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## Submission on Napier City Proposed District Plan

### Form 5 Submission on publically notified proposal for policy statement or plan, change or variation

*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Napier City Council - Planning Unit

**Date received:** 13/12/2023

**Submission Reference Number #:**239

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

**Submitter:**

Damien Shalfoon

**Address for service:**

Damien Shalfoon  
47 Vigor Brown Street [REDACTED] 4110  
New Zealand

**Email:** dshalfoon@xtra.co.nz

**Attachments:**

18122023082003-0001.pdf

**I wish to be heard:** Yes

**I am willing to present a joint case:** No

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

- **No**

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

(a) adversely affects the environment; and

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

- **Yes**

### Submission points

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**Point 239.1**

**Section:** OVR5 - Napier South Historic Heritage Overlay

**Sub-section:** OVR5 - Napier South Historic Heritage Overlay

**Provision:** General

**Sentiment:** Amend

**Submission:**

#### Heritage Overlay

The Napier South Historic Overlay (NSHO) should *include* part of Vigor Brown Street from the corner of Carnell Street to 48-51 Vigor Brown Street.

The fencing restrictions for the NSHO should be the same as the fencing restrictions for the General Residential Zone specified in the final District Plan.

The High Density Residential Zone in Napier South should be amended to *exclude* the Vigor Brown area and the entire area within Georges Drive, Kennedy Road, Carnell Street and Jull Street, which should be General Residential Zone.

#### Submissions

Napier South's dwellings reflect the building styles, materials and societal needs of the relevant eras. The majority of these dwellings are single story villas and bungalows, complemented by gardens that sustain an abundant environment of insect and bird life. Some streets are further enhanced by picturesque trees that provide organic avenues of soft colours and shade.

These characterful attributes are major reasons for house owners being drawn to this suburb, and for taking pride in the maintenance and preservation of their properties. The area is substantially reflection of the divine art deco period with its emphasis on stylish and elegant architecture. Such character is a unique gift for Napier City and the thousands of tourists who visit the area.

The Heritage Review found that McDonald Street and Vigor Brown Street contain a very high percentage of properties that reflect the forgoing description. Accordingly, both streets should be **protected by a Heritage overlay and evenly retained as a General Residential Zone.**

This area, including, importantly, McDonald Street and Vigor Brown Streets, has thrived and strived for over a century against utilitarian development that would detract from and destroy the existing elements of aesthetics and character that serve the whole community. Such aesthetics and character represent the heritage and legacy of successive generations.

Against this background and in considering the provisions of the **Resource Management Act**, I can find no requirement for Tier 2 urban environments such as Napier to have High Density Residential Zones with up to six-storey apartments. I imagine that this is because the growing population, infrastructure and transport pressures faced by larger cities such as Auckland and Tauranga do not at all reflect Napier's situation.

Therefore, in considering Napier Council's mantra that "*we are recognising the best of what we have now*", it would seem rather contradictory and even incongruous for apartment buildings entirely out of scale and appearance with the surrounding environment to be contemplated.

Three to six storey buildings would dominate the existing neighbourhood landscapes and blot the surrounding skyline. Further, if not unsightly, such developments without provision for onsite parking, sympathetic landscaping, effective storm water management, proper erosion and sediment control and full emergency access, would most likely increase windage and reduce the light, privacy and safety of adjacent single level dwellings. In short, an array of damaging and deleterious changes that would be out of conformity with everything presently existing.

In respect of Council's claims regarding transport, there is no evidence that I have seen to suggest that allowing High Density in the Vigor Brown Area would somehow increase walking, cycling, or the use of public transport.

In respect of social cohesion, I would question Council's unsupported claims that a range of housing typologies is required to

provide for changing demographics and market demands. Contra that assertion, Vigor Brown Street's housing, created over many generations, is living proof of existing social cohesion and a caring neighbourhood. This is a settled community of quality values that have stood the test of time - the very attributes that fall into Council's stated recognition of the best that we now have.

## Relief sought

In considering my comments, I reiterate that I seek:

- a) The inclusion of the Vigor Brown Area in the Napier South Historic Heritage Overlay, and its exclusion from the High Density Residential Zone.
- b) The same fencing restrictions as those applied to the General Residential Zone.

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## Point 239.2

**Section:** HRZ - High Density Residential Zone

**Sub-section:** HRZ - High Density Residential

**Provision:** General

**Sentiment:** Amend

### Submission:

#### Heritage Overlay

The Napier South Historic Overlay (NSHO) should *include* part of Vigor Brown Street from the corner of Carnell Street to 48-51 Vigor Brown Street.

The fencing restrictions for the NSHO should be the same as the fencing restrictions for the General Residential Zone specified in the final District Plan.

The High Density Residential Zone in Napier South should be amended to *exclude* the Vigor Brown area and the entire area within Georges Drive, Kennedy Road, Carnell Street and Jull Street, which should be General Residential Zone.

#### Submissions

Napier South's dwellings reflect the building styles, materials and societal needs of the relevant eras. The majority of these dwellings are single story villas and bungalows, complemented by gardens that sustain an abundant environment of insect and bird life. Some streets are further enhanced by picturesque trees that provide organic avenues of soft colours and shade.

These characterful attributes are major reasons for house owners being drawn to this suburb, and for taking pride in the maintenance and preservation of their properties. The area is substantially reflection of the divine art deco period with its emphasis on stylish and elegant architecture. Such character is a unique gift for Napier City and the thousands of tourists who visit the area.

The Heritage Review found that McDonald Street and Vigor Brown Street contain a very high percentage of properties that reflect the forgoing description. Accordingly, both streets should be **protected by a Heritage overlay and evenly retained as a General Residential Zone**.

This area, including, importantly, McDonald Street and Vigor Brown Streets, has thrived and strived for over a century against utilitarian development that would detract from and destroy the existing elements of aesthetics and character that serve the whole community. Such aesthetics and character represent the heritage and legacy of successive generations.

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### **Relief sought**

In considering my comments, I reiterate that I seek:

- a) The inclusion of the Vigor Brown Area in the Napier South Historic Heritage Overlay, and its exclusion from the High Density Residential Zone.
- b) The same fencing restrictions as those applied to the General Residential Zone.

# SUBMISSION FORM ON NOTIFIED PROPOSED NAPIER DISTRICT PLAN



We encourage you to complete this submission form online at [sayitnapier.nz](http://sayitnapier.nz)

## RESOURCE MANAGEMENT ACT 1991 FORM 5

### Clause 6 of Schedule 1, Resource Management Act 1991

#### This form can be submitted via:

Post: Napier City Council, Structure Plan  
Private Bag 6010, Napier 4142

Email: [districtplanreview@napier.govt.nz](mailto:districtplanreview@napier.govt.nz)

In person: NCC Customer Service Centre, 215 Hastings St

We welcome all submissions to be provided by 5pm, 15 December 2023. If you would like to speak to your submission, please indicate this and provide your contact details on your submission. We will be in touch to let you know the date and time.

Your name and submission will be published, but your contact details will be kept private. Your submission form will be treated in accordance with the Privacy Act 2020. To view our privacy statement, visit [sayitnapier.nz](http://sayitnapier.nz)

Submissions close in response to the Proposed Napier District Plan at 5pm, 15th December 2023.

## Your details

|  |  |
|--|--|
| Full name:   | Damien Shalfoon  |
| Daytime phone number:  | [REDACTED]   |
| Email address:   | <a href="mailto:dshalfoon@xtra.co.nz">dshalfoon@xtra.co.nz</a> |
| Postal address: (or alternative method of service under section 352 of the Act):   | 47 Vigor Brown Street, Marewa, Napier South, 4110              |
| Contact person: (name and designation, if applicable)  |  |
| Do you wish to speak to your submission at the hearing? (please tick): Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |  |
| If you wish to speak at the hearing, we will be in touch to confirm a time.  |  |

## Your submission

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|---|
| I <input type="radio"/> could <input checked="" type="checkbox"/> could not* gain an advantage in trade competition through this submission.  |
| I <input checked="" type="checkbox"/> am <input type="checkbox"/> am not directly affected by an effect of the subject matter of the submission that —<br>(a) adversely affects the environment; and<br>(b) does not relate to trade competition or the effects of trade competition.   |
| If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.<br>Please note that your submission (or part of your submission) may be struck out if the Napier City Council is satisfied that at least 1 of the following applies to the submission (or part of the submission): <ul style="list-style-type: none"><li>• it is frivolous or vexatious</li><li>• it discloses no reasonable or relevant case</li><li>• it would be an abuse of the hearing process to allow the submission (or the part) to be taken further</li><li>• it contains offensive language</li><li>• it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.</li></ul> |



## Submissions

Napier South's dwellings reflect the building styles, materials and societal needs of the relevant eras. The majority of these dwellings are single story villas and bungalows, complemented by gardens that sustain an abundant environment of insect and birdlife. Some streets are further enhanced by picturesque trees that provide organic avenues of soft colours and shade.

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**I seek the following decision from the local authority: (give precise details)**

In considering my comments, I reiterate that I seek:

- a) The inclusion of the Vigor Brown Area in the Napier South Historic Heritage Overlay, and its exclusion from the High Density Residential Zone.
- b) The same fencing restrictions as those applied to the General Residential Zone.