
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 #:118

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: 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

- **Yes**

Submission points

Point 118.1

Section: MRZ - Medium Density Residential Zone

Sub-section: MRZ - Medium Density Residential Zone - Standards Table

Provision:

MRZ-S2: Height in relation to boundary

Purpose: *to achieve an urban character; to facilitate a range of housing forms while maintaining a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment.*

1. Buildings and structures must not project beyond a 45 degree recession plane measured from a point 4 m vertically above ground level along side and rear boundaries.
2. Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of MRZ-S2.1. above.
3. Control MRZ-S2.1. above does not apply to a boundary adjoining:
 - a. sites exceeding 2,000 m² in an Open Space Zone or gazetted reserve, and
 - b. there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
4. Where the site adjoins a site zoned General Residential Zone, MRZ-S2.1. and 2. do not apply and buildings must comply with GRZ-S2.
5. MRZ-S2 clause 1 above does not apply to the height exemptions set out in MRZ-S1 clause 2.

Matters of discretion are:

1. Purpose of the standard;
2. Housing supply and diversity;
3. Planned urban character;
4. Safety, attractiveness, and connectivity of streets and public open spaces, and
5. Quality living environments.

Sentiment: Oppose

Submission:

We understand that your section MRZ-P5: **Urban character's** aim is achieve medium density of two to three storey buildings the proposed rules that limit the 45 degree recession plane starting point to 4m above ground will force new buildings to a lower level and no where near the 12m maximum height proposed.

In Marine Parade (in particular) the properties are very small as they were created for workers cottages, I have checked the average width of properties between No 399 to 531 and their average width is 10.12m. Once you subtract the proposed 1m side boundary clearance the width is 8.12m, assuming a 3.0m total floor height and the two-recession planes, means that the maximum width for a 2nd story on the average site would be no more that 6m, which is unworkable especially when you consider the space required for a stairway. The only way to achieve an efficient use of the land (which I believe is another of the plans objectives which is mentioned in a number of places including MRZ-O1) is to use the rules to build close to the boundary with a shared boundary wall, however that only achieves similar style housing design and arguably still has an effect on neighbours and probably more than allowing the current vertical height of 7.5 m.

Relief sought

I would like the council to allow the current 7.5m vertical height before the recession plane starts. As the proposed rule will cause the opposite of what the overall objective that the plan was trying to achieve.

Point 118.2

Section: MRZ - Medium Density Residential Zone

Sub-section: MRZ - Medium Density Residential Zone - Standards Table

Provision:

MRZ-S3: Front yards

Purpose: *to achieve the urban character of the neighbourhood and provide for a safe and attractive streetscape.*

1. No part of any building (other than as required under MRZ-S9 Garages and accessory buildings below) may be erected closer than 1.5 m to the road boundary.

Matters of discretion are:

1. Purpose of the standard;
2. Planned urban character;
3. Safety, attractiveness, and connectivity of streets and public open spaces, and
4. Quality living environments.

Sentiment: Oppose

Submission:

The current offset from the front boundary is 1m. I do not see how the extra 0.5m will better achieve the rules objectives of safety or attractive streetscape, Attractiveness is a subjective objective and is totally up to an individual point of view. In many places in the world medium to high density residential houses are built on the boundary and I would suggest that it is design that make a frontage attractive not the distance of setback. In terms of safety, I believe that aspect is more affected by the way the community relates to one another and has very little if anything to do with how far a house is set back from a boundary. There is a further rule on fencing MRZ-S8 and I would suggest that that has much more to do with safety than this section/rule.

Relief sought

Leave the set back at 1.0m

Point 118.3

Section: MRZ - Medium Density Residential Zone

Sub-section: MRZ - Medium Density Residential Zone - Standards Table

Provision:

MRZ-S8: Fences and walls

Purpose: *to provide for privacy of residential units while enabling opportunities for passive surveillance of the street; to minimise visual dominance effects to immediate neighbours and the street.*

1. Fences or walls (or a combination of these structures) must not exceed the height specified below, measured from the ground level at the boundary:
 - a. within the front yard, and along a common boundary with an Open Space Zone, either:
 - i. 1.2 m in height;
 - ii. 1.8 m in height for no more than 50% of the site frontage and 1.2 m for the remainder, or
 - iii. 1.8 m in height if the fence is at least 50% visually open as viewed perpendicular to the front boundary.

Matters of discretion are:

1. Purpose of the standard;
2. Planned urban character;
3. Safety, attractiveness, and connectivity of streets and public open spaces, and
4. Quality living environments.

b. Within the side and rear yards: 2 m.

Sentiment: Oppose

Submission:

We understand that some rules for fencing may be needed to reduce the likelihood of undesirable activities happening behind high fences ie gang headquarter. However why is a rule needed to allow for passive surveillance of the street. Surely the property and fence owner can decide if they need to see what is going on outside their property and make that decision for themselves and take appropriate action rather than mandate a particular maximum height (within reason). In term of visual dominance, I hardly believe that a 1.8m fence is monsterring in effect in itself and this aspect is more likely to be affected by the selection of flat uniform materials. As in my earlier submission, design has an important part to play in dominance rather than purely height or the amount of visibily through a fence.

Relief sought

We suggest that landowners are allowed to choose a fence style up to a maximum height of 1.8m and at least 25% visually, but council also produces a design guide to help people select reasonable choices in terms of lower fences that are attractive and have suitable styles for the area, which could be different for different areas/streets.

Point 118.4

Section: MRZ - Medium Density Residential Zone

Sub-section: MRZ - Medium Density Residential Zone - Standards Table

Provision:

MRZ-S5: Building coverage

Purpose: to achieve an urban character; to facilitate a range of housing forms and minimise effects on the quality of the neighbours' living environment.

1. Building coverage must not exceed 50% of the net site area.

Matters of discretion are:

1. Purpose of the standard;
2. Housing supply and diversity;
3. Planned urban character;
4. Safety, attractiveness, and connectivity of streets and public open spaces, and
5. Quality living environments.

Sentiment: Oppose

Submission:

The objective of this rule is stated to "*...achieve an urban character; to facilitate a range of housing forms and minimise effects on the quality of the neighbours' living environment.*" We believe that the figure of 50% coverage in medium density zones is too restrictive and inefficient in terms of land use. As we have suggested in earlier parts of our submission a randomly selected figure doesn't demonstratively promote urban character and it is sympathetic design that promotes character. Having more green space on a property just to promote character isn't logical, when there is many hectares of attractive greenspace directly across the road on the parade, In our case we have very large greenspaces both in front and behind our section within 20m walk!

On our new house that we intending to build, we are planning a roof top greenspace terrace which we would contend is a much better use of limited section size and provides lots of avenues for greening of the neighbourhood. There is some logic behind a large greenspace on a property to encourage more soakage but in our case the whole residential area on Marine Parade is founded on pea metal so infiltration of stormwater is immense. I have observed huge amounts of rain soaking into the metal instantaneously, unfortunately to grow a garden along this area is very difficult and can only be achieved with planter boxes with controlled infiltration and good irrigation system which we believe is quite wasteful of the water resource.

Relief sought

We believe where a property is within 100m of a large greenspace, the rule should be relaxed to 75% coverage.

Point 118.5

Section: MRZ - Medium Density Residential Zone

Sub-section: MRZ - Medium Density Residential Zone - Standards Table

Provision:

MRZ-S7: Landscaped area

Purpose: *to achieve an urban character; to facilitate a range of housing forms and to maintain the quality of the living environment.*

1. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
2. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit.
3. At least 50% of the area of the front yard must comprise landscaped area.

Matters of discretion are:

1. Purpose of the standard;
2. Planned urban character;
3. Safety, attractiveness, and connectivity of streets and public open spaces, and
4. Quality living environments.

Sentiment: Oppose

Submission:

As commented on in early parts of my submission a randomly selected 20% figure has no demonstrable ability to affect the quality of the living environment. While I believe it is good to have a greenspace, we believe that should be able to occur at any height on a property. In my case we intend to build a large roof top garden but also want to have some ground floor greenspace for our cats.

Relief sought

For the council to allow the 20% landscaped area to be achieved at any height on a property ie a mix of ground floor, 1st floor or rooftop patio.