
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: 08/12/2023

Submission Reference Number #:80

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

Submitter:

AGJS Enterprises Limited

Address for service:

Paul O'Shaughnessy
Stradegy Planning
Stradegy Planning Limited PO Box 239 Napier 4140
New Zealand

Email: paul@stradegy.co.nz

Attachments:

Attachment 1-Site Location.pdf

Attachment 2-NCZ PDP.pdf

Attachment 3-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 80.1

Section: GRZ - General Residential Zone

Sub-section: Issues

Provision:

GRZ-I4: Non-residential activities

Non-residential activities have the potential to impact on existing residential amenity and the quality of the living environment. The potential incompatibility may be due to the volume or nature of traffic the activities generate, noise, odour, glare, visual appearance, or because the scale of land use and the size or bulk of buildings needed to accommodate the land use is significantly different from typical residential units and accessory buildings in residential zones. However, appropriate non-residential activities in residential neighbourhoods can contribute to neighbourhood cohesion (such as through providing local daycare facilities within walking distance of residents) and economic wellbeing (such as enabling small/start-up businesses to operate from home). Non-residential activities in the General Residential Zone should also ensure the function of centres as focal points for community life is maintained.

Sentiment: Oppose

Submission:

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

The zoning for 1 Creagh Street (the site) under the PDP as 'General Residential'.

Summary of submission:

1. The site covers an area of 316m² and is occupied by one (part) two level building occupied by the Creagh Street Store (which is located at ground floor level) and one residential unit located above and to the rear and with a combined gross building area (GBA) of approximately 153m². The balance of the site is occupied by storage space covering approximately 43m² GBA and external vehicle parking (50m²). **Attachment 1** provides location and a streetscape perspective of the site.
2. The site has been used for retail purposes for in excess of 50 years, whilst the submitters have owned and operated the site/business for 15-years and in this time the site has become somewhat of a community hub for local residents and is well located to service the needs of several nearby schools.
3. The building has now reached a stage where an upgrade is required. A Resource Consent application has been lodged with Council (October 2023-RM230126) seeking approval for a mixed-use development of the site comprising three ground floor convenience retail units and three residential apartments at level 1.
4. The site is currently located within the Main Residential zone under the Operative City of Napier District Plan and is proposed to be General Residential Zone (GRZ) under the PDP.

AGJS Enterprises Limited wishes to be heard in support of its submission.

If others make a similar submission, AGJS Enterprises Limited is happy to consider presenting a joint case at a hearing.

Relief sought

AGJS Enterprises seeks the following relief:

Rezoning of the site to that of the **Neighbourhood Centre Zone (NCZ)**.

The reasons for the submission are set out as follows:

1. The location of the site being the closest to the Te Awa development area would accord with Councils desire to make provision for neighbourhood centres that contribute to the quality of our communities by providing local amenities that are easily accessible to their immediate residential catchments.
2. The purpose of the NCZ is to provide for small-scale commercial and community activities that service the needs of the immediate residential neighborhood. This applies to small blocks of shops within communities that typically include activities such as a dairy, café, takeaway store, and/or hairdresser. It is considered the site falls within this category given

its long-standing existing commercial use (i.e. retail and ancillary uses-storage, parking) and that it provides for the needs of the immediate and surrounding community.

3. **Attachment 2** includes examples of existing convenience retail within the City that have been included within the NCZ. We are unsure how Council determined which sites were suitable to be included within the NCZ, but it is considered that it is entirely appropriate that 1 Creagh Street should be included within the NCZ given its nature, scale and its location within an existing residential catchment.
4. The provisions of the NCZ will better provide for the ongoing use of the site for residential and non-residential, community purposes than the proposed GRZ. The provisions of the NCZ also anticipate that it will be located within a suburban environment and therefore the bulk and location controls will be sufficient to manage the interface of any future development with external boundaries.
5. Given its relatively small site area and the nature of performance standards applicable to the NCZ, the zoning will not allow multiple commercial tenancies to the extent that the site would compete with other commercial centres, but will facilitate an appropriate scale of neighbourhood centre allowing small-scale commercial and community activities that service the needs of the immediate residential neighbourhood. The site also has locational advantages in being easily accessible by walking and cycling from the immediate and surrounding neighbourhood and local schools.
6. The above approach is entirely consistent with the hierarchy for centre zones established in the PDP and the Napier City Retail Strategy.

Figure 1: Site Location and Streetscape Perspective, 1 Creagh Street-Creagh Street Store



Job Ref: 23174 – Creagh Street Store, 1 Creagh Street

15 December 2023

Napier City Council
Private Bag 6010
NAPIER 4142

Submission via Isoplan

AGJS Enterprises Limited (1 Creagh Street Napier)– Submission on Napier’s Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

This is a submission on behalf of AGJS Enterprises Limited on the Napier Proposed District Plan (PDP).

AGJS Enterprises Limited do not consider it would gain an advantage in trade competition through this submission.

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

- The zoning for the site (1 Creagh Street) under the PDP being 'General Residential'.

Summary of submission:

1. The subject site covers an area of 316m² and is occupied by one (part) two level building occupied by the Creagh Street Store (which is located at ground floor level) and one residential unit located above and to the rear and with a combined gross building area (GBA) of approximately 153m². The balance of the site is occupied by storage space covering approximately 43m² GBA and external vehicle parking (50m²). **Attachment 1** provides location and a streetscape perspective of the site.
2. The site has been used for retail purposes for in excess of 50 years, whilst the submitters have owned and operated the site/business for 15-years and in this time the site has become somewhat of a community hub for local residents and is well located to service the needs of several nearby schools.
3. The building has now reached a stage where an upgrade is required. A Resource Consent application has been lodged with Council (October 2023-RM230126) seeking approval for a mixed-use development of the site comprising three ground floor convenience retail units and three residential apartments at level 1.



4. The site is currently located within the Main Residential zone under the Operative City of Napier District Plan and is proposed to be General Residential Zone (GRZ) under the PDP.
5. **AGJS opposes the proposed GRZ for the subject site.**
6. **AGJS Enterprises Limited seeks the following relief:**
 - Rezoning of the site to that of the Neighbourhood Centre Zone (NCZ).
7. The reasons for the submission are set out as follows:
8. The location of the site being the closest to the Te Awa development area would accord with Councils desire to make provision for neighbourhood centres that contribute to the quality of our communities by providing local amenities that are easily accessible to their immediate residential catchments.
9. The purpose of the NCZ is to provide for small-scale commercial and community activities that service the needs of the immediate residential neighborhood. This applies to small blocks of shops within communities that typically include activities such as a dairy, café, takeaway store, and/or hairdresser. It is considered the site falls within this category given its long-standing existing commercial use (i.e. retail and ancillary uses-storage, parking) and that it provides for the needs of the immediate and surrounding community.
10. **Attachment 2** includes examples of existing convenience retail within the City that have been included within the NCZ. We are unsure how Council determined which sites were suitable to be included within the NCZ, but it is considered that it is entirely appropriate that 1 Creagh Street should be included within the NCZ given its nature, scale and its location within an existing residential catchment.
11. The provisions of the NCZ will better provide for the ongoing use of the site for residential and non-residential, community purposes than the proposed GRZ. The provisions of the NCZ also anticipate that it will be located within a suburban environment and therefore the bulk and location controls will be sufficient to manage the interface of any future development with external boundaries.
12. Given its relatively small site area and the nature of performance standards applicable to the NCZ, the zoning will not allow multiple commercial tenancies to the extent that the site would compete with other commercial centres, but will facilitate an appropriate scale of neighbourhood centre allowing small-scale commercial and community activities that service the needs of the immediate residential neighbourhood. The site also has locational advantages in being easily accessible by walking and cycling from the immediate and surrounding neighbourhood and local schools.



13. The above approach is entirely consistent with the hierarchy for centre zones established in the PDP and the Napier City Retail Strategy.

AGJS Enterprises Limited wishes to be heard in support of its submission.

If others make a similar submission, AGJS Enterprises Limited is happy to consider presenting a joint case at a hearing.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'Paul O'Shaughnessy'.

Paul O'Shaughnessy
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