
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 #:119

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

Submitter:

Kate Graham

Address for service:

Kate Graham
33 Vigor Brown Street, Napier South, Napier, 4110, Napier 4110
New Zealand

Email: katelarissa@gmail.com

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

- **Yes**

Submission points

Point 119.1

Section: OVR5 - Napier South Historic Heritage Overlay

Sub-section: OVR5 - Napier South Historic Heritage Overlay

Sentiment: Amend

Submission:

Request the provisions within OVR5 – Napier South Historic Overlay and OVR5 (underlying zone General Residential) as shown on the planning maps is **amended** to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south.

Reasons for amendment:

The introduction to OVR5 states that:

“The Napier South Historic Heritage Overlay is a predominantly residential neighbourhood that was built between 1908 and 1930 following the reclamation of 300 acres of the Whare o Maraenui swamp. The section of McDonald Street between Carnell Street to the north and Kennedy Road to the south contains a varied mix of single-storey, early 20th century villas and bungalows, representative of the building styles, material availability, and societal patterns and needs of the period during which the area was developed. The significant heritage character derives from the setting - consistent street setback, narrow side yards, mature street trees - and the harmonious mix of largely unaltered, well-maintained dwellings”.

The section of Vigor Brown Street between Carnell Street to the north and Kenedy Road to the South also was built between 1908 and 1930 and forms a portion of the reclaimed Maranui swamp. This section of Vigor Brown Street cannot be differentiated from the section of McDonald Street included in OVR5 – the houses are of the same era, were built in the same period, comprise a varied mix of single-story, early 20th century villas and bungalows representative of the building styles, material availability, and societal patterns and needs of period during which the area was developed, the street trees are also very similar in appearance. This section of Vigor Brown Street (not included in OVR5) visually and historically cannot be differentiated from the adjacent section of McDonald Street which is included in OVR-5.

In 2019, the Council commissioned an independent review of heritage character areas in Napier by Graham Linwood, registered architect: 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: source www.ncc.govt.nz (NCC 2019 Heritage review).

Below is a table comparing the properties in McDonald Street (between Carnell Street to Kennedy Road), and the properties in the Vigor Brown Area, according to the classifications in the NCC 2019 Heritage Review:

	Primary	Contributory	Neutral	Not consistent
McDonald St	18	9	1	0
Vigor Brown St	28	13	4	1

“Primary: these properties have attributes that define the character of the area. Buildings appear unaltered from the street and no other additions (such as modern car ports or garages at the front of the property) adversely impact on the original appearance of the property.

Contributory: these properties have attributes that support the character of the area. Buildings are of the right age and style, and positioned on the section in a manner consistent with the predominant character, however there are either alterations to the building or modern additions to the front of the site (eg a car port or garage). Alterations could be as minor as aluminium joinery.

Neutral: these properties have attributes that neither define, support, nor detract from the character of the area. For example, the building may be a new build in an older neighbourhood, but is similar in height and density, with similar setbacks.

Not consistent: these are properties that undermine the character of the area. For example, the building may contain a different land use, and the building may be of a different age, style, and with different boundary setbacks and heights.”:

(Source NCC 2019 Heritage Review p.13-14).

It is clear from the NCC 2019 Heritage Review that both McDonald Street and Vigor Brown Street (between Carnell Street and Kennedy Road) have significant heritage character, and both should be protected with a Heritage Overlay.

Please amend OVR5 - Napier South Historic Overlay (both the chapter provisions and the planning maps) to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south.

Relief sought

Please amend OVR5 - Napier South Historic Overlay (both the chapter provisions and the planning maps) to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south (street numbers along Vigor Brown Street (10 to 42A) from 29 Carnell Street and 10 Vigor Brown Street to 59 and 61 Kennedy Road). I also request that the underlying zone for this section of Vigor Brown Street is amended from High Density Residential to General Residential.

Point 119.2

Section: HRZ - High Density Residential Zone

Sub-section: HRZ - High Density Residential Zone - Rules Table

Provision:

HRZ-R1: Residential units and residential activity

HRZ-R1A

Activity Status: Permitted

Where:

1. One residential unit per site.

Note: Minor residential units are considered standard residential units subject to this rule within the High Density Residential Zone.

Sentiment: Amend

Submission:

Please amend Rule HRZ-R1A to match the equivalent permitted activity rule in the General Residential zone (GRZ-R1A) - one

HRZ-R1B

Activity Status where activity conditions are not met:

Restricted Discretionary

Matters of discretion are:

1. Housing supply and diversity;
2. Safety, attractiveness, and connectivity of streets and public open spaces;
3. Quality living environments;
4. Effects on adjoining sites, and
5. Infrastructure capacity and stormwater management.

Notification status: Any application under this rule is precluded from being notified on a public or limited basis.

residential unit per site and include a new permitted activity rule (HRZ-R1B) which permits minor residential units in the High Density Residential zone with the same wording as GRZ-R3A:

"Activity Status: Permitted

Where:

One minor residential unit per site, and

1. The gross floor area of the unit does not exceed 80m².

The reason for this requested amendment to HRZ-R1A and the addition of HRZ-R1B is the proposed High Density Residential zone currently comprises existing development – all new development in the High Density Residential zone is infill / brown fields development.

I submit that existing residents should be able to build a minor dwelling – i.e. a granny flat on their existing properties as a permitted activity.

As our population changes different types of brownfield development / growth will be required – this will include increasing multi generational living. By not allowing minor dwellings as a permitted activity within the High Density Residential zone multi generational living will be unachievable.

Relief sought

Please amend Rule HRZ-R1A to match the equivalent permitted activity rule in the General Residential zone (GRZ-R1A):

one residential unit per site

~~**Note:** Minor residential units are considered standard residential units subject to this rule within the High Density Residential Zone.~~

and include a new permitted activity rule HRZ-R1B - minor residential unit, which permits minor residential units in the High Density Residential zone with the same wording as GRZ-R3A:

"Activity Status: Permitted

Where:

One minor residential unit per site, and

1. The gross floor area of the unit does not exceed 80m².

Point 119.3

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-R1: Residential units and residential activity

MRZ-R1A

MRZ-R1B

Activity Status: Permitted

Activity Status where activity conditions are not met:

Restricted Discretionary

Where:

Matters of discretion are:

1. One residential unit per site.

Note: Minor residential units are considered standard residential units subject to this rule within the Medium Density Residential Zone.

1. Housing supply and diversity;
2. Safety, attractiveness, and connectivity of streets and public open spaces;
3. Quality living environments; and
4. Infrastructure capacity and stormwater management.

Notification status: Any application under this rule is precluded from being notified on a public or limited basis.

Sentiment: Amend

Submission:

Please amend Rule MRZ-R1A to match the equivalent permitted activity rule in the General Residential zone (GRZ-R1A) - one residential unit per site and include a new permitted activity rule (MRZ-R1B) which permits minor residential units in the Medium Density Residential zone with the same wording as GRZ-R3A:

"Activity Status: Permitted

Where:

One minor residential unit per site, and

1. The gross floor area of the unit does not exceed 80m².

The reason for this requested amendment to MRZ-R1A and the addition of MRZ-R1B is the proposed high density zone currently comprises existing development – all new development in the Medium Density Residential zone is infill or brown fields development.

I submit that existing residents should be able to build a minor dwelling – i.e. a granny flat on their existing properties as a permitted activity.

As our population changes different types of brownfield development / growth will be required – this will include increasing multi generational living. By not allowing minor dwellings as a permitted activity within the Medium Density Residential zone multi generational living will be unachievable.

Relief sought

Please amend Rule MRZ-R1A to read:

one residential unit per site.

Note: Minor residential units are considered standard residential units subject to this rule within the Medium Density Residential Zone.

and include a new permitted activity rule (MRZ-R1B - minor residential units) which reads:

"Activity Status: Permitted

Where:

One minor residential unit per site, and

1. The gross floor area of the unit does not exceed 80m²".
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Point 119.4

Section: OVR5 - Napier South Historic Heritage Overlay

Sub-section: Issues

Provision:

OVR5-I1: Inappropriate subdivision, use, and development may compromise the historic heritage values within the overlay. The Napier South Historic Heritage Overlay has historic heritage values that contribute to the social wellbeing of current and future generations. Inappropriate subdivision, use and development in this area may compromise these identified values.

Sentiment: Support

Submission:

I support the inclusion of the Napier South Historic Heritage Overlay with the addition of the inclusion of Vigor Brown Street (between Carnell Street and Kennedy Road) as sought in the submission point above.

Relief sought

No relief sought

Point 119.5

Section: OVR5 - Napier South Historic Heritage Overlay

Sub-section: Objectives

Provision:

OVR5-O1: Identify the Napier South Historic Heritage Overlay

Sentiment: Amend

Submission:

I support the identification of the Napier South Heritage alert Overlay. I request that the mapped area is amended to include the section of Vigor Brown Street from Carnell Street to Kennedy Road

Relief sought

I request that the mapped area is amended to include the section of Vigor Brown Street from Carnell Street to Kennedy Road within OVR-5 and that the underlying zone (as mapped on the District Plan maps) for this section of Vigor Brown Street is changed from High Density Residential to General Residential.

Point 119.6

Section: OVR5 - Napier South Historic Heritage Overlay

Sub-section: Policies

Provision:

OVR5-P1: Identify Contributory sites and map the extent of the Napier South Historic Heritage Overlay

Sentiment: Amend

Submission:

Please amend the Napier South Heritage Alert Overlay to include the 28 primary and 13 contributory properties identified in the independent review of heritage character areas in Napier commissioned by Napier City Council in 2019: 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: source ncc.govt.nz)

Relief sought

Please amend the Napier South Heritage Alert Overlay to include the 28 primary and 13 contributory properties identified in the independent review of heritage character areas in Napier commissioned by Napier City Council in 2019: 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: source ncc.govt.nz)

Point 119.7

Section: SCHED4 - Historic Heritage Overlay and Precinct Schedule

Sub-section: SCHED4 - Historic Heritage Overlay and Precinct Schedule

Provision:

Napier South Historic Heritage Overlay

This representative area of the housing was constructed over a 20-year period between 1908-1930 following the reclamation of 300 acres of the Whare o Maraenui swamp initiated by locally born C. D, Kennedy, engineer and lawyer, and implemented by a consortium between the Napier Harbour Board, Napier Borough Council and Kennedy & Co. C D Kennedy was the visionary who promoted a risky but successful method of reclamation using engineering to manage the Tutaekuri River to deposit gravel and silt over the area to raise the ground level. He had observed the consequences of the 1897 flood and harnessed the natural flows to the river to replicate the siltation caused by that major event. This is a rare method of reclaiming land with most reclamation projects using conventional methods rocks and fill from quarrying to raise the land.

Site description

The section of McDonald Street between Carnell Street to the north and Kennedy Road to the south contains a varied mix of single storey, early 20th century villas and bungalows, representative of the building styles, materials availability, and societal patterns and needs of the period during which the area was developed. The significant heritage character derives from the setting, including the - consistent street setback, narrow side yards, street trees - and the harmonious mix of villas and bungalows which are largely unaltered and, well-maintained dwellings. The former Gilbert's Building on the northwest corner of Kennedy Road both defines the residential area and links it to the more commercial environment of Kennedy Road. Narrow side yards and relatively small section sizes (typically 500-600 m²) limit the opportunities for further subdivision.



Map



Sentiment: Amend

Submission:

Please amend Schedule 4 to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south.

Reasons for amendment:

The introduction to OVR5 (links to Schedule 4) states that:

“The Napier South Historic Heritage Overlay is a predominantly residential neighbourhood that was built between 1908 and 1930 following the reclamation of 300 acres of the Whare o Maraenui swamp. The section of McDonald Street between Carnell Street to the north and Kennedy Road to the south contains a varied mix of single-storey, early 20th century villas and bungalows, representative of the building styles, material availability, and societal patterns and needs of the period during which the area was developed. The significant heritage character derives from the setting - consistent street setback, narrow side yards, mature street trees - and the harmonious mix of largely unaltered, well-maintained dwellings”.

The section of Vigor Brown Street between Carnell Street to the north and Kenedy Road to the South also was built between 1908 and 1930 and forms a portion of the reclaimed Maranui swamp. This section of Vigor Brown Street cannot be differentiated from the section of McDonald Street included in OVR5 – the houses are of the same era, were built in the same period, comprise a varied mix of single-story, early 20th century villas and bungalows representative of the building styles, material availability, and societal patterns and needs of period during which the area was developed, the street trees are also very similar in appearance. This section of Vigor Brown Street (not included in OVR5) visually and historically cannot be differentiated from the adjacent section of McDonald Street which is included in OVR-5.

In 2019, the Council commissioned an independent review of heritage character

areas in Napier by Graham Linwood, registered architect: 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: source www.ncc.govt.nz (NCC 2019 Heritage review).

Below is a table comparing the properties in McDonald Street (between Carnell Street to Kennedy Road), and the properties in the Vigor Brown Area, according to the classifications in the NCC 2019 Heritage Review:

	Primary	Contributory	Neutral	Not
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	Primary	Contributory	Neutral	Not consistent
McDonald St	18	9	1	0
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“Primary: these properties have attributes that define the character of the area. Buildings appear unaltered from the street and no other additions (such as modern car ports or garages at the front of the property) adversely impact on the original appearance of the property.

Contributory: these properties have attributes that support the character of the area. Buildings are of the right age and style, and positioned on the section in a manner consistent with the predominant character, however there are either alterations to the building or modern additions to the front of the site (eg a car port or garage). Alterations could be as minor as aluminium joinery.

Neutral: these properties have attributes that neither define, support, nor detract from the character of the area. For example, the building may be a new build in an older neighbourhood, but is similar in height and density, with similar setbacks.

Not consistent: these are properties that undermine the character of the area. For example, the building may contain a different land use, and the building may be of a different age, style, and with different boundary setbacks and heights.”: (Source NCC 2019 Heritage Review p.13-14).

It is clear from the NCC 2019 Heritage Review that both McDonald Street and Vigor Brown Street (between Carnell Street and Kennedy Road) have significant heritage character, and both should be protected with a Heritage Overlay.

Please amend Schedule 4 - to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south.

Relief sought

Please amend Schedule 4 - to include the section of Vigor Brown Street from the corner of Carnell Street to the north to the corner of Kennedy Road to the south.

The attributes for these properties should be assessed appropriately and included in Schedule 4. Vigor Brown St shares the same history and characteristics as McDonald St, and was identified in the Graham Linwood report as having significant character values.