
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: 15/12/2023

Submission Reference Number #:164

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

Submitter:

Keith Peacock

Address for service:

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Attachments:

Map Tradale.png

I wish to be heard: Yes

I am willing to present a joint case: Yes

Could you gain an advantage in trade competition in making this submission?

- No

Are you directly affected by an effect of the subject matter of the submission that

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

- No

Submission points

Point 164.1

Section: SUB - Subdivision

Sentiment: Oppose

Submission:

Subdivision Rules – Submission in opposition to Zoning

- This submission relates to the Large Lot Residential Zone (Kent Terrace, Lakeview Terrace, Ridgeway Terrace), and it is our submission that the area noted should be zoned General Residential . if the zone is needed, as well as supporting changes to the subdivision standards to accommodate development of the remaining larger lots to support efficient and effective use of the land and servicing resource existing in this area.
- The first matter of this submission is whether a specific individual zoning for the Kent terrace and surrounds is needed. It is the only Large Lot Residential Zone in the city and encompasses only a small area in Taradale. We are of the opinion that there is no need for this additional zone and the area should be zoned General Residential.

Reasoning;

- Kent Terrace and the surrounding hills are fundamental residential in nature given the scale and intensity of development in this area over the last 1 years.
- By applying the General Residential zoning to this area, it would see consistency of zoning and character with the balance of Kent Terrace and adjoining Cumberland Rise.
- The sites are fully serviced by Councils 3-Waters infrastructure and it is considered that the most effective use of the land resource and services network is to see a reduction in the average lot size restrictions of the proposed zone. The most effective way to achieve this is zoning the area General Residential
- By zoning this area General Residential it will allow for higher density in part and reduce pressure on urban sprawl and development over the Heretaunga Plains Soil resource and align with HPU DS and specific infill development targets set out in this strategy.
- It is our observation that the 'special zone' is proposed as a means to maintain status quo. It is argued that there is no need for this special zone in the pending Proposed District Plan as the area is now developed in a nature similar to other parts of Taradale which are simply zoned General Residential (Churchill Drive, Cumberland Rise, etc)
- The decision to maintain a larger lot sizes does not match other council decisions to see higher density in existing and proposed residential areas including the recent Mission development plan change.
- Traditionally larger lot residential zones are generally a requirement for non-reticulated sites, such as Jervois Town. This is not the case with this area.
- Following recent weather events the importance of having resilient housing options needs to be taken into account. This area of the Taradale Hills provides for resilient housing elevated above any flood risk, and is not situated on liquefiable land.
- Zoning this land General Residential also aligns with the Mission Hills Development Zoning located in similar topography.

Relief sought

The Kent Terrace, Lakeview Terrace and Ridgeway Terrace Large Lot Residential Zone is changed to a General Residential Zone

This areas is the only part of the city with this zoning.

Point 164.2

Section: SUB - Subdivision

Sub-section: SUB - Subdivision - Standards Table

Provision:

SUB-S1: Minimum allotment sizes - residential

<p>General Residential Zone, Medium Density Residential Zone, High Density Residential Zone, precincts or overlays not otherwise provided for elsewhere.</p>	<p>1. There is no minimum allotment size for the following:</p> <ul style="list-style-type: none"> a. any allotment with an existing residential unit, if: <ul 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, and ii. 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: <ul 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), and ii. no vacant allotments are created. <p>2. A minimum allotment size of 350 m² applies to any subdivision that creates new vacant allotments.</p>	<p>Activity Status where standards are not met:</p> <p>Non-complying</p>
<p>Large Lot Residential</p>	<p>1,000 m² minimum allotment size with a minimum average allotment size of 3,000 m².</p>	<p>Activity Status where standards are not met:</p> <p>Non-complying</p>
<p>Napier Hill/Mataruahou Amenity Precinct, Marewa Post-War Historic Heritage Overlay, Marewa State Housing Historic Heritage Overlay, Te</p>	<p>500 m²</p>	<p>Activity Status where standards are not met:</p> <p>Discretionary</p>

Awa Bungalow Historic
Heritage Overlay, Napier
South Historic Heritage
Overlay

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: Oppose

Submission:

Subdivision Rules – Submission in opposition to Average Lot Size

- **Should council officers still consider that the Large Lot Residential Zoning is necessary** to achieve the purpose of the Resource Management Act as part of undertaking its s32 assessment, it is considered that the following changes are made to the zone and subdivision rules;
 - **Subdivision Standard Table: SUB-1 – Large Lot Residential Minimum Subdivision Size** – it is requested that council remove the proposed 3,000m² average lot size requirement and the minimum lot size of 1000m² remain to achieve the larger lot size envisaged by the zoning.

Reasoning:

- Kent Terrace and the surrounding hills are fundamental residential in nature given the scale and intensity of development in this area over the last 10 years.
- The sites are fully serviced by Councils 3-Waters infrastructure and it is considered that the most effective use of the land resource and services network is to see a reduction in the average lot size restrictions of the proposed zone. The most effective way to achieve this is zoning the area General Residential
- By removing the average lot size requirement it will allow for increased density in part and reduce pressure on urban sprawl and development over the Heretaunga Plains Soil resource and align with HPUDS and specific infill development targets set out in this strategy.
- The decision to maintain a larger lot sizes does not match other council decisions to see higher density in existing and proposed residential areas including the recent Mission development plan change.
- Traditionally larger lot residential zones are generally a requirement for non-reticulated sites, such as Jervois Town. This is not the case with this area.
- A minimum lot size of 1000m² still achieves, for the most part, larger than average residential lot sizes and this matches the majority of sites fronting the Kent Terrace in this zone.
- Site topography will still dictate lot sizes.
- The land use rules and standards will ensure the bulk and location of proposed dwellings will still maintain the separation of dwellings and maintain 'open nature' of the area.
- The average lot size in this zone is already well below the 3,000m² average that the zone is trying to achieve through this rule. Therefore the rule does not even reflect the reality of the 'existing environment' and is trying to achieve a lower density than existing.
- Following recent weather events the importance of having resilient housing options needs to be taken into account. This area of the Taradale Hills provides for resilient housing elevated above any flood risk, and is not situated on liquefiable land.

- **Zoning this land General Residential also aligns with the Mission Hills Development Zoning located in similar topography.**

There is an opportunity here to see additional development in this area of Napier in a sustainable manner, and there is real need to use our existing land and services resource efficiently and efficiently. A bespoke zone for this area is not considered necessary, but if councils considers it is, we ask that the average lot size is removed as to still allow for the effective development of the remaining larger lots to help provide housing for a growing city.

Relief sought

- **Subdivision Standard Table: SUB-1 – Large Lot Residential Minimum Subdivision Size –** It is requested that council remove the proposed 3,000m² average lot size requirement and the minimum lot size of 1000m² remain to achieve the larger lot size envisaged by the zoning.

Point 164.3

Section: LLRZ - Large Lot Residential Zone

Sub-section: LLRZ - Large Lot Residential Zone - Rules Table

Provision:

LLRZ-R5: Grazing of livestock

LLRZ-R5A

LLRZ-R5B

Activity Status: Discretionary

Activity Status where activity conditions are not met: Non-complying

Where:

1. The net site area is greater than 5,000m² net site area.

Note: The Napier City Council Animal Control Bylaw 2021 also applies to this activity.

Sentiment: Oppose

Submission:

Stock are the best and cheapest form of grass and weed control on hillside sites, and a number of these sites have land that cannot currently be developed or easily maintained. Grazing by stock is the best means to manage grass and weeds and mitigate fire risk. This method of property maintenance should not be subject to gaining a Discretionary Consent at the cost of the land owner and with no certainty of being granted.

It is also noted that this matter is managed under the NCC Animal Control Bylaw and requiring a Resource Consent is an unnecessary duplication of regulation. Bylaws manage nuisance effects.

Relief sought

Rule relating to Grazing of stock be removed in entirety.

Point 164.4

Section: LLRZ - Large Lot Residential Zone

Sub-section: LLRZ - Large Lot Residential Zone - Rules Table

Provision:

LLRZ-R4: Minor residential unit

LLRZ-R4A

LLRZ-R4B

Activity Status: Discretionary

Activity Status where activity conditions are not met: Non-complying

Where:

1. One minor residential unit per site, and
2. The gross floor area of the unit does not exceed 80 m².

Sentiment: Oppose

Submission:

The discretion rule not permitting minor dwellings is overly restrictive. Properties in this zone are relatively large sections and often are purchased or owned by families wanting to provide additional space for family or relatives in a minor stand-alone dwelling. If these lots can provide for a minor dwelling that complies with the bulk, location and landscaping standards (which manage the amenity effects) then the activity of building a minor dwelling should be a permitted activity.

Relief sought

Change of activity status for Minor Residential Unit from Discretionary activity to permitted activity subject to bulk and location standards.

Point 164.5

Section: LLRZ - Large Lot Residential Zone

Sub-section: LLRZ - Large Lot Residential Zone - Rules Table

Provision:

LLRZ-R8: Visitor accommodation

Activity Status: Discretionary

NA

Sentiment: Oppose

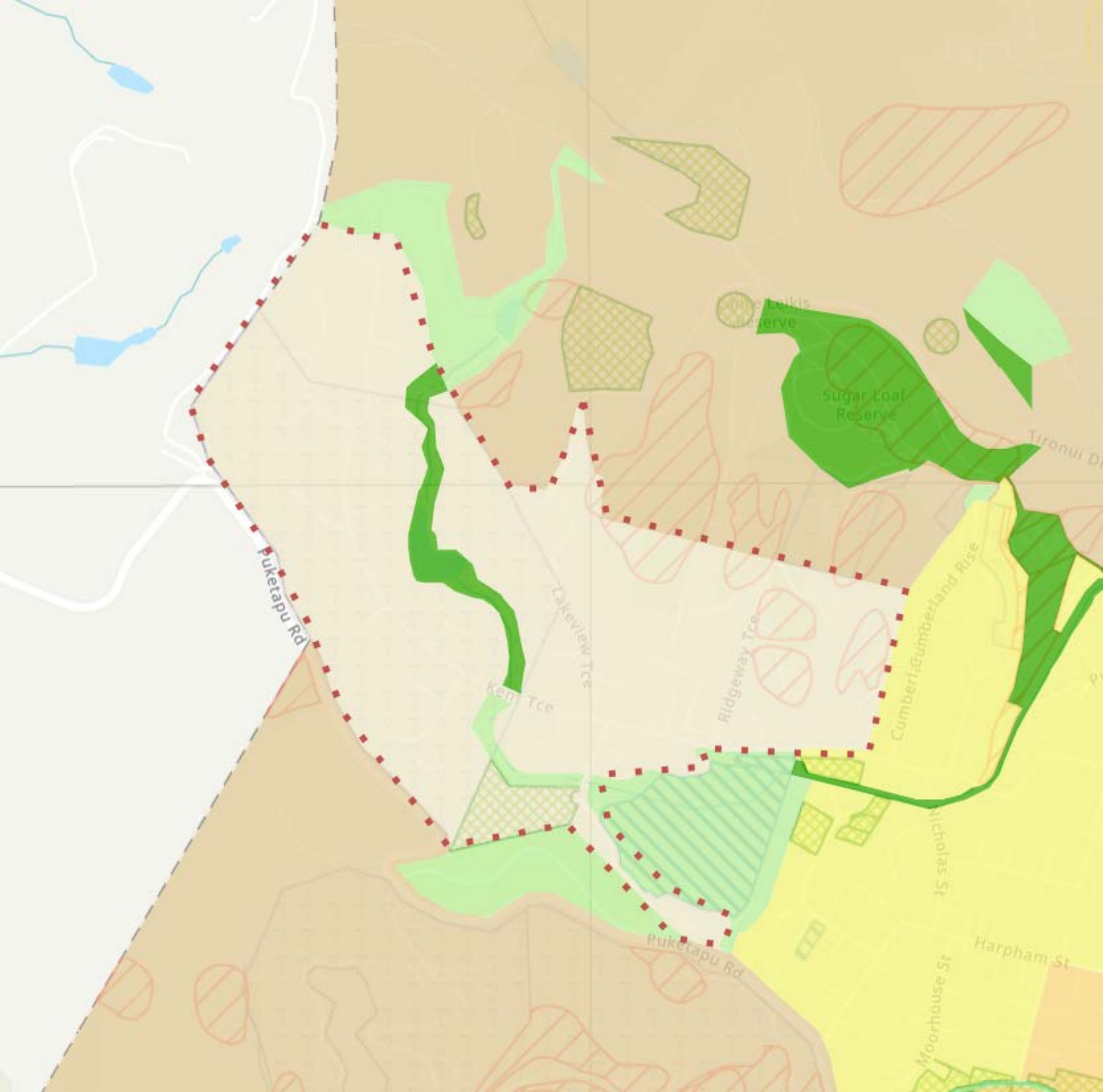
Submission:

The discretion rule not permitting visitor accommodation is overly restrictive. Properties in this zone are relatively large sections and open themselves to opportunity to provide temporary visitor accommodation, especially for local events such as the Mission Concert and Church Road concerts. It also allows flexibility for landowners to utilise surplus units, rooms or sleepouts for accommodation and support the wider tourism market. It is also considered

that the zone is suitable for type of activity at a suitable scale. If properties in this zone can provide for a visitor accommodation activity that complies with the bulk, location and landscaping standards (which manage the amenity effects) then the activity should be a permitted activity.

Relief sought

Change of activity status for Visitor Accommodation from Discretionary activity to permitted activity subject to bulk and location standards.



Sugar Loaf Reserve

Sugar Loaf Reserve

Puketapu Rd

Kent Tce

Ridgeway Tce

Ridgeway Tce

Cumberia Cumberland Rise

Nicholas St

Puketapu Rd

Moorhouse St

Harpham St

Tironui Dr