

Submissions to the Napier City Council **PLAN CHANGE 12: MISSION SPECIAL CHARACTER ZONE**

Further Submission numbers 1 – 4

X1	Powerco Limited
X2	Marist Holdings (Greenmeadows) Limited
X3	Taiwheuna and Moteo Marae
X4	Chey Dearing



**FURTHER SUBMISSIONS BY POWERCO LIMITED ON PLAN CHANGE 12 - MISSION
SPECIAL CHARACTER ZONE**

To: Team Leader Policy and Planning
Napier City Council
Private Bag 6010
Napier 4142
districtplan@napier.govt.nz

From: Powerco Limited ("Powerco")
Private Bag 2061
New Plymouth
(Note that this is not the address for service.)

1. Powerco's further submission is contained in the attached Table.
2. Powerco has an interest in the proposed plan change greater than that of the general public.
3. Powerco does wish to be heard in support of its further submissions.
4. Powerco could not gain an advantage in trade competition through this further submission.
5. If others make similar submissions Powerco may be prepared to consider presenting a joint case with them at any hearing.

Dated at New Plymouth this 16th day of May 2018

Signature of person authorised to sign on behalf of Powerco Limited:

A handwritten signature in blue ink, appearing to be "RD" followed by a flourish.

Rebecca Dearden for Simon Roche

ADDRESS FOR SERVICE:

Powerco: Private Bag 2065,

New Plymouth 4340

Attention: Simon Roche

Phone: 64 06 9681779

Email: simon.roche@powerco.co.nz

Ref: SUB/2018/05

**Table 1 – Further submissions by Powerco Limited on submissions on Napier Plan
Change 12**

**FURTHER SUBMISSION ON BEHALF OF POWERCO LIMITED ON A SUBMISSION TO THE PROPOSED PLAN CHANGE 12-
NAPIER DISTRICT PLAN**

Submission #	Relief Sought By Submitter	Position of Further Submitter	Reason For Support / Opposition	Outcome sought
5) Lynne Anderson	This submitter is concerned that existing Napier infrastructure cannot support the proposed number of new households. Suggests that services need to be further developed before new households are built.	Accept in part the submitters proposal around ensuring infrastructure is developed prior to new households being built. Powerco is neutral to the submitters other points.	In its own submission, Powerco has suggested the provision of servicing that developers need to consider.	Accept the submission in part regarding the provision of infrastructure, prior to new households being built, which is in line with Powerco's submission on the delivery of gas infrastructure to new residential areas.

FURTHER SUBMISSION ON PLAN CHANGE 12: MISSION SPECIAL CHARACTER ZONE

To: Team Leader Policy Planning, Private Bag 6010, Napier 4182

From: Marist Holdings (Greenmeadows) Limited

Date: 16 May 2018

1. Further Submitter Details

This further submission is from:

Marist Holdings (Greenmeadows) Limited
PO Box 7043
Greenmeadows
Taradale

Address for Service:

C/- Mitchell Daysh Ltd
PO Box 149
Napier 4140
Attention: Philip McKay
E-mail: philip.mckay@mitchelldaysh.co.nz
Phone: 0274 955 442

2. We do wish to be heard in support of our further submission.

3. Specific details of the further submission:

The details of the Marist Holdings (Greenmeadows) Limited (MHL) further submission is described in detail in the attached sheets.

4. Signature of person authorised to sign on behalf of person making submission:

Signed on behalf:



Dated: 16 May 2018

NAPIER DISTRICT PLAN - PLAN CHANGE 12: MISSION SPECIAL CHARACTER ZONE

Scope of Further Submission - Marist Holdings (Greenmeadows) Limited

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
1 Keith Moretta 81 Silverton Rd RD2 Napier	Oppose submission in its entirety	The traffic issues raised by the submitter are addressed in the report prepared by Traffic Design Group which shows that the effects of the increased traffic generated by the future residential development will be appropriately managed by the existing roading network and mitigated by the proposed entrance designs.	Disallow insofar as the Plan Change is retained as notified.
2 Anthony Kite 164 Puketitiri Rd RD2 Napier	Oppose submission in its entirety	The traffic and visual amenity issues raised by the submitter are addressed in the reports prepared by Traffic Design Group and Isthmus respectively which show that the effects of development will be appropriately mitigated. There is no justification for the requested larger lot sizes adjacent to Puketitiri Road with the mitigation provided by the Buffer Reserve (as identified on the Structure Plan map and as specified in Design Outcome 11), therefore the submitters concerns are mitigated by the Structure Plan and Plan Change as it stands.	Disallow insofar as the Plan Change is retained as notified.
3 Murray Arnold 121 Tironui Dr Napier	Support in Part	MHL have met with the submitter to clarify his concerns which are to have certainty that the vegetation buffer at the southern extent of the residential development (adjacent and straddling the Rural Residential boundary) is formed and planted. The Structure Plan Design Outcomes 1 (Green network and reserves), and 20 (Rural Residential Precinct Buffer) in Appendix 26A in combination require that the components of the green network shown on the Structure Plan will have to be planted and that this would include a 20m wide band of vegetation on the southern	Allow the submission in part by amending Appendix 26A Structure Plan Design Outcome 1 by adding the second bullet point of Design Outcome 20 (or similar wording) to cover the requirement for the Rural Residential Zone buffer strip planting as shown on the Structure Plan Map.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
		side of the residential precinct. These outcomes would be enforced by conditions on the subdivision consent. A potential amendment to clarify the submitters concerns would be to repeat the second bullet point of Design Outcome 20 (or similar wording) under Design Outcome 1. This would resolve the existing confusion caused by Design Outcome 20 applying to the Landscape & Visitor, Rural Production and Rural Residential Precincts, when the required vegetation buffer as shown on the Structure Plan map falls largely in the Residential Precinct.	
4 Tania Eden 65 Churchill Dr Taradale	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua..	Disallow insofar as the Plan change is retained as notified.
5 Lynne Anderson 389 Church Rd Napier	Oppose submission in its entirety	The Residential Precinct within the MSCZ is consistent with HPUDS. HPUDS is the strategic residential growth document upon which infrastructure and service providers can base their long-term planning. The Ministry of Education have been consulted with regarding local	Disallow insofar as the Plan Change is retained as notified.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
		<p>schools and have factored the anticipated population growth into their long term planning.</p> <p>The traffic assessment confirms that Church Road can adequately accommodate the additional traffic generated.</p>	
6 Tony Brightwell 323 Church Rd Greenmeadows	Oppose submission in its entirety	Plan Change 12 includes substantial planting of the eastern hill face to screen any view of the development from Church Road and therefore mitigates the visual effects that the submitter is concerned about. The objectives of the Mission Special Character Zone include enhancing the visual amenity of the eastern hill face with planting which will also screen the residential development on the hill above. This will ensure that residential development will be screened from Church Road, this would not be the case with the submitters suggestion of clustering residential development around the Mission Estate buildings.	Disallow insofar as the Plan Change is retained as notified.
7 Merv McNatty 266 Puketapu Rd RD3 Napier	Oppose in part	<p>The concerns raised by the submitter are addressed in the plan change documentation which shows that the effects are suitably mitigated / managed by the plan change as it stands.</p> <p>Plan Change 12 does not include a change in planning status to the land adjoining the submitters boundary, it is currently zoned Rural Residential and is now proposed as Rural Residential Precinct within the Mission Special Character Zone. Any subdivision of that area will be subject to the relevant district plan provisions including the Structure Plan Design Outcomes. The suggested amendment to Design Outcome 1 in response to submission 3 would also be beneficial in addressing the concerns of this submitter.</p>	Disallow the changes sought in the submission and retain the Plan Change as notified except to amend Appendix 26A Structure Plan Design Outcome 1 by adding the second bullet point of Design Outcome 20 (or similar wording) to cover the requirement for the Rural Residential Zone buffer strip planting as shown on the Structure Plan Map (see further explanation under submission 3 above).



Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
8 GO & PMA Eyles 7 Montpelier Dr Taradale	General support of submission	Submitter is generally in support of plan change. Issue related to fire risk of eucalyptus plantation is considered an operational issue rather than a plan change matter and is noted by MHL.	Allow in part insofar as the Plan Change is retained as notified.
9 <i>Marist Holdings (Greenmeadows) Ltd</i>	NA	NA	NA
10 P & L Alexander Partnership Puketapu PDC Napier	Oppose submission in its entirety	MHL have met with the submitter to discuss their concerns. Stormwater modelling shows no downstream effects from the development and the Hawke's Bay Regional Council resource consent process for the stormwater discharge is nearing completion. The resource consent and its conditions to be issued by the Regional Council will ensure that any adverse effects resulting from stormwater runoff on downstream properties are avoided or mitigated.	Disallow insofar as the Plan Change is retained as notified.
11 Historic Places Hawke's Bay Dorothy Pilkington 88 Charles Street Westshore Napier	Oppose in part	The Grande Maison's heritage and landscape significance is recognised in the objectives, policies and Structure Plan Design Outcomes of the Mission Special Character Zone (Design Outcome 15), it is not a building listed by Heritage NZ, is not original to its site and has been altered internally over the years, so the proposed Mission Special Character Zone provisions provide the appropriate level of protection. The observatory pedestal is protected by the Mission Special Character Zone provisions (Design Outcome 3). Design Outcome 3 states that an updated archaeological assessment will be submitted at the time of subdivision and would incorporate a protocol for taonga being	Disallow insofar as the Plan Change is retained as notified.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
		unearthed from an unidentified archaeological site during earthworks (an accidental discovery protocol).	
12 Hawke's Bay Fruitgrowers Association P O Box 689 Hastings	Support in Part	<p>The overall support from the submitter based on consistency with HPUDS is acknowledged.</p> <p>Agree that versatile and / or productive 'soils should be replaced with 'versatile and / or productive land' throughout the plan change documentation.</p> <p>In regard to the 'Places of Assembly' issue - discretionary activity status in the Rural Productive Precinct carries over the existing activity status from the Main Rural Zone, being its current zoning. Given the history of the site and its association with the Church and that a discretionary activity requires a full assessment against all relevant district plan objectives and policies, MHL considers a 'discretionary activity status' for a Place of Assembly as appropriate.</p>	<p>Allow in part</p> <p>Replace references to 'versatile and / or productive soils' with 'versatile and / or productive land' throughout the plan change 12 district plan provisions.</p> <p>In all other respects retain the Plan Change as notified.</p>
13 Hawke's Bay Regional Council Private Bag 6005 Napier	Oppose in Part	<p>The overall support from the submitter based on consistency with HPUDS is acknowledged.</p> <p>MHL have met with the Hawke's Bay Regional Council with reference to the stormwater issues and have agreed an approach to modelling and stormwater storage pond design with the results showing that there are no downstream effects of the discharge from the development. A consent process for the stormwater discharge is nearing completion.</p> <p>The requested amendment for a widened esplanade reserve along the Taipo Stream is not supported on the basis that a 6m wide easement is proposed by Structure Plan Design Outcome 21 for stormwater management.</p>	Disallow insofar as the Plan Change is retained as notified.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
		<p>Public access is better provided for by the proposed track network than an esplanade reserve.</p> <p>Natural Hazard avoidance is one of the strongest justifications for the subdivision and the hazards referred to by the submitter are only relevant to the Productive Rural Precinct where there is no provision for residential development.</p> <p>The NES for Soil Contamination would also only be primarily relevant to the Productive Rural Precinct where there is no provision for residential development.</p>	
14 Powerco Limited Simon Roche Private Bag 2061 New Plymouth	Neutral	Plan Change 12 does not prevent gas supply to the Mission Special Character Zone. No amendments to the Plan Change are requested by this submission and MHL acknowledges the request to coordinate gas supply infrastructure.	Allow insofar as the Plan Change is retained as notified.
15 Moteo B2G2 Reserve Peter Eden 2/8 Lee Road Taradale	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua..	Disallow insofar as the Plan change is retained as notified.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
16 Moteo Marae Peter Eden 2/8 Lee Road Taradale	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua.	Disallow insofar as the Plan change is retained as notified.
17 Te Taiwhenua o Te Whanganui a orotu Tania Eden 65 Churchill Drive Taradale	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua.	Disallow insofar as the Plan change is retained as notified.
18 Taiwhenua Peter Eden	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the	Disallow insofar as the Plan change is retained as notified.

Submitter I support or oppose the submission of:	Submission Point The particular parts of the submission I support or oppose are:	Marist Holdings (Greenmeadows) Limited Submission The reasons for my support or opposition are:	Decision Requested I seek that the whole or part of the original submission be allowed or disallowed:
2/8 Lee Road Taradale		Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua.	
19 Waiohiki Marae Trustees Mat Mullany 75 Nairn Street Mt Cook, Wellington	Oppose in part.	The concerns raised by the submitter are partially addressed in the archaeological report appended to the Plan Change documentation which concludes that archaeological effects can be suitably mitigated by the plan change as it stands and in association with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. Section 42 of that Act protects both recorded and unrecorded archaeological sites from modification or destruction. If an application is made under that Act for an archaeological authority, section 46 requires that an assessment of the 'archaeological, Māori, and other relevant values' is provided, as is a statement regarding the consultation undertaken with tangata whenua.	Disallow insofar as the Plan change is retained as notified.

From: NCC Website Request - Further District Plan Submission
To: [Dean Moriarity](#)
Subject: Further District Plan Submission [#12]
Date: Wednesday, 16 May 2018 08:42:54

Plan Change: *	12
Are you submitting on behalf of an organisation? *	Yes
Name: *	Tania Eden
Organisation *	Taiwhenua and Moteo Marae
Postal Address: *	<input type="checkbox"/> 65 Churchill Drive Taradale, Napier 4112 New Zealand
Phone (daytime): *	0272996999
Email Address: *	taniaeden@xtra.co.nz
I wish to speak at the hearing: *	Yes
If others make a similar submission, would you consider presenting a joint case? *	No
I am (state whether you are...)	A person representing a relevant aspect of the public interest; or
In this case, also specify the grounds for saying that you come within this category. *	Te Taiwhenua o Whanganui a Orutu and Moteo Marae including Ngati Hinepare
I support (or oppose) the submission of: *	
<p>The Submission is opposed based on the grounds outlined in previous submissions made and secondly based on the proposal by the Council at a meeting held on Friday the 11th of May 2018 at the Mission with the Council and MHG Ltd that the Cultural Impact Assessment be bundled all together under one hapu and that the CIA be for the Napier City Council Plan towards 2020. We also have issues with the previous consultation excluding hapu with mana whenua and the council talking to other groups not mandated to speak on behalf of the Taiwhenua or hapu or marae. Richard from the council is only looking at legislative reqts around the RMA and what they need to do here. This is not just a tick the box exercise and the council and MHG need to look at the relationship with mana whenua as well.</p>	
The particular parts of the submission I support (or oppose) are: *	Opposition as clearly stated above.
The reasons for my support (or opposition) are: *	Opposition as clearly stated above and at the meeting last week held with the Council and MHG Ltd.
I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed): *	We seek that the Council and MHG look at working with mana whenua and the various hapu to complete a Cultural Impact Assessment Report. We do not agree with Richard that the council set the terms of reference as this shows ignorance towards the whole process and in our view is condescending towards mana whenua and is not a

transparent process.

From: NCC Website Request - Further District Plan Submission
To: [Dean Moriarity](#)
Subject: Further District Plan Submission [#9]
Date: Wednesday, 9 May 2018 14:39:58

Plan Change: *	Proposed Plan Change 12
Are you submitting on behalf of an organisation? *	No
Name: *	Chey Dearing
Postal Address: *	<input type="checkbox"/> 2 Weathers Place Napier 4112 New Zealand
Phone (daytime): *	02041003931
Email Address: *	cdearing@eit.ac.nz
I wish to speak at the hearing: *	Yes
If others make a similar submission, would you consider presenting a joint case? *	Yes
I am (state whether you are...)	A person representing a relevant aspect of the public interest; or
In this case, also specify the grounds for saying that you come within this category. *	I dont understand this question? I am a taradale resident concerned at the rate of building on Taradale hills. I talk to other Taradale residents and thus I know that my views do represent an aspect of the public interest.
I support (or oppose) the submission of: *	I oppose plan 12 without the inclusion of the policies below.
The particular parts of the submission I support (or oppose) are: *	I oppose building on hills.
The reasons for my support (or opposition) are: *	It destroys the beauty of Taradale.

I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed): *

I seek that this policy below be included.

Submission to the district plan for all plans for development in Taradale and surrounds.
 Specifically for plan 12 – all areas identified on the map: Appendix 26B – 2: Mission Special Character Zone Structure

The Taradale Hills and surrounding hills are unique and provides Taradale much of it character. Because of the quality of this landscape it is necessary to ensure that subdivision, development and associated activities are managed to avoid, remedy or mitigate any adverse effects resulting from the pattern of development and the location, siting and appearance of buildings. The views from roads within the District assume increasing importance as they give visual access to the landscape that, in turn, provide a sense of place to both visitors and residents. The visual impact of structures is increased when their form and colour contrast with the surroundings and when they are located in visually sensitive areas such as on skylines, ridges, hills, prominent slopes, or

shorelines.

Objective:

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

Policies:

(a) To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation. Specifically, there should be no further development / subdivision / building on any of Taradale hills at an elevation above 50% of the hills total elevation above sea level. The aim of this policy is to ensure the upper half of all elevations remain free of development / subdivision / building.

(b) To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.

(c) To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

(d) Encouraging utilities to be sited away from skylines, ridgelines, prominent locations, and landscape features.

(e) Avoiding, remedying or mitigating any adverse effects of current structures on the skyline, ridges and prominent slopes and hilltops;

(f) To hold a public consultation on the location of three specific "corridors of view". One from each of the top of Otatara, Dobell, Sugarloaf reserves. Each corridor of view will enable any individual to view the Kaweka and / or Ruahine mountain ranges unobstructed with no visible development / subdivision / building. The council will aim to engage all affected district authorities in order to achieve this aim.
