



Hastings District Council

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OPEN MINUTES

HEARINGS COMMITTEE

INNER CITY LIVING (VARIATION 5) - COUNCIL INITIATED PLAN CHANGE HEARING

Meeting Date: **Monday, 25 March 2019 and
Reconvened in Public
Excluded Session later on
Monday, 25 March 2019**

HASTINGS DISTRICT COUNCIL

**MINUTES OF A MEETING OF THE HEARINGS COMMITTEE
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC ADMINISTRATION
BUILDING, LYNDON ROAD EAST, HASTINGS
ON MONDAY, 25 MARCH 2019 AT 9.35AM**

***[AND THEN CONTINUED IN PUBLIC EXCLUDED SESSION
ON MONDAY, 25 MARCH 2019]***

**(THE RESULTANT RECOMMENDATIONS FROM THIS MEETING WILL BE
FORWARDED TO A COUNCIL MEETING
ON TUESDAY, 4 JUNE 2019 FOR CONSIDERATION AND ADOPTION)**

PRESENT: Chair: Councillor Lyons
Councillors Barber, Heaps, Kerr (Deputy Chair), Redstone
and Schollum and Mr P Kay

IN ATTENDANCE: Environmental Policy Manager (Mr R Wallis)
Team Leader Environmental Policy (Mrs M Gaffaney)
Committee Secretary (Mrs C Hilton)

ALSO PRESENT: *“Submitters”*
Representatives appearing for the Hawke’s Bay District
Health Board

- Dr Nicholas Jones, Clinical Director
- Rowan Manhire-Heath, Population Health Advisor

Ruth Vincent, Landmarks Trust
Marina Dinsdale (speaking on behalf of herself and Alison
McMinn)
Alison McMinn

A number of members of the public were also present as
observers.

1. APOLOGIES

The following submitter which had initially advised that they wished to speak, subsequently gave their apology as they were unable to attend the hearing.

- Caroline Rachlin - Heritage New Zealand Pouhere Taonga (*submission 8 and further submission FS2*) (*ENV-9-19-6-19-51*)

2. PROPOSED HASTINGS DISTRICT PLAN - VARIATION 5 (INNER CITY LIVING)

Council’s Document Reference: Covering report (*19/205*) and Planning Report (*ENV-9-19-6-19-41*), together with associated Agenda documentation, were circulated prior to the meeting and put onto the Council’s website. Additional non-written evidence was presented at the hearing, as detailed in these minutes. (*Note: the numbers in italics and brackets are the references for evidence saved in the council’s records management system*).

The Chair of the Hearings Committee and the other members introduced themselves. A site visit had not been undertaken in relation to this hearing.

The Chair outlined the process to be followed at the hearing and “house-keeping” matters were addressed. Questions could only be asked by the members of the hearings committee. Cross-examination was not permitted by the parties to the hearing.

The following presentation was displayed and addressed at various points during the hearing by the Council Officers and various parties as appropriate.

- Power point presentation (ENV-9-19-6-19-45) “Variation 5 – Inner City Living”.

Team Leader Environmental Policy, Megan Gaffaney, spoke to the Proposed Hastings District Plan - Variation 5 Inner City Living giving a brief overview. She noted the aim of the variation was to assist with the vibrancy of the city without compromising the existing character. She displayed and addressed the above noted power point presentation (ENV-9-19-6-19-45) and responded to questions from the hearings committee.

The main points that were addressed in response to questions from the committee, included:

- Removing outdoor living space requirements would help attract people.
- A study had shown there was sufficient parking capacity.
- The proposed change from the existing minimum 50m² gross floor area for residential units to more specific floor area controls.
- Amending relevant building code criteria was outside the hearing scope.
- Approximately 15% of existing two storey buildings were possible candidates for conversion.

Presentation Of Submissions

Marina Dinsdale (*Submission 7*) addressed the hearing and spoke to her submission. She was also speaking on behalf **Alison McMinn** (*Submission 6*). They both responded to questions from the hearings committee.

The main points that were addressed in response to questions from the committee, included:

- Some existing office buildings had dedicated parking spaces.
- Provisions requiring owners to install a lift, if there were more than 15 or 20 people in the building, had stifled some development.
- There was a demand for this variation and it may assist owners who couldn't afford earthquake remediation work needed to sell their building.
- The variation would help address CBD security, housing shortages and reduce the outward spread of residential development in the district.
- They don't want ground floor development in shops instead of retail use.

Questions of clarification were sought from Council Officers. The main points that were addressed in response to questions from the committee, included:

- Parking spaces and outdoor living areas were not interchangeable.

Ruth Vincent, Landmarks Trust (*Submission 9*) addressed the hearing on behalf of the Trust. She spoke to the Trust's submission and responded to questions from the hearings committee.

The main points that were addressed in response to questions from the committee, included:

- The Trust supported having laneways and developing at ground level at the rear of buildings.
- The Trust had not discussed the proposed increase of the minimum

studio gross floor area from 35^{m2} to 40^{m2}, but she supported this.

Questions of clarification were sought from Council Officers. The main points that were addressed in response to questions from the committee, included:

- Officers were supportive of ground floor rear facing development.
- Work on a variation to address this approach could take up to 6 months.
- Security issues could be addressed by having development in clusters.

Dr Nicholas Jones, Clinical Director and Rowan Manhire-Heath, Population Health Advisor appearing for the **Hawke's Bay District Health Board** (the Health Board) (*Submission 5*). They jointly spoke to the Health Board's submission and responded to questions from the hearings committee.

The main points that were addressed in response to questions from the committee, included:

- The Health Board supported increased CBD development and its associated benefits, but not want a lot of small studio apartments.
- Need to address and mitigate potential risks such as quality of development, noise and any adverse alcohol related impacts.
- 35^{m2} was too small as a gross floor apartment area and they could come back to the council with a suggested alternative area if requested.
- The Health Board had not submitted on the effect of removing outdoor living areas and people not having access to such areas.
- The Board had submitted to the previous review of the District Plan in regard to the effect of not requiring outdoor living areas and maintaining the character of the area. Nearby green spaces would assist.

Questions of clarification were sought from Council Officers. The main points that were addressed in response to questions from the committee, included:

- Applications for licensed premises were addressed as restricted discretionary activities and the processing planner would assess which parties were deemed to be adversely affected and needed to be notified.
- There were a number of aspects the council could address and work had begun on a creative design guide.
- Officers did not know how many existing liquor licences had been issued in this area. They relevant council officers could be asked to attend the hearing if this information was requested.

At this point the Chair permitted **Alison McMinn** to further address the hearing. She advised that she supported having appropriate guidelines in the District Plan regarding a mix of apartment sizes in relation to this variation.

It was noted that the hearing would now be adjourned and the Committee would then start its deliberations.

At this point the Committee went into Public Excluded Session to commence its deliberations.

Councillor Lyons/Councillor Redstone

That the public be excluded from the deliberations in relation to the hearing of the Proposed Hastings District Plan - Variation 5 (Inner City Living). The reason for passing this Resolution in relation to this matter and the specific grounds under Section 48(2)(a) of the Local Government Official Information and Meetings Act 1987 for the passing of this Resolution is as follows:

That the exclusion of the public from the whole or the relevant part of

the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

- a) Any proceedings before a local authority where:**
- i) A right of appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings; or**
 - ii) The local authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.**

CARRIED

The Hearing adjourned at 11.05am
and would reconvene in Public Excluded Session
for the Committee to undertake its deliberations

The hearing was subsequently formally closed
on Monday, 25 March 2019 at 12.03pm

(Note: The Recommendations from this hearing (shown as tracked changes in ENV-9-19-6-19-68) were to be addressed by Council at a meeting on 4 June 2019 and the resultant Council decision would then be circulated to all Submitters)

Confirmed:

Chairman:

Date: