
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: 14/12/2023

Submission Reference Number #:142

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

Submitter:

TW Property

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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 142.1

Section: General

Sentiment: Amend

Submission:

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

- The PDP in its entirety.
- Submissions points on specific provisions of the proposal are as outlined in the body of this submission.

Summary of submission:

1. TW Property is one of Hawke's Bay's leading and respected Property Development, Subdivision, and Consultancy Companies. TW Property works with residential, commercial and industrial clients to assist in delivering development projects. This includes managing property acquisition; planning, engineering, and design; physical construction; sales, marketing and leasing.
2. TW Property has undertaken numerous subdivision and housing projects within Hawke's Bay and the wider North Island and is therefore well informed on the challenges and opportunities for delivering housing within the provincial property market.
3. TW Property considers that the economic realities of delivering housing projects within Napier should be better understood by Council to ensure the provisions will reduce uncertainty and avoid additional time and costs to projects, in order to assist achieving the desired outcomes for the city.
4. TW Property generally supports the introduction of the Medium and High Density residential zone however considers that both these, and the General Residential Zone, include onerous standards and assessment criteria which contribute to the inefficient development of a site and/or add time and cost to a project during reporting and processing of consents.

TW Property wishes to be heard in support of its submission.

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

Relief sought

Relief sought:

The TW Property submission either supports, opposes or seeks amendments to the PDP to address the following key themes:

- a. Support Increased Opportunities for Medium and High Density Housing.
- b. Reduce Uncertainty.
- c. Ensure Workable Standards.

Point 142.2

Section: Planning Maps

Sentiment: Support

Submission:

Submission theme 1: Support increased opportunities for medium and high density housing

1. We understand that Napier currently has a housing shortage. Medium and high density housing can provide additional supply as well as greater choice in both housing typologies and price points to the market. Providing greater zoned opportunities for medium and high density housing allows the market to respond and deliver housing in appropriate locations and demand sectors. The more land available for medium and high residential housing, the more likely it is that this typology can be delivered at a scale that meets demands or need.

2. Therefore, TW Property in general supports the introduction of a Medium Density Residential Zone and High Density Residential Zone within Napier and the areas that this has been applied to throughout the City.
3. In general, TW Property does not consider that the market is ready for six story developments such as what has been proposed via the High Density Residential Zone. However, we are not in opposition to it as it allows the market to grow into this in the future.

Relief sought

Relief sought:

Retain MRZ and HRZ zones and their spatial extent on the planning maps.

Point 142.3

Section: General

Sentiment: Amend

Submission:

Submission theme 2: Reduce uncertainty

1. Increasing the certainty of gaining planning approvals is key to enable developers to actually deliver housing developments (including medium and high density housing) “on the ground”. Reducing risk (including time and cost risk) to projects will encourage developers to move from traditional infill and/or greenfield subdivisions to deliver duplex and terraced housing typologies within Napier across all market/occupancy sectors. Sufficient certainty is required at the early due diligence stage to make property acquisition and investment decisions.
2. TW Property accepts that medium and higher density residential development will likely require resource consent applications, particularly for larger scale development, as not all potential matters may be adequately addressed through permitted activity standards. The flexibility of a resource consent process can also enable developments to better respond to site specific characteristics rather than compliance with a plethora of onerous standards. However, the resource consent process should provide as much certainty and clarity for all involved, including developers and also existing neighbouring property owners and communities.
3. A current area of uncertainty experienced by TW Property in the design and resource consent process for housing projects in Napier is the implication of minimum floor levels in relation to flooding, whether or not a flood hazard is actually shown over the subject site. A flood level prescribed by Council is often applied as a consent condition following the assessment of an application with the resulting heights having potential to implicate compliance with height in relation to boundary standards and affect other factors in relation to building and landscape design.

Relief sought

Relief sought:

1. Retain the MRZ and HRZ Zones.
 2. Retain the Restricted Discretionary Activity status for residential activities where activity conditions are met.
 3. Delete assessment criteria relating to Hastings Residential Intensification Guide.
 4. Clearly define the flood level and the areas which this applies to on the planning maps.
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Point 142.4

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Rules Table

Provision:

GRZ-R1: Residential units and residential activity

GRZ-R1A

GRZ-R1B

Activity Status: Permitted

Activity Status where activity conditions are not met:

Where:

Restricted Discretionary

1. One residential unit per site.

Matters of discretion are:

1. Housing supply and diversity;
2. Neighbourhood character;
3. Safety, attractiveness, and connectivity of streets and public open spaces;
4. Quality living environments, 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.

Sentiment: Support

Submission:

Submission theme 2: reduce uncertainty

Reasons:

TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met, including new houses on small vacant sites and/or multiple residential units on a site. Additionally, we support the default non-notification for applications under this rule on both a public and limited basis.

Relief sought

Relief sought:

Retain GRZ-R1.

Point 142.5

Section: GRZ - General Residential Zone

Sub-section: Assessment criteria

Provision:

GRZ-AC1: Residential units (GRZ-R1); Minor residential units (GRZ-R3); Relocated buildings (GRZ-R9); Retirement village premises (GRZ-R10)

General

- a. The extent to which the site layout (location and design of buildings, access/car parking and open spaces) optimises the quality of the living environment and the safety and attractiveness of streets and public open spaces by addressing each of the criteria below.

Neighbourhood character

- b. The extent to which development is consistent with planned built form and any positive defining characteristics of the neighbourhood development. This includes consideration of any character, amenity values, and heritage values identified for the area in the character statements at Schedule 4, and any coastal environment values.
- c. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Safety, attractiveness, and connectivity of streets and public open space

- d. For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.
- e. Whether the development contributes to attractive streets and public open spaces. This includes orientating residential units to front the street with clear and direct pedestrian access and minimising long expanses of blank walls.
- f. Whether the orientation of development and the placement of doors, windows, balconies, and habitable rooms maximise visibility over the street and public open space to enhance safety and security.
- g. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Quality living environments

- h. The extent to which the site layout and residential unit design contributes to a warm, dry, and healthy living environment for residents.
- i. Whether the site layout and residential unit design maintains a reasonable level of privacy for residents.
- j. The extent to which the site layout and residential unit design contribute to a reasonable noise environment for residents, particularly to enable uninterrupted sleep.
- k. Whether the entranceway is well lit and shelter is provided from the rain at the front door.
- l. Whether residents, visitors, and emergency services can easily find and access the residential unit.
- m. Whether the site layout provides for easy storage and access of recycling and rubbish for collection.
- n. Whether communal collection areas will detract from the quality of the living environment, particularly for adjoining residents, and/or the safety and attractiveness of the street and public open spaces.
- o. The extent to which outdoor living spaces are useable by residents and contribute to a healthy living environment.
- p. Whether parking is safe and accessible for residents.
- q. Whether the layout of residential units provides sufficient room for the day-to-day needs of residents, including space for both furniture and internal circulation.
- r. Whether sufficient area is available for easily accessible and identifiable letter boxes.
- s. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Sentiment: Oppose

Submission:

Submission theme 2: reduce uncertainty

Reasons:

TW Property does not support Assessment Criteria matters GRZ-AC1(c), (g) and (s) where an assessment of the development's consistency with the Hastings Residential Intensification Design Guide (the **Design Guide**) is required. It is considered that this is both onerous on top of the already extensive assessment criteria proposed for the General Residential Zone and introduces a level of subjectivity when considering an application against the Design Guide. Both of which increase cost and uncertainty to any resource consent application. Specifically, the proposed list of assessment criteria are already considered to cover a number of the matters outlined in the Design Guide and requiring applications to make an assessment against the 60 page Design Guide documents introduces

additional cost to developers by way of additional assessment for both the applicant Planners and Council Planners and Urban Design teams. Additionally, through requiring an assessment of this document introduces a layer of subjectivity to the consenting process increasing uncertainty. It is requested that the use of the Hastings Intensification Design Guide is as a non-statutory guidance document only and the use of this as a statutory assessment process is not supported.

Relief sought

Relief sought:

1. Deletion of Assessment Criteria matters GRZ-AC1(c), (g) and (s).
2. TW Property supports the retention of the remaining assessment criteria (a), (b), (d) – (f), (h) – (r) and (t).

Point 142.6

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

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 Medium Density Residential Zone.

Sentiment: Support

Submission:

Submission theme 2: reduce uncertainty

Reasons:

TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met. Additionally, we support the default non-notification for applications under this rule on both a public and limited basis.

MRZ-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; 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.

Relief sought

Relief sought:

Retain Rule MRZ-R1.

Point 142.7

Section: MRZ - Medium Density Residential Zone

Sub-section: Assessment criteria

Provision:

MRZ-AC1: Residential units (MRZ-R1); Relocated buildings (MRZ-R5); Retirement village premises (MRZ-R6)

General

- a. The extent to which the site layout (location and design of buildings, access/car parking, and open spaces) optimises the quality of the living environment and the safety and attractiveness of streets and public open spaces, by addressing each of the criteria below.

Housing supply and diversity

- b. The extent to which the development makes efficient use of the site and contributes to diversity of housing options in Napier.

Safety, attractiveness, and connectivity of streets and public open space

- c. For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.
- d. Whether the development contributes to attractive streets and public open spaces. This includes orientating residential units to front the street with clear and direct pedestrian access and minimising long expanses of blank walls.
- e. Whether the orientation of development and the placement of doors, windows, balconies, and habitable rooms maximise visibility over the street and public open space to enhance safety and security.
- f. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Quality living environments

- g. Whether principal living rooms and outdoor living spaces are orientated and designed to provide privacy between residential units and optimise sunlight access.
- h. The extent to which outdoor living spaces are directly accessible from the principal living room.
 - i. Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, contribute to the overall quality of outlook space and allow some privacy between residential units.
 - j. Where communal open space is provided on site, whether it is located to provide convenient access for all residents and to maximise sunlight access, amenity, and use.
- k. Whether storage areas for rubbish are sufficiently sized, conveniently located, and appropriately screened.
 - l. The extent to which the site layout and residential unit design contributes to a reasonable noise environment for residents, particularly to enable uninterrupted sleep.
- m. Whether the site layout provides for easy storage and access of recycling and rubbish for collection.
- n. Whether communal collection areas will detract from the quality of the living environment, particularly for adjoining residents, and/or the safety and attractiveness of the street and public open spaces.

- o. The extent to which outdoor living spaces are useable by residents and contribute to a healthy living environment.
- p. Whether parking is safe and accessible for residents.
- q. Whether the layout of residential units provides sufficient room for the day-to-day needs of residents, including space for both furniture and internal circulation.
- r. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Sentiment: Oppose

Submission:

Submission theme 2: reduce uncertainty

Reasons:

Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, it would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against the concise 'material' development criteria in the District Plan.

Relief sought

Relief sought:

- 1. Deletion of Assessment Criteria MRZ-AC1(f) and (r).
- 2. TW Property supports the retention of the remaining assessment criteria (a) – (e), (g) – (q) and (s).

Point 142.8

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

HRZ-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 High Density Residential Zone.

- 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.

Sentiment: Support

Submission:

Submission theme 2: reduce uncertainty

Reasons:

TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met, including new houses on small vacant sites and/or multiple residential units on a site. Additionally, we support the default non-notification for applications under this rule on both a public and limited basis.

Relief sought

Relief sought:

Retain HRZ-R1.

Point 142.9

Section: HRZ - High Density Residential Zone

Sub-section: Assessment criteria

Provision:

HRZ-AC1: Residential units (HRZ-R1); Relocated buildings (HRZ-R5); Retirement village premises (HRZ-R6)

General

- a. The extent to which the site layout (location and design of buildings, access/car parking, and open spaces) optimises the quality of the living environment and the safety and attractiveness of streets and public open spaces by addressing each of the criteria below.

Housing supply and diversity

- b. The extent to which the development makes efficient use of the site and contributes to diversity of housing options in Napier.

Safety, attractiveness and connectivity of streets and public open space

- c. For developments on larger sites with frontages to two or more streets, whether connectivity is achieved to the surrounding neighbourhood.
- d. Whether the orientation of development and the placement of doors, windows, balconies, and habitable rooms maximise visibility over the street and public open space to enhance safety and security.
- e. Whether the development contributes to attractive streets and public open spaces. This includes orientating residential units to front the street with clear and direct pedestrian access and minimising long expanses of blank walls.
- f. Where the orientation of development and the placement of doors, windows, balconies, and habitable rooms maximise visibility over the street and public open space to enhance safety and security.
- g. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Quality living environments

- h. Whether the principal living rooms and outdoor living spaces are oriented and designed to provide privacy between residential units and optimise sunlight access.
 - i. The extent to which outdoor living spaces are directly accessible from the principal living room.
 - j. Whether landscape areas can be consolidated to allow opportunities for large scale trees on site, contribute to the overall quality of outlook space and allow some privacy between residential units.
- k. Where communal open space is provided on site, whether it is located to provide convenient access for all residents and to maximise sunlight access, amenity, and use.
 - l. Whether storage areas for rubbish are sufficiently sized, conveniently located, and appropriately screened.
- m. Where the site layout provides for easy storage and access of recycling and rubbish for collection.
- n. Whether communal collection areas will detract from the quality of the living environment, particularly for adjoining residents, and/or the safety and attractiveness of the street and public open spaces.
- o. Whether parking is safe and accessible for residents.
- p. Whether the layout of residential units provides sufficient room for the day-to-day needs of residents, including space for both furniture and internal circulation.
- q. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Sentiment: Oppose

Submission:

Submission theme 2: reduce uncertainty

Reasons:

Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against concise 'material' development criteria in the District Plan.

Relief sought

Relief sought:

1. Deletion of Assessment Criteria HRZ-AC1(g) and (q).
2. TW Property supports the retention of the remaining assessment criteria (a) – (f), (h) – (p), (r) and (s).

Point 142.10

Section: MUZ - Mixed Use Zone

Sub-section: Assessment criteria

Provision:

MUZ-AC1: New buildings not meeting permitted standards (MUZ-R1)

Quality design

- a. The extent to which the site layout and building design positively contributes to the safety, attractiveness, character, and 'sense of place' of the area particularly as experienced from streets, laneways, and public open spaces.
- b. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Accessibility and connectivity

- c. The extent to which the development is easily accessible for all members of Napier's community.
- d. The extent to which publicly accessible pedestrian and cycle connections are provided through the site where development fronts two or more streets or public open spaces (where practicable and appropriate).

Resilience and infrastructure

- e. Whether the building contributes to the resilience of the area to natural hazards and climate change where feasible.
- f. Whether suitable provision is made for onsite rubbish storage and sorting of recycling materials that is of sufficient size to service the activities in the buildings and is easily accessible for collection.
- g. Whether the development can be sufficiently serviced by water, wastewater, and stormwater infrastructure, including through the use of low impact stormwater design where appropriate.

Quality living environments

- h. If the building provides residential units, whether the design and layout of the residential units provide quality living environments.
- i. The criteria HRZ-AC1 'Quality living environments' of the High Density Residential Zone apply in addition to the above.
- j. The extent to which the development is consistent with the Hastings Residential Intensification Design Guide.

Sentiment: Oppose

Submission:

Submission theme 2: reduce uncertainty

Reasons:

Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against concise 'material' development criteria in the District Plan.

Relief sought

Relief sought:

1. Deletion of Assessment Criteria MUZ-AC1(b), (i) and (j).
2. TW Property supports the retention of the remaining assessment criteria for new buildings being (a), (c) – (h).

Point 142.11

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-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 to minimise effects on the quality of the neighbours' living environment.*

1. Within 23.5 m of the front boundary buildings and structures must not project beyond a 60 degree recession plane measured from a point 12 m vertically above ground level along side and rear boundaries.
2. Beyond 23.5 m of the front boundary buildings must not project beyond a 60 degree recession plane measured from a point 14 m vertically above ground level along side and rear boundaries.
3. 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 HRZ-S2.1 above.
4. Control HRZ-S2.1 and 2 above does not apply to a boundary adjoining:
 - a. sites exceeding 2,000 ² 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 Medium Density Residential Zone buildings must comply with MRZ-S2 on the shared boundary.
5. Where the site adjoins a site zoned General Residential Zone buildings must comply with GRZ-S2 on the shared boundary.

Matters of discretion are:

1. Purpose of the standard;
2. Housing supply and diversity;
3. Safety, attractiveness, and connectivity of streets and public open spaces;
4. Quality living environments, and
5. Effects on adjoining sites.

Sentiment: Amend

Submission:

Submission theme 3: Workable standards

1. it is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents.
2. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite. The submission requests amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan. Additionally, with respect to the High Density Residential Zone, the submission points seek amendments to the standards to allow for the optimal uptake of denser typologies to maximise use of this rezoned land for these purposes.
3. As with the previous submission theme above, an area of particular concern relates to the implementation by Councils Engineering Team of minimum floor levels above flood hazards across large areas of Napier and the implications this has on complying with height in relation to boundary standards. In some cases, sites are required to be raised 0.9m above existing ground level which compromises the ability to develop within a site, particularly for two-story dwellings. It is noted that following the Christchurch Earthquakes, parts of residential Christchurch which became susceptible to flooding were mapped within a Flood Management Area, and within these areas they are now exempt from complying with standard height in relation to boundary controls. Instead, the applicable recession planes within these areas are now determined as if the ground level at the relevant boundary was the minimum floor level set by the flood hazard (or natural ground level, whichever is higher). As such, this ensures that development of the site is not restricted by the requirement to raise the site for flood hazard protection (Refer to Section 5.4.1.3 Exemptions for daylight recession planes in the Flood Management Area – Christchurch District Plan). TW Property is of the view that a similar approach should be taken for sites subject to

flood hazards in Napier.

Relief sought

Relief sought:

1. Ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite.
 2. Amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan.
 3. Amendments to the HRZ standards to allow for the optimal uptake of denser typologies to maximise use of this rezoned land for these purposes.
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Point 142.12

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision: General

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property generally supports the standards of the General Residential Zone, Medium Density Residential Zone, and the High Density Residential Zone, except where otherwise stated through specific submission points. It is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents. 14. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ) are workable and provide for practical outcomes when actually implemented onsite.

Relief sought

Relief sought:

Retain standards in the GRZ, MRZ and HRZ except where amendments are sought through separate submission points.

Point 142.13

Section: Planning Maps

Sentiment: Amend

Submission:

Submission point 3: workable standards

Reasons:

A current area of uncertainty experienced by TW Property in the design and resource consent process for housing projects in Napier is the implication of minimum

floor levels in relation to flooding, whether or not a flood hazard is actually shown over the subject site. A flood level prescribed by Council is often applied as a consent condition following the assessment of an application with the resulting heights having potential to implicate compliance with height in relation to boundary standards and affect other factors in relation to building and landscape design. TW Property seeks clarification of this flood level and requests that it is clearly set out in the relevant standards and linked to planning maps for spatial clarity of application, and/or through an amendment to the code of practice.

Relief sought

Relief sought:

Map minimum floor level requirements on the planning maps, or alternative relief.

Point 142.14

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision:

GRZ-S2: Height in relation to boundary

Purpose: *to maintain a suburban character; to maintain a reasonable level of sunlight access and minimise effects on the quality of the neighbours' living environment; to enable quality relationships and passive surveillance between residential units and public open space.*

1. Buildings and structures must not project beyond a 45 degree recession plane measured from a point 3 m vertically above ground level along side and rear site 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 GRZ-S2 clause 1 above.
3. GRZ-S2 clause 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. site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
4. GRZ-S2 clause 1 above does not apply to the height exemptions set out in GRZ-S1 clause 3.

Matters of discretion are:

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

Sentiment: Amend

Submission:

Submission theme 3: workable standards

1. Large areas of residentially zoned land in Napier are being required by the Councils Engineering Team to lift finished floor levels significantly higher than existing ground level in order to meet minimum floor level requirements due to the raised flood level. As a result, this compromises the ability to develop a site within the height in relation to boundary parameters.
2. It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).

Relief sought

Relief sought:

We request that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied a site at the relevant boundary.

Point 142.15

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision:

GRZ-S6: Impervious area

Purpose: *to maintain a suburban character; to maintain the quality of the living environment; to minimise potential flood risks and to minimise effects on the capacity of the stormwater network and quality of discharges.*

1. Impervious area must not exceed 70% of the net site area. **Matters of discretion are:**

1. Purpose of the standard;
2. Infrastructure capacity and stormwater management.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports an impervious area of 70% within the General Residential Zone.

Relief sought

Relief sought:

Retain GRZ-S6.

Point 142.16

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision:

GRZ-S8: Fences and walls

Purpose: *to provide for* 1. Fences or walls (or a combination of these) **Matters of discretion are:**

privacy of residential units while enabling opportunities for passive surveillance of the street and public open spaces; to minimise visual dominance effects to immediate neighbours and the street.

structures) must not exceed the height specified below, measured from the ground level at the boundary:

- a. within the front yard, and within a side or rear yard adjacent to 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 length of the boundary 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.
- b. Within the side and rear yards: 2 m.

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

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted height threshold.

Relief sought

Relief sought:

Retain GRZ-S8.

Point 142.17

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision:

GRZ-S10: Windows to the street

Purpose: *to provide for passive surveillance of the street and public open space; to provide visual interest to the street and public open space.*

1. Any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.
2. Front doors may be solid. Garage doors do not contribute towards the 20% glazing.
3. For the purpose of this rule, any area of roof space that is fully enclosed by a gable must not be included in the area of the front

Matters of discretion are:

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

facade.



Figure 2 - Front Facade

Sentiment: Amend

Submission:

Submission theme 3: workable standards

1. TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code.
2. We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.

Relief sought

Relief sought:

Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing, or similar alternative relief.

Point 142.18

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision:

GRZ-S11: Outdoor living space

Purpose: *to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents on site.*

1. A residential unit at ground floor level must have an outdoor living space that is at least 20 m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. where located at ground level, has no dimension less than 3 m.
 - b. where provided in the form of a balcony, patio or roof terrace, is at least 8 m² and has a minimum

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments.

- dimension of 1.8 m.
 - c. is accessible from the residential unit.
 - d. may be:
 - i. grouped cumulatively by area in 1 communally accessible location, or
 - ii. located directly adjacent to the unit.
 - e. is free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above the ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
- a. is at least 8 m² and has a minimum dimension of 1.8 m.
 - b. is accessible from the residential unit.
 - c. may be:
 - i. grouped cumulatively by area in one accessible location, in which case it may be located at ground level, or
 - ii. located directed adjacent to the unit.
3. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by:
- a. at least 9 m for two-storey buildings, and
 - b. at least 6 m for single-storey buildings. For the purpose of this standard, south is defined as between 135 and 225 degrees.

Advice note: Day care centres may be subject to additional open space requirements from the Ministry of Education and/or Te Whatu Ora.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

1. TW Property generally supports the outdoor living space standard and the reduction in area from the ODP for ground floor units to 20m² however we consider that the wording provided for GRZ-S11(1)(b) is unclear as notified this appears to contradict the requirement for a 20m² living space.
2. Further, TW Property does not support the wording of GRZ-S11(3) and seeks further clarity around the interpretation of this standard.

Relief sought

Relief sought:

1. Amend GRZ-S11(1)(b) to provide better clarity around this provision i.e. whether the 20m² can be cumulatively met through a combination of balcony and ground floor outdoor living space.
 2. Further, amend or delete GRZ-S11(3) as further clarity is required.
-

Point 142.19

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S1: Height

Purpose: *to achieve an urban character while providing for a reasonable standard of amenity for neighbouring properties.*

1. Buildings and structures must not exceed 12 m in height.
2. The following are excluded from complying with MRZ-S1 clause 1:
 - a. solar heating devices;
 - b. air conditioning units and similar structures housing mechanical and/or;
 - c. electronic equipment, and
 - d. one chimney per building.

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.

where the device, unit, or other structure does not exceed the maximum height of clause 1 by more than 2.5 m vertically and 1.0 m in any horizontal direction.

Airport Height Control

3. Buildings and structure must not exceed the Airport Height Control Designation in Appendix 1.

Matters of discretion are:

1. Aircraft and community safety.

Purpose: *to maintain the safety of aircraft approaching and taking off from Hawkes Bay airport.*

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports the maximum height limit of 12m for the Medium Density Residential Zone.

Relief sought

Relief sought:

Retain MRZ-S1.

Point 142.20

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: Amend

Submission:

Submission theme 3: workable standards:

Reasons:

1. TW Property considers that the height in relation to boundary of 4m + 45 degrees is too restrictive to allow for the efficient uptake of medium density residential development constructed up to a height of 12m. A 4m + 45 degree recession plane requires a three story building to be pushed off the boundary by 8m. Noting the width of most residential sites within Napier, this excludes a large portion of each lot and significantly reduces the buildable area.
2. This is additionally exacerbated via the requirement to raise sites above flood levels applied by NCC. It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).
3. Further, the Height in Relation to Boundary provision does not consider duplex dwellings or terraced houses on adjacent sites which are sought to be enabled in the objectives and policies for the zone.

Relief sought

Relief sought:

1. TW Property requests that the height in relation to boundary rules are relaxed within the Medium Density Residential Zone to allow the efficient development of these sites. Additionally, we recommend that consideration is given to conjoined duplex/terraced houses on separate lots whereby the height in relation to boundary standards are not required to be applied.
2. It is also requested that the height in relation to boundary plane is taken from the minimum floor level at the relevant boundary.

Point 142.21

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S4: Other yards

Purpose: *to achieve an urban character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes.*

1. No part of any building may be erected closer than 1 m to a side or rear site boundary unless:
 - a. written approval of the adjacent landowner(s) is provided.
2. Any part of a building, fence, or structure must not be erected closer than 6 m from the top of the bank of any watercourse or open drain.

Matters of discretion are:

1. Purpose of the standard;
2. Safety, attractiveness, and connectivity of streets and public open spaces;
3. Quality living environments, and
4. Operation and maintenance of watercourses and open drains.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports a setback distance of 1m from side and rear boundaries however no provision is made for duplex or terrace housing typologies.

Relief sought

Relief sought:

In order to give effect to Policy MRZ-P1, amend MRZ-S4 to remove the requirement to comply with yard setbacks between conjoined dwellings across boundaries.

Point 142.22

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*

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

Matters of discretion are:

housing forms and minimise effects on the quality of the neighbours' living environment.

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: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports a building coverage of 50% within the Medium Density Residential Zone.

Relief sought

Relief sought:

Retain MRZ-S5.

Point 142.23

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S6: Impervious area

***Purpose:** to achieve an urban character; to maintain the quality of the living environment; to facilitate a range of housing forms; to minimise potential flood risks and to minimise effects on the capacity of the stormwater network and quality of discharges.*

1. Impervious area must not exceed 80% of the net site area. **Matters of discretion are:**

1. Purpose of the standard;
2. Housing supply and diversity;
3. Quality living environments, and
4. Infrastructure capacity and stormwater management.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports an impervious area of 80% for the Medium Density Residential Zone.

Relief sought

Relief sought:

Point 142.24

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: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports a landscaped area of 20% for the Medium Density Residential Zone.

Relief sought

Relief sought:

Retain MRZ-S7.

Point 142.25

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*

1. Fences or walls (or a combination of these

Matters of discretion are:

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

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

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: Support

Submission:

Submission theme: workable standards:

Reasons:

TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted height threshold.

Relief sought

Relief sought:

retain MRZ-S8.

Point 142.26

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S9: Garages and accessory buildings

Purpose: *to provide for a streetscape attractive for pedestrians and*

1. A garage door facing the street must be set back at least 5 m from the site's frontage.
 2. Garages integrated within a residential unit:
- Matters of discretion are:**

cyclists; to minimise risk of vehicles overhanging the footpath.

- a. must be no closer to the front boundary than the front line of the residential unit, and
 - b. for a garage that forms part of a single-storey residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front facade of the residential unit.
3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front facade of the residential unit.
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:

Submission theme: workable standards

Reasons:

TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of multiple dwellings to the street without requiring this restrictive control.

Relief sought

Relief sought:

Delete MRZ-S9.

Point 142.27

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S10: Windows to the street

Purpose: *to provide for passive surveillance of the street and public open space; to provide visual interest to the street and public open space.*

1. Any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.
2. Front doors may be solid. Garage doors do not contribute towards the 20% glazing.
3. For the purpose of this rule, any area of roof space that is fully enclosed by a gable shall not be included in the area of the front facade.

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.



Figure 1 - Front facade area

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

1. TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code (noting that 40% of this area would require glazing).
2. We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.

Relief sought

Relief sought:

Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing.

Point 142.28

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S11: Outdoor living space

Purpose: *to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents onsite and recognising the accessibility of public open space*

1. A residential unit at ground floor level must have an outdoor living space that is at least 20 m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. where located at ground level, has no dimension less than 3 m.
 - b. where provided in the form of a balcony, patio, or roof terrace, is at least 8 m² and has a minimum dimension of 1.8 m.
 - c. Is accessible from the residential unit.
 - d. may be:
 - i. grouped cumulatively by area in one communally accessible location, or
 - ii. located directly adjacent to the unit.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

- e. free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
- a. is at least 8 m² and has a minimum dimension of 1.8 m.
 - b. is accessible from the residential unit.
 - c. may be:
 - i. grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level, or
 - ii. located directly adjacent to the unit.
3. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by:
- a. at least 9 m for two-storey buildings, and
 - b. at least 6 m for single-storey buildings.

For the purpose of this standard, south is defined as between 135 and 225 degrees.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support the wording of MRZ-S11(3) and seeks further clarity around the interpretation of this standard.

Relief sought

Relief sought:

Amend or delete MRZ-S11(3) as further clarity is required.

Point 142.29

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S12: Residential outlook space

Purpose: to maintain a reasonable level of sunlight access and privacy for residents and visitors while enabling a range of housing typologies.

1. The minimum dimensions for a required outlook space are as follows:
 - a. a principal living room must have a privacy and light space with a minimum dimension of 6 m in depth and 4 m in width, and
 - b. all other habitable rooms must have a privacy and light space with a minimum dimension of 3 m in depth and 3 m in width.
2. Outlook spaces may be within the site, over a public street, or other public open space.
3. Outlook spaces must be clear and unobstructed by buildings and must not overlap with the privacy and light space required by another residential unit or visitor accommodation.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support this standard as notified. The requirement for a principle living room of 6m by 4m is more onerous than what is required for the outdoor living space of 20m² and a minimum dimension of 3m and therefore these provisions do not align in terms of achieving optimal site layout. Further, TW Property additionally does not support the requirement for a 3m by 3m outlook space for all other habitable rooms. This will effectively require all dwellings to be pushed off the boundary by 3m which is more onerous than the 1m setback requirement and is not practical.

Relief sought

Relief sought:

TW Property recommends that the outlook space for a principle living room is amended to better align with the requirements of outdoor living space. Also, it is recommended that the outlook space for all other rooms is reduced to 1m by 1m to enable flexibility in site design and alignment with the side and rear yard standards.

Point 142.30

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S13: Minimum residential unit size

Purpose: to ensure units have sufficient room to accommodate furniture, space to get around, and the anticipated number of residents.

1. Residential units must have a minimum net internal floor area as follows:
 - a. Studio – 35 m²
 - b. 1 bedroom – 45 m²
 - c. 2 bedroom – 70 m²
 - d. 3 bedroom – 90 m²

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports the minimum residential unit sizes notified.

Relief sought

Relief sought:

Retain MRZ-S13.

Point 142.31

Section: MRZ - Medium Density Residential Zone

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

Provision:

MRZ-S14: Maximum building length

Purpose: *to manage visual dominance effects on adjoining sites and provide a reasonable level of sunlight access and privacy for residents.*

1. The maximum length of a building above ground floor level shall be 22 m, measured parallel to side and rear boundaries, after which there shall be a minimum separation of 4 m between any other building on the same site.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environment;
3. Effects on adjoining sites.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property opposes the standard in its current form and recommends that it needs to be rewritten to achieve a better outcome and avoid inefficient development on sites. Requiring a break in the building reduces the effective building area on a site. The assessment criteria for multi-unit developments can adequately address building bulk.

Relief sought

Relief sought:

Amend the standard to remove the requirement for building separation and instead require architectural relief for 4m of the building to break up the continuous length; or alternatively delete the standard and utilising assessment criteria to assess design matters.

Point 142.32

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S1: Height

Purpose: *to achieve and maintain an urban character while*

1. Buildings and structures must not exceed 19.5 m in height.

Matters of discretion are:

providing for a reasonable standard of amenity for neighbouring properties.

1. Purpose of the standard;
2. Safety, attractiveness, and connectivity of streets and public open spaces;
3. Quality living environments, and
4. Effects on adjoining sites.

Airport Height Control

1. Buildings and structures must not exceed the **Matters of discretion are:** Airport Height Control Designation in Appendix 1, except that in a surface penetration area the maximum height must not exceed 8 m.

Purpose: to maintain the safety of aircraft approaching and taking off from Hawkes Bay airport.

1. Aircraft and community safety.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports a maximum height of 19.5m within the High Density Residential Zone.

Relief sought

Relief sought:

Retain HRZ-S1.

Point 142.33

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-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 to minimise effects on the quality of the neighbours' living environment.

1. Within 23.5 m of the front boundary buildings and structures must not project beyond a 60 degree recession plane measured from a point 12 m vertically above ground level along side and rear boundaries.
 2. Beyond 23.5 m of the front boundary buildings must not project beyond a 60 degree recession plane measured from a point 14 m vertically above ground level along side and rear boundaries.
 3. 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 HRZ-S2.1 above.
 4. Control HRZ-S2.1 and 2 above does not apply to a boundary adjoining:
- Matters of discretion are:**

1. Purpose of the standard;
2. Housing supply and diversity;
3. Safety, attractiveness, and connectivity of streets and public open spaces;
4. Quality living environments, and
5. Effects on adjoining sites.

- a. sites exceeding 2,000 ² 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 Medium Density Residential Zone buildings must comply with MRZ-S2 on the shared boundary.
5. Where the site adjoins a site zoned General Residential Zone buildings must comply with GRZ-S2 on the shared boundary.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

1. TW Property considers that the height in relation to boundary requirement too restrictive to allow for the efficient uptake of high density residential development constructed up to a height of 19.5m. the current recession planes push buildings of this height off the boundary considerably, therefore reducing the effective building area on a site. This is additionally exacerbated via the requirement to raise sites above flood levels applied by NCC. It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).
2. Further, the Height in Relation to Boundary provision does not consider duplex dwellings or terraced houses on adjacent sites which are sought to be enabled in the objectives and policies for the zone.

Relief sought

Relief sought:

1. TW Property requests that the height in relation to boundary rules are relaxed within the Medium Density Residential Zone to allow the efficient development of these sites. Additionally, we recommend that consideration is given to conjoined duplex/terraced houses on separate lots whereby the height in relation to boundary standards are not required to be applied.
2. It is also requested that the height in relation to boundary plane is taken from the minimum floor level at the relevant boundary.

Point 142.34

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S3: Front yards

Purpose: to achieve the 1. No part of any building (other than as

Matters of discretion are:

urban character of the neighbourhood; and provide for a safe and attractive streetscape.

required under HRZ-S9 Garages and accessory buildings below) may be erected closer than 1.5 m to the road boundary.

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

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

TW Property considers that the 1.5m setback is too onerous for apartment buildings which are better suited to be constructed up to a front boundary.

Relief sought

Relief sought:

TW Property requests that the provisions consider a separate standard for apartment buildings whereby a front yard setback is not required.

Point 142.35

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S4: Other yards

***Purpose:** to achieve an urban character; to provide for building maintenance; to provide protection from natural hazards; to maintain water quality and provide access to watercourses or open drains for maintenance purposes.*

No part of any building may be erected closer than 1 m to a side or rear site boundary unless:

- a. written approval of the adjacent landowner(s) is provided, there is an existing common wall between two buildings on adjacent sites, or where a common wall is proposed, and
- b. any part of a building, fence or structure must not be erected closer than 6 m from the top of the bank of any watercourse or open drain.

Matters of discretion are:

1. Purpose of the standard;
2. Safety, attractiveness and connectivity of streets and public open spaces;
3. Quality living environments, and
4. Operation and maintenance of watercourses and open drains.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports a setback distance of 1m from side and rear boundaries however no provision is made for duplex or terrace housing typologies.

Relief sought

Relief sought:

In order to give effect to Policy HRZ-P1, it is recommended to remove the requirement to comply with yard setbacks between attached dwellings across boundaries.

Point 142.36

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-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. Urban character;
4. Safety, attractiveness, and connectivity of streets and public open spaces, and
5. Quality living environments.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

TW Property opposes a building coverage of 50% for apartment style buildings. The standard as notified compromises the optimal uptake of land for residential purposes to maximise the yield anticipated by the zone.

Relief sought

Relief sought:

TW Property recommends that the standard is amended/increased to better reflect the anticipated building typologies for the zone.

Point 142.37

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S6: Impervious area

Purpose: *to achieve an urban character; to maintain the quality of*

1. Impervious area must not exceed 80% of the net site area.

Matters of discretion are:

the living environment; to facilitate a range of housing forms; to minimise potential flood risks and to minimise effects on the capacity of the stormwater network and quality of discharges.

1. Purpose of the standard;
2. Infrastructure capacity and stormwater management.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports an impervious area of 80% for the High Density Residential Zone.

Relief sought

Relief sought:

Retain HRZ-S6.

Point 142.38

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-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; or
 - 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.
 - b. Within the side and rear yards: 2 m.

Matters of discretion are:

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

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted fence height threshold.

Relief sought

Relief sought:

Retain HRZ-S8.

Point 142.39

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S9: Garages and accessory buildings

Purpose: *to provide for a streetscape attractive for pedestrians and cyclists; to minimise risk of vehicles overhanging the footpath.*

- Matters of discretion are:**
1. A garage door facing the street must be set back at least 5 m from the site's frontage.
 2. Garages integrated within a residential unit:
 - a. must be no closer to the front boundary than the front line of the residential unit, and
 - b. for a garage that forms part of a single storey residential unit on a site fronting the street, the width of the garage door must be no greater than 50% of the width of the front facade of the residential unit.
 3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front facade of the residential unit.
1. Purpose of the standard;
 2. Safety, attractiveness, and connectivity of streets and public open spaces, and
 3. Quality living environments.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of dwellings to the street without requiring this restrictive control.

Relief sought

Relief sought:

Delete HRZ-S9.

Point 142.40

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S10: Windows to the street

Purpose: *to provide for passive surveillance of the street and public open space; to provide visual interest to the street and public open space.*

1. Any residential unit facing the street must have a minimum of 20% of the street-facing facade in glazing. This can be in the form of windows or doors.
2. Front doors may be solid. Garage doors do not contribute towards the 20% glazing.
3. For the purpose of this rule, any area of roof space that is fully enclosed by a gable must not be included in the area of the front facade.

Matters of discretion are:

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



Figure 1 - HZR Facade Area

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

1. TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code (noting that 40% of this area would require glazing).
2. We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.

Relief sought

Relief sought:

Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing.

Point 142.41

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S11: Outdoor living space

Purpose: *to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents on site and recognising the accessibility of public open space.*

1. A residential unit at ground floor level must have an outdoor living space that is at least 20 m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. where located at ground level, has no dimension less than 3 m.
 - b. where provided in the form of a balcony, patio, or roof terrace is at least 6 m² and has a minimum dimension of 1.8 m.
 - c. is accessible from the residential unit.
 - d. may be:
 - i. grouped cumulatively by area in one communally accessible location, or
 - ii. located directly adjacent to the unit; and
 - e. free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - a. is at least 6 m² and has a minimum dimension of 1.8 m.
 - b. is accessible from the residential unit.
 - c. may be:
 - i. grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level, or
 - ii. located directly adjacent to the unit.
3. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by:
 - a. at least 9 m for two-storey buildings, and
 - b. at least 6 m for single storey buildings.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

For the purpose of this standard, south is defined as between 135 and 225 degrees.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support the wording of HRZ-S11(3) and seeks further clarity around the interpretation of this standard.

Relief sought

Relief sought:

Amend or delete HRZ-S11(3) as further clarity is required.

Point 142.42

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S12: Residential Outlook space

Purpose: *to maintain a reasonable level of sunlight access and privacy for residents and visitors while enabling a range of housing typologies.*

1. An outlook space must be provided for each residential unit as specified in this clause.
2. An outlook space must be provided from habitable room windows as shown in the diagram below:



Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

Figure 2 - HZR Outlook Space

3. The minimum dimensions for a required outlook space are as follows:
 - a. a principal living room must have an outlook space with a minimum dimension of 4 m in depth and 4 m in width, and
 - b. all other habitable rooms must have an outlook space with a minimum dimension of 1 m in depth and 1 m in width.
4. The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
5. Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
6. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
7. Outlook spaces may be under or over a balcony.
8. Outlook spaces required from different rooms within the same building may overlap.
9. Outlook spaces must:
 - a. be clear and unobstructed by buildings, and
 - b. not extend over an outlook space or outdoor living space required by another dwelling.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property opposes the wording of the standard as notified for principle living spaces in that it requires an outlook which is more onerous than the outdoor living space requirement of 20m².

Relief sought

Relief sought:

TW Property requests that the outlook space for a principal living room is consistent of that with the outdoor living space.

Point 142.43

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S13: Minimum residential unit size

Purpose: *to ensure units have sufficient room to accommodate furniture, space to get around, and the anticipated number of residents.*

1. Residential units must have a minimum net internal floor area as follows:

- a. Studio – 35 m²
- b. 1 bedroom – 45 m²
- c. 2 bedroom – 70 m²
- d. 3 bedroom – 90 m²

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Housing supply and diversity.

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property supports the minimum residential unit size as notified.

Relief sought

Relief sought:

Retain HRZ-S13.

Point 142.44

Section: HRZ - High Density Residential Zone

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

Provision:

HRZ-S14: Maximum building length

***Purpose:** to manage visual dominance effects on adjoining sites and provide a reasonable level of sunlight access and privacy for residents.*

1. The maximum length of a building above ground floor must be 22 m, measured parallel to side and rear boundaries, after which there must be a minimum separation of 4 m between any other building on the same site.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments, and
3. Effects on adjoining sites

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property opposes the standard in its current form and recommends that it needs to be rewritten to achieve a better outcome and avoid inefficient development on sites. Requiring a break in the building reduces the effective building area on a site.

Relief sought

Relief sought:

TW Property considers that the standard should be amended to remove the requirement for building separation and instead focus on architectural relief for 4m of the building to break up a continuous length or otherwise supports the deletion of the standard and utilising assessment criteria to assess design matters.

Point 142.45

Section: MUZ - Mixed Use Zone

Sub-section: MUZ - Mixed Use Zone - Standards Table

Provision:

MUZ-S6: Impervious area

Purpose: to minimise potential flood risks and to minimise effects on the capacity of the stormwater network and quality of discharges.

1. Impervious area must not exceed 80% of the net site area.

Matters of discretion are:

1. Purpose of the standard, and
2. Resilience and infrastructure.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

Most of the sites within the proposed Mixed Use Zone are currently covered by 100% impervious surfaces. TW Property therefore does not support this standard in its current form as it places further restriction on sites compared to their existing situation. The stormwater rules will apply to any additional impervious area in this zone which will assist in managing stormwater discharge to the network without needing to further restrict impervious areas in this zone.

Relief sought

Relief sought:

TW Property requests that the standard is amended to provide for 100% impervious area.

Point 142.46

Section: MUZ - Mixed Use Zone

Sub-section: MUZ - Mixed Use Zone - Standards Table

Provision:

MUZ-S7: Landscaped area

Purpose: to maintain the character of the area and to maintain the quality of the living environment.

1. Landscaped area must be a minimum of 20% of the net site area.

Matters of discretion are:

1. Purpose of the standard;
2. Quality living environments;
3. Amenity values, and
4. Character of the area.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

Very few sites within the proposed Mixed Use Zone area have any landscaping currently. Requiring 20% landscaping is a significant and onerous change to how these sites can be developed. It is considered that landscape and streetscape character outcomes are better addressed through the Yards and Frontages Rules as they have been applied in Standards MUZ-S3 and MUZ-S4 respectively.

Relief sought

Relief sought:

TW Property does not support this rule in its current form and requests that it is deleted to better reflect the existing character of the sites within this zone.

Point 142.47

Section: MUZ - Mixed Use Zone

Sub-section: MUZ - Mixed Use Zone - Standards Table

Provision:

MUZ-S8: Open space

Purpose: to provide quality onsite living environments by providing useable outdoor living areas appropriate for the number of residents on site.

1. A residential unit at ground floor level must have an outdoor living space that is at least 20 m² and that comprises ground floor, balcony, patio, or roof terrace space that:
 - a. where located at ground level, has no dimension less than 3 m.
 - b. where provided in the form of a balcony, patio, or roof terrace, is at least 6 m² and has a minimum dimension of 1.8 m.
 - c. is accessible from the residential unit.
 - d. may be:
 - i. grouped cumulatively by area in one communally accessible location, or
 - ii. located directly adjacent to the unit.
 - e. free of buildings, parking spaces, and servicing and manoeuvring areas.
2. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - a. is at least 6 m² and has a minimum dimension of 1.8 m.
 - b. is accessible from the residential unit.
 - c. may be:
 - i. grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level, or
 - ii. located directly adjacent to the unit.
3. Where open space is located south of any building located on the same site, the southern boundary of that space must be separate from any wall or building by:
 - a. at least 9 m for two storey buildings, and
 - b. at least 6 m for single storey buildings.
4. For the purpose of this standard, south is defined as between 135 and 225 degrees.

Matters of discretion are:

1. Purpose of the Standard;
2. Quality living environments, and
3. Amenity values.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support the wording of MUZ-S8(3) and seeks further clarity around the interpretation of this standard.

Relief sought

Relief sought:

Amend or delete MUZ-S8(3) as further clarity is required.

Point 142.48

Section: MUZ - Mixed Use Zone

Sub-section: MUZ - Mixed Use Zone - Standards Table

Provision:

MUZ-S13: Garages

Purpose: *to provide for a streetscape attractive for pedestrians and cyclists; to minimise risk of vehicles overhanging the footpath.*

1. A garage door facing the street must be set back at least 5 m from the site's frontage.
2. Garages integrated within a residential unit building:
 - a. must be no closer to the front boundary than the front line of the residential unit, and
 - b. the width of the garage door must be no greater than 50% of the width of the front facade of the building.
3. Accessory buildings and garages detached from a residential unit must cumulatively obscure no more than 50% of the width of the front facade of the residential unit.

Matters of discretion are:

1. Quality living environments;
2. Amenity values;
3. Character of the area, and
4. Safety, attractiveness, and connectivity of streets and public open spaces.

Sentiment: Oppose

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of dwellings to the street without requiring this restrictive control.

Relief sought

Relief sought:

Delete MUZ-S13.

Point 142.49

Section: SUB - Subdivision

Sub-section: SUB - Subdivision - Standards Table

Provision:

SUB-S1: Minimum allotment sizes - residential

General Residential Zone, Medium Density Residential Zone, High Density Residential Zone, precincts or overlays not otherwise provided for elsewhere.	<ol style="list-style-type: none">1. There is no minimum allotment size for the following:<ol style="list-style-type: none">a. any allotment with an existing residential unit, if:<ol style="list-style-type: none">i. either the subdivision does not increase the degree of any non-compliance with the District Plan or land use consent has been granted, andii. no vacant allotments are created.b. any allotment with no existing residential unit, where a subdivision application is accompanied by a land use application that will be determined concurrently if the applicant for the resource consent can demonstrate that:<ol style="list-style-type: none">i. it is practicable to construct on every allotment within the proposed subdivision a residential unit that complies with the standards of the relevant zone, or land use consent is concurrently sought for the infringement to the relevant standard(s), andii. no vacant allotments are created.2. A minimum allotment size of 350 m² applies to any subdivision that creates new vacant allotments.	Activity Status where standards are not met: Non-complying
Large Lot Residential	1,000 m ² minimum allotment size with a minimum average allotment size of 3,000 m ² .	Activity Status where standards are not met: Non-complying
Napier Hill/Mataruahou Amenity Precinct, Marewa Post-War Historic Heritage Overlay, Marewa State Housing Historic Heritage Overlay, Te Awa Bungalow Historic Heritage Overlay, Napier South Historic Heritage Overlay	500 m ²	Activity Status where standards are not met: Discretionary

Harbour Reserve 150 m²
Historic Heritage
Overlay, Tram Shelter
Historic Heritage Overlay

Activity Status where standards are not met:
Non-complying

Coronation Street 300 m²
Historic Heritage Overlay

Activity Status where standards are not met:
Non-complying

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

1. TW Property supports the removal of minimum lot sizes for subdivision of an approved (or concurrent) resource consent for multiple residential units. Minimum lot sizes should apply to vacant lot subdivisions only. Subdivision of approved or concurrent land use consents should not require revisiting internal non-compliances with development standards, providing that subdivision boundaries are consistent with nominal boundaries that we request be shown on the land use consent plans. Assessing technical infringements where there is no material impact on the approved design or effects on the environment (including onsite and neighbouring property amenity), adds cost and time to subdivision consenting processes without adding any value in terms of outcomes.
2. Further, TW Property does not support a non-complying activity status for residential subdivisions which do not comply with minimum allotment sizes. The notified rule framework seems overly restrictive for enabling smaller houses on smaller lots of 250m² – 350m² which are not considered to be inconsistent with the residential environment. Assessing activities as a non-complying activity increases reporting costs and risk for developers.

Relief sought

Relief sought:

1. Retain provisions enabling no minimum lot size where subdivision gives effect to an approved or concurrent land use consent for multiple residential units.
2. Amend the activity status for residential subdivisions which do not comply with minimum lot size to be a Discretionary Activity.

Point 142.50

Section: SUB - Subdivision

Sub-section: SUB - Subdivision - Standards Table

Provision:

SUB-S13: Stormwater treatment and disposal

All zones

Matters of discretion:

1. For allotments capable of containing a building, each allotment must be designed to manage the treatment, containment, and disposal of stormwater from all impervious or potentially impervious surfaces in accordance with the Code of Practice for Land Development and Subdivision Infrastructure.
 2. The means for treatment, containment, and disposal of stormwater must incorporate low impact design principles in accordance with the Code of Practice for Land Development and Subdivision Infrastructure. This will include the use of swale drains, rain gardens,
1. Infrastructure servicing;
 2. Public health and safety;
 3. Compliance with the Code of Practice for Land Development and Subdivision

- rain tanks, detention tanks, re-use systems, and other methods to minimise stormwater run-off.
3. Where the means of stormwater disposal is to ground, that area of disposal must not be subject to instability, slippage, or inundation or be used for the disposal of wastewater.

4. Infrastructure, and Environmental benefits (including ecological benefits of the proposed design for stormwater treatment and disposal).

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

TW Property does not support this standard as it has been notified. TW Property considers that the 'treatment' of stormwater could mean multiple things and is open to interpretation. Further, this standard is not consistent with the new stormwater rules within the SW chapter.

Relief sought

Relief sought:

TW Property requests that the rule is amended to provide greater clarity around what it is trying to achieve and to obtain consistency of stormwater requirements throughout the Plan.

Point 142.51

Section: TPT - Transport

Sub-section: TPT - Transport - Rules Table

Provision:

TPT-R2: New or modified vehicle access and crossings onto a state highway or arterial road

Activity Status: Restricted Discretionary

NA

Matters of discretion are:

1. The type, frequency, and timing of vehicle traffic;
2. The safety and efficiency of the roading network;
3. Effects on traffic, cycling, and pedestrian safety;
4. The provision of onsite manoeuvring areas, and
5. The cumulative effect of land uses requiring access to a state highway or arterial road.

Note: Approval from Waka Kotahi NZ Transport Agency may be necessary for vehicle access onto a state highway.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

The new Roading Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this rule and which roads it applies to.

Relief sought

Relief sought:

Amend notified rule or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.

Point 142.52

Section: TPT - Transport

Sub-section: TPT - Transport - Standards Table

Provision:

TPT-S5: Vehicle access (restrictions)

Purpose: to ensure the provision of access does not detract from the safe and efficient operation of the integrated transport network, including road/rail level crossings.

1. The following vehicle access standards apply to:
 - a. any new vehicle crossing.
 - b. the use of an existing vehicle crossing to service:
 - i. a new activity;
 - ii. change of activity type;
 - iii. expansion or intensification of an existing activity, and
 - iv. new buildings.

Matters of discretion are:

1. Functional requirements of the activity;
2. Safety and efficiency of the transport network, and
3. Amenity and character of the zone/precinct/development area.

Rail level crossings

2. Vehicle access shall be a minimum of 30 m from any railway level crossing, as shown in the figure below.



- 3. Vehicle access must not cross a railway line.

Proximity to intersections

- 4. Vehicle access shall be a minimum of:
 - a. 30 m from an intersection with a state highway or arterial road, and
 - b. 10 m from any other intersection.

Vehicle access restriction control

- 5. Vehicle access must not be provided from a road frontage identified as 'vehicle access restriction control' on the planning maps.

TPT-S6: Manoeuvring

***Purpose:** to ensure onsite manoeuvring is provided on sites to avoid reversing onto roads where this would compromise the safety and/or efficiency of the integrated transport network.*

- 1. Activities must provide onsite manoeuvring areas so that no reverse manoeuvre by vehicles on to or off the road is necessary, for all activities as set out below:

Matters of discretion are:

Residential activities:

- a. On all sites which have direct access to an arterial road or state highway.
- b. On all rural sites
- c. Where an accessway serves three or more residential units

All manoeuvring areas must be provided and maintained in accordance with the 85th percentile tracking curve (refer to TPT - Figure 2 and TPT - Figure 3 under TPT-S1).

- 1. Functional requirements of the activity;
- 2. Safety and efficiency of the integrated transportation network, and
- 3. Amenity and character of the zone/precinct.

Freight depots, service stations, transport depots, warehouses, bulk stores, and other similar uses

Vehicle tracking: All manoeuvring areas must be provided and maintained in accordance with NZTA RTS 18.

Retail activities, office activities, visitor accommodation, manufacturing premises, and other similar uses

Vehicle tracking: All manoeuvring areas must be provided and maintained in accordance with NZTA RTS 18.

Sentiment: Amend

Submission:

Submission theme 3: workable standards

Reasons:

The new Roading Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this standard and which classification of roads it applies to.

Relief sought

Relief sought:

Amend notified standard or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.

Point 142.53**Section:** TPT - Transport**Sub-section:** TPT - Transport - Standards Table**Provision:**

TPT-S5: Vehicle access (restrictions)

TPT-S6: Manoeuvring**Sentiment:** Amend**Submission:****Submission theme 3: workable standards****Reasons:**

The new Roading Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this standard and which classification of roads it applies to.

Relief sought**Relief sought:**

Amend notified standard or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.

Point 142.54**Section:** MRZ - Medium Density Residential Zone**Sub-section:** MRZ - Medium Density Residential Zone - Standards Table**Provision:** General**Sentiment:** Support**Submission:****Submission theme 3: workable standards****Reasons:**

TW Property generally supports the standards of the General Residential Zone, Medium Density Residential Zone, and the High Density Residential Zone, except where otherwise stated through specific submission points. It is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents. 14. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ) are workable and provide for practical outcomes when actually implemented onsite.

Relief sought**Relief sought:**

Retain standards in the GRZ, MRZ and HRZ except where amendments are sought through separate submission points.

Point 142.55

Section: HRZ - High Density Residential Zone

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

Provision: General

Sentiment: Support

Submission:

Submission theme 3: workable standards

Reasons:

TW Property generally supports the standards of the General Residential Zone, Medium Density Residential Zone, and the High Density Residential Zone, except where otherwise stated through specific submission points. It is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents. 14. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ) are workable and provide for practical outcomes when actually implemented onsite.

Relief sought

Relief sought:

Retain standards in the GRZ, MRZ and HRZ except where amendments are sought through separate submission points.

Point 142.56

Section: MRZ - Medium Density Residential Zone

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

Provision: General

Sentiment: Amend

Submission:

Submission theme 3: Workable standards

1. it is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents.
2. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite. The submission requests amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan. Additionally, with respect to the High Density Residential Zone, the submission points seek amendments to the standards to allow for the optimal uptake of denser typologies to maximise use of this rezoned land for these purposes.

Relief sought

Relief sought:

1. Ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite.
2. Amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan.

Point 142.57

Section: GRZ - General Residential Zone

Sub-section: GRZ - General Residential Zone - Standards Table

Provision: General

Sentiment:

Submission:

Submission theme 3: Workable standards

1. it is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents.
2. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite. The submission requests amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan. Additionally, with respect to the High Density Residential Zone, the submission points seek amendments to the standards to allow for the optimal uptake of denser typologies to maximise use of this rezoned land for these purposes.

Relief sought

Relief sought:

1. Ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite.
 2. Amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan.
-

Point 142.58

Section: MUZ - Mixed Use Zone

Sub-section: MUZ - Mixed Use Zone - Standards Table

Provision: General

Sentiment: Amend

Submission:

Submission theme 3: Workable standards

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Relief sought:

1. Ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually

implemented onsite.

2. Amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan.

Job Ref: 23193

15 December 2023

Napier City Council
Private Bag 6010
NAPIER 4142

Submission via Isoplan

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

This is a submission by TW Property on Napier's Proposed District Plan (“PDP”).

TW Property does not consider it can gain an advantage in trade competition through this submission.

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

- The PDP in its entirety.
- Submissions points on specific provisions of the proposal are as outlined in the body of this submission.

The TW Property submission is:

1. TW Property is one of Hawke's Bay's leading and respected Property Development, Subdivision, and Consultancy Companies. TW Property works with residential, commercial and industrial clients to assist in delivering development projects. This includes managing property acquisition; planning, engineering, and design; physical construction; sales, marketing and leasing.
2. TW Property has undertaken numerous subdivision and housing projects within Hawke's Bay and the wider North Island and is therefore well informed on the challenges and opportunities for delivering housing within the provincial property market.
3. TW Property considers that the economic realities of delivering housing projects within Napier should be better understood by Council to ensure the provisions will reduce uncertainty and avoid additional time and costs to projects, in order to assist achieving the desired outcomes for the city.
4. TW Property generally supports the introduction of the Medium and High Density residential zone however considers that both these, and the General Residential Zone, include onerous



standards and assessment criteria which contribute to the inefficient development of a site and/or add time and cost to a project during reporting and processing of consents.

5. The TW Property submission either supports, opposes or seeks amendments to the PDP to address the following key themes:
 - a. Support Increased Opportunities for Medium and High Density Housing
 - b. Reduce Uncertainty
 - c. Ensure Workable Standards

Submission Theme 1: Support Increased Opportunities for Medium and High Density Housing

6. We understand that Napier currently has a housing shortage. Medium and high density housing can provide additional supply as well as greater choice in both housing typologies and price points to the market. Providing greater zoned opportunities for medium and high density housing allows the market to respond and deliver housing in appropriate locations and demand sectors. The more land available for medium and high residential housing, the more likely it is that this typology can be delivered at a scale that meets demands or need.
7. Therefore, TW Property in general supports the introduction of a Medium Density Residential Zone and High Density Residential Zone within Napier and the areas that this has been applied to throughout the City.
8. In general, TW Property does not consider that the market is ready for six story developments such as what has been proposed via the High Density Residential Zone. However, we are not in opposition to it as it allows the market to grow into this in the future.

Submission Theme 2: Reduce Uncertainty

9. Increasing the certainty of gaining planning approvals is key to enable developers to actually deliver housing developments (including medium and high density housing) “on the ground”. Reducing risk (including time and cost risk) to projects will encourage developers to move from traditional infill and/or greenfield subdivisions to deliver duplex and terraced housing typologies within Napier across all market/occupancy sectors. Sufficient certainty is required at the early due diligence stage to make property acquisition and investment decisions.
10. TW Property accepts that medium and higher density residential development will likely require resource consent applications, particularly for larger scale development, as not all potential matters may be adequately addressed through permitted activity standards. The flexibility of a resource consent process can also enable developments to better respond to site specific characteristics rather than compliance with a plethora of onerous standards. However, the resource consent process should provide as much certainty and clarity for all involved, including developers and also existing neighbouring property owners and communities.
11. A current area of uncertainty experienced by TW Property in the design and resource consent process for housing projects in Napier is the implication of minimum floor levels in relation to flooding, whether or not a flood hazard is actually shown over the subject site. A flood level prescribed by Council is often applied as a consent condition following the assessment of an application with the resulting heights having potential to implicate compliance with height in



relation to boundary standards and affect other factors in relation to building and landscape design. Beyond the areas of relief set out in the table below, TW Property seeks clarification of this flood level and requests that it is clearly set out in the relevant standards and/or code of practice and the areas it applies to clearly mapped.



Relief sought:

12. Provisions:

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
Planning maps	General	General	Support	<p>TW Property in general supports the introduction of a Medium Density Residential Zone and High Density Residential Zone within Napier and the areas that this has been applied to throughout the City.</p> <p>In general, TW Property does not consider that the market is ready for six story developments such as what has been proposed via the High Density Residential Zone. However, we are not in opposition to it as it allows the market to grow into this in the future.</p>	Retain MRZ and HRZ zones and their spatial extent on the planning maps.
GRZ	Rules	Rule GRZ-R1B	Support	TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met, including new houses on small vacant sites and/or multiple residential units on a site. Additionally, we support the default non-notification for applications under this rule on both a public and limited basis.	Retain GRZ-R1
GRZ	Assessment Criteria	GRZ-AC1	Oppose	TW Property does not support Assessment Criteria matters GRZ-AC1 (c), (g) and (s) where an assessment of the development's consistency with the Hastings Residential Intensification Design Guide (the Design Guide) is required. It is considered that this is both onerous on top of the already extensive assessment criteria proposed for the General Residential Zone and introduces a level of subjectivity when considering an application against the Design Guide. Both of which increase cost and uncertainty to any resource consent application. Specifically, the proposed list of assessment criteria are already considered to cover a number of the	<p>Deletion of Assessment Criteria matters GRZ-AC1 (c), (g) and (s).</p> <p>TW Property supports the retention of the remaining assessment criteria (a), (b), (d) – (f), (h) – (r) and (t).</p>



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				matters outlined in the Design Guide and requiring applications to make an assessment against the 60 page Design Guide documents introduces additional cost to developers by way of additional assessment for both the applicant Planners and Council Planners and Urban Design teams. Additionally, through requiring an assessment of this document introduces a layer of subjectivity to the consenting process increasing uncertainty. It is requested that the use of the Hastings Intensification Design Guide is as a non-statutory guidance document only and the use of this as a statutory assessment process is not supported.	
MRZ	Rules	Rule MRZ-R1B	Support	TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met. Additionally, we support the default non-notification for applications under this rule on both a public and limited basis.	Retain Rule MRZ-R1
MRZ	Assessment Criteria	MRZ-AC1	Oppose	Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, it would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against the concise 'material' development criteria in the District Plan.	Deletion of Assessment Criteria MRZ-AC1 (f) and (r). TW Property supports the retention of the remaining assessment criteria (a) – (e), (g) – (q) and (s).
HRZ	Rules	HRZ-R1: Residential units and	Support	TW Property supports the retention of a Restricted Discretionary Activity Status where activity conditions are not met, including new houses on small vacant sites and/or multiple residential units on a site. Additionally,	Retain HRZ-R1



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
		residential activity		we support the default non-notification for applications under this rule on both a public and limited basis.	
HRZ	Assessment Criteria	HRZ-AC1	Oppose	Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against concise 'material' development criteria in the District Plan.	Deletion of Assessment Criteria HRZ-AC1(g) and (q). TW Property supports the retention of the remaining assessment criteria (a) – (f), (h) – (p), (r) and (s).
MUZ	Assessment Criteria	MUZ-AC1	Oppose	Although the Hastings Residential Intensification Design Guide are a useful tool in assisting developers, planners and architects on potential measures to achieve quality design outcomes, would introduce an additional layer of subjectivity and uncertainty if introduced into the statutory assessment process. TW Property submits that these should be retained as a non-statutory guidance document only, with resource consents to be assessed against concise 'material' development criteria in the District Plan.	Deletion of Assessment Criteria MUZ-AC1(b), (i) and (j). TW Property supports the retention of the remaining assessment criteria for new buildings being (a), (c) – (h).



Submission theme 3: Ensure workable standards

13. As noted above, it is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents.
14. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ, MUZ) are workable and provide for practical outcomes when actually implemented onsite. The submission requests amendments or the removal of standards which are overly onerous for residential development or which result in contradicting outcomes to other standards, therefore seeking a consistent approach within each Zone and across the Plan. Additionally, with respect to the High Density Residential Zone, the submission points seek amendments to the standards to allow for the optimal uptake of denser typologies to maximise use of this rezoned land for these purposes.
15. As with the previous submission theme above, an area of particular concern relates to the implementation by Councils Engineering Team of minimum floor levels above flood hazards across large areas of Napier and the implications this has on complying with height in relation to boundary standards. In some cases, sites are required to be raised 0.9m above existing ground level which compromises the ability to develop within a site, particularly for two-story dwellings. It is noted that following the Christchurch Earthquakes, parts of residential Christchurch which became susceptible to flooding were mapped within a Flood Management Area, and within these areas they are now exempt from complying with standard height in relation to boundary controls. Instead, the applicable recession planes within these areas are now determined as if the ground level at the relevant boundary was the minimum floor level set by the flood hazard (or natural ground level, whichever is higher). As such, this ensures that development of the site is not restricted by the requirement to raise the site for flood hazard protection (Refer to Section 5.4.1.3 Exemptions for daylight recession planes in the Flood Management Area – Christchurch District Plan). TW Property is of the view that a similar approach should be taken for sites subject to flood hazards in Napier.
16. TW Property generally supports the standards notified except where opposition is noted below:



Relief sought:

17. Provisions:

Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
General	General	General	Support	TW Property generally supports the standards of the General Residential Zone, Medium Density Residential Zone, and the High Density Residential Zone, except where otherwise stated through specific submission points. It is important that the standards appropriately facilitate the outcomes sought by Council for the City and further enable efficient development of sites while achieving onsite amenity and maintain an appropriate and transparent standard of amenity for adjacent residents.14. TW Property generally seeks to ensure that the standards across the relevant zones (GRZ, MRZ, HRZ) are workable and provide for practical outcomes when actually implemented onsite.	Retain standards in the GRZ, MRZ and HRZ except where amendments are sought through separate submission points.
Planning maps	General	General	Amend	A current area of uncertainty experienced by TW Property in the design and resource consent process for housing projects in Napier is the implication of minimum floor levels in relation to flooding, whether or not a flood hazard is actually shown over the subject site. A flood level prescribed by Council is often applied as a consent condition following the assessment of an application with the resulting	Map minimum floor level requirements on the planning maps, or alternative relief.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				heights having potential to implicate compliance with height in relation to boundary standards and affect other factors in relation to building and landscape design. TW Property seeks clarification of this flood level and requests that it is clearly set out in the relevant standards and linked to planning maps for spatial clarity of application, and/or through an amendment to the code of practice.	
GRZ	Standards Table	GRZ-S2: Height in Relation to Boundary	Amend	<p>Large areas of residentially zoned land in Napier are being required by the Councils Engineering Team to lift finished floor levels significantly higher than existing ground level in order to meet minimum floor level requirements due to the raised flood level. As a result, this compromises the ability to develop a site within the height in relation to boundary parameters.</p> <p>It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).</p>	We request that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied a site at the relevant boundary.
GRZ	Standards Table	GRZ-S6: Impervious Area	Support	TW Property supports an impervious area of 70% within the General Residential Zone.	Retain GRZ-S6



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
GRZ	Standards Table	GRZ-S8: Fences and Walls	Support	TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted height threshold.	Retain GRZ-S8
GRZ	Standards Table	GRZ-S10: Windows to the street	Amend	<p>TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code.</p> <p>We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.</p>	Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing, or similar alternative relief.
GRZ	Standards Table	GRZ-S11: Outdoor living space	Amend	TW Property generally supports the outdoor living space standard and the reduction in area from the ODP for ground floor units to 20m ² however we consider that the wording provided for GRZ-S11(1)(b)	Amend GRZ-S11(1)(b) to provide better clarity around this provision i.e. whether the 20m ² can be cumulatively met through a combination of balcony and ground floor outdoor living space.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				<p>is unclear as notified this appears to contradict the requirement for a 20m² living space.</p> <p>Further, TW Property does not support the wording of GRZ-S11(3) and seeks further clarity around the interpretation of this standard.</p>	Further, amend or delete GRZ-S11(3) as further clarity is required.
MRZ	Standards Table	MRZ-S1: Height	Support	TW Property supports the maximum height limit of 12m for the Medium Density Residential Zone.	Retain MRZ-S1
MRZ	Standards Table	MRZ-S2: Height in Relation to Boundary	Amend	<p>TW Property considers that the height in relation to boundary of 4m + 45 degrees is too restrictive to allow for the efficient uptake of medium density residential development constructed up to a height of 12m. A 4m + 45 degree recession plane requires a three story building to be pushed off the boundary by 8m. Noting the width of most residential sites within Napier, this excludes a large portion of each lot and significantly reduces the buildable area.</p> <p>This is additionally exacerbated via the requirement to raise sites above flood levels applied by NCC. It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).</p>	<p>TW Property requests that the height in relation to boundary rules are relaxed within the Medium Density Residential Zone to allow the efficient development of these sites. Additionally, we recommend that consideration is given to conjoined duplex/terraced houses on separate lots whereby the height in relation to boundary standards are not required to be applied.</p> <p>It is also requested that the height in relation to boundary plane is taken from the minimum floor level at the relevant boundary.</p>



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				Further, the Height in Relation to Boundary provision does not consider duplex dwellings or terraced houses on adjacent sites which are sought to be enabled in the objectives and policies for the zone.	
MRZ	Standards Table	MRZ-S4: Other Yards	Amend	TW Property supports a setback distance of 1m from side and rear boundaries however no provision is made for duplex or terrace housing typologies.	In order to give effect to Policy MRZ-P1, amend MRZ-S4 to remove the requirement to comply with yard setbacks between conjoined dwellings across boundaries.
MRZ	Standards Table	MRZ-S5: Building Coverage	Support	TW Property supports a building coverage of 50% within the Medium Density Residential Zone.	Retain MRZ-S5
MRZ	Standards Table	MRZ-S6: Impervious Area	Support	TW Property supports an impervious area of 80% for the Medium Density Residential Zone.	Retain MRZ-S6
MRZ	Standards Table	MRZ-S7: Landscaped Area	Support	TW Property supports a landscaped area of 20% for the Medium Density Residential Zone.	Retain MRZ-S7
MRZ	Standards Table	MRZ-S8: Fences and Walls	Support	TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted height threshold.	Retain MRZ-S8
MRZ	Standards Table	MRZ-S9: Garages and	Oppose	TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses	Delete MRZ-S9.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
		accessory buildings		facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of multiple dwellings to the street without requiring this restrictive control.	
MRZ	Standards Table	MRZ-S10: Windows to the Street	Amend	<p>TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code (noting that 40% of this area would require glazing).</p> <p>We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.</p>	Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing.
MRZ	Standards Table	MRZ-S11: Outdoor living space	Oppose	TW Property does not support the wording of MRZ-S11(3) and seeks further clarity around the interpretation of this standard.	Amend or delete MRZ-S11(3) as further clarity is required.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
MRZ	Standards Table	MRZ-S12: Residential Outlook Space	Oppose	TW Property does not support this standard as notified. The requirement for a principle living room of 6m by 4m is more onerous than what is required for the outdoor living space of 20m ² and a minimum dimension of 3m and therefore these provisions do not align in terms of achieving optimal site layout. Further, TW Property additionally does not support the requirement for a 3m by 3m outlook space for all other habitable rooms. This will effectively require all dwellings to be pushed off the boundary by 3m which is more onerous than the 1m setback requirement and is not practical.	TW Property recommends that the outlook space for a principle living room is amended to better align with the requirements of outdoor living space. Also, it is recommended that the outlook space for all other rooms is reduced to 1m by 1m to enable flexibility in site design and alignment with the side and rear yard standards.
MRZ	Standards Table	MRZ-S13: Minimum Residential Unit Size	Support	TW Property supports the minimum residential unit sizes notified.	Retain MRZ-S13
MRZ	Standards Table	MRZ-S14: Building Length	Oppose	TW Property opposes the standard in its current form and recommends that it needs to be rewritten to achieve a better outcome and avoid inefficient development on sites. Requiring a break in the building reduces the effective building area on a site. The assessment criteria for multi-unit developments can adequately address building bulk.	Amend the standard to remove the requirement for building separation and instead require architectural relief for 4m of the building to break up the continuous length; or alternatively delete the standard and utilising assessment criteria to assess design matters.
HRZ	Standards Table	HRZ-S1: Height	Support	TW Property supports a maximum height of 19.5m within the High Density Residential Zone.	Retain HRZ-S1



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
HRZ	Standards Table	HRZ-S2: Height in Relation to Boundary	Amend	<p>TW Property considers that the height in relation to boundary requirement too restrictive to allow for the efficient uptake of high density residential development constructed up to a height of 19.5m. the current recession planes push buildings of this height off the boundary considerably, therefore reducing the effective building area on a site.</p> <p>This is additionally exacerbated via the requirement to raise sites above flood levels applied by NCC. It is therefore suggested that the height in relation to boundary line starts at the same level on the boundary as the minimum floor level applied to the site. This approach has been implemented in the Christchurch District Plan (refer to Rule 5.4.1.3 of the CDP).</p> <p>Further, the Height in Relation to Boundary provision does not consider duplex dwellings or terraced houses on adjacent sites which are sought to be enabled in the objectives and policies for the zone.</p>	<p>TW Property requests that the height in relation to boundary rules are relaxed within the Medium Density Residential Zone to allow the efficient development of these sites. Additionally, we recommend that consideration is given to conjoined duplex/terraced houses on separate lots whereby the height in relation to boundary standards are not required to be applied.</p> <p>It is also requested that the height in relation to boundary plane is taken from the minimum floor level at the relevant boundary.</p>
HRZ	Standards Table	HRZ-S3: Front yards	Amend	<p>TW Property considers that the 1.5m setback is too onerous for apartment buildings which are better suited to be constructed up to a front boundary.</p>	<p>TW Property requests that the provisions consider a separate standard for apartment buildings whereby a front yard setback is not required.</p>
HRZ	Standards Table	HRZ-S4: Other Yards	Amend	<p>TW Property supports a setback distance of 1m from side and rear boundaries however no provision is made for duplex or terrace housing typologies.</p>	<p>In order to give effect to Policy HRZ-P1, it is recommended to remove the requirement to comply with yard setbacks between attached dwellings across boundaries.</p>



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
HRZ	Standards Table	HRZ-S5: Building Coverage	Amend	TW Property opposes a building coverage of 50% for apartment style buildings. The standard as notified compromises the optimal uptake of land for residential purposes to maximise the yield anticipated by the zone.	TW Property recommends that the standard is amended/increased to better reflect the anticipated building typologies for the zone.
HRZ	Standards Table	HRZ-S6: Impervious area	Support	TW Property supports an impervious area of 80% for the High Density Residential Zone.	Retain HRZ-S6
HRZ	Standards Table	HRZ-S8: Fences and walls	Support	TW Property supports the retention of a fence and wall height of 2m within side and rear yards. As above, due to significant fill required to be placed in residential sites to achieve minimum floor levels above flood hazards, this is to provide for retaining and an adequate fence height above this retaining while still falling within the permitted fence height threshold.	Retain HRZ-S8
HRZ	Standards Table	HRZ-S9: Garage and Accessory Buildings	Oppose	TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of dwellings to the street without requiring this restrictive control.	Delete HRZ-S9



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
HRZ	Standards Table	HRZ-S10: Windows to the Street	Amend	<p>TW Property does not support this standard as it is currently worded. As street facing dwellings typically contain a garage (which can occupy up to 50% of a street facing façade), requiring 20% of glazing to then occupy the remaining portion of frontage would compromise the insulation and energy efficiency goals sought by the Building Code (noting that 40% of this area would require glazing).</p> <p>We appreciate the requirement for passive surveillance and streetscape connectivity, however we consider that the requirement for 20% glazing of the full façade is not appropriate in situations where there is a street facing garage. For multi-unit developments, the assessment criteria will apply in addition to the standard. Further flexibility is sought.</p>	Amend the standard to only require 20% of the façade beyond any area occupied by a garage door to be in glazing.
HRZ	Standards Table	HRZ-S11: Outdoor living space		TW Property does not support the wording of HRZ-S11(3) and seeks further clarity around the interpretation of this standard.	Amend or delete HRZ-S11(3) as further clarity is required.
HRZ	Standards Table	HRZ-S12: Residential Outlook Space	Oppose	TW Property opposes the wording of the standard as notified for principle living spaces in that it requires an outlook which is more onerous than the outdoor living space requirement of 20m ² .	TW Property requests that the outlook space for a principal living room is consistent of that with the outdoor living space.
HRZ	Standards Table	HRZ-S13: Minimum	Support	TW Property supports the minimum residential unit size as notified.	Retain HRZ-S13



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
		residential unit size			
HRZ	Standards Table	HRZ-S14: Maximum Building Length	Oppose	TW Property opposes the standard in its current form and recommends that it needs to be rewritten to achieve a better outcome and avoid inefficient development on sites. Requiring a break in the building reduces the effective building area on a site.	TW Property considers that the standard should be amended to remove the requirement for building separation and instead focus on architectural relief for 4m of the building to break up a continuous length or otherwise supports the deletion of the standard and utilising assessment criteria to assess design matters.
MUZ	Standards Table	MUZ-S6: Impervious Area	Amend	Most of the sites within the proposed Mixed Use Zone are currently covered by 100% impervious surfaces. TW Property therefore does not support this standard in its current form as it places further restriction on sites compared to their existing situation. The stormwater rules will apply to any additional impervious area in this zone which will assist in managing stormwater discharge to the network without needing to further restrict impervious areas in this zone.	TW Property requests that the standard is amended to provide for 100% impervious area.
MUZ	Standards Table	MUZ-S7: Landscaped Area	Oppose	Very few sites within the proposed Mixed Use Zone area have any landscaping currently. Requiring 20% landscaping is a significant and onerous change to how these sites can be developed. It is considered that landscape and streetscape character outcomes are better addressed through the Yards and Frontages Rules as they have been applied in Standards MUZ-S3 and MUZ-S4 respectively.	TW Property does not support this rule in its current form and requests that it is deleted to better reflect the existing character of the sites within this zone.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
MUZ	Standards Table	MUZ-S8: Open Space	Oppose	TW Property does not support the wording of MUZ-S8(3) and seeks further clarity around the interpretation of this standard.	Amend or delete MUZ-S8(3) as further clarity is required.
MMUZ	Standards Table	MUZ-S13: Garages	Oppose	TW Property does not support this standard as notified as it has the potential to significantly restrict the ability to provide two-three level terraced houses facing the street, which may limit the viability of achieving this form. Additionally, the standard will produce generic outcomes providing for facades with no modulation. Design assessment criteria can address the relationship of dwellings to the street without requiring this restrictive control.	Delete MUZ-S13.
SUB	Standards Table	SUB-S1: Minimum allotment sizes – residential	Amend	TW Property supports the removal of minimum lot sizes for subdivision of an approved (or concurrent) resource consent for multiple residential units. Minimum lot sizes should apply to vacant lot subdivisions only. Subdivision of approved or concurrent land use consents should not require revisiting internal non-compliances with development standards, providing that subdivision boundaries are consistent with nominal boundaries that we request be shown on the land use consent plans. Assessing technical infringements where there is no material impact on the approved design or effects on the environment (including onsite and neighbouring property amenity), adds cost and time	Retain provisions enabling no minimum lot size where subdivision gives effect to an approved or concurrent land use consent for multiple residential units. Amend the activity status for residential subdivisions which do not comply with minimum lot size to be a Discretionary Activity.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
				<p>to subdivision consenting processes without adding any value in terms of outcomes.</p> <p>Further, TW Property does not support a non-complying activity status for residential subdivisions which do not comply with minimum allotment sizes. The notified rule framework seems overly restrictive for enabling smaller houses on smaller lots of 250m² – 350m² which are not considered to be inconsistent with the residential environment. Assessing activities as a non-complying activity increases reporting costs and risk for developers.</p>	
SUB	Standards Table	SUB-S13: Stormwater treatment and Disposal	Amend	TW Property does not support this standard as it has been notified. TW Property considers that the 'treatment' of stormwater could mean multiple things and is open to interpretation. Further, this standard is not consistent with the new stormwater rules within the SW chapter.	TW Property requests that the rule is amended to provide greater clarity around what it is trying to achieve and to obtain consistency of stormwater requirements throughout the Plan.
TPT	Rules Table	TPT-R2: New or modified vehicle access and crossings onto a state highway or arterial road	Amend	The new Roding Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this rule and which roads it applies to.	Amend notified rule or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.



Section	Subsection	Provision	Amend / Oppose / Support	Reasons	Relief sought
TPT	Standards Table	TPT-S5: Vehicle Access Restrictions	Amend	The new Roding Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this standard and which classification of roads it applies to.	Amend notified standard or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.
TPT	Standards Table	TPT-S6: Manoeuvring	Amend	The new Roding Hierarchy contained within Appendix 18 has re-labelled the road classifications. Therefore, TW Property seeks clarification around this standard and which classification of roads it applies to.	Amend notified standard or roading hierarchy in order to obtain consistency throughout the Plan and avoid confusion.



16. TW Property wishes to be heard in support of its submission.

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

Yours Sincerely

A handwritten signature in blue ink that reads "Pip Beachen".

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