
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 #:182

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

Submitter:

Napier City Council – Parklands Development

Address for service:

Simon Bradshaw
Napier City Council
215 Hastings Street Napier South Napier 4110
New Zealand

Attachments:

Parklands - 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 182.1

Section: Planning Maps

Sentiment: Amend

Submission:

Napier City Council (Parklands developer) generally supports the General Residential Zoning extent at Parklands, Orotu Drive. However, in the Area D of Parklands, a new commercial node is proposed to provide amenities for the residents in the immediate walkable catchment. Therefore a Neighbourhood Centre Zone is sought for the proposed location of this commercial node. This is consistent with the purpose of the Neighbourhood Centre zone and will not compete with higher order centres in the retail hierarchy. Instead, it will assist in providing a quality living environment which is a key objective for residential zones and for Parklands more specifically.

Relief sought

Retain the General Residential Zone for Parklands with the exception of the commercial node for Area D to be rezoned to Neighbourhood Centre in accordance with the attached map.

Point 182.2

Section: GRZ - General Residential Zone

Sentiment: Support

Submission:

The provisions of the General Residential Zone support stand alone and attached (terraced housing) forms in a suburban character. This is consistent with the objectives for Parklands and they are therefore considered appropriate.

Relief sought

Retain the notified provisions of the General Residential Zone.

Point 182.3

Section: NOISE - Noise

Sub-section: NOISE - Noise - Standards Table

Provision:

NOISE-S5: Acoustic treatment for activities sensitive to aircraft noise inside the Outer Control Boundary

Purpose: *to manage activities sensitive to aircraft noise in areas around the Hawke's Bay airport that are exposed to aircraft noise levels over 55 dB L_{DN}. This will ensure that the continued operation of the airport is not*

1. Any noise sensitive space inside an activity sensitive to aircraft noise or an addition or alteration to an activity sensitive to aircraft noise which creates a new noise sensitive space within the Outer Control Boundary shall be designed to achieve an indoor design sound level of 40 dB L_{dn}.
2. Compliance with 1 above shall be demonstrated by submitting an acoustic design report. The report shall be:

Matters of discretion are:

1. Public health;
2. Amenity values, and
3. Reverse sensitivity effects on the safe and efficient operation of the airport.

compromised and the amenity and health of the community is adequately managed.

- i. submitted to council prior to construction;
 - ii. be prepared by a suitably qualified acoustic expert, and
 - iii. certify that the proposed design and construction will achieve the indoor design sound levels.
3. The building shall be designed, constructed, and maintained in accordance with the acoustic design certification.
4. Where the noise level in 1 cannot be achieved with ventilating windows open, a ventilation system shall be installed and maintained in the noise-sensitive rooms that:
 - i. provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code;
 - ii. provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C, and
 - iii. does not generate more than 35dB $L_{Aeq(30s)}$ when measured 2 m away from any grille or diffuser.

Sentiment: Amend

Submission:

The standard as currently drafted would result in significant compliance costs for purchasers of sites in the eastern portion of Area 4 at Parklands. It is considered this is unnecessarily onerous and should not be extended to this existing residentially zoned area in principle. Alternative, to achieve an appropriate internal noise environment while enabling growth and operation of the Airport, alternative measures should be explored to reduce compliance costs, including an option to adopt standardised acoustic treatment measures that do not require a report from a "suitably qualified acoustic expert" and/or compensation by the Airport similar to the approach taken with the Port Noise overlay.

Relief sought

Remove the overlay from applying to the zoned land at Parklands.

Alternatively,

Review standard NOISE-S5 to reduce compliance costs on residential development.

Memo

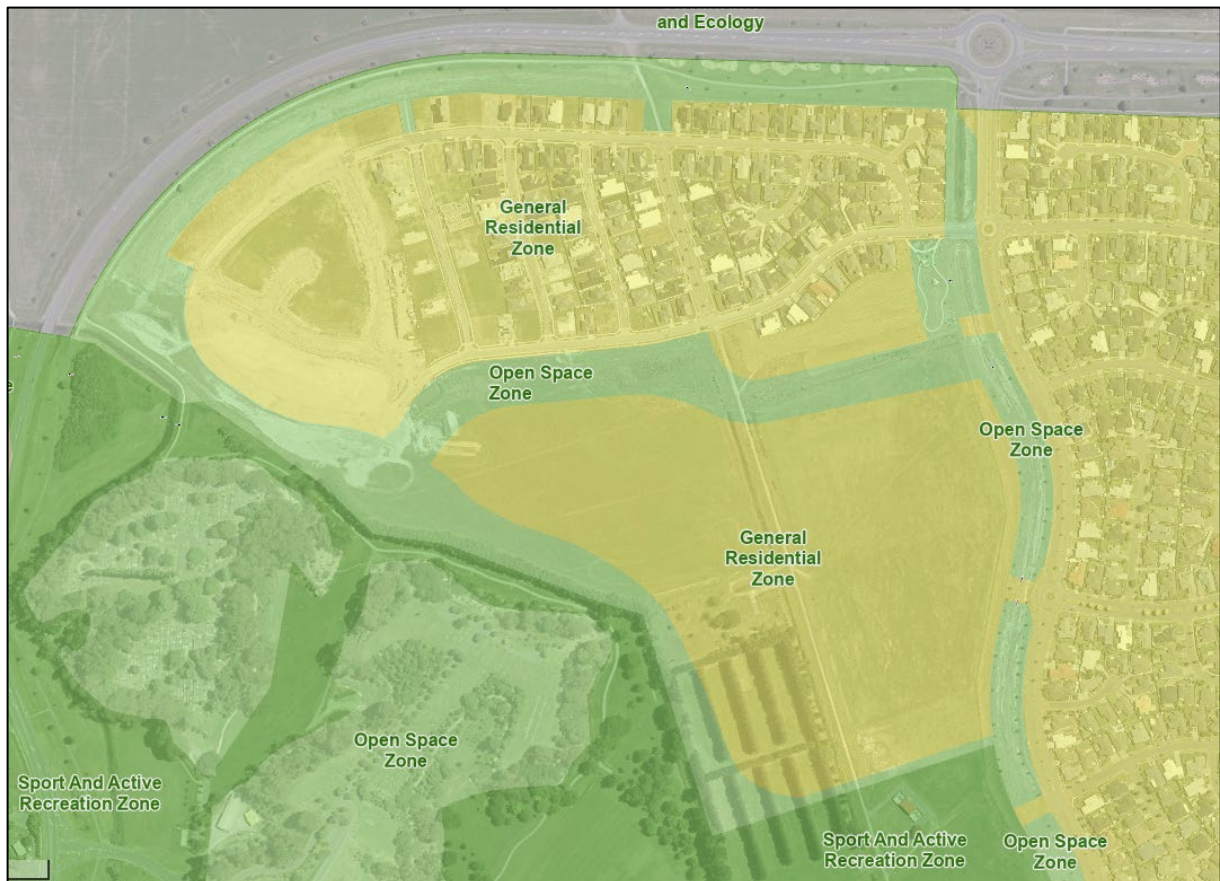
To:	Jason Tickner (Napier City Council)		
Cc:			
Date:	11 th December 2023	File Ref:	23074
Subject:	Parklands – proposed District Plan		

As discussed at our meeting on Thursday 30th November, this memo provides a brief overview of the implications from the proposed District Plan (PDP) for Parklands Area 4. Recommendations on submission points are provided in a format that can be directly inputted into the PDP submission software at sayitnapier.nz in the final section of this memo.

1. Zoning overview

Parklands Area D is proposed to be zoned General Residential Zone, and Open Space Zone, as shown in Figure 1 below. The land to the south is zoned Sport and Active Recreation Zone.

Figure 1: PDP planning maps – zoning for Parklands



The General Residential Zone essentially enables a range of one-two storey residential buildings of both stand-alone and attached typologies (including terraced housing). Developments of more than one dwelling on a site requires resource consent as restricted discretionary activity (without either limited or public notification) to enable design assessment. There is a minimum lot size of 350m²; however, this only applies to new vacant lots. Subdivision of higher intensity development approved through the land use consent process has no minimum lot size requirement.

Key parameters of the zone include:

Height	Maximum 8m (with up to an additional 1m for pitched roof forms) Exception within the Orotū Drive height restriction control area (see Figure 3 below) – maximum height 6m
Height in relation to boundary	3m + 45 degrees
Front yard	3m
Other yards	1m 6m from a watercourse or open drain
Building coverage	Maximum 50% of net site area
Impervious area	Maximum 70% of net site area
Landscaped area	Minimum 30% of net site area
Garages and accessory buildings	<ol style="list-style-type: none"> 1. A garage door or carport facing the street must be set back at least 5 m from the site's frontage. 2. Garages integrated within a residential unit building: <ol style="list-style-type: none"> 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 façade 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.
Windows to the street	Minimum 20% of the street facing façade in glazing.
Outdoor living space	Minimum 20m ² for ground floor units – minimum dimension 3m Minimum 8m ² for above ground units – minimum dimension of 1.8m.

These provisions are generally more enabling of higher density forms than the current residential zoning of the Operative District Plan, including through the lesser allowance for onsite outdoor living area. However, additional design controls apply. These are generally consistent with the current design guidelines for Parklands.

It is understood that at this stage, three storey (or higher) forms are not proposed for Area D. These could be sought through the General Residential Zone in any case, through the resource consent process, however, this could be subject to notification.

Area 4 is intended to include a commercial node. The General Residential Zone enables hospitality activity and dairies up to 100m² in area (per activity) as a discretionary activity. Commercial activity exceeding that allowance is non-complying in the zone. To better facilitate this node, either a change to this rule could be sought, or a rezoning sought to Neighbourhood Centre zone. The purpose of the Neighbourhood Centre Zone is to provide for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood. The Neighbourhood Centre

Zone applies to small blocks of shops within communities that typically include activities such as a dairy, café, takeaway store, and/or hairdresser. Commercial activities under 200m² are permitted in the zone. Commercial activities between 250m² - 500m² are restricted discretionary (with notification precluded). Over this allowance is non-complying. This would facilitate the intended commercial node. It is therefore recommended that a submission be made requesting rezoning of the intended commercial sites in Area 4.

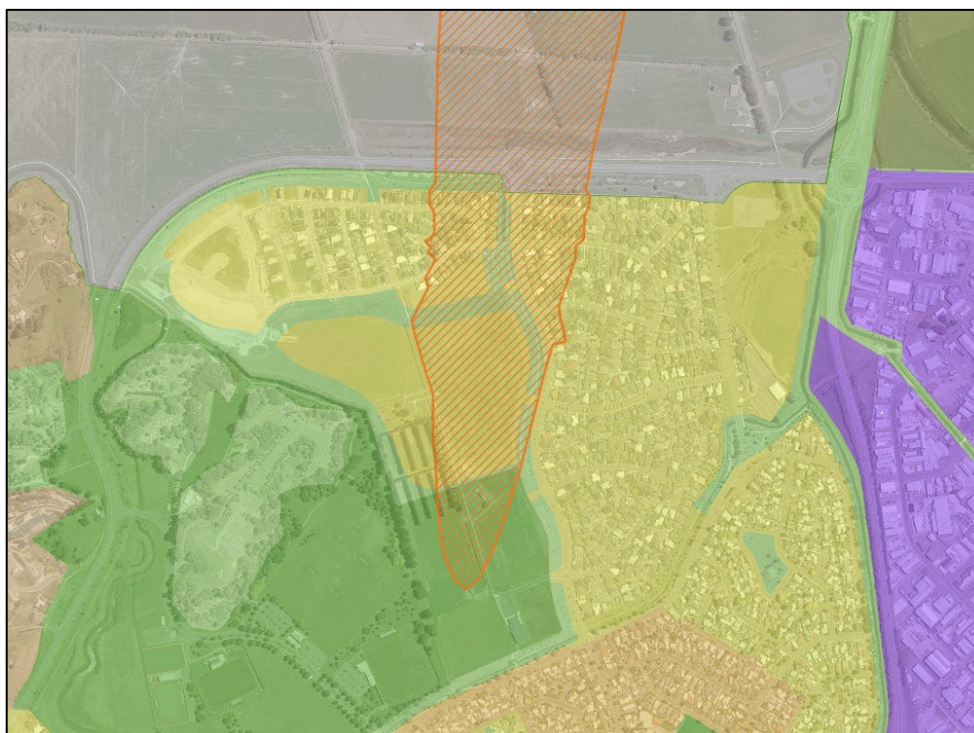
Recommendations:

- Support the General Residential Zone and the above standards. This would provide the ability for Napier City Council (or development entity for Parklands) to have scope to be involved in any potential changes to these provisions through the hearing process.
- Request rezoning of the proposed commercial node from General Residential Zone to Neighbourhood Centre Zone. It is noted that residential activities above ground are also permitted in this zone. Should Napier City Council (or development entity for Parklands) decide not to pursue a commercial development at this location, the submission point could be withdrawn prior to hearings.

2. Airport Noise Outer Control Area

Figure 2 below shows the extent of the proposed Airport Noise “Outer Control Area”. New residential units within the mapped overlay are required to provide acoustic treatment to achieve an indoor design sound level of 30 dB L(dn). Compliance is required to be demonstrated by submitting an acoustic design report prior to construction. It is required to be prepared by a suitably qualified acoustic expert. Apart from the additional acoustic treatment required for the actual building, this will have compliance costs associated. We recommend seeking an alternative approach including standards insulation specifications that can be met without recourse to a qualified acoustic expert, to reduce compliance costs while achieving a good internal noise environment for residents and enabling the ongoing growth and operation of the airport.

Figure 2: PDP planning maps – Airport Noise “Outer Control Area” at Parklands



3. Other relevant matters

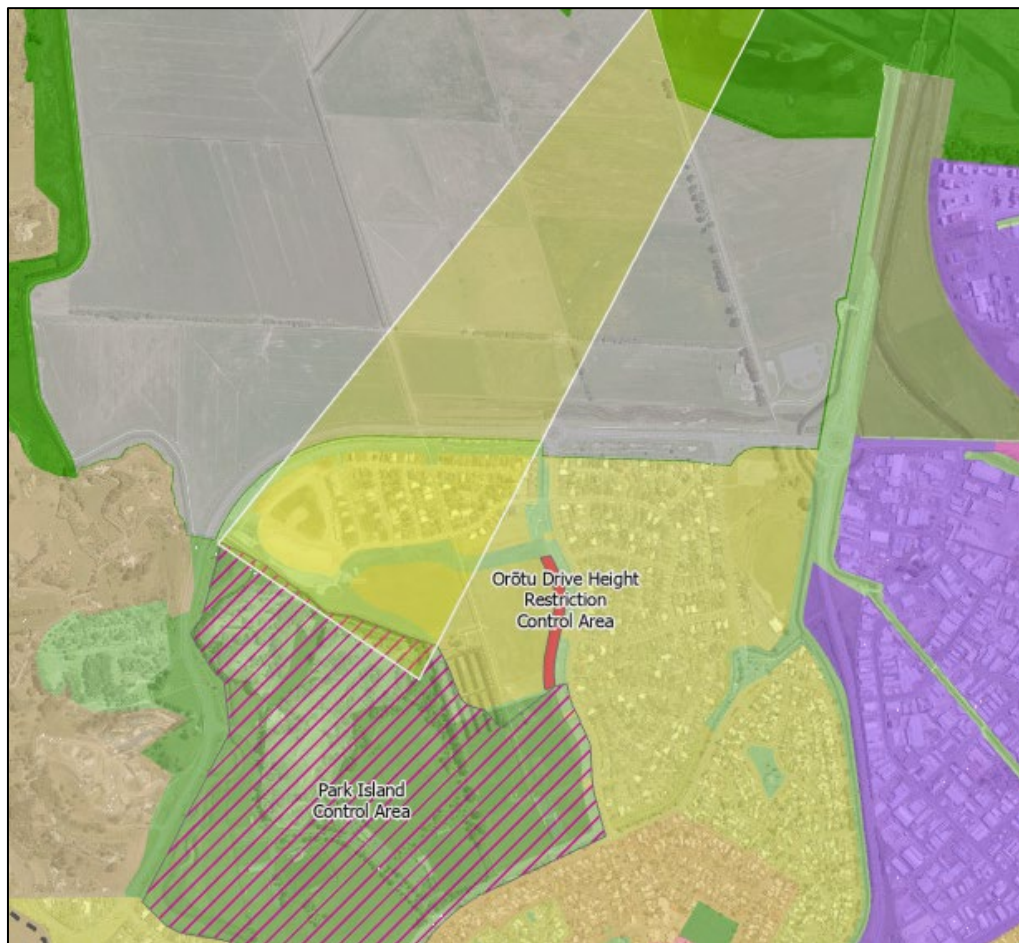
Figure 3 below shows the extent of the Orotū Drive height restriction control area, that corresponds to a 6m height restriction. This was determined through the Plan Change process and therefore it is not recommended to oppose this. The light yellow overlay shown on Figure 2 through Lagoon Farm to the north and also Parklands West is a view shaft from the airport to Park Island. There are no corresponding rules that apply to Parklands; the view shaft rules only apply to the Airport zone. NCC as developer may wish to submit on this to provide scope to participate in any potential other submission seeking additional rules for these view shafts.

The Park Island Control Area only applies within the Sport and Active Recreation Zone and relates to new buildings in accordance with the Park Island Master Plan. It therefore does not affect the development of Parklands residential area.

Other matters to be aware of in the plan are:

- *Stormwater:* new stormwater rules apply requiring onsite retention and detention for all sites with a connection to a public stormwater network (SW-S1). This may affect the stormwater modelling and design for Area 4.
- *Transport:* the transport chapter has been updated to reflect the new Code of Practice. There are also new rules for vehicle trip generation which triggers a consent requirement for any activity generating more than 200 light vehicle movements per day, or more than 10 heavy vehicle movements per day. This may apply to larger scale medium density development sites and will require assessment of impacts on intersections, road design etc. However, it is likely that these matters are already being considered through the transport network design and road safety audit process so documenting this at resource consent stage will not generate additional challenges for development at Parklands.
- *Earthworks:* The standards for earthworks for building activities under EW-R1 as currently drafted would trigger resource consent for development of residential sites as the thresholds are per Hecate per site. Napier City Council is seeking scope to correct this through their submission. The thresholds will instead apply on a per site basis.
- *Financial contributions:* The existing financial contributions of the operative District Plan have been carried over in principle into the proposed District Plan. However, it is understood this is intended to be replaced by a new development contributions policy.

Figure 3: PDP planning maps – overlays for Parklands



No submission points are recommended for the above points; they are for information purposes only. However, Napier City Council (as Parklands developer) may wish to review submissions received on these provisions and make a further submission as required to meet the objectives for Parklands.

4. Recommended submission points

Section	Subsection	Provisions	Amend/Oppose/Support	My submission (reasons)	Relief sought
Planning maps	General	General	Amend	Napier City Council (Parklands developer) generally supports the General Residential Zoning extent at Parklands, Orotu Drive. However, in the Area D of Parklands, a new commercial node is proposed to provide amenities for the residents in the immediate walkable catchment. Therefore a Neighbourhood Centre Zone is sought for the proposed location	Retain the General Residential Zone for Parklands with the exception of the commercial node for Area D to be rezoned to Neighbourhood Centre in accordance with the attached map.

Section	Subsection	Provisions	Amend/Oppose/Support	My submission (reasons)	Relief sought
				of this commercial node. This is consistent with the purpose of the Neighbourhood Centre zone and will not compete with higher order centres in the retail hierarchy. Instead, it will assist in providing a quality living environment which is a key objective for residential zones and for Parklands more specifically.	
General Residential Zone	General	General	Support	The provisions of the General Residential Zone support stand alone and attached (terraced housing) forms in a suburban character. This is consistent with the objectives for Parklands and they are therefore considered appropriate.	Retain the notified provisions of the General Residential Zone.
Noise	Standards	NOISE-S5	Amend	The standard as currently drafted would result in significant compliance costs for purchasers of sites in the eastern portion of Area 4 at Parklands. It is considered this is unnecessarily onerous and should not be extended to this existing residentially zoned area in principle. Alternative, to achieve an appropriate internal noise environment while enabling growth and operation of the Airport, alternative measures should be explored to reduce compliance costs, including an option to adopt standardised acoustic treatment measures that do not require a report from a "suitably qualified acoustic expert" and/or compensation by the Airport similar to the approach taken with the Port Noise overlay.	Remove the overlay from applying to the zoned land at Parklands. Alternatively, Review standard NOISE-S5 to reduce compliance costs on residential development.