

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Angela McFlynn	Definitions /Definitions /ALLOTMENT	189.1	Amend	The submitter considers that the Definition of Allotment should be consistent with the NPS.	<p>Replace and amend the Definitions Section Allotment as follows:</p> <p><u>allotment has the same meaning as in section 218 of the RMA (as set out in the box below)</u></p> <p><u>(2) In this Act, the term allotment means—</u></p> <p><u>(a) any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—</u></p> <p><u>(i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or</u></p> <p><u>(ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</u></p> <p><u>(b) any parcel of land or building or part of a building that is shown or identified separately—</u></p> <p><u>(i) on a survey plan; or</u></p> <p><u>(ii) on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or</u></p> <p><u>(c) any unit on a unit plan; or</u></p> <p><u>(d) any parcel of land not subject to the Land Transfer Act 2017.</u></p> <p><u>(3) For the purposes of subsection (2), an allotment that is—</u></p> <p><u>(a) subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or</u></p> <p><u>(b) not subject to that Act and was acquired by its owner under 1 instrument of conveyance—</u></p> <p><u>shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.</u></p> <p><u>(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.</u></p>
Angela McFlynn	Definitions /Definitions /COMMUNAL OPEN SPACES	189.2	Amend	The submitter considers that the Communal Open Spaces Definition suggests that this can only be provided when a development contains five or more residential units. There are no rules / standards / or assessment criteria within the Plan that would preclude a development of less than 5 units providing communal open space. The definition in the plan it is considered should reflect this.	<p>COMMUNAL OPEN SPACES means, in relation to developments of <del>five</del> <u>two</u> or more residential units or Papakāinga developments, a specified quantity of landscaped land freely available to all residents on the site, exclusive of driveways, buildings, and the private outdoor living space requirements of individual household units.</p>
Angela McFlynn	Definitions /Definitions /NET SITE AREA	189.3	Amend	The submitter considers that the Definition of Net Site Area should be the same as the NPS in the Plan.	<p>Amend the Definitions Section Net Site Area to that in the NPS as follows:</p> <p>NET SITE AREA means the total area of the site, but excludes:</p> <p>a. any part of the site that provides legal access to another site;</p> <p>b. any part of a rear site that provides legal access to that site;</p> <p><del>c. any part of the site used for access to the site;</del></p> <p>d. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</p>
Angela McFlynn	SD - Urban Form and Development /Policies /SD-UFD-P3: Greenfield growth	189.4	Amend	Considers that SD-UFD-P3: Greenfield growth Policy as written is contrary to both the NPS-UD and the NPS-HPL which envisage that some HPL land is likely to be required to be rezoned to provide sufficient development capacity within the District.	<p>Amend SD-UFD-P3: Greenfield growth as follows:</p> <p>Ensure that any future expansion of urban limits:</p> <p>a. requires indicative public access routes to be vested in Council as part of any subdivision;</p> <p>b. <del>avoids</del> <u>restricts</u> urban rezoning in areas with highly productive soils <u>unless</u></p> <p><u>(i) , the urban rezoning is required to provide sufficient development capacity to meet and demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and</u></p> <p><u>(ii) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and</u></p> <p><u>(iii) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values; and</u></p> <p>c. enables the provision of social facilities to meet the diverse demographic and cultural needs of people and communities.</p>
Angela McFlynn	SD - Urban Form and Development /Policies /SD-UFD-P7: Centre zones	189.5	Oppose	The submitter considers that restricting retail and office activities from establishing outside of the City Centre is not consistent with the NPS-UD which promotes a well-functioning urban environment and reducing greenhouse gas emissions from car travel. The population of Napier is not sufficient to support reliance on public transport, therefore well-functioning urban environments require the ability to access more services and facilities in neighbourhood centres.	<p>Delete SD-UFD-P7: Centre zones and provide for the establishment of the full range of commercial activities in all Centre zones and the Mixed Use Zone to support the development of well-functioning urban environments.</p>

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Angela McFlynn	FC - Financial Contributions / /	189.6	Amend	Considers that the SW - Stormwater Section of the Plan requires that there be no increase in stormwater runoff from a site in association with any subdivision or redevelopment of land. Any subdivision / land development undertaken in accordance with those hydrological neutrality rules will therefore have no effect on existing stormwater infrastructure, and therefore no financial contributions should be payable for upgrades / new stormwater infrastructure as there will be no work required to accommodate additional demand from future developments. Attempting to charge financial contributions in these circumstances would be contrary to the proposed FC - Financial Contributions Objectives and Policies.	Amend the FC - Financial Contributions provisions to remove the requirement to pay stormwater attributable contributions where developments will not generate any additional demand on stormwater infrastructure as required by the proposed stormwater rules.
Angela McFlynn	SW - Stormwater /SW - Stormwater - Standards Table /SW-S1: Hydraulic mitigation	189.7	Oppose	The submitter considers the Permitted Activity Standard will be unable to be complied with for any new development and / or redevelopment of land that is not also subject to a subdivision consent, as it is not possible for a consent notice to be registered on a title outside of the subdivision process. The requirements as a whole are considered excessive and likely cost-prohibitive for minor site works, such as new footpaths or outdoor paved areas, and if strictly enforced would ultimately lead to the decline of amenity as property owners would not undertake property maintenance works that involved the development and / or redevelopment of impervious surfaces.	Delete Standard SW-S1: Hydraulic mitigation, and consequentially also amend Rule SW-R5: Any development of new or redevelopment of existing impervious areas to reflect that this Standard has been deleted.
Angela McFlynn	SUB - Subdivision /Objectives /SUB-O5: Natural hazards	189.8	Amend	Considers that this provision is inconsistent with the RMA relating to natural hazards, in particular, s6 which requires the management of "significant risk" from natural hazards.	Amend SUB-O5: Natural hazards as follows:  SUB-O5: Natural hazards  New subdivision reduces, or does not increase, <del>the</del> <u>any significant</u> risks from natural hazards to people, property, and infrastructure. Relates to SUB-I2, SUB-I3.
Angela McFlynn	SUB - Subdivision /Objectives /SUB-O6: Subdivision in rural zones	189.9	Amend	Considers that the rural zones include several zones that are not intended nor suitable for productive rural farming activities. The SUB-O6: Subdivision in rural zones Objective should clearly distinguish between the expected predominant use of the Rural Production Zone (RPROZ) for productive farming activities, and the expected predominant use of the other rural zones for residential / rural lifestyle activities.	Amend SUB-O6: Subdivision in rural zones as follows:  SUB-O6: Subdivision in rural zones  Subdivision of rural land: a. protects highly productive land <u>within the Rural Production Zone</u> ; b. ensures rural lifestyle subdivision is contained within the Rural Lifestyle Zone and avoided within the highly productive land in the Rural <u>Production Productive Zone</u> , and c. avoids reverse sensitivity effects between rural activities <u>carried out in the Rural Production Zone and sensitive activities</u> .  Relates to SUB-I1, SUB-I2, SUB-I7
Angela McFlynn	SUB - Subdivision /Policies /SUB-P4: Subdivision design is sympathetic to the landscape	189.10	Oppose	The submitter considers that if this SUB-P4: Subdivision design is sympathetic to the landscape Policy is to be retained, clarity is needed as to what is meant by 'visually prominent areas'. In urban areas it could be argued that any building platform close to the road is visually prominent. Requiring mitigation of any visual effects, whether positive or adverse or the degree of the effect (clause b.) suggests that all roads, access, building platforms etc. must be completely screened from view, which is clearly not practical nor desirable.	Delete SUB-P4: Subdivision design is sympathetic to the landscape in its entirety.
Angela McFlynn	SUB - Subdivision /Policies /SUB-P8: Access and egress	189.11	Amend	The submitter considers with SUB-P8: Access and egress Policy that there is likely to be a conflict between minimising queuing on the road and incorporating shared access in urban areas with large high / medium density developments. Some guidance is requested to be provided as to which should take precedence where such conflicts arise. The Policy encourages shared vehicle access "where appropriate" but provides no guidance regarding when this might be "inappropriate".	Amend SUB-P8: Access and egress Policy to clarify how competing outcomes should be balanced and to provide certainty regarding when shared access might be considered appropriate.
Angela McFlynn	SUB - Subdivision /Policies /SUB-P10: Road reserves	189.12	Amend	Considers that SUB-P10: Road reserves Policy would likely only relate to greenfields subdivisions and as such should be amended accordingly.	Amend SUB-P10: Road reserves as follows:  Require <u>greenfields</u> subdivision to provide sufficient road reserves to accommodate the needs of: a. different types of transport modes; b. network utilities including provision around low-impact design for road-generated stormwater, and c. lighting, street furniture, domestic rubbish disposal and landscaping in a way that will not create future safety, amenity, and/or maintenance issues.  Relates to SUB-O3

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Angela McFlynn	SUB - Subdivision /Policies /SUB-P19: Highly productive land	189.13	Amend	Considers that Lifestyle subdivision SUB-P19: Highly productive land where the balance is amalgamated with neighbouring land is an effective means of increasing the size (and therefore the overall productive capacity) of landholdings. Boundary relocations of this nature should therefore be encouraged for small landholdings comprising highly productive land.	Amend SUB-P19: Highly productive land as follows: Ensure subdivision avoids, if possible, or otherwise mitigates any actual loss or potential cumulative loss of the availability or productive of highly productive land by:  a. providing for the amalgamation of smaller holdings on highly productive land. <del>b. avoiding subdivision for the purpose of rural lifestyle.</del> c. allowing subdivision in accordance with Section 3.8 of the National Policy Statement for Highly Productive Land 2022. d. providing for subdivision where: ...
Angela McFlynn	SUB - Subdivision /Policies /SUB-P20: Small lots in rural production zone	189.14	Oppose	Considers for SUB-P20: Small lots in rural production zone that lifestyle subdivision where the balance land is amalgamated with neighbouring land is an effective means of increasing the size (and therefore the overall productive capacity) of landholdings. The creation of lifestyle sites around existing dwellings through boundary relocations should therefore be encouraged for small landholdings comprising highly productive land.	Delete Policy SUB-P20: Small lots in rural production zone in its entirety as notified.
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R2: Boundary adjustment	189.15	Amend	Considers that this provision SUB-R2: Boundary adjustment should be extended to boundary relocations generally. The requirements that all lots remain complying, and each site retains any existing dwellings and access are sufficient to ensure that new lots are suitable for their intended / future permitted uses. Limiting the original area to 10% is considered unnecessary.	Amend SUB-R2: Boundary adjustment as follows:  SUB-R2: Boundary <del>adjustment</del> relocation  SUB-R2A  Activity Status: Controlled  Where:  1. Subdivision involves two or more adjacent sites (which are not separated by any road, rail, river, stream, or watercourse); 2. No new site is created, <del>and no existing site area is changed by more than 10% of its original area;</del> ...
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R5: Cross lease title to freehold subdivision	189.16	Amend	The submitter considers that existing cross lease titles contain existing established development. Subdivision of these properties to create freehold titles will not give rise to any change in the existing development or servicing of the land, and therefore compliance with all development standards in SUB-R5: Cross lease title to freehold subdivision should be waived.	Amend SUB-R5: Cross lease title to freehold subdivision as follows:  SUB-R5: Cross lease title to freehold subdivision ... Where:  1. Subdivision is to create freehold titles from existing cross lease titles; <del>2. Compliance with SUB S1 – SUB S5 (minimum allotment sizes) does not apply, and</del> <del>3. Compliance with SUB S6 – SUB S18 does apply.</del>  Matters of control are: <u>1. The extent to which the new boundaries reflect the existing occupation of each of the existing units.</u>  <del>1. Purpose and objectives and policies of the relevant zone, precinct, and development area;</del> <del>2. Safe, connected, and efficient transport network; infrastructure and stormwater;</del> <del>3. Natural hazards and land stability;</del> <del>4. Heritage values;</del> <del>5. Cultural values;</del> <del>6. Landscape and topographical features;</del> <del>7. Natural features and indigenous trees and vegetation;</del> <del>8. Management of construction effects;</del> <del>9. Management of potential reverse sensitivity effects on existing land uses, and</del> <del>10. Subdivision chapter assessment criteria.</del>  SUB-R5B - Activity Status where activity conditions are not met: Restricted discretionary - Matters of discretion are: - The matters of control listed for SUB-R5A, and <del>the matters identified in the standards not complied with (SUB S6 – SUB S18).</del>

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Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation	189.17	Amend	Considers that Lifestyle subdivision where the balance land is amalgamated with neighbouring land (SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation) is an effective means of increasing the size (and therefore overall productive capacity) of landholdings. Boundary relocations of this nature should therefore be encouraged for small landholdings comprising highly productive land.	Amend SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamation as follows:  SUB-R8: Subdivision of lifestyle sites within the Productive Rural Zone with amalgamationSUB-R8A  Activity Status: Discretionary  Where:  <del>1. Subdivision is not on highly productive land;</del> ...
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Rules Table /SUB-R12: Subdivision on highly productive land	189.18	Oppose	Considers it is inappropriate to prevent all subdivision of highly productive land with SUB-R12: Subdivision on highly productive land.	Delete SUB-R12: Subdivision on highly productive land in its entirety.
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table / SUB-S1: Minimum allotment sizes - residential	189.19	Amend	The submitter considers that requiring that subdivision within the Large Lot Residential Zone (LLRZ) in SUB-S1: Minimum allotment sizes - residential Standards Table achieves a minimum average allotment size of 3000m <sup>2</sup> is unnecessary and will prevent the efficient use of the land resource. The most likely outcome from a rule of this nature will be the creation of multiple lots of close to 1000m <sup>2</sup> in size and a large balance site to compensate. The minimum lot size of 1000m <sup>2</sup> would be sufficient to ensure an appropriate density of development while ensuring the efficient use of the available land resource within this zone.	Amend SUB-S1: Minimum allotment sizes - residential as follows:  Large Lot Residential 1,000 m2 minimum allotment size <del>with a minimum average allotment size of 3,000 m2.</del>  Activity Status where standards are not met: Non-complying
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table /SUB-S3: Minimum allotment sizes - rural	189.20	Amend	Considers that requiring that subdivision by way of the Standards achieves a minimum average allotment size of 1.5 ha based on the parent allotment in existence as at 11 November 2000 in SUB-S3: Minimum allotment sizes - rural adds unnecessary complexity when determining subdivision potential and is inconsistent with both the pattern of subdivision consents granted by Council under the Operative District Plan, and the expected character within a rural residential area.	Amend SUB-S3: Minimum allotment sizes - rural as follows:  Rural Lifestyle Zone, Mission Rural Residential Precinct 5,000 m2 minimum allotment size <del>with a minimum average allotment size of 1.5 ha. The minimum average allotment size must be calculated using the parent allotment in existence as at 11 November 2000. This parent allotment will be the base for any further proposed subdivision.</del>  Activity Status where standards are not met: Non-complying
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table /SUB-S6: Number of allotments	189.21	Amend	The submitter considers that there is a risk with SUB-S6: Number of allotments Standard that subdivisions will be undertaken in a piecemeal manner to avoid the change in activity status from Controlled to Restricted Discretionary associated with the creation of four or more sites in a residential zone or 7 or more sites in a rural zone.	Relief sought is not included.
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table /SUB-S8: Building platform	189.22	Amend	Considers that where vacant sites are created, particularly in rural zones, the land may contain multiple potential building platforms with the potential to require earthworks. The submitter believes it is not appropriate in these situations to require details of any earthworks that might be required to create a building platform and access and this will be determined by the design and location of the building at the time of development.	Amend SUB-S8: Building platform as follows:  SUB-S8: Building platform All zones  1. Each allotment must contain at least one stable, flood-free building platform capable of containing existing and new buildings in compliance with the permitted activity performance standards for the zone where it is located (including building setbacks applicable to that zone), and be suitable for building foundations; <del>2. Details must be provided of the extent and quantum of earthworks required to create a building platform and access;</del> ...
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table /SUB-S13: Stormwater treatment and disposal	189.23	Oppose	Considers that it is not practical to require detailed stormwater design for any potential future development of a vacant site at the time of subdivision. This can be more appropriately dealt with at the time of building in accordance with the relevant zone provisions.	Delete SUB-S13: Stormwater treatment and disposal Standard in its entirety.
Angela McFlynn	SUB - Subdivision /SUB - Subdivision - Standards Table /SUB-S17: Indicative public access route	189.24	Amend	Considers the SUB-S17: Indicative public access route Standard should also provide details regarding how compensation will be determined and provided to landowners whose property rights are being affected by the requirement to provide public access through their land.	Amend SUB-S17: Indicative public access route Standard to include details as to how compensation will be provided by Council for the provision of public access easements.
Angela McFlynn	General / /	189.25	Amend	The submitter considers that the purpose of controlled and restricted discretionary activities is to limit the matters that are required to be considered to those matters specifically stated in the Plan as being relevant to the specific activity or rule that is unable to be complied with. Including as a matter over which control or discretion is restricted to essentially the entire plan is not appropriate. If a proposal meets the criteria for consideration as either a controlled or restricted discretionary activity, and the plan has been competently prepared to give effect to those objectives and policies, further specific consideration of objectives and policies should not be necessary in association with applications for resource consent for controlled or restricted discretionary activities.	Seeks that for all sections of the Plan, assessment criteria for controlled and restricted discretionary activities are amended to remove any requirement to specifically consider the objectives and policies of the plan.
Angela McFlynn	SUB - Subdivision /Assessment criteria /SUB-AC5: Shape factor (SUB-S11)	189.26	Amend	Considers this should specify that the assessment criteria only relate to subdivisions where the shape factor standard is not met. Compliance with the shape factor standard itself should be sufficient to achieve these requirements.	Amend SUB-AC5: Shape factor (SUB-S11) as follows:  SUB-AC5: <del>Subdivision not meeting</del> Shape factor <del>standard</del> (SUB-S11)

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Angela McFlynn	SUB - Subdivision /Assessment criteria /SUB-AC6: Indicative public access route (SUB-S17)	189.27	Amend	Considers that SUB-AC6: Indicative public access route (SUB-S17) assessment criteria should clearly state that they only apply where the relevant standard is not met.	Amend SUB-AC6: Indicative public access route (SUB-S17) as follows:  SUB-AC6: <del>Subdivision not meeting</del> Indicative public access route <u>standard</u> (SUB-S17)
Angela McFlynn	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R2: Buildings or structures within an outstanding natural feature and special character feature	189.28	Amend	Considers that no provision is made in NFL-R2: Buildings or structures within an outstanding natural feature and special character feature for the use of natural / unpainted materials in buildings.	Amend NFL-R2: Buildings or structures within an outstanding natural feature and special character feature to allow for the use of natural materials.
Angela McFlynn	NFL - Natural Features and Landscape /NFL - Natural Features and Landscapes - Rules Table /NFL-R3: Buildings or structures within a special character landscape (excluding the Special Purpose Airport Zone)	189.29	Amend	The submitter considers that Clause b. of this Rule as written would require resource consent as a Restricted Discretionary activity for any building containing windows or using natural, unpainted, materials.	Amend NFL-R3: Buildings or structures within a special character landscape (excluding the Special Purpose Airport Zone) to provide for windows in buildings as a permitted activity, and the use of unpainted materials that meet the reflectance value. Also amend wording to clarify the requirement that no part of a building has a reflectance value <del>no</del> greater than 30%.
Angela McFlynn	RPROZ - Rural Production Zone /Policies /RPROZ-P3: Rural character and amenity	189.30	Amend	Considers that the separation between residential buildings on properties is a private matter between neighbours by virtue of the Deemed Permitted Boundary Activity provisions of the RMA, and is not something that can be dictated by Council.	Amend RPROZ-P3: Rural character and amenity as follows:  RPROZ-P3: Rural character and amenity  Rural areas retain a sparse building density, open rural character, natural features, amenity values, and a sense of openness, with the elements that characterise an area as Rural Production Zone including: a. a landscape dominated by openness and vegetation; <del>b. significant visual separation between residential buildings on neighbouring properties;</del> c. buildings are generally integrated into a predominantly natural setting, and ...
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R2: Primary production activities within highly productive land	189.31	Amend	Considers that with regards to RPROZ-R2-REQ1 it is inappropriate to require evidence to confirm that subdivision will not result in adverse effects in association with applications for land use consent that do not include subdivision.	Amend RPROZ-R2-REQ1 and remove the requirement to evaluate the effects of subdivision where no subdivision is actually proposed.
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R3: Rural industry and associated buildings and structures	189.32	Amend	Considers that this RPROZ-R3: Rural industry and associated buildings and structures Rule as written requires restricted discretionary resource consent for any rural industry and associated buildings and structures on land that is not highly productive land.	Amend RPROZ-R3: Rural industry and associated buildings and structures as follows:  RPROZ-R3A  Activity Status: Permitted  Where:  ... 6. <del>The</del> If the activity is located within highly productive land, it <del>and</del> is a supporting activity.
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R5: Residential activities and associated buildings and structures (excluding minor residential units)	189.33	Amend	Considers that the construction of one dwelling on a rural property to provide accommodation for the owner or farm manager is specifically anticipated by the NPS-HPL as a supporting activity. It is inappropriate to prevent the owner of a property from residing on their land, or where they reside elsewhere, providing on-site farm manager accommodation for security. The permitted size of buildings for supporting activities is appropriately controlled by Standard RPROZ-S5 – Building coverage. Note: if it is Council’s intention to adopt a district plan that is inconsistent with the NPS-HPL, the reference to “subdivision” should be removed from any evaluation report required to support an application for land use consent.	Amend RPROZ-R5: Residential activities and associated buildings and structures (excluding minor residential units) as follows:  RPROZ-R5: Residential activities and associated buildings and structures (excluding minor residential units)  .. <del>3. The activity is not located on highly productive land.</del> <del>RPROZ-R5B</del>  <del>Activity Status where condition 3 is not met: Restricted Discretionary</del>  <del>Where:</del>  <del>1. The activity is ancillary to land based primary production activity within the same site.</del> <del>2. The application complies with RPROZ-R5B-REQ1.</del>  <del>RPROZ-R5B-REQ1</del> <del>1. Any application under rule RPROZ-R5A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:</del> <del>a. a plan identifying the productive capacity of the site, and</del> <del>b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and productive capacity of highly productive land within the district.</del>

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					<p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. Scale and intensity of land use;</li> <li>2. Consistency with the scale and character of the rural environment;</li> <li>3. Location, scale and design of buildings or structures;</li> <li>4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;</li> <li>5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;</li> <li>6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;</li> <li>7. The effects of shading, outlook and amenity of the neighbouring properties;</li> <li>8. The effects on the open character of the zone;</li> <li>9. The effects on the maintenance, use and development of a watercourse or open drain; and</li> <li>10. The capacity of the site to cater for on-site infrastructure associated with the proposed activity.</li> </ol> <p>RPROZ-R5C</p> <p>Activity Status where conditions of RPROZ-R4B 1 and 2 are not met: Non-complying</p>
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R6: Minor residential unit	189.34	Amend	Considers a minor residential unit provides for supporting activities on the site.	<p>Amend RPROZ-R6: Minor residential unit as follows:RPROZ-R6: Minor residential unit</p> <p>RPROZ-R6A Activity Status: Permitted</p> <p>Where: ... <del>3. The activity is not located on Highly Productive Land.</del></p> <p><del>RPROZ-R6B</del> <del>Activity Status where condition RPROZ-R6A 3 is not met: Restricted discretionary</del> <del>Where:</del> <del>1. The activity is ancillary to the land-based primary production activity within the same site.</del> <del>2. The application complies with RPROZ-R6B-REQ1</del></p> <p><del>RPROZ-R6B-REQ1</del> <del>1. Any application under rule RPROZ-R6A must include a productive capacity assessment report prepared by a suitably qualified and experienced soil scientist which shall address the following matters:</del> <del>a. a plan identifying the productive capacity of the site, and</del> <del>b. evaluation and evidence to confirm that the subdivision will not result in the cumulative loss of the availability and productive capacity of highly productive land within the district.</del></p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. Scale and intensity of land use;</li> <li>2. Consistency with the scale and character of the rural environment;</li> <li>3. Location, scale and design of buildings or structures;</li> <li>4. Whether or not the activity will result in the cumulative loss of the availability of the productive capacity of highly productive land;</li> <li>5. Whether or not the activity will have actual or potential reverse sensitivity effects on land-based primary production activities;</li> <li>6. Setback distances from the property boundary, Ahuriri Estuary, any watercourse or open drain;</li> <li>7. The effects of shading, outlook and amenity of the neighbouring properties;</li> <li>8. The effects on the open character of the zone;</li> <li>9. The effects on the maintenance, use and development of a watercourse or open drain; and</li> <li>10. The capacity of the site to cater for on-site infrastructure associated with the proposed activity.</li> </ol> <p>RPROZ-R6C Activity status where conditions of RPROZ-R6A 1 and 2 and RPROZ-R6B 1 and 2 are not met: Non complying</p>

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Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R10: Travellers' accommodation	189.35	Amend	Considers the name of the Rule RPROZ-R10: Travellers' accommodation should be amended to "Visitor Accommodation" to be consistent with the definitions provided within the District Plan.  Existing buildings should be able to be used for this purpose without the need to first obtain a resource consent.	Amend RPROZ-R10: Travellers' accommodation as follows:  RPROZ-R10: <del>Travellers'</del> <u>Visitors</u> accommodation  <del>Activity Status: Non-complying</del>  <u>RPROZ-R10A</u>  Activity Status: <del>Non-Complying</del> <u>Permitted</u>  <u>Where:</u>  <u>1. The activity is being carried out within an existing residential building.</u>  <u>RPROZ-R0B</u>  <u>Activity Status where conditions are not met: Non-Complying</u>
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Rules Table /RPROZ-R12: Home business	189.36	Amend	Considers that Home occupations are frequently carried out within an existing dwelling / accessory building. In this case it is irrelevant whether the existing building has been established on highly productive land, and this in itself should not be a trigger for requiring resource consent.	Seeks to amend RPROZ-R12: Home business as follows:  RPROZ-R12A  Activity Status: Permitted  Where: ... <u>8. The activity is not located on highly productive land, or will be carried out within an existing building.</u>
Angela McFlynn	RPROZ - Rural Production Zone /RPROZ - Rural Production Zone - Standards Table /RPROZ-S3: Setback from highly productive land	189.37	Oppose	Considers a 30m setback in RPROZ-S3: Setback from highly productive land from the boundary of any highly productive land is excessive, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RPROZ-S1 are sufficient. The setback should also relate only to highly productive land on an adjoining title. It is neither sensible nor practical to require a residential activity to be located 30m from highly productive land contained within the same property.	Delete RPROZ-S3: Setback from highly productive land in its entirety.
Angela McFlynn	RLZ - Rural Lifestyle Zone /Policies /RLZ-P4: Manage development in the Rural Lifestyle Zone	189.38	Amend	Considers that the availability of "highly productive land" for productive purposes is removed by virtue of zoning of land as Rural Production Zone land. Specifically, the District Plan proposes to adopt the definition of Highly Productive land in the NPS-HPL, which states that land is only considered highly productive land if it is zoned general rural or rural production. Development of Rural Production Zoned land therefore cannot have any impact on the productive capacity of highly productive land.	Amend RLZ-P4: Manage development in the Rural Lifestyle Zone as follows:RLZ-P4: Manage development in the Rural Lifestyle Zone Use and development does not degrade the values associated with the rural environment by: <del>a. reducing the productive capacity of highly productive land and soils;</del> <del>b. locating development on highly productive land or versatile soils suitable for productive production;</del> ...
Angela McFlynn	RLZ - Rural Lifestyle Zone /Policies /RLZ-P6: Cumulative effects	189.39	Amend	Considers that land within the Rural Lifestyle Zone (RLZ) is intended to be developed and used for rural lifestyle purposes.	Seeks to amend RLZ-P6: Cumulative effects to:  RLZ-P6: Cumulative effects Use and development of the Rural Lifestyle Zone do not have adverse cumulative effects, that: - <del>deplete the versatility and productivity of the soil resource, highly productive land, or natural resources;</del> avoid adverse effects on outstanding natural features, and mitigate impacts on significant landscapes, biodiversity, and/or heritage and cultural values.
Angela McFlynn	RLZ - Rural Lifestyle Zone /RLZ - Rural Lifestyle Zone - Standards Table /RLZ-S3: Setback from highly productive land	189.4	Oppose	Considers a 30m setback from the boundary of any land within the Rural Productive Zone (RLZ-S3: Setback from highly productive land) comprising highly productive land is excessive, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RLZ-S2 are sufficient.	Delete RLZ-S3: Setback from highly productive land in its entirety.
Angela McFlynn	RLZ - Rural Lifestyle Zone /RLZ - Rural Lifestyle Zone - Standards Table /RLZ-S4: Setback from land-based primary production	189.41	Oppose	Considers a 30m setback from the boundary of any land-based primary production activity is excessive in RLZ-S4: Setback from land-based primary production, and not necessary protect against reverse sensitivity effects from residential activities. The setbacks required under standard RLZ-S2 are sufficient.	Delete RLZ-S4: Setback from land-based primary production in its entirety.
Angela McFlynn	RLZ - Rural Lifestyle Zone /Assessment criteria - Rural Lifestyle Zone /RLZ-AC2: All land uses	189.42	Amend	Considers the rural lifestyle zone is intended for rural residential development. Assessment criteria (RLZ-AC2: All land uses) relating to effects on productive and versatile land or whether activities are compatible with activities more appropriately carried out within the Rural Production Zone are not relevant to the development and use of this land. Assessment of effects on amenity should be restricted to effects on the amenity of the zone in which the activity is proposed to be carried out.	Amend RLZ-AC2: All land uses as follows:  <del>r. Whether the use of development is located on and utilises productive or versatile land.</del> u. Whether the establishment and operation of the land use would have adverse effects on the amenity of the <del>Rural, Rural Lifestyle or Settlement</del> Zones <del>.x. Whether activities will complement primary production (agriculture, horticulture, and/or viticulture activities) and contribute to the social, cultural, and economic wellbeing of the community.</del>

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Angela McFlynn	RLZ - Rural Lifestyle Zone /Assessment criteria for particular land uses /RLZ-AC3: Seasonal workers accommodation	189.43	Amend	Considers residential activities are expected to be the predominant use within a rural lifestyle zone. It is not necessary to consider potential conflicts with primary production activities in association with the proposed establishment of seasonal workers accommodation (RLZ-AC3: Seasonal workers accommodation) in this zone.	Amend RLZ-AC3: Seasonal workers accommodation as follows: a. The capacity for providing water and waste services on site. b. Whether buildings and structures are compatible with rural amenity, of a similar design and scale to those used for rural activities, and vehicle parking and storage areas are screened from adjacent properties by fencing and/or landscaping. <del>c. The extent to which the land use is consistent with and supports primary production or may result in conflict with rural activities, rural production, or rural industry.</del> d. Whether the scale and design of the proposed building complements the character of the area.
Angela McFlynn	RLZ - Rural Lifestyle Zone /Assessment criteria for particular land uses /RLZ-AC4: Residential care facilities, retirement complexes, travellers' accommodation, day care centres, and education facilities	189.44	Amend	Considers the assessment of amenity effects associated with development (RLZ-AC4: Residential care facilities, retirement complexes, travellers' accommodation, day care centres, and education facilities) should relate only to effects in relation to the zone in which the activity is proposed to be undertaken.	Amend RLZ-AC4: Residential care facilities, retirement complexes, travellers' accommodation, day care centres, and education facilities as follows:  RLZ-AC4: Residential care facilities, retirement complexes, travellers' accommodation, day care centres, and education facilities  Compatibility with rural land use ... j. Whether the establishment and operation of the land use would adversely affect the amenity of the Rural, Rural Lifestyle, Settlement Zones, the Jervisston Development Area, or result in significant social or economic impacts.
Angela McFlynn	Planning Maps //	189.45	Amend	Considers that in order to achieve well-functioning urban environments as required by the NPS-UD, the District Plan should ensure that medium and high density residential zones are appropriately located in close proximity to all of the following: parks, schools, commercial areas, and community services. As the population of Napier is not sufficient to support full reliance on public transport, medium and high density development should be directed to locations that are within walking distance (500m-700m) of all of these facilities. This also requires greater flexibility in the type of commercial / retail activities that can establish within local community centres to support residents.	Seeks a review of the proposed location of Medium and High Density Zones (MRZ, HRZ) to ensure that future residents of these areas will have ready access to services and facilities within a reasonable (walkable) distance to support the intensification of development.
Angela McFlynn	GRZ - General Residential Zone /GRZ - General Residential Zone - Rules Table /GRZ-R1: Residential units and residential activity	189.46	Oppose	Considers precluding public or limited notification for any development of a residential site to contain more than 1 residential unit is not appropriate. Significant increases in density have the potential to have significant adverse effects on the surrounding residential area, and residents have a right to have their concerns considered when there are potential direct effects on the use and enjoyment of their property. The Council, through the District Plan should show respect for their community and allow for public and / or limited notification where appropriate.	Amend GRZ-R1: Residential units and residential activities to:  Notification status: Any application under this rule is precluded from being notified on a public or limited basis <u>only if compliance with all of standards GRZS1-GRZS11 is achieved.</u>
Angela McFlynn	General //	189.47	Oppose	Considers the residential sections of the Proposed District Plan include several references to the Hastings Residential Intensification Design Guide. This guide has been used as the basis for Hastings District Council to justify granting numerous poor quality residential developments that are significantly degrading the quality of the existing residential environment. The design guide is not fit for purpose and should not be adopted by Napier City Council, where the quality of recent developments has been of a far higher standard. This quality of developments being undertaken within Napier should be protected and strived for, and if necessary, an appropriate, fit for purpose design guide developed to ensure that the character and amenity of Napier is not degraded in a similar manner to recent developments in Hastings.	Delete all references to the Hastings Residential Intensification Design Guide from the Proposed Napier District Plan as notified.
Angela McFlynn	MRZ - Medium Density Residential Zone /MRZ - Medium Density Residential Zone - Rules Table /MRZ-R1: Residential units and residential activity	189.48	Amend	Considers precluding public or limited notification for any development of a residential site to contain more than 1 residential unit is not appropriate in MRZ-R1: Residential units and residential activity. Significant increases in density have the potential to have significant adverse effects on the surrounding residential area, and residents have a right to have their concerns considered when there are potential direct effects on the use and enjoyment of their property. The Council, through the District Plan should show respect for their community and allow for public and/or limited notification where appropriate.	Amend MRZ-R1: Residential units and residential activity as follows:  Notification status: Any application under this rule is precluded from being notified on a public or limited basis <u>only if compliance with all of standards MRZS1-MRZS14 is achieved.</u>
Angela McFlynn	HRZ - High Density Residential Zone /HRZ - High Density Residential Zone - Rules Table /HRZ-R1: Residential units and residential activity	189.49	Amend	Considers precluding public or limited notification for any development of a residential site to contain more than 1 residential unit is not appropriate. Significant increases in density have the potential to have significant adverse effects on the surrounding residential area, and residents have a right to have their concerns considered when there are potential direct effects on the use and enjoyment of their property. The Council, through the District Plan should show respect for their community and allow for public and / or limited notification where appropriate.	Amend HRZ-R1: Residential units and residential activity to:Notification status:  Any application under this rule is precluded from being notified on a public or limited basis, <u>only if compliance with all of standards HRZS1-HRZS14 is achieved.</u>
Angela McFlynn	LLRZ - Large Lot Residential Zone /LLRZ - Large Lot Residential Zone - Rules Table /LLRZ-R4: Minor residential unit	189.5	Amend	Considers allowing Minor residential units to establish on larger sites within residential zones as a permitted activity provides for the efficient use of the land resource.	Amend LLRZ-R4: Minor residential unit as follows:  LLRZ-R4A  Activity Status: <del>Discretionary</del> <u>Permitted</u>  Where:  1. One minor residential unit per site, and 2. The gross floor area of the unit does not exceed 80 m <sup>2</sup> .



Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Angela McFlynn	LLRZ - Large Lot Residential Zone /LLRZ - Large Lot Residential Zone - Rules Table /LLRZ-R8: Visitor accommodation	189.51	Amend	Considers that existing buildings should be able to be used for this purpose without the need to first obtain a resource consent.	Amend LLRZ-R8: Visitor accommodation as follows:  LLRZ-R8: Visitor accommodation  Activity Status: <del>Discretionary</del> <u>Permitted</u>  <u>Where:</u>  1. <u>The activity is being carried out within an existing residential building.</u>  <u>LLRZ-R8B</u>  Activity Status where conditions are not met: <u>Discretionary</u>
Angela McFlynn	SETZ - Settlement zone /SETZ - Settlement Zone - Rules Table /	189.52	Amend	The submitter considers that the use of existing residential buildings for visitor accommodation should be a permitted activity.	Amend the SETZ - Settlement Zone - Rules Table with a new Rule as follows:  <u>SETZ-RX: Visitor Accommodation</u>  <u>SETZ-RXA</u>  Activity Status: <u>Permitted</u>  <u>Where:</u>  <u>The activity is being carried out within an existing residential building.</u>
Angela McFlynn	SETZ - Settlement zone /SETZ - Settlement Zone - Standards Table /SETZ-S3: Setback from highly productive land	189.53	Oppose	Considers a 30m setback from the boundary of any land within the Rural Productive Zone comprising highly productive land is excessive, and [not won't] necessary protect against reverse sensitivity effects from residential activities.	Delete SETZ-S3: Setback from highly productive land in its entirety.
Angela McFlynn	SETZ - Settlement zone /SETZ - Settlement Zone - Standards Table /SETZ-S4: Setback from land-based primary production	189.54	Oppose	Considers a 30m setback from the boundary of any land-based primary production activity is excessive, and [not won't] necessar[il]y protect against reverse sensitivity effects from residential activities.	Delete SETZ-S4: Setback from land-based primary production in its entirety as notified.
Angela McFlynn	PREC6 - Mission Productive Rural Precinct /Rules /	189.55	Amend	Considers that it is assumed that the intention for the Mission Productive Rural Precinct Rules are for them to apply in addition to the Rules for the Rural Production Zone (RPROZ), as this PREC6 - Mission Productive Rural Precinct Section clearly states that each of the objectives, policies and standards of the RPROZ apply in addition to the provisions that are specific to the Precinct. For the avoidance of doubt, it should also be clearly stated that the Rules of the RPROZ also apply if this is the case.	Amend the PREC6 - Mission Productive Rural Precinct Section by including a statement confirming whether or not the Rules of the Rural Production Zone (RPROZ) are intended to apply in this Precinct.
Angela McFlynn	PREC7 - Mission Rural Residential Precinct /PREC7 - Mission Rural Residential Precinct - Rules Table /	189.56	Amend	Considers that it is assumed that the Rules for the Mission Rural Residential Precinct (PREC7) are to apply in addition to the Rules for the Rural Lifestyle Zone (RLZ), as this Section clearly states that each of the objectives, policies and standards of the RLZ apply in addition to the provisions that are specific to the Precinct. For the avoidance of doubt it should also be clearly stated that the rules of the RLZ also apply if this is indeed the case.	Amend PREC 7 - Mission Rural Residential Precinct - Rules Table so that it includes a statement confirming whether or not the Rules of the Rural Lifestyle Zone (RLZ) are intended to apply in this Precinct.
Angela McFlynn	TPT - Transport /TPT - Transport - Standards Table /TPT-S3: Loading spaces	189.57	Amend	Considers that Visitor accommodation can often consist of B&B style accommodation within a dwelling, or short term rentals of standalone private dwellings (e.g., via AirBnB and bookabatch type booking services). In these situations it is not necessary to provide a dedicated loading space (TPT-S3: Loading spaces). The Standard should be amended to reflect the requirement for a loading space for larger scale visitor accommodation such as motels and camping grounds where delivery vehicles are likely to visit the property in association with the day to day running of the business.	Amend (TPT-S3: Loading spaces) to only require provision of a loading space for Visitor accommodation activities providing accommodation for 10 or more people (excluding permanent residents).
Angela McFlynn	TPT - Transport /TPT - Transport - Standards Table /TPT-S5: Vehicle access (restrictions)	189.58	Amend	Considers that Manoeuvring should only be required to be provided (TPT-S6: Manoeuvring) within a property if on-site parking is provided.	Amend TPT-S6: Manoeuvring Standard as follows:  TPT-S6: Manoeuvring  1. Activities <u>that provide on-site parking</u> 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:  ...