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## 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 #:**117

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

**Submitter:**

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**I wish to be heard:** No

**I am willing to present a joint case:** No

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

- No

### Submission points

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**Point 117.1**

**Section:** Planning Maps

**Sub-section:** General

**Provision:** General

**Sentiment:** Amend

**Submission:**

## Summary of Submission

### a. Napier South Historic Heritage Overlay

The Napier South Historic Heritage Overlay should include McDonald Street and Vigor Brown Street bounded by the eastern side of Carnell Street and Latham Street, and Nelson Crescent from Latham Street to Kennedy Road.

The areas additional to McDonald Street between Carnell Street and Kennedy Road are currently designated High or Medium Density Residential Zones in the draft District Plan. These should be zoned general residential

## Submission on Napier South Historic Heritage Overlay

### History and description of Napier South

In 2019, the Council commissioned an independent review of heritage character areas in Napier by Graham Linwood, registered architect (“Heritage Review”)[\[1\]](#).

The Heritage Review observes that “Napier’s history of development is inextricably linked to land availability over time, and is quite unique in that large areas of the city have coherent character that reflect the ideas, Government and Council policies, resource availability, and technology at the time,

specifically in relation to:

- § Section size and configuration, density
- § Street design (width, layout, and street trees)
- § Architectural form of houses (design and materials)
- § Position of houses on the section” (p.16)

The Heritage Review describes the creation and special character of Napier South thus:

“As a result of the somewhat unique way in which Napier as a city developed, with its successive waves of reclamation, the development of the railway, and finally the earthquake which provided the suburbs with additional land for development as well as a new city, Napier contains concentrations of areas displaying recognizable characteristics that are ‘of their time’” (p.90).

The Heritage Review describes the creation and special character of Napier South thus:

“As a result of the somewhat unique way in which Napier as a city developed, with its successive waves of reclamation, the development of the railway, and finally the earthquake which provided the suburbs with additional land for development as well as a new city, Napier contains concentrations of areas displaying recognizable characteristics that are ‘of their time’” (p.90).

The Heritage Review also states that “Following the continual reclamation of small areas of Ahuriri to enable development, the creation of Napier South was the first large reclamation project for Napier, being undertaken between 1900 and 1908. Napier South was part of the larger Whare-o-Maraenui Block. The city’s leaders conceived of the idea after the 1897 flood, which showed that silt from the Tutaekuri River could be used to reclaim large areas of swamp if the river were to be realigned and flooding were to occur in a controlled manner. The first sections went on the market in 1908, by 1913 200 homes had been built, and by 1930 Napier South was largely built. The suburb also included two large parks, McLean Park and Nelson Park, and a primary school.

Napier South’s built environment reflects the building styles, materials availability, and societal patterns and needs of the time. The majority of housing is single storey Villas and Bungalows on

larger sections. Some streets have beautiful tree-lined avenues, and corner or neighbourhood shops are a feature of the suburb.

Despite the popularity of this suburb, there has been little modern development, and the majority of older homes remain unmolested. It is clear that one of the reasons people live in this suburb is because of the character that exists. The majority of homes are well cared for or have been restored. There is however, a risk that the character may be altered in the future, as the large sites and proximity to the city will make it attractive to developers for medium-density housing developments.” (p.75).

## **Risks to Napier South Historic Heritage**

In the Napier City Council Proposed District Plan the stated purpose of identifying Historic Heritage is to protect it from inappropriate subdivision use and development. “Once lost Historic Heritage and its associated values cannot be recreated” [1]. It is therefore important to retain, to the extent possible, “the character and integrity of historic streetscapes by avoiding the loss of heritage buildings and features by ensuring new development does not compromise heritage values”.

The Heritage Review report states that “Character is formed through the cohesive concentration of both natural and built variables such as topography, street trees, and building setbacks, height and style. Character can be described as ‘amenity character’, or ‘heritage character’. The key difference is that ‘heritage character’ is contingent on the preservation of the buildings that contribute so significantly to the character of an area, and that are a key factor in being able to determine the era in which the area was developed..... The loss or erosion of character within these areas of Napier, a city unique in its progressive development over time, would be very unfortunate for Napier. The District Plan provides an opportunity to manage development within these areas and prevent the erosion of character in the future”. (p.90)

The Heritage Review identified Napier South as having significant heritage character. The Review Project team noted “which sections of street contained the highest preservation of the above character elements. Those which most closely aligned with these were:

§ McDonald Street (between Carnell Street and Kennedy Road, and from Kennedy Road to Latham Street)

§ Vigor Brown Street (between Carnell Street and Kennedy Road, and from Kennedy Road to Latham Street)

§ Nelson Crescent (between Kennedy Road and Latham Street)” (p.78)

There appears to be little significant difference in heritage character between these areas.

The draft District Plan proposes large parts of Napier South, including all streets bounding the proposed Napier South Historic Heritage Overlay, as High Density Residential Zones (HRZ). The HRZ will be developed to a maximum height of 19.5 metres with 1 metre rear boundaries. Quite obviously the HRZ will completely destroy the heritage character and integrity of what will become this very small remnant of the proposed Napier South Historic Heritage. The amenity value will also be lost, and the Napier South residents who have cared for and restored the houses will no longer feel the connection to their community. This will put the continued survival of the 100-year-old buildings at real risk of neglect and disrepair as those who valued the character most move away.

It appears that, in the draft District Plan, the Council has failed to give proper weight to preserving the heritage and character of Napier South.

**[1] Napier Heritage Character Areas Study: A review of existing heritage character areas and an assessment of new heritage character areas.** Graham Linwood registered architect. December 2019

[2] <https://napier.isoplan.co.nz/draft/rules/0/170/0/0/0/88>

## **Relief sought**

That the Napier South Historic Heritage Overlay should include McDonald Street and Vigor Brown Street bounded by the eastern side of Carnell Street and Latham Street, and Nelson Crescent from Latham Street to Kennedy Road.

Because of its unique heritage value, Napier South should be zoned General Residential

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## Point 117.2

**Section:** Planning Maps

**Sub-section:** General

**Provision:** General

**Sentiment:** Oppose

**Submission:**

### **Submission on High Density Residential Zone**

#### **Erroneous interpretation of the National Policy Statement – Urban Development**

The draft District Plan has designated significant parts of Napier South, Marewa and the business area of Taradale as High Density Residential Zones. The Council claims that this has been done to “give effect to policy direction” in the National Policy Statement on Urban Development (NPS:UD) (p.1) [\[1\]](#).

The Council has misconstrued and misapplied the requirements of the NPS:UD. Policy 3 in clause 2.2 of the NPS:UD requires Tier 1 urban environments (specifically named larger cities) [\[2\]](#) “in metropolitan centre zones” to have building heights of at least to six storeys (i.e. High Density Residential

Zones) within a walkable catchment of rapid transit stops, and the edge of city centre

zones and metropolitan centre zones. The policy states that building heights and densities should be “commensurate with the level of commercial activity and community services” (p.11). [\[3\]](#)

The NPS:UD makes no requirement in the for Tier 2 urban environments (such as Napier) to have High Density Residential Zones with six-storey residential buildings. Clearly that is because smaller urban centres are not as built-up as larger cities and do not have large public transport systems or large central areas of commercial. In fact, the NPS:UD considers it inappropriate to impose High Density housing on smaller urban environments, and there is no justification for the Napier Council to do so.

#### **Impact of High Density Zone on amenity and heritage character of Napier South**

Permitting High Density Residential zoning in Napier South and Marewa as proposed in the draft District Plan will not contribute to our city’s sense of space and identity. In reality it will have the opposite effect the low-rise, characterful aesthetic of these areas closer to the city centre and destroy the sense of belonging of the strong communities who live there.

Even one six-storey apartment would entirely dominate the streetscape – their visual presence would be inescapable. The impact on access to sunlight and privacy from existing dwellings in the proposed High Density Zone, and those house on the Zone’s peripheries cannot no be overstated.

High Density housing should not be permitted in Napier without significantly more research and (open-minded) consultation with residents of the proposed areas and the wider Napier population.

The proposal is for the High Density Residential Zone to completely encircle the currently designated Napier South Historic Heritage Overlay. With this zoning the high-rise buildings can be built to within 1 metre of the rear boundary of the site, and neighbouring properties have no right of access to sunlight and privacy. Therefore, while the Overlay would be excluded from the High Density Residential Zone, that, of itself, would not provide sufficient protection for the heritage character of the proposed Heritage Overlay.

Large apartment blocks create wind effects, which will disturb surrounding properties.

Clearly, it is essential that, in order to maintain the attractiveness of Napier South and the manner in which both Napier South and Marewa represent the city’s unique genesis, no High Density Residential Zoning should be considered for these areas.

## Traffic congestion and transport

It is extraordinary that High Density Residential Zoning is proposed along the very busy arterial routes of Kennedy Road and Georges Drive. Both of these roads are very busy at most times during the day. While medium and long-term expectations are for a perfect public transport system to all parts of the city and to Hastings, in reality the vast majority of New Zealanders are reluctant to move away from private vehicle ownership. In fact, the 2018 Census shows the proportion of households owning 2-3 light passenger vehicles has continued to increase over time.

In a High Density Residential Zone, the Council will not impose minimum car parking requirements, as per Policy 11 of the NPS - UD. Therefore, residents' vehicles will simply be parked on the road. This will inevitably lead to considerable congestion all streets in the area and impact dangerously on traffic safety on Kennedy Road and Georges Drive. The side streets will be glorified car parks.

Of serious concern is the risk to children of the schools in the area. Many of the children of Nelson Park School and Napier Intermediate School are transported to and from school each day. This already causes congestion on Kennedy Road and the roads leading off it as vehicles are coming and going very quickly, cars are parked on both sides of the road, car doors are opened and children are crossing roads to get into cars. The additional hazard of many cars permanently parked will lead to double parking and children placed at considerable risk.

The lack of car parks within an apartment block means that, if residents have electric vehicles, they will not be able to charge these on the property thereby negatively influencing the choice away from fossil fuel.

The Council claims that the High Density Residential Zone:

“will enable efficient use of land with good accessibility to a range of commercial activities, public open space, and community services by walking, cycling or public transport ...”

“will provide for greater housing supply and choice in areas of our city where walking, cycling, or taking the bus to work, education, shopping or entertainment is most feasible.” (p.1) [\[1\]](#)

There is no evidence to support the claim that allowing High Density will increase walking, cycling or use of public transport. Very few residents regularly walk, cycle or use public transport to go to the city. When travelling to work, entertainment or shopping the personal motor vehicle is seen as the most convenient mode of transport. There is minimal, sparse public transport, especially after working hours. For the elderly, physically disabled, and families with young children, the car remains a necessity. At night, many feel that walking or cycling (even if feasible) is too unsafe.

It is only theoretical, and that theory probably based on metropolitan and overseas models, that In Napier, intensifying housing will lead to an increase in walking, cycling or use of public transport. While I would very much wish to see this happening, there does not appear to be evidence that this will be the case. It is not possible to engineer people into different modes of transport which do not suit their needs, by imposing inappropriate types of housing. The types of housing available should follow what residents want and need.

## Social cohesion

The Council claims that:

“A range of housing typologies is required to provide for changing demographics and market demands. Our suburban areas have generally provided for single detached family homes on sites of 600-900 sqm. Supply of only one housing typology to the market reduces choice and options for different household types within a community and therefore undermines social cohesion.

Identifying discrete areas near the City Centre and Taradale town centre for high density residential development will introduce options for vibrant, urban style living within the city.” (p.1) [\[1\]](#)

It is difficult to see the logic of the Council's statement (above) that having only a single housing typology undermines social cohesion. In fact, the continuous preservation of the original character of Napier South over 100 years disproves the assertion. Generations of residents have, by their attraction to the Area, created and maintained a real sense of community. They continue the work of their forebears, and look to pass this heritage to future generations. Community grows by slow accretion, and the daily interaction of residents who share values of neighbourhood. The Council's proposed approach appears to be to attempt to artificially create community by destroying community.

As someone who has lived in a Wellington apartment building and has friends and associates who have lived in multilevel

apartment buildings, I contend that there is often little or no contact between even next door neighbours. This is because when home residents are inside their apartment and there is usually no mutual space.

The imposition of six-storey apartment blocks will undermine social cohesion and additionally will reduce or remove the option for people who want to live in an affordable area that has retained its heritage character.

[\[1\]](#) Proposed District Plan Topic Summary: High Density Residential Zone, Key Outcomes; Napier City Council

[\[1\]](#) Proposed District Plan Topic Summary: High Density Residential Zone, Key Outcomes; Napier City Council

[\[1\]](#) Proposed District Plan Topic Summary: High Density Residential Zone, Key Outcomes. Napier City Council

[\[2\]](#) Auckland, Hamilton, Tauranga, Wellington and Christchurch – Appendix, table 1

[\[3\]](#) National Policy Statement on Urban Development 2020 – updated May 2022

[\[1\]](#) Proposed District Plan Topic Summary: High Density Residential Zone, Key Outcomes; Napier City Council

## Relief sought

That the entire area of Napier South should be a General Residential Zone

If High Density Residential Zones are to remain in the District Plan, then these should be restricted to:

The area from the north side of Wellesley Road from Latham Street to Thackeray Street: and

The area from the north side of Wellesley Road to the Marine Parade from Latham Street northwards

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## Point 117.3

**Section:** Planning Maps

**Sub-section:** General

**Provision:** General

**Sentiment:** Amend

**Submission:**

### Submission on Medium Density Residential Zone

#### Medium Density in Napier South

The Council is required to the National Policy Statement on Urban Development (NPS:UD) to meet the demand for housing. The Council states that “under Government’s NPS-UD which fail to provide for residential intensification, risk Government setting rules for them” (p.1) [\[1\]](#) although it seems that the rule is already set – the only question is “where?” Certainly “smaller houses on smaller sites” are likely to provide much needed accommodation for single people (who make up around 13% of the population) [\[2\]](#), and couple ‘down-sizing’. There has been very little access to new, smaller dwellings in recent decades. However, these do not need to be 3 storeys in height.

The Council contends that “existing neighbourhoods have room to accommodate more people” (p.1) [\[3\]](#). This is more the case of the suburbs to the south of Napier South.

Owing to the restricted amount of available land for housing when Napier South was built, section sizes were often small and narrow. I would argue that the suburb is already medium density, particularly when compared with all of the other suburbs that came after, although low-rise.

Medium Density enables housing up to 3 storeys in height which is cause for concern when in close proximity on narrow sections to existing single storey dwellings.

As the Council states: “The layout and design of neighbourhoods, and homes within those neighbourhoods, can impact on our health and wellbeing” (p.1) [\[4\]](#).” It is therefore important that the rules of the Medium Density Residential zone encourage quality development”

It appears that there will be requirements for access to sunlight and the right to privacy for dwellings on the site but it is unclear if the existing neighbouring houses will be afforded the same rights and access. The loss of these is likely to cause considerable stress to the individual and tension in neighbourhoods and will not foster the “sense of community” the Council anticipates.

### **Impact of Medium Density Zone on amenity and heritage character of Napier South**

Permitting Medium Density Residential zoning in Napier South, as proposed in the draft District Plan, will not contribute to our city’s sense of space and identity. In reality it will have the opposite effect the low-rise, characterful aesthetic of these areas closer to the city centre and destroy the sense of belonging of the strong communities who live there.

Even one 3-storey building would dominate the streetscape – even at that height, their visual presence would be inescapable. The impact on access to sunlight and privacy from existing dwellings of 3-storey buildings will have a significant negative impact. Medium Density housing which allows more than 2 storeys should not be permitted in Napier South.

### **Impact of Medium Density on infrastructure in Napier South**

It is concerning that the Council proposes higher density residential development when there are “cost and practical constraints [to upgrading infrastructure in residential areas] to improve network capacity and servicing in all areas. One wonders how “new development will ..... reduce peak demand on what is already a constrained network”. Further, some areas have significant constraint issues that need to be managed to ensure that development does not generate hazards or public health issues.

Napier South is a flood-prone area and my insurance premiums reflect this. Over the last 3 years in my house in Napier South I have experienced 2 occasions where my section was flooded with a significant amount of lying flood water. With climate change and greater rainfall, we are told it is likely we will see more flooding events. Increases to housing density in Napier South are likely to exacerbate the risk of flooding in the area.

[\[1\]](#) Proposed District Plan Topic Summary: Medium Density Residential Zone, Key Outcomes; Napier City Council

[\[2\]](#) Two’s a crowd: Living alone in New Zealand. Retrieved from [www.stats.govt.nz](http://www.stats.govt.nz) at the same time as providing more homes.” Statistics New Zealand (2016)

[\[3\]](#) Proposed District Plan Topic Summary: Medium Density Residential Zone, Key Outcomes; Napier City Council

[\[4\]](#) Ibid

### **Relief sought**

The entire area of Napier South should be a General Residential Zone

If Medium Density Residential Zones are to remain in the District Plan, then in Napier South these should be restricted to:

Two storey maximum height: and

The right to privacy and access to sunlight of dwellings neighbouring new developments is assured