
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 #:120

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

Submitter:

Cameron Lloyd

Address for service:

Cameron Lloyd
567 Main North Road Bay View Napier 4104
New Zealand

Email: camjlloyd7@gmail.com

Address for service:

Kerry Beard
549 Main North Road, Bay View Bay View Napier 4104
New Zealand

Email: kandsbeardlogging@gmail.com

Address for service:

Peter Oliver
565 Main North Road, Bay View Bay View Napier 4104
New Zealand

Email: theoliverfamily@gmail.com

Attachments:

Map of properties.pdf

Map of properties.pdf

Map of properties.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

- No

Submission points

Point 120.1

Section: RLZ - Rural Lifestyle Zone

Sub-section: RLZ - Rural Lifestyle Zone - Rules Table

Provision:

RLZ-R5: Minor residential unit, a residential care facility, an education facility

RLZ-R5A

RLZ-R5B

Activity Status: Permitted

Activity Status where activity conditions are not met: Discretionary

Where:

1. The activity complies with all of the Rural Lifestyle Zone Standards;
2. The net site area is more than 5000 m²;
3. The activity does not cater for more than ten people;
4. A maximum of one non-rural activity may be undertaken on any site;
5. The combined gross floor area of these activities must not exceed 80 m² (per site, not per activity), and
6. Access is to be shared with any primary dwelling on site.

Sentiment: Amend

Submission:

This submission is presented by Cameron Lloyd for the following property owners. I will speak to our submission at the hearing.

Kerry and Sally BEARD.

- 555 Main North Road, Bay View
- 553 Main North Road, Bay View

Main Contact: Kerry Beard

Mobile: 0274838789

Email: kandsbeardlogging@gmail.com

Peter and Lyn Oliver.

· 565 Main North Road, Bay View

Main Contact: Peter Oliver

Mobile: 02102656494

Email: theoliverfamily@gmail.com

Cameron Lloyd and Melissa Pollard.

· 567 Main North Road, Bay View

Main Contact: Cameron Lloyd

Mobile: 0273896892

Email: camlloyd@crediflex.co.nz

The above properties currently fall under the "Rural Residential Zone" however the proposed plan suggests a shift a new zone labelled "Rural Lifestyle Zone".

Under the current zoning these properties could construct a major dwelling along with a supplementary unit. See criteria in rule 35.8.

35.8 Supplementary Units, Residential Care Facilities, Day Care Centres, Education Facilities, Travellers' Accommodation, and seasonal Workers Accommodation.

Any one or more of the following are permitted activities:

- 1. A supplementary unit*

Please Note in the Operative Plan:

Condition 35.16 Density, which states that the maximum density cannot exceed one 'dwelling unit' per site...etc. However, a 'supplementary unit' is not defined as a 'dwelling unit'. In fact, the 'dwelling unit' definition excludes 'supplementary units', and 'supplementary units' has its own definition under the ODP.

The land size for each of these properties (553/555/565/567) is slightly larger than 4000m². Unfortunately, the proposed plan restricts the development to a one dwelling for land sizes under 5000m², and it is **not an option** to have an **additional minor residential unit**.

The decision to use 5000m² area size as a threshold ignores that 4000m² is a common land size area in areas zoned 'Rural Residential' in Bay View. There are 4x titles affected along Main North Road as listed above. In our research, other titles in the new "Rural Lifestyle Zone" around the district are also affected by the new zoning rules. The Oliver's and Beard's had not received the news about the proposed plan submission and likely there are other property owners who are affected but not yet aware of the proposed changes. The 5000m² threshold doesn't apply to our area and furthermore 4000m² is still a large enough size to sustain a dwelling and minor residential unit while still retaining the rural lifestyle character.

Residential housing exists to the north of 569 (BP) and to the south of 537 Main North Road. We want to maintain the rural character but develop our properties with an additional minor residential unit. Given that we are surrounded by much higher density residential housing, and that our land sizes are vastly bigger when compared with surrounding residential housing lot sizes it seems fair that we should be able to build a minor residential unit. In surrounding streets, there are much smaller lot sizes with multiple properties. If infrastructure (such as sewerage) is a concern for planners, then it's worth noting that we have our own treatment systems.

We all want to utilise a small part of our land to build a dwelling and a minor residential unit. 4000m² is too small to be productive from a horticultural/agricultural perspective. With the proposed changes to the operative plan, our land will be underutilised. With the current housing shortages in New Zealand and especially in Napier, we would have expected housing infill development to

become more achievable. Instead, regulation and planning appear to be driving it the other way.

Under the proposed 'Rural Lifestyle Zone', we are now grouped together with smaller property titles in the area such as along Rogers Road, with examples from that area with size 1170m² and 800m² lot sizes. If the property titles 537 – 567 can be grouped in the same zoning category as these Rogers Road smaller residential properties, then the zoning label of "Rural Lifestyle" seems to lose meaning at this point. The Rogers Road properties do not have 'Rural' character, they are residential housing. For "Rural Lifestyle Zone" zoning the threshold of 5000m² for an additional minor dwelling seems especially irrelevant when a significant number of titles with the same zone have such high-density housing and are residential in character, not rural. The point here is that if we are to be categorized as the same as areas which have much higher density, then we should have the right to have an additional minor residential unit.

Relief sought

Make the threshold 4000m² not 5000m² for permitting a minor residential unit in addition to dwelling, in the Rural Lifestyle Zone.

Point 120.2

Section: SUB - Subdivision

Sub-section: SUB - Subdivision - Standards Table

Provision:

SUB-S3: Minimum allotment sizes - rural

Rural Lifestyle Zone, Mission Rural Residential Precinct	5,000 m ² minimum allotment size with a minimum average allotment size of 1.5 ha. The minimum average allotment size must be calculated using the parent allotment in existence as at 11 November 2000. This parent allotment will be the base for any further proposed subdivision.	Activity Status where standards are not met: Non-complying
Productive Rural Zone, Mission Productive Rural Precinct	4 ha	Activity Status where standards are not met: Non-complying
Rural Special Control Area	50 ha	Activity Status where standards are not met: Non-complying
Settlement Zone	800 m ² fully serviced sites 1500 m ² unserviced sites	Activity Status where standards are not met: Non-complying
Open Space Zones	No minimum	Activity Status where standards are not met: NA
Jervoistown Precinct	2,500 m ²	Activity Status where standards are not met: Prohibited

Sentiment: Amend

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The above properties currently fall under the "Rural Residential" zoning however the proposed plan suggests a shift a new zone labelled "Rural Lifestyle".

In our area, we are surrounded by residential housing to the North of BP and to the south of 537 Main North Road. Titles 537 – 567 Main North Road are determined to be "Rural Residential" in the operative plan and "Rural Lifestyle" in the proposed plan. We do not know the reasons or motivation why the council is discouraging infill development of housing (and lowering density) in titles from 537 – 567 Main North Road. In our view, the rural lifestyle character is not evident, and the current development has not been good, and it doesn't exemplify the rural lifestyle character. The area has become quite industrial and has outgrown this designation.

If infrastructure such as sewerage is a concern for planners, then it's worth noting that we have and can build our own treatment systems. We all want to develop more housing on our titles as we believe this is the most productive use of our land. 4000m² is too small to be productive from a horticultural/agricultural perspective. With the current housing shortages in New Zealand and especially in Napier, we would have expected housing infill development to become more achievable. Instead, regulation and planning appear to be driving it the other way. Our land is underutilised.

Under the proposed 'Rural Lifestyle Zone', we are now grouped together with smaller property titles in the area such as along Rogers Road, with examples from that area with size 1170m² and 800m² lot sizes. Yet the minimum lot size for the proposed "Rural Lifestyle" zone is 5000m². There is a multitude of properties at this approximate 1000m² size.

If the property titles 537 – 567 can be grouped in the same zoning category as these Rogers Road smaller residential properties, then the zoning label of "Rural Lifestyle" seems to lose meaning at this point. The Rogers Road properties do not have 'Rural' character, they are residential housing. For "Rural Lifestyle" zoning the minimum lot size of 5000m² seems especially irrelevant when a significant number of titles are averaging 1000m². The point here is that if we are to be categorized as the same as areas which have higher density, then we should have the right to develop residential housing at higher density too.

Relief sought

Make the minimum lot size for Rural Lifestyle Zone 1000m².

Or; Council to start planning for infill development in the Bay View area. Revise areas labelled as "Rural Lifestyle Zone", and reallocate to special zone with a smaller minimum lot size (Example: Jervoistown Precinct).

