstey for Napier City Council

Dated: 24 September, 2018



Philip McKay for Marist Holdings (Greenmeadows) Ltd

Dated: 25 September 2018



Gavin Ide for Hawke's Bay Regional Council

Dated: 25 September 2018