



OFFICER'S HEARING INTRODUCTION

SUMMARY STATEMENT

District Wide Matters

Reporting Officer: Jeriel Sajan

Hearing Date: 2nd and 3rd December 2024

Introduction

1. My name is Jeriel Sajan, and I am employed as a Policy Analyst within Napier City Council's City Development team. My qualifications include a Bachelor of Business Studies and Master of Public Policy.
2. I have 2 years' experience working in resource management policy in local government. I have been involved in the review of the Proposed District Plan since 2022.
3. I contributed to finalizing the district-Wide Matters Chapters and Section 32 Reports for Natural Features and Landscapes, as well as the Light chapter, while previous authors prepared the Signs and Temporary Activities reports.

Topic Overviews

4. The NFL, Signs, Temporary Activities, and Light chapters are part of the district-Wide Matters in the Proposed District Plan (PDP), each with comprehensive policy frameworks to address cross-district issues. The Light chapter primarily manages artificial lighting to balance safety, operational needs, and amenity. It addresses light spill, glare, and environmental impacts while supporting transport, industrial, and public safety requirements. The Natural Features and Landscapes (NFL) chapter focuses on protecting the three classifications in Napier—Outstanding Natural Features (ONFs), Special Character Landscapes (SCLs), and Significant Natural Features (SNFs). Its purpose is to safeguard natural values while managing compatible development. The Signs chapter balances the functional need for signage with visual amenity, heritage protection, and transport safety. It includes rules on size, placement, and illumination to ensure signage aligns with Napier's character and safety standards. The Temporary Activities chapter facilitates appropriate activities, such as events and construction, while managing their impacts on noise, light spill, the environment, transport networks, and community well-being.

Light Chapter

Matters Raised in Submissions

5. The Light chapter received 16 submissions raising 43 submission points and 19 further submission points, addressing operational needs, amenity and character, biodiversity, and specific provisions.
6. **Operational Needs:** Submitters, including the Port of Napier, KiwiRail, and Ravensdown, emphasized the importance of artificial lighting for operational and safety purposes, such as maritime, rail, and aircraft safety. Hawke's Bay Airport Limited (HBAL) sought stronger references to aircraft safety in objectives and policies. I recommended amending LIGHT-O2 to explicitly address aircraft safety as part of the broader transport network. Recommended changes also included provisions for rail signals and emergency maintenance lighting to reflect critical infrastructure requirements.
7. **Amenity and Character:** Submitters raised concerns about balancing lighting's operational importance with preserving residential and special-use zone character. I recommended refining light spill and glare standards in LIGHT-S1, introducing exemptions for health and safety lighting, and extending lighting allowances for Stadium Zone events to midnight for up to five days annually. These recommendations sought to align provisions with what is already occurring appropriately i.e., lighting to pack down events or clarify its intent.
8. **Biodiversity:** The Department of Conservation (DOC) highlighted the adverse effects of artificial lighting on indigenous biodiversity, including the Threatened Long-tailed Bat. I deferred specific provisions to the upcoming Ecosystems and Indigenous Biodiversity Variation.
9. **Special Purpose Zones Provisions:** Submissions sought clarifications on safety-related lighting and requested updates to address special-purpose zones. I recommended amendments to explicitly recognize rail and maintenance lighting in rules, clarify light spill thresholds, and align lighting standards in the Port Zone with those in industrial and commercial zones, so not to impose new impacts on adjacent residential areas.

Natural Features and Landscapes (NFL) Chapter

Matters Raised in Submissions

10. The NFL chapter received nine submissions raising 57 submission points and 10 further submission points. Submitters raised issues regarding urban and modified landscapes, consistency across provisions, operational needs, and the management and protection of natural features.
11. **Recognition of Urban and Modified Landscapes:** Submissions, including from Hawke's Bay Airport Limited, sought recognition of urban and modified features like airports and business parks within the Special Character Landscape overlay (SCL01). In contrast, Forest & Bird called for additional protection of Outstanding Natural Landscapes (ONLs) and Outstanding Natural Features (ONFs). I recommended retaining the chapter's focus on natural and cultural values, with urban and modified features better addressed in other chapters, such as the Special Purpose Airport Zone.
12. **Consistency and Clarity in Chapter Provisions:** Submitters emphasized the need to clarify overlaps between the NFL chapter and other provisions, such as the Airport Zone and Network Utilities chapter. Errors in schedules and references were also noted. I recommended amendments to clarify that NFL provisions do not apply within these zones and supported minor corrections to improve accuracy and usability.
13. **Enabling Network Utilities:** Utility providers, including Transpower and KiwiRail, sought recognition of operational needs and suggested managing utilities within ONFs, SCFs, and SCLs through the Network Utilities chapter instead of the NFL chapter. I supported relocating relevant provisions to streamline management while ensuring significant landscapes remained protected.
14. **Management of Buildings and Structures:** Submitters proposed stricter standards for building materials, reflectance values, and blanket prohibitions in the Coastal Environment or near significant view shafts. I recommended clarifying reflectance values and incorporating view shafts into assessment criteria but did not endorse broader rules, as the existing provisions provided an appropriate balance between development and landscape protection.
15. **Greater Protection of Natural Features and Landscapes:** Forest & Bird and other groups called for stricter controls on earthworks, subdivisions, and extractive industries in coastal areas and SCLs. I supported aligning policies with the New Zealand Coastal Policy Statement (NZCPS) to strengthen coastal SCL protections and avoid significant adverse effects. However, I did not recommend blanket prohibitions or non-complying statuses for earthworks, as existing safeguards were sufficient.

16. **Integration with Biodiversity Protection:** Submitters emphasized the importance of addressing indigenous biodiversity in ONFs and the Coastal Environment. I recommended deferring these issues to the Ecosystems and Indigenous Biodiversity Variation.

Matters of Contention

17. Hawke's Bay Airport Limited requested recognition of urban features within SCL01. I retained the focus on natural values, addressing urban features in other chapters.
18. Forest & Bird proposed stricter controls and blanket prohibitions on earthworks. I declined this, finding existing provisions sufficient.
19. Submitters sought clearer standards for natural building materials and reflectance values. I supported minor clarifications but not a new standard.

Signs Chapter

Matters Raised in Submissions

20. The Signs chapter received 40 submission points and four further submission points, with additional points relating to the definition of signs.
21. **Enabling Signage Where Appropriate:** Submitters, including Heritage New Zealand Pouhere Taonga (HNZPT), sought stronger objectives for heritage signage, while Ooh Media proposed specific rules for network utility advertising. I retained the existing objectives and policies, adding a new objective to explicitly protect heritage values and ensure alignment with the Napier City Historic Heritage Precinct. Proposals for new policies specific to signage on network utilities were declined, as existing provisions were sufficient to manage signage effects.
22. **Signs in Special Zones (Port and Airport Zones):** Concerns were raised about restrictive provisions for signage in the Port (PORTZ) and Airport (AIRPZ) Zones. I recommended aligning standards in these zones with industrial zones, permitting free-standing signs subject to established standards. Overly restrictive non-complying statuses were amended to recognise operational needs while maintaining control.
23. **Protecting the Transport Network:** Submitters, including NZTA and KiwiRail, requested stricter controls on digital, flashing, and highway-visible signage to ensure transport safety. I recommended amendments to SIGN-O2 to emphasize transport safety and introduced stricter digital signage rules, including limits on dwell times, content, and transitions. I accepted relief sought to require consultation with NZTA and KiwiRail for signage visible from state highways and rail corridors.

24. **Standards for Parks and Open Spaces:** Submitters proposed clearer rules for signs in parks and reserves, highlighting public safety and wayfinding needs. I considered it appropriate to amend and add specific rules for official signs in these areas, ensuring compliance with safety requirements, and aligned sign area standards in Open Space Zones with those in Sports and Active Recreation Zones for consistency.
25. **Managing Digital and Illuminated Signs:** Concerns were raised about the risks posed by digital and illuminated signage near transport corridors. I recommended to amend SIGN-S4 by adding criteria for dwell times, content, and transitions, along with fail-safe mechanisms for malfunctions. Illuminated signs that obstructed or distracted drivers or rail operators were amended to ensure transport safety.
26. **Definitions:** Telco proposed amendments to include provisions related to infrastructure. I retained the definition as notified, as it aligned with the mandatory National Planning Standards and provided sufficient clarity without further modification.

Matters of Contention

27. oOh! Media requested specific policies for network utility advertising. I considered the current provisions were sufficient.
28. Golden Bay and Hawke's Bay Airport Limited proposed more flexible signage rules for PORTZ and AIRPZ. I allowed flexibility but did not fully adopt their suggested changes.
29. Sera Chambers sought stricter controls on balloon signage. I found existing rules effective and did not recommend additional restrictions.

Temporary Activities

Matters Raised in Submissions

30. A total of 13 submissions raised 22 submission points, with 14 further submission points. Key issues and recommendations are summarized below.
31. **Enabling Temporary Activities:** Submitters broadly supported objectives TEMP-O1 and TEMP-O2, which recognize the importance of temporary activities while managing their impacts. I recommended retaining these objectives with amendments to include broader references to "the environment," aligning with biodiversity and natural resource management. Waka Kotahi requested a new objective to address traffic safety during temporary events. I expanded the scope of TEMP-O5 to encompass the entire transport network, ensuring safe and efficient infrastructure use.

32. **Temporary Buildings and Structures:** Submissions included request to extend the allowable timeframe for temporary structures from 12 to 18 months and increase size limits. I recommend reject this due as extended timeframes could lead to sustained impacts on neighbours and the environment. I support Waka Kotahi's suggestion to include a note requiring NZTA approval for construction near state highways for clarity and practicality. I also recommended expanding the matters of discretion in TEMP-R1 to address broader "adverse effects on the environment."
33. **Temporary Noise Events:** Submitters raised concerns about the duration and impact of noise events, particularly in sensitive areas like the Marine Parade Recreation Control Area. I recommended moving Stadium-specific rules to the Stadium Zone chapter for clarity and reducing maximum allowable durations in sensitive areas to minimize adverse effects. Napier City Council Events Manager also proposed extending the duration of temporary structures used for events to ensure operational flexibility while retaining event limits and height restrictions to protect community amenity.
34. **Emergency Services Training:** Fire and Emergency New Zealand (FENZ) sought provisions for emergency services training. I recommended adding a new rule permitting such activities across all zones, subject to compliance with height, yard, and noise standards. I also suggested clarifying activity duration and hours to ensure effective management.

Matters of Contention

35. **Extended time for Temporary Structures:** I recommended rejecting extending the allowable timeframe from 12 to 18 months and increasing size limits due to potential prolonged impacts.
36. **Military Training:** Sera Chambers sought restrictions in residential areas and notification requirements for neighbours. I did not support these changes, as councils are obligated to provide for military activities, and existing provisions sufficiently address potential impacts.
37. **Emergency Services Training:** Fire and Emergency New Zealand (FENZ) sought blanked permitted activity status with no condition which I accepted in part subject to rule conditions.

Concluding Statements

38. I have read all submitters evidence and am prepared to respond to any questions or matters raised in relation to the information provided. I believe that in some cases there is some scope to make amendments to address the concerns raised but wish to hear from the submitters before providing a response in my officer's reply.

Matters Raised by the Panel

39. No matters raised.