
Submission on Napier City Proposed District Plan

Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Napier City Council - Planning Unit

Date received: 13/12/2023

Submission Reference Number #:101

This is a submission on the following proposed plan (the **proposal**): Napier City Proposed District Plan

Submitter:

Brian Nicholls

Address for service:

Pip Beachen
Stradegy Planning
Stradegy Planning Limited PO Box 239 Napier 4140
New Zealand

Email: Pip@stradegy.co.nz

Attachments:

Submission supporting information.pdf

I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- **No**

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- **N/A**

Submission points

Point 101.1

Section: Planning Maps

Sentiment: Oppose

Submission:

The specific provisions of the proposal that this submission relates to:

The Zoning of the site at 66 Franklin Road, Bay View.

Summary of submission:

1. The submitter, Brian Nicholls, is the owner of the site at 66 Franklin Road.
2. The site has an area of 4905m² and is a vacant lot which previously been subdivided for residential purposes. It lies within an area of land occupied by residential buildings and activities between the termination of both Franklin and Rogers Road. Servicing has been provided to the site by way of a water main being installed along the western boundary which extends from Rogers Road to Franklin Road. Engineering approval has been obtained for the construction of an access to the site both from Franklin Road and Rogers Road.
3. The site is currently zoned Main Rural under the under the operative City of Napier District Plan and is currently proposed to be zoned Rural Production (RPZ) under the PDP. With regard to adjoining sites to the west, these are currently zoned Rural Settlement under the Operative District Plan and are proposed to be Rural Lifestyle under the PDP. Adjoining sites to the north and south are zoned the same as the subject site under both the Operative and Proposed Plans.

Brian Nicholls wishes to be heard in support of his submission.

If others make a similar submission, Mr Nicholls is happy to consider presenting a joint case at a hearing.

Relief sought

Brian Nicholls seeks the following relief:

Rezoning of the site to Settlement Zone.

The reasons for the submission are as follows:

1. The submitter understands that the Settlement Zone comprises areas used predominantly for a cluster of residential, commercial, light industrial, and/or community activities located in rural areas or coastal environments.
2. It is considered that the Settlement Zone is far better suited for a site of this area and is more reflective of the development characteristics in the surrounding area. Given the site's size, location, soil characteristics and that it is surrounded by residential activities, it is considered that its productive capacity is significantly compromised and the issues outlined within the Rural Production Zone are not relevant to the site. Specifically, the site has a LUC Class 7 (Source: HBRC Land Use Capability Information) and is not considered to be highly productive or comprise of versatile soils.
3. The provisions of the Settlement Zone in the PDP will better provide for the residential opportunity anticipated for the site and surrounds and will be consistent with the pattern of development to the west and south of the site. We note that the minimum lot sizes in the zone include requirements for unserviced sites which would include the subject site given that no wastewater connection is available yet, and this will enable residential development while continuing to provide for onsite servicing.
4. In summary, rezoning the site to Settlement Zone will provide for further residential development opportunity, will not unnecessarily restrict residential activities on the site (in terms of bulk and location standards), will be consistent with the established land use pattern to the west and south of the site, and amenity and other effects from residential development can be managed through the provisions of the zone (i.e., minimum lot sizing and yard setbacks).

Job Ref: 21105

15 December 2023

Napier City Council
Private Bag 6010
NAPIER 4142

Submission via Isoplan

Brian Nicholls – Submission on Napier’s Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

This is a submission on behalf of Brian Nicholls on Napier's Proposed District Plan (“PDP”).

The submitter does not consider that they will gain an advantage in trade competition through this submission.

The specific provisions of the proposal that this submission relates to:

- The Zoning of the site at 66 Franklin Road, Bay View.

Summary of submission:

1. The submitter, Brian Nicholls, is the owner of the site at 66 Franklin Road.
2. The site has an area of 4905m² and is a vacant lot which previously been subdivided for residential purposes. It lies within an area of land occupied by residential buildings and activities between the termination of both Franklin and Rogers Road. Servicing has been provided to the site by way of a water main being installed along the western boundary which extends from Rogers Road to Franklin Road. Engineering approval has been obtained for the construction of an access to the site both from Franklin Road and Rogers Road.
3. The site is currently zoned Main Rural under the under the operative City of Napier District Plan and is currently proposed to be zoned Rural Production (RPZ) under the PDP. With regard to adjoining sites to the west, these are currently zoned Rural Settlement under the Operative District Plan and are proposed to be Rural Lifestyle under the PDP. Adjoining sites to the north and south are zoned the same as the subject site under both the Operative and Proposed Plans.

Brian Nicholls opposes the proposed Rural Production Zoning for the subject site.



The submitter seeks the following relief:

4. Rezoning of the site to Settlement Zone.

The reasons for the submission are set out as follows:

5. The submitter understands that the Settlement Zone comprises areas used predominantly for a cluster of residential, commercial, light industrial, and/or community activities located in rural areas or coastal environments.
6. It is considered that the Settlement Zone is far better suited for a site of this area and is more reflective of the development characteristics in the surrounding area. Given the site's size, location, soil characteristics and that it is surrounded by residential activities, it is considered that its productive capacity is significantly compromised and the issues outlined within the Rural Production Zone are not relevant to the site. Specifically, the site has a LUC Class 7 (Source: HBRC Land Use Capability Information) and is not considered to be highly productive or comprise of versatile soils.
7. The provisions of the Settlement Zone in the PDP will better provide for the residential opportunity anticipated for the site and surrounds and will be consistent with the pattern of development to the west and south of the site. We note that the minimum lot sizes in the zone include requirements for unserviced sites which would include the subject site given that no wastewater connection is available yet, and this will enable residential development while continuing to provide for onsite servicing.
8. In summary, rezoning the site to Settlement Zone will provide for further residential development opportunity, will not unnecessarily restrict residential activities on the site (in terms of bulk and location standards), will be consistent with the established land use pattern to the west and south of the site, and amenity and other effects from residential development can be managed through the provisions of the zone (i.e., minimum lot sizing and yard setbacks).

9. Brian Nicholls wishes to be heard in support of his submission.

If others make a similar submission, Mr Nicholls is happy to consider presenting a joint case at a hearing.

Yours Sincerely

Pip Beachen BSc MURb Plan(Prof)

Senior Planner

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