

BEFORE THE NAPIER CITY COUNCIL  
HEARINGS PANEL

**IN THE MATTER OF** of the Resource Management Act 1991

**AND**

**IN THE MATTER OF** Submissions on the Proposed Napier District Plan

**AND**

**IN THE MATTER OF** Submissions on behalf of Marist Holdings  
(Greenmeadows) Limited

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**RESPONSE STATEMENT TO S42A REPORT - STREAM 2 SUBDIVISION**

18 NOVEMBER 2024

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## **INTRODUCTION**

- 1 The following is a response to the report titled: '*Section 42A Report – Hearing Stream 2 – Part 2 – Subdivision: Report on submissions and further submissions on the Proposed Napier City District Plan*' ("the S42A Report") on behalf of Marist Holdings (Greenmeadows) Limited ("MHGL").
- 2 MHGL do not wish to be represented at the Stream 2 Subdivision Chapter hearing as it does not address the primary matters of their submission to the Proposed Napier District Plan. As such I understand that the following statement cannot be considered as expert evidence. This statement is provided however to clarify the position of MHGL on the recommendations in the S42A Report relevant to their submissions and further submissions. MHGL trusts that this statement will be of assistance to the commissioners.

## **SCOPE OF STATEMENT**

- 3 I prepared and lodged the submission and further submissions to the Proposed Napier District Plan ('Proposed Plan') on behalf of MHGL. I have reviewed the relevant portions of the S42A Report to the MHGL submission and further submissions to be addressed in the Stream 2 Part 2 Subdivision Hearing.
- 4 The MHGL submission and further submissions addressed in the S42A Report, are set out as follows:
  - Matters addressed in section 7.2 Issue #3 – Development Areas of S42A Report.
    - Further Submission FS 27.128.15 supporting Emerald Hills submission 125.15 seeking that the Mission Development Area be excluded from SUB-S17.
    - Further Submission FS 27.128.16 supporting Emerald Hills submission 125.16 seeking that SUB-S18 be amended to correctly identify the properties subject to the standard.
    - Further Submission FS 27.128.34 supporting Emerald Hills submission 125.34 seeking that the Mission Development Area

be excluded from compliance with the subdivision assessment criteria.

- Matters addressed in Appendix B – Summary of Recommended Responses to Submissions and Further Submissions
  - Further Submission FS 27.128.11 supporting Emerald Hills submission 125.11 to reduce the minimum lot size for the Mission Rural Residential Precinct.
  
- Matters addressed in section 11 'Point Incorrectly Allocated to Subdivision S42A Report'
  - Various MHGL submissions relating to the requested new 'Mission Church Road Residential Precinct'.

5 The following statement sets out the S42A Report recommendations on each of these submissions and further submissions and the MHGL position on each recommendation.

**SUMMARY OF S42A REPORT RECOMMENDATIONS AND MHGL POSITION**

6 A summary of the relevant S42A Report recommendations and the MHGL position on those recommendations is set out in the following table.

**Table 1 – Summary of Recommendations and MHGL Position**

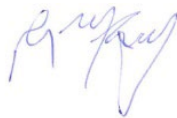
<b>Submission / Further Submission Reference</b>	<b>District Plan Provision</b>	<b>Submission Summary</b>	<b>Officers Recommendation &amp; S42A Report Ref.</b>	<b>MHGL Position &amp; Comment</b>
FS 27.128.15 supporting Emerald Hills submission 125.15	SUB-S17 'Indicative Public Access Route'	That the Mission Development Area be exempt from SUB-S17.	Reject – paragraph 267.	Accepting of S42A Report recommendation as SUB-17 is a standard while DEV3-AC1(e) is an assessment criterion, albeit more specific to the Mission Development Area.
Further Submission FS 27.128.16 supporting Emerald Hills submission 125.16	SUB-18 'Esplanade Reserves – Mission Development Area'	That the correct legal descriptions be applied to standard SUB-18 (Mission Development Area esplanade reserves).	Accept – paragraph 268, Appendix B page 8.	Support S42A Report recommendation – so that the correct legal descriptions are referenced in standard SUB-S18.

Further Submission FS 27.128.34 supporting Emerald Hills submission 125.34	SUB-AC 1 – General Assessment Criteria	That the Mission Development Area be exempt from the subdivision assessment criteria.	Reject – paragraph 269, Appendix B page 8.	Accepting of S42A Report reasoning as SUB-AC1 includes matters such as transport, natural hazards, financial contributions, and construction effects, which are not referenced under DEV3-AC1.
Further Submission FS 27.128.11 supporting Emerald Hills submission 125.11	SUB-S3 ‘Minimum allotment sizes – rural – Mission Rural Residential Precinct’	Reduce Mission Rural Residential Precinct minimum allotment size.	Allow in Part – Appendix B – page 7, Appendix A – SUB – S3.	Support S42A Report recommendation to reduce minimum lot size to 5,000m <sup>2</sup> with no average site size requirement.
Submissions 235.3 & 235.16	SUB-S5 ‘Minimum allotment sizes –	Various MHGL submissions relating to	Reallocated to rezoning requests – paragraphs	Accepting of S42A Report

	development areas'; & SUB-S18 'Esplanade Reserves – Mission Development Area' as a consequence of rezoning a new 'Mission Church Road Residential Precinct'	the requested new 'Mission Church Road Residential Precinct'.	427 & 428, Appendix B – page 35.	recommendation that these submissions should be assessed in association with the forthcoming Rezoning Hearing.
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## **SUMMARY AND CONCLUSION**

- 7 MHGL are not attending the Stream 2 Subdivision Hearing and instead provide their response to the S42A Report recommendations in this statement, as set out in Table 1 above.
- 8 MHGL will be providing expert evidence for future hearings, including those relating to submissions on the Precinct Chapters within the Mission Development Area and on rezoning requests.
- 9 Of the recommendations in the S42A Report to the Subdivision Chapter, MHGL are supportive of those relating to SUB-S18 – Esplanade Reserves – Mission Development Area, and SUB-S3 – Minimum allotments sizes – rural – Mission Rural Residential Precinct’ and therefore seek that these recommendations be adopted in the decisions on submissions.



P A McKay

18 November 2024