



Hastings District Council

*Civic Administration Building
Lyndon Road East, Hastings*

Phone: (06) 871 5000

Fax: (06) 871 5100

OPEN

ATTACHMENTS UNDER SEPARATE COVER

STRATEGY PLANNING AND PARTNERSHIPS COMMITTEE MEETING

Meeting Date: **Thursday, 9 August 2018**

Time: **1.00pm**

Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

ITEM	SUBJECT	PAGE
4.	CLIFTON REVETMENT	
	Attachment 1: Clifton Beach: Long Term Coastal Protection Works, February 2016	1
	Attachment 2: Photos of Clifton Emergency Works - July 2018	17
	Attachment 3: Clifton Revetment Resource Consent Commissioner Decision	21
	Attachment 4: Schedule of Consent Conditions	71
	Attachment 5: Beca Plans	83

Attachment 6: Section 101 (3) Local Government Act	87
Attachment 7: Contribution Agreements	93
Attachment 8: Clifton Beach Potential New Boat Ramp	97
 5. VARIATION 5 - INNER CITY LIVING	
Attachment 1: Section 32 Report	101
Attachment 2: Draft Inner City Residential Plan Change	145
 9. MONITORING OF MARKET INDICATORS - NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT CAPACITY	
Attachment 1: National Policy Statement on Urban Development Capacity Final NPSUDC Quarterly Market Indicator Monitoring Report (April 2018)	165
Attachment 2: NPSUDC Quarterly Market Indicator Monitoring Report 2018 Q1 Final.docx	205

Clifton Beach: Remedial Coastal Works

1.0 Introduction

In 2013 a short section of seawall (about 90m long) was constructed at Clifton beach. These works provided temporary protection to some infrastructure (e.g. access road and toilet block) which are located at a pinch point at the base of the cliff face and which were at risk of severe damage if the beach moved landward. The existing seawall is shown in Photo 1. The seawall has a resource consent which expires in 2017 after which the conditions of consent require that the wall be removed.

Clifton Reserve Society (CRS) has requested from Hastings District Council (HDC) that an application be made to the Hawkes Bay Regional Council for a longer section of permanent protection works. These works, covering a reach length of 380m, will provide protection to the road parallel to the beach. See Photo 2.

The purpose of this short report is to describe the concept design of the seawall, to provide a cost estimate of the capital works, and list the studies/assessments needed for the detailed design and assessment of environmental effects.



Photo 1. Existing Seawall



Photo 2. Reach for Proposed Seawall

February 2016

1



report

Clifton Beach: Long Term Coastal Protection Works

- Prepared for Hastings District Council (Client)
- By Beca Ltd (Beca)

February 2016

© Beca 2016 (unless Beca has expressly agreed otherwise with the Client in writing). This report has been prepared by Beca on the specific instructions of our Client. It is solely for our Client's use for the purpose for which it is intended in accordance with the agreed scope of work. Any use or reliance by any person contrary to the above, to which Beca has not given its prior written consent, is at that person's own risk.



February 2016

Item 4

Attachment 1

Item 4

Attachment 1

2.0 Description of the Existing Environment

Clifton Beach is a gravel and sand beach, mainly derived from greywacke rock. Typically this coarse material is confined to the beach face with the nearshore comprising fine sand. These beaches are reflective with not a significant amount of on-shore/offshore movement of gravel. During periods of fair weather sand can accumulate on the beach but tends to disappear during storms. Storms flatten the beach out while during fair weather the beach tends to steepen.

Clifton Beach has been modified significantly over many years. Early photos (as attached) show the beach being used for droving stock and the back shore area being farmed.

The 1931 earthquake resulted in about 1.0m lowering of the landform along this coast although the amount at the site is unknown. This put the coastal system out of equilibrium and has probably not recovered to date.

Nowadays the eastern end of the beach has a carpark and boat ramp and a reduced size camping ground area. The history of the development of the carpark area/boat ramp is not known. Locals have indicated that the area has been reclaimed from time to time with land slip material from the back hills. This is confirmed from historical photos.

The existing boat ramp is in a relatively good location, bearing in mind the exposure of this reach of coastline. It is in the lee of two reef systems both of which provide a level of wave protection to the ramp. The protection structure to the east of the boat ramp is in a reasonable state but is a vertical wall with a high level of wave reflection. The tyres in front of this wall offer a minor level of wave dissipation but are unsightly. Wave reflection off the wall probably aids the cleaning of the ramp of sediment. The wall to the west of the boat ramp is in a state of poor repair and is unsightly.



Photo 1 – circa 1912

February 2016

4



Photo 2 – date unknown

The beach between the boat ramp and the promontory to the west is in an erosional state, as evidenced by the access road needing to be relocated 3 times between 2009 to 2013 (about 25m loss of land).



Photo 3 – Existing Beach at Clifton (2009)

February 2016

Item 4

Attachment 1

Komar's (2005) study on the Hawke Bay coastline concluded that the Clifton/Haumoana reach is in a deficit of some 40,000m³/year of sediment. There is a predominance of westerly drift due to the NE/SE incoming swells/waves. At Clifton this is further exacerbated by the gravel sediment being stored up-drift of the boat ramp and being released episodically during storm events (i.e. there is not an even/constant supply of sediment.). This westerly drift of material has been assessed at about 18,000m³/year.

Tidal levels in Hawke Bay are given in Table 1 (LINZ, 2015). Storm surges during low pressure events could raise the tide levels by some 0.2 to 0.8m.

Table 1: Tide Levels

Tide State	Chart Datum (m)	Local Datum (m)
HAT	2.0	11.1
MHWS	1.8	10.9
MHWN	1.5	10.6
MSL	0.9	10.0
MLWN	0.4	9.5
MLWS	0.1	9.2
LAT-Chart Datum	0.0	9.1

For the wave environment a complicating factor is the approach of incident waves to the beach. The presence of Cape Kidnappers and off shore reefs cause significant diffraction in addition to the refraction processes associated with the bathymetry. MetOcean Solutions Ltd (2011) in their wave hindcast of 12 years of wave data estimated the mean wave direction at Clifton as 94° in 10m of water and 64° in 5m of water. This indicates significant diffraction/refraction in the nearshore zone. Looking at aerial photos the breaker angle direction near the site is about 25° with the beach aligned at 105°, giving a mean angle difference of 10° between the incident wave and the beach. Further downdrift towards Camping Ground No 2 the beach alignment is at 132° and the breaker angle direction at 45°, giving a mean angle difference of 3° between the incident wave and the beach. That section of the beach is more stable than the reach near Camping Ground No. 1.

MetOcean Solutions (2011) report the 10 year return period significant wave in 10m of water as 4.6m and the 100 year return period significant wave as 5.4m. The mean wave period is about 10s. Although these waves have been transformed from oceanic conditions, these waves represent high energy conditions.

4.0 Concept Revetment Design

The concept design is based on LiDAR survey data (2012). As erosion has taken place since 2012 it has been assumed that the beach has retreated to the seaward edge of the road with the same beach profile as at 2012.

The proposed revetment structure will experience depth limited wave conditions. The design still water level of RL 12.0m is based on:

February 2016

- MHWS RL 10.9m
- Storm surge 0.8m
- Sea level rise (SLR) 0.3m

Allowance for SLR of 0.3m covers a period of 30 to 50 years. The New Zealand Coastal Policy Statement requires consideration of SLR over 100 years which approximately equates to about 1.0m to 2116. The approach here is to monitor SLR and if it exceeds 0.3m then the revetment would have another layer of rock to protect it for a more elevated design water level and wave run-up.

The base of the wall will extend from RL10.0m to RL 10.5m. This results in a depth of water of 1.75m and a design wave height of 1.30m. The design mean wave period of 10s will be adopted.

Local limestone boulders are proposed to be used to form the revetment works. The ability of limestone boulders to resist a design wave of 1.3m with a 10s period will depend on many factors. The main factors are the rock integrity and its density, the level of acceptable damage, the revetment slope and level of permeability. Assuming a limestone boulder density of 2.2 t/m^3 and a slope of 1:2 (which would be the maximum slope) it was found that:

- For a 2 layer system with an underlayer and minimal damage, the D_{50} would need to be 1000mm. The underlayer would have a D_{50} of 400mm. With a geotextile between the native and rock material, an impermeable barrier was assumed. This should be further investigated during detailed design.
- Using the Van der Meer equation for rock armour design in shallow water, the following parameters were assumed: $S_d=2$, $P=0.1$, $N=3000$.
- The berm level of the revetment should be set at RL 5.0m and be at least 3 D_{50} wide. (i.e. about 3m wide). This would limit overtopping to less than 50 L/s/m which is acceptable for revetments. Some scouring of the road and grass areas could be expected during extreme sea storms.
- The toe of the revetment will be subject to scour and should have a buried toe with a width of twice the design wave height (i.e. about 3m). It is known that there is "papa" rock at around MSL and this has been assumed over 50% of its length. This will require a key toe detail to minimise loss of revetment rock.
- For the 90m length of rock wall in place, it is recommended that another layer of 1.0m rock be placed over the sloping revetment to improve its integrity for long term application.
- The limestone rock armour will require on-going monitoring and maintenance.

A concept layout, typical sections and cross-sections are illustrated in Dwgs CE -001 to CE – 005.

A schedule of likely construction costs is given in Appendix A. Based on these costs, the likely project costs are given below:

February 2016

• Construction costs:	\$1,000,000
• Resource Consent Costs	\$100,000
• Survey and field work	\$10,000
• Detailed design	\$20,000
• Tendering and construction monitoring	\$30,000
• Contingency (15%)	\$175,000
• Total (excluding GST)	\$1,335,000

It is noted that the above construction costs were based on the costs for implementation of the 90m of existing temporary wall (approximately 2,000m³ of armour rock) as completed by HDC. If Council decided to implement the works using local commercial contractors the construction costs would likely increase by about 35%. The total project cost would therefore increase to \$1,750,000.

5.0 Requirements for the Assessment of Environmental Effects

For the long-term implementation of this seawall, some 380m of new seawall plus 90m of the existing seawall, the following assessments will likely be required:

- Coastal processes (this will relate to the potential loss of erodible material and the downdrift erosion – some modelling will be required)
- Landscape (natural character and visual assessment)
- Ecology (area lost to the revetment)
- Heritage (establish if there are any issues)
- Engineering (design assumptions, approach and risk)
- Construction (disruption during construction/ potential loss of access and risk)
- Consultation (affected parties and iwi)

In order to progress the design of the seawall, a topographical survey of the area is required as well as the level and extent of the “papa” rock.

6.0 Conclusions

Extending the existing seawall by 380m at Clifton Beach, as well as upgrading the existing seawall, has an overall estimated cost of \$1,335,000, assuming HDC carry out the works.

7.0 References

1. CEM (2006) “Coastal Engineering manual” for US Army Corp of Engineers.
2. CIRIA/CUR (2008), The Rock Manual: The use of Rock in Hydraulic Engineering
3. Komar PD (2005) “Hawke’s Bay, New Zealand: Environmental Change, Shoreline Erosion and Management Issues” for Hawkes Bay Regional Council.
4. Komar, P.D. (2010) Shoreline Evolution and Management of Hawke's Bay, New Zealand: Tectonics, Coastal Processes, and Human Impacts. Journal of Coastal Research, 26(1), 143-156.
5. MetOcean Solutions (2011), “Hawkes Bay Wave Climate” for Hawkes Bay Regional Council.

February 2016

Appendix A –Construction Cost Estimate

Item	Description	Unit	Quantity	Rate	Cost
1	Preliminary and General	LS	1		Included below
2	Excavation and disposal	m ³	2,000	\$8	\$16,000
3	Supply and install geotextile	m ²	6,000	\$5	\$30,000
4	Supply and place underlayer	m ³	1,000	\$75	\$75,000
5	Supply and place primary armour	m ³	10,000	\$85	\$850,000
6	Landscaping	LS	1	\$25,000	\$25,000
	Total				\$996,000

It is noted that the above construction costs were based on the costs for implementation of the 90m of existing temporary wall (approximately 2,000m³ of armour rock) as completed by HDC. Rock was sourced from a quarry near Waimarama.

If Council decided to implement the works using local commercial contractors the costs would likely increase by about 35%. The construction cost would therefore increase to \$1,350,000.

February 2016

Appendix B: Concept Design Drawings.

Item 4

Attachment 1

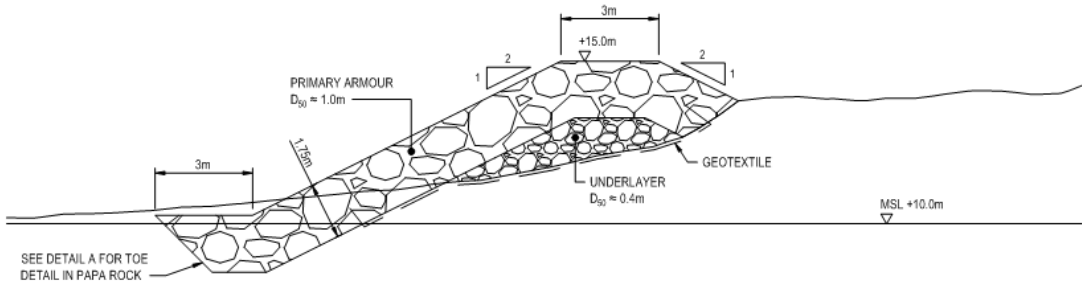
February 2016



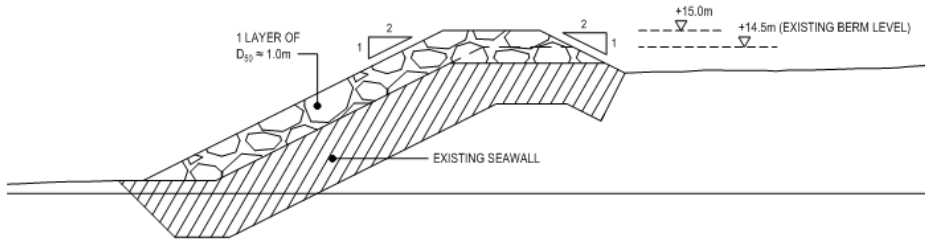
Drawing Plotted: 03 Mar 2016 10:39 a.m.

NOTES:

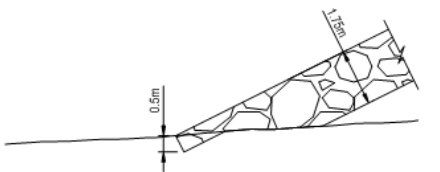
- 1. RL +10.0m IS APPROXIMATELY MEAN SEA LEVEL (MSL)



1 TYPICAL SECTION ON PROPOSED SEAWALL
1:100



2 TYPICAL SECTION ON EXISTING SEAWALL
1:100



A TYPICAL TOE DETAIL ON PAPA ROCK
1:100

FOR INFORMATION
NOT FOR CONSTRUCTION

PRELIMINARY
NOT FOR CONSTRUCTION

A	FOR INFORMATION	BA			--
No	Revision	By	Chk	Appd	Date



Original Scale (A1)	Design	SJP	01.03.16	Approved for Construction
1:100	Drawn	BA	02.03.16	
Reduced Scale (A3)	Check			
1:200	Design			

Client	HASTINGS DISTRICT COUNCIL
--------	---------------------------

Project	CLIFTON BEACH COASTAL PROTECTION
---------	----------------------------------

Title	TYPICAL DETAILS
-------	-----------------

Discipline	CIVIL ENGINEERING
Drawing No.	3123006-CE-002
Rev.	A

Document No: 3123006-CE-002.DWG

www.beca.com

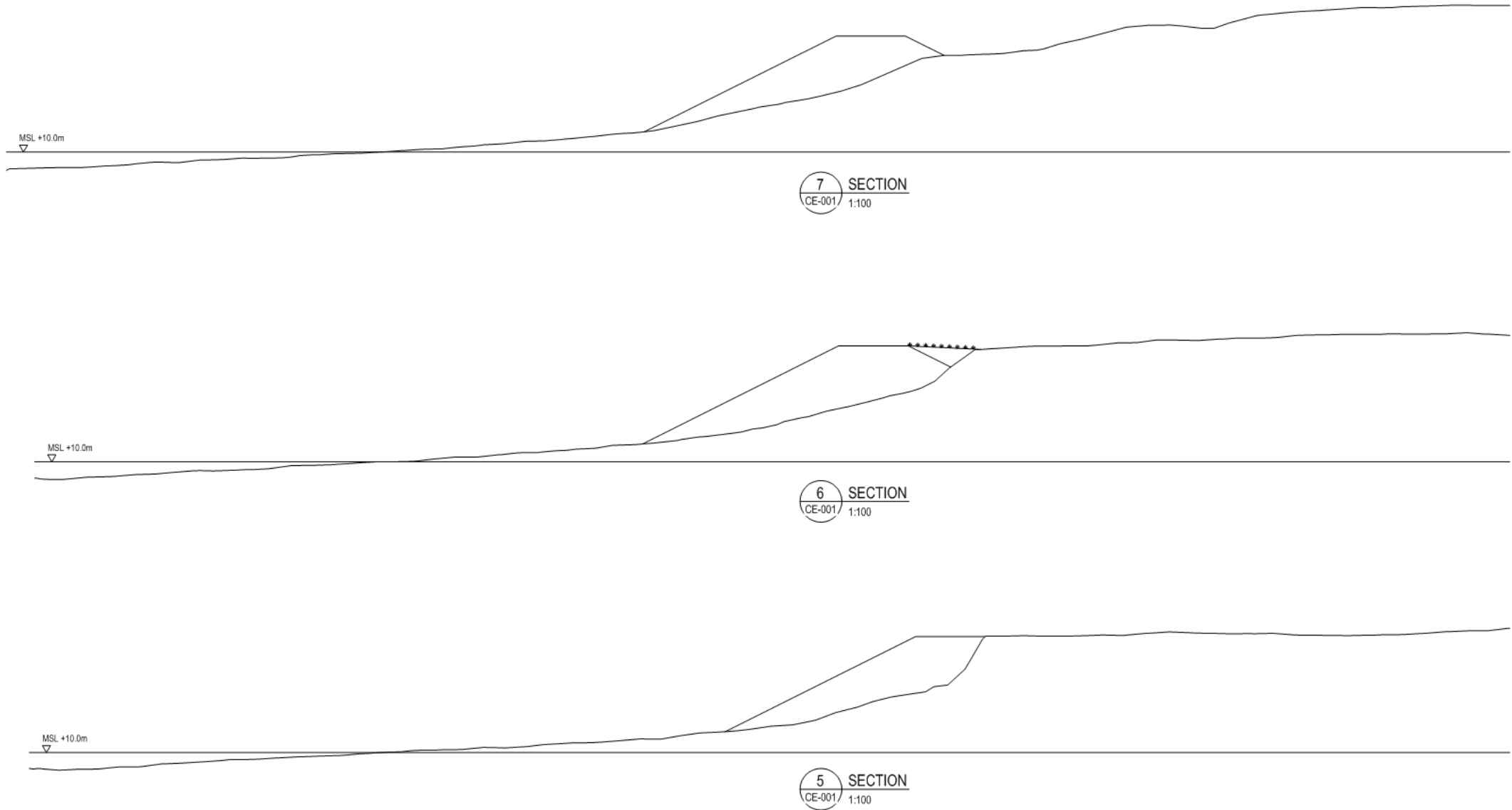
www.beca.com

DO NOT SCALE

IF IN DOUBT ASK



Drawing Plotted: 03 Mar 2016 10:40 a.m.



www.beca.com

www.beca.com

FOR INFORMATION
NOT FOR CONSTRUCTION

PRELIMINARY
NOT FOR CONSTRUCTION

A	FOR INFORMATION	BA			--
No	Revision	By	Chk	Appd	Date

Drawing Originator:
Beca

Original Scale (A1)	Design	SJP	01.03.16	Approved For Construction
1:100	Drawn	BA	02.03.16	
Reduced Scale (A3)	Design Checker			Date
1:200	Design Checker			

HASTINGS DISTRICT COUNCIL

CLIFTON BEACH
COASTAL PROTECTION

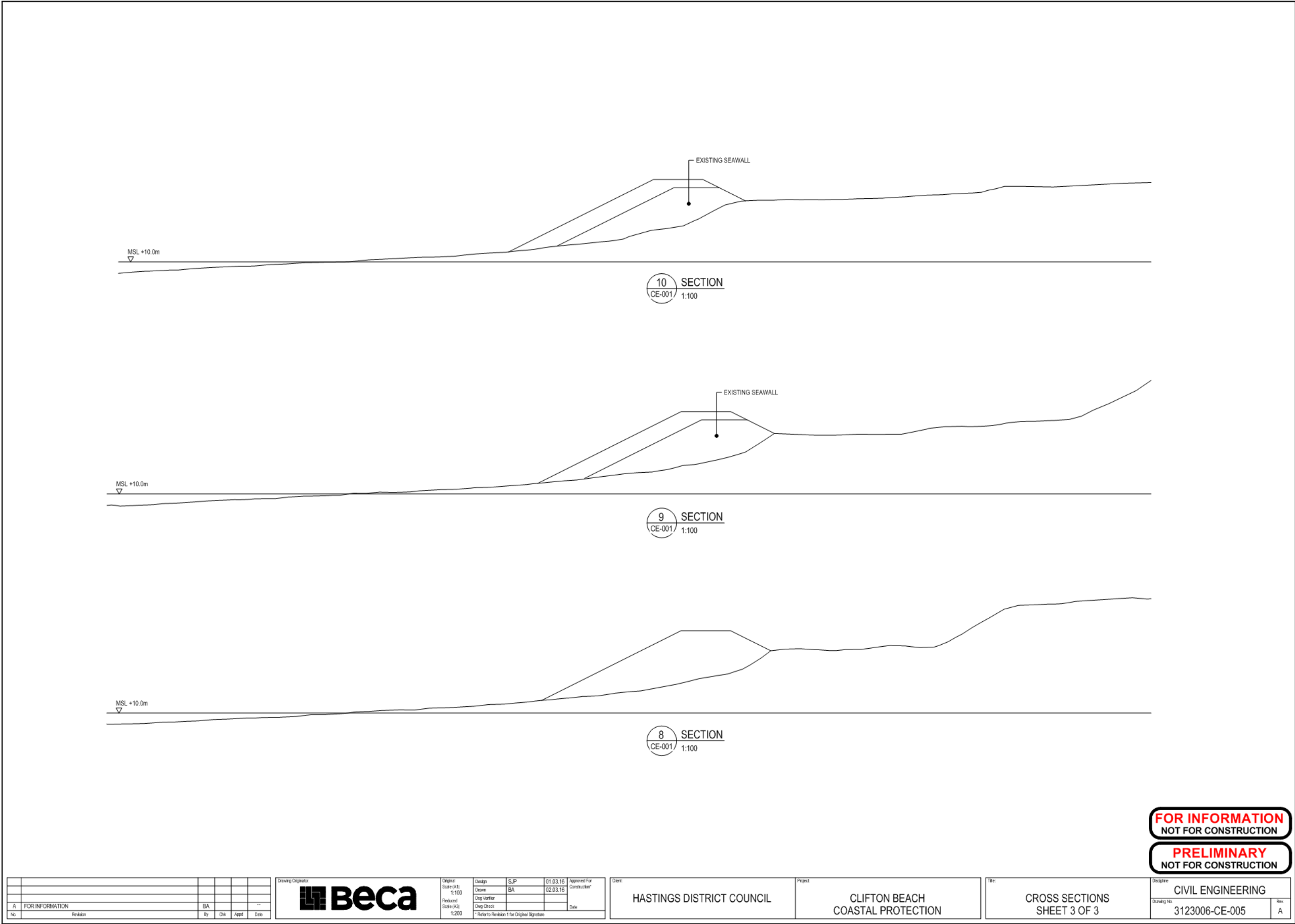
CROSS SECTIONS
SHEET 2 OF 3

Discipline	CIVIL ENGINEERING
Drawing No.	3123006-CE-004
Rev.	A

Document No: 3123006-CE-004.DWG

DO NOT SCALE

IF IN DOUBT ASK



Photos of Clifton Emergency Works – July 2018



Item 4

Attachment 2

Photos of Clifton Emergency Works – July 2018



Item 4

Attachment 2

Item 4

Attachment 2

Photos of Clifton Emergency Works – July 2018



Item 4

Attachment 2

after sea storms. It is noted that the renourishment is solely a mitigation measure to address effects of the revetment, and not to mitigate the occurrence of any long-term coastal erosion.

The reserve has been subject to ongoing and significant coastal erosion over many years, with previous resource consents being granted for the construction, maintenance and removal of a temporary revetment. The coastal erosion has significantly encroached on the access road, and access to the reserve and campground is severely limited.

As part of constructing the revetment, the applicant proposes to construct a new access road landwards of the revetment, between the carpark area at the end of Clifton Road and the Clifton Camp. The road is proposed to be 5m wide which will be a sufficient width to facilitate the movement of vehicles, pedestrians and cyclists. It is noted that the proposal infringes the earthworks limits in respect of the District Plan Open Space Zone and yard setbacks in the Rural Zone.

Resource consent is required from both Hawkes Bay Regional Council (HBRC) and Hastings District Council (HDC).

1.2 SITE & SURROUNDING ENVIRONMENT

The applicant described the site and environment as follows:

“Clifton Beach is located at the southern end of Clifton Road at Te Awanga, approximately 17km east of Hastings and 22km south of Napier.

The Clifton Domain consists of a long thin strip of shingle beach and foreshore and is the location of the Clifton No.2 Camp and Clifton carpark at the end of Clifton Road (an area known as ‘Scotsman’s Point’), and the Clifton Camp, Clifton Marine Club and boat ramp at the other end. There is also a small public picnic area and parking area at the southern end of the Clifton Camp. Clifton Domain provides public access to the coastal marine area in this location and serves as the launching point for day trippers to and along the coast and to Cape Kidnappers and the gannet colonies.

The land immediately adjacent to Clifton Domain is part of Clifton Station, with the historic Clifton Homestead and Clifton Café, which are located inland of Camp No.2, and Clifton Station woolshed is located further inland, about 500 metres from the Clifton Road end. The woolshed houses ‘Woolworld’, a museum and venue for wool and shearing shows, and it is open to the public on request.”

IN THE MATTER	of the Resource Management Act 1991 (RMA or Act)
AND	of the Resource Management Act 1991 (the RMA) and an application to the Hawkes Bay Regional Council and Hastings District Council by Hastings District Council (the Applicant) for consent to construct, maintain and repair a 400m long limestone revetment and upgrade an existing 80m long limestone revetment, construct a new access road and undertake periodic beach re-nourishment, in respect of land legally described as Lot 1-9 DP 27414 and Lot 3 Deeds Plan 915, Sec 7 Blk II Kidnapper SD and Sec 10 Blk V Clive SD, being located at 495 and 466 Clifton Road, Clifton.

1. INTRODUCTION

1.1 APPLICATION

The applicant wishes to construct a 400m limestone coastal protection structure (revetment), seaward of the access road into the Clifton Reserve. The Clifton Reserve is a recreation reserve managed by and leased to the Clifton Reserve Society, who operate a camp and marine club.

The proposed revetment will be constructed out of locally sourced limestone boulders. It will be constructed with a seaward slope of 2(H):1(V) and a 3m wide crest width. The base of the revetment will be set at RL 11.0m and the crest level of the revetment is to be set at RL15.0m. The existing seawall is proposed to have another layer of rock placed over the sloping revetment to improve its integrity for the long term.

The applicant has also applied for periodic renourishment of the beach at the north end of the revetment. It is estimated that 850m³/year of sediment will be lost due to local down drift erosional lee effects. Of this 850m³, 600m³ is expected to be impounded gravel. Therefore, the applicant is seeking to discharge up to 100m³ of gravel per year at the north end of the revetment. The timing of the renourishment will be determined by 6 monthly monitoring or

Item 4

Attachment 3

1.3 APPOINTMENT

I was appointed by the Hastings District Council and the Hawkes Bay Regional Council as an Independent Commissioner in terms of section 34A of the Resource Management Act 1991 ("the RMA") to hear the applicant, submitters and the Council reporting officers and to determine the applications. The information available to me prior to the hearing included the applications, assessment of environmental effects (AEE) reports and other information; the submissions and reports prepared by the reporting officers of the Councils, being the section 42A reports, and expert technical evidence.

1.4 BUNDLING PRINCIPLE

The proposal involves Regional Plan and District Plan rules and standards that cannot be complied with which result in a range of activity status.

The principle of bundling applications, a concept developed by the Environment Court, applies in respect of this manner. Where an activity is unable to comply with multiple District Plan provisions of differing activity status, they must be considered at the most onerous activity status and assessed using the more stringent criteria (King & Ors v Auckland City Council; [2000] NZRMA 145). In respect of this application, the status of individual rules that are infringed include both controlled, restricted discretionary and discretionary activities.

Mr Shirras' assessment considered that it would be reasonable to take a 'holistic approach' as the activities are "intrinsically linked" and he considered it appropriate to apply the bundling approach.

In respect of the District Council application Ms Boulton considered that it was appropriate to use the bundling approach as the activities are mutually inclusive.

Both reporting officers outlined their opinions in respect of the 'bundling principle' in their respective 42A reports and after consideration of this matter, I concur with the advice of both Ms Boulton and Mr Shirras that the proposal be considered as a non-complying activity, in respect of both Regional and District Council matters.

1.5 NOTIFICATION

The application to the Regional Council was publicly notified on 20 November 2017. Seventy-one submissions were received in total. Of these submissions, seventy were in support and one was in opposition.

The application to the District Council was publicly notified on 28 March 2018. Ten submissions were received, one conditionally supported the grant of consent, one submission was neutral, and the remainder of the submissions recommended that consent be granted.

1.6 ACTIVITY STATUS

- Hawkes Bay Regional Council

The proposed revetment requires consent from HBRC. It is proposed to be positioned within Coastal Hazard Zone 1. The toe of the revetment will be located at about Mean High Water Springs (MHWS). The revetment will, in part, be within the Coastal Marine Area (CMA), consent is also required for the occupation of space within the CMA, and for beach renourishment.

The rules the proposed activity does not comply with are outlined in Table 1 of Mr Shirras' s42A report.

- Hastings District Council

I was advised that there were no outstanding appeals on the standards or rules in the Proposed Plan within the Rural and Open Space Zones, or on the Coastal Character Landscape 1 Area (CCL1). It is considered that the rules of the Proposed Plan applicable to this application are beyond challenge and can be treated as operative. On this basis, the activity status in the Proposed Plan is relevant.

The proposed revetment and associated access road are located partly within the Rural Zone and the Open Space Zone and are wholly within the Coastal Character Landscape 1 area (CCL1) and the Coastal Environment.

Consent is required under the Proposed Plan for both discretionary and non-complying activities. Given that the activities are not mutually exclusive, it is considered appropriate to "bundle" the applications and assess as a non-complying activity.

1.7 DEFINITIONS

In this Decision I use the following terms:

AEE	-	Assessment of Effects on the Environment report
Applicant	-	Hastings District Council
CMA	-	Coastal Marine Area

District Plan	-	Hastings District Plan (Proposed/ Operative)
MHWS	-	Mean High Water Springs
Regional Plan	-	Hawkes Bay Regional Plan
RMA	-	Resource Management Act 1991 and its amendments

2. JOINT HEARING

A joint hearing was held involving both Hawkes Bay Regional and Hastings District Councils to enable all matters to be heard together relating to the Regional and District applications, with a joint decision to be made.

The hearing was conducted on 6 June 2018 in the Hawkes Bay Business Hub, Bridge Street, Ahuriri, Napier.

Those in attendance at the hearing included:

2.1 APPLICANT

- Ms Asher Davidson - Counsel
- Mr John O'Shaughnessy - Applicant
- Ms Janeen Kydd Smith - Planning Consultant
- Mr Stephen Priestley – Coastal Engineer

2.2 SUBMITTERS

- Mr Paul Hursthouse (The Clifton Marine Club)
- Mr Colin Lindsay (Gannet Beach Adventures)
- Mr Edward Taylor

2.3 HAWKES BAY REGIONAL COUNCIL

- Mr Malcolm Miller – Manager Consents
- Mr Greg Shirras – Reporting Officer

2.4 HASTINGS DISTRICT COUNCIL

- Ms Catherine Boulton – Reporting Officer

- Mr Murray Arnold – Environmental Consents Manager

Ms Tania Boshier-Jones, Consents Coordinator with the HBRC, provided hearing support

2.5 SITE VISIT

I conducted a site visit on 5th June 2018. No other parties were present, and I did not meet with or have any discussions with anyone during the course of the site visit.

2.6 DIRECTION OF HEARING COMMISSIONER

After adjournment of the hearing, I issued a direction given that Ms Davidson had only undertaken verbally, part of the applicant's right of reply at the hearing and was to provide a written right of reply on all relevant matters. The direction outlined the process and timetable that would apply.

After receipt of the right of reply, I did not have any questions in respect of it, and therefore it was deemed to be completed on 13 June 2018.

2.7 CLOSURE OF HEARING

I formally closed the hearing on 13 June 2018 after I had concluded that I had sufficient information on which to determine the application.

2.8 JOINT DECISION

Section 102 (3) of the RMA provides for a joint decision on applications where a joint hearing is held. I have considered this matter and it is appropriate given how the applications are inter-related to one another that a joint decision be made. There are no reasonable grounds in my opinion not to do so.

3. SUBMISSION & MAIN ISSUES RAISED

The submissions were in support to the proposal, one submitter presented in opposition with the main comments and matters raised in submissions including:

- Improving the visual amenity of the area
- Protecting the Clifton Reserve, Motor Camp and Marine Club which are important recreational facilities.
- The access road provides access to the Clifton Camp and visitors walking the Cape Kidnappers walk.
- Cultural Heritage including the protection of Maori and archaeological sites within the area.
- The boat ramp is essential for access to the beach and sea.

4. STATUTORY PROVISIONS CONSIDERED

In considering the application, I have had regard to the matters to be considered as set out in section 104 of the RMA, and recognising consideration of the proposal as a non-complying activity. Activity status is discussed in section 1.4 of this decision.

I have had regard to the provisions of the District Plan and to Part 2, being the purpose and principles of the RMA.

In respect of a non-complying activity, section 104B of the RMA states that a consent authority may grant or refuse consent and if granted, conditions may be imposed under section 108 of the RMA. Consent may only be granted for a non-complying activity if any effects on the environment will be minor; or the application is for an activity that will not be contrary to the objectives and policies of the relevant plans as outlined in section 104D of the RMA.

If either of the limbs of the 'gateway test' can be satisfied, then the application can be considered for approval under section 104 of the RMA. If an application fails both section 104D tests, then it must be refused consent.

Having considered all relevant matters as outlined in this decision I consider that the proposal meets both limbs of the 'gateway test' as the effects of the proposal on the environment will be no more than minor, and overall the proposal is not considered to be contrary to the relevant objectives and policies of the regional and district planning documents. In addition, it is considered not to be inconsistent with the NZ Coastal Policy Statement.

5. PRINCIPAL MATTERS IN CONTENTION

Having considered the application, submissions and evidence provided, and being guided by the assessment criteria of the District and Regional Plan, I consider that there are no principal matters of contention between the applicant and consent authorities. The applicant and the consent authorities agreed on all issues raised, how they should be addressed, and there were no outstanding matters of disagreement between them.

It is noted that Mr Taylor submitted in opposition. He was of the opinion that the proposal should not be granted consent and that coastal erosion of the coast in this locality should be left to occur naturally, and that there was no point in constructing the proposal as it would eventually fail at some stage. Mr Taylor did not provide any evidence to support his opinion that the proposed revetment would fail.

6. SUMMARY OF EVIDENCE

The following summary is not intended to be a full coverage of all matters raised at the hearing. Relevant parts of the evidence presented by the parties are referred to in the Main Findings section of this decision, where it forms a component of the findings by me, in deciding the application.

6.1 APPLICANT

Ms Davidson outlined that the Council has applied for regional and land use consents to authorise the upgrading and extension of an existing revetment wall at Clifton Beach. The consent for the existing revetment wall will expire at the end of August this year.

The works are required to avoid significant erosion that is predicted to occur if no steps are taken. This could result in potentially significant loss of public and private land, and the loss of access to the campground.

She noted that the single submission in opposition, from Mr Taylor, opposed the grant of consent based on an assertion that the works will be unsuccessful and therefore are a waste of ratepayer money. Mr Taylor had not offered any expert evidence to support his claim. In contrast, Mr Priestley for the applicant, and Mr Reinen-Hamill have provided evidence that the works will act to hold the line for the duration of the consent sought.

Ms Davidson noted that both the District and Regional Council reporting officers had recommended a grant of consent and have agreed on conditions.

Ms Kydd-Smith had been engaged by the applicant to prepare and present planning evidence in relation to their application.

She stated that she concurred with the Reporting Officer's recommendations, except in relation to the following being Ms Boulton's recommended conditions 1 and 11; and Mr Shirras's recommended Conditions 2, 3, 4, 5(c)(ii), 5 (c)(iv), 20, 27, 40, 43 and 47, Advice Note II, and the 'Purpose of Review' under the heading 'Review of Consent Conditions by the Council'.

She supported recommended conditions 1 and 11, however proposed minor grammatical changes for completeness. Similarly, condition 40 and 43 should be amended to remove the subsequent repetition. Advice Note II should be amended to correct the error in referencing the Heritage New Zealand Pouhere Taonga Act 2014.

In regard to conditions outlined by Mr Shirras, she suggested amending condition 2 to make the condition clearer for referencing purposes. Condition 3 required a minor grammatical change for completeness. In her opinion, recommended condition 4 should be amended to clarify that the information is to be provided to the parties for information purposes only. To achieve this, clause (d) should be deleted. She considered it is unnecessary and inappropriate to require the information to be provided to Mr Taylor as he will not be affected by the proposed works compared to the other listed parties.

In her opinion, condition 5(c)(ii) should be amended to require the public sign only with information on where to access the plans.

She also recommended changes to condition 20 which specified time limits for undertaking construction. The condition also required that maintenance or repair activities which require the use of machinery, operate Monday to Friday between the hours of 8am to 5pm. Ms Kydd-Smith was uncertain why the condition had different time limits for construction activities and maintenance and repair activities. In her opinion, there is no justification for including different times and therefore the condition should be amended.

Ms Kydd-Smith recommended that an advice note be added which would allow the frequency of surveys required by condition 27 to be reviewed after 5 years.

She concurred with Condition 47, which required a report produced by a suitably qualified and experienced coastal engineer to be completed and provided to HBRC two years after construction. She considered that an advice note should be added to the condition which would enable the frequency of reporting to be lessened as appropriate.

Under the heading 'Review of Consent Conditions by the Council' she considered that the condition be amended so that it included any monitoring and/ or reporting programme.

In summary, she concurred with the Reporting Officers that subject to the recommended conditions of consent, consent be granted to the applications.

Mr Priestley a Senior Technical Director with Beca had been engaged by the applicant to undertake the concept engineering design of the Clifton Beach revetment and an assessment of the coastal processes effects of the revetment.

In the engineering assessment, he advised that he had developed a numerical model of the coastline from Clifton to the Maraetotara River. This assisted in understanding the coastal processes and quantifying the likely adverse effects of the revetment.

Mr Priestley concluded that;

- The environment at Clifton beach is complex. Overtime, the environment has become conducive to an eroding shoreline which has become a hazard to infrastructure along the beach.
- The existing revetment is insufficient to protect the rest of the roadway. Extending the revetment is considered by Council as the best way forward.
- In the short term the adverse effects of down drift will be moderate. In the medium to long term the adverse effects are considered to be minor.
- Local erosional cutting in of the downdrift coastline I likely to be experienced and will likely need to be managed.

Mr Priestley concurred with both officer reports and Mr Reinen-Hamill's evidence. He recommended Condition 47 have an advice note added to state that it be reviewed after 10 years, with a view to inspections after major sea storms.

Mr Reinen-Hamill a Senior Coastal Engineer and had been engaged on behalf of HBRC and HDC to review the draft reports and assessments carried out by Beca. He did not appear at the hearing, but his evidence had been pre-circulated.

His evidence noted that with periodic re-nourishment and ongoing maintenance of the proposed structure, it should act to hold the line of the present road access for the duration of this consent. It will not change existing levels of wave overtopping and there may be localised scour damage in the lee of the wall due to wave overtopping lows. He recommended that during this period other actions are explored consistent with the 100-year strategy.

6.2 SUBMITTERS

Mr Hursthouse, President of the Clifton Marine Club, presented in support of the proposal and provided a power-point presentation which included an outline of the process that has resulted in the development of the Clifton to Tangoio Coastal Hazard Strategy. He also represented Mr Neilson and the Southern Cell Assessment Panel, who also were in support of the proposal.

In summary, the panel's objectives included taking a long-term approach to coastal hazards impact management in order to develop and make informed decisions regarding the response to coastal hazards. He stated the panel wished to see consent granted to the proposal as did Mr Neilson.

Mr Lindsay outlined that he managed Gannet Beach Adventures and the area of the revetment is the gateway to the gannets in Cape Kidnappers. He noted that this tourist attraction is known as an iconic feature, the company uses the access about 20 times per year. In his opinion, the archaeological sites will erode over time and have only come to light as during the application process. He was in support of the proposal.

Mr Taylor a local resident and submitted in opposition to the application. Mr Taylor first moved to Haumoana in 1952 and in his opinion there has always been ongoing problems with erosion at Clifton. He stated that doing nothing is an option and believed that leaving it to nature was the best way forward. He also considered that construction of the proposal would be a waste of money and that consent should be declined to the proposal.

6.3 COUNCILS

- **Hawkes Bay Regional Council**

Mr Shirras' section 42A report was taken as read. He highlighted various matters in the report. In his assessment of environmental effects, he concludes that the effects on the environment arising from the proposal will be no more than minor for the following reasons:

- The proposed monitoring and response regime is considered to be robust and the proposed revetment will result in a no more than minor adverse effect on coastal process.
- The natural character of the foreshore could be affected if and when the revetment is damaged, or should it fail. The applicant has stated that in this event the proposed revetment would be removed from the foreshore as soon as reasonably practical.
- A series of amenity enhancements have been proposed in the area around the revetment. These enhancements will have a positive effect on the surrounding environment.
- The construction of the revetment will result in adverse effects on amenity values as it will be installed into a sensitive coastal landscape.
- The effect of the proposed activity on the coastal marine resources of the area is low, and it is unlikely to result in any deterioration of the local coastal ecology.
- The proposal will impact on recorded archaeological site W21/176 and may also affect other unrecorded archaeological features and deposits related to pre-European Maori occupation and resource use, contact era occupation and resource use, and the establishment of the Clifton homestead. To mitigate this, consent conditions are required to alert Heritage New Zealand Pouhere Taonga and the relevant tangata whenua to be contacted in the event of an accidental discovery.
- The proposed work will have an effect on public access both during the construction phase and long term. However, without any works it is likely that access to the southern part of the reserve will be lost in the short term, and the recreational activities that currently take place will become untenable.

Mr Shirras recommended that consent be granted subject to conditions.

- **Hastings District Council**

Ms Boulton's section 42A report was taken as read. She highlighted various matters in the report. In her assessment of environmental effects, she concludes that the effects on the environment arising from the proposal will be no more than minor for the following reasons:

- The proposed works will introduce a change to the natural character of the coastline through the construction of the revetment. The existing coastline is already modified and given that the revetment will be designed to integrate into the environment, the effect will be no more than minor.
- The development will enhance the area by improving the amenity values with native coastal planting and landscaping.
- The road will cut through a recorded archaeological site (W21/176). The applicants have offered an 'Augier' condition requiring that an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act 2014 be obtained prior to any works

occurring on the site. Any application made would be in consultation with Matahiwi Marae.

- It would improve access to Clifton Beach and Cape Kidnapper while 30providing continued access for vehicles, cyclists and pedestrians to the area.
- During construction, the access will be temporarily disrupted. Notification of this to various parties is recommended as a condition of consent.
- The proposed works will have positive effects including the visual enhancement of the area which is deteriorating from natural coastal processes.

In Ms Boulton's opinion, and subject to conditions, the proposal satisfied both limbs of the 'gateway' test of section 104D of the RMA.

Ms Boulton outlined relevant policies of the New Zealand Coastal Policy Statement (NZCPS). She concluded that overall, the proposal would have adverse effects on the coastal area that are no more than minor.

Ms Boulton discussed the Regional Policy Statement and concluded that while the proposal is considered to be inconsistent to Objective 4 related to natural character of the coastal environment, she further noted that the Boffa Miskell Landscape and visual assessment had assessed that the proposal would result in less than minor adverse effects on the existing natural character of the area.

She further outlined that the proposal was inconsistent with Objective 5 related to protection of coastal characteristics of special significance to Iwi but noted that the proposal would have benefits in preventing potential loss of unrecorded sites of significance to tangata whenua.

Ms Boulton recommended that consent be granted to the proposal subject to conditions.

6.4 RIGHT OF REPLY

Ms Davidson responded to queries made by me in respect of the following issues; the relevance of Part 2 RMA for this application, the ability for the Commissioner to reach a decision contrary to expert evidence, and the weight which can or should be afforded to Coastal Hazard Strategy under s104(1)(c) RMA.

Ms Davidson outlined how in her opinion, Part 2 should be applied when assessing the applications for consent considering recent Court decisions. The relevant statutory planning documents have been thoroughly canvassed in the application and assessment of effects on the environment, and both officers' reports. It is agreed that the proposal is generally consistent with all relevant objectives and policies.

For these reasons, Ms Davidson recommended that I was entitled to conclude that, as the proposal is consistent with the provisions of the higher order statutory documents it is also consistent with the requirements of Part 2 of the RMA.

For the avoidance of doubt however, she suggested that the Environment Court's approach taken in *Waterfront Watch* is an appropriate one to apply to the proposal. Ms Davidson recommended that I should for completeness, consider Part 2, and record any matters of note from that analysis.

She noted that in the case of the revetment, the expert coastal engineers are agreed that the works will be effective and will have no more than minor adverse effects on the coastal environment. Ms Davidson has referenced the decision of the Court in *Shirley Primary School v Christchurch City Council (199) NZRMA 66 (Shirley)*.

Ms Davidson stated that as Mr Taylor's submission was a 'guess' this cannot properly be considered by the Commissioner in determining the issue of the revetment. She noted that a finding that conflicted with the agreed position of Mr Reinen-Hamill and Mr Priestley would be one in which there is no evidence to support the determinations, where the evidence was inconsistent with and contradictory of the determination and would therefore be a legal error.

Mr Hursthouse provided the background to the Clifton to Tangoio Coastal Hazard Strategy 2010, which has been developed in response to Policy 24(1) NZCPS. The outcome of the Strategy applies to Clifton as it is completely aligned with the current application. While the Commissioner may have regard to the Strategy, it is not appropriate for significant weight to be applied to that document, given that it has not been through a full consultation, submission and hearing process.

The funding for the revetment has been included in HDC LTP, following notification, submissions and hearings, and is a matter that can be properly considered under s104(1)(c) of the RMA.

7. MAIN FINDINGS

The application, submissions and section 42A reports and the evidence presented at the hearing identified a range of effects for consideration:

- Effects on Coastal Processes
- Landscape and Amenity Effects and Natural Character
- Effects on Ecology

- Effects on sites of Historical Significance and Maori Cultural Values and Resources
- Positive effects

7.1 REGIONAL POLICY STATEMENT / REGIONAL PLAN

The proposed structure will be located above and below MHWS, and it is therefore located in part within the CMA. The provisions of the Regional Coastal Environment Plan (RCEP) are relevant to the activities within the CMA, and to activities occurring landward of this, but within the Coastal Environment. The structure is also located within CHZ1.

Both the Regional Policy Statement (RPS) and the provisions of the RCEP are relevant to this proposal. The relevant objectives and policies are focused on natural character, public access and significance to Iwi/ Hapu. The RCEP has policies and objectives are similar to the RPS, in addition to those matters, the RPS includes coastal process, infrastructure, coastal hazards, biodiversity, disturbance in the CMA and structures.

Discussion in respect of these policies is contained in section 8 of this decision.

7.2 DISTRICT PLAN

I was advised that at the time of lodgement of the application, there were no outstanding appeals on the rules or standards within the Rural and Open Space Zones or on the Coastal Character Landscape 1 Area (CCL1). It is considered that the rules of the Proposed Hastings District Plan in relation to this proposal are beyond challenge and can be treated as Operative. On this basis, no further assessment of the Operative District Plan is required.

The proposed revetment will be located above and below MHWS and as such it will be located within the Coastal Marine Area and the Coastal Margin. The proposal requires consent under Rules RZ27, OSZ14 and EM6 of the Proposed Hastings District Plan but given that the activities are mutually inclusive the overall status must be assessed as a non-complying activity.

In my opinion, the relevant policies of the Proposed District Plan are as follows:

RZO5 - To promote the integrated and sustainable management of natural and physical resources including water.

RZO2 - Retention of the existing natural and rural character and amenity values of the Rural Zone.

OSEO1 - To provide sufficient open space to meet the present and likely future recreational, conservation and visual amenity needs of the District.

EMO1 - To enable earthworks within the Hastings District while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated.

Discussion in respect of these policies is contained in section 9 of this decision.

7.3 EFFECTS ON COASTAL PROCESSES

- **Regional Council**

The coastline the proposed revetment is to be located on is in a 'rapid erosional state' and has retreated approximately 32 metres since 1972. The revetment may cause effects to the coastal process by 'locking in' sediment that would normally be available for transport within the littoral system. It is likely that erosion would occur as a result of the sediment compounding towards the end of the revetment. This adverse effect is proposed to be managed through conditions which require periodic renourishment and monitoring.

I find that given the relevant technical evidence provided, the potential adverse effects on coastal processes as a result of the revetment, can be managed through proposed conditions including beach renourishment.

It is noted that the effects on coastal process are a matter relevant only under the Regional Plan.

7.4 LANDSCAPE AND AMENITY EFFECTS AND NATURAL CHARACTER

- **Regional Council**

The receiving environment has already been modified by man-made structures, it is noted that the proposed structure will further affect the natural character of the area. The structure may change the natural character of the typically gravel/sand beach in this area and immediately adjacent to the structure where sediment accretion and or erosion is likely to occur. The natural character could be further modified if the structure was to fail.

Through proposed conditions of consent and having regard to the application documentation provided, I find that the effects on the natural character and amenity of the surrounding area to be acceptable.

- **District Council**

The character of the existing environment has been modified by the natural coastal erosion process and man-made structures. The revetment and associated works will change the natural

character of the coastline. The Landscape and Visual Assessment Report prepared by Boffa Miskell acknowledges that the proposed works will modify the coastline but in contrary the works will '*return the landscape to one of opportunity, regeneration and increased amenity value*'. Overall, the area has already undergone modification and as the purpose of the works is to provide for coastal protection measures against erosion, the effect on natural character will be acceptable.

The visual and amenity effects of the proposed works are considered in the context of the existing environment.

The area where the proposed works are to occur can be viewed from Clifton Beach, from the access road, and from the sea with the main viewing audiences being identified as residents of the Clifton homestead, residents and patrons at Clifton Motor Camps 1 and 2, patrons and visitors to Clifton Café, recreational beach users, recreational boat users, tourists and visitors to the beach.

The proposed revetment will introduce a visual change to the area, including the introduction of limestone rock along the foreshore. The limestone rock will increase the visibility of the revetment due to the reflectance values and colour associated with it. The mitigation measures proposed are limited by the engineering requirements for the structure but are considered to be effective in integrating the revetment into the surrounding area.

7.5 EFFECTS ON ECOLOGY

- **Regional Council**

The effects on the ecology of the site at which the proposed revetment is to be installed had been assessed by Mr Shade Smith of Triplefin, an environmental consultancy. It was his professional opinion outlined in his report, that the species present will be tolerant to disturbance during construction. Mr Smith anticipated that, given the current quality of the pebble/gravel area, it is unlikely that the revetment will constitute a significant loss of coastal diversity. He considered that the effect of the proposed activity on the coastal marine resources of the area is low, and it is unlikely to result in any deterioration of the local coastal ecology.

I accept his assessment and find for the reasons outlined, that the potential adverse effects on the ecology of the subject site will be no more than minor.

7.6 EFFECTS ON SITES OF HISTORICAL SIGNIFICANCE AND MAORI CULTURAL VALUES AND RESOURCES

- **Regional Council**

The applicant had engaged Opus to provide an archaeological assessment of effects for the proposed revetment. The assessment found that the current access road cuts through a recorded archaeological site (W21/176) and that there is a high possibility of other sites in the immediate area.

It is considered that a significant portion of the revetment would not exacerbate any damage cause to the known archaeological features. The existing feature has already been damaged through previous road re-alignment. Further damage to both recorded and unrecorded archaeological sites will occur as a result of the works.

Consent conditions are recommended to mitigate any potential damage and discovery of archaeological sites which would require Heritage New Zealand Pouhere Taonga and the relevant tangata whenua to be contacted in the event of a discovery.

- **District Council**

The Archaeological Assessment of Effects provided by the applicant outlined that there are several recorded archaeological sites in the wider Clifton area. This demonstrated that this area was historically an intensively occupied area.

The section 42A report outlined that there are also an additional six recorded archaeological sites within approximately 800 metres of the proposed works including: pā site W21/15 (ca. 130 m); pit site W21/14 (ca. 215m); open settlement W21/17 (ca. 320 m); pā W21/4 (ca. 540 m) pā W21/165 (ca. 770m); historic settlement W21/21 (ca. 820 m).

The archaeological assessment identified that there is significant archaeological risk to the borrow pit components of the recorded archaeological site W21/176 and that there is a risk to unrecorded archaeological features that might lie subsurface to either W21/176 or the Gordon family occupation of Clifton Homestead.

Consent conditions are recommended to mitigate the potential damage, and discovery of archaeological sites which would require Heritage New Zealand Pouhere Taonga and the relevant tangata whenua to be contacted in the event of a discovery.

7.7 POSITIVE EFFECTS

When the proposal is considered against the Regional and District Plan policies, there are positive effects arising from the granting of consent to the proposal.

The works will result in the regeneration of an area which is deteriorating from natural coastal processes, the works will future-proof access to the Clifton Motor Camp, public access for beach users including visitors, tourists and businesses, will reduce the potential for storm damage and erosion and will increase ecological stability of the site. It may also decrease movement of coastal material.

Alternatively, abandonment could potentially result in significant adverse effects on natural character and amenity and people's health and safety. The proposal will provide for the ongoing recreational use of the reserve, boat ramp, and beach access.

8. REGIONAL POLICY STATEMENT / REGIONAL PLAN: OBJECTIVES & POLICIES

The Regional Policy Statement (RPS) and the Regional Coastal Environment Plan (RCEP) require consideration. The RCEP applies to the coastal environment and contains several objectives and policies which are particularly relevant to the proposed activity. Mr Shirras provided a comprehensive table (Table 2) in his section 42A report.

I accept Mr Shirras assessment against both documents and find that the proposed works will be generally consistent with the relevant objectives and policies.

I note that Ms Boulton has noted Objectives 5 and 7 of the RPS that she considered the proposal to be inconsistent with. However overall, I consider on balance that the proposal is generally not inconsistent with the regional documents. This conclusion is reached given the proposal as noted in the Boffa Miskell assessment would result in less than minor adverse effect on the existing natural environment.

In addition, the proposal will prevent further erosion of any unrecorded sites of significance to tangata whenua.

9. DISTRICT PLAN: OBJECTIVES & POLICIES

The revetment is proposed to be constructed within both the Rural and Open Space Zones. Consideration of the objectives and policies of both zones is appropriate.

Ms Boulton described the objective, policy and rule framework of the District Plan. Having considered this framework, there are six policies of particular relevance to the consideration of the application being:

***"RZO2** Retention of the existing natural and rural character and amenity values of the Rural Zone.*

***RZO5** To promote the integrated and sustainable management of natural and physical resources including water.*

***OSEO1** To provide sufficient open space to meet the present and likely future recreational, conservation and visual amenity needs of the District.*

***OSEO2** To ensure that open space is used and developed in a manner which is compatible with its function and character and to ensure any adverse effects on surrounding activities, particularly residential, are avoided or mitigated.*

***EMO1** To enable earthworks within the Hastings District while ensuring that the life-supporting capacity of soils and ecosystems are safeguarded and adverse effects on landscapes and human health and safety are avoided, remedied or mitigated.*

***EMP5** Control earthworks, exploration and mining activities to ensure that any adverse effects on the natural and physical environment, and the amenity of the community, adjoining land uses and culturally sensitive sites are avoided, remedied and mitigated."*

It is acknowledged that only a small portion of the revetment will be constructed within the Rural Zone, however the objectives and policies are still deemed relevant to assess. I note that RZO2 and RZO5 focus on the natural character and resources within the District. The subject site is located within the Rural and Open Space Zone and has a unique natural character with the coastline. The construction of the revetment will not detract from this natural character as it has been rehabilitated by other structures in the past and will allow for activities to continue in the zones through the provision of access.

The revetment and proposed road will not impact on the ability of the remainder of the site to be used for productive purposes. Additionally, the proposed road will provide for safe and efficient access to the area.

In my opinion, the revetment will provide for access to the coastline and for continued use by the local community. It will allow for the present and likely future recreational needs of the District by conserving access to the Clifton Motor Camp and the Clifton Marine Club as well as ensuring beach access for tourism operators, and the general public.

The revetment will introduce a uniform edge to the coast which will result in a visual change to the area but one which does not result in adverse effects on the amenity of the surrounding areas or on the character of the open space. The revetment will be constructed with a natural material (limestone), this material is not one which is generally found in the immediate area, but it can be seen in the wider area such as on the Cape Kidnapper Cliffs.

The proposed activity will require earthworks to be undertaken. The earth worked area is proposed to be developed with the construction of limestone revetment, the access road and a planted area between the edge of the road seal. The land will be reinstated and there will be no areas of exposed earth following the development. The revetment will also assist in preventing further loss of the soil resource through erosion. There are conditions proposed to control sediment and dust during construction. It is for these reasons that the proposal will be in accordance with EM01 and EMP5.

In summary, I concur with Ms Boulton and her findings and consider that the proposal is in general accord with the relevant objectives and policies of the District Plan.

10. NZ COASTAL POLICY STATEMENT

It is considered that the New Zealand Coastal Policy Statement 2010 (NZCPS) is of relevance to the consideration of the application.

The NZCPS includes policies intended to promote sustainable management of natural and physical resources in the coastal environment of New Zealand. It is noted that while several the policies contained within the NZCPS are similar to those in the RCEP, the NZCPS was made operative after the RCEP, and so must specifically be considered.

It contains seven objectives relating to:

1. safeguarding the coastal environment and sustaining its ecosystems,
2. preserving the natural character of the coastal environment,
3. considering the principles of the Treaty of Waitangi,
4. maintaining and enhancing open space and recreation opportunities,
5. managing coastal hazard risks,
6. enabling people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, and
7. ensuring that management of the coastal environment recognises and provides for New Zealand's international obligations.

The key policies of the NZCPS relevant to this activity include Policies 2 (The Treaty of Waitangi, tangata whenua and Maori heritage), 6 (activities in the coastal environment), 13 (Preservation

of natural character), 15 (Natural features and natural landscapes), 17 (Historic heritage identification and protection), 18 (Public open space), 19 (walking access), 22 (Sedimentation), 25 (Subdivision, use and development in areas of coastal hazard risk), and 27 (strategies for protection significant existing development from coastal hazard risk).

Mr Shirras provided an assessment against each of these key policies and in his section 42A report. Having considered all these matters, I find that the proposed works will be generally consistent with the relevant policies.

11. OTHER MATTERS

- **Clifton to Tongoio Coastal Hazard Strategy**

Mr Shirras and Mr Hursthouse outlined the nature and scope of the Clifton to Tongoio Coastal Hazard Strategy which is currently being developed. I was advised that it was being developed collaboratively by Hastings District Council, Hawke's Bay Regional Council, Napier City Council, and groups representing mana whenua and/or tangata whenua through a joint committee.

The strategy is intended to identify the areas that may be affected by various coastal hazards over the long term and the risks to public and private property, cultural sites and areas, recreational use and infrastructure services as outlined in the 'Report of the Northern and Southern Cell Assessment Panels' dated 14 February 2018. The strategy is to provide a framework to guide and direct the assessment and implementation of preferred options for long term coastal management between Clifton and Tongoio.

I was advised by both Mr Shirras and Mr Hursthouse that in the long term (50 – 100 years) the best option for managing coastal hazard risk was managed retreat.

It was noted by Mr O'Shaughnessy that the strategy had yet to be fully consulted on through local government processes but that construction of the proposed revetment in the short term, with a longer term managed retreat approach, was appropriate from the applicant's perspective. This approach was supported by a number of submissions and most submitters who appeared at the hearing.

Given that the strategy had not been through a public consultation process I can give little weight to it, but it does provide useful background regarding coastal hazard management approaches being considered in the District and wider area.

- **Precedent Effects and Plan Integrity**

I have considered matters related to precedent effects and plan integrity and concur with Ms Boulton's opinion as outlined in her section 42A report and that approval of the proposal does not raise any precedent effects or compromise plan integrity.

12. PART 2: RESOURCE MANAGEMENT ACT 1991

- **Section 5 - Purpose**

Section 5 details the purpose of the Act which is to achieve sustainable management. Sustainable management is defined as *'.... means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while - ...'*.

At my request, Ms Davidson outlined her opinion on how Part 2 should be applied when assessing the applications for consent considering recent decisions. The Environment Court applied *Davidson* by observing 'it is not necessary to examine Part 2 provisions beyond their coverage in planning documents, but we note for completeness that we have considered Part 2... and we do not think there is anything requiring analysis that has not been considered in looking at the effects of the proposal and the Plan provisions.'

I concur with her view that Part 2 should be had regard to for completeness. Furthermore, the assessments and evidence provided by both the applicant and Councils observe that the coastal environment has previously undergone changes and as such the natural character of the area has been altered.

The revetment is a coastal protection structure designed to maintain and protect access (a physical resource) to the Clifton Camp and Clifton Marine Club and boat ramp of the next 35 years. The works will enable the use and development of the site in a way that provides for the social, cultural and economic wellbeing of residents and visitors to Clifton, while any residual adverse effects on the environment that are not avoided or mitigated will be minor. The life-supporting capacity of the water and ecosystems would not be compromised through the works being undertaken.

It is for these reasons that the proposal is considered to meet the purpose of Part 2 of the RMA.

- **Section 6 - Matters of National Importance**

Section 6 outlines matters of national importance that should be recognised and provided for. This includes subsection 6(a) which outlines *“the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;”* and subsection 6(d) *“the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.”*

The site and the immediate surrounding is not considered to have any outstanding natural features and the existing natural character of the area has been compromised through coastal erosion and the establishment of man-made features. Therefore, it is considered that the revetment will not have an adverse visual effect on the existing landscape and will provide for ongoing use and public access to the site and general area.

It is for these reasons that I consider that the proposal is in accord with section 6 of the Act.

- **Section 7 - Other Matters**

Section 7 outlines various matters that decision makers shall have particular regard to in order to achieve the purpose of the Act.

Two matters of relevance include *“maintenance and enhancement of the quality of the environment;”* and *“the maintenance and enhancement of amenity values;”* and *“the effects of climate change”*

It is noted that the proposal is not for a permanent solution and it is likely that the coastal processes may overwhelm this protection at some point in time. The expert evidence provided has indicated that if maintained correctly, the revetment could last for over 50 years. Given these circumstances, it is considered that the proposal will improve the quality of the environment for the community. Specifically, the development will provide for the continued operation of Clifton Motor Camp, Clifton Marine Club and use of the boat ramp. Although it has been acknowledged that the coastal processes may eventually overwhelm the revetment, this will provide time for consideration of alternatives including retreat from the area in the long term.

I consider the existing amenity values will be maintained. In my opinion, the proposal can be considered to be in general accordance with Section 7 of the Act.

- **Section 8 - Treaty of Waitangi**

This section requires those involved in exercising RMA functions and powers relating to managing the use, development and protection of natural and physical resources shall take into account the principles of the Treaty of Waitangi.

I noted that the applicant had consulted with Heretaunga Tamatea, Te Aitanga a Puta, Ngati Kurupakia e Ngai Tauira and the NZ Maori Council prior to lodging the application and had stated that no direct concerns regarding the revetment were outlined.

I was advised that HDC had also directly notified the application to the relevant iwi groups and Customary Marine Title applicants, and HBRC had sent notification of the proposal to local hapu, and no submissions had been received.

In my opinion granting consent to the proposal will not compromise the principles of the Treaty of Waitangi.

13. CONCLUSION

I have considered all matters placed before me including all application documentation, evidence, submissions and subsequent statements of evidence made by the parties at the hearing, the section 42A report and associated reports from Council staff, together with the relevant RMA and District Plan provisions.

I have considered Mr Taylor's submission where he is of the opinion that 'nature' should be left to run its' course and that erection of coastal erosion protection structures would be to no avail. He had lived in the area for many years and had seen the ongoing erosion of the coastline in this locality over that period of time. While I note and acknowledge Mr Taylor's opinion, he did not submit any expert evidence to support his view. Therefore, apart from understanding his opinion on the proposal and that it should not proceed, I am unable to place weight on it that is greater than the technical expert evidence presented as part of the application, the section 42A report and evidence presented at the hearing.

I concur with the assessments, conclusions and recommendations of Mr Shirras, Ms Boulton and Ms Kydd-Smith that the proposal would not have a greater than minor effects on the environment through the imposition of appropriate conditions of consent, that it does not offend or is inconsistent with the policy and objective frameworks of the various statutory instruments I am required to have regard to. In addition, it will provide for the sustainable management of natural and physical resources while allowing for communities to provide for their economic, social and cultural well-being.

Therefore, I consider that consent can be granted to the proposal.

14. DECISIONS

- Hawkes Bay Regional Council

That pursuant to sections 104, 104B, 104D and 108 of the Resource Management Act 1991, the Hawkes Bay Regional Council grants consent to the application of the Hastings District Council to construct, repair, and maintain a coastal protection structure (being a limestone revetment) within Coastal Hazard Zone 1 (CHZ1) and the Coastal Marine Area (CMA), to occupy space within the CMA with the structure, to reclaim a part of the foreshore, and all associated works and ancillary activities, including the deposition, excavation, discharge and disturbance of materials as may be restricted by sections 12 and 15 of the Resource Management Act 1991, in respect of land legally described as Lot 1-9 DP 27414 and Lot 3 Deeds Plan 915, Sec 7 Blk II Kidnapper SD and Sec 10 Blk V Clive SD subject to the following conditions:

General Conditions

1. All works and structures relating to this resource consent shall be designed and constructed to conform to the best engineering practices and shall be maintained and repaired as necessary to ensure that the structure remains in a safe and serviceable state.
2. The consent holder shall undertake all operations in accordance with any drawings, specifications, and statements of intent, proposed mitigation measures and other information supplied as part of the application for this resource consent. Except where modified in accordance with these conditions, the consent holder shall undertake all operations in accordance with the following documents provided in support of the application (and as shown in Appendix 1):
 - a) "Proposed Overall Layout Plan" (Drawing No. 3233367-CA-K002 Rev.B);
 - b) "Proposed Layout Plan" (Drawing No. 3233367-CA-K003 Rev.B);
 - c) "Existing and Proposed Contour Plan Sheet 1 of 2" (Drawing No. 3233367-CA-K004 Rev.B);
 - d) "Existing and Proposed Contour Plan Sheet 2 of 2" (Drawing No. 3233367-CA-K005 Rev.B);
 - e) "Typical Cross Sections Sheet 1 of 2" (Drawing No. 3233367-CA-K006 Rev.B);
 - f) "Typical Cross Sections Sheet 2 of 2" (Drawing No. 3233367-CA-K007 Rev.B);
 - g) "Typical Details" (Drawing No. 3233367-CA-K008 Rev.B);
 - h) Associated reports submitted with the application, dated 07/08/2017; and,

- i) Reply to 92 request, dated 09/11/2017

If a conflict arises between any conditions of this consent and the application, the conditions of this consent will prevail.

Notification / Approval of Final Plans

3. At least **20 working days** prior to construction commencing, the consent holder shall provide to the Regional Council (Manager Compliance) a 'Final Construction Plan' of the structure. The Final Construction Plan shall include a layout plan and cross sections of the proposed structures. The consent holder shall also provide at this time a description of any changes from the plans referenced in Condition 2 (and attached Appendix 1) and explain the reasons for these changes.
4. At the time that information is provided to the Regional Council in accordance with Condition 3, a copy of this information (i.e. the 'Final Construction Plan' and description of any changes to design) shall also be sent to the following parties for information purposes only:
 - a) The Clifton Reserve Society;
 - b) The Gordon Family;
 - c) The owners and operators of the Clifton Campground; and,
 - d) Any other person upon request.
5. The consent holder shall, at least **10 working days** prior to commencing construction works:
 - a) Place a public notice in a newspaper with a circulation area that includes the Clifton, Te Awanga and Haumoana area; and,
 - b) Erect and maintain in place for the duration of the construction works a sign near the end of Clifton Road, before the public car park area.
 - c) The public notice and signs required by Condition 5 a) and b) shall include, but not be limited to, the following information:
 - i. A brief description and illustration of the works that will occur pursuant to this resource consent;
 - ii. An estimation of the duration of works, including when works are likely to commence, the expected completion date, and the hours of works.
 - iii. Information on where to access further information on the works, including the Final Construction Plans, and contact details to allow community members to place feedback and to gain updates of work status.
 - iv. Advice of how public pedestrian access may occur around the area of work.

Advice Note: The plan described in Condition 2 a) is sufficient to illustrate the works occurring.

Pre-Construction Monitoring

6. Prior to construction commencing, the consent holder shall determine the position of the beach crest / erosive edge over a distance of at least 50 m north (down-drift) of where the northern end of the structure will be located. The position of the beach crest / erosive edge position shall be determined by a registered professional surveyor and shall be established relative to at least 10 surveyed reference points. These reference points shall be located so as to enable accurate determination of the beach rest / erosive edge position along the 50 m length.
7. The consent holder shall provide to Council (Manager Compliance) a plan (to scale) indicating the location of the beach crest / erosive edge and surveyed reference points, as required by condition 6 prior to construction commencing.

Construction

8. The consent holder shall give the Regional Council (Manager Compliance) at least **10 working days'** notice of the intention to commence any works authorised by this consent and shall advise the Regional Council (Manager Compliance) of having finished the works within **two working days** following their completion.
9. The consent holder shall take all reasonable measures to ensure the site of works is managed to provide for the safety of the public and adjoining property owners, while ensuring that where practicable and safe, public access is maintained to and along the coastal marine area and the foreshore.

Advice Note: The consent holder should be aware of the need to access the CMA via the Clifton Road carpark at the northern end of the structure for recreational purposes and should take all measures to avoid unnecessary restriction of public access to this area. If the carpark must be closed to vehicles, consideration should be given to ensuring that pedestrian access remains available.

10. The consent holder shall ensure that all practicable measures are taken at the end of each working day to ensure that the work site does not present a safety risk to the public.
11. All vehicles used for the works shall follow the same tracked path as far as practicable to minimise the disturbance of the foreshore and seabed in the vicinity of the activities authorised by this consent.
12. All rocks used to construct the revetment shall be in a clean condition. If not already clean they shall be cleaned off-site, prior to being transported to the construction site.
13. All works shall occur on dry seabed and foreshore where practicable.
14. The consent holder shall construct the revetment and undertake any associated filling or reclamation using methods and materials non-toxic to aquatic life.

15. The consent holder shall take all practicable measures to limit the amount of sediment and prevent contaminants from entering the CMA or any other water bodies during the construction and any maintenance and repair works. Such measures include, but are not limited to:
- a) Any surplus soil, rock, cleared vegetation or other construction debris shall be removed and deposited at an appropriate disposal site;
 - b) The wash water from containers and tools shall not be discharged into the CMA or any other water bodies and the washing of equipment shall not occur in the CMA or any other water bodies; and
 - c) Refuelling and carrying out machinery maintenance away from the CMA and other water bodies.
 - d) The bunding and containment of all refuelling and fuel storage areas so as to prevent the accidental spill of any such contaminants from entering the CMA, any water bodies, or any stormwater drainage system.
16. At least **20 working days** prior to commencing any works authorised under this consent the consent holder shall submit a spill management plan to the Regional Council (Manager Compliance) for certification prior to the commencement of any works. The plan shall be prepared by a suitably qualified person and shall include (but is not limited to) procedures for preventing contaminants such as diesel and oil entering the CMA or any other water body in the event of a spill.
- A copy of the approved spill management plan, as well as all equipment required to deal with a spill shall be present on site at all times while the work is being undertaken. All contractors engaged to undertake work on the site shall be trained to implement the spill management plan at any time if necessary.
17. Where, by any cause (accidental or otherwise), contaminants associated with the consent holder's operations escape to water other than in conformity with the consent, the consent holder shall:
- a) Immediately take all practicable steps to contain and then remove the contamination from the environment;
 - b) Immediately notify the Regional Council (Pollution Hotline: 0800 108 838) of the escape; and
 - c) Report to the Regional Council in writing and within 7 working days, describing the manner and cause of the escape, steps taken to control it and prevent its occurrence, and steps taken to prevent a reoccurrence.
18. The consent holder shall ensure that the natural profile of the beach embankment at each end of the revetment is reinstated as far as practicable at the completion of any construction or repair or maintenance works. This includes the repair of any tracks, holes or spoils left by any machinery or other aspects of construction or maintenance or repair.

19. The consent holder shall ensure that the beach and foreshore is reinstated as far as practicable at the completion of any construction works.
20. The consent holder shall ensure that the construction works, or maintenance and repair works requiring the use of machinery, are only undertaken Monday to Friday (inclusive), between the hours of 7 am and 7 pm, and are not undertaken on Saturdays, Sundays or Public Holidays, or between 24 December and 15 January (inclusive).
21. The consent holder shall ensure that the construction activities are undertaken in compliance with the New Zealand Construction Noise Standard (NZS 6803:1999, Acoustic – Construction Noise).
22. The reclamation of the foreshore landward of the proposed structure shall be undertaken with rock and gravel and any other inert and non-toxic materials that consist of:
 - i) Natural materials such as soil, rock, gravel that are free of:
 - i. Combustible or putrescible components; and,
 - ii. Hazardous substances or materials (such as municipal waste) likely to create leachate by means of biological or chemical breakdown; and,
 - iii. Any products derived from hazardous waste treatment, stabilisation or disposal processes.
23. The consent holder shall record the source and volume of any materials used in the reclamation and shall provide this information to the Council (Manager Compliance) upon request.
24. Appropriate drainage shall be installed and maintained to ensure that in wave overtopping events there is the ability for seawater flows to drain from behind the structure while minimising scour or damage to the foreshore.

Post-Construction Certification

25. Within **one month** of the completion of works, the heights (RL) and extent of the completed structure shall be surveyed by a registered professional surveyor, and an accurate, to scale, 'as built' layout and cross- sectional plans of the completed structure (including the existing seawall) shall be provided to the Regional Council (Manager Compliance).
26. Within **one month** of the completion of works, a suitably qualified engineer who is experienced in coastal protection structure design and construction shall certify that the completed structure has been constructed in accordance with the design requirements of Conditions 1, 2, and 3 and a copy of this certification shall be provided to the Regional Council (Manager Compliance).

Monitoring and Reporting

27. The consent holder shall measure and determine the position of the beach crest / erosion edge relative to the established reference points within 50 m of the northern end (down drift) of the structure at least once during each of the months of March, June, September and December each year for the duration of consent.

Advice Note: A lesser survey frequency may be agreed with the Regional Council (Manager Compliance) if after a period of five years there is no apparent change in the rate and or pattern of erosion or accretion.

28. The consent holder shall provide the Council (Manager Compliance) a plan (to scale) indicating the location of the beach crest / erosive edge, determined in accordance with Condition 27, in comparison to the pre-construction beach crest / erosive edge location determined in accordance with Condition 6. This plan shall be provided to the Council (Manager Compliance) within 7-days of the end of each of the months of March, June, September and December each year.
29. The consent holder shall visually inspect the area 50 m north of the northern end (down-drift) of the structure as soon as practicable after any significant swell events occur, and where it is reasonably evident that erosion has occurred within this area, the consent holder shall measure and determine the beach crest / erosive edge position relative to reference points established in accordance with Condition 6 and compared to the pre-construction beach crest / erosive edge position. This information shall be provided to Council (Manager Compliance) within 7-days of the end of the month in which the swell event occurred, or within 15 working days of the swell event occurring, whichever is later.
30. When monitoring undertaken in accordance with Conditions 27, 28 and 29 indicates that at the northern end (down-drift) beach crest / erosive edge has retreated landward by 5 metres or more (being the 'erosion trigger') from the position established in accordance with Condition 6, the consent holder shall:
- a) Notify the Council (Manager Compliance) that the 'erosion trigger' has been reached. This notice shall be provided to the Council (Manager Compliance) within 5 working days of monitoring establishing that the erosion trigger has occurred; and shall:
 - b) Deposit gravel (that is similar sized material to the existing beach gravel) into the eroded area as necessary to mitigate erosion to the beach crest / erosive edge and continue to undertake this deposition as necessary to reduce the rate of any further erosion as far as practicable and in accordance with condition 40. Repair shall occur as soon as is reasonably practicable, and within 20 working days of the provision of notice in accordance with Condition 30(a) and Condition 40; or
 - c) If erosion continues after actions undertaken in accordance with Condition 30 (b) so that it exceeds 10 metres inland from the position determined by Condition 6, the consent holder shall provide to the Council (Manager Compliance), within two months of the erosion occurring, a report prepared by a suitably qualified and

registered professional coastal engineer detailing the cause of the erosion effects and recommending actions to be taken to mitigate or remedy those effects.

31. The 'erosion trigger' and monitoring frequency set in Conditions 29 and 30 may be reviewed two years after the commencement of this consent, taking into account the survey data collected from monitoring undertaken in accordance with Conditions 27, 28 and 29, and the volume of gravel deposited on the beach in accordance with Condition 30 (a) over that time.
32. The consent holder shall engage a suitably qualified registered professional surveyor, experienced in beach profiling, to undertake a beach profile survey at the survey point 'HB1', as used by the Regional Council's coastal cross-section monitoring programme (see Advice Note III). This profiling shall be undertaken once within one month of completion of construction, and then once every three months thereafter for 12 months (i.e. four occasions after the first post-construction survey and five occasions in total). The data shall be in a format that is compatible with the Council's coastal cross-section monitoring programme data and shall be provided to the Council (Manager Compliance) within 10 working days of the profile having been surveyed.

Advice Note: Terrain modelling can now be undertaken using Remotely Piloted Aircraft Systems (RPAS). Use of terrain modelling technology may be an efficient technique for assisting the consent holder to meet the requirements of conditions 6, 25, 27, 28, 29 and 32. If use of this technology is being considered, it is recommended that the consent holder first discuss this approach with the Regional Council prior to undertaking any such work.

33. The consent holder shall undertake a visual inspection of the structure, the foreshore in front of the structure, the foreshore area within 100 m either side of the structure, and the reclaimed areas landward of the structures at least once every year following construction. As part of each annual inspection a set of photographs shall be taken that show the full extent of the structure. The location of the points where photographs have been taken shall be recorded using GPS equipment. As far as practicable, photos shall be taken from the same location for each annual inspection. Additional inspections shall be undertaken immediately after each significant storm event (see Advice Note IV) or if/when the consent holder is notified of any damage to the structures, and during these inspections photographs shall be taken detailing the extent of any of the matters identified in (a) to (d) in Condition 34 below. The location of these photographs shall also be recorded using GPS equipment.
34. Both the routine inspections and event driven inspections required by Condition 33 shall consist of a visual assessment of the following:
 - a) Whether accretion or erosion is taking place;
 - b) Formation of any scour holes at the toe of the structures;
 - c) Any indication of erosion at the ends of the structures and within a distance 100 m north of the end of the structure; and
 - d) Any displacement or loss of rock from which the structures are constructed.

The consent holder shall keep a written record of the date of each inspection, and details of whether any of matters listed in (a) to (d) were observed.

35. The records of the visual inspection observations and sets of photographs taken by the consent holder under Conditions 33 and 34 shall be made available to the Regional Council (Manager Compliance) upon request.

Repair and Maintenance

36. The consent holder shall monitor the integrity of the structure over the term of this consent and ensure that the structure is adequately maintained in a safe and in sound condition and fit for purpose. Any debris or displaced rocks shall be removed or put back in place within the structures as soon as practicable.
37. Any repair and maintenance of the structure shall not alter the length, height or footprint of the structure as established by the surveying and plans required by condition 25. Repair and maintenance shall be in accordance with the original design specifications of the structure, detailed in the documents specified in Condition 2.
38. The consent holder shall give the Regional Council (Manager Compliance) at least **2 working days'** notice of the intention to commence any maintenance or repair works and shall advise the Regional Council (Manager Compliance) of having finished the maintenance works within two working days of their completion.
39. The consent holder shall ensure that the foreshore is regularly inspected for any debris emanating from the structure (e.g. limestone rock litter) and ensure that this debris is removed from the foreshore as soon as reasonably practicable.
40. The consent holder shall deposit at least **600 m³/year**, and no more than **1,000 m³/year**, of gravel (that is similar sized material to the existing beach gravel) on the beach near to and to the north (down drift) of the structure to avoid, remedy or mitigate down-drift coastal erosion effects.
41. Within one month of completion of the structure, the consent holder shall:
- i) Develop, and submit to Council (Manager Compliance), a Renourishment Management Plan. The RMP shall set out the decision- making criteria, methods and procedures for establishing the timing, location and volume of material to be deposited for renourishment purposes, including the requirements of condition 30 (erosion trigger and response)
 - ii) The RMP shall be updated and amended as necessary in response to any recommendation in a report required by condition 30(c).
 - iii) Renourishment shall be undertaken in accordance with the most up to date RMP.
42. The consent holder shall notify the Council (Manager Compliance) at least **two working days** prior to depositing material as required by condition 40.

43. The gravel to be deposited under Condition 40 shall not be sourced from within the Haumoana/Clifton littoral cell.
44. Within 10 working days of completion of each deposition occurring, the consent holder shall provide the Council (Manager Compliance) with:
- a) Confirmation of the amount of material deposited.
 - b) Identification of the area in which the material was deposited.
 - c) Confirmation of the source location of the deposited material.
 - d) A plan (to scale) showing the location of the beach crest / erosive edge prior to the works being undertaken relative to established reference points.

Complaints

45. The consent holder shall establish and maintain a 'complaints register' to record the date and time of any complaints received and from whom, the nature and location of the complaint, the weather conditions at the time of the complaint, and any actions taken in response to that complaint. A copy of the complaints register shall be made available to the Hawke's Bay Regional Council on request.

Heritage and Archaeological Features

46. In the event of any archaeological site or waahi tapu being uncovered during the exercise of this consent, activities in the vicinity of the discovery shall cease. The consent holder shall contact the Council (Manager Compliance) to obtain contact details of the relevant tangata whenua. The consent holder shall then consult with the relevant local hapu or marae and the Heritage New Zealand Pouhere Taonga, and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga and tangata whenua approvals to damage, destroy or modify such sites have been obtained.

Reporting

47. Two years after the construction is completed and every three (3) years thereafter, the consent holder shall provide to the Regional Council (Manager Compliance) a report produced by a suitably qualified and experienced coastal engineer. The report shall include:
- a) A summary of the visual inspection observations required by Condition 33 above;
 - b) The sets of photographs taken, required by Condition 35 above;
 - c) A comment on any observable trends in the rate of erosion and/or accretion based on the cross- section data available for survey lines 'HB1';
 - d) A comment on any actual environmental effects of the structures observed, and any potential future effects;
 - e) A summary of any complaints received in relation to the structure since the last report was provided, and what actions (if any) were taken to address these complaints.

- f) Comment on any observed erosion to the foreshore in the immediate area north of the structure (i.e. within 100 m) including:
 - i) Whether there is any apparent trend of an increasing rate of erosion taking into account any beach renourishment volumes applied to this area over the report period; and,
 - ii) Whether erosion in this area is attributable to the ongoing functioning of the structures.
 - iii) Recommendations for reducing or mitigating the effects on the structure on the foreshore (such as changes to erosive triggers and responses, and deposition rates and volumes).
- g) Recommendations detailing what (if any) maintenance work is required to be undertaken on the structure, the foreshore below the structures, or areas landward of the structure, and the timeframe within which that maintenance should be completed.
- h) Details of any maintenance undertaken since the last report was written shall also be provided; and
- i) An assessment of the overall effectiveness of the structure.

Advice Note: A lesser survey frequency may be agreed with the Regional Council (Manager Compliance) if after a period of ten years there is no apparent change in the rate and or pattern of erosion or accretion.

Public Access

48. After completion of construction of the structure, the consent holder shall erect, and maintain in place, at least one sign at each end of the structure, in a location and form which is reasonably visible to public walking along the beach, which advises the public that alternative public pedestrian and vehicle access around the structure and through the Clifton Reserve is available. This alternative public access around the structure shall be maintained free of charge for the term of the consent, and shall not be impeded, except where this is necessary to ensure the health and safety of the public.

Miscellaneous

49. The consent holder shall ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. The person responsible for the work on site shall be familiar with the consent conditions and a copy of this consent shall be present on site at all times while the work is being undertaken.

Review of Consent Conditions- Hawkes Bay Regional Council

50. The Council may review conditions of this consent pursuant to sections 128, 129, 130, 131 and 132 of the RMA. The actual and reasonable costs of any review undertaken will be charged to the consent holder, in accordance with section 36 of the RMA.

Times of service of notice of any review: During the month of May, of any year.

- Purpose of review:
- To deal with any adverse effect on the environment which may arise from the exercise of this consent, which it is appropriate to deal with at that time, or which became evident after the date of issue.
 - To require the adoption of the best practicable option to remove or reduce any adverse effects on the environment.
 - To modify any monitoring and/or reporting programme (including requiring additional monitoring or decreasing the frequency of monitoring and/or reporting required) if there is evidence that current monitoring and/or reporting requirements are no longer appropriate.
 - To amend the erosion triggers and responses, including volumes and rates of deposition.

Consent Duration

51. The consents are granted for a period expiring on 31 May 2053 except CL130311R for which there is no expiry date.

Lapsing of Consent

52. This consent shall lapse in accordance with section 125 of the RMA on 31 May 2023 if it is not exercised before that date.

- **Advice Notes**

- I. A building consent and/or resource consents may be required for the works/structure from Hastings District Council, and the need for any additional authorisations should be confirmed prior to the commencement of works.
- II. No archaeological sites, waahi tapu, taonga or koiwi may be damaged, destroyed or modified unless the necessary authorities pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 have been obtained.
- III. The Council currently undertakes an annual cross-section survey at 'HB1', usually in December-January. The Council uses Zorn Surveying Limited to undertake its coastal

cross-section survey work, and the Council would recommend the use of this provider to ensure that the data derived from the surveying required by Condition 32 is compatible with the cross-section survey data generated as part of the Council's ongoing survey programme.

- IV. A "significant storm event" is defined as a coastal storm that results in any of the following conditions:

- a. It causes observable damage to any of the structures;
- b. Storm waves overtop the revetment structure;
- c. It causes ground/sea bed levels in front of the structures to fall by at least 1 metre by visual estimate; or

The MetService website (<http://www.metservice.co.nz/public/index.html>) provides weather forecasts and includes information about storm swells. This information would be useful in identifying "significant storm events".

- V. All information required to be provided to the Regional Council (Manager Compliance) by conditions of consent can be provided to the council by email to ComplianceReturns@hbrc.govt.nz.

- **Monitoring Note**

Routine monitoring

Routine monitoring inspections will be undertaken by Council officers on at least one occasion during construction and/or after the completion of works. The costs of **any** routine monitoring will be charged to the consent holder in accordance with the Council's Annual Plan of the time.

Non-Routine monitoring

"Non routine" monitoring will be undertaken if there is cause to consider (e.g. following a complaint from the public, or routine monitoring) that the consent holder is in breach of the conditions of this consent. The cost of non-routine monitoring will be charged to the consent holder in the event that non-compliance with conditions is determined, or if the consent holder is deemed not to be fulfilling the obligations specified in section 17(1) of the RMA shown below.

Section 17(1) of the RMA states:

Every person has a duty to avoid, remedy, or mitigate any adverse effect on the environment arising from an activity carried on by or on behalf of the person, whether or not the activity is carried on in accordance with

- a) *any of sections 10, 10A, 10B, and 20A; or*
- b) *a national environmental standard, a rule, a resource consent, or a designation.*

- **Debt Recovery**

It is agreed by the consent holder that it is a term of the granting of this resource consent that all costs incurred by the Council for, and incidental to, the collection of any debt relating to this resource consent, whether as an individual or as a member of a group, and charged under section 36 of the RMA, shall be borne by the consent holder as a debt due to the Council, and

for that purpose the Council reserves the right to produce this document in support of any claim for recovery.

- **Consent History**

Consent No. (Version)	Date	Event	Relevant Rule	
			Number	Plan
CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R	Date	Consent initially granted	9, 98, 100, 104, 109, 111, 125, 178	Regional Coastal Environment Plan

Reasons for granting consent are outlined in this decision but include;

1. That the proposal is in general accordance with the matters outlined in Part 2 of the Act and will contribute to the sustainable management of natural and physical resources. It provides for the economic and social well-being of the residents by providing ongoing access to and use of the reserve facilities, and access to Cape Kidnappers.
2. That the proposal on balance is in general accord with both the Regional Policy Statement and the Regional Coastal Environment Plan. There are potential adverse effects on the visual amenity and the coastal environment of the area that can be mitigated. The implementation of construction, monitoring, archeological conditions and repair and maintenance conditions, will along with other requirements outlined in conditions of consent, ensure that the proposal will have no more than minor effects on the environment.
3. The proposal is generally consistent with the policies outlined in the New Zealand Coastal Policy Statement.
4. The proposal is consistent with the purpose and principles of the Resource Management Act 1991.

William Wasley

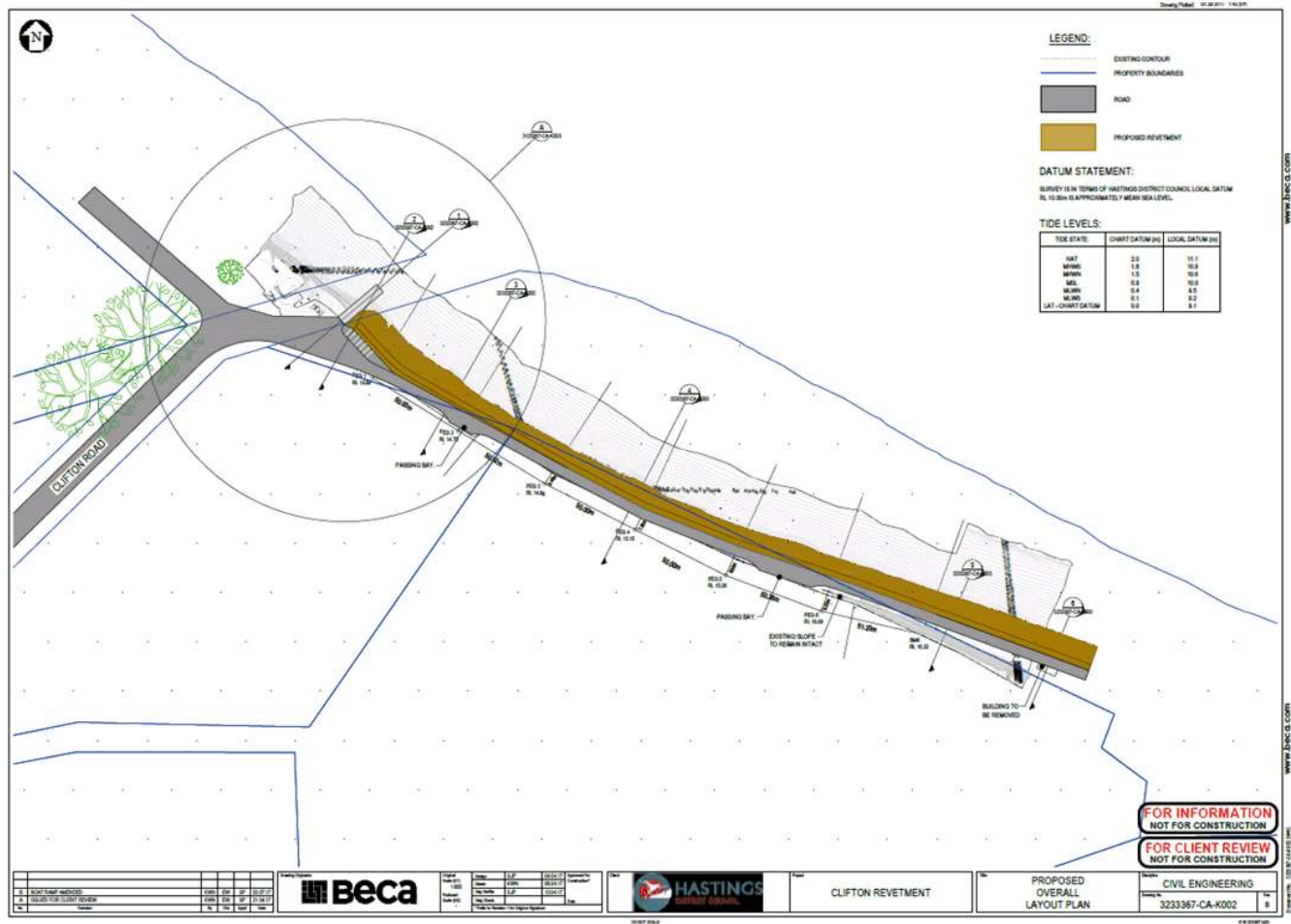


Commissioner

Date: 4 July 2018

Consent No. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R

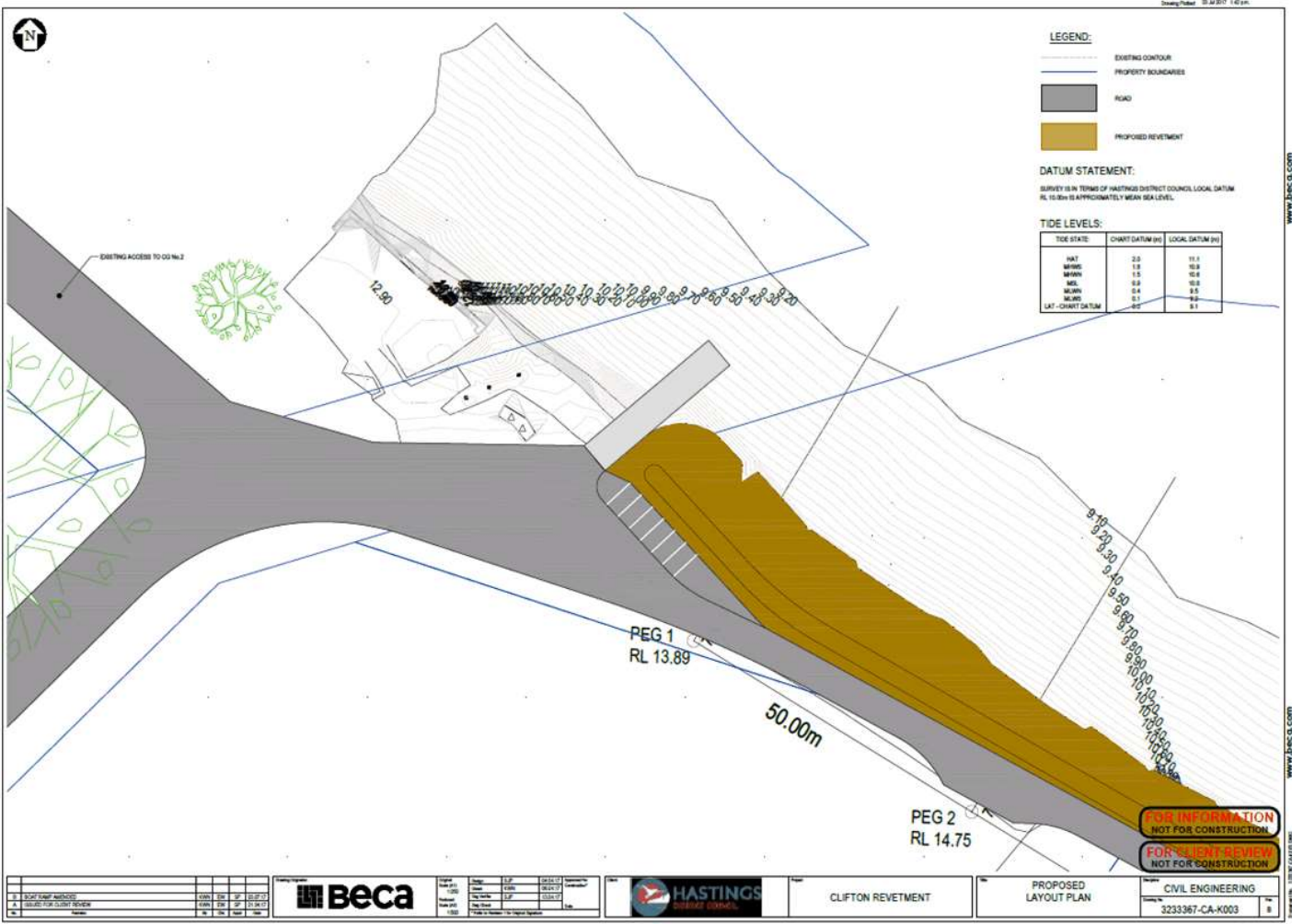
APPENDIX 1 – STRUCTURE/SITE PLANS



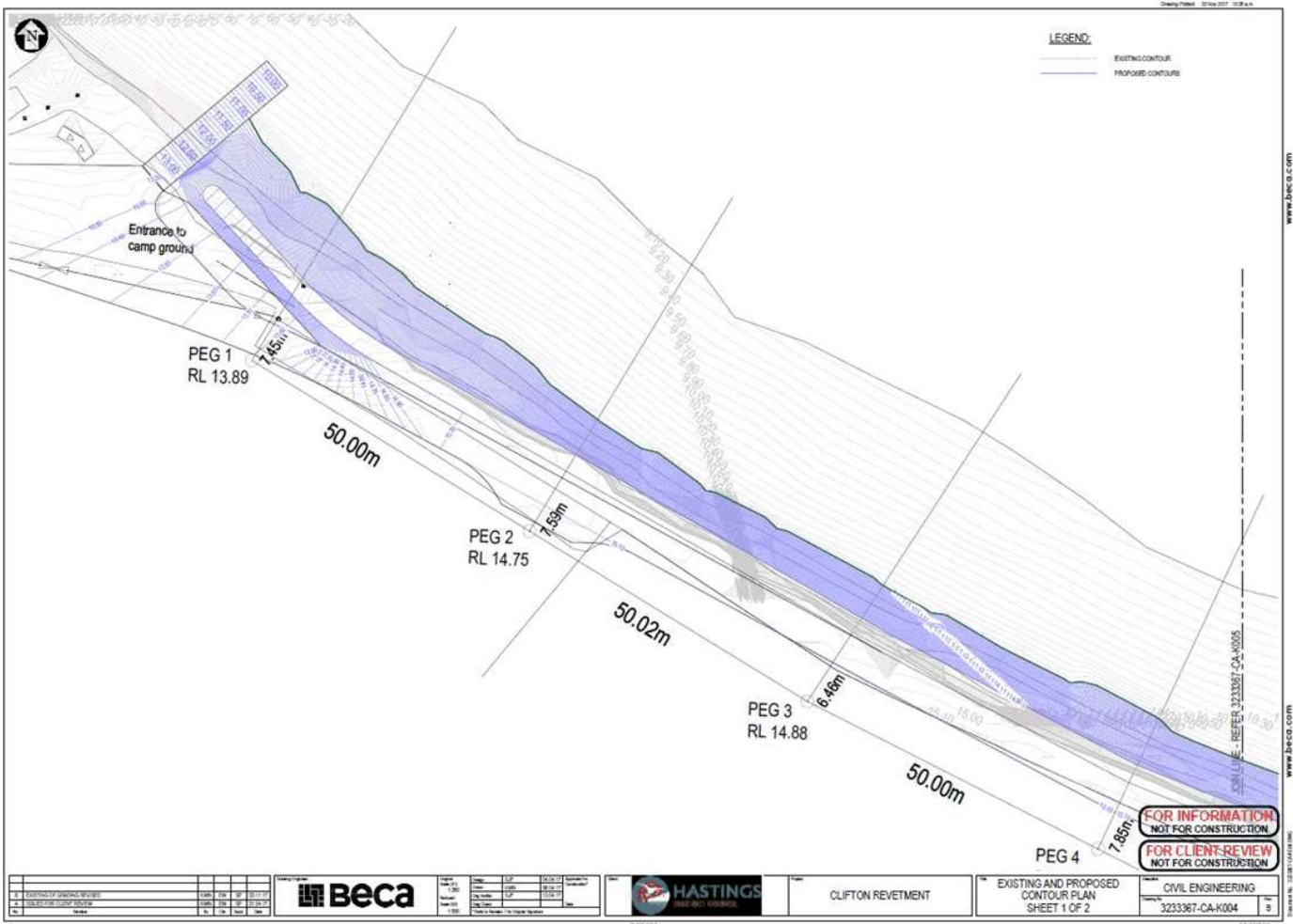
Item 4

Attachment 3

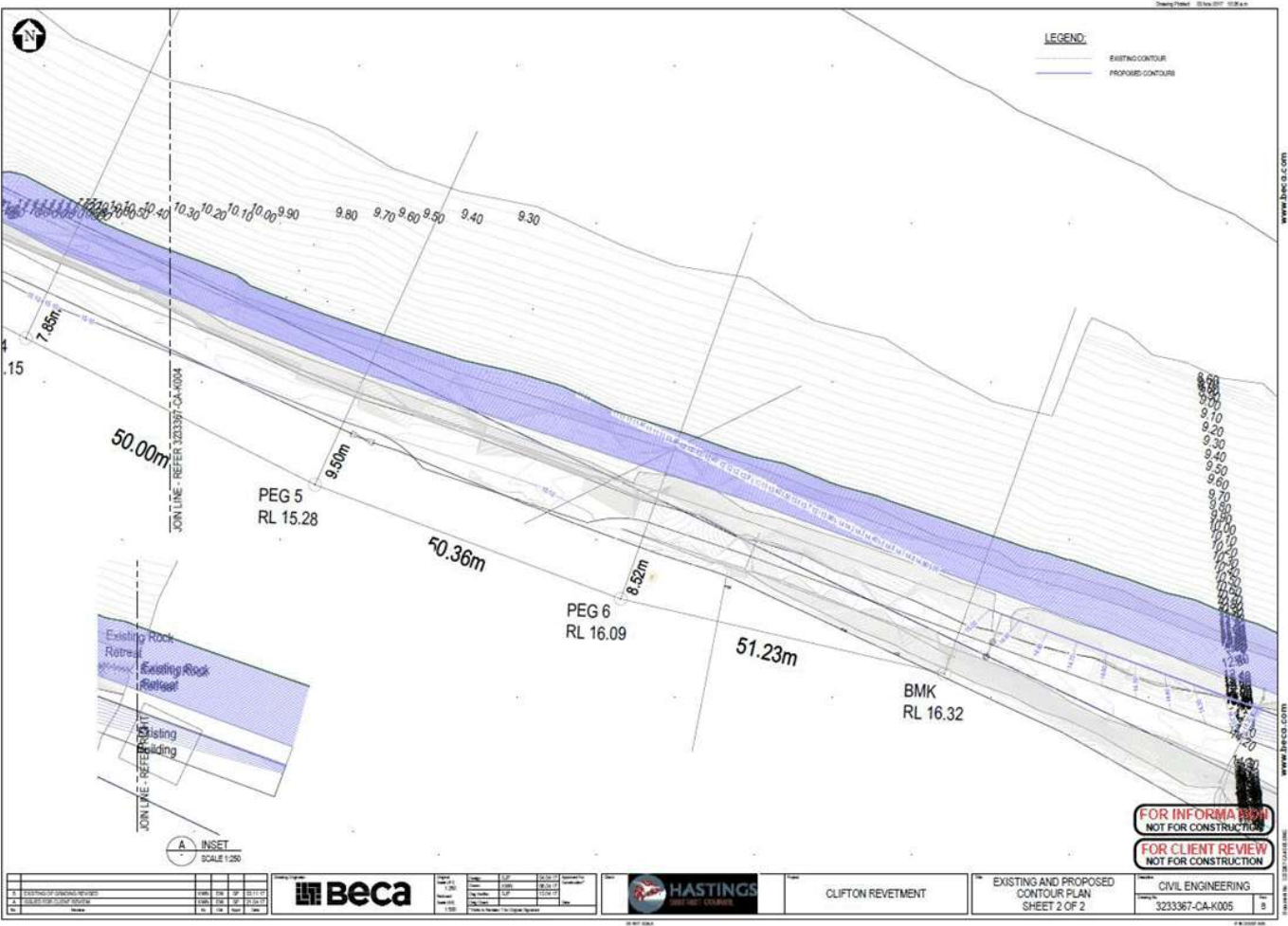
Consent No. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R



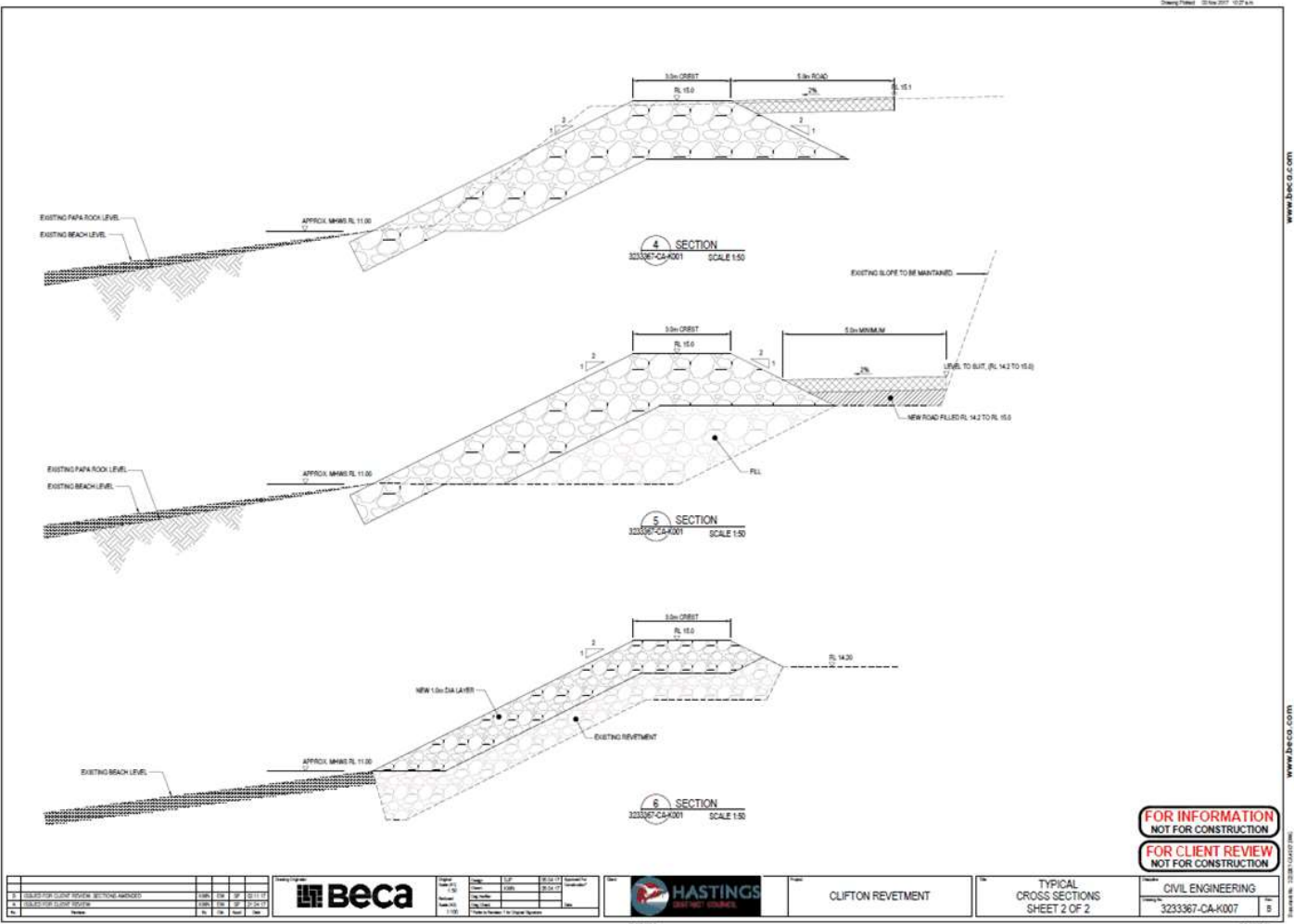
Consent No. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R



Consent No. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R



Consent No. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L and CL170311R



Item 4



- Hastings District Council

That pursuant to sections 104, 104B, 104D and 108 of the Resource Management Act 1991, the Hastings District Council grants consent to the application by the Hastings District Council to upgrade an existing 80 metre long limestone revetment, construction of an additional 400 metre long limestone revetment and construction of a new access road between the carpark area at the end of Clifton Road and the Clifton Camp for vehicles, pedestrians and cyclists in respect of land legally described as Lot 1-9 DP 27414 and Lot 3 Deeds Plan 915, Sec 7 Blk II Kidnapper SD and Sec 10 Blk V Clive SD subject to the following conditions:

General Conditions

1. Unless modified by conditions of this consent, the work shall proceed in accordance with the plans and information submitted in the application and assessment of environmental effects prepared by Sage Planning HB Limited, dated 7 August 2017 (Ref: Resource Consent RMA20170280 (HDC Ref: 57162#0256), and in particular in accordance with the Civil Engineering Plans drawn by Beca Limited, dated 21 April 2017:
 - i. "Proposed Overall Layout Plan (Drawing No. 3233367-CA-K002 Rev.A);
 - ii. "Proposed Layout Plan" (Drawing No. 3233367-CA-K003 Rev.A);
 - iii. "Existing and Proposed Contour Plan Sheet 1 of 2" (Drawing No. 3233367-CA-K004 Rev.A);
 - iv. "Existing and Proposed Contour Plan Sheet 2 of 2" (Drawing No. 3233367-CA-K005 Rev.A);
 - v. "Typical Cross Sections Sheet 1 of 2" (Drawing No. 3233367-CA-K006 Rev.A);
 - vi. "Typical Cross Sections Sheet 2 of 2" (Drawing No. 3233367-CA-K007 Rev.A); and
 - vii. "Typical Details" (Drawing No. 3233367-CA-K008 Rev.A).
2. The material used for the rock revetment structure shall be natural rock material, which includes limestone that is generally consistent (blends in) with the existing rock revetment material.
3. The consent holder shall ensure that any consultants and/or contractors engaged to undertake work authorized by this consent abide by the conditions of this consent. A copy of this consent shall be present on all work sites at all times while the work is being undertaken.
4. The consent holder shall give the Environmental Consents Manager, Hastings District Council at least two working days' notice of the intention to commence any works authorized by this consent, and shall advise the Environmental Consents Manager, Hastings District Council of having finished the works within two working days following their completion.

5. The consent holder shall give the Clifton Reserves Society, Clifton Marine Club and Gannett Beach Adventures at least two working days' notice of the intention to commence any works authorized by this consent and shall provide these groups with a known point of contact to raise any matters that may arise during construction.
6. One month after completion of the revetment authorized by this consent, the consent holder shall provide the Environmental Consents Manager, Hastings District Council with an as-built plan of the revetment that clearly shows the location and layout of the structure with specific dimensions, and a producer statement signed by a suitably qualified and experienced engineer stating the installation is in accordance with the as-built plan provided.
7. If a conflict arises between any conditions of this consent and the application documents, the conditions of this consent will prevail.

Noise

8. All works shall be carried out to comply with the NZS6803:1999 Acoustics Construction Noise or any superseding codes of practice or standards.

Hours of Work

9. All works authorised by this consent shall only occur between the hours of 7.00am and 7.00pm, Monday to Friday inclusive. No works shall be carried out on Saturdays, Sundays, public holidays, Easter or between 27 December and 15 January in any year.

Dust

10. The consent holder shall ensure that measures are taken to suppress dust and particulate matter by the use of a water cart or similar at all times during construction and maintenance works.

Landscape Planting and Revegetation

11. The consent holder shall ensure that at the completion of the works, any newly established surfaces and grassed slopes or vegetated areas above the line of MHWS that were cleared or damaged as a result of the activity, are revegetated as soon as practicable. Within six months of the completion of construction works, geotextile soil bags shall be interspersed between the rear face of the revetment and the access road edge and shall be planted with coastal creeper species, such as *Meuhlenbeckia complexa* (Pohuehue) and other species, to create a planted coverage of up to 50% of the landward face of the revetment.

Archaeological Sites and Discovery

12. The consent holder shall obtain an Archaeological Authority from Heritage New Zealand to modify, damage or destroy archaeological sites prior to any construction works associated with the construction of the revetment, access road or beach access ramp occurring.
13. In the event of any archaeological site, waahi tapu, taonga or koiwi being discovered during the works authorized by this consent, the consent holder shall immediately cease work at the affected site and secure the area. The consent holder shall then consult with the relevant local hapū or marae, Hastings District Council and Heritage New Zealand Pouhere Taonga, and shall not recommence works in the area of the discovery until the relevant Heritage New Zealand Pouhere Taonga archaeological authorities under the New Zealand Pouhere Taonga Act 2014 to damage, destroy or modify such sites have been obtained. See Advice Note 2.

Advice Notes

1. A building consent for the revetment will be required from Hastings District Council.
2. No archaeological sites, waahi tapu, taonga or koiwi may be damaged, destroyed or modified unless the necessary authorities pursuant to the New Zealand Pouhere Taonga Act 2014 have been obtained first.

Reasons for granting consent to the proposal are outlined in this decision but include;

1. The construction of the proposed revetment will allow for the recreational needs of the District by conserving access to the Clifton Motor Camp and the Clifton Marine Club as well as ensuring beach access for tourism operators and the public. The proposal is in direct response to the coastal erosion damaging access to the area. It is for these reasons that the proposal on balance is in general accord with the Proposed District Plan objectives and policies for the Rural and Open Space Zone.
2. The proposal is consistent with the objectives and policies in the plan and therefore meets the gateway test under s104D of the RMA.
3. That the proposal is in general accordance with the matters outlined in Part 2 of the Act and will contribute to the sustainable management of natural and physical resources. It provides for the economic and social wellbeing by providing for the coastline to be protecting from ongoing erosion and protecting the access to the Clifton Camp, Clifton Marine Club and Clifton Domain. The conditions ensure that the proposal will have no more than minor effects on the environment.
4. The proposal is consistent with the purpose and principles of the Resource Management Act 1991.

William Wasley



Commissioner
Date: 4 July 2018

Item 4

Attachment 3

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
	<div>- any actions taken in response to the complaint. A copy of the Complaints Register must be made available to the HBRC on request.</div>			
HBRC 46 & HDC 13	<div><u>Heritage and Archaeological Features</u><ul style="list-style-type: none">In the event of any archaeological site or waahi tapu being uncovered during the exercise of the consent, activities in the vicinity of the discovery must cease; andThe consent holder must contact HBRC’s Manager Compliance to obtain contact details of the relevant tangata whenua; andThe consent holder must consult with the relevant local hapu or marae, Hastings District Council and the Heritage New Zealand Pouhere Taonga; andMust not recommence any works in the area of the discovery until the relevant tangata whenua and Heritage New Zealand Pouhere Taonga Act 2014 approvals to damage, destroy or modify such sites have been obtained first.</div>	At all times during the life of the consent	Who?	
HBRC 48	<div><u>Public Access</u> After completion of construction of the structure, the consent holder shall erect, and maintain in place, at least one sign at each end of the structure, in a location and form which is reasonably visible to public walking along the beach, which advises the public that alternative public pedestrian and vehicle access around the structure and through the Clifton Reserve is available. This alternative public access around the structure shall be maintained free of charge for the term of the consent, and shall not be impeded, except where this is necessary to ensure the health and safety of the public.</div>	At all times – post construction		
Pre-Construction Notification/Approvals/Monitoring/Design Requirements				
HDC 12	<div><u>Archaeological Authority</u><ul style="list-style-type: none">Must obtain an Archaeological Authority from Heritage New Zealand to modify, damage or destroy archaeological sites prior to any construction works associated with the construction of the revetment, access road and beach access ramp occurring.</div>	Prior to any construction works commencing	Gaylynne Carter – Archaeologist at Opus	
HDC Advice Note 1	<div><u>Building Consent</u><ul style="list-style-type: none">A building consent for the revetment will be required from Hastings District Council.</div>	Prior to any construction works commencing		
HBRC 24	<div><u>Design of revetment for Drainage</u><ul style="list-style-type: none">Appropriate drainage shall be installed and maintained to ensure that in wave overtopping events there is the ability to seawater flows to drain from behind the structure while minimising scour or damage to the foreshore.</div>	Ensure that the design of the revetment includes the drainage requirements.	Beca	
HBRC 8 HDC 4 HDC 5	<div><u>Notice of Commencement of Works</u><ul style="list-style-type: none">Give the HBRC Manager Compliance notice of the intention to commence any works authorised by the consent.Give HDC’s Environmental Consents Manager notice of the intention to commence any works authorised by the consent.Give the Clifton Reserves Society, Clifton Marine Club and Gannett Beach Adventures notice of the intention to commence any works authorised by the consent and provide them with a known point of contact to raise any matters arising during construction.</div>	<div>At least 10 working days prior to construction commencing At least two working days prior to construction commencing At least two working days prior to construction commencing</div>	Who?	

Clifton Revetment Project
Combined Schedule of Notification/Approval/Operational/Monitoring/Reporting Requirements of
Hawke’s Bay Regional Council and Hastings District Council Resource Consents¹

Hastings District Council (HDC) Consent No. RMA20170280

Hawke’s Bay Regional Council (HBRC) Consent Nos. CL170304C, CL170305D, CL170306E, LU170307C, CL170308O, CL170309M, CD170310L & CL170311R)

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
Conditions Applying for the Life of the Consent (i.e. all stages)				
HBRC 49 HDC 3	<u>Conditions of Consent</u> <ul style="list-style-type: none">All contractors engaged to undertake work authorised by the consent must abide by the conditions of the consent. The person responsible for work on site shall be familiar with the consent conditions and a copy of the consent shall be present on site at all times while the work is being undertaken.	At all times during the life of the consent (i.e. there is no timeframe specified in the consent)	Who?	
HBRC 1				
HDC 1 & 7 HBRC 2				
	<ul style="list-style-type: none">Must undertake all operations in accordance with any drawings, specifications, and statements of intent, proposed mitigation measures and other information supplied as part of the application to the resource consents. Except where modified in accordance with the consent conditions, all operations must be undertaken in accordance with the following documents provided in support of the applications:<ul style="list-style-type: none">“Proposed Overall Layout Plan” (Drawing 323367-CA-K002 Rev. B);“Proposed Layout Plan” (Drawing No. 323367-CA-K003 Rev. B);“Existing and Proposed Contour Plan Sheet 1 of 2” (Drawing No. 323367-CA-K004 Rev. B);“Existing and Proposed Contour Plan Sheet 2 of 2” (Drawing No. 323367-CA-K005 Rev. B);“Typical Cross Sections Sheet 1 of 2” (Drawing No. 323367-CA-K006 Rev. B);“Typical Cross Sections Sheet 2 of 2” ((Drawing No. 323367-CA-K007 Rev. B);“Typical Details” ((Drawing No. 323367-CA-K008 Rev. B);Associated reports submitted with the applications, dated 07/08/2017; andReply to 92 request, dated 09/11/2017². <p>If a conflict arises between any conditions of the consents and the applications, the conditions of the consents will prevail.</p>			
HBRC 45	<u>Complaints Register</u> <ul style="list-style-type: none">Establish a ‘Complaints Register’ to record:<ul style="list-style-type: none">the date and time of any complaints received and from whom;the nature and location of the complaint; and	At all times during the life of the consent (i.e. there is no timeframe specified in the consent)	Who?	

¹ This schedule does not replace or negate the requirement to comply with the conditions of the Hastings District Council and Hawke’s Bay Regional Council resource consents. It is intended to provide a tool to assist with ensuring compliance with the consent conditions at all stages of the project.

²Reply to Hawke’s Bay Regional Council s92 RMA further information request.

Item 4

Attachment 4

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
HBRC 5	<p><u>Public Notice and Signage</u></p> <ul style="list-style-type: none">Place a public notice in a newspaper with a circulation area that includes the Clifton, Te Awanga and Haumoana areas.Erect and maintain in place for the duration of the construction works a sign near the end of Clifton Road, before the public car park area. The public notice and sign must include, but is not limited to:<ul style="list-style-type: none">i) A brief description and illustration of the works that will occur pursuant to the resource consent [Note: the “Proposed Overall Layout Plan” (Drawing No. 3233367-CA-K002 Rev B) provided with the application documents is sufficient to illustrate the works occurring].ii) An estimation of the duration of works, including when works are likely to commence, the expected completion date, and the hours of works.iii) Information on where to access further information on the works, including the Final Construction Plan and contact details to allow community members to place feedback and to gain updates of work status.iv) Advice on how public pedestrian access may occur around the area of work.	<p>At least 10 working days prior to construction commencing</p> <p>At least 10 working days prior to construction commencing and for the duration of construction works.</p>	Who?	
HBRC 3 & 4	<p><u>Final Construction Plan</u></p> <ul style="list-style-type: none">Provide to HBRC’s Manager Compliance:<ul style="list-style-type: none">➤ A Final Construction Plan of the structure, that includes a layout plan and cross-sections of the proposed structures; and➤ A Description of any changes from the plans referenced in Condition 2 (i.e. the plans provided in support of the application) and explain the reasons for these changes.Send a copy of the above information provided to HBRC’s Manager Compliance to the following parties, at the same time it is provided to HBRC’s Manager Compliance:<ul style="list-style-type: none">➤ The Clifton Reserve Society➤ The Gordon Family➤ The owners and operators of the Clifton Campground; and➤ Any other person upon request.	<p>At least 20 working days prior to construction commencing</p>	<p>Beca</p> <p>Who?</p>	
HBRC 6 & 7	<p><u>Position of Beach Crest / Erosive Edge</u></p> <ul style="list-style-type: none">Determine the position of the beach crest /erosive edge relative to at least 10 surveyed reference points over a distance of at least 50m north (down drift) of where the northern end of the structure will be located. The surveyed reference points must be located so as to enable accurate determination of the beach crest /erosive edge position along the 50m length.Provide a plan to HBRC’s Manager Compliance that indicates the location of the beach crest /erosive edge and the surveyed reference points, as required under Condition 6.	<p>Prior to construction commencing – no minimum time frame specified</p>	Registered professional surveyor	Zorn Surveying Limited?
HBRC 16	<p><u>Spill Management Plan</u></p> <ul style="list-style-type: none">Submit a Spill Management Plan to the HBRC Manager Compliance for certification prior to commencement of any works, which includes (but is not limited to) procedures for preventing contaminants, such as diesel and oil entering the Coastal Marine Area or any other water body in the event of a spill.	<p>At least 20 working days prior to commencing any works authorised under the consent.</p>	<p>Suitably qualified person</p> <p>Beca?</p>	

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
	The Spill management Plan must be kept on site at all times while work is being undertaken.			
Construction Notification/Approval/Operational/ Monitoring Requirements				
HBRC 9, 10, 11, 13and 16	<p><u>Site Works</u></p> <ul style="list-style-type: none">Must take all reasonable measures to ensure the site works are managed to provide for the safety of the public and adjoining property owners, while ensuring that where practicable and safe, public access is maintained to and along the coastal marine area and the foreshore. <p>Advice note: the consent holder should be aware of the need to access the Coastal Marine Area via the Clifton Road carpark at the northern end of the structure for recreational purposes and should take all measures to avoid unnecessary restriction of public access to this area. If the carpark must be closed to vehicles, consideration should be given to ensuring that pedestrian access remains available.</p> <ul style="list-style-type: none">Must ensure that all practicable measures are taken at the end of each working day to ensure that the work site does not present a safety risk to the public.All vehicles used for the works must follow the same tracked path as far as practicable to minimise the disturbance of the foreshore and seabed in the vicinity of the activities authorised by this consent.All works must occur on dry seabed and foreshore where practicable.A copy of the approved Spill Management Plan, as well as all equipment required to deal with a spill shall be present on site at all times while the work is being undertaken. All contractors engaged to undertake work on the site shall be trained to implement the Spill Management Plan at any time if necessary.	During Construction Works	Who?	
HDC 2 HBRC 12, 14, 22	<p><u>Construction Materials</u></p> <ul style="list-style-type: none">The material used for the rock revetment structure shall be natural rock material, which includes limestone that is generally consistent (blends in) with the existing rock revetment material.All rocks used to construct the revetment must be in a clean condition. If not already clean, they must be cleaned off-site, prior to being transported to the construction site.Must construct the revetment and undertake any associated filling or reclamation using methods and materials non-toxic to aquatic life.The reclamation of the foreshore landward of the proposed structure shall be undertaken with rock and gravel and any other inert and non-toxic materials that consist of:<ul style="list-style-type: none">(i) Natural materials such as soil, rock, gravel that are free of:<ul style="list-style-type: none">i. Combustible or putrescible components; andii. Hazardous substances or materials (such as municipal waste) likely to create leachate by means of biological or chemical breakdown; andiii. Any products derived from hazardous from hazardous waste treatment, stabilisation or disposal processes.	During Construction Works		

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
HDC 9 HBRC 20	<u>Limits on Hours of Construction Works</u> <ul style="list-style-type: none">Ensure that the construction works are only undertaken Monday to Friday (inclusive) between the hours of 7 am and 7 pm, and are not undertaken on Saturdays, Sundays or Public Holidays, or between 24 December and 15 January in any year (inclusive).	During Construction Works		
HDC 8 HBRC 21	<u>Construction Noise</u> <ul style="list-style-type: none">Ensure that the construction activities are undertaken in compliance with the New Zealand Construction Noise Standard (NZS 6803: 1999, Acoustic – Construction Noise (and any superseding codes of practices or standards.	During Construction Works		
HDC 10	<u>Dust</u> <ul style="list-style-type: none">Must ensure that measures are taken to suppress dust and particulate matter by the use of a water cart or similar at all times during construction and maintenance works.	During Construction Works		
HBRC 15	<u>Preventing the Escape of Contaminants to Water</u> <ul style="list-style-type: none">Must take all practicable measures to limit the amount of sediment and prevent contaminants from entering the Coastal Marine Area (CMA) or any other water bodies during construction works. Such measures include, but are not limited to:<ul style="list-style-type: none">a) Any surplus soil, rock, cleared vegetation or other construction debris shall be removed and deposited at an appropriate disposal site;b) The wash water from containers and tools shall not be discharged into the CMA or any other water bodies and the washing of equipment shall not occur in the CMA or any other water bodies;c) Refuelling and carrying our machinery maintenance away from the CMA and other water bodies; andd) The bunding and containment of all refuelling and fuel storage areas so as to prevent the accidental spill of any such contaminants from entering the CMA, and water bodies or any stormwater drainage system.	During Construction Works		
HBRC 17	<u>In the Event of an Escape of Contaminants to Water</u> <ul style="list-style-type: none">Immediately notify the Regional Council (Pollution Hotline: 0800 108 838) of any escape (accidental or otherwise) to water of contaminants associated with the consented operations.If any contaminants escape to water, must report to HBRC in writing describing the manner and cause of the escape, steps taken to control it and prevent its occurrence, and steps take to prevent a reoccurrence.	Immediately after any escape/spill occurs Within 7 working days of the escape/spill occurs	Who?	
HBRC 23	<u>Record of Reclamation Materials Used</u> <ul style="list-style-type: none">Record the source and volume of any materials used in the reclamation and provide this information to HBRC’s Manager Compliance upon request.	During reclamation works	Who?	
HBRC 18 & 19 HDC 11	<u>Reinstatement Works, including Landscape Planting and Revegetation</u> <ul style="list-style-type: none">Must ensure that the natural profile of the beach embankment at each end of the revetment is reinstated as far as practicable at the completion of any construction works. This includes the repair of any tracks, holes or spoils left by any machinery or other aspects of construction.Must ensure that the beach and foreshore is reinstated as far as practicable at the completion of any construction works.Must ensure that at the completion of the works, any newly established surfaces and grassed slopes or vegetated areas above the line of MHWS that were cleared or	At completion of construction Works	Who?	

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
	damaged as a result of the activity, are revegetated as soon as practicable. Within six months of the completion of construction works, geotextile soil bags must be interspersed between the rear face of the revetment and the access road edge and shall be planted with coastal creeper species, to create a planted coverage of up to 50% of the landward face of the revetment.			
Maintenance and Repair Works Requirements				
HBRC 24	<u>Drainage</u> <ul style="list-style-type: none">Appropriate drainage shall be installed and maintained to ensure that in wave overtopping events there is the ability to seawater flows to drain from behind the structure while minimising scour or damage to the foreshore.	Ongoing		
HBRC 37	<u>Revetment Dimensions</u> <ul style="list-style-type: none">Any repair and maintenance of the structure shall not alter the length, height or footprint of the structure as established by the surveying and plans required by Condition 25. Repair and maintenance shall be in accordance with the original design specifications of the structure, detailed in the documents specified in Condition 2.	Ongoing		
HBRC 40	<u>Deposition of Gravel</u> <ul style="list-style-type: none">Must deposit <u>at least 600 m³/year, and no more than 1,000 m³/year</u>, of gravel (that is similar sized material to the existing beach gravel) on the beach near to and to the north (down drift) of the structure to avoid, remedy or mitigate down-drift coastal erosion effects.	Ongoing	Who?	
HBRC 43	<ul style="list-style-type: none">The gravel to be deposited under Condition 40 shall <u>not</u> be sourced from within the Haumoana/Clifton littoral cell.			
HBRC 42	<u>Notification Prior to Depositing Beach Gravel under Condition 40</u> <ul style="list-style-type: none">Must notify HBRC’s Manager Compliance <u>prior</u> to depositing beach gravel material under Condition 40Must provide HBRC’s Manager Compliance with:<ul style="list-style-type: none">Confirmation of the amount of material depositedIdentification of the area in which the material was depositedConfirmation of the source location of the deposited materialA plan (to scale) showing the location of the beach crest/erosion edge prior to the works being undertaken relative to established reference points.	At least 2 working days prior to depositing material Within 10 working days of completion of each deposition occurring	Who?	
HDC 9	<u>Limits on Hours of Maintenance/Repair Works</u>			
HBRC 20	<ul style="list-style-type: none">Ensure that the construction works are only undertaken Monday to Friday (inclusive) between the hours of 7 am and 7 pm, and are not undertaken on Saturdays, Sundays or Public Holidays, or between 24 December and 15 January (inclusive).	During Maintenance/Repair Works		
HDC 10	<u>Dust</u> <ul style="list-style-type: none">Must ensure that measures are taken to suppress dust and particulate matter by the use of a water cart or similar at all times during construction and maintenance works.	During Maintenance/Repair Works		
HBRC 15	<u>Preventing the Escape of Contaminants to Water</u> <ul style="list-style-type: none">Must take all practicable measures to limit the amount of sediment and prevent contaminants from entering the Coastal Marine Area (CMA) or any other water bodies during construction works. Such measures include, but are not limited to:	During Maintenance/Repair Works		

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
	<div>e) Any surplus soil, rock, cleared vegetation or other construction debris shall be removed and deposited at an appropriate disposal site;</div> <div>f) The wash water from containers and tools shall not be discharged into the CMA or any other water bodies and the washing of equipment shall not occur in the CMA or any other water bodies;</div> <div>g) Refuelling and carrying out machinery maintenance away from the CMA and other water bodies; and</div> <div>h) The bunding and containment of all refuelling and fuel storage areas so as to prevent the accidental spill of any such contaminants from entering the CMA, and water bodies or any stormwater drainage system.</div>			
HBRC 17	<div><u>In the Event of an Escape of Contaminants to Water</u></div> <div><div>• Immediately notify the Regional Council (Pollution Hotline: 0800 108 838) of any escape (accidental or otherwise) to water of contaminants associated with the consented operations.</div><div>• If any contaminants escape to water, must report to HBRC in writing describing the manner and cause of the escape, steps taken to control it and prevent its occurrence, and steps take to prevent a reoccurrence.</div></div>	<div>Immediately after any escape/spill occurs</div> <div>Within 7 working days of the escape/spill occurs</div>	Who?	
HBRC 18	<div><u>Reinstatement Works Post-Maintenance/Repair</u></div> <div><div>• Must ensure that the natural profile of the beach embankment at each end of the revetment is reinstated as far as practicable at the completion of any maintenance or repair works. This includes the repair of any tracks, holes or spoils left by any machinery or other aspects of maintenance or repair.</div></div>	Post -Maintenance/Repair Works	Who?	
Post-Construction Notification/Approval/Certification/Reporting/Monitoring Requirements				
HBRC 8	<div><u>Notice of Completion of Works</u></div> <div><div>• Give the HBRC Manager Compliance notice of having finished the works authorised by the consent.</div></div>	Within 2 working days following completion of construction	Who?	
HDC 4	<div><div>• Give HDC’s Environmental Consents Manager notice of having finished the works authorised by the consent.</div></div>	Within 2 working days following completion of construction		
HBRC 25 & 26	<div><u>Post-Construction Certification</u></div> <div><div>• Survey the heights (RL) and extent of the completed structure, and give the HBRC Manager Compliance notice an accurate, to scale ‘As-Built’ layout and cross-sectional plans of the completed structure (including the existing seawall).</div><div>• Provide the HBRC Manager Compliance with a copy of certification that the completed structure has been constructed in accordance with the design requirements of Conditions 1, 2 and 3 of the resource consent.</div></div>	<div>Within one month of completion of construction works</div> <div>Within one month of completion of construction works</div>	<div>Registered professional surveyor</div> <div>Suitably qualified engineer who is experienced in coastal protection structure design and construction (Beca?).</div>	
HDC 6	<div><div>• Provide the HDC Environmental Consents Manager with an as-built plan of the revetment that clearly shows the location and layout of the structure with specific dimensions, and a ‘Producer Statement’ signed by a suitably qualified and experienced engineer stating the installation is in accordance with the as-built plan provided.</div></div>	Within one month of completion of construction works	Suitably qualified and experienced engineer (Beca?)	

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
HBRC 41	<u>Renourishment Management Plan</u> <ul style="list-style-type: none">Must develop and submit to HBRC’s Manager Compliance a Renourishment Management Plan (RMP) which sets out the decision-making criteria, methods and procedures for establishing the timing, location and volume of material to be deposited for renourishment purposes, including the requirements of Condition 30 (erosion trigger and response).The RMP must be updated and amended as necessary in response to any recommendation in a report required by Condition 30(c).	Within one month of completion of the structure	Beca	
HBRC 27	<u>Monitoring of Position of Beach Crest/Erosion Edge Post-Construction</u> <ul style="list-style-type: none">Measure and determine the position of the beach crest/erosion edge relative to the established reference points within 50m of the northern end (down drift) of the structure (refer to Condition 6 above).	During the months of March, June, September and December each year for the duration of consent. ³	Registered professional surveyor (Zorn Surveying Limited?)	
HBRC 28	<ul style="list-style-type: none">Provide HBRC’s Manager Compliance with a plan (to scale) indicating the location of the beach crest/erosion edge determine above (under Condition 27) in comparison to the pre-construction beach crest/erosion edge location determined in accordance with Condition 6.	Within 7 days of the end of each of the months of May, June, September and December each year.	Who?	
HBRC 29	<ul style="list-style-type: none">As soon as practicable, after any significant swells occur:<ul style="list-style-type: none">visually inspect the area 50m north of the northern end (down-drift) of the structure; andWhere it is reasonably evident that erosion has occurred within the consent area, measure and determine the beach crest/erosion edge position relative to reference points established in accordance with Condition 6 and compared to the pre-construction beach crest/erosion edge position; andProvide the above information to HBRC’s Manager Compliance.	<p>As soon as practicable after any significant swells occur</p> <p>As soon as practicable after any significant swells occur</p> <p>Within 7 days of the end of the month in which the swell event occurred, or within 15 working days of the swell event occurring, whichever is the later.⁴</p>	<p>Who?</p> <p>Registered professional surveyor (Zorn Surveying Limited?)</p> <p>Who?</p>	
HBRC 30	<ul style="list-style-type: none">When monitoring undertaken in accordance with Conditions 27, 28 and 29 above indicates that at the northern end (down-drift) beach crest/erosion edge has retreated landward by 5 metres or more (being the “erosion trigger”) from the position established under Condition 6, then must:<ul style="list-style-type: none">Notify HBRC’s Manager Compliance that the ‘erosion trigger’ has been reached.Deposit gravel (that is similar sized material to the existing beach gravel) into the eroded area as necessary to mitigate erosion to the beach crest/erosion edge and	<p>Notify within 5 working days of monitoring establishing that the erosion trigger has occurred⁵</p> <p>As soon as is reasonably practicable, and within 20 working days of the provision of</p>	<p>Who?</p> <p>Who?</p>	

³ An Advice Note under Condition 27 states that a lesser survey frequency may be agreed with the HBRC’s Manager Compliance if after a period of five years there is no apparent change in the rate and or pattern of erosion or accretion.

⁴ Condition 31 states that the ‘erosion trigger’ and monitoring frequency set in Conditions 29 and 30 may be reviewed two years after the commencement of the consent, taking into account the survey data collected from monitoring undertaken in accordance with Conditions 27-29, and the volume of gravel deposited on the beach in accordance with Condition 30(a) over that time.

⁵ Ibid.

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
HBRC 32	continue to undertake this deposition as necessary to reduce the rate of any further erosion as far as practicable and in accordance with Condition 40. ➤ If erosion continues after actions undertaken above (in accordance with Condition 30) so that it exceeds 10 m inland from the position determined by Condition 6, must provide the HBRC’s Manager Compliance with a report detailing the cause of the erosion effects and recommending actions to be taken to mitigate or remedy those effects. • Undertake a beach profile survey at the survey point ‘HB1’, as used by HBRC’s coastal cross-section monitoring programme. The data must be in a format compatible with HBRC’s coastal cross-section monitoring programme data	notice in accordance with Condition 30(a) and Condition 40. ⁶ Within two months of the erosion occurring ⁷ Once within one month of completion of construction, and then once every three months thereafter for 12 months (i.e. four occasions after the first post-construction survey, and five occasions in total)	Suitably qualified and registered professional coastal engineer (Beca?) Registered professional surveyor (Zorn Surveying Limited?)	Advice Note III of the HBRC consent recommends that <u>Zorn Surveying Limited</u> undertake this survey, to ensure that the data derived is compatible with the cross-section survey data generated as part of the Council’s survey programme.
HBRC 32	• The beach profile survey at the survey point ‘HB1’ (referred to above) must be provided to HBRC’s Manager Compliance.	Within 10 working days of the profile having been surveyed.	Registered professional surveyor (Zorn Surveying Limited?)	
HBRC 33	<u>Monitoring Structure, foreshore in front of the Structure, Foreshore Area within 100m either Side of the Structure, and Reclaimed Areas landward of Structure - Post-Construction</u> • Undertake an annual visual inspection of the structure, the foreshore in front of the structure, the foreshore area within 100m either side of the structure, and the reclaimed areas landward of the structure, which includes: ➤ A set of photographs that show the full extent of the structure; and ➤ A record (using GPS equipment) of the location points where photographs have been taken. As far as practicable, photos must be taken from the same location for each annual inspection. • Additional inspections must be undertaken immediately after each significant storm event ⁸ or if/when the consent holder is notified of any damage to the structures. These inspections must detail the extent of any matters identified under Condition 34, and the location of these photos must also be recorded using GPS equipment.	At least once every year following construction After each significant storm event or if/when the consent holder is notified of any damage to the structure The records of inspections must be made available to HBRC’s Manager Compliance upon request.	Who?	
HBRC 34 & 35	• The above inspections must consist of a visual assessment of the following: ➤ Whether accretion or erosion is taking place; ➤ Formation of any scour holes at the toe of the structure; ➤ Any indication of erosion at the ends of the structure and within a distance of 100m north of the end of the structure; and ➤ Any displacement or loss of rock from which the structure is constructed. • Must keep a written record of the date of each inspection, and details of whether any matters listed above (under Condition 34) were observed.			

⁶ Ibid.

⁷ Ibid.

⁸ A “significant storm event” is defined as a coastal storm that results in any of the following conditions:

- a. It causes observable damage to any of the structures;
- b. Storm waves overtop the revetment structure;
- c. It causes ground/sea bed levels in front of the structures to fall by at least 1 metre by visual estimate.

The MetService website (<http://www.metservice.co.nz/public/index.html>) provides weather forecasts and includes information about storm swells. This information would be useful in identifying “significant storm events”.

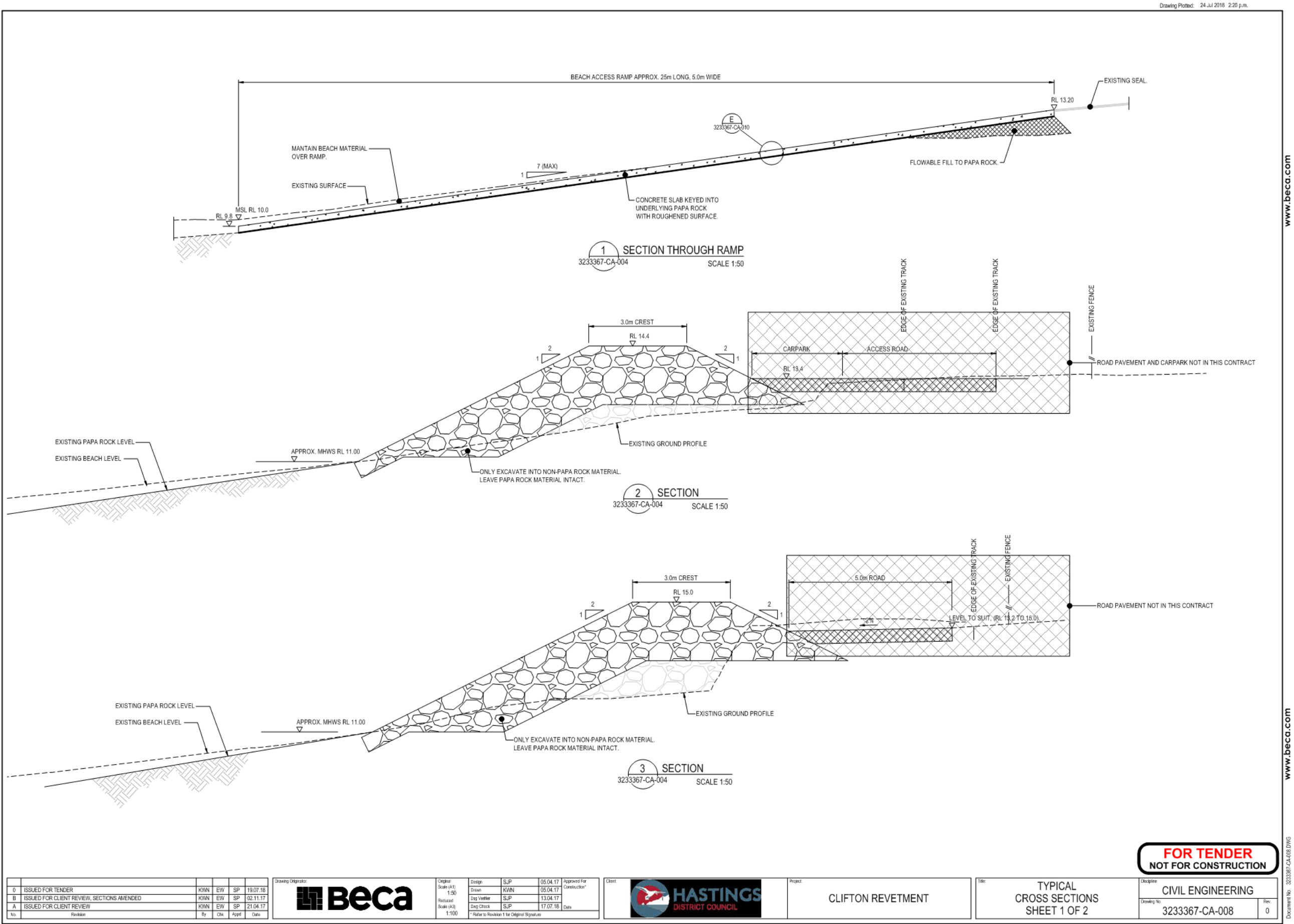
Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
HBRC 36 & 39	<u>Monitoring Integrity of the Structure – Repair and Maintenance Works</u>		Who?	
	<ul style="list-style-type: none">• Must monitor the integrity of the structure over the term of the consent and ensure the structure is adequately maintained in a safe and in sound conditions and fit for purpose.	For the life of the consent		
	<ul style="list-style-type: none">• Inspect the foreshore regularly for any debris emanating from the structure (e.g. limestone rock litter).	For the life of the consent		
	<ul style="list-style-type: none">• Remove any debris or displaced rocks from the foreshore or put back in place within the structures.	As soon as reasonably practicable		
	<ul style="list-style-type: none">• Must notify HBRC’s Manager Compliance of the intention to commence any maintenance or repair works	At least two working days prior to commencement		
HBRC 38	<ul style="list-style-type: none">• Must notify HBRC’s Manager Compliance of having finished the maintenance works	Within two working days of their completion		
HBRC 47	<u>Coastal Engineer Report</u> <ul style="list-style-type: none">• Provide HBRC’s Manager Compliance with a report that includes the following:<ul style="list-style-type: none">➢ A summary of the visual inspection observations required by Condition 33;➢ The sets of photographs taken, required by Condition 35;➢ A comment on any observable trends in the rate of erosion and/or accretion based on the cross-section data available for survey lines ‘HB1’;➢ A comment on any actual environmental effects of the structures observed, and any potential future effects;➢ A summary of any complaints received in relation to the structure since the last report was provided, and what actions (if any) were taken to address these complaints;➢ Comment on any observed erosion to the foreshore in the immediate area north of the structure (within 100 m) including:<ul style="list-style-type: none">- Whether there is any apparent trend of an increasing rate of erosion taking into account any beach renourishment volumes applied to this area over the report period;- Whether erosion in this area is attributable to the ongoing functioning of the structures; and- Recommendations for reducing or mitigating the effects on the structure on the foreshore (such as changes to erosive triggers and responses, and deposition rates and volumes).➢ Recommendations detailing what (if any) maintenance work is required to be undertaken on the structure, the foreshore below the structures, or areas landward of the structure, and the timeframe within which that maintenance should be completed.➢ Details of any maintenance undertaken since the last report was written shall also be provided; and➢ An assessment of the overall effectiveness of the structure.	Two (2) years after construction <u>then</u> Every three (3) years thereafter	Beca (Stephen Priestley)?	

Condition Number(s)	Monitoring Task(s)	Timing and Frequency	Person/Company Responsible	Comments
	Advice Note: A lesser survey frequency may be agreed with the Regional Council (Manager Compliance) if after a period of ten years there is no apparent change in the rate and or pattern of erosion of accretion.			



Item 4

Attachment 5



Item 4

Attachment 5

that enables the Society to operate the Clifton Camp. There is also a sub-lease in place between the Society and the Clifton Marine Club which enables the Marine Club to operate.

Individuals

The revetment would provide access and property protection for the following organisations to continue to use this area to carry out their activities:

- Clifton Reserves Society
- Clifton Marine Club

A considerable private benefit also accrues to the private land owner adjoining this stretch of coastline who would gain property protection from the revetment.

The private benefit accruing to the adjoining land owner, Marine Club members (as primary users of the boat ramp), Camp Ground and the Reserve Society members has been assessed between 60% and 80%.

3. The period in or over which those benefits are expected to occur:

The benefits accruing to all beneficiaries are intergenerational.

4. The extent to which the actions or inaction of particular individuals or a group contribute to the need to undertake the activity:

Coastal erosion is a natural occurrence and is not due to the action of any specific party. Climate change is expected to have an effect on coastal erosion trends as a result of rising sea level and increased frequency and intensity of coastal storms.

The consent granted for a short term protection wall to protect road access to the Clifton no. 1 camp expires in 2017. This has triggered the proposal to apply for a new 35 year consent which would both extend the life of the current protection wall and see the wall extended by way of a revetment through to the Clifton café.

Council received submissions on this issue through the 2016/17 Annual Plan process and subsequently decided to include a funding provision of \$1m (loan funded) in the 2016/17 Annual Plan and resolved the following:

“That Officers progress with land access (Clifton Station) concept, resource consent and an overall funding solution.”

5. The costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities:

Private land owners, commercial operators, community organisations and the general public all benefit from the coastal protection that a revetment provides.

It is appropriate that the cost recovery split should recognise the private benefits accruing to the adjoining land owner, Marine Club, Camp Ground and Reserves Society for many generations. It should also recognise the public benefit to Hastings District rate payers and the wider Hawke's Bay community from having protected this area of the coast for future generations for the public and visitors to enjoy.

CLIFTON REVETMENT**Allocation of Public/Private Benefits and Costs****Supporting information****Local Government Act 2002, Section 101(3) analysis****1. The community outcomes to which the Clifton revetment primarily contributes:**

Community Outcomes	Achieved By
Local infrastructure which contributes to public health and safety, supports growth, connects communities, activates communities and helps to protect the natural environment.	Protecting the coast from further erosion thereby helping to sustain the coastline for future generations.
Regulatory functions which help to prevent harm and help create a safe and healthy environment for people, which promote the best use of natural resources and which are responsive to community needs.	A coastal area that the general public can safely utilise for recreational activities such as walking, fishing and surfing.

2. The distribution of benefits between the community as a whole, any identifiable part of the community, and individuals:**Wider community**

The general public and visitors to Hastings benefit through being able to carry out recreational activities such as walking, cycling, camping, fishing and surfing along this stretch of coastline.

There is reputational benefit to the wider Hastings community through a positive impression from visitors and outsiders that the district's seaside communities are not being degraded or perceived to be falling into the sea.

Public safety is benefitted through safe and accessible access to the boat ramp.

The public benefit has been assessed between 20% and 40% on the basis that the revetment is necessary to enable continued enjoyment by the general public of access to the reserve and boat ramp and that this work would be entirely in the public realm.

Identifiable part of the community

The Clifton coast is an identifiable area and has over time has been subject to significant erosion activity. The Clifton Reserve is the location of the Clifton boat ramp which is the only ramp with access to Hawkes Bay between Cape Kidnappers and Napier. Council has in place a lease agreement with the Clifton Reserve Society

Item 4

Attachment 6

It is difficult to quantify the exact portion of benefit accruing to the private and public beneficiaries but it would be reasonable to conclude between 20% and 40% of the benefit lies with the wider community who gain public access to the area to carry out general recreational activities.

This assessment has established that the private benefit of this activity accrues to the private land owners in the form of property/asset protection and the organisations who rely on access along this strip to carry out their business activities. This has been assessed between 60% and 80%.

6. The overall impact of any allocation of liability for revenue needs on the community.

Council's 2016/17 Annual Plan includes a capital budget of \$1m for the Clifton revetment with an additional \$200,000 budgeted for resource consent costs.

Officers have obtained preliminary costings for the revetment. These indicate a capital cost of approximately \$1,163,000 (includes contingency and consent).

The following table sets out the annual operational costs relating to the revetment:

Clifton revetment	Annual cost
Debt and interest	\$70,000
Maintenance	\$10,000
Total	\$80,000

The construction of the revetment involves Council acquiring approximately 4,000m² of land from the adjoining land owner. The estimated value of this land is between \$10,000 and \$20,000.

The Reserve Society has an informal lease agreement with the adjoining landowner to ensure access to the camp and boat ramp. The lease is for \$10,000 +GST per annum. This income stream would be lost to the landowner should the proposed revetment proceed.

The Clifton Marine Club pay an annual fee of \$5,000 to the Reserve Society as a contribution for access through the camp site to the boat ramp.

The Reserve Society also have an agreement to pay \$5,000 per annum to Council for the term of the existing revetment consent. These funds are held in a Council reserve to cover the clean up costs for the revetment when the consent expires in August 2018.

Costs and benefits

Funding for the Clifton revetment would be loan funded to be repaid over a 35 year period. Council officers have considered the following matters in determining the terms and conditions of this loan funding:

- The term of the loan should recognise the long term nature of the project, and the life of the underlying asset
- The need to take into account of intergenerational equity principles

The loan would bear interest at 5.5% per annum. The interest rate is based on Council's average cost of borrowing and would be reviewed annually.

The following table sets out the whole of life cost and the ongoing annual cost to be recovered for the revetment:

Clifton revetment	Annual cost	Whole of life
Capital cost	\$33,000	\$1,163,000
Interest @ 5.5% (35 years)	\$37,000	\$1,300,000
Maintenance	\$10,000	\$350,000
TOTAL	\$80,000	\$2,813,000

Funding

The following funding mechanisms have been considered in accordance with Section 101(3):

Option 1. Spread the whole cost across the entire Hastings District rating base.

This would equate to an annual per property charge of approximately \$3.00

Under this scenario the total cost is spread equally across the community including areas which stand to gain little if any benefit. Officers consider that this option does not spread the cost fairly and equitably and it has therefore been ruled out.

Option 2. The total cost of the revetment is recovered through general rates applied on a land value basis.

This option would involve recovering the total cost of the revetment through the general rate. Under this option properties with high land values will bear a greater proportion of the total cost regardless of their proximity to the coast. This option has also been ruled out as it does not spread the cost fairly and equitably.

Option 3. Apportion the whole cost according to the levels of assessed benefit.

Under this option \$24,000 or 30% of the total annual cost would be funded by general rates (public portion) and \$56,000 or 70% of the total annual cost would be funded from private contributions.

This option results in the majority of the cost being borne by those who are more likely to receive greater property protection benefits. Officers consider this option best meets the criteria for funding, being equity, transparency and simplicity.

Annual contribution	Public Benefit	Private Benefit	Total	%
Hastings District Council	\$24,000		\$24,000	30%

Reserve Society	\$10,400	\$10,400	13%
Marine Club	\$5,600	\$5,600	7%
Adjoining Land Owner	\$40,000	\$40,000	50%
TOTAL PER ANNUM	\$24,000	\$56,000	\$80,000 100%

Item 4

Attachment 6



Clifton Marine Club Incorporated
Clifton Road
Clifton,
P O Box 608
Hastings

Hastings District Council
Private Bag 9002
Hastings 4156

18th November 2016

In response to being asked by the Hastings District Council to formally lodge a written offer of financial contribution for the proposed extension of the erosion protection seawall at Clifton Beach, the Clifton Marine Club (CMC) make the following offer;

A one off \$10,000 payment at the completion of the wall construction.

A yearly contribution for 35 years of \$60 per senior Male paying member.
(this year we have 97 paid up senior male members)

This annual offer is subject to;

Commencement beginning after the annual contribution we currently pay for the existing wall ceases. (2017 we believe).

The Gordon Family and our landlord CRS, waiving all lease and access costs while this contribution is being made.

"Force majeure" conditions applying, being any events unforeseen, or out of our control, that effect negatively on our ability to pay the annual contribution be it temporarily or permanently.

Our club being in a financial position to pay annual payments.

No securities or guarantees being offered or given.

This offer has been carefully thought through by the clubs committee and a sub committee of senior members set up for broader consultation. The results are the offer above, and the conditions included which reflect our desire to see the agreement work for HDC and CMC over the full 35year term of the agreement.

We thank the Hastings District Councils Councillors, Staff and Officers for their continued work on this important project. We also thank them for assessing our fair financial contribution from a viewpoint of reasonability and affordability especially being over such a long term.

Signed for on behalf of the Clifton Marine Club

Russell Black
Acting President

Glenn Mossman
Treasurer

Paul Hurtshouse
Club Captain

Darren Bambry
Secretary

Item 4

Attachment 7

Yvonne Moorcock

From: Linda Hogan <lindaandhoges@gmail.com>
Sent: Wednesday, 26 October 2016 3:19 p.m.
To: Rowena Macdonald
Subject: CLIFTON REVETMENT EXTENSION

Good Afternoon Rowena

On behalf of the Clifton Reserve Society I would like to agree in principal to the draft design concept for the Clifton Revetment Extension & Boat Ramp as per our meeting with yourself and Council representatives at the meeting on 6 October 2016.

The Clifton Reserve Society agrees to offer the Hastings District Council a one off \$50,000.00 contribution at the completion of the wall construction.

We the Clifton Reserve Society agree to make an annual contribution to the Hastings District Council of \$11,050.00 per annum for the said period of 35 years being the term of the loan that the Hastings District Council will enter into.

To offer this annual payment for a term for 35 years commencing completion of the wall will be subject to "Force Majeure" conditions and subject to the Clifton Reserve Society being in a financial position to pay annual payments.

If you wish for any further clarification with regards to this offer please do not hesitate to contact me in the first instance.

Kind regards

Linda Hogan
CHAIRPERSON
CLIFTON RESERVE SOCIETY

Item 4

Attachment 7

Item 4

Attachment 7

29/11/2016

To the Hastings District Council. (Attention John O'Shaughnessy.)

The Angus Gordon Family Trust, who own the access land to the Clifton Motor Camp, agree to gift the land required to facilitate the construction of the revetment wall and access road through to Clifton Camp Number One based on the amended concept plan agreed on-site on 5th September, 2016, and that this is subject to no other payments or cash contributions.

Signed: Angus Gordon, on behalf of the Trust.

Angus Gordon 29/11/2016

Page 2
10 May 2013

We trust the above information meets your requirements. If you have any queries, please contact us.

Yours sincerely

Stephen Priestley
Senior Technical Director

A handwritten signature in blue ink, appearing to read 'Stephen Priestley', with a stylized flourish at the end.

on behalf of

Beca Limited.

Direct Dial: +64 9 300 9282

Email: stephen.priestley@beca.com

Our Ref:
NZ1-6264493-1 0.1

Item 4

Attachment 8



21 Pitt Street
PO Box 6345, Auckland 1141, New Zealand
T: +64 9 300 9000 // F: +64 9 300 9300
E: info@beca.com // www.beca.com

Item 4

Mr John O'Shaughnessy,
Hastings District Council,
Private Bag 9002,
Hastings 4156

4 March 2016

Dear John

Clifton Beach: Potential New Boat Ramp

We refer to your request for Beca to estimate the capital cost of a new boat ramp at the western end of Clifton Beach.

We have reviewed the 2012 LiDAR survey and it would appear that the "papa" rock level is around mean sea level (i.e. RL 10.0m) with the beach level at RL 12.0m. A sketch of a potential boat ramp is attached as Figure 1.

Based on this layout, we have estimated the capital cost at \$2,300,000 (excluding GST). A schedule of assumptions and costs is given below.

Assumptions:

- Costs are based on a concept with no engineering analysis. Accuracy is therefore +/- 30%.
- Excavated material can be spread on the beach or locally.
- There is a local source of material (fine grain) which can be stabilised to form a solid block.
- Council, property and legal costs are excluded
- Escalation and GST are excluded.

Capital Cost Estimate

■ Preliminary and General	240,000
■ Temporary sheet piling	250,000
■ Piled groyne structure	580,000
■ Boat ramp	140,000
■ Boat turning area	460,000
■ Contingency (20%)	330,000
■ Total construction costs	\$2,000,000
■ Site investigations	50,000
■ Consents	100,000
■ Design	100,000
■ Construction monitoring	50,000
■ Total Capital Costs	\$2,300,000

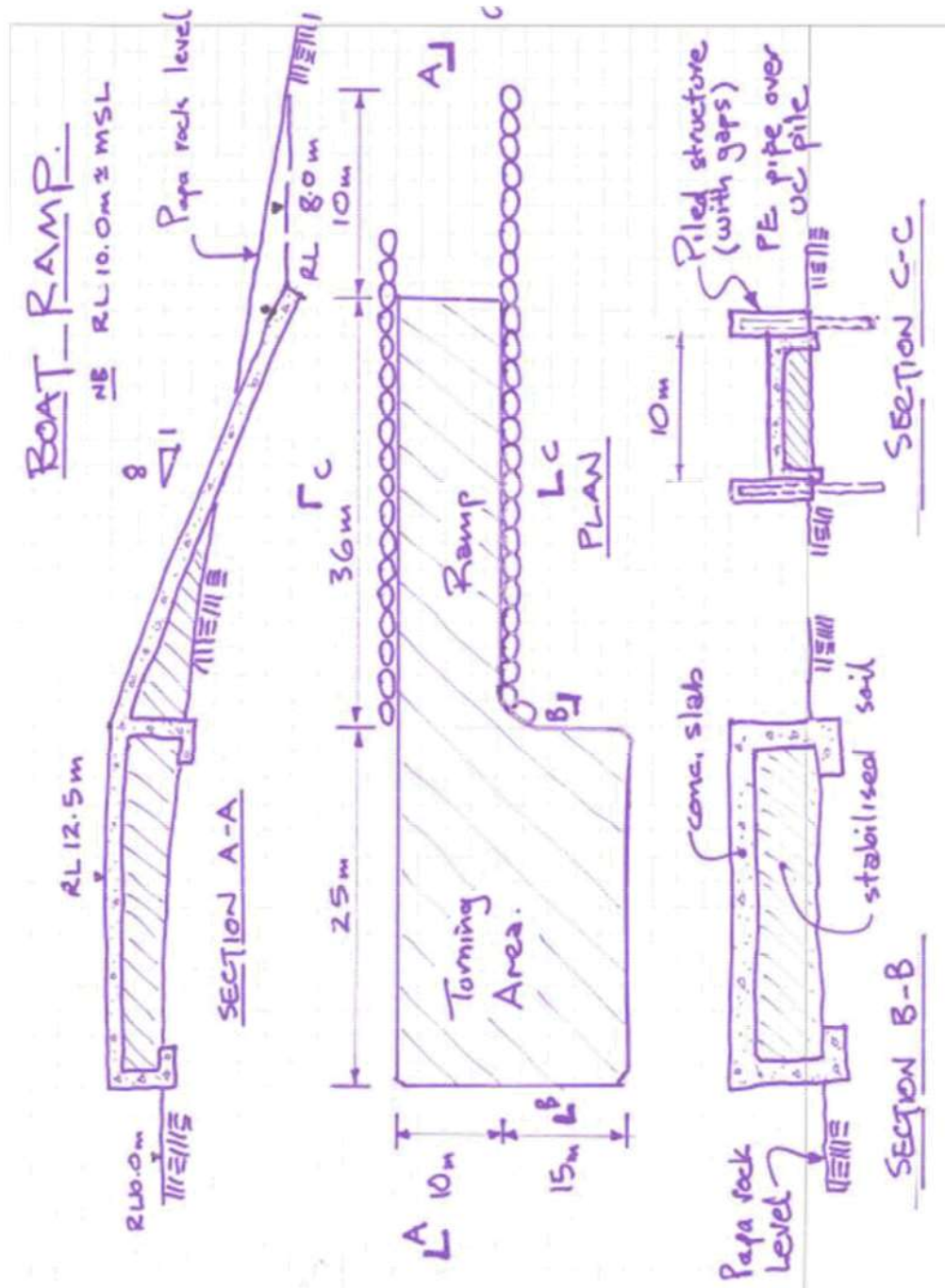
Our Ref:
NZ1-6264493-1 0.1

Attachment 8

Item 4

Attachment 8

Page 3
10 May 2013



Our Ref:
NZ1-6264493-1 0.1

Item 4

Attachment 8

ENV-9-5-1-18-154

Proposed Hastings District Plan

Proposed Variation 5: Inner City Residential

Section 32 Summary Evaluation Report

**Prepared
by:**

Megan Gaffaney
Hastings District Council**Reviewed
by:**

Rowan Wallis
**Team Leader Environmental
Policy, Hastings District
Council****Date:** November 2017
File Ref:
Status: Final

Item 5

Attachment 1

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Contents

1	Introduction	3
1.1	Purpose of this Report	3
1.2	Outline of Proposed Variation 5 to the Proposed Hastings District Plan	3
2	Section 32 Evaluation Requirements.....	3
3	Statutory Basis for Addressing Inner City Living in the District Plan	5
3.1	Part 2 (Purpose & Principles) of the RMA.....	5
3.2	Part 4 (Functions, Powers & Duties) of the RMA.....	6
3.3	Hawke's Bay Regional Policy Statement.....	6
4	Background – Current status of Residential Activity in the CBD.....	8
4.1.1	Designated Retail Frontage.....	8
4.1.2	Central Character Precinct.....	9
4.1.3	Comprehensive Residential Development and Mixed Use Development in the CBD	10
4.2	Strategies underpinning Variation 5 – Inner City Residential.....	11
4.2.1	Hastings CBD Strategy, EMS Isthmus Group Consortium, 2000.....	11
4.2.2	Hastings Urban Issues & Urban Design Framework, UrbanismPlus 2010	11
4.2.3	Hastings City Centre Strategy, Hastings District Council 2012	11
4.2.4	Hastings City Centre Vibrancy Plan – Annual Activities Plan 2016/17	11
5	Community Engagement Process & Results	12
5.1.1	What the community told us	12
5.1.2	Specific engagement with key stakeholders, 2017.....	12
6	Matters for Consideration.....	14
6.1	RPS Considerations	14
6.2	Connectivity, Social Infrastructure and Open Space	16
6.3	Parking Effects	17
6.4	Services Infrastructure.....	21
6.5	Noise Effects	22
6.5.1	Noise	22
6.6	Historic Heritage Features	22
6.6.1	Significant Natural, Ecological & Landscape Areas or Features.....	22
6.6.2	Historic Heritage	22
6.7	Economic Impacts.....	25
6.8	Conclusion as to Suitability	25
7	Appropriateness, Efficiency & Effectiveness of Proposed Variation 5 in Achieving the Purpose of the RMA.....	25
7.1	Is the Proposal the Most Appropriate Way to Achieve the Purpose of the RMA?	25
	The proposal is confirmed as representing the most appropriate way to provide for the sustainable management of the District's resources – the purpose of the RMA....	26
7.2	Are the Provisions the Most Appropriate Way to Achieve the Purpose of the Proposal?	26
7.2.1	Extent to which residential activities are permitted	27
7.2.2	Parking provisions.....	27

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

7.2.3	Outdoor Living Space Provisions.....	27
7.2.4	Consequential amendments – CRD and Mixed Use in the Central Commercial Zone	27
8	Summary & Conclusions	41
	Appendices	42

Item 5

Attachment 1

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

1 Introduction

1.1 Purpose of this Report

This report presents the summary evaluation of proposed Variation 5 to the Proposed Hastings District Plan (Proposed Plan), in accordance with Section 32 of the Resource Management Act 1991 (RMA).

Proposed Variation 5 seeks to enable an emergence of inner-city living within Hastings CBD.

This report is required to accompany proposed Variation 4 at the time of public notification under Schedule 1 of the RMA.

1.2 Outline of Proposed Variation 5 to the Proposed Hastings District Plan

Proposed Variation 5 sets out to amend the provisions of the Hastings Central Commercial Zone (Section 7.3) to reduce constraints to developers wanting to either change the use of upper floor commercial buildings to apartments and/or to construct completely new higher density housing developments.

In summary, the proposed variation involves:

- i) Reviewing the provisions for residential activities (above ground floor)
- ii) Reviewing the provisions for Comprehensive Residential Development
- iii) Reviewing the provisions for Mixed Use Developments; and any
- iv) Consequential amendments to the Proposed Plan.

2 Section 32 Evaluation Requirements

Clause 5(1) of Schedule 1 of the RMA, requires preparation of an evaluation report for any proposed plan (including any proposed variation to a proposed plan) in accordance with section 32, and for Council's to have particular regard to that report when deciding whether to proceed with the statement or plan.

Section 32 evaluations effectively 'tell the story' of what is proposed and the reasoning behind it. The Section 32 evaluation aims to communicate the thinking behind the proposal to the community and to decision-makers. The evaluation also provides a record for future reference of the process, including the methods, technical studies, and consultation that underpin it, including the assumptions and risks.¹

An evaluation report is required to examine both:

- the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
- whether the provisions in the proposal are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness by identifying other reasonably practicable options for achieving the objectives; assessing the efficiency and effectiveness of the provisions in achieving the objectives; and summarizing the reasons for deciding on the provisions (s32(1)(b)).

¹ Ministry for the Environment. 2014. *A guide to section 32 of the Resource Management Act: Incorporating changes as a result of the Resource Management Amendment Act 2013*. Wellington: Ministry for the Environment.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

The evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal (s32(1)(c)).

Such an evaluation must take into account:

- the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)) and, if practicable, quantify them (s32(2)(b)); and
- the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s32(2)(c)).

In this case, proposed Variation 5 (the proposal) does not, of itself, contain or state 'objectives'. Therefore, pursuant to section 32(6), 'objectives' in this setting relate to 'the purpose of the proposal', which is:

Purpose of the Proposal:

To improve the vibrancy, growth and identity of Hastings City Centre by having more people living in the heart of the CBD.

Similarly, the 'provisions' to be evaluated are essentially:

Provisions: i) the Central Commercial Zone provisions as they relate to residential activities; and
ii) any Plan provisions that will be applied to the Central Commercial Zone and Transport and Parking sections of the Proposed Plan.

The first part of the evaluation therefore has to address:

- *'Whether making amendments to the provisions of the Hastings Central Commercial Zone and the Transport and Parking Section of the Plan is the most appropriate way to achieve the purpose of the RMA'.*

Secondly, in evaluating the provisions of the proposal in terms of efficiency and effectiveness, the evaluation has to address:

- *'Whether amending the land use provisions is the most appropriate way to improve the vibrancy, growth and identity of Hastings City Centre by having more people living in the heart of the CBD.'*

The following evaluation fulfils Council's statutory obligations under Clause 5(1) of Schedule 1 of the RMA, in accordance with section 32, for proposed Variation 4 to the Proposed Plan.

Attachment 1

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

3 Statutory Basis for Addressing Inner City Living in the District Plan

Section 74 of the RMA outlines the requirements for District Councils in terms of the preparation of, and any change to, their district plan in accordance with their functions under section 31 and the provisions of Part 2 of the RMA.

3.1 Part 2 (Purpose & Principles) of the RMA

Managing the provision for long term land-use and infrastructure aligns closely with the purpose of the RMA, which is *‘the sustainable management of natural and physical resources’*. Section 5 of the RMA defines ‘sustainable management’ as:

“managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Proposed Variation 5 directly relates to enabling inner-city living within Hastings CBD.. Part 2 requires that this occurs in a way and at a rate which enables people and communities to provide for their social, economic and cultural wellbeing, and meeting the reasonably foreseeable needs of future generations; safeguarding the life-supporting capacity of air, water, soil and ecosystems; and addressing adverse effects on the environment.

Section 7 identifies other matters requiring particular regard. Of particular relevance are:

- b) the efficient use and development of natural and physical resources;*
- ba) the efficiency of the end use of energy;*
- c) the maintenance and enhancement of amenity values;*
- f) maintenance and enhancement of the quality of the environment;*
- i) the effects of climate change.*

The purpose of Variation 5 is to ensure that Hastings CBD has a vibrant and sustainable future by enabling people to live in the inner city and therefore enabling people and the community to provide for their social, economic and cultural wellbeing.

The adopted Hastings City Centre Strategy identifies the importance of planning for the future of Hastings CBD and aims to secure a long term positive and sustainable future. The Strategy was developed as a response to global, national and regional challenges that will influence Hastings long-term success. The strategy represents a 20 year approach to progress Hastings City Centre. The Hastings District Plan is but one of many strands that contribute to the success of the Strategy. One of the assumptions of the Strategy is that the District Plan will actively support the concentration and diversification of land use and activities in the City Centre; and also that cycling and walking will become a preferred mode of transportation within the Central City area.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

The Vision for the City is:

Hastings - City Centre of Choice - Great living for a sustainable and fulfilling future...

In 2033, the Hastings City Centre will be a growing, vibrant and fun place that recognises and embraces its wider landscape, productive hinterland, creativity and cultural diversity – it will be the Heart of Hawke's Bay.

The City Centre Strategy has the following outcome:

A dynamic City Centre with a diversity of choice... Where inner-city housing options attract people into the City Centre, providing 24/7 activity.

3.2 Part 4 (Functions, Powers & Duties) of the RMA

The particular statutory functions of the District Council in giving effect to the Act as contained in section 31 of the Resource Management Act 1991 also provide a clear mandate for addressing long term provision for urban growth and provision of associated strategic infrastructure issues in a District Plan.

In particular:

- “(1)(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:
- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
- (iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:
- ...
- (d) the control of the emission of noise and the mitigation of the effects of noise:
- (2) the methods used to carry out any functions under subsection (1) may include the control of subdivision.”

Proposed Variation 5 expressly seeks to establish and implement plan provisions to achieve integrated management of the effects of inner city living in the Hastings City. Existing zone and district wide rules and standards in the Proposed Plan (and proposed amendments to provisions in the proposed variation) provide the mechanism for controlling any actual or potential effects of the subdivision, use and development within the City.

3.3 Hawke's Bay Regional Policy Statement

In addition, Section 75 of the RMA states that a district plan 'must give effect to' any regional policy statement (RPS).

Of particular relevance in terms of long term provision for housing and urban growth is the Hawke's Bay Regional Policy Statement which dedicates a whole chapter to issues, objectives, policies, methods and anticipated environmental results for urban development and the strategic integration of infrastructure across the Region, and particularly within the Heretaunga Plains, titled 'Managing the Built Environment' (Chapter 3.1B of the RPS).

This includes planned provision for urban development and integration of land use with significant infrastructure. Of particular relevance, the RPS places priority on:

- establishing a compact and strongly connected urban form (OBJ UD1);
- providing for a range of housing choices and affordability (OBJ UD1);

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

- ensuring that the built environment is healthy, sustainable, functionally efficient, economically and socially resilient (OBJ UD1);
- urban design principles considered (OBJ UD1);
- provides for residential growth through higher density development in suitable locations (OBJ UD2);
- retention of the versatile land of the Heretaunga Plains, efficient utilization of existing infrastructure and planned infrastructure (POL UD1);
- having regard to various matters when preparing or assessing any rezoning, structure plans or other provisions for the development of urban activities (POL UD12).

Relevant Anticipated Environment Results in the RPS include:

AER UD1	<i>Availability of sufficient land to accommodate population and household growth, as and where required, while retaining versatile land for existing and foreseeable future primary production.</i>
AER UD2	<i>Balanced supply of affordable residential housing and locational choice in the Heretaunga Plains subregion.</i>
AER UD3	<i>More compact, well-designed and strongly connected urban areas.</i>
AER UD4	<i>Napier and Hastings retained as the primary urban centres for the Heretaunga Plains sub-region.</i>
AER UD6	<i>The retention, as far as is reasonably practicable, of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production.</i>
AER UD7	<i>Efficient utilisation of existing infrastructure.</i>
AER UD9	<i>Increased use of public transport and active transport modes (cycling, walking), reduced dependency on the private motor vehicle and reduced energy use.</i>
AER UD12	<i>Urban development is avoided in areas identified as being at unacceptable risk from natural hazard (flooding, coastal inundation, coastal erosion, liquefaction, land instability).</i>
AER UD13	<i>New development is appropriately serviced by wastewater, stormwater, potable water and multi-modal transport infrastructure.</i>

The preparation of proposed Variation 5 to the Proposed Hastings District Plan is therefore subject to a statutory obligation to give effect to the above.

In summary, the RPS sets a vision for planned, compact and well-designed urban development within defined urban limits on the Heretaunga Plains with limited encroachment on the versatile soils of the Plains.

‘Giving effect to’ the RPS is addressed in the following sections of this report.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

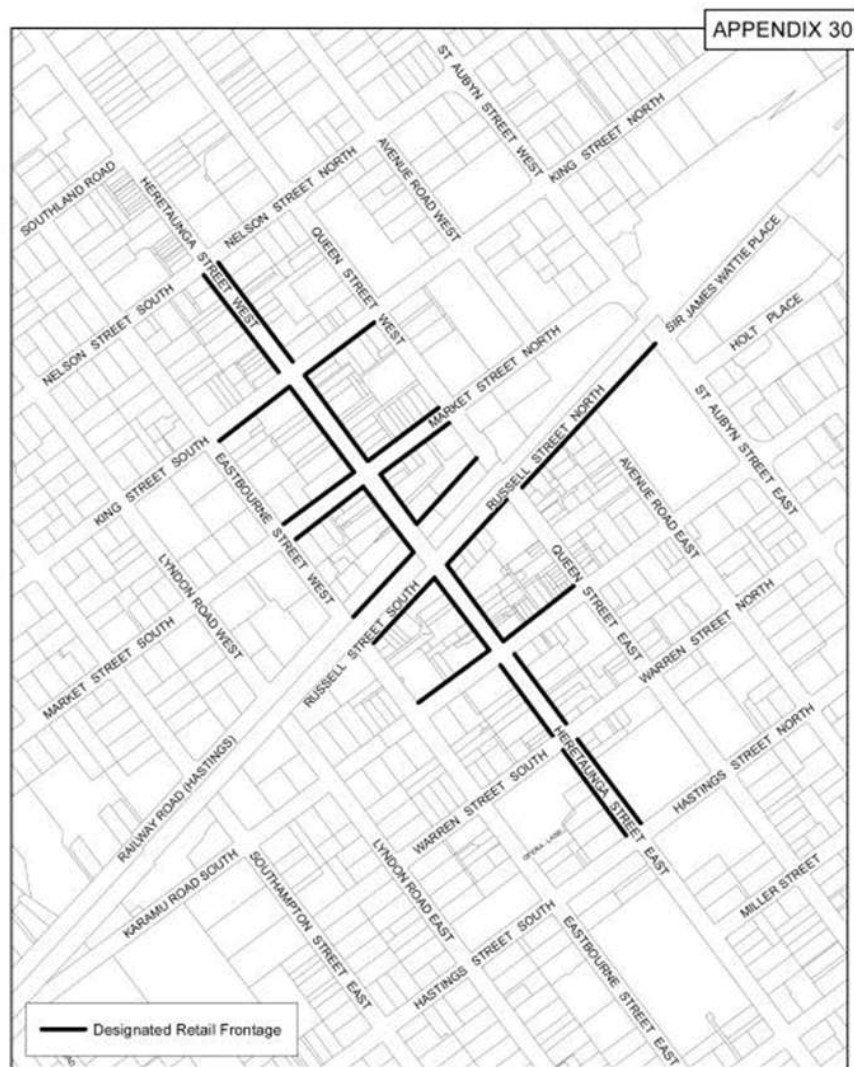
4 Background – Current status of Residential Activity in the CBD

4.1.1 Designated Retail Frontage

Proposed Variation 5 will change provisions in the Central Commercial Zone (CCZ) and the Transport and Parking (T&P) sections of the District Plan to reduce the 'barriers' (within the scope of the District Plan) to establish inner city living. The barriers being referred to are the reduction of Plan requirements which result in the need for resource consent approval for residential activity to establish.

Currently, above ground floor level Residential Activities, if outside the Designated Retail Frontage (DRF) are a Non Complying Activity in the Plan. However within the Designated Retail Frontage (Rule CCR3) above ground floor residential activity is a Permitted Activity. Residential Activity at ground level in the DRF is a Discretionary Activity (Rule CCR23).

The DRF is contained to property frontages of buildings within the twelve blocks shown below:



8 | Page

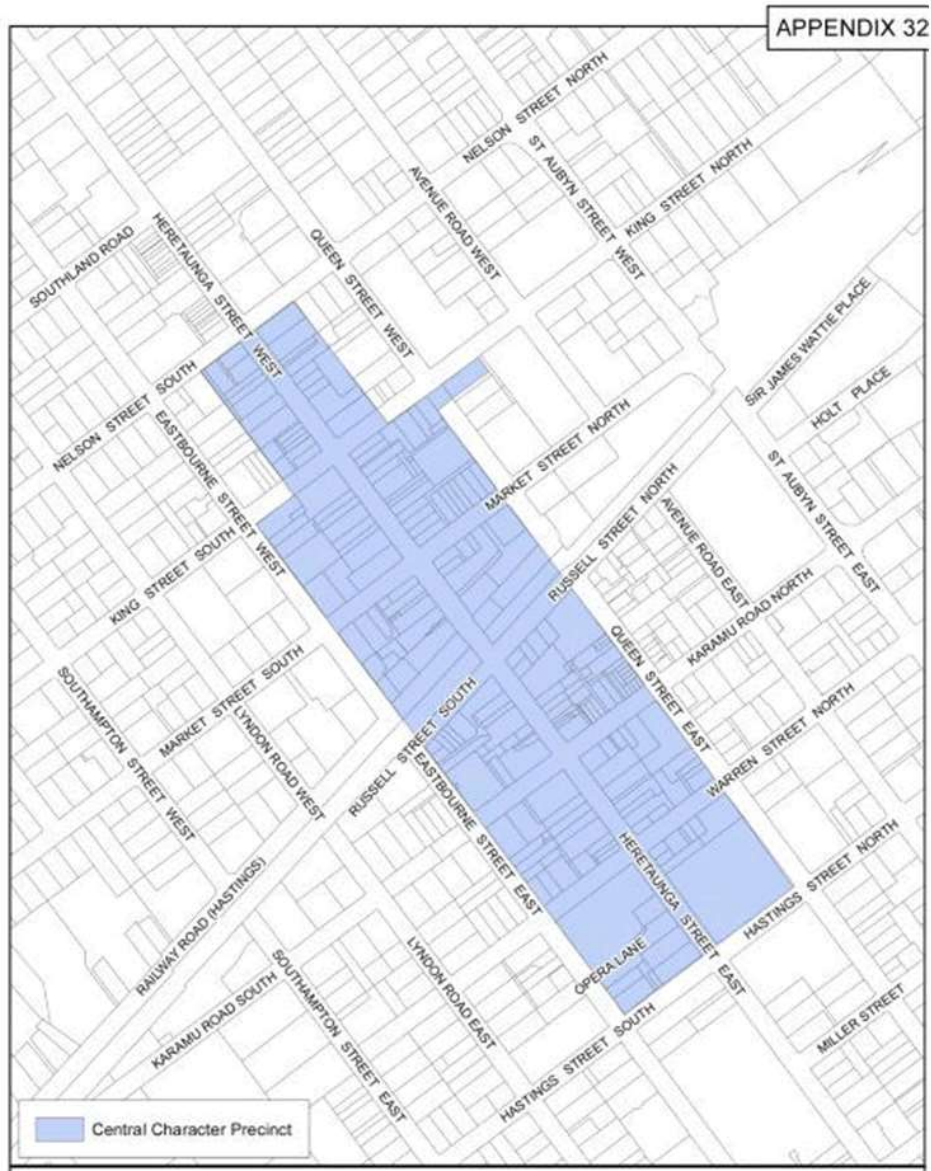
ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

4.1.2 Central Character Precinct

The majority of those twelve blocks are also subject to Central Character Precinct (CCP) Plan requirements. The buildings in this area are recognised as having heritage value, and external alterations to the buildings need resource consent (Rule CCR16) to ensure that development reflects the character of the existing buildings and streetscape values.

See (CCP) area below:



To meet the requirements of the Plan, Above Ground Level Residential Activities in CCZ need to provide an outdoor living space in the form of a balcony. This equates to an external alteration and therefore triggers the CCP provisions and resource consent.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Another key requirement for residential activities in the CCZ is to provide on-site car parking (26.1.6D). This is 1 vehicle space per household unit plus 1 additional space for a vehicle standing bay.

Where residential activities are to be established in existing buildings in some cases the provision of on-site car parking is difficult to achieve because there is no space for parking on site. The alternatives to address this issues are:

- to make alterations to the building to gain the parking space.
- to demonstrate a suitable alternative parking arrangement

Both options require assessment via the resource consent process and resource consent approval. These sorts of issues make establishing residential activity in the CBD a difficult and complex exercise. That is not discounting that there are other constraints outside the District Plan, such as the requirement for earthquake strengthening, development costs and the relative profits.

4.1.3 Comprehensive Residential Development and Mixed Use Development in the CBD

The CCZ also provides for residential activity in the form of Comprehensive Residential Development and Mixed Use Development. Both of which are classified as Restricted Discretionary Activity Non Notified (Rule CCR20). The Restricted Discretionary Activity Non Notified (RDNN) status enables assessment of design to ensure that developments take into account urban design principles. These activities require outdoor living space, minimum floor area limits and parking.

Comprehensive Residential Development and Mixed Use Development will generally apply to new development rather than conversion of existing buildings. The reason for this is that Comprehensive Residential Development is a development that comprises 3 or more residential buildings at a density of 20-40 residential buildings per hectare of land and incorporates an overall integrated design of buildings, infrastructure and landscaping.

Mixed Use Development incorporates residential and commercial activity together with infrastructure, landscaping and a plan showing the exclusive use areas for each activity. If commercial activity is an existing use and it is only the upper levels of the building that are changing to residential use, this would be considered a Residential Activity only. Therefore to be considered Mixed Use in most cases it would be triggered by a new development in the CCZ.

The point being highlighted is that above ground floor Residential Activity usually applies to the circumstance whereby the first floor or above of an existing building is converted to a residential use - a typical example being an apartment within an existing two storey commercial building.

Above Ground Floor Residential Activity is generally of a smaller scale and applies to existing buildings; whereas Comprehensive Residential Development and Mixed Use Development applies to the construction of new building(s) and is generally a more substantial development.

Given that the issue raised by landowners and developers relates to the conversion of existing buildings to residential use, this is the focus of amendments to the Plan promulgated by Variation 5.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

Attachment 1

4.2 Strategies underpinning Variation 5 – Inner City Residential

The vision of having people living in Hastings CBD has been identified as a goal in Council CBD strategies. The Key Strategies with goals relating to Inner City Living are listed in the table below:

4.2.1	Hastings CBD Strategy, EMS Isthmus Group Consortium, 2000 <ul style="list-style-type: none"> The purpose of this strategy is to help improve the performance of the CBD through urban design. Inner city housing supporting businesses in the CBD
4.2.2	Hastings Urban Issues & Urban Design Framework, UrbanismPlus 2010 <ul style="list-style-type: none"> A framework for Hastings that co-ordinates streams of work within Hastings District Council as they respond to both current and future urban issues. The purpose of the framework enabled reviews of policies and processes, to provide guidance for the development of new strategies and policies and to help Hastings District Council define a set of current and future Council projects. Including recommendations relating to the improved functioning of the Hastings CBD. The Framework identified the importance of enabling residential intensification in the CBD. The CBD was identified as a 'First Order Preference' area for intensification. It states: <i>A higher live-in catchment will help to further revitalise the CBD, provide higher levels of safety due to more pedestrian activity, people enlivening the public realm and more likelihood of establishing 24/7 activities.</i>
4.2.3	Hastings City Centre Strategy, Hastings District Council 2012 <ul style="list-style-type: none"> <i>This Strategy represents a 20-year approach to move the Hastings City Centre forward. This Strategy recognises our City Centre's key strengths and aligns these with future opportunities.</i> <i>Faced with competition from other City Centres, technology changes and broader global challenges, it is important that Hastings City Centre maintains its ability to remain competitive as a location for growth in the district.</i> Goal – Providing opportunities for Inner-City Living and Visitor Accommodation Reason - <i>The introduction of City Centre residential activities will bring a number of benefits. If planned and designed correctly, they may bring returns to retailers and enterprise (due to the higher density of people in close proximity), improve vibrancy, reduce transport pressures and congestion, provide housing choice (for professionals, retirees, small families), including the opportunity for affordable and retirement housing, while reducing pressure on the natural environment and our productive soil resource.</i>
4.2.4	Hastings City Centre Vibrancy Plan – Annual Activities Plan 2016/17 <ul style="list-style-type: none"> Key Focus Area 1 – More People Action: Assess and promote opportunities for developing more inner city living. Acton: Allow for a mix of land uses – Activities will likely be based around commercial and residential, and retail and upper-floor residential.

This proposal 'ticks all the boxes' in terms of the above-mentioned RPS Objectives and Anticipated Outcomes. It is an efficient way of providing housing in the District that is able to utilise existing infrastructure, requires no additional land, is compact, will be well-designed and connected to the urban areas. Having people living in the CBD supports Hastings position as a primary urban centre in the region. Furthermore it will reduce dependency on the private motor vehicle and therefore reduce energy use as a result of people being able to live and work in the same location.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

5 Community Engagement Process & Results

This variation is a tool to achieve some of the objectives of the Hastings City Centre Strategy. The Strategy was based on community engagement in 2011/12. The purpose of that consultation was to:

- Understand the needs and aspirations of the community with regards to the City Centre.
- Ensure City Centre initiatives are grounded in community needs and aspirations.

It was estimated that more than 600 people passed through the voice box over the three days that it was located in the Hastings City Centre.

A telephone survey was also completed in conjunction with the voice box Hastings City Centre event. Further targeted engagement of City Centre retailers, businesses, property owners and residents also took place.

More than 850 survey questionnaires were received as part of the City Centre Strategy community consultation process.

5.1.1 What the community told us

The broad reoccurring themes arising out of the 2011/12 consultative process are noted below:

- Retain our sense of place, heritage character and amenity
- Establish more green/open space
- Improve vibrancy
- Events and activity
- The City Centre Square and Fountain
- Parking
- Inner City Centre accommodation
- A compact City Centre

To expand on the theme Inner City Centre accommodation the Strategy states that:

'The community was generally split as whether there was a need to provide more inner-city housing options. While we acknowledge the 'split' nature of the feedback received, we believe that the demand for inner-city living is strongly linked to the form and function of the area in which it is located. It is anticipated that higher amenity areas will have the greatest demand.'

5.1.2 Specific engagement with key stakeholders, 2017

A meeting with the HDC's Principal Advisor Relationships, Responsiveness and Heritage about the project was held. The project was outlined and the Parking Study shared. Following consideration of the project the Advisor did not think the proposal needed direct engagement with local mana whenua.

Meeting with Stakeholder developer group: Kathie Rittson Thomas, commercial property owner; Simon Dunn, Wallace Developments and Frank Spencer, Loganstone.

Issues raised:

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

-
- Development Contributions
 - On Site Parking Requirement
 - Seismic Strengthening
 - Assistance through the applications process with unit title subdivision

Would like to see residential clustering in the CBD – a concentration of residential activity in one area will have a greater effect of activating the area.

They think the future of first floor level occupation is for residential use – rather than individual small offices as small businesses prefer a more social environment and the concept of shared working spaces is the future in that regard. This is complemented by apartment living.

The group would like to see the encouragement of residential clustering. However, while the area of Designated Retail Frontage is not quite large enough, allowing residential activity as a permitted activity throughout the entire Central Commercial Zone is not wise at this point in time either because it could water down the positive benefits of clustering residential activity together. Perhaps in future, the area could be expanded once residential activity is already established in the heart of the CBD.

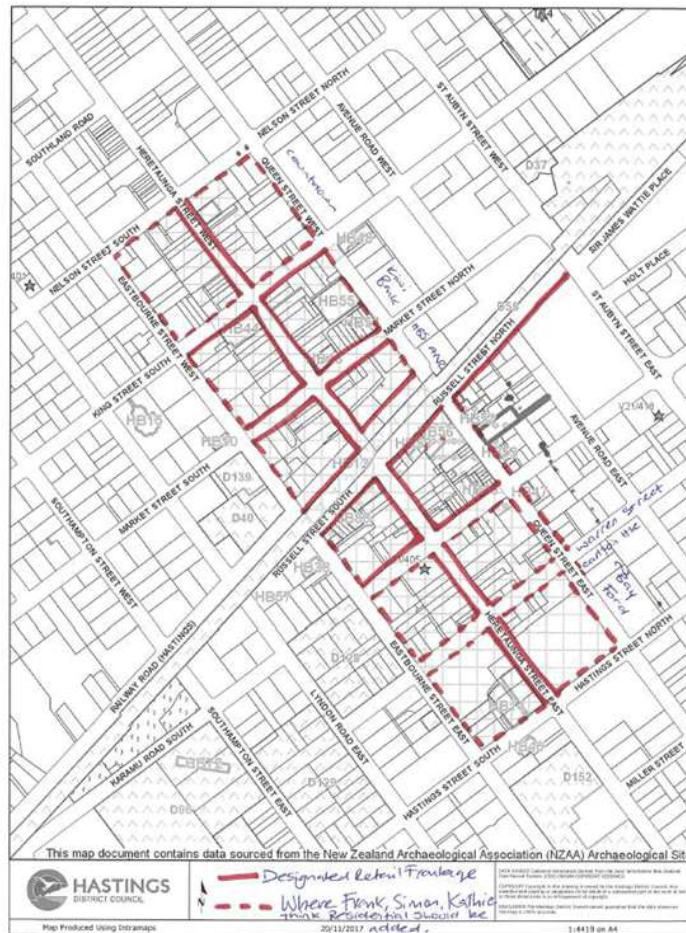
The council should be providing additional car parking in the CBD that could be made available on a preferential basis to residential occupiers. This would be particularly helpful where no car parking is physically available at the rear of a specific property.

Attached is a diagram that shows where residential activity is presently allowed and where Simon, Kathie and Frank think it should be extended to.

In the area with a solid red line residential activity is currently permitted, and the area with dashed red line is suggested residential first floor by Simon, Kathie and Frank:

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan



6 Matters for Consideration

6.1 RPS Considerations

The RPS has objectives and policies for the territorial authorities to consider during preparation of any variation or plan change for development of land within the Region. This variation is not of a regionally significant scale and therefore does not warrant a detailed assessment against the list of matters identified in Section 3.1. However, the Regional Plan provides some broad objectives and policies that are useful in providing guidance for urban development initiatives such as this.

These matters essentially aim to confirm the suitability of an area for urban development purposes.

MATTERS FOR DECISION-MAKING (REGION)

POL UD12 *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*

- a) *The principles of the New Zealand Urban Design Protocol (Ministry for the Environment, 2005); ...*

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

Attachment 1

-
- b) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;*
 - c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*
 - d) Location within walkable distance to community, social and commercial facilities;*
 - e) Provision for a range of residential densities and lot sizes, with higher residential densities located within walking distance of commercial centres;*
 - f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;*
 - g) Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;*
 - h) Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features;*
 - i) Provision for a high standard of visual interest and amenity;*
 - j) Provision for people's health and well-being through good building design, including energy efficiency and the provision of natural light;*
 - k) Provision for low impact stormwater treatment and disposal;*
 - l) Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;*
 - m) Avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure, to the extent reasonably possible;*
 - n) Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;*
 - o) Location and operational constraints of existing and planned strategic infrastructure;*
 - p) Appropriate relationships in terms of scale and style with the surrounding neighbourhood; and*
 - q) Provision of social infrastructure.*
-

In 'giving effect to' the RPS, the following addresses the above matters in terms of the proposed changes to the Proposed Hastings District Plan. In this case some of the above matters are more relevant to this proposal than others, given the limited scope and scale of the changes proposed and that existing infrastructure is in place: roads, three waters, parks.

Hastings District Council is a signatory to the NZ Urban Design Protocol² which outlines the essential qualities that should guide development of the built environment, and has developed and adopted an urban design framework for the District³.

HPUDS (of which Hastings District Council is a partner) also incorporates aspects of urban design in terms of guiding urban development – some of the key principles of HPUDS being 'quality living

² New Zealand Urban Design Protocol, March 2005, Ministry for the Environment

³ Report on Urban Issues and Urban Design Framework for Hastings District Council, adopted by Council resolution 2010, Urbanismplus Ltd

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

environments with high levels of amenity and thriving communities’, ‘urban centres of Napier and Hastings have distinct identities and provide complementary working, living and learning opportunities’, and ‘community and physical infrastructure is planned, sustainable and affordable’.

The recent District Plan Review for Hastings involved a significant shift towards a ‘place-based’ approach to planning for communities, recognising the differing character of the various areas within the District, and the resulting Proposed Plan encapsulates that approach.

Ultimately, the current provisions in the Proposed Hastings District Plan include objectives, policies, rules, standards and anticipated outcomes (as well as refer to other methods outside of the District Plan) that build in urban design principles. These District Plan provisions collectively seek to maintain and enhance residential amenity values; create visual interest; and address building design and relationship in scale and style with the surrounding area.

6.2 Connectivity, Social Infrastructure and Open Space

Relevant RPS provisions:

- POL UD12** *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*
- c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*
 - d) Location within walkable distance to community, social and commercial facilities;*
 - g) Provision for sufficient and integrated open spaces and parks to enable people to meet their recreation needs, with higher levels of public open space for areas of higher residential density;*
 - p) Provision of social infrastructure;*
- POL UD10.4** *Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:*
- c) How effective provision is made for a range of transport options and integration between transport modes;*
- AER UD3** *More compact, well-designed and strongly connected urban areas.*
- AER UD9** *Increased use of public transport and active transport modes (cycling, walking), reduced dependency on the private motor vehicle and reduced energy use.*
- AER UD13** *New development is appropriately serviced by wastewater, stormwater, potable water and multi-modal transport infrastructure.*

In response to POL UD12, the proposed area for inner city living is within a short walking distance to various community, social and commercial facilities, including:

- schools (St Matthews Primary School, Taikura, Hastings Central, Hastings Intermediate) to name but a few and many early childhood centres;
- Parks and playgrounds ;
- All supermarkets, retail shops, cafes and Large Format Retail areas;
- Library facilities, gyms, and the cinema;

Therefore, Proposed Variation 5 ensures good, safe connectivity within the area and to surrounding areas, by a variety of transport modes; provides for an appropriate level of social infrastructure; and is located within close walking distance of adequate community, social and commercial facilities.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

6.3 Parking Effects

Relevant RPS provisions:

POL UD12 *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*

- c) Good, safe connectivity within the area, and to surrounding areas, by a variety of transport modes, including motor vehicles, cycling, pedestrian and public transport, and provision for easy and safe transfer between modes of transport;*

POL UD10.4 *Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:*

- c) How effective provision is made for a range of transport options and integration between transport modes;*

TDG was requested by the Hastings District Council ("the Council") to examine and review the current inner city parking conditions of Hastings, in relation to Council's desire to understand the potential impacts on current parking patterns if the Council was to exempt residential developments in the Central Commercial Zone ("CCZ") from requiring on-site parking.

In short, the Report provides a review of the existing parking supply in relation to the likely parking demand to be required if the forecast future residential development is achieved, and whether the absorption of the forecast parking demand is attainable. Figure 1 (next page) shows the study area in the CBD in which the Parking study assessed where a residential parking exemption could be considered.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

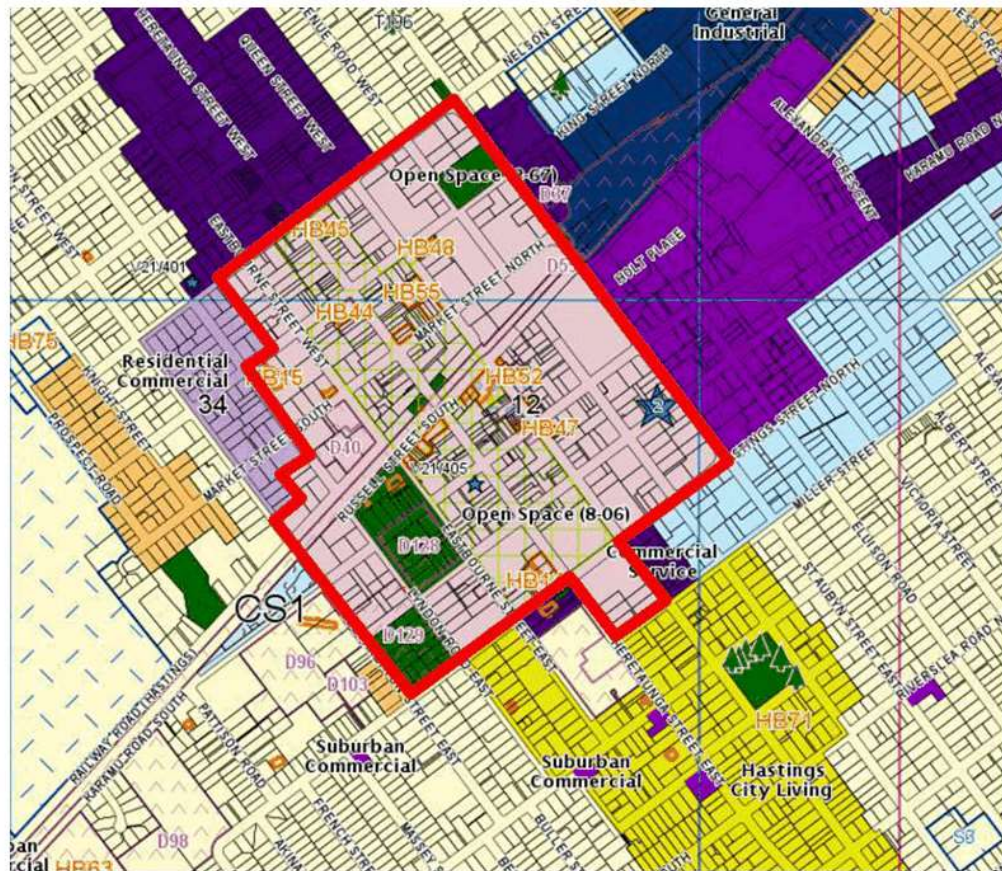


Figure 1 - The parking study area

The Parking Review Report ("the Report") captures the following:

- background and context – why a review is required of current inner city parking in relation to forecast parking demand resulting from proposed residential developments identified for development within the CCZ;
- an outline of the study area;
- review of, and findings from existing data sources. This review includes an outline of the calculated future increase in the potential development of apartments, census data review for Hastings and similar sized urban areas, and a review of historical data held within the 2016 'Parking Monitoring – Data and Analysis Report'; and
- a summary of the results found within the Parking Monitoring Report. The potential increase in residential dwellings and associated parking needs and effects has then been assessed against the available car parking levels recorded within the Parking Monitoring Report.

The study area includes the roads within the CCZ which provide an idea of the related on and off street areas in which people may park if they were to reside in a property within the CCZ. This information is detailed in TDG report attached.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

Attachment 1

Essentially, whilst developers will have the option to provide on-site parking, it will not be a requirement. Therefore for those without parking on site, there will be a spillover into car parking facilities located on roads within the vicinity of the development. Also it is reasonable to expect that people with a vehicle will wish to park their vehicle as close as possible to their property. For that reason only the roads within the study area have been considered, as those further away, it is assumed would not be favorable with potential future residents.

Research was done to gauge the buildings (with one or more storeys) that are either available or are likely to become available, for residential development within the CCZ in the future. These numbers are unlikely to be 100% accurate, but instead provide a general guide to the scale of opportunity for residential living in the CBD. Details of future development forecasts are in section 4.1 of the TDG report.

The Report concluded that:

'A total of 61 sites potentially yielding 202 apartments has been identified by the Council for residential development, of which most will be unlikely to provide on-site parking.'

'TDG has completed a review of the available Census Data for Hastings, as well as a number of other cities of similar size to understand the likely level of parking demand that would be generated by future residential developments.'

'This was then compared to baseline car parking occupancy survey data which was collected in November 2015, to understand how the future parking demand would relate to the existing parking supply and whether or not the existing parking supply could absorb the proposed increases in parking demand for developments which could not achieve on-site car parking.'

'It is concluded that, overall, the increase in parking demand could be accommodated within the CCZ. However, it is also acknowledged that the surplus capacity within the existing parking supply is provided at spatially independent locations across the CCZ, with some areas under more parking pressure than others. As such, parking management intervention could be appropriate in some locations in order to successfully manage the residential parking demand within the existing on-street parking supply, to offer convenient residential parking.'

'TDG is satisfied that there is sufficient capacity within the existing on-street parking supply of the CCZ to accommodate the proposed increase in parking demand as a result of the proposed residential development, but acknowledges that the current patterns and demand for city parking will change in the future (from the 2015 baseline position referenced here), such that particular reviews and responses may be needed in respect to individual developments in future years.'

This proposal satisfies the relevant RPS provisions POL UD12 and POL UD10.4 as follows. In addition to adding vibrancy and livability to the City by enabling people to live in the CBD it will reduce external pressures felt on the local road network during morning and evening peak periods which are driven by commuter behavior. More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, less reliance on the ownership of a private vehicle, and the need to travel by private vehicle.

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

Attachment 1

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

6.4 Services Infrastructure

Relevant RPS provisions:

POL UD12 *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*

- a) New Zealand Standard NZS4404:2010 Land Development and Subdivision Infrastructure, and subsequent revisions;*
- f) Provision for the maintenance and enhancement of water in waterbodies, including appropriate stormwater management facilities to avoid downstream flooding and to maintain or enhance water quality;*
- k) Provision for low impact stormwater treatment and disposal;*
- n) Effective and efficient use of existing and new infrastructure networks, including opportunities to leverage improvements to existing infrastructure off the back of proposed development;*
- o) Location and operational constraints of existing and planned strategic infrastructure;*

POL UD10.4 *Notwithstanding Policy UD10.1, in developing structure plans for any area in the Region, supporting documentation should address:*

- a) The infrastructure required, and when it will be required to service the development area;*
- b) How development may present opportunities for improvements to existing infrastructure provision;*
- d) How provision is made for the continued use, maintenance and development of strategic infrastructure;*
- e) How effective management of stormwater and wastewater discharges is to be achieved;*

High level Services Assessments were carried out by Council engineers to assess the water, wastewater and stormwater infrastructure requirements to provide for inner city residential living, and implications for existing infrastructure networks (attached in Appendix C).

The Services Report (attached in Appendix C) addresses:

- Whether the existing infrastructure in the CBD is adequate to cater for increased residential activity in the CBD;
- If improvements are required, what they are and when they would need to be implemented; and
- how provision is made for the continued use, maintenance and development of strategic infrastructure.

The requirements for the proposed CBD residential area have been addressed, and are summarised for each infrastructure service below.

The above confirms that the proposed activity can effectively and efficiently connect to existing public infrastructure and can be appropriately serviced for water, wastewater and stormwater.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

6.5 Noise Effects

Relevant RPS provisions:

- POL UD12** *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*
- l) Avoidance, remediation or mitigation of reverse sensitivity effects arising from the location of conflicting land use activities;*

Reverse sensitivity applies to situations where a potentially incompatible land use is proposed to be sited next to an existing land use. The expansion of residential activity in the CBD may result in conflict at the residential/commercial interface (e.g. amenity standards expected by new residential dwellers could place constraints on existing permitted commercial activities. Typically, concerns revolve around noise.

6.5.1 Noise

The Proposed Plan addresses noise sensitive activities in commercial zones with Specific Performance Standard 25.1.7C. This provision requires that Minimum External Sound Insulation Level Standards apply to all habitable spaces within commercial zones. This ensures that noise sensitive activities, such as residential living are insulated to mitigate the effects of high background noise levels. These provisions are relatively recent (reviewed as part of the District Plan review and are based on best practice.

Therefore, the provisions of the Proposed Hastings District Plan provides sufficient ability to avoid or mitigate reverse sensitivity effects arising from permitting residential activity, a noise sensitive activity in the CBD.

6.6 Historic Heritage Features

Relevant RPS provisions:

- POL UD12** *In preparing or assessing any rezoning, structure plans, or other provisions for the urban development of land within the Region, territorial authorities shall have regard to:*
- h) Protection and enhancement of significant natural, ecological, landscape, cultural and historic heritage features;*

6.6.1 Significant Natural, Ecological & Landscape Areas or Features

There are no 'Significant Natural Areas' or any significant ecological or landscape areas or features identified on the Planning Maps, within or in close proximity of the CBD development area.

6.6.2 Historic Heritage

Archaeological Sites:

The New Zealand Archaeological Association (NZAA) manages a national database of recorded archaeological sites in New Zealand. There are currently over 59,000 records in the database however there remain several areas of New Zealand that have not been the subject of intensive archaeological survey and recording.

Examination of the database indicates there is one recorded archaeological sites within the plan change area, as shown in the figure below. This is located on the current Albert Park, an open space where the Albert Hotel used to be. ArchSite comments (12/01/2015) are:

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

After the removal of the hotel the ground surface was roughly cleaned down and only large surface debris such as concrete and timber piles were removed from the site. Following which the site was back-filled with topsoil and the area grassed. The area was not cleaned down hard with either precision machinery or hand tools and as a result less obvious archaeological evidence such as smaller 19th C rubbish holes may still exist unrecorded below the grassed area. The area where the asphalt has remained is likely to contain subsurface archaeological features; including the Hotel well. For the purposes of any future development on this site the entire property should be assumed to contain potential unrecorded archaeological features and will require scraping back and cleaning down with hand tools prior to redevelopment. The owner has been aware of this requirement throughout the authority process.

The CBD area may contain unrecorded sites, however targeted archaeological assessment has not been undertaken.

The Proposed Plan does contain sufficient safeguards to ensure that archaeology is considered at subdivision and detailed land development stage, and the Heritage New Zealand Pouhere Taonga Act imposes further statutory obligations on all persons in respect of any work that may lead to the destruction or modification of any recorded or unrecorded archaeological sites.



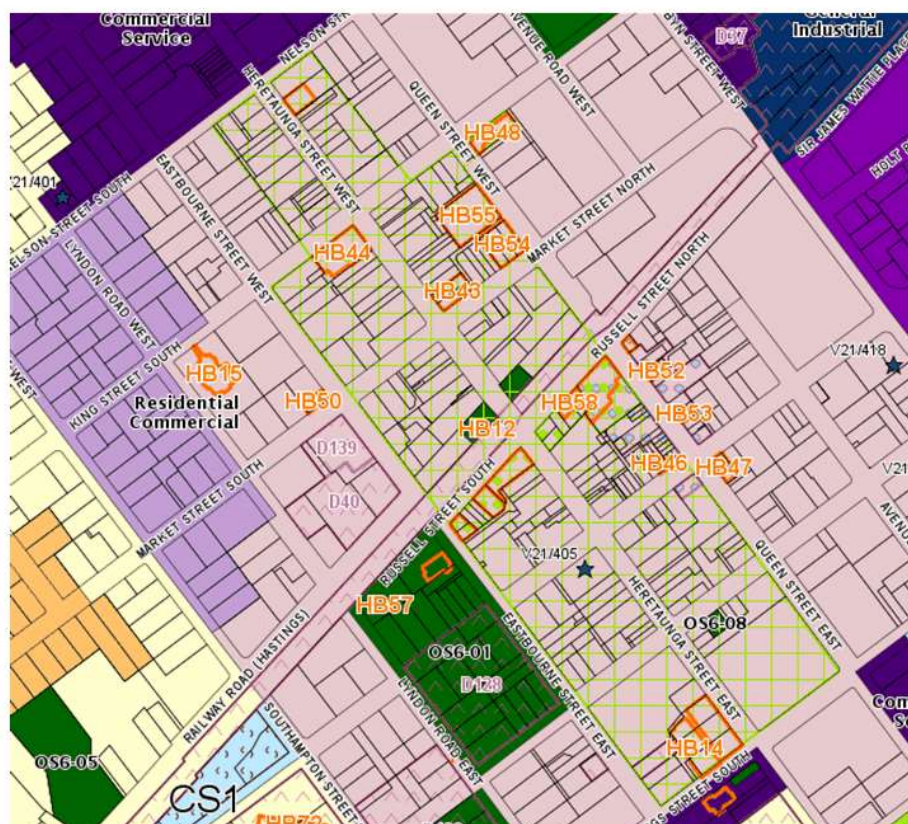
Hastings District Council Heritage Items

Category I and II Heritage Items are listed in Appendix 47 and 48 of the District Plan. These are mostly also registered with Heritage New Zealand. In terms of unrecorded historic heritage sites, if any are discovered at the development stage, the Proposed Plan along with the Heritage New Zealand Act, contain sufficient safeguards to ensure such items are identified and protected.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

There are a number of Heritage Items within the area of the plan change. These are shown on the map below:



Section 18.1 of the Proposed Plan contains rules and standards to protect, preserve and promote the use of heritage buildings where this encourages their retention, restoration and maintenance of the heritage character and history. A significant number of these buildings in Hastings CBD, are built in the earlier part of the 20th century and are recognised in the Plan for their heritage values, whether as a specific Heritage Item, or within the Central Character Precinct.

The plan change proposal to enable above ground level use of existing commercial buildings for residential living is in-line with the objectives of Section 18.1 as it creates another opportunity for the use of these buildings, thus encouraging their retention and restoration.

In terms of not requiring outdoor living space as is currently the case, this resolves a conflict of intentions of Plan provisions. Currently, the Plan requires an outdoor living space for residential activities. When above ground, this takes the form of a balcony. Where this conflicts is that the majority of buildings in the CCP are of some heritage value. Changes to the external appearance of these buildings by adding balconies has an impact on the architectural and/or aesthetic integrity of those buildings. Most critically, the provision of a balcony triggers the need for resource consent approval to undertake such external alterations. So currently, in order to meet a performance standard of the Plan to provide an outdoor living space, a resource consent is required by another Rule in the Plan to undertake an external alteration.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

6.7 Economic Impacts

Section 32 requires consideration of the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated as a result of adoption of the plan variation, including opportunities for economic growth and employment that are anticipated to be provided or reduced (s32(2)(a)).

Residential development at above ground floor level within the CBD is not considered to be difficult (particularly when considering the proposed amendments to the plan provisions), given that development will predominantly occur within existing buildings at above ground floor level. Therefore there are no significant natural or physical constraints to development within the area and it is unlikely that development will incur unexpected site development costs.

Rezoning of this area presents significant economic benefits to landowners, developers and the building sector, through improved capital values for landowners and through economic growth and employment resulting from subsequent development and construction opportunities. Furthermore increasing the inner city residential population will likely have economic benefits for commercial activities within the city centre as well.

Providing for increased opportunities for inner city residential housing in the CBD will also have flow on economic benefits to the wider Hastings and Hawke's Bay community, through provision for population growth and an increase in the local authority rating base.

6.8 Conclusion as to Suitability

The above assessment confirms that there are no other significant factors that suggest the proposed areas subject to the variation is unsuitable for residential development.

7 Appropriateness, Efficiency & Effectiveness of Proposed Variation 5 in Achieving the Purpose of the RMA

7.1 Is the Proposal the Most Appropriate Way to Achieve the Purpose of the RMA?

As outlined in section 2 of this report, the first part of this evaluation is:

'Whether making amendments to the provisions of the Hastings Central Commercial Zone and the Transport and Parking Section of the Proposed Plan is the most appropriate way to achieve the purpose of the RMA'.

The assessments above in section 3 to 6 of this report, demonstrate the following:

1. The proposal will assist in the provision of inner city residential living to meet the demand of Hastings District by contributing to the range of housing types to be made available.
2. Inner City Residential living in this area has been signaled through the Hastings City Centre Strategy and Vibrancy Plan.
3. The proposal amends the Proposed Plan in a way that will achieve integrated management of the effects and use of the land for commercial and residential purposes, while being affordable to the community. In this way the proposal seeks to enable people and communities to provide for their social and economic wellbeing.
4. The results of the community engagement process during preparation of proposed Variation 5 suggests general overall acceptance and a level of support for the proposal.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Ultimately, the proposal gives effect to the RPS, and is efficient and effective in providing for urban growth in Hastings in a way which enables people and communities to provide for their social, economic and cultural wellbeing; meets the reasonably foreseeable needs of future generations; safeguards the life-supporting capacity of air, water, soil and ecosystems; and avoids, remedies or mitigates adverse effects on the environment.

The proposal is confirmed as representing the most appropriate way to provide for the sustainable management of the District's resources – the purpose of the RMA.

7.2 Are the Provisions the Most Appropriate Way to Achieve the Purpose of the Proposal?

As outlined in section 2 of this report, the second part of the evaluation is:

“Whether amending the land use provisions is the most appropriate way to enable an expansion of inner city residential living in the Hastings CBD.”

The following evaluation examines whether the provisions in the proposal are the most appropriate way in which to achieve the existing relevant objectives of the District Plan and the purpose of the proposal in terms of their efficiency and effectiveness (s32(1)(b)).

To date, section 32 case law has interpreted ‘most appropriate’ to mean “suitable, but not necessarily superior”⁴. Therefore, the most appropriate option does not need to be the most optimal or best option, but must demonstrate that it will meet the objectives in an efficient and effective way.

As a variation to a proposed plan, this is regarded as an ‘amending proposal’ under Section 32 of the RMA. In terms of section 32(1)(a) no objectives are proposed and the existing objectives of Section 7.3 Hastings Commercial Environment of the Proposed Plan remain relevant.

Therefore, the focus of this Evaluation is on the differences between what was adopted under the Proposed Plan) and what is now being proposed under Variation 5.

It is important to note that the provisions of Section 7.3 Hastings Commercial Environment that are not being altered by the Variation do not need to be reconsidered.

This Evaluation will assess the following aspects of the Variation:

- The extent of the area to which residential activities on upper floor levels are permitted in the Central Commercial zone
- Car parking requirements for residential activities in the Central Commercial zone
- Outdoor living space requirements for residential activities in the Central Commercial zone

And is at a level of detail that corresponds to the scale and significance of the effects anticipated from implementation of the proposal.

Much of the background and assessment in the preceding sections of this report contributes to the overall evaluation of the specifics of this proposal.

⁴ Rational Transport Soc Inc v New Zealand Transport Agency HC Wellington CIV-2011-485-2259, 15 December 2011.

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

7.2.1 Extent to which residential activities are permitted

7.2.1.1 Options

Options are:

1. **Do Nothing** – this option would involve retaining Central Commercial Zone provisions and making no additional provision for residential activities in this location;
2. **Residential activities be permitted throughout the Central Commercial Zone** – this option involves amending the Rules applying to Residential Activities in the Central Commercial Zone; or
3. **Residential Activities permitted in the targeted locations** – this option involves making above ground level residential activities permitted in the CCP and leaving the remainder as discretionary or non complying.

7.2.2 Parking provisions

7.2.2.1 Options

Options are:

1. **Do Nothing** – this option would involve retaining parking provisions and making no changes for residential activities in this location;
2. **Parking exemption for Residential activities throughout the Central Commercial Zone** – this option involves amending the parking provisions applying to Residential Activities in the Central Commercial Zone; or
3. **Parking exemption for Residential activities in Central Character Precinct** - this option involves amending the parking provisions applying to Residential Activities in the Central Character Precinct, the remainder would still require on-site parking as per current provisions of the Plan.

7.2.3 Outdoor Living Space Provisions

7.2.3.1 Options

Options are:

1. **Do Nothing** – this option would involve retaining the outdoor living space provisions and making no changes for residential activities in this location; or
2. **Remove outdoor living space provisions in the CCZ** - this option involves amending the provisions for outdoor living space for Residential Activities in the Central Commercial Zone; or
3. **Remove outdoor living space provisions in the Central Character Precinct** - this option involves removing the requirement for outdoor living space for Residential Activities located in the Central Character Precinct.

7.2.4 Consequential amendments – CRD and Mixed Use in the Central Commercial Zone

7.2.4.1 Options

Options are:

1. Do Nothing - this option would involve retaining the rules and standards for CRD and Mixed use in the Central Commercial Zone
2. Remove rules and standards for CRD and Mixed use from Central Commercial Zone

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Item 5

Attachment 1

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

7.2.4.2 Evaluation of Options

Table 1: Issue: Residential Extent: Option Evaluation:

	OPTION 1: NO CHANGE Retain Residential Activity Rule CCR3 So That Residential Activity Is Limited To The Upper Floor Levels Of Sites With A Designated Retail Frontage	OPTION 2: RESIDENTIAL ACTIVITY THROUGHOUT ZONE Amend Residential Activity Rule CCR3 So That Residential Activity is Permitted On Upper Floor Levels of Buildings Throughout The Central Commercial Zone	OPTION 3: TARGETED RESIDENTIAL AREAS Amend Residential Activity Rule CCR3 So That Residential Activity is only Permitted On Upper Floor Levels of Buildings within the Central Character Precinct and Historic Areas
EFFECTIVENESS In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.	<p>Hastings Central Commercial zone contains commerce, employment, retailing, administration, leisure, cultural and entertainment activities. Hastings is the primary centre for the District, however, Havelock North is becoming an increasingly popular location for business.</p> <p>The objectives for the central commercial zone reflect its importance to the District as a legible, attractive, accessible, convenient place for people to visit and commercial activities to locate. Residential Activity however is not highly present in the zone at the present time. That said the objectives and policies of the Plan indicate that residential activity, particularly higher density residential activity is envisaged.</p> <p>Objective CCO1 states that it seeks to maintain and enhance the character and amenity of Hastings City by defining it as a community focal point for retail, commercial, administrative, community, educational and entertainment activities by encouraging groups of compatible activities including <u>medium/high density residential</u> mixed use development to locate there, whilst managing the commercial sustainability of the area.</p> <p>The second key objective is CCO2 seeks to maintain and enhance urban amenity values and character across the Central Commercial Zone through the promotion and application of good urban design principles to guide both public and private developments and public spaces, so that people will find the City an attractive place to <u>live</u>, work and play. The above objectives indicate that having people living in the Central Commercial Zone area is sought after.</p> <p>The current Rule, CCR3, however limits above ground floor Residential Activity to sites with a Designated Retail Frontage (see page 8 of this report). This accounts for less than half of the Central Commercial zone area. Residential activity in other areas of the CCZ it is not provided for and falls to a Non Complying Activity status giving a strong</p>	<p>The introduction to the Hastings Commercial Environments section says:</p> <p><i>To assist in providing for vibrant commercial centres, residential development is provided for in association with commercial development, with particular guidance to ensure that a combined residential and commercial environment does not impact on the viability of the Zone and that residents enjoy a high standard of urban amenity; and</i></p> <p><i>Inner city living is currently limited, but to improve the vibrancy of this area this is something Council is seeking to encourage more of, with an emphasis on high urban amenity for occupants. Certain areas within the central commercial area have been identified as being suitable for inner city living and mixed use development.</i></p> <p>By only permitting above ground floor Residential activities in the specified location of Designated Retail Frontage, the ability to establish inner city residential activity (as of right) is significantly constrained, particularly as the non-complying activity status gives the indication that it is not supported in the Zone, which is not the case.</p> <p>Therefore to enable a consistent approach to the objectives, amending Rule CCR3 to allow Residential Activities above ground floor throughout the zone, and not limiting it to the Designated Retail Frontage is considered to be a moderately effective way to achieve the objectives of the Zone, being CCO1 and CCO2; and the purpose of the proposal - <i>to enable the growth of inner city housing within Hastings CBD.</i></p> <p>Option 2 is considered to be a very effective way to enable residential activity in the CBD andthe Central Commercial Zone. The incentive to concentrate residential activity in the central blocks will be achieved with exemptions to on site parking and removal of requirement for OLS in the CCP and Historic areas.</p>	<p>The Hastings city vision seeks to create a buzz so that the Hastings city centre is seen as <i>‘the place to be’</i>. To do this a number of challenges need to be worked on to get more people, more business and more support for business.</p> <p>Having a diversity of the activities concentrated in a tight area is one such way to create a ‘buzz’, a place where people want to come to, work in and have fun. Having people living right in the Centre is a key factor in achieving this goal as stated in the Outcomes sought for the Vibrancy Plan:</p> <ul style="list-style-type: none">• Hastings City Centre Living: Promoting more opportunities for people to live in the Hastings city centre.• Safety: Hastings city centre is known as a place where people enjoy themselves in a safe, fun and friendly atmosphere. <p>The Vibrancy Plan also recognises the presently untapped potential of vacant first floor commercial buildings for residential conversion.</p> <p>Discussions with people in the business community, commercial property owners, owners of hospitality businesses and developers all point to the challenge of there being too many barriers to make residential conversion a viable proposition. They have also indicated that an important factor in creating a CBD with a ‘buzz’ is to start small, in a tight geographical area, concentrate development and residential conversion to a small geographical area get a vibrant atmosphere happening. Then once a ‘hot spot’ is successfully established, it will in turn encourage and create confidence for new businesses to the CBD. At that point, expansion of where first floor residential conversions occur could be reassessed and the area extended.</p> <p>Option 3 is considered an effective way to enable residential activity in the CBD and improve the vibrancy of the CBD, but not effective in the remainder of the Central Commercial Zone.</p>

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: NO CHANGE Retain Residential Activity Rule CCR3 So That Residential Activity Is Limited To The Upper Floor Levels Of Sites With A Designated Retail Frontage	OPTION 2: RESIDENTIAL ACTIVITY THROUGHOUT ZONE Amend Residential Activity Rule CCR3 So That Residential Activity is Permitted On Upper Floor Levels of Buildings Throughout The Central Commercial Zone	OPTION 3: TARGETED RESIDENTIAL AREAS Amend Residential Activity Rule CCR3 So That Residential Activity is only Permitted On Upper Floor Levels of Buildings within the Central Character Precinct and Historic Areas
	<p>indication that it is not an appropriate activity in this location.</p> <p>There is no apparent policy rationale for this current position.</p> <p>Option 1: Status Quo is considered to be ineffective in achieving the relevant objectives of the Proposed Plan for this zone; and the purpose of the Proposal - <i>to enable the growth of inner city housing within Hastings CBD.</i></p>		
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	<p>Any residential development outside the Designated Retail Frontage would require non-complying resource consent approval which is costly and has a moderate risk of failure under a Central Commercial zoning.</p> <p>Lack of sufficient provision for new households could put pressure on existing housing affordability or direct development elsewhere in the future.</p> <p>The vacant upper floor levels are a financial cost to the landowners (e.g. rates, insurance, seismic strengthening) and do not realise any economic gain in rents or sales. The first floors are therefore missing the opportunity to contribute to the economic or social wellbeing of the landowners or the community. Culturally, Hastings CBD misses out on the benefits of having more people living in the CBD – as described in the Hastings City Centre strategy and Vibrancy Plan.</p> <p>Retaining the status quo results in a missed opportunity to provide housing on brownfields land. The alternative to providing housing on brownfield land is greenfield development. This therefore has the environmental cost of encroaching on the versatile soils of the Plains and is at odds with the District’s current growth strategy (HPUDS).</p>	<p>As the land in the CBD is already developed and supported by existing infrastructure, the conversion of upper levels of buildings has little / if not any environmental cost.</p>	<p>An obvious cost of this targeted approach is that the properties outside the specified area will be subject to resource consent to establish a residential activity above ground level and will have to put a case together to justify why they should be able to establish residential activity.</p> <p>This is considered a barrier to conversion and may discourage residential activity. From an individual property owners perspective this restricts the development potential of that building.</p> <p>From a strategic perspective, cost of this restriction is not so great as it is off-set by the benefits of concentrating residential activity in the heart of the City Centre, and contributing to the vibrancy of the City, a benefit for all the community.</p>
BENEFITS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	<p>Using existing developed land and building resources to create new housing opportunities in the CBD is a sustainable way to achieve new residential development. By virtue of close proximity to shops, public transport, parks and amenities such art galleries and library, residents will be less reliant on private vehicles for transport. This is a positive and sustainable benefit of the Proposal.</p> <p>There is little to no additional Council infrastructure costs to service the area; continuation of existing commercial activities taking place at ground level. Using under-utilized (in many cases vacant) existing buildings adds value and opportunity to the CBD economy by having</p>	<p>Using existing developed land and building resources to create new housing opportunities in the CBD is a sustainable way to achieve new residential development. By virtue of close proximity to shops, public transport, parks and amenities such art galleries and library residents will be less reliant on private vehicles for transport. This is a positive and sustainable benefit of the Proposal.</p> <p>No additional Council infrastructure costs to service the area; continuation of existing commercial activities taking place at ground level. Using under-utilized (in many cases vacant) existing buildings adds value and opportunity to the</p>	<p>Using existing developed land and building resources to create new housing opportunities in the CBD is a sustainable way to achieve new residential development. By virtue of close proximity to shops, public transport, parks and amenities such art galleries and library residents will be less reliant on private vehicles for transport. This is a positive and sustainable benefit of the Proposal.</p> <p>There is little to no additional Council infrastructure costs to service the area; continuation of existing commercial activities taking place at ground level. Using under-utilized (in many cases vacant) existing buildings adds value and</p>

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: NO CHANGE Retain Residential Activity Rule CCR3 So That Residential Activity Is Limited To The Upper Floor Levels Of Sites With A Designated Retail Frontage	OPTION 2: RESIDENTIAL ACTIVITY THROUGHOUT ZONE Amend Residential Activity Rule CCR3 So That Residential Activity is Permitted On Upper Floor Levels of Buildings Throughout The Central Commercial Zone	OPTION 3: TARGETED RESIDENTIAL AREAS Amend Residential Activity Rule CCR3 So That Residential Activity is only Permitted On Upper Floor Levels of Buildings within the Central Character Precinct and Historic Areas
	more people living there, using the services on offer, bringing in rents for landlords (if they are tenanted); and adding capital value to the building asset.	CBD economy by having more people living there, using the services on offer, bringing in rents for landlords (if they are tenanted); and adding capital value to the building asset.	opportunity to the CBD economy by having more people living there, using the services on offer, bringing in rents for landlords (if they are tenanted); and adding capital value to the building asset.
EFFICIENCY In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.	Low efficiency High opportunity cost and little benefit associated with this option.	<u>Highly Efficient</u> High net benefit for the CCZ	<u>Efficient</u> Net Benefit for inner blocks (CCP) but not remainder of Central Commercial zone.
OVERALL APPROPRIATENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.	Not Appropriate	Very Appropriate	Appropriate
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).
CONCLUSION: The above evaluation demonstrates that allowing residential activity above ground floor level throughout the Central Commercial Zone (option 2) , is the most efficient and effective way to enable residential activity above ground floor level, improve the economy, safety and vibrancy of the heart of the CBD when combined with a more flexible approach to on site parking and outdoor living space in the Central Character Precinct. These options are discussed in the following evaluations. Option 2 is considered the most appropriate way to achieve the purpose of the proposal as it allows residential activity throughout the CCZ. The means of encouraging above ground floor residential activity in the central blocks of the city is via permissive changes to parking and outdoor living space requirements of the Plan.			

Item 5

Attachment 1

7.2.4.3 Evaluation of Options

Table 3: Issue: Parking Exemption

	OPTION 1: Retain existing parking requirements	OPTION 2: Create a parking exemption for above-ground residential activities Throughout The Central Commercial Zone	OPTION 3: Create a parking exemption for above-ground residential activities located in the Central Character Precinct
EFFECTIVENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- relevant objectives of the District Plan.	<p>The purpose of the plan change is to facilitate residential conversions of existing commercial buildings in the CBD.</p> <p>Objective CCO1 seeks to encourage and promote the use, development and operation of the Hastings Central Commercial Zone as the principal commercial heart of the District through District Plan provisions which promote its vibrancy and contain it within a defined boundary. The policy following CCP1 which specifically states that it wants medium to high density residential mixed use activity in the City.</p> <p>Retaining the parking requirement of 1 parking space per household and 1 space for standing bay is not always achievable on developed sites.</p> <p>This is not effective at achieving the purpose of the Proposal or the relevant objectives.</p>	<p>The purpose of the plan change is to facilitate residential conversions of existing commercial buildings in the CBD.</p> <p>Objective CCO1 seeks to encourage and promote the use, development and operation of the Hastings Central Commercial Zone as the principal commercial heart of the District through District Plan provisions which promote its vibrancy and contain it within a defined boundary. The policy following CCP1 which specifically states that it wants medium to high density residential mixed use activity in the City.</p> <p>A parking exemption throughout the CCZ will eliminate one of the barriers to residential activity. The TDG/Stantec report concludes that applying this exemption throughout the CCZ is not considered to produce adverse parking effects on the on street and public parking resource of the CBD given the substantive public parking available. The TDG report does not recommend additional parking interventions at this time for the above reason as it is not needed. The residential parking would remain subject to the same parking limits as any other person using the parking resource.</p> <p>Option 2 is considered to be an effective way to encourage residential activity in the CCZ. However the CCZ covers a relatively wide geographical area and this approach could result in residential activity being dispersed throughout the CCZ and therefore have less benefit in achieving the goal of a vibrant CBD which is centred around the 100, 200 and 300 blocks east and west.</p>	<p>The purpose of the plan change is to facilitate residential conversions of existing commercial buildings in the CBD.</p> <p>Objective CCO1 seeks to encourage and promote the use, development and operation of the Hastings Central Commercial Zone as the principal commercial heart of the District through District Plan provisions which promote its vibrancy and contain it within a defined boundary. The policy following CCP1 which specifically states that it wants medium to high density residential mixed use activity in the City.</p> <p>A parking exemption throughout the CCZ will eliminate one of the barriers to residential activity. The TDG/Stantec report concludes that applying this exemption throughout the CCZ is not considered to produce adverse parking effects on the on street and public parking resource of the CBD given the substantive public parking available. The TDG report does not recommend additional parking interventions at this time for the above reason as it is not needed. The residential parking would remain subject to the same parking limits as any other person using the parking resource.</p> <p>Containing the parking exemption to the CCP will focus conversions to the central blocks of the CBD with the additional benefit of helping create a vibrant centre that people want to live, relax, socialise and shop. This could pave the way for it to become a great inner city neighbourhood. Option 3 is considered to be a very effective way to encourage residential activity in the CCZ and create a vibrant heart to the CBD.</p>
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)	<p>Creates an obstacle to development when on-site parking cannot be achieved.</p> <p>This together with the obstacles of non-complying activity status for residential activity; and that buildings in the CCP need resource consent to provide outdoor</p>	<p>Residents of apartments have less conveniently located parking than if it were on-site and have to walk further.</p> <p>Residents with motor vehicles inconvenienced by having to abide by public parking restrictions.</p>	<p>Residents of apartments have less conveniently located parking than if it were on-site and have to walk further.</p> <p>Residents with motor vehicles inconvenienced by having to abide by public parking restrictions.</p>

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: Retain existing parking requirements	OPTION 2: Create a parking exemption for above-ground residential activities Throughout The Central Commercial Zone	OPTION 3: Create a parking exemption for above-ground residential activities located in the Central Character Precinct
<div>- Social</div> <div>- Cultural</div>	living space cumulatively make redevelopment too difficult, risky and expensive for developers. The costs outweigh the benefits and the ultimate cost is that residential conversions do not occur. This does not discount that there are other costs outside the district plan for developers to take in to account, however these factors can be the decider in developments not proceeding.		
BENEFITS Effects anticipated from implementation, including: <div>- Environmental</div> <div>- Economic (incl. on economic growth & employment)</div> <div>- Social</div> <div>- Cultural</div>	Benefits: The benefit of the status quo are minimal. One could argue that public parking spaces will not be occupied for residential use. However the TDG parking study has concluded that the impact on the public parking resource will be minimal and result in no adverse effects. <ul style="list-style-type: none">more convenient for home occupiers to have on-site parking space than a nearby on street or other leased parking space.higher rental income or sale of residential apartment with on-site parking.	Benefits: <ul style="list-style-type: none">land on site is not required for parking, i.e. the land can be used for other purposes.gives flexibility to landowner to choose to provide parking or not – essentially leaving it to market forces.one less obstacle for developers to overcome when undertaking residential conversion.the number residential conversions increase resulting in more people living in the CBD.Adds vibrancy and livability to the City by enabling people to live in the CBDreduces external pressures felt on the local road network during morning and evening peak periods which are driven by commuter behaviour.More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, less reliance on the ownership of a private vehicle, and the need to travel by private vehicle.	Benefits: <ul style="list-style-type: none">land on site is not required for parking space, i.e. the land can be used for other purposes.gives flexibility to landowner to choose to provide parking or not – essentially leaving it to market forces.one less obstacle for developers to overcome when undertaking residential conversion.the number residential conversions increase resulting in more people living in the CBD.Applying exemption to CCP only concentrates benefits to a ‘tighter’ area increasing activity and vibrancy where it is sought – in the heart of Hastings.Adds vibrancy and livability to the City by enabling people to live in the CBDreduce external pressures felt on the local road network during morning and evening peak periods which are driven by commuter behavior.More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, less reliance on the ownership of a private vehicle, and the need to travel by private vehicle.There may be a commercial advantage of having this amenity if apartments have on site parking – for higher rental or resale value.
EFFICIENCY In achieving: <div>- the purpose of the Proposal; and</div> <div>- existing relevant objectives of the District Plan.</div>	An inefficient way of achieving the Proposal and objectives of the Plan.	A moderately efficient way of achieving the Proposal and objectives of the Plan.	Concentrates benefits to a ‘tighter’ area increasing activity and vibrancy where it is sought, in the heart of Hastings. A very efficient way of achieving the Proposal and objectives of the Plan.
OVERALL APPROPRIATENESS In achieving:	Not Appropriate	Appropriate	Very Appropriate

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: Retain existing parking requirements	OPTION 2: Create a parking exemption for above-ground residential activities Throughout The Central Commercial Zone	OPTION 3: Create a parking exemption for above-ground residential activities located in the Central Character Precinct
- the purpose of the Proposal; and - existing relevant objectives of the District Plan.			
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).
CONCLUSION: The above evaluation demonstrates that a parking exemption contained in the CCP area is an efficient and effective way to incentivise above ground floor residential activity to improve the economy, safety and vibrancy of the heart of the CBD. Option 3 is considered the most appropriate way to achieve the purpose of the proposal.			

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

7.2.4.4 Evaluation of Options: Outdoor Living Space

The current Plan Provision under evaluation are Shown in table 1 below:

Table 1

7.3.6C RESIDENTIAL ACTIVITIES	<u>Outcome(s)</u>
3. Above Ground Floor Residential Activities (All Zones)	To ensure adequate living space for the comfort and amenity of the occupants of the above-ground level residential units.
a. The minimum gross floor area for Residential Units is 50m².	Generous dimensions will allow for a flexible range of uses for the enjoyment of the occupiers and to ensure that balconies relate well to the internal layout of the residential unit.
b. Each Residential Unit shall be provided with an above ground outdoor living space with a minimum area of 7.0m², capable of accommodating a 2 metre diameter circle that is accessed directly from a principal living area.	To protect the privacy of the occupiers of the residential units so that any adjoining outdoor living spaces are no less than 10 metres apart.
c. Residential units shall be oriented so that any above ground outdoor living space that is parallel to and facing another outdoor living space is no less than 10m apart (measured perpendicular to the building face).	Outdoor living spaces which maximise sun orientation, for warmth and light.
d. Above ground outdoor living space shall be north facing, that is north of east or west.	To assist and promote the adaptive re-use of all buildings while not undermining the heritage fabric of identified heritage items.
e. Parts (b), (c) and (d) of this rule shall not apply to buildings identified in Section 18.1 'Heritage Items and Notable Trees', Appendix 47 and 48 as a Category I or II heritage item.	

Changes proposed are shown as bold, highlighted and underlined are shown in Table 2 below:

7.3.6C RESIDENTIAL ACTIVITIES	<u>Outcome(s)</u>
3. Above Ground Floor Residential Activities (All Zones)	To ensure adequate living space for the comfort and amenity of the occupants of the above-ground level residential units. Generous dimensions will allow for a flexible range of uses for the enjoyment of the occupiers and to ensure that balconies relate well to the internal layout of the residential unit.
a. The minimum gross floor area for Residential Units is 50m².	To protect the privacy of the occupiers of the residential units so that any adjoining outdoor living spaces are no less than 10 metres apart.
b. Each Residential Unit shall be provided with an above ground outdoor living space with a minimum area of 7.0m², capable of accommodating a 2 metre diameter circle that is accessed directly from a principal living area.	Outdoor living spaces whichh maximise sun orientation, for warmth and light.
c. Residential units shall be oriented so that any above ground outdoor living space that is parallel to and facing another outdoor living space is no less than 10m apart (measured perpendicular to the building face).	To assist and promote the adaptive re-use of all buildings while not undermining the heritage fabric of identified heritage items.
d. Above ground outdoor living space shall be north facing, that is north of east or west.	
e. Parts (b), (c) and (d) of this rule shall not apply to buildings identified in Section 18.1 'Heritage Items and Notable Trees', <u>Russell Street and Queen Street Historic Areas, Appendix 51</u> , Appendix 47 and 48 as a Category I or II heritage item <u>or to sites within the Central Character Precinct.</u>	

Table 3: Outdoor Living Space for above ground residential activity			
	OPTION 1: Retain existing Outdoor Living Space Provisions (OLS)	OPTION 2: Remove requirement for Outdoor Living Space throughout the Central Commercial Zone	OPTION 3: Remove requirement for Outdoor Living Space throughout the Central Character Precinct and Historic Areas
EFFECTIVENESS In achieving: - the purpose of the Proposal; and	The purpose of the plan change is to facilitate residential conversions of existing commercial buildings in the CBD. Objective CCO1 encourages development that promotes Hastings Central Commercial Zone as the commercial heart of the District. Policy CCP1 states that it wants	Removing the requirement for outdoor living space in its entirety in the CCZ would be moderately effective at achieving the purpose of the proposal, (to improve the vibrancy, growth and identity of Hastings City Centre by having more people living in the heart of the CBD), as it	This option targets the centre blocks in Hastings CBD and the heritage areas. It will achieve the outcome above.

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Table 3: Outdoor Living Space for above ground residential activity			
	OPTION 1: Retain existing Outdoor Living Space Provisions (OLS)	OPTION 2: Remove requirement for Outdoor Living Space throughout the Central Commercial Zone	OPTION 3: Remove requirement for Outdoor Living Space throughout the Central Character Precinct and Historic Areas
- existing relevant objectives of the District Plan.	medium to high density residential mixed use activity in the City. In addition, the CCZ has a CCP overlay to recognise the heritage value of buildings in the centre of Hastings. External alterations to buildings in the CCP need resource consent (Rule CCR16) to ensure that alterations retain the heritage values of buildings in the city centre. However, outdoor living space rules apply in the CCP (unlike other areas recognized for their historic significance). To meet this requirement, resource consent is needed by Rule CCR16 which equates to an external alteration and triggering the CCP provisions and resource consent. This present situation is not considered effective at meeting the purpose of the proposal or the relevant objective and policy.	would make it easier throughout the whole zone to create above ground floor living. It is not considered highly effective at achieving the purpose of the variation because it has the potential to disperse the location of residential activity in a wider area. Furthermore it is a good thing for the wellbeing of residents to have access to outdoor living space and if it can be provided without compromising the heritage of the city centre, then it should. As you move further out from the main street the intensity of building coverage reduces as does the heritage value of the buildings (as they are newer) therefore there is less reason to not provide outdoor living space.	<i>‘assist and promote the adaptive re-use of all buildings while not undermining the heritage fabric of identified heritage items.’</i> This option is considered the most effective at achieving the purposed of the variation and relevant objectives of the plan. It removes the conflict between provisions of the plan and benefits the appearance of buildings in the CCP by not requiring external alterations to create outdoor living space. Also it is my perception that if you are living in the heart of the city there is less of an expectation to have OLS than if you live further from the centre of the city.
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	Conflicting provisions add a measure of complexity and uncertainty to residential building conversions and create limitations to development in achieving outdoor living space and good design in retaining the heritage values of buildings. This together with the obstacles of non-complying activity status for residential activity and on-site parking cumulatively make redevelopment difficult, risky and expensive for developers. The costs outweigh the benefits and the ultimate cost is that residential conversions do not occur. This does not discount that there are other costs outside the district plan for developers to take in to account, however these factors can be the decider in the development not proceeding.	The main cost of this option is that it is less likely to achieve the purpose of the variation - to improve the vibrancy, growth and identity of Hastings City Centre by having more people living in the heart of the CBD – for the reasons given above.	The main cost here is to the future residents that may not have OLS, however as mentioned above there may be less of an expectation to have it in the heart of the city.
BENEFITS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	The benefits of the status quo (option 1) are minimal given that residential conversions are a rarity due in part to the required provisions. However, there is potential (though unsubstantiated) for higher rental incomes or higher sale values of residential apartments with outdoor living space. Amenity for occupiers gained by having an outdoor living space.	This option is very enabling which is great in the short term for the developer of residential conversions, however as discussed above it has the potential to enable dispersed residential activity and therefore undermine the creation of a residential cluster and the outcome of a vibrant atmosphere sought by having a concentration of people living and being active in the heart of the CBD.	This options is beneficial to the integrity of the heritage buildings in the CCP, by not having the addition of OLS. It benefits the developer by not having to address resource consent to alter the appearance of the building. This provides for greater incentives to re-develop and re-use the upper floors of such buildings. There may be a commercial advantage of having this amenity if there are developers that choose to include an OLS in the apartment – for higher rental or resale value.
EFFICIENCY In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and	Inefficient	Moderately efficient.	Highly Efficient

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

Table 3: Outdoor Living Space for above ground residential activity			
	OPTION 1: Retain existing Outdoor Living Space Provisions (OLS)	OPTION 2: Remove requirement for Outdoor Living Space throughout the Central Commercial Zone	OPTION 3: Remove requirement for Outdoor Living Space throughout the Central Character Precinct and Historic Areas
- existing relevant objectives of the District Plan.			
OVERALL APPROPRIATENESS In achieving: - the purpose of the Proposal; and - existing relevant objectives of the District Plan.	Not appropriate	Moderately Appropriate	Highly Appropriate
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).	N/A (information is sufficient and certain).
CONCLUSION: The above evaluation demonstrates Option 3 to remove requirement for Outdoor Living Space throughout the Central Character Precinct and Historic Areas is an efficient and effective way to improve the economy, safety and vibrancy of the heart of the CBD. Option 3 is considered the most appropriate way to achieve the purpose of the proposal and to achieve the existing relevant objectives of the CCZ.			

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

7.2.4.5 Evaluation of Options: Consequential amendments – CRD and Mixed Use in the Central Commercial Zone

The current Plan Rules under evaluation are Shown in table 1 below:

Table 1: Rule table 7.3.4.1 – Central Commercial Zone

Rule	Land Use	Activity Status
CCR3	Residential Activities above ground floor level on sites with Designated Retail Frontage (see Appendix 30).	Permitted
CCR18	Construction of new buildings within the Central Commercial Zone	Restricted Discretionary Non Notified (RDNN)
CCR20	Comprehensive Residential and Mixed Use Development.	Restricted Discretionary Non Notified (RDNN)
CCR23	Residential activities accommodation at ground floor level on sites with Designated Retail Frontage (see Appendix 30)	Discretionary

Definition of Comprehensive Residential Development (CRD): means development that comprises 3 or more residential buildings at a density of 20-40 residential buildings per hectare of land and incorporates an overall integrated design of buildings, infrastructure and landscaping.

Mixed Use Development: means a development that incorporates residential and commercial activity together with infrastructure, landscaping and a plan showing the exclusive use areas for each activity.

Proposed by plan change:

Rule	Land Use	Activity Status
CCR3	Residential Activities above ground floor level on sites with Designated Retail Frontage (see Appendix 30).	Permitted
CC – R17	The construction of new buildings within the Central Character Precinct (see Appendix 32).	Restricted Discretionary Non Notified (RDNN)
CCR18	Construction of new buildings within the Central Commercial Zone	Restricted Discretionary Non Notified (RDNN)
CCR20	Comprehensive Residential and Mixed Use Development.	Restricted Discretionary Non Notified (RDNN)
CCR23	Residential activities accommodation at ground floor level on sites with Designated Retail Frontage (see Appendix 30)	Discretionary

	OPTION 1: Retain Rule CCR20 & standards (CRD & Mixed Use)	OPTION 2: Delete Rule CCR20 and related standards
EFFECTIVENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.	<p>It is considered that this rule that specifically provides for CRD and Mixed Use confuses the messaging about enabling residential activity in the CBD. CRD is triggered when 3 residential buildings are being developed.</p> <p>Further CRD and the provisions relating to it are set up for new building developments, not conversion of existing buildings and therefore make it difficult to meet the standards set for CRD – not meeting the standards for CRD would elevate a Restricted Discretionary Activity to Discretionary.</p> <p>Mixed use also confuses things because in the CBD context all development will effectively be mixed use; with a commercial ground floor and residential above. This would therefore trump Rule CCR3 which provides for residential activity as a permitted activity.</p>	<p>Deleting Rule CCR20 and related standards will simplify the rules around residential activity in the CCZ and CCP whilst maintaining management of design and appearance.</p> <p>The Plan already has provisions to manage the design and appearance of new buildings in the CCZ and the CCP which means that matters of importance to new development in the CBD are covered. Table 1 above identifies that all new buildings within the CCZ need resource consent as RDNN, as do all new buildings in the CCP. Matters for discretion are focused on the design and appearance of the building; good urban design; and how well it fits with the surrounding buildings and area.</p> <p>There are also minimum gross floor area requirements that would still apply to residential apartments to ensure that spaces are practical and livable.</p>

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: Retain Rule CCR20 & standards (CRD & Mixed Use)	OPTION 2: Delete Rule CCR20 and related standards
	<p>Overall this Rule complicates the consenting process and is not effective at achieving the purpose of the Proposal or objectives of the Plan.</p> <p>The Plan already has provisions to manage the design and appearance of new buildings in the CCZ and the CCP which means that matters of importance to new development in the CBD are covered. Table 1 above identifies that all new buildings within the CCZ need resource consent as RDNN, as do all new buildings in the CCP. Matters for discretion are focused on the design and appearance of the building; good urban design; and how well it fits with the surrounding buildings and area.</p>	
COSTS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	<p>As stated above the cost of this is that it sends confused messages about what is permitted for residential activity in the CBD and is likely to result in resource consent being required for any residential activity that includes 3 or more residential buildings.</p>	<p>The cost of implementing this approach is considered minimal as stated above. Design and appearance, which are important to the amenity of the CCZ will still be managed under this option as resource consent is still required for new buildings and external alterations.</p> <p>A small cost is that it may result in greater flexibility in the internal design of residential accommodation, but there are regulations under the building act and code that consider things such as ventilation, access, availability of light and moisture.</p>
BENEFITS Effects anticipated from implementation, including: <ul style="list-style-type: none">- Environmental- Economic (incl. on economic growth & employment)- Social- Cultural	<p>There is little benefit to this approach, though it means that the Council will have the opportunity to assess developments on an individual basis through the Resource Consent process.</p>	<p>Beneficial effects of implementing this change are that more residential activities could result in the CBD, thus in the long term improving the economy, safety and vibrancy of the CBD.</p>
EFFICIENCY In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.	<p>Not efficient</p>	<p>Highly efficient</p>
OVERALL APPROPRIATENESS In achieving: <ul style="list-style-type: none">- the purpose of the Proposal; and- existing relevant objectives of the District Plan.	<p>Not appropriate</p>	<p>Highly Appropriate</p>
RISK OF ACTING OR NOT ACTING (if uncertain or insufficient information)	<p>N/A (information is sufficient and certain).</p>	<p>N/A (information is sufficient and certain).</p>
CONCLUSION:		

ENV-9-5-1-18-154
Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

	OPTION 1: Retain Rule CCR20 & standards (CRD & Mixed Use)	OPTION 2: Delete Rule CCR20 and related standards
<p>The above evaluation demonstrates that Option 2 to remove the rule and provisions relating to CRD and MU from the Central Commercial Zone is an efficient and effective way to improve the economy, safety and vibrancy of the heart of the CBD.</p> <p>Option 2 is considered the most appropriate way to achieve the purpose of the proposal and the relevant objectives of the plan.</p>		

ENV-9-5-1-18-154

Section 32 Evaluation: Variation 5 to the Proposed Hastings District Plan

8 Summary & Conclusions

Modifying the provisions to facilitate residential activity at upper floor levels in the Central Commercial Zone and having the added incentive to convert the first floors of existing commercial buildings in the Central Character Precinct by removing requirements for on-site parking and outdoor living space will eliminate some of the constraints to residential development and help to get more people living in the central city. The presence of people in the CBD day and night has the added advantage of making it safer by having more 'eyes on the street'.

This section 32 summary evaluation confirms the following:

1. That Hastings central city has opportunities for residential activity without using valuable ground floor level commercial space.
2. That there are sufficient design and appearance controls in the Plan to manage the appearance of new buildings and alterations and to manage noise effects.
3. The parking study concludes that providing parking exemptions in the CBD will not adversely affect the on street parking resource and that if and when this changes there are methods available to manage the parking resource.
4. Having an inner city living option could in the longer term improve the economy, safety and vibrancy of the CBD.
5. In addition to adding vibrancy and livability to the City by enabling people to live in the CBD it will reduce external pressures felt on the local road network during morning and evening peak periods which are driven by commuter behaviour. More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, less reliance on the ownership of a private vehicle, and the need to travel by private vehicle.

Therefore, adoption of proposed Variation 5 to the Proposed Hastings District Plan is efficient, effective, and appropriate in terms of section 32 of the RMA.

Appendices

Item 5

Attachment 1

ENV-9-5-1-18-155

Plan Variation 5 - Inner City Residential Living

Note: Changes Are Highlighted Yellow, Struck Through and in Bold

SECTION 7.3 HASTINGS COMMERCIAL ENVIRONMENT

OBJECTIVE CCO1

To encourage and promote the use, development and operation of the Hastings Central Commercial Zone as the principal commercial heart of the District through District Plan provisions which promote its vibrancy and contain it within a defined boundary.

POLICY CCP4

Enable commercial and residential activity above ground floor throughout an identified area of the Central Commercial Zone and promote mixed use developments.

Explanation

Above ground level residential and commercial activity contributes toward strengthening the City Centre economy, safety and vibrancy by increasing the density of people in the City Centre day and night, seven days a week.

The Central Commercial Zone is the principal commercial centre of Hastings District. Therefore it is appropriate to ensure that ground floor levels be maintained for commercial purposes and residential activities be located on upper floors of buildings in the Central Commercial Zone.

Promoting inner city living and mixed use developments will enable a greater concentration of activity in the City centre and promotes the area as a vibrant, unique destination by providing that a full range of local services and facilities in one walkable area. Mixed use development will have the advantage of using existing urban land more efficiently and avoid the need to expand commercial and residential areas onto 'greenfield' sites or previously undeveloped land. The location of residents in the City Centre will also support the range of retail and service activities and increase safety due to the 24 hour presence of people in the retail core.

ENV-9-5-1-18-155

7.3.4.1 CENTRAL COMMERCIAL ZONE

RULE TABLE 7.3.4.1 - CENTRAL COMMERCIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
CC - R1	Commercial Activities	P
CC - R2	Temporary Events	P
CC - R3	Residential Activities above ground floor level in existing buildings on sites with Designated Retail Frontage (see Appendix 30).	P
CC - R4	Activities ancillary to any Permitted activity which comply with the General Performance Standards and Terms in Section 7.3.5 and any Relevant Specific Performance Standards and Terms in Section 7.3.6.	P
CC - R5	External Repair and General Maintenance of buildings located within the Central Character Precinct (see Appendix 32)	P
CC-R6	<p>The application of new paint colour to any building located within the Central Character Precinct (see Appendix 32) in accordance with the following:</p> <ul style="list-style-type: none"> (a) Exterior walls of the building shall be painted in any colour from the British Standard Colour Range BS5252 A, B, or C31, C33, or C35 categories. (b) Trims (including window frames, doors, balustrades or any architectural detailing or plaster decoration on the exterior façade of the building) shall be painted in any colour from the British Standard Colour Range BS5252 A, B, C, or D categories. <p>Note: The British Standard BS5252 Colour Range colour chart is available from any paint supplier. Further guidance for colour scheme planning is provided within the Hastings CBD Architectural Design Guide.</p>	P
CC – R7	Internal alterations of existing buildings	P

Item 5

Attachment 2

ENV-9-5-1-18-155

RULE TABLE 7.3.4.1 - CENTRAL COMMERCIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
CC – R8	External alterations to buildings located within the Central Commercial Zone	P
CC – R9	Places of Assembly	P
CC – R10	Recreation Activity	P
CC – R11	Internal safety alterations to any building located within the Central Character Precinct	P
CC – R12	Temporary Military Training Activities	P
CC – R13	External safety alterations to any building located within the Central Character Precinct (see Appendix 32) ¹	C
CC – R14	Relocated buildings within the Central Character Precinct (Appendix 32)	RD-NN
CCR – R15	Relocated buildings within the Central Commercial Zone	RD-NN
CC – R16	The external alterations of buildings (including relocation and demolition) within the Central Character Precinct (see Appendix 32) ^{2 3}	RD-NN
CC – R17	The construction of new buildings within the Central Character Precinct (see Appendix 32).	RD-NN
CR – R18	The construction of new buildings within the Central Commercial Zone	RD-NN

¹ A structural engineering assessment, by a chartered professional engineer, needs to be supplied to Council with the application. Where this is not supplied, work will be assessed as an alteration as it fails to meet the definition of safety alterations.

² The Central Character Precinct and Central Commercial Zone Rules need to be read in conjunction with the Heritage Items and Notable Trees Section as certain buildings within these areas are identified as listed heritage items (refer to Section 18.1).

³ Signage is not considered as an external alteration. Please refer to Section 28.1 Advertising Devices and Signs for the Commercial Zone signage requirements.

ENV-9-5-1-18-155

RULE TABLE 7.3.4.1 - CENTRAL COMMERCIAL ZONE		
RULE	LAND USE ACTIVITIES	ACTIVITY STATUS
CC – R19	The application of new paint colour to any building located within the Central Character Precinct (see Appendix 32) not provided for as a Permitted Activity by Rule CC-R6	RD-NN
CC – R20	Comprehensive Residential Development and Mixed Use Development	RD-NN
CC – R21	Any permitted or controlled activity not meeting one or more of the General or Relevant Specific Performance Standards and Terms in Sections 7.3.5 and 7.3.6.	RD
CC – R22	Large Format Retail Activities in the Central Character Precinct (see Appendix 32).	D
CC – R23	Residential activities accommodation at ground floor level on sites with Designated Retail Frontage (see Appendix 30)	D
CC – R24	Education Facilities	D
CC – R25	Any activity which is not provided for as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity.	NC

Note that CRD and MU are not listed in the CCZ because the residential activity rules CCR6 and CCR23 prevail.

Item 5

Attachment 2

ENV-9-5-1-18-155

7.3.5A SUNLIGHT ADMISSION TO STREETS**1. Central Commercial Zone**

- a. Buildings on sites having Designated Retail Frontage (see Appendix 30) shall be contained within the Recession Planes constructed in accordance with Appendix 61.

Outcome

Adequate sunlight will be admitted to streets to ensure an open and sunny aspect.

7.3.5B SUNLIGHT AND SETBACK DISTANCES**1. Central Commercial Zone**

- a) Buildings on sites that adjoin an existing residential activity established prior to notification of this Plan (9 November 2013) shall be contained within a building envelope constructed by recession planes from points 2.75m above ground level at the residential land use boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator information outlined in Appendix 60, Figure 1.

- b) Buildings, structures, canopies and any car parking areas shall be a minimum of 5 metres from any commercial boundary fronting any General Residential Zone.

7.3.5 BUILDING HEIGHT**1. Central Residential Commercial Zone**

The maximum height of all buildings shall be 9 metres.

Outcome

Buildings will not dominate or overshadow adjoining properties.

2. Industrial and Commercial Service Activities within the Large Format Retail Zone and activities in the Commercial Service Zone

The maximum height of all buildings shall be 11 metres.

ENV-9-5-1-18-155

Outcome

Adequate sunlight will be admitted to streets to ensure an open and sunny aspect.

3. Suburban Commercial Zone

The maximum height of all buildings shall be 10 metres.

7.3.5D ACTIVE RETAIL FRONTAGE**1. Central Commercial Zone**

a) Buildings at ground floor level, on sites having Designated Retail Frontage (see Appendix 30), shall be designed in a manner to ensure a continuous retail frontage appearance, by:

- i. building to the front boundary;
- ii. the provision of display windows fronting the street (at least 75% of the street frontage shall have a clear, glazed window display space);
- iii. under verandah lighting; and
- iv. having pedestrian entrances to buildings at ground level on the street frontage.

Note: For the purpose of this Rule, clear, glazed window display space means that the internal shop area remains clearly visible and not obscured by glass treatments or signage.

7.3.5E BUILDING FRONTAGE TREATMENT**1. Central Character Precinct & Suburban Commercial Zone**

- a. No building shall create a featureless façade or blank wall at ground floor level wider than 3 metres.

2. Central Commercial Zone (Outside Central Character Precinct)

- a) No building shall create a featureless façade or blank wall wider than 6 metres, except where a blank wall faces any Residential Zone in which case, no building shall create a featureless facade or blank wider than 5 metres.

ENV-9-5-1-18-155

b) Every building at ground floor level shall have a pedestrian cover over the main entrance that covers the width of the entrance and has a minimum depth of 2 metres.

c) Where buildings are not constructed to the front boundary, the site including car parking areas shall be landscaped as follows:

i. Within 2 metres of the road boundary, for every 7 metres of road frontage, 1 tree shall be planted. Trees shall be a minimum height of 2 metres at the time of planting.

ii. For the entire frontage (excluding areas required for entrances and the trees required in (i)) the boundary shall be planted in shrubs for a depth of 2 metres. Shrubs shall have a minimum height of 1 metre at the time of planting must be able to grow to a height of at least 2 metres.

iii. The landscaping as required in (i) and (ii) must be wholly visible from the street.

Except that:

Within 6 metres of any driveway or vehicle crossing, front boundaries shall be kept clear of trees and shrubs.

NO CHANGES TO REMAINDER OF GENERAL PERFORMANCE STANDARDS AND TERMS (7.3.5D TO 7.3.5P)

Item 5

Attachment 2

ENV-9-5-1-18-155

7.3.6 SPECIFIC PERFORMANCE STANDARDS AND TERMS*NO CHANGES TO 7.3.6A and 7.3.6B***7.3.6C RESIDENTIAL ACTIVITIES**

1. Central Commercial Zone a. Access to residential accommodation in buildings which are located on sites with Designated Retail Frontage (see Appendix 30), shall retain the retail frontage appearance in accordance with Standard 7.3.5D above.	Outcome <i>The Amenity of the Commercial Zone will be retained by providing an attractive and interesting continuous retail frontage.</i>
2. Suburban Commercial Zone A maximum density of one Residential Unit per 350m ² net site area shall apply in the Suburban Commercial Zone.	Outcome <i>Relatively high density residential developments within the Suburban Commercial Zone to support the vitality of the suburban commercial centre.</i>
3. Above Ground Floor Residential Activities (All Zones) a. The minimum gross floor area for Residential Units is 50m ² . b. Each Residential Unit shall be provided with an above ground outdoor living space with a minimum area of 7.0m ² , capable of accommodating a 2 metre diameter circle that is accessed directly from a principal living area. c. Residential units shall be oriented so that any above ground outdoor living space that is parallel to and	Outcome(s) <i>To ensure adequate living space for the comfort and Amenity the occupants of the above-Ground Level residential units.</i> <i>Generous dimensions will allow for a flexible range of Uses for the enjoyment of the occupiers and to ensure that balconies relate well to the internal</i>

ENV-9-5-1-18-155

<p>facing another outdoor living space is no less than 10m apart (measured perpendicular to the building face).</p> <p>d. Above ground outdoor living space shall be north facing, that is north of east or west.</p> <p>e. Parts (b), (c) and (d) of this rule shall not apply to buildings identified in Section 18.1 'Heritage Items and Notable Trees', Appendix 47 and 48 as a Category I or II heritage item, Russell Street and Queen Street Historic Area, Appendix 51, or to sites within the Central Character Precinct.</p> <p>4. On-Site Privacy and Outlook (Central Residential Commercial Zone)</p> <p>The minimum separation distance between any detached residential building on a site zoned Central Residential Commercial, excluding apartment blocks, shall be 5 metres.</p> <p>Setback Distances: Front Yard: 5 metres Side & Rear Yards: 1 metre</p> <p>5. Car Parking & Garaging (Central Commercial Zone and Suburban Commercial Zone)</p> <p>a. Residential car parking, garaging and turning areas shall be screened from view from public streets and roads, either by landscaping of a minimum depth of 2m from street frontages or</p>	<p><i>layout of the residential unit.</i></p> <p><i>To protect the privacy of the occupiers of the residential units so that any adjoining Outdoor Living Spaces are no less than 10 metres apart. Outdoor Living Spaces with maximise sun orientation, for warmth and light.</i></p> <p><i>To assist and promote the adaptive re-Use of all Buildings while not undermining the heritage fabric of identified Heritage Items.</i></p> <p><i>Outcome</i> <i>The Amenity of the surrounding area will be maintained by Buildings being Setback from Roads and property Boundaries.</i></p> <p><i>Outcome</i> <i>The street frontage will not be dominated by Vehicle entrances and car parking areas and an active street edge will be maintained.</i></p>
--	---

Item 5

Attachment 2

ENV-9-5-1-18-155

location away (by more than 5m) from street frontages.	
--	--

NO CHANGES TO 7.3.6E TO 7.3.6H

7.3.6I COMPREHENSIVE RESIDENTIAL OR MIXED USE DEVELOPMENTS - CENTRAL COMMERCIAL, CENTRAL RESIDENTIAL COMMERCIAL AND SUBURBAN COMMERCIAL ZONES [4]

⁵ Note in the following provisions the term 'parent site' is used. This term means the site on which the comprehensive residential or mixed use development is to take place. In some situations the parent site could be made up of multiple smaller sites which are combined to provide the area for the comprehensive residential development. Where a comprehensive residential or mixed use development is intended to allow the individual residential units to be sold separately the parent site will be subdivided to allow for this.

Outcome

Occupiers of Dwellings that form part of a comprehensive residential or mixed Use development shall have adequate living space.

1. Minimum Floor Area

The minimum net floor area for any residential unit shall be:

- a. Studio - 35m²
- b. 1 Bedroom - 50m²
- c. 2 Bedroom - 70m²
- d. 3 or more Bedrooms - 90m²

Note: For the purpose of applying this rule, the minimum unit area shall not include car parking, garaging or balconies allocated to each unit.

Outcome(s)

Access to sunlight and daylight for residential properties in the neighbouring Residential Zone will be maintained by requiring compliance

ENV-9-5-1-18-155

with the Existing General Residential Zone Recession Plane rules where the zone Boundary abuts any Residential Zone Boundary.

On the external Boundaries of parents Sites within the Central Residential Commercial Zone and Central Commercial Zone, access to sunlight and daylight will be maintained for adjoining properties by preventing tall obtrusive Structures or Buildings being located on Boundaries.

The exception is where Buildings share a common wall, Recession Planes can be dispensed with. This encourages an efficient Use of land with benefits of allowing greater flexibility and the ability to create open space to compensate the increase in Building bulk, in other parts of the Site.

To ensure that Building bulk is compatible with the Existing and proposed new Character of the Hastings Residential/ Commercial Environment.

2. Building Scale

- a. Where the external boundaries of a parent site adjoins any Residential Zone boundary, all buildings shall be contained within a building envelope constructed by recession planes from points 2.75m above these site boundaries. The angle of such recession planes shall be determined for each site by use of the recession plane indicator in Appendix 60, Figure 1.
- b. Comprehensive residential or mixed use developments shall not include more than 3 residential units or commercial activities in a terraced or row configuration.
- c. On any side or rear boundary of the parent site buildings shall be contained within a building envelope constructed by recession planes from points 3m above the boundary. The angle of such recession planes shall be 45° for all boundaries facing the southern half of a compass and 55° for all boundaries facing the northern half of the compass.

Except that: Where two or more detached residential buildings on adjoining sites are connected along a common boundary the requirement for a recession plane will be dispensed with along that boundary.

Notes:

- a. The height in relation to boundary recession planes are not applicable from the front road boundary of a site or where a site boundary adjoins a public open space zone.

Item 5

Attachment 2

ENV-9-5-1-18-155

b. Where a site boundary adjoins a ROW, access lot, access leg or private road, recession planes can be constructed from the side of the ROW, access lot, access leg or private road furthest from the site boundary.

Outcome

To ensure residents have adequate Outdoor Living Space for their recreation and Amenity and that this space is private, sunny and has direct access from internal living areas.

3. Outdoor Living Space

a. At least 30m² of outdoor living space shall be provided for each unit. This can be provided through a mix of private and communal areas, at ground level or in balconies, provided that:

- i. Each unit shall have a minimum of 20m² of ground-level private outdoor living space that is directly accessible from a principal living area of that unit;
- ii. Private outdoor living space shall have a minimum dimension of 2.5m and shall be able to accommodate a 4m diameter circle, when provided at ground level and a minimum dimension of 2m when provided by a balcony, except when it is wholly provided above ground level (see exception below); and
- iii. Private outdoor living space shall be north facing, that is north of east or west.

Except that:

Where the principal living area of a unit is located above ground level, a minimum of 15m² of outdoor living space shall be provided by a balcony directly accessible from such an area. The balcony shall be able to accommodate a 2.5 diameter circle, have a minimum dimension of 1.2m and shall face north of east or west.

Outcome

To ensure that the ratio of open permeable space to covered (paved/built) space is balanced with the ability of the Site to provide vegetation that improves outlook, privacy and softens Building forms and to provide a minimum area for stormwater soakage to reduce runoff.

4. Landscaping

ENV-9-5-1-18-155

a. A minimum of 20% of each individual unit site shall be landscaped with vegetation cover which can be in the form of grassed lawn, garden beds, trees and shrubs or a combination of the above.

b. For every 10m of road frontage of the parent site one specimen tree shall be planted of minimum height of 2m at the time of planting (PB95).

Outcome

To maintain the visual connection between the Dwelling frontage and the street to ensure passive surveillance can occur. The Amenity of the streetscape is enhanced by low and/or permeable fencing.

The open Character of the Central Residential Commercial Zone will be maintained.

5. Fences

a. The maximum height of any fence between each residential unit and the front road boundary of the parent site or any fence that faces a private road or main pedestrian access or driveway shall be 1.2m (if solid) or 1.8m if it is 50% visually transparent. Solid fences or walls are permitted to provide privacy. They shall be level with or behind the wall of the house fronting the road, private road or main pedestrian access.

Note: For the purposes of the above standard, visually transparent fencing includes mesh fences, steel pool fencing, and picket fences.

b. Part (a) does not apply to fences or walls along the front boundary and/or within the front yard including up to and horizontal to the façade of any building of Comprehensive or Mixed Use developments within the Central Residential Commercial Zone. Refer instead to Rule 7.3.5B(d).

Outcome

The Dwelling will be the primary feature of the development on the streetscape, not the garage or other Accessory Buildings.

6. Relationship Of Garages And Accessory Buildings To Streets

a. Garages, carports or any accessory building shall be setback at least 1m from the front facade of the residential unit, 6m from the road boundary of the site and 5 metres from the vehicle access way for rear sites.

ENV-9-5-1-18-155

b. Garages, carports or any accessory building shall occupy no more than 50% of the width of the building frontage fronting the road or vehicle access way for rear sites.

Outcome(s)

To ensure that an adequate service area that is separate and screened from outdoor recreation space is provided for clotheslines, rubbish and recycling storage.

Locating and Screening storage and service areas away from the public street and private recreation areas will ensure that the residential Amenity of the area will be maintained.

7. Service/Utility Areas/Deliveries

- a. Each residential unit shall be provided with an outdoor service, rubbish and recycling storage space of 5m² with a minimum dimension of 1.5m.
- b. Outdoor service and storage spaces shall not be located between the residential unit and the road boundary and shall be screened from the unit's outdoor living space, any adjoining unit or adjoining public open space or Residential Zone.

8. Traffic Sightlines, Parking, Access and Loading

- a. Comprehensive Residential and Mixed Use Developments shall comply with the provisions of Section 26.1 of the District Plan on Transport and Parking.

Outcome

To ensure that development is compatible with the Hastings context and does not over time become high density.

9. Density in the Central Residential Commercial Zone

- a. A minimum average density of one residential dwelling per 350m² net site area when part of a Comprehensive Residential or Mixed Use Development.

ENV-9-5-1-18-155

7.3.7.2 ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY ACTIVITIES*NO CHANGES TO THE FOLLOWING ASSESSMENT CRITERIA:***7.3.7.2A****7.3.7.2B****7.3.7.2C****7.3.7.2D****7.3.7.2E****7.3.7.2F****7.3.7.2G****7.3.7.2H****7.3.7.2I****7.3.7.2J****7.3.7.2.K****7.3.7.2.L****7.3.7.2.M****7.3.7.2.N****7.3.7.2.O****7.3.7.2.P****7.3.7.2.Q****7.3.7.2.R****7.3.7.2.S****7.3.7.2.T****7.3.7.2.U****7.3.7.2.V****Item 5****Attachment 2**

ENV-9-5-1-18-155

NEW RESTRICTED DISCRETIONARY ASSESSMENT CRITERIA:**7.3.7.2W RESIDENTIAL ACTIVITIES IN THE CENTRAL COMERCIAL ZONE NOT MEETING THE GENERAL PERFORMANCE STANDARDS AND TERMS 7.3.6C(3)**

In assessing resource consent applications to establish residential activities not meeting the General Performance Standards and Terms 7.3.6C, Council will restrict its discretion to the matters outlined in the stated outcomes for the standards and those set out below:

Whether entrances and accesses to residential activity located on sites with Designated Retail Frontage (see Appendix 30) maintain the appearance of an attractive and interesting continuous retail frontage.

- a) Whether Residential Units with a floor area less than 50m² are able to achieve an adequate living space for the comfort and amenity of occupants.
- b) Whether the residential unit has access to suitable alternative outdoor amenity in close proximity e.g. a public park or reserve;
- c) Whether the residential unit has generous access to natural light
- d) Whether glazing for the residential unit enables a reasonable outlook from principal living areas e.g. not looking directly to a wall.

7.3.7.3 ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES**7.3.7.3A RESIDENTIAL ACCOMMODATION AT GROUND FLOOR LEVEL IN THE CENTRAL COMMERCIAL ZONE ON SITES WITH DESIGNATED RETAIL FRONTAGE**

- a) The extent to which the design and layout of the premises will achieve and promote the objectives of the Zone, i.e. vibrant, attractive commercial areas and continuity of retail frontage;
- b) Whether residential activities located at ground floor level will undermine the role of the Central Commercial Zone as the core retail and commercial area for Hastings by occupying the ground level of a building with residential activity instead of its principal commercial purpose;
- c) Whether the lack of display window and building access will result in a break in the continuity of active frontages that causes a loss of street amenity and character;

Item 5

Attachment 2

ENV-9-5-1-18-155

- d) The extent to which the design of the building maintains the continuity of street edge definition;
- e) The nature of surrounding activities and whether it is located in an area which experiences high foot traffic;
- f) The extent to which the building contributes to the effect of signalling the centre of the City; and
- g) Whether there are existing building frontages on adjoining sites that make the continuity of building frontage unreasonable.

NO FURTHER CHANGES TO 7.3.7.3

DRAFT

Item 5

Attachment 2

ENV-9-5-1-18-155

SECTION 26.1 TRANSPORT AND PARKING**26.1.6 GENERAL PERFORMANCE STANDARDS AND TERMS****26.1.6A ACCESS – NO CHANGES****26.1.6B TO C– NO CHANGES****26.1.6D PARKING****1. Provision of On Site Parking – NO CHANGE****2. (a) Exemptions from the above On-Site Parking Requirements (Table 26.1.6.1-4 and 5)**

<u>Hastings</u>	<u>Outcome</u>
<p>1) An exemption of 100% of on-site parking shall apply:</p> <p>a) to sites in the Central Commercial Zone with Designated Retail Frontage (see Appendix 30) in Area 'A' of Appendix 70. Where any on-site car parking provision is made it shall be provided to the rear of the sites and the General Performance Standards above shall apply.</p> <p>b) to above ground level Residential Activities within the Central Character Precinct (see Appendix 32), the Russell Street Historic Area and Queen Street Historic Area (Appendix 51). Where any on-site car parking provision is made it shall be provided to the rear of the sites and the General Performance Standards above shall apply.</p> <p>Residential activities at ground floor level are not subject to this exemption and shall provide on-site car parking in accordance with the above standard.</p>	<p>Activities located on Sites in the Central Commercial Zone of Hastings, with Designated Retail Frontage, in the Central Character Precinct, in the Russell and Queen Street Historic Area; and Havelock North Retail Zone will be fully or partly exempt from providing on-site parking, in order to maintain compact and vibrant Central Retail Cores and continuous retail frontage.</p> <p>Outcome</p>

Item 5

Attachment 2

ENV-9-5-1-18-155

<p>2) An exemption of 50% of on-site parking shall apply to Sites located in the areas identified as 'B' in Appendix 70, provided that:</p> <ul style="list-style-type: none"> a) Any on-site parking shall be located to the rear of sites; and b) Permitted activities within existing buildings in this area shall have a 100% exemption from the above on-site parking standards. <p>This standard does not apply to Residential activities</p>	<p><i>The vibrancy of the CBD will be improved by enabling residential activity without a requirement for on-site parking. More people living in the CBD means a potential reduction in people commuting from external areas and subsequently, reduced external pressures felt on the local road network.</i></p>
<p>3) <u>Havelock North</u></p> <ul style="list-style-type: none"> a) For separate Commercial Activities that occupy a new building or use any part or parts of a new building with a useable area less than 300m², an exemption of 100% from the standard 26.1.6D(1) shall apply. <p>This exemption shall only apply once to a title and cannot be used to stage a number of new buildings on a title (with each building having a useable area of less than 300m²); and</p> <ul style="list-style-type: none"> b) For commercial activities that occupy a building (including those over 300m² gross floor area) that existed prior to 24th March 2012 an exemption of 100% from the above on-site parking standard shall apply. 	<p><i>Outcome</i></p> <p><i>Commercial Activities located within small-scale new buildings and within existing buildings will be fully exempt from providing on-Site parking in order to maximise the intensity and compactness of Commercial Activities, maintain a continuous retail frontage and encourage more efficient use of the</i></p>

Item 5

Attachment 2

ENV-9-5-1-18-155

<p>Where any on-site car parking is supplied, it shall be located to the rear on the site and standard 26.1.6D(5) shall apply.</p> <p>4) <u>Flaxmere</u></p> <p>a) For sites within the Commercial Zone, Flaxmere Village Centre Zone, the following exemptions shall apply from the 30th July 2012:</p> <p>i) For new Commercial Activities that occupy a new building with a gross floor area which is less than 300m² an exemption of 100% from the above on-site parking standards shall apply; and</p> <p>ii) For new Commercial Activities that occupy an existing building (including those over 300m² gross floor area) an exemption of 100% from the above on-site parking standards shall apply.</p> <p>iii) Where alterations associated with new or existing Commercial Activities are occurring required parking will apply to the floor area of the addition only and not retrospectively to existing floor area.</p>	<p><i>existing car parking supply within Flaxmere Village Centre Zone.</i></p>
---	--

NO FURTHER CHANGES**Item 5****Attachment 2**

1. Purpose of this Report

- 1.1. This report has been prepared by the Hastings District, Napier City and Hawke's Bay Regional Councils to provide an overview of the Hastings Napier property market using a selection of housing and business indicators. It is designed to meet the governments National Policy Statement on Urban Development Capacity, with the indicators updated on a quarterly or annual basis.
- 1.2. This and subsequent iterations of the report are intended to ensure the Hastings, Napier and Hawke's Bay Regional Councils are well informed about local market activity that influences the adequacy of urban development capacity and socioeconomic outcomes that it affects. It is anticipated that this will enable the Councils to be more responsive to changes in market demand and other market factors. The information collected will be a key input to the three yearly Housing and Business Capacity that are also required by the NPSUDC.

2. Background

- 2.1. The National Policy Statement on Urban Development Capacity (NPSUDC) came into effect on 1 December 2016 and provides direction to local authorities to ensure sufficient and feasible urban development capacity is provided to support housing and business growth. Its emphasis is on understanding the demand for housing and business land and requires local authorities within a Medium or High Growth Area to ensure they are well-informed about urban development activity by monitoring property market indicators on a quarterly basis.
- 2.2. The Hastings Napier Urban Area as defined by Statistics New Zealand's classification of urban areas includes Napier City and the Hastings District, excluding the census area units of:
 - Waimarama
 - Tangoio
 - Sherenden Puketapu
 - Poukawa
 - Maraekakaho
 - Tutira
- 2.3. Figure 1 shows the boundary of the Napier Hastings Main Urban Area in relation to the census area units incorporated within it.



HASTINGS & NAPIER URBAN AREA
Housing and Business Market
Indicator Monitoring
*Baseline Report to 31 December
2017*

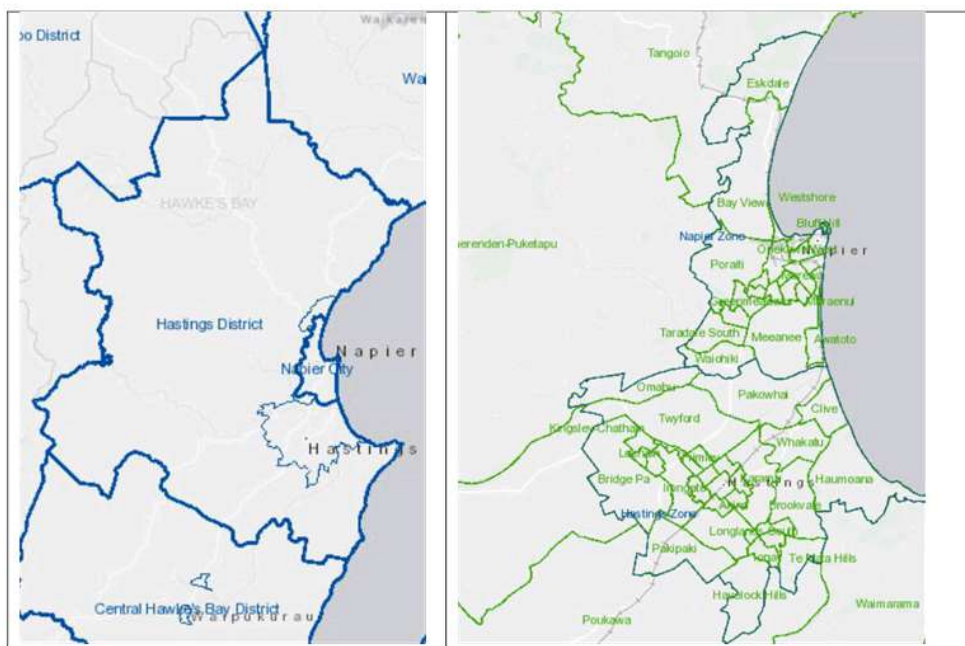


Published April 2018

Item 9

Attachment 1

Figure 1 Napier-Hastings Urban Areas as defined by StatsNZ



- 2.5. The requirements of the NPSUDC on local authorities are progressively greater for urban areas based on classifications from low to medium to high growth. Urban Areas projected to experience population growth of between 5 and 10% between 2013 and 2023 are classified as medium growth areas and those over 10% as High Growth.
- 2.6. Statistics New Zealand completed its progressive update of population projections for urban areas in September 2017. For the Hastings Napier Extended Urban Area this concluded that the population growth forecast between 2013-2023 has risen to just over 5% meaning the area is now classified as 'medium growth'.
- 2.7. NPSUDC-UDC Policy PB6 requires Council's to monitor a range of indicators on a quarterly basis including:
 - a) prices and rents for housing, residential land and business land, by location and type; and the changes in these prices and rents over time;
 - b) the number of resource consents and building consents granted for urban development relative to the growth in population; and
 - c) indicators of housing affordability.
- 2.8. This report commences this process for the Napier-Hastings Extended Urban Area as required by the NPSUDC.

3. Working Together

- 3.1. The NPSUDC encourages local authorities that have been identified as medium or high growth to work together to implement the requirements of the NPSUDC. The Napier City Council, Hastings District Council and Hawke's Bay Regional Council worked together from 2009 to produce the Heretaunga Plains Urban Development Strategy 2010 and more recently to review the strategy in 2016-2017. Under the Strategy the three partner Councils have committed to regular joint monitoring, which now includes taking account of the requirements of the NPSUDC starting with the preparation of this report.
- 3.2. The monitoring and price efficiency indicators will be used, by the partner Councils to inform housing and business land capacity assessments which are required to be completed every three years under the NPSUDC with the first one completed by 31 December 2018. The key outputs of these assessments, including estimates of remaining capacity and projected uptake rates, will be used in future Heretaunga Plains Urban Development Strategy Reviews (the next one commencing indicatively in 2021) and subsequently to prepare and schedule land rezoning and infrastructure provision through the regional and district plans, Long Term Plans and 30 Year Infrastructure Strategies.

4. About This Report

- 4.1. This is the first report of its kind for NPSUDC monitoring and reporting purposes. Consequently this report sets baseline data for existing time series across a range of variables on an annual basis to 2016 or December 2017, depending upon the time series data availability. For some series data is or will be available at three monthly intervals (i.e. quarterly) and a simpler reporting framework will be introduced to cover the intervening quarters between Calendar years. Some quarterly data will be reported as a two year rolling average to smooth out short term fluctuations, while still providing early indications of a change in market trends. These are included in this report for the period March (Q1) 2016 to December 2017 (Q8), based on data starting Q1 2014.
- 4.2. Due to the nature of the source data of the monitoring contained within this report some relates to data covering the two territorial areas separately, and/or in combination, while some relates to the Hastings- Napier Main Urban Area only. For simplicity, at this stage further breakdowns are not reported, but this will be reconsidered once the first housing and business capacity assessment under the NPSUDC framework has been completed in December 2018.
- 4.3. The format and content of this initial monitoring indicator report will be progressively refined over time. In many cases, trends will remain the same from quarter to quarter, and as such detailed commentary on the indicators will be provided on an annual basis, unless there is a notable change in an indicator.
- 4.4. **Table 1** overleaf sets out the indicators contained in this report, and Appendix 1 presents a map to illustrate the location of place names frequently mentioned in this report.

Table 1 Summary of Indicators Reported

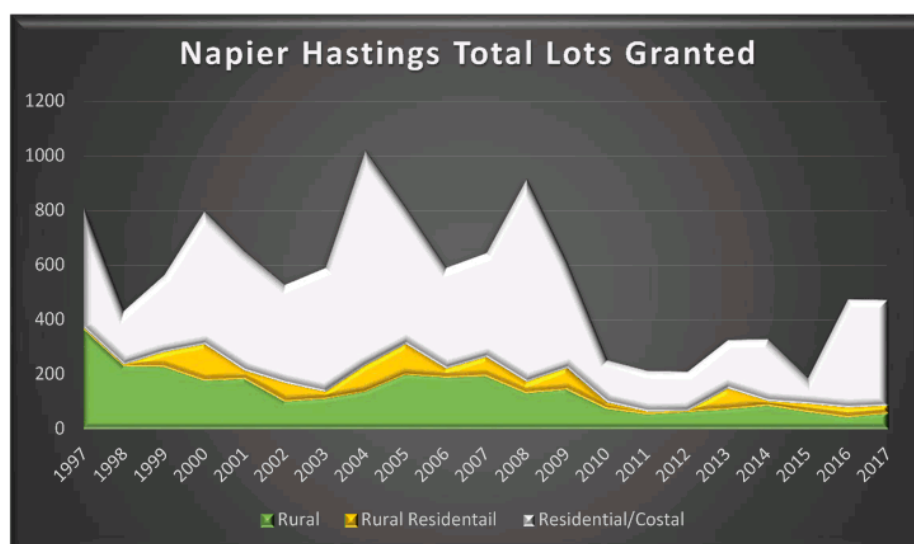
NPSUD C-Ref	Type	Topic	Figure or Table	Indicator	Updated
PB6 (b)	Residential	Land	Figure 2	Napier Hastings Total Lots Consented	Quarterly
PB6 (b)	Residential	Land	Figure 3	Napier Hastings Urban Lots Consented	Quarterly
PB6 (b)	Residential	Land	Table 2	Current land capacity & uptake	Quarterly
PB6 (b)	Residential	Land	Figure 4	Greenfield land Uptake (from March)	Quarterly
PB6 (b)	Residential	Land	Table 3	Current and Planned Capacity	Annual
PB6 (b)	Residential	Land	Figure 5	Rural Residential Supply and Demand	Annual
PB6 (a)	Residential	Land	Figure 6	Section Sales Volume	Quarterly
PB6 (a)	Residential	Land	Figure 7	Average Section Sales Value	Quarterly
PB6 (a)	Residential	Land	Figure 8	Price Cost Ratio Napier Hastings UA	Annual
PB6 (a)	Residential	Land	Figure 9	Price Cost Ratio regional benchmark	Annual
PB6 (a)	Residential	Land	Figure 10	Price Cost Ratio Peer Group Trend	Annual
PB6 (a)	Residential	Land	Figure 11	Average Land Value Trend	Annual
PB6 (a)	Residential	Land	Figure 12	Land Value % Percentage of Capital Value Peer Group Trend Comparison	Annual
PB6 (b)	Residential	Dwellings	Figure 13	New Dwelling Consents 2000-2017	Quarterly
PB6 (b)	Residential	Dwellings	Figure 14	Dwelling Consents by Location Type	Quarterly
PB6 (b)	Residential	Dwellings	Figure 15	New Dwelling Consents by Location	Quarterly
PB6 (b)	Residential	Dwellings	Figure 16	New Dwelling Consents by Typology	Quarterly
PB6 (b)	Residential	Dwellings	Figure 17	New Dwelling Consents v Household Growth	Annual
PB6 (a)	Residential	Dwellings	Figure 18	12 Month Rolling House Prices	Annual
PB6 (a)	Residential	Dwellings	Figure 19	Sales Activity and Prices Peer Group	Annual
PB6 (a)	Residential	Dwellings	Figure 20	Rolling Average Dwelling Sales Prices for Selected Locations	Annual
PB6 (a)	Residential	Dwellings	Figure 21	House Sales Volume and Prices	Quarterly
PB6 (a)	Residential	Dwellings	Figure 22	Rolling Average Weekly Dwelling Rents	Annual
PB6 (a)	Residential	Dwellings	Figure 23	Weekly Rental Monthly Movements	Quarterly
PB6 (a)	Residential	Dwellings	Figure 24	House Buyer Classification 2006-2017	Annual
PB6 (a)	Residential	Dwellings	Figure 25	Origin of Buyers Purchasing Property in Hawke's Bay	Annual
PB6 (c)	Residential	Affordability	Figure 26	Hawke's Bay Housing Affordability Index	Quarterly
PB6 (c)	Residential	Affordability	Table 4	Affordability Index Regional Comparison	Quarterly
PB6 (c)	Residential	Affordability	Figure 27	First Home Buyer Affordability Measure	Annually
PB6 (c)	Residential	Affordability	Figure 28	First Home Buyer Affordability Peer Group Comparison	Annually
PB6 (c)	Residential	Affordability	Figure 29	Share of Rent to Income Affordability Measure	Annually
PB6 (c)	Residential	Affordability	Figure 30	Share of Rent to Income Affordability Peer Group Comparison	Annually
PB6 (b)	Residential	Affordability	Figure 31	Rolling Average Building Commercial and Industrial Consent Values	Annually
PB6 (b)	Residential	Affordability	Figure 32	New Zealand Migration and Population Growth	Annually
PB6 (b)	Business	Building	Figure 33	Non Residential Floorspace Consented	Annually
PB6 (b)	Business	Building	Figure 34	Value of Non Residential Consents	Annually
PB6 (b)	Business	Building	Figure 35	Industrial and Commercial Floorspace Consented	Annually
PB6 (b)	Business	Building	Figure 36	Quarterly Commercial Industrial and Total Non-Residential Floorspace Consented	Quarterly
PB6 (a)	Business	Land-Buildings	Figure 37	Industrial vacancy rate	Annual
PB6 (a)	Business	Land-Buildings	Figure 38	Office vacancy rate	Annual
PB6 (a)	Business	Land-Buildings	Figure 39	Retail vacancy rate	Annual

- 4.5. In addition to the market indicators referred to in NPSUDC Policy PB6; Policy PB7 requires local authorities to use indicators of price efficiency in their land and development market. This is to help Councils understand how well the market is functioning, how planning may affect this, and when additional capacity might be needed.
- 4.6. MBIE has developed a number of price efficiency indicators one of which (the Price Cost ratio) are incorporated into this report. Two of the other three; Urban /Rural land value differential and Industrial Boundary value differentials are based on valuation information which is updated every three years and requires considerable cross checking and interpretation. Accordingly it is proposed to report on these through the three yearly housing and business capacity assessments as will the remaining indicator, the ownership concentration index, which is considered to be of limited value in the regional context, particularly on an annual basis.

5. Residential Land Capacity

- 5.1. Overall residential land capacity comprises greenfield residential areas, infill development potential, brownfields developments and other dispersed types of living environments such as coastal settlements, marae based communities and rural residential/lifestyle living.
- 5.2. **Figure 2** shows the estimated number of lots for which consent was granted over the least 20 years. Spikes in 2000, 2004 and 2008 correspond with the opening up of new greenfield growth areas at Arataki, Parklands and Lyndhurst Stage 1, with a significant slow down post the global financial crisis. The spike in 2015-2016 largely due to the Napier City Council subdivision at Parklands and in Hastings in 2017 with the uplifting of the deferred zoning at Lyndhurst Stage 2.

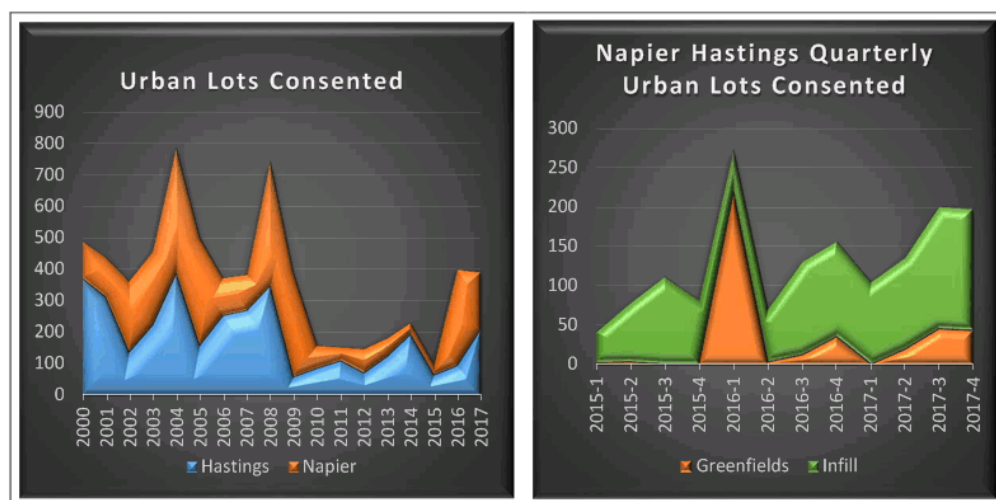
Figure 2: Napier Hastings Total Lots Granted 1997-2017



(Source NCC and HDC)

- 5.3. **Figure 3** shows the residential lots created broken down by Napier and Hastings and quarterly for infill and greenfields. Apart from the large Parklands consent in the first quarter of 2016 most of the subdivision activity has been in the form of infill, but with greenfields starting to pick up in the last two quarters of last year. By its nature however, greenfield subdivision tends to occur in large numbers at irregular intervals.

Figure 3: Napier Hastings Urban Lots Consented



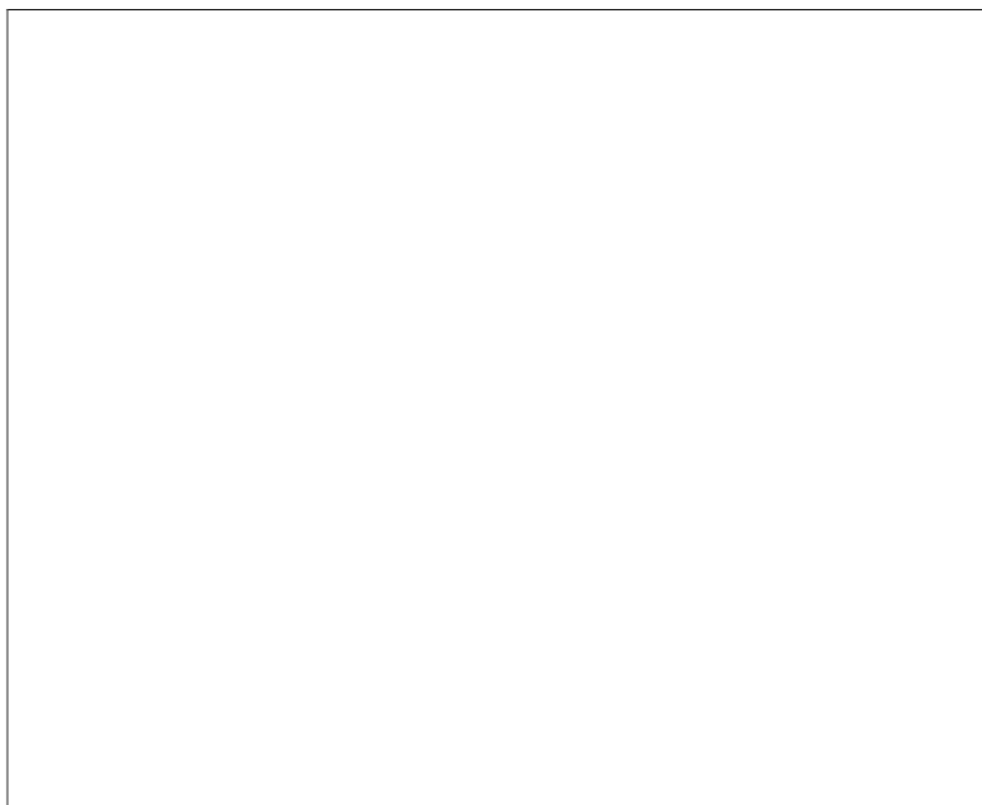
- 5.4. **Table 2** sets out the remaining vacant residential lot capacity within greenfield areas as the end of December 2017 less building consents having been issued over the last quarter of last year. It estimates the number of subdivided lots and the estimated capacity of larger zoned areas serviced with bulk infrastructure that have yet to be subdivided. Of the latter 257 lots in Napier and 92 in Hastings have been granted resource consents, but physical construction has not yet been completed.

Table 2: Residential Capacity and Quarterly Uptake to December 2017

YTD 31/12/2017 Area	Unbuilt Lot Capacity 30-Oct	New Lots Created Last Quarter	Building Consents Granted Last Quarter	Balance lots Unbuilt	Lots yet to be Created	Total Remaining Capacity
Arataki	12	0	2	10	28	38
Lyndhurst Stage 1	20	0	4	16	13	29
Lyndhurst Lifestyle Village	28	0	6	22	0	22
Lyndhurst Stage 2	2	0	0	2	266	268
Northwood	7	0	1	6	80	86
Parklands	12	0	4	8	181	189
Te Awa	10	34	22	22	936	958
Total	96	34	39	86	1496	1590

- 5.5. **Figure 4** shows a placeholder for the quarterly uptake rate for these greenfields growth areas from March 2018.

Figure 4: Placeholder (Greenfield land Uptake Graph from March 2018)



- 5.6. As well as these zoned and serviced areas **Table 3** overleaf also shows future capacity planned to be provided through rezoning and infrastructure provision over the next two years plus the total remaining capacity of land identified in HPUDS for future development.
- 5.7. HPUDS estimates a greenfield residential uptake rate of approximately 270 households per annum over the next ten years, giving a current supply estimate of 6-7 years and a further 5 years being provided within two years' time. While there has been and still is a pinch point in current capacity, current and planned developments will rectify this situation from around the middle of the year onwards. Falling household growth rates mean the balance capacity in HPUDS should be sufficient to meet demand until at least 2045 if the strategy's progressively increasing intensification targets are met and planned supply is delivered on time to meet actual growth demands.

Table 3: Current and Planned Residential Section Capacity

Areas	Available Capacity
Currently Zoned and Developing	
Arataki	38
Lyndhurst	51
Northwood	86
Lyndhurst 2	268
Parklands	189*
Te Awa	958**
Park Island	170***
Total	1760
Planned Over Next Two Years	
Iona (V4)	210
Howard Street (V3)	260
Parklands Extension (PC 11)	280
Western Hills (The Mission) (PC12)	550
Total	1300
Remaining HPUDS Areas	
Riverbend	350
The Loop	250
Bay View	90
Lyndhurst Extension	230
Haumoana/Te Awanga	130
Havelock Hills	160
Kaiapo Road	350
Copeland/Murdoch	230
Irongate	270
Brookvale Romanes	575
Total	2635
Grand Total	5695

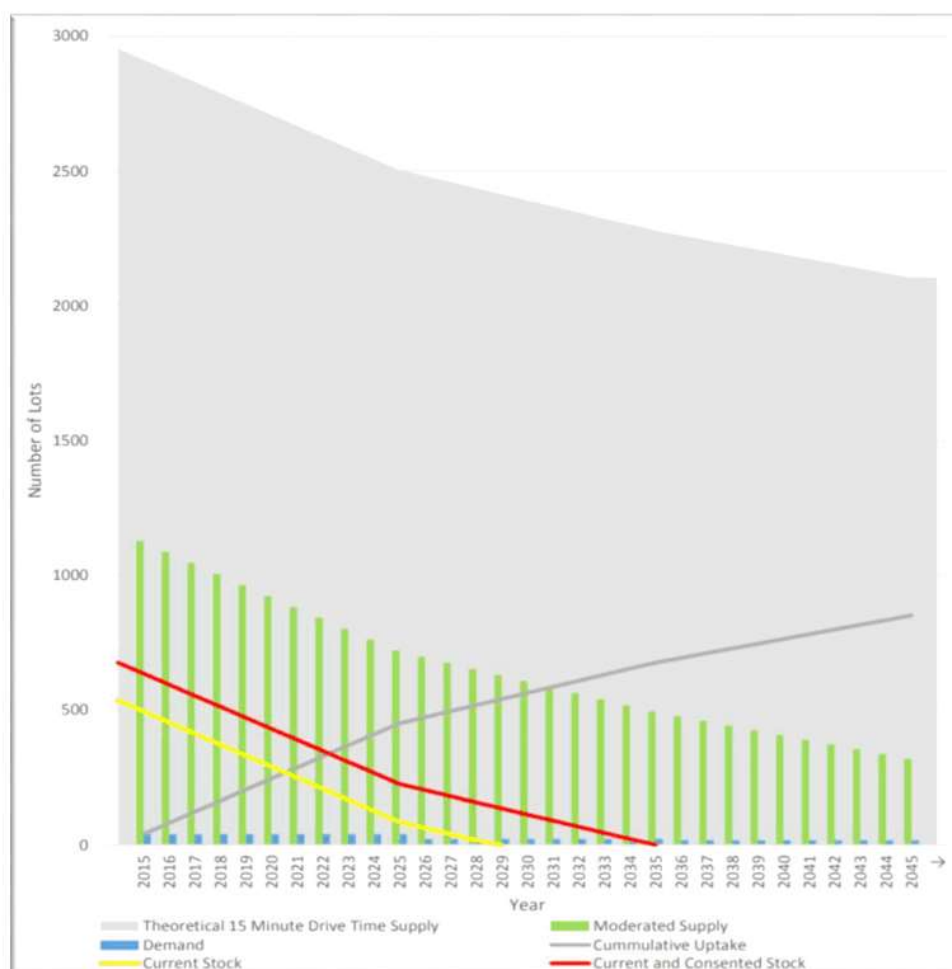
*All consented

**68 sites have been consented, the balance is expected to occur in stages when developers are ready to pay the financial contributions/install infrastructure.

***Subject to Treaty Settlement Claims

- 5.8. As part of the 2017 HPUDS Review assessments were undertaken in 2016 of infill capacity and current and potential rural lifestyle sites. On the information available it was concluded that sufficient physical and economic (in terms of financially viable infill and intensification) potential existed in both cities to meet the HPUDS targets over time, but that this should be monitored on a regular basis.
- 5.9. Similarly the "Review of Rural Residential/Lifestyle Sites - Cheal Consultants 17 June 2017" demonstrated that there was sufficient supply to accommodate demand over the period 2015 to 2030, however supply, and the surplus of supply over the following 15 year period will be influenced by the rate of further subdivision, as depicted in **Figure 5** below:

Figure 5: Rural Lifestyle Capacity 15 - Minute Drive Time Supply and Demand Analysis

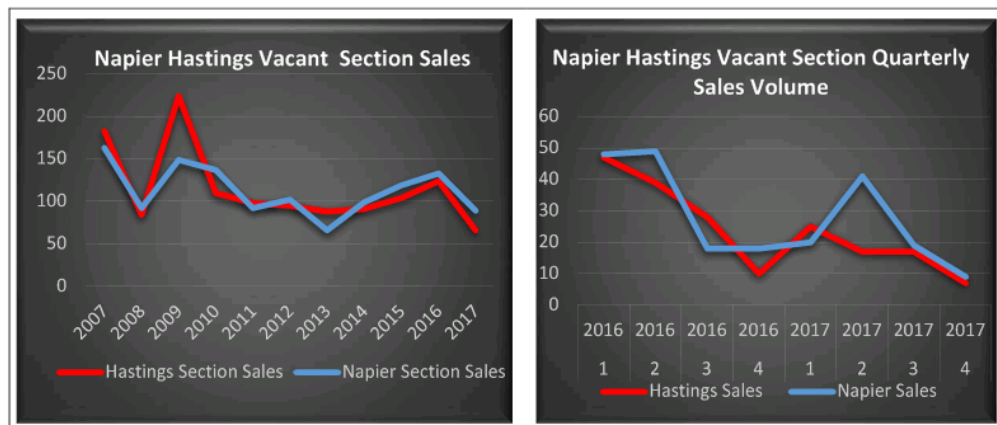


- 5.10. While building activity is monitored, at present the monitoring systems of remaining capacity for infill and rural lifestyle land are not sufficiently developed to record uptake spatially on a quarterly basis. However, this is a work in progress which is expected to be completed before the end of the calendar year.

6. Land Prices /Sales

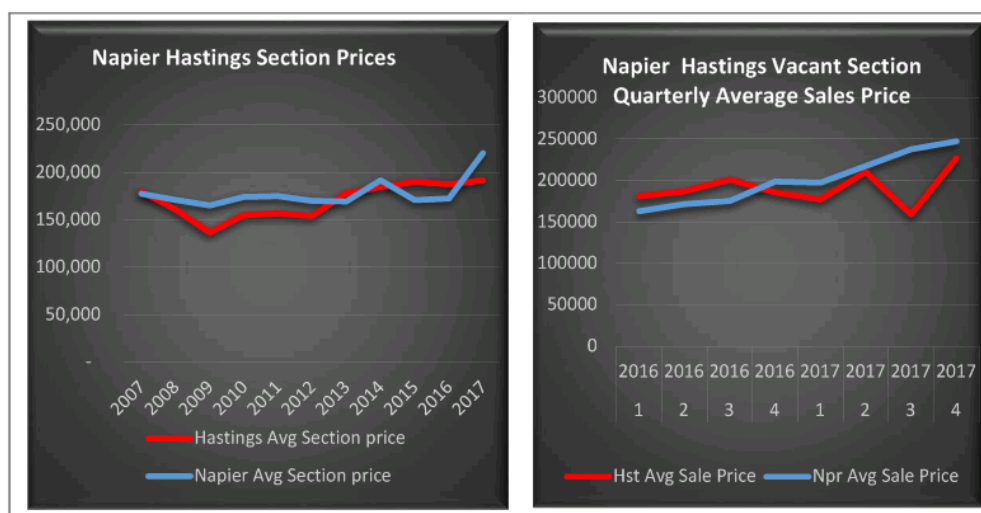
- 6.1. **Figures 6 and 7** show Hastings and Napier quarterly rolling average vacant section sales and average sales prices over the last 2 years. This covers both infill and traditional greenfields sites. Note the third and fourth quarter of 2017 may have some degree of under reporting due to slow sales notifications.

Figure 6: Napier and Hastings Vacant Residential, Annual and Quarterly Section Sales Volume



(Source Logan Stone Valuers)

Figure 7: Napier and Hastings Vacant Residential, Annual and Quarterly Average Section Sales Prices

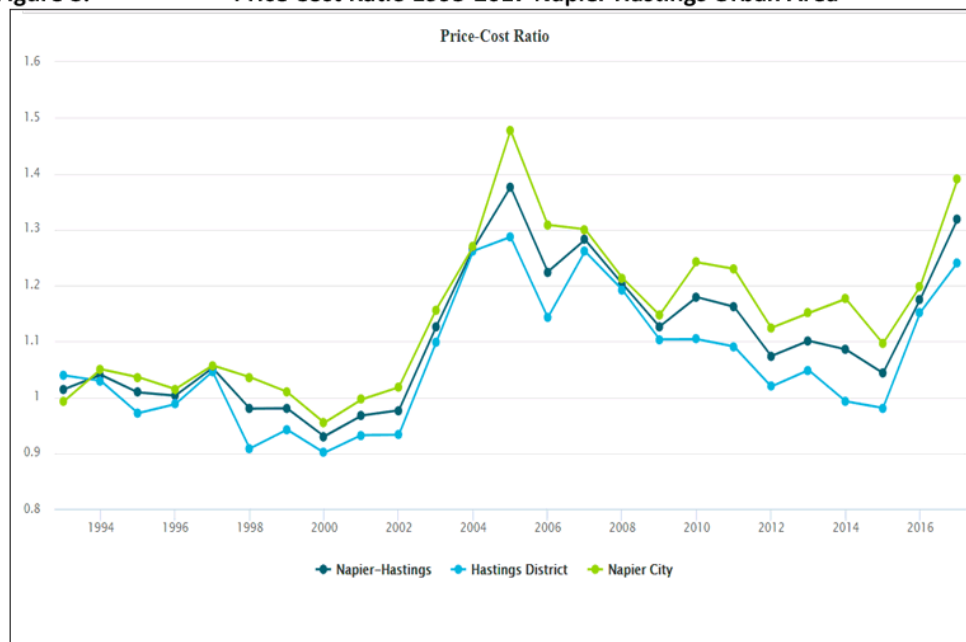


(Source Logan Stone Valuers)

- 6.2. The similarity in the data between Hastings and Napier does suggest a strong overlap between the two urban markets and a continuation of twin city development on the Heretaunga Plains as promoted in HPUDS to give diversity of choice. The average sales price drop in Hastings in Q3 2017 relative to Napier, while the sales volume remains similar, is likely to be due to an increasing proportion of infill sales (traditionally lower priced) being traded in Hastings due to a short term greenfield supply shortage, rather than a reduction in pricing across the board. This is reinforced by anecdotal evidence of rising greenfield section prices in Napier and in other cities, including the limited sales that have occurred in Hastings.

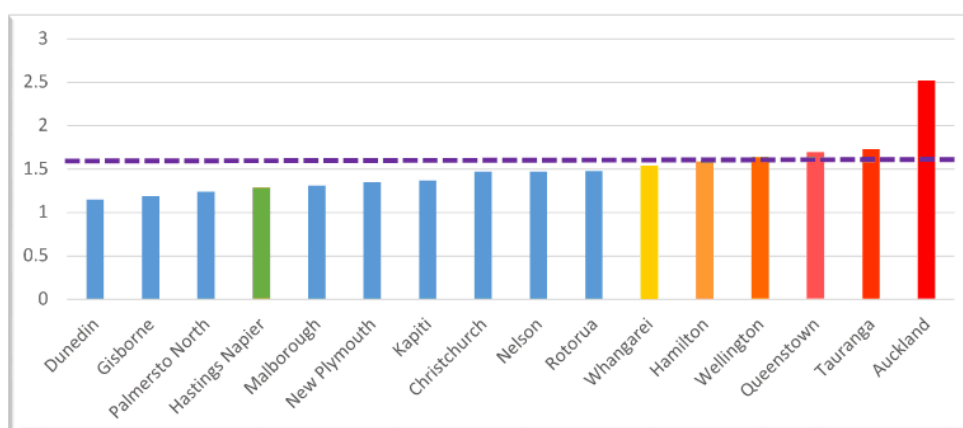
- 6.3. **Figure 8** shows MBIE's price cost ratio for the Napier Hastings Urban Area and for Napier and Hastings separately, while **Figure 9** shows the 2017 ratio alongside other New Zealand Urban Areas. This is an indicator of whether a shortage of residential land is impacting on general house prices. Generally an index of less than 1.5 would suggest that is not the case, while above 1.5 would suggest the opposite.

Figure 8: Price Cost Ratio 1993-2017 Napier Hastings Urban Area



(Source MBIE Dashboard)

Figure 9: Price Cost Ratio for New Zealand Urban Areas 2017



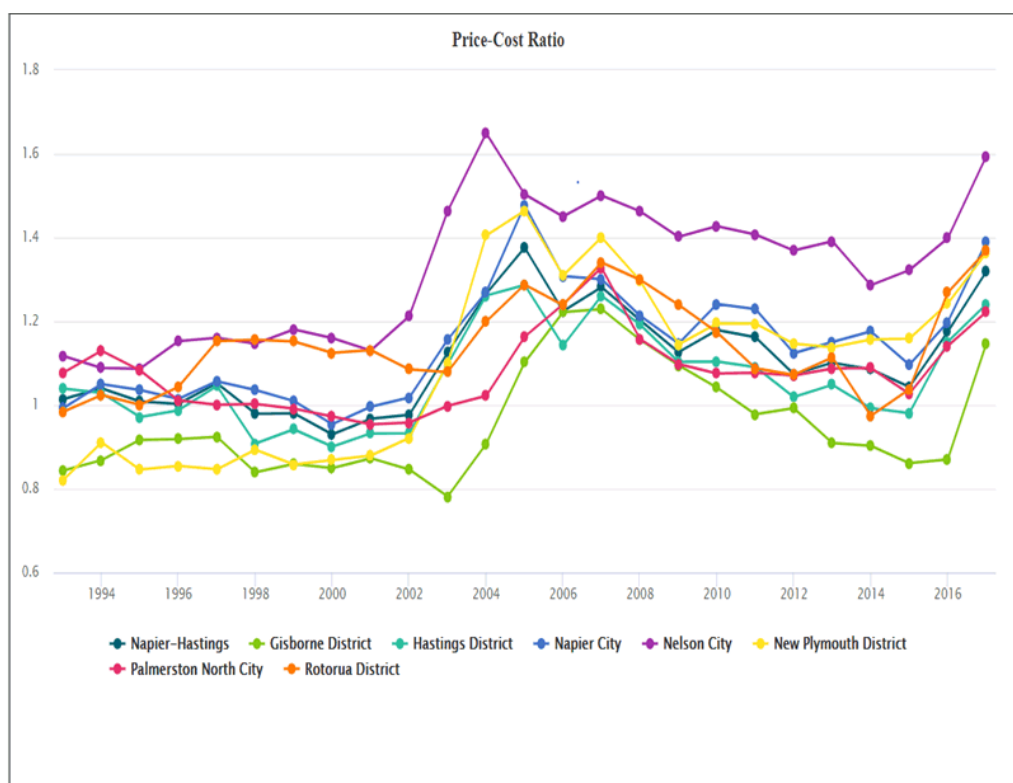
(Source MBIE Dashboard)

- 6.4. As can be seen land supply does not seem to have been a major driver of house price inflation in the region in the past. While the ratio remains under 1.5 it has tracked upwards from 2016 which would coincide with a pinch point in greenfield land supply in Hastings.

Nevertheless the 2017 ratio remains one of the lowest in the country and as noted above, current and programmed development will rectify this and the price cost ratio should reflect this over the next year. The last spike in 2005 however coincided with a relatively unconstrained greenfield land market.

- 6.5. In addition a check with other peer group urban areas price ratio trends shown in **Figure 10** indicates a similar upwards trend across the board at the same time, suggesting factors beyond Hawkes Bay and other than localised land supply is having an impact on the measure.

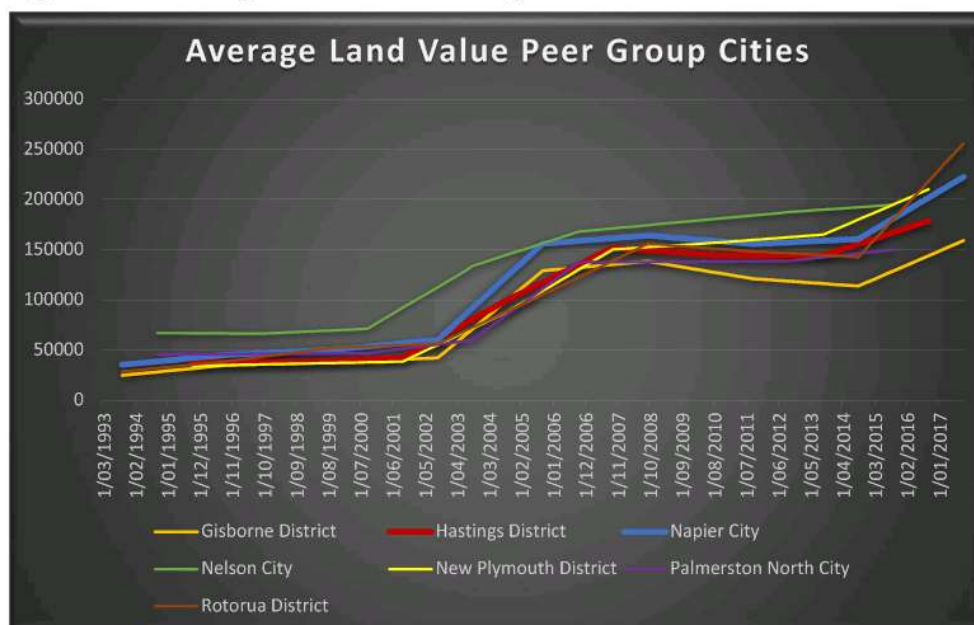
Figure 10: Price Cost ratio Trend for Selected Urban Areas



(Source MBIE Dashboard)

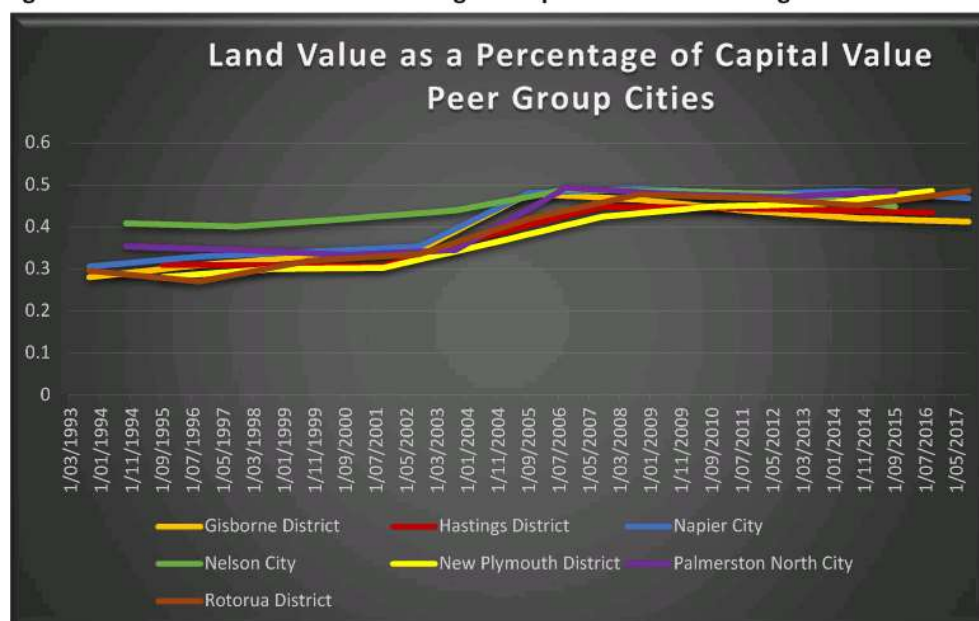
- 6.6. As a further check **Figure 11** tracks the average value of existing dwellings (based on the three yearly valuation) for Hastings and Napier. This shows some movement at the October 2016 valuation for Hastings, but not Napier at its 2014 revaluation. Land value as a percentage of capital value for the same peer group shown in **Figure 12** suggests land prices are merely keeping pace with house prices and possibly being dragged upwards by that part of the market, rather than driving them.

Figure 11: Average Land Value of Dwellings 1994-2016



(Source MBIE Dashboard)

Figure 12: Land Value as a Percentage of Capital Value of Dwellings

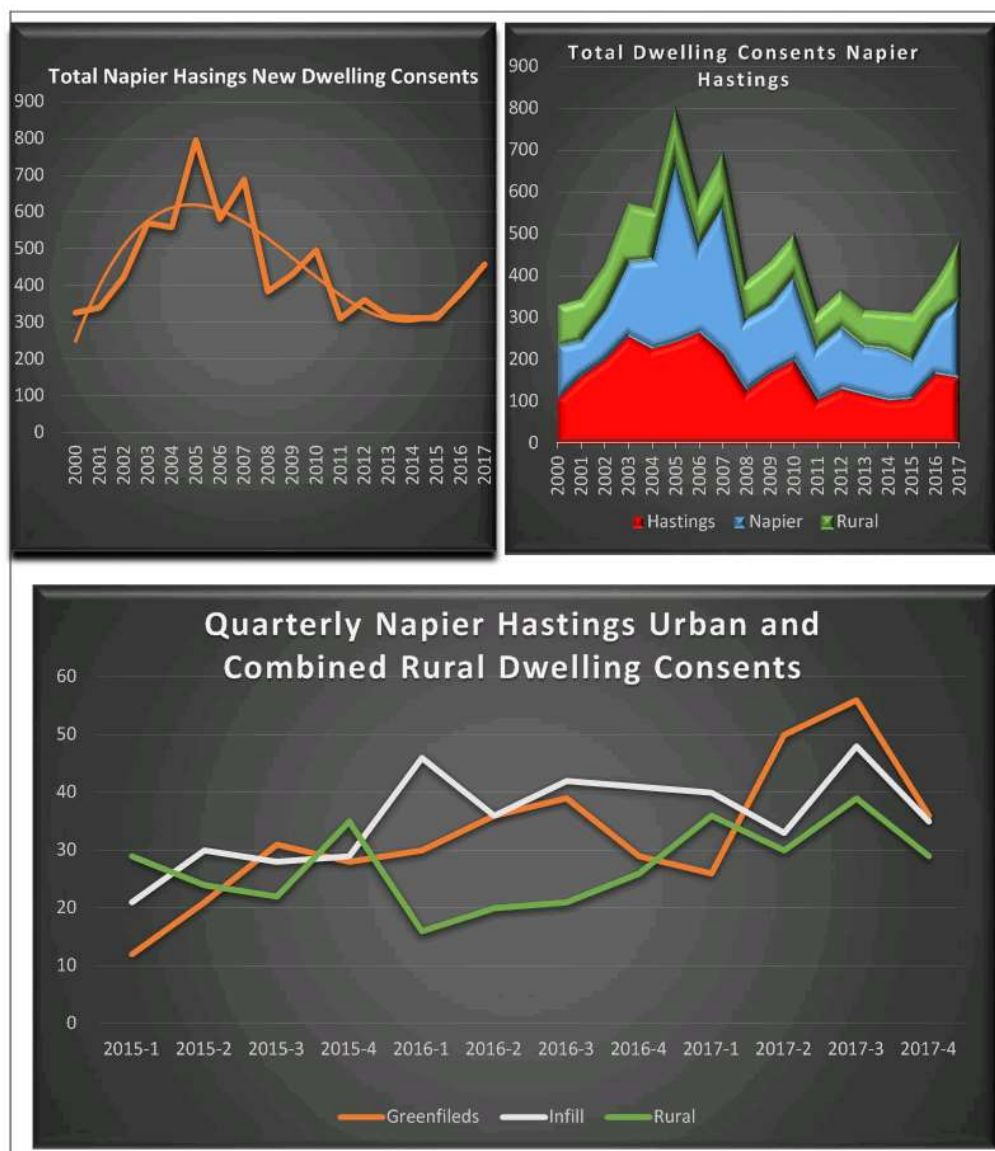


(Source MBIE Dashboard)

7. Building Activity

- 7.1. Building consent data in **Figure 13** below shows a pick-up in new urban dwelling construction from around the beginning to middle of 2016 in both Hastings and Napier after a slow period following the GFC, with rural/lifestyle development showing an even more significant rise. The last quarter of 2017 however, potentially signals a slower period, but a few more quarters will need to pass before a trend can be determined with any confidence.

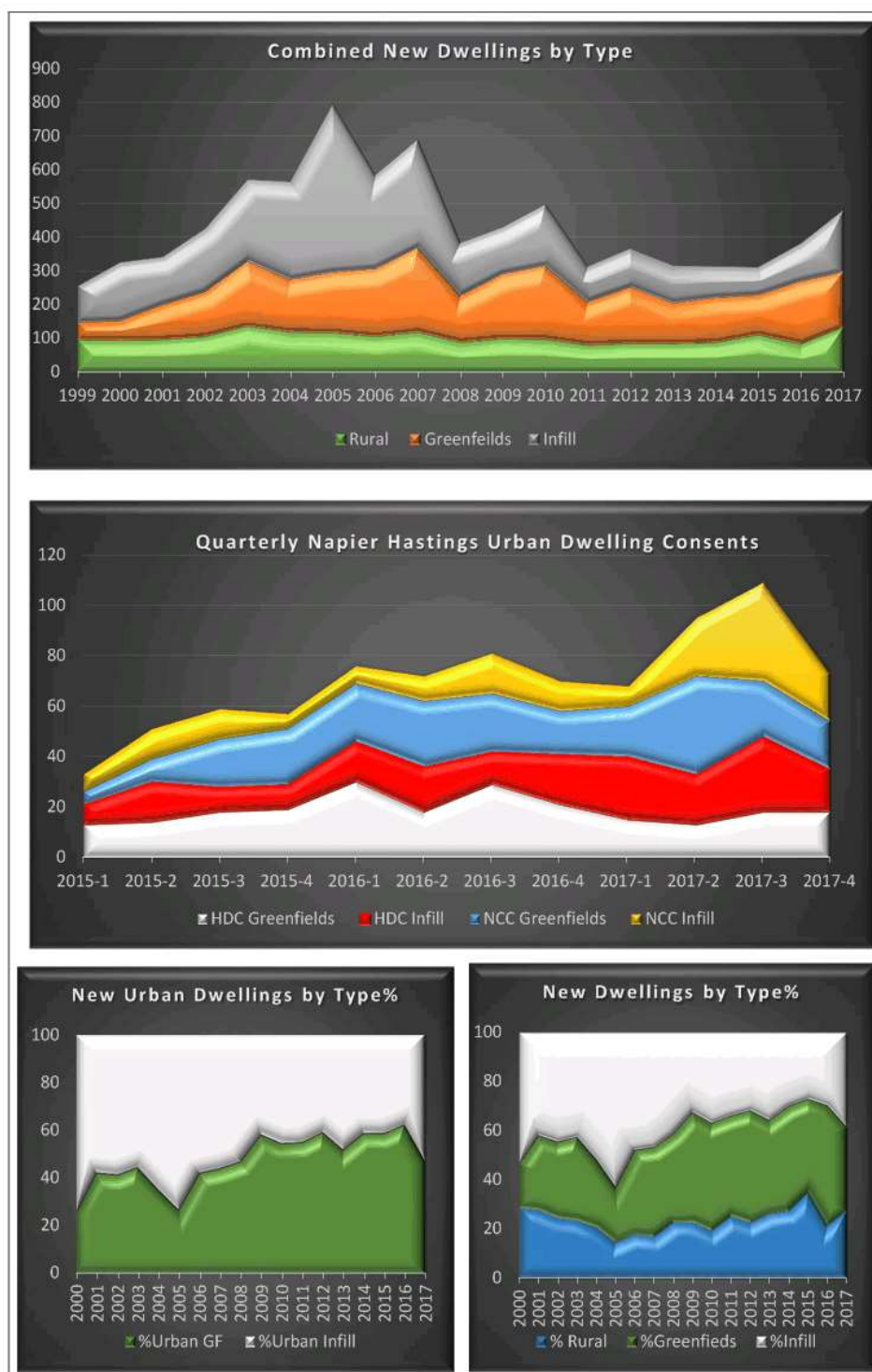
Figure 13: Napier Hastings New Dwelling Consents 2000-2017



(Source HDC and NCC)

- 7.2. **Figure 14** below tracks the same data by dwelling type again showing the rural/lifestyle upswing in 2017, but breaking down the urban component into infill and greenfield developments.

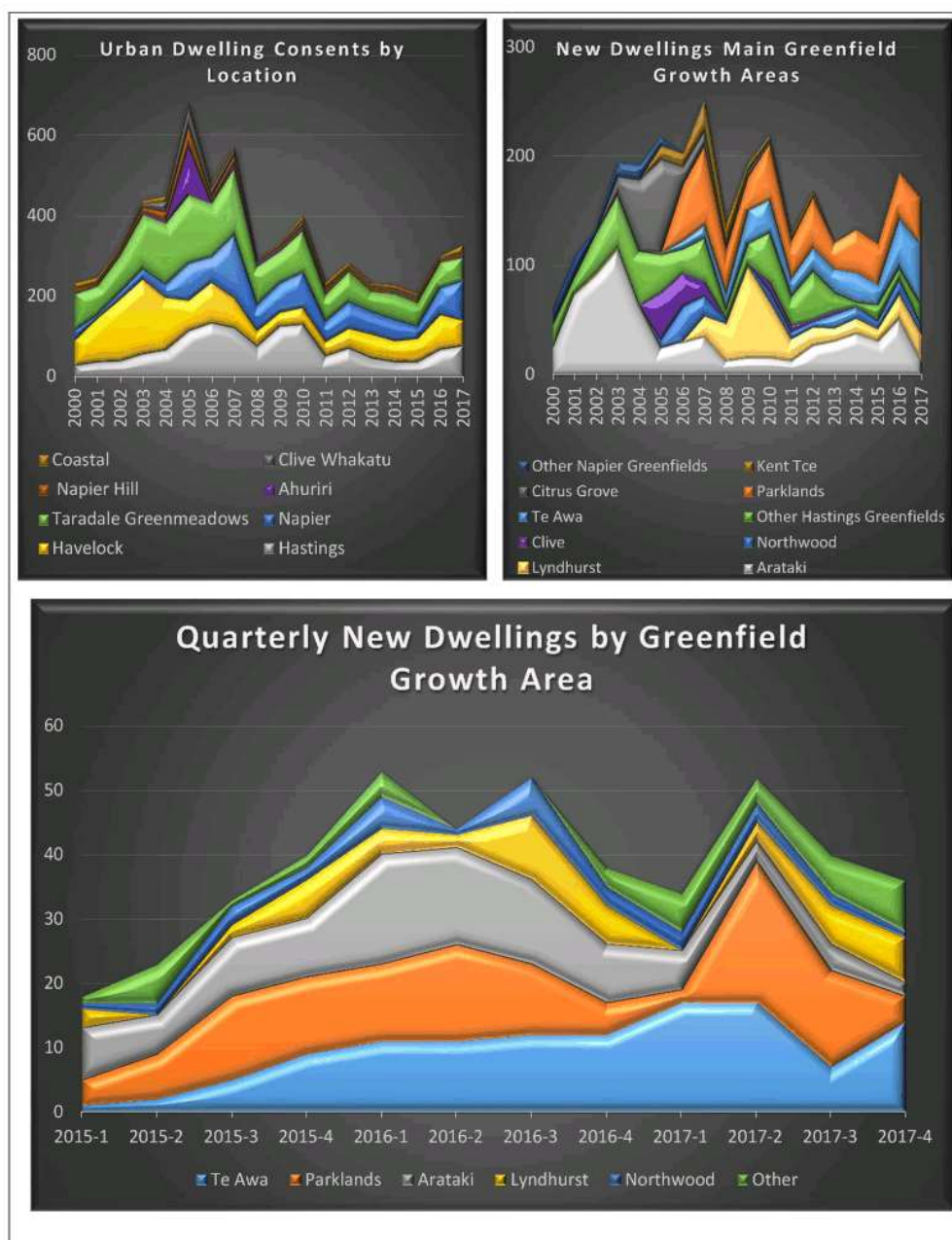
Figure 14: Napier Hastings New Dwelling Consents by Location Type



(Source HDC and NCC)

- 7.3. Notably there was a large amount of infill as well as greenfield development during the last property boom, but no equivalent temporary upswing in 2009-2010 to that evident for greenfield development and greenfield development has dominated urban development since then. The spike in infill in 2005 was largely due to a spate of apartment building in Ahuriri at that time.
- 7.4. The signs of a resurgence in infill starting to emerge in 2017 are due to a few larger developments in the third quarter of 2017 particularly in Napier as land within the urban area with long standing market gardens finally were developed for residential use.
- 7.5. A pinch point in greenfield supply is evident in the reduced greenfield development rates in Hastings over the last quarter of 2016 and most of 2017, but slowly improving section availability is starting to be reflected in slight increases toward the end of 2017. A fall in greenfield development in the last quarter of 2017 in Napier is likely due to a temporary scarcity of sections due to a major developer releasing a larger number of sections earlier in the year to respond to market demands at the time.
- 7.6. **Figure 15** below shows some diversity of choice in suburban locations, but with the early 2000's characterised by relatively few greenfields growth areas. Increasing greenfield choices came on stream from around 2003-2005, with these areas serving reduced demand from around 2010. The post GFC Greenfield development spike mentioned earlier can be clearly attributed to a surge in development in Lyndhurst and to a lesser extent Parklands.
- 7.7. A pinch point in greenfield supply in Hastings with Arataki nearing completion, means nearly half of greenfield development since the beginning of 2016 has been in the Napier growth areas of Te Awa and Parklands, but with short term supply constraints evident at Parklands at the end of both 2016 and 2017.
- 7.8. While short to medium greenfield section supply issues have started to affected greenfield building rates, this has been offset by increased infill and rural/lifestyle development and a rebalancing of the greenfield infill mix toward that prevalent pre-GFC (% graphs in Figure 12) as those options become financially more attractive by comparison.

Figure 15: Napier Hastings New Dwelling Consents 2000-2017 by Location



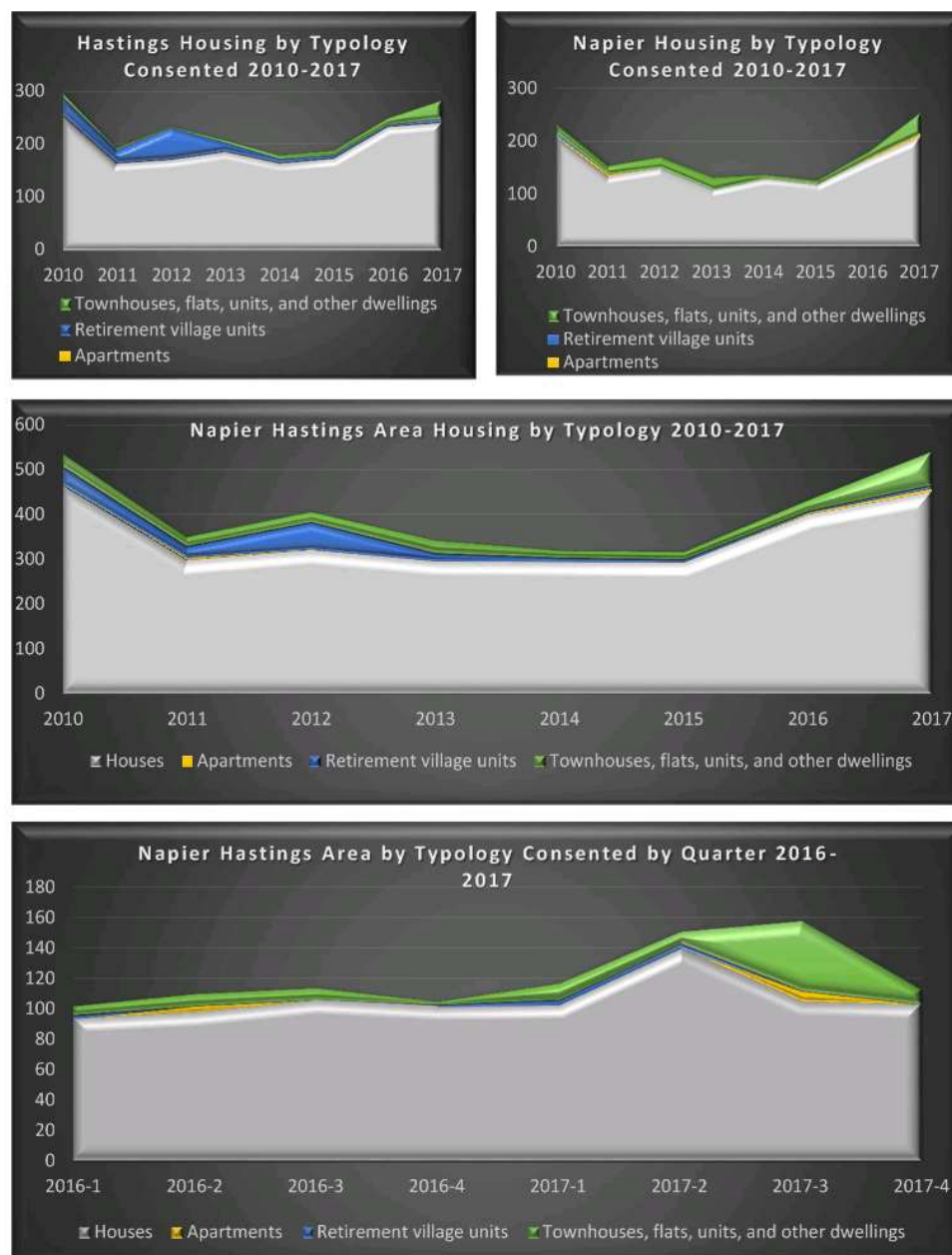
(Source HDC and NCC)

- 7.9. **Figure 16** looks at housing typologies built over the past few decades. These are based on NZStats classifications and reported through the NZStats by Territorial Authorities as part of the building consents process. These show that while infill is a significant part of the housing market, this tends to be in the form of detached dwellings rather than smaller footprint townhouse and semi-detached formats popular in the 1980s and 1990s. There is however, some renewed sign of interest in these formats or modern variants (such as the Frimley

Lifestyle Village) of them in 2017, possibly due to more market support for them as affordable dwellings.

- 7.10. The quarterly figures however, again suggest that this may be the result of a few larger developments in the third quarter of 2017, rather than a general trend. The popularity of licence to occupy retirement village housing is also clearly evident in a spike Hastings in 2012 associated with the Summerset in the Orchards development in Ada Street.

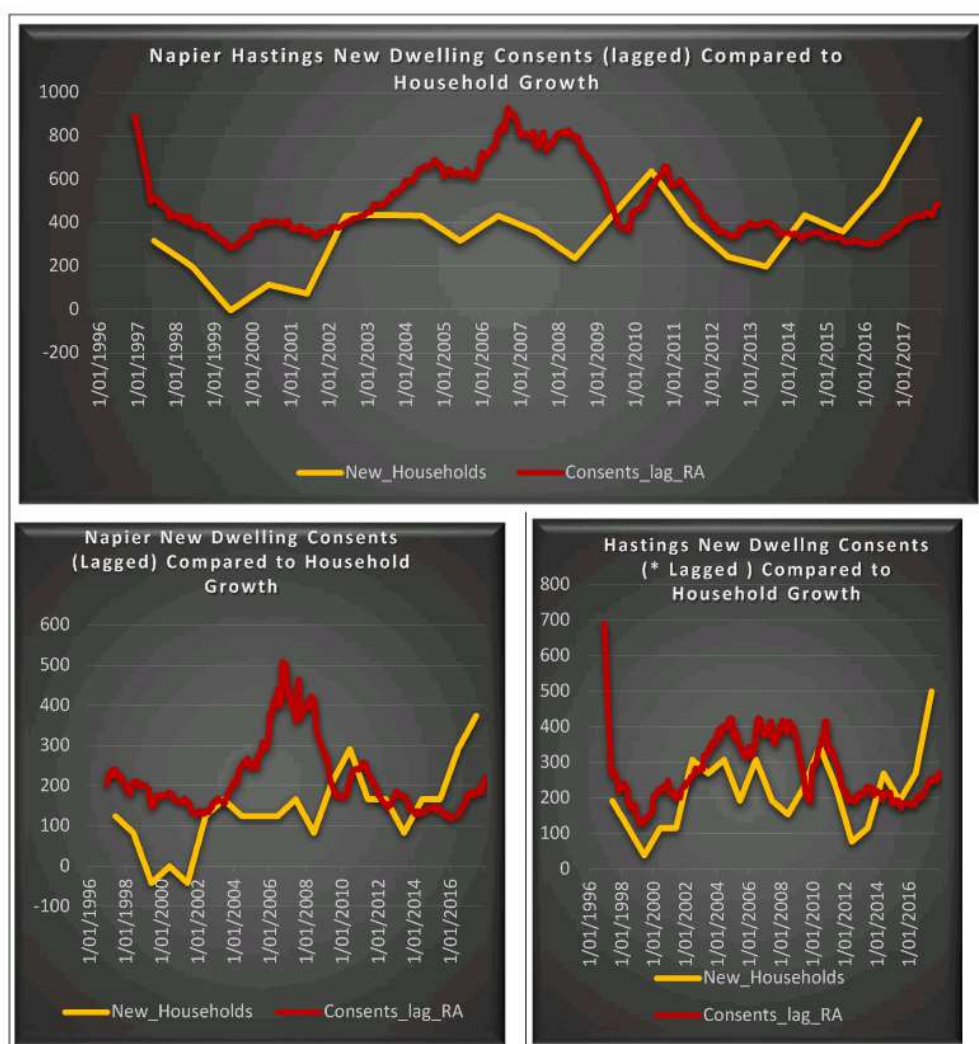
Figure 16: Napier Hastings New Dwelling Consents 2000-2017 by Housing Typology



(Source StatsNZ)

- 7.11. **Figure 17** tracks new dwelling consents lagged by six months to approximate completions against new household growth. This is a measure of whether house building is keeping pace with demand by new households over time (as opposed to more variable market influences such as interest rates, lending restrictions and income rates).

Figure 17: Napier Hastings New Dwelling Consents Compared to Household Growth



(Source MBIE Dashboard)

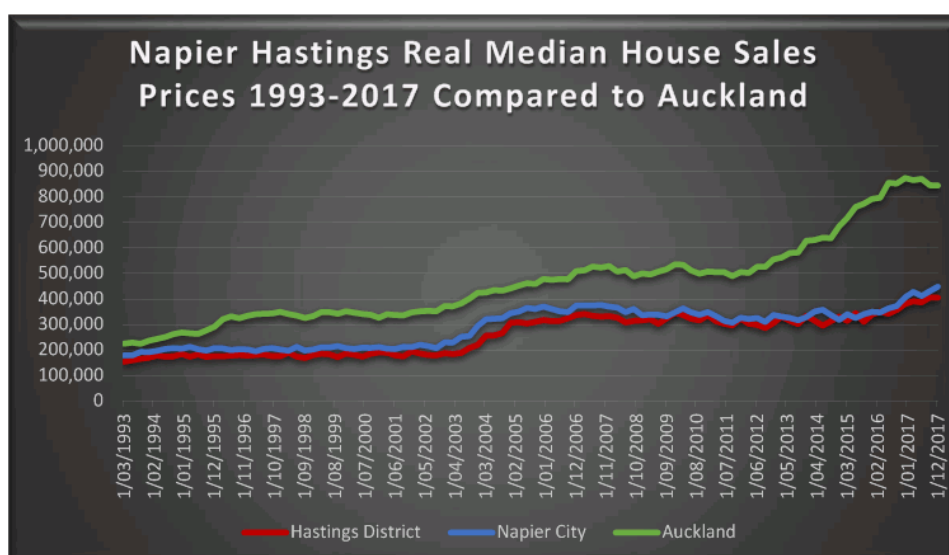
- 7.12. The graphs show that for both Hastings and Napier (and for the most part the rest of New Zealand outside of Auckland show a similar pattern), over the last 14 years from 2002, new house building has outstripped household growth to 2009 and kept pace to 2016. However, from 2016 household growth has and is expected to rise significantly off the back of record in-migration from overseas and/or anecdotally from displacement of buyers from other parts of the country experiencing crippling house price rises.

- 7.13. In both cases it appears that from 2002 a backlog of under provision from around the mid 1990's was part of the reason for the high rate of construction as the country came out of a period of high inflation and interests rates. That appears to have been more marked in Napier, largely because a shortage of greenfield land supply, while Hastings at least had some areas available around Havelock North and to a lesser extent Flaxmere.

8. House Prices /Sales Activity

- 8.1. **Figure 18** below indicates that house price inflation between Hastings and Napier has been relatively similar overtime, but with the Napier experiencing slightly higher median prices, possibly due to its seaside proximity. House price inflation has been relatively subdued by comparison with the "headline" Auckland situation, with prices being relatively stable following the GFC following the last property cycle until 2016, mirroring the pattern for vacant land sales and building activity.

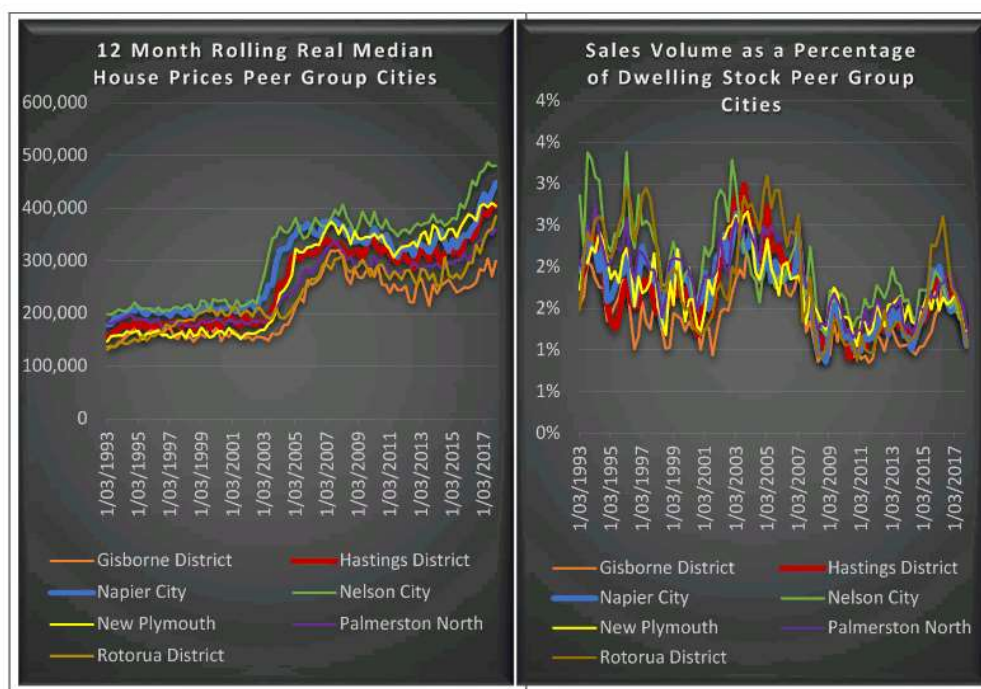
Figure 18: Napier Hastings 12 Month Rolling House Prices Compared with Auckland



(Source MBIE Dashboard)

- 8.2. **Figure 19** shows the same trends were evident with the peer group cities in terms of both pricing and sales activity, again indicating macro market forces at play rather than local land supply issues. If land supply issues nationally are affecting sales prices this may be a reflection of market forces causing rapid upswings in demand unrelated to underlying household growth and/or immigration policy that the physical/consenting process of subdivision and land development cannot keep up with. Interesting residential property turnover was as high in the early mid 1990's as the last property cycle despite very interest rates, and a recessionary economy.

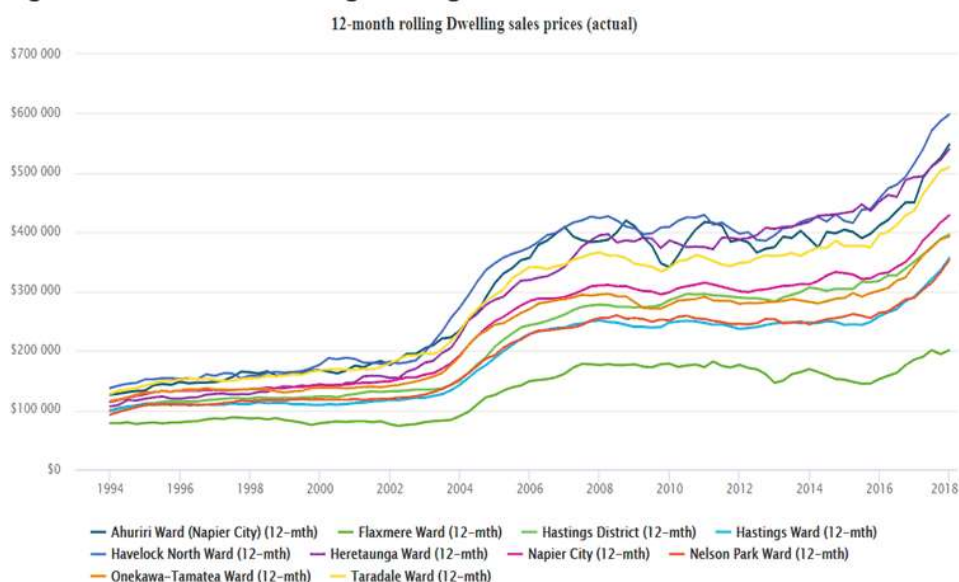
Figure 19: Napier Hastings Sales Activity and Prices Compared to Peer Group 1994-2016



(Source MBIE Dashboard)

- 8.3. **Figure 20** below shows the average house price by Local Authority ward. By and large the ward prices have tracked a similar pattern retaining their relativities. This tends to suggest that a shortage of vacant residential land in any particular area is not affecting existing house prices in those areas.

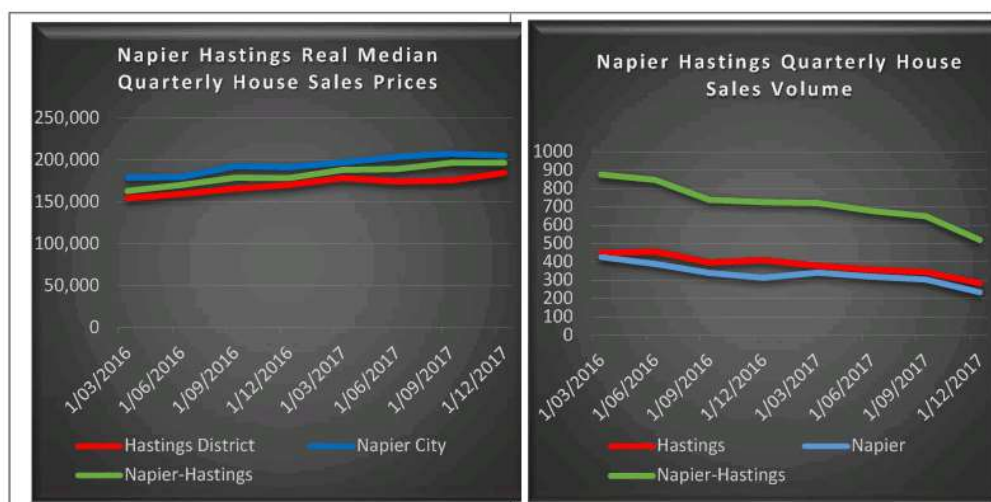
Figure 20: 12 Month Rolling Dwelling Sales Prices for Selected Locations



(Source MBIE Dashboard)

- 8.4. **Figure 21** below shows the median sales price and sales volume for Napier and Hastings per quarter for the past two years, showing a reduction in sales volume accompanied by a steady rise in prices.

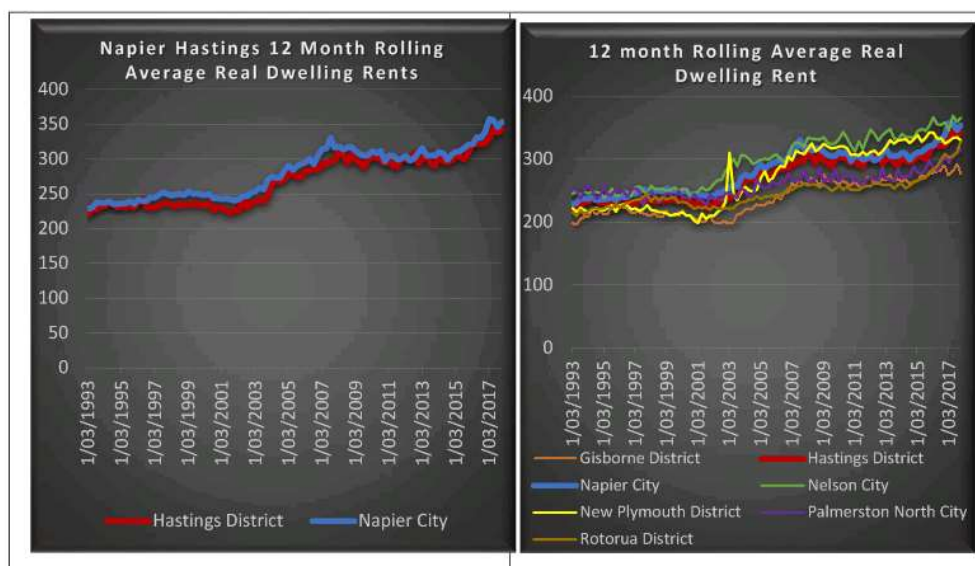
Figure 21: Napier Hastings Quarterly House Sales Volume and Prices



(Source MBIE)

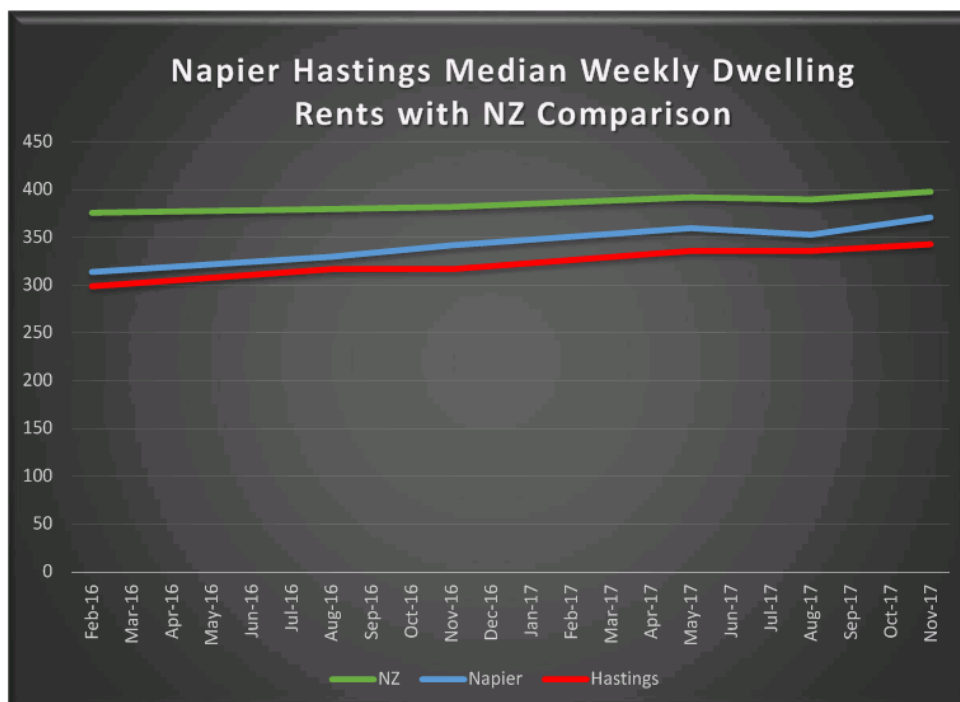
- 8.5. Looking at the rental market, unsurprisingly the trend for rental movements has mimicked that for house prices over time, as shown in **Figure 22** below. The more recent trends shown in **Figure 23** show a continuation of this trends from 2016, but at a faster pace than nationally and showing that like house price, median rents are slightly higher in Napier.

Figure 22: Napier Hastings 12 Month Rolling Median Dwelling Rents



(Source MBIE Dashboard)

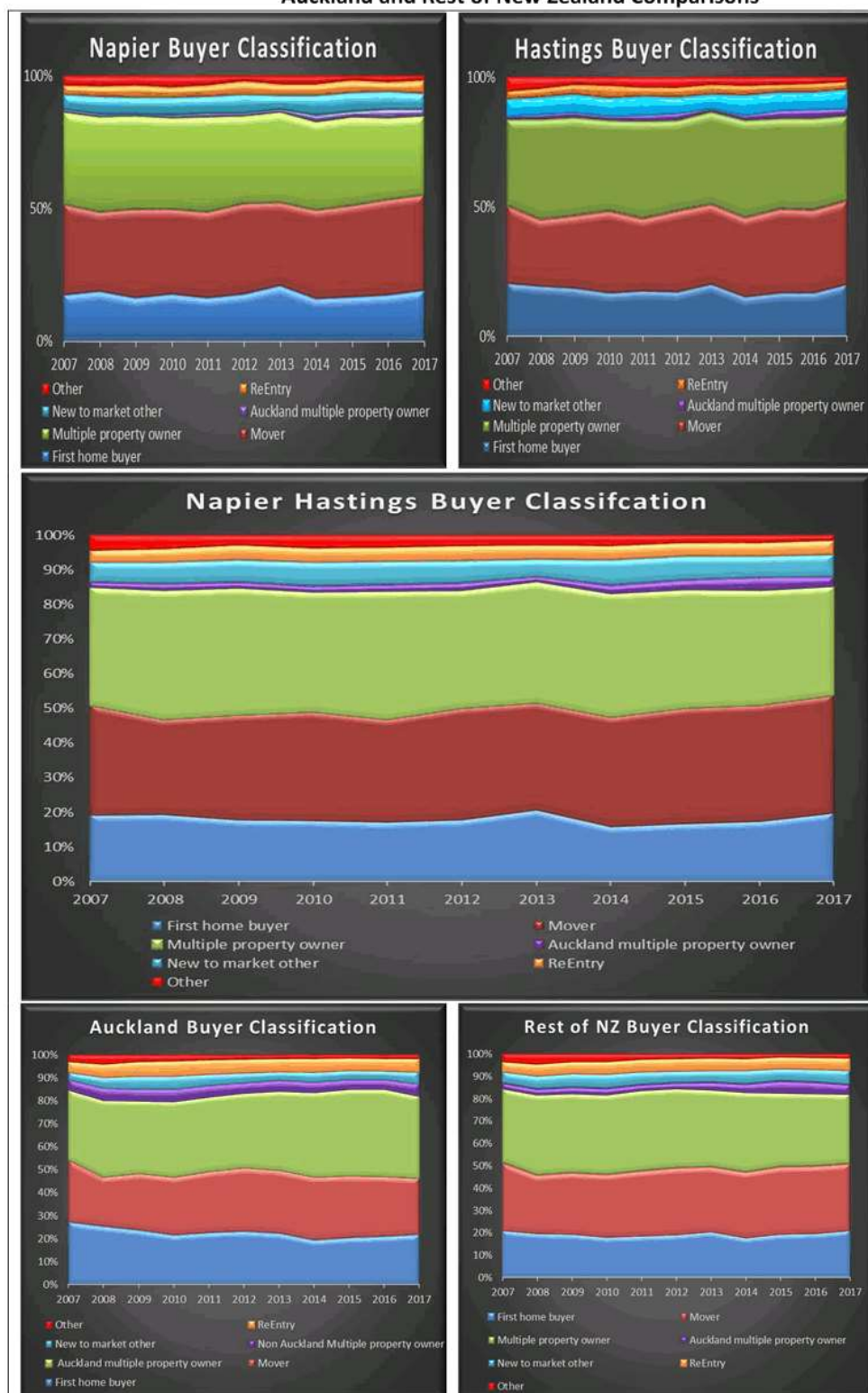
Figure 23: Napier Hastings Monthly Average Rental Movements 2016-2017



(Source Massey University)

- 8.6. These trends have mimicked to some extent the rise in household growth from 2016, and 2017 in particular, and the in-migration to the region is likely to be a key driver of the price movements. If the migration trend continues, then one of the few tools available to local Councils to address the flow on impact on housing affordability (discussed below) is to release more vacant serviced land capacity as planned and described in Section 4 above.
- 8.7. **Figure 24** shows the proportion of buyer types prevalent in the market overtime and again these are relatively consistent between Hastings and Napier, but are also consistent with Auckland and the rest of New Zealand. There is however, a more obvious increase in movers and first home buyers over investors locally since 2014 and a more pronounced spike in first home buyers in 2013. Given the relative consistency in the proportion of buyers in each category, it is possible that house price movements are likely to be dominated by factors other than household growth which would, all other things being equal, manifest itself in a greater proportion of first home buyers, particularly given the lack of regional variation.

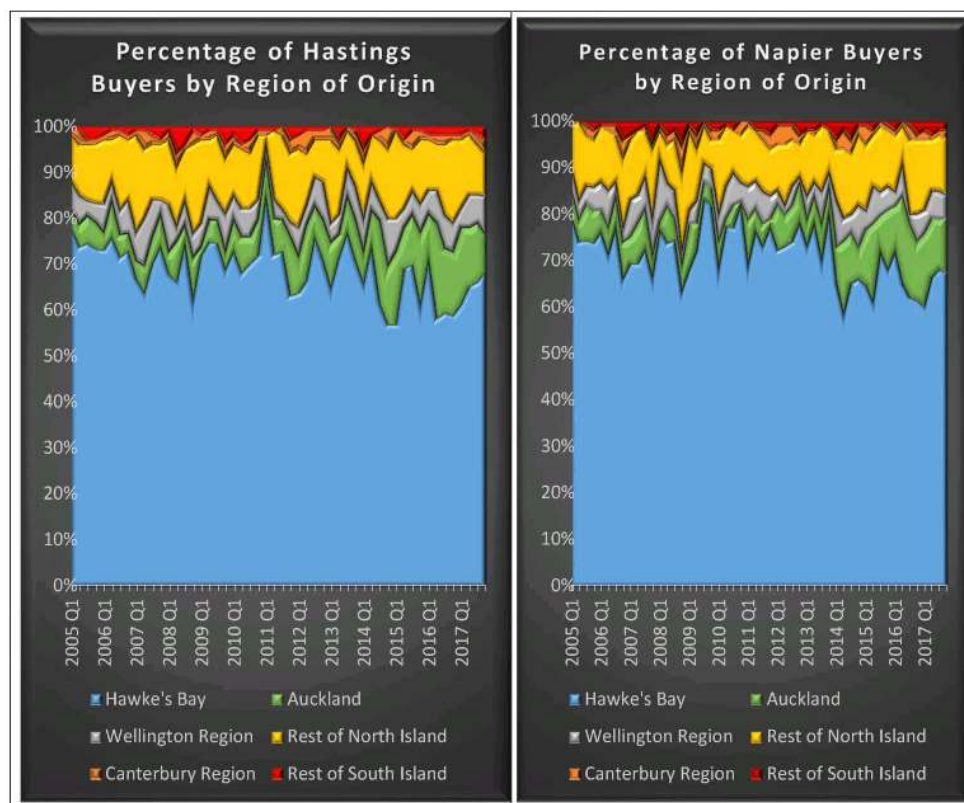
Figure 24: Napier Hastings House Buyer Classification 2006-2017 with Auckland and Rest of New Zealand Comparisons



(Source Core-logic)

- 8.8. What is more obvious is that a greater proportion of buyers have originated from the Auckland Region since 2014 as shown in **Figure 25** up from 6% to around 12%, which is broadly consistent with anecdotal information from property industry sources. Buyer from Wellington and the rest of the North Island average close to 20% by comparison. The 2018 census will provide a more definitive measure of movers from outside the region.

Figure 25: Origin of Buyers Purchasing Property in Hawke's bay 2005-2017

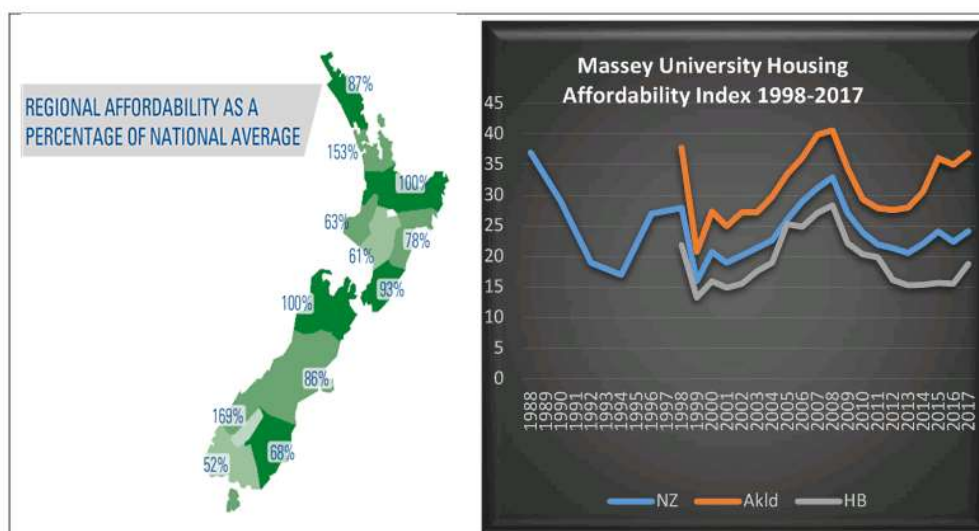


(Source Core-Logic)

9. Housing Affordability

- 9.1. The above data all provide indicators of the cost pressures on housing. When combined with measures of income, an overall view of housing affordability can be determined. One of these measures is the long running Massey University Housing Affordability Index which takes into account median disposal income and the costs of servicing a standard mortgage. **Figure 26** below shows the change in the index for Hawke's Bay relative to Auckland and New Zealand from 1998 to 2016, while **Table 4** compares HB with the other New Zealand Regions since 2016. The figures for New Zealand go back as far as 1988 when mortgage interest rates were approaching 20%.

Figure 26: Hawke's Bay Massey University Housing Affordability Index 1998-2017



(Source Massey University)

Table 4 Massey University Home Affordability Index Regional Comparison Nov 2016-Nov 2017

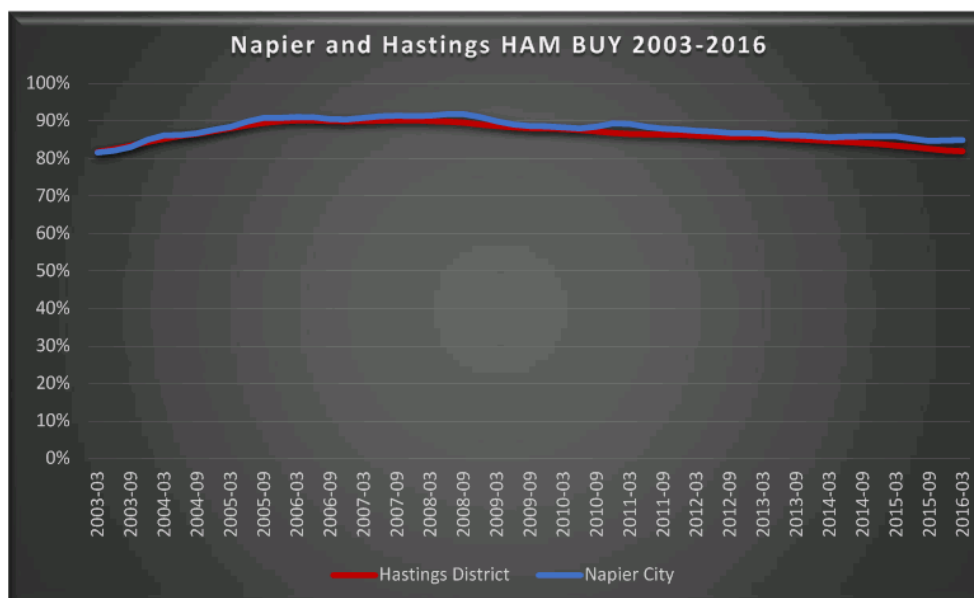
HOME AFFORDABILITY INDEX				PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 12 MONTHS		PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 3 MONTHS	
Region	November 2016	August 2017	November 2017	Improvement	Decline	Improvement	Decline
Northland	19.84	20.87	20.98		5.7%		0.5%
Auckland	35.89	36.15	36.94		2.9%		2.2%
Waikato/Bay of Plenty	22.36	24.05	24.03		7.5%		0.0%
Hawke's Bay	15.99	19.11	18.81		17.6%	1.6%	
Taranaki	15.18	13.91	15.27		0.6%		9.8%
Manawatu/Whanganui	12.77	13.82	14.61		14.4%		5.7%
Wellington	20.07	20.69	22.47		12.0%		8.6%
Nelson/Marlborough	22.56	24.32	24.20		7.3%	0.5%	
Canterbury/Westland	19.93	19.46	20.85		4.6%		7.1%
Otago	14.76	15.98	16.39		11.0%		2.6%
Central Otago Lakes	33.25	40.38	40.87		22.9%		1.2%
Southland	11.00	11.87	12.52		13.9%		5.5%
New Zealand	22.96	24.05	24.14		5.1%		0.4%

(Source Massey University)

- 9.2. The recent surge in inwards migration accompanying Hawke's Bay's buoyant economy and possibly the pinch point in section supply, has seen affordability deteriorate over the last 12 months by 17.65 points, although it improved slightly over the last three months. Hawke's Bay's position relative to other regions has however stayed steady at 5th most affordable.
- 9.3. Another measure(s) of affordability relates to trends in housing affordability for the first home buyer household (HAM Buy). **Figure 27** below shows that for potential home-owning

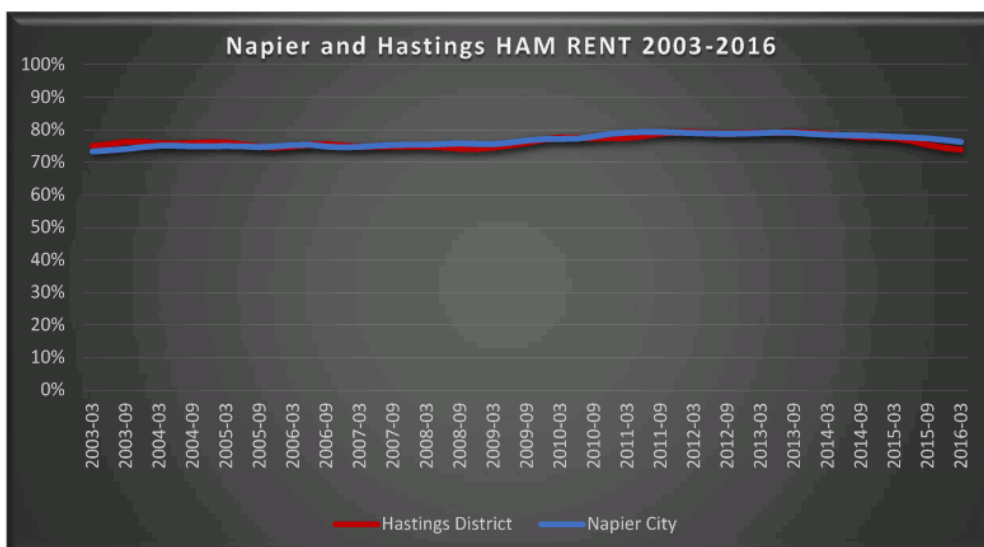
households, residual income after housing costs if they were to buy a modest first home in the area in which they currently live would be below average for 80% of households compared to around 90% in 2008. **Figure 28** shows a similar result for the share of renting households with below average income after housings cost, but getting worse in recent times as rental increase seem to be lagging house price movements (see **Figure 29** below).

Figure 27: Napier Hastings HAM First Home Buyer Affordability Measure 2003- 2016



(Source MBIE Dashboard)

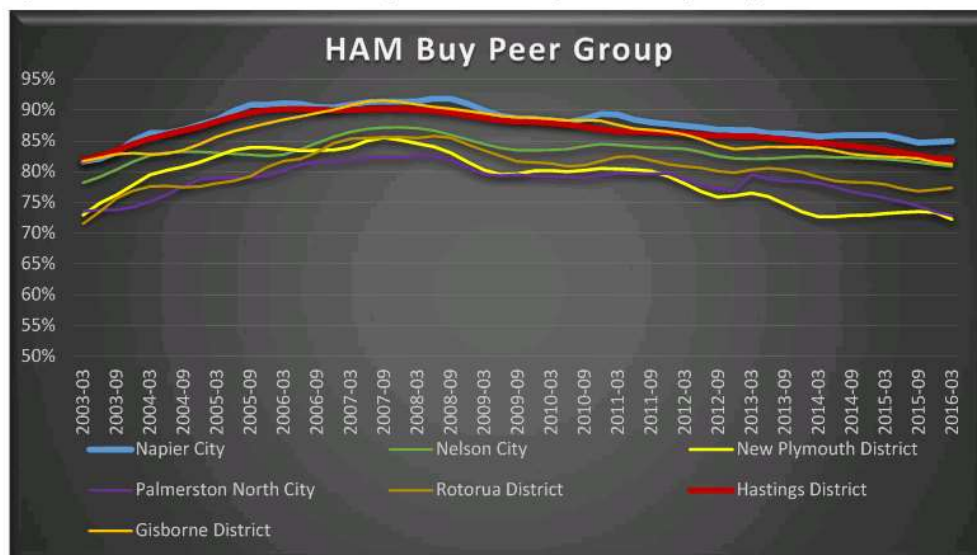
Figure 28: Napier Hastings HAM Share of Rent to Income Affordability Measure 2004- 2016



(Source MBIE Dashboard)

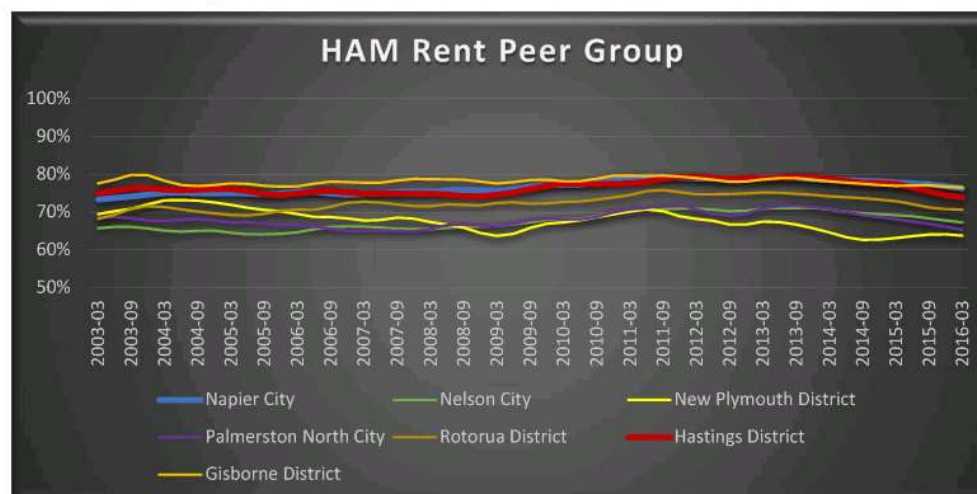
- 9.4. Looking at the peer group results shown in **Figure 29** we see that Hawke's Bay is amongst the least affordable with Gisborne, and more recently Nelson which has shown rapid house price movements over the last 12-18 months. **Figure 30** shows the peer group results for the HAM Rent measure.

Figure 29: HAM First Home Buyer Affordability Peer Group Comparison



(Source MBIE Dashboard)

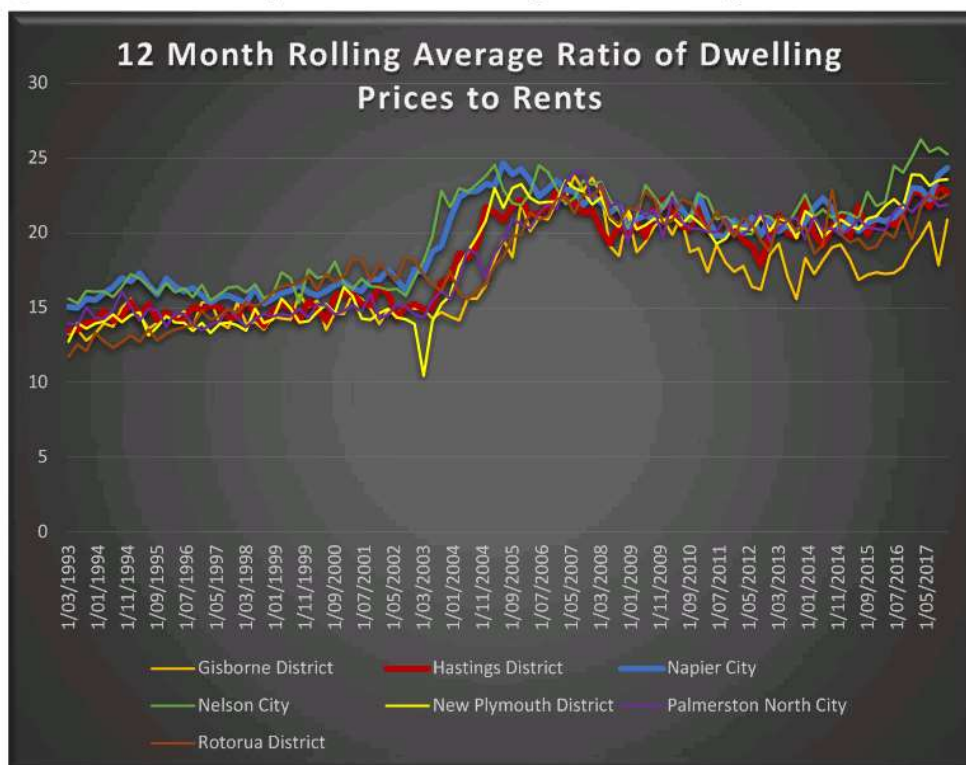
Figure 30: Napier Hastings HAM Share of Rent to Income Affordability Peer Group Comparison



(Source MBIE Dashboard)

- 9.5. This is similar to the HAM Buy trend, but with the house price rises in Nelson yet to show through in terms of increasing rents as shown. This is confirmed by **Figure 31** which shows the ratio of rents to house prices for the peer group cities.

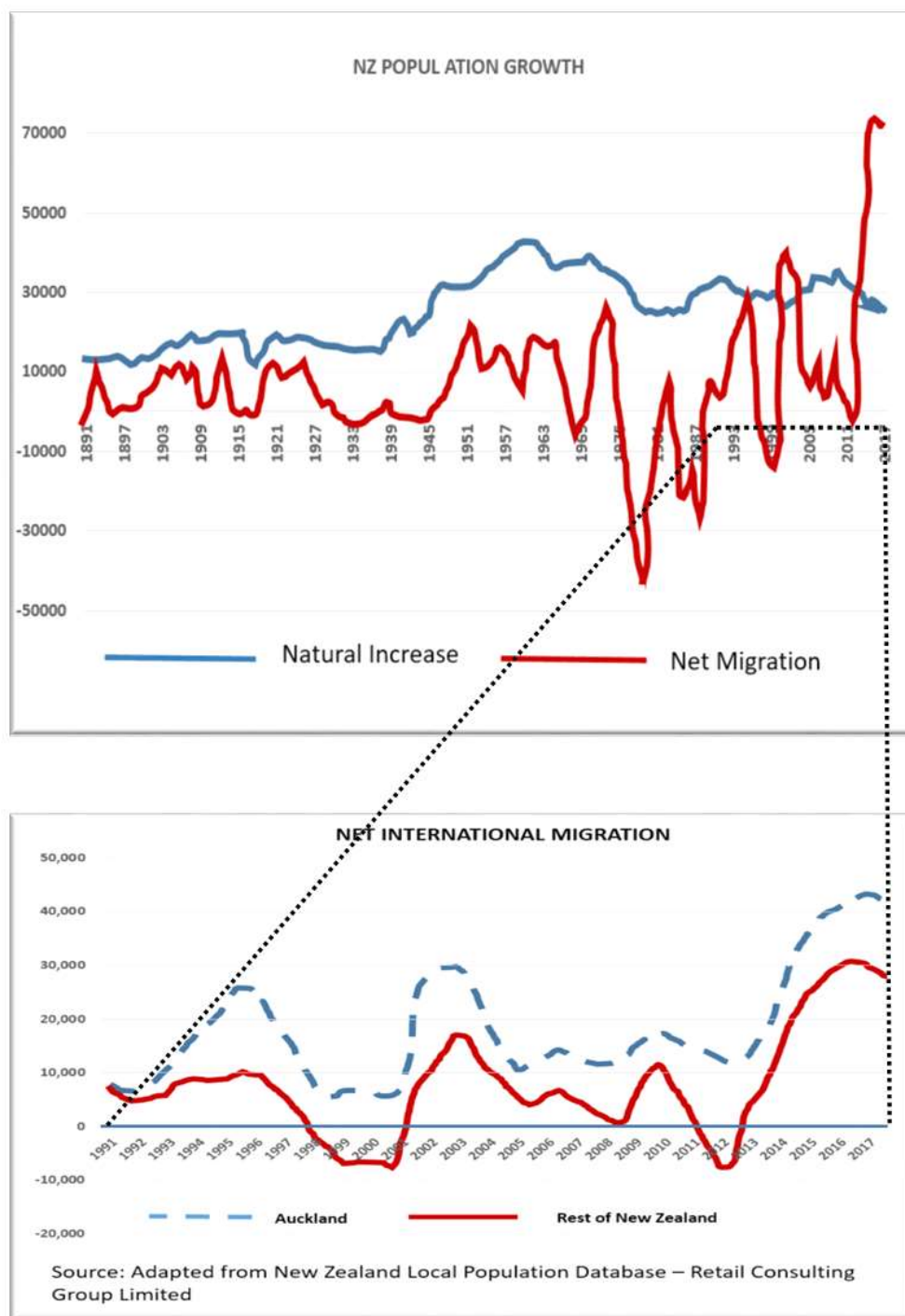
Figure 31: Peer Group Cities 12 Month Rolling Ratio of Dwelling Sales Prices to Rents



(Source MBIE Dashboard)

- 9.6. Of concern with the trend shown in figure 26 is the fact that the ratio of house prices to rents has shown a significant increase as house prices have risen and this could signal a lagged rise in rents and therefore deterioration in the HAM Rent measure of affordability.
- 9.7. Overall home affordability in the region sits well relative to the rest of New Zealand, but is worsening as house prices rise quickly on the back of record increased migration from 2013 (see Figure 32), a buoyant local economy, and some pinch points in residential land supply. Lower incomes in the region however, mean that house price rises have greater effect on below average incomes compared to regions with less income inequality as represented in the peer group comparisons for the HAM Buy and HAM Rent statistics.

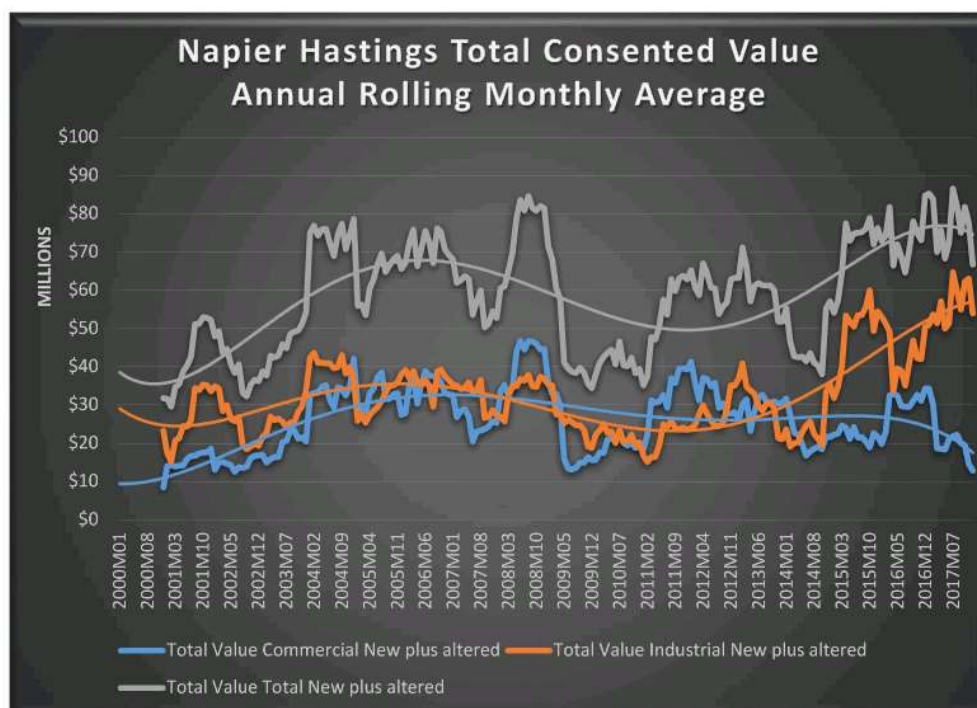
Figure 32: New Zealand Migration and Population Growth



10. Business Building Activity

- 10.1. **Figure 33** below shows the total value of commercial and industrial consents issued since 2000, peaking just before the GFC, but reaching those levels again off the back on new industrial developments over the last two years. Commercial construction values have remained steady since 2005.

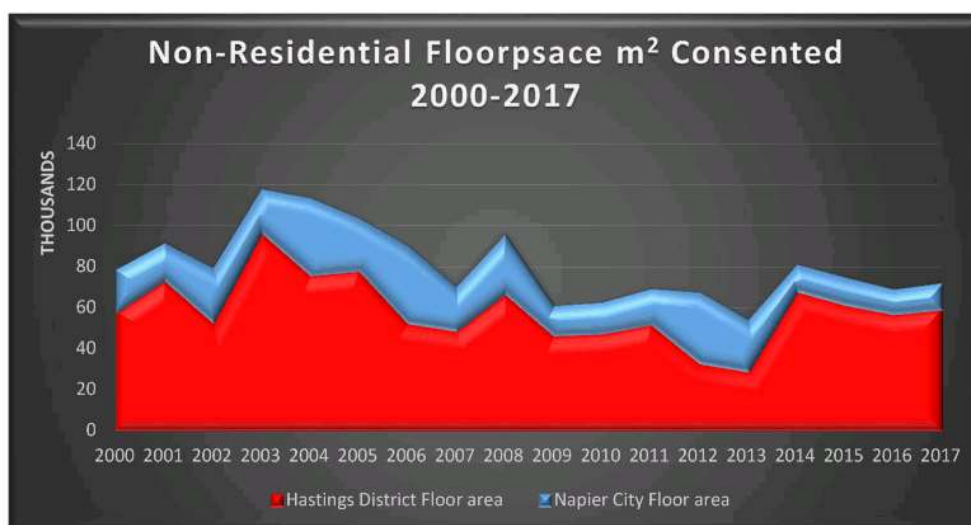
Figure 33: Monthly Rolling Building Consent values for Napier Hastings Commercial and Industrial Buildings 2000-2017



(Source StatsNZ)

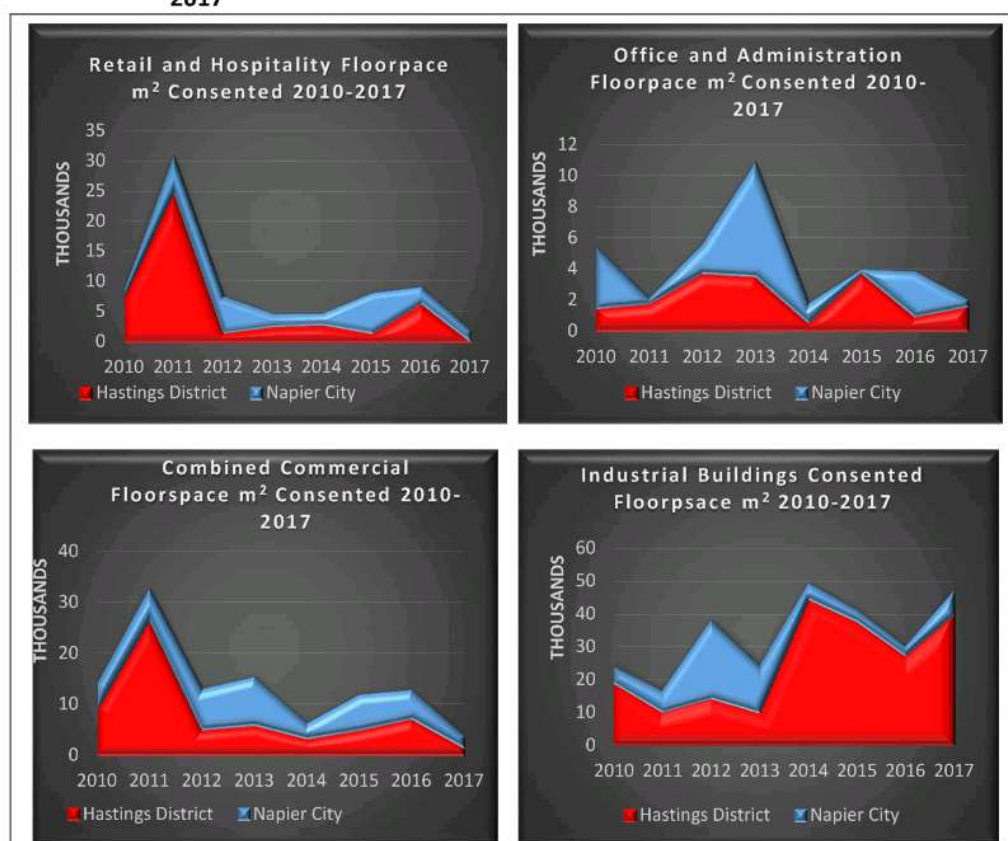
- 10.2. While consented industrial value has increased from around 2014, **Figure 34** shows the total non-residential floorpace consented since 2000 for Hastings and Napier. This indicating a more subdued pattern overall. The Hastings figures do show an increase of approximately 50% from around 2014, but less than a previous spike in experienced 2003. **Figure 35** breaks this down into industrial, retail and office floorspace from 2010 by both Hastings and Napier and combined area.

Figure 34: Napier Hastings Non Residential Floorspace Consented 2000-2017



(Source StatsNZ)

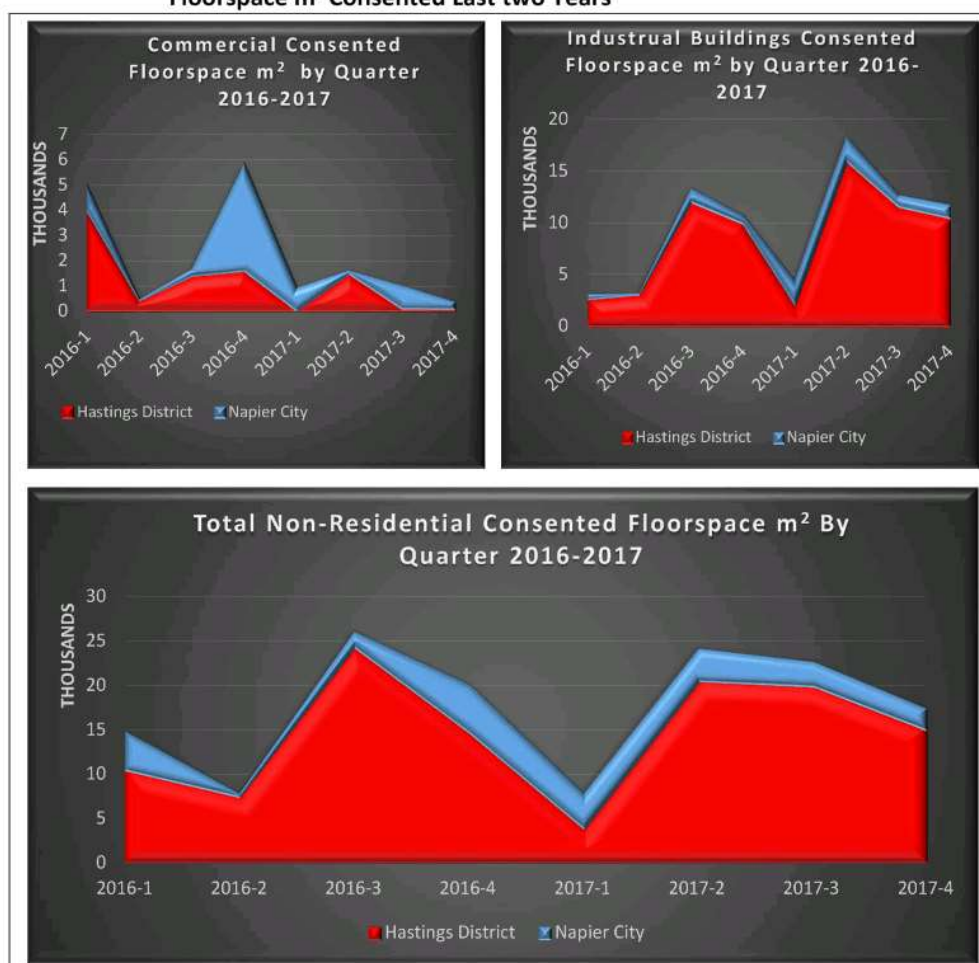
Figure 35: Napier Hastings Industrial and Commercial Floorspace Consented 2010-2017



(Source StatsNZ)

- 10.3. **Figure 35** in particular shows the “spikey” nature of commercial development in terms of added floorspace. The retail figures are dominated by the 2011 ‘The Park’ mega centre expansion, while the office figures are dominated by the 2013 Ahuriri Hub development in Napier.
- 10.4. The spikey nature business land development is further highlighted in quarterly building consents for commercial, industrial and total non-residential building floorspace consents shown in **Figure 36** below. Apart from the 4th quarter of 2016 the figures are dominated by Hastings, particularly for Industrial, which may be an indication of supply issues in Napier that could be worth investigating further.

Figure 36: Napier Hastings Quarterly Commercial Industrial and Total Non-Residential Floorspace m² Consented Last Two Years

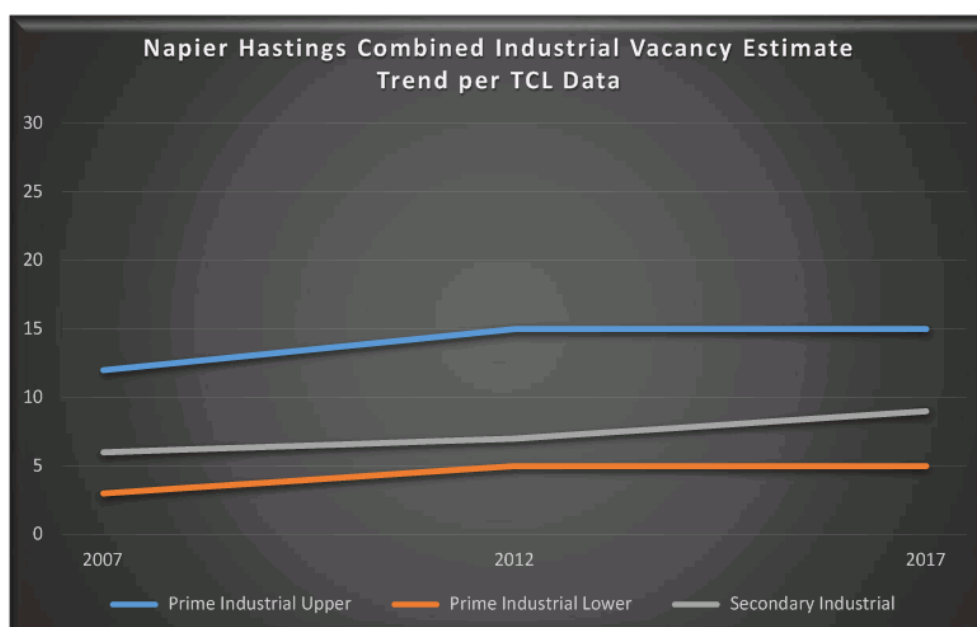


(Source StatsNZ)

11. Business Vacancy

- 11.1. The figures below have been adapted from estimates of business vacancy supplied by Turley & Co for industrial, retail and office activity for the combined Napier Hastings areas¹. While data for intervening years is available from Turley & Co for more detailed analysis, the graphs below reflect discrete estimates for 2007, 2012 and 2017 (based on 2nd and 4th Quarter estimates made at those times), to give a broad indication of a trend over 10 years.
- 11.2. **Figure 37** presents this information for industrial vacancy with prime property given as an upper and lower estimate. While the trend seems to be fairly level over time the overall rate is consistently low, suggesting constrained supply for prime industrial property. In this respect the Hastings District Council's recent substantial rezoning of new industrial areas at Irongate, Omaha North and the Tomoana Food Hub have yet to filter through to easing of supply within the existing property market.

Figure 37: Napier Hastings Combined Industrial Vacancy Estimate Trend

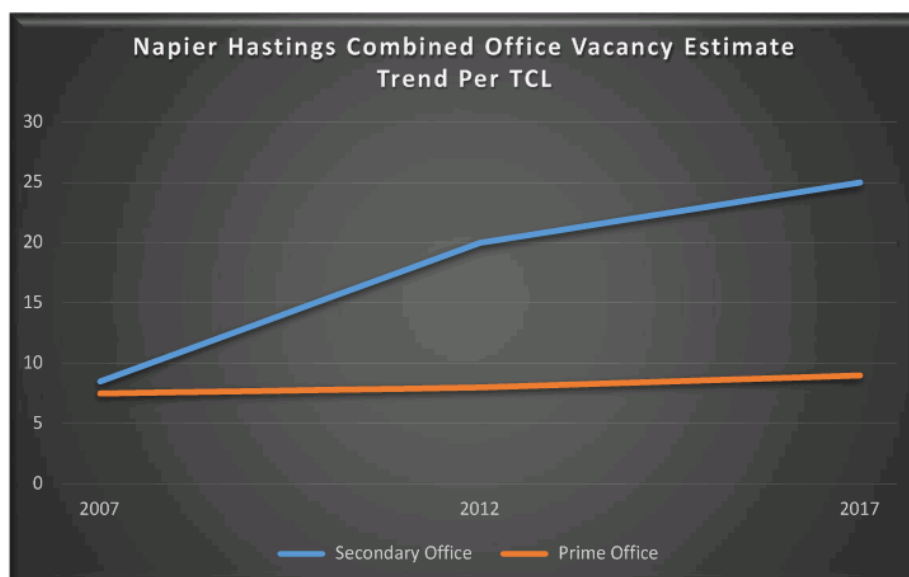


(Source Turley & Co Data.)

- 11.3. **Figure 38** below shows similar data for the office sector. The 2012 to 2017 vacancy rates are likely to be due to the seismic issues arising from the Canterbury earthquakes with secondary property being vacated in favour of prime property with higher seismic rating. While later stock has been expanding in response appears to be still sought after, but economic conditions are likely to be a contributing factor as these seismic issues are addressed. The high rate of secondary office property vacancy suggests there is still plenty of scope for redevelopment in this sector.

¹ These graphs and discussion above based on them, are the partner Council's *adaptation and interpretation* of a report prepared for them by Turley & Co for the purposes of this report only. No liability shall attach to or be accepted by HDC, NCC, HBRC or Turley & Co. either directly or indirectly in reliance on its publication in this document.

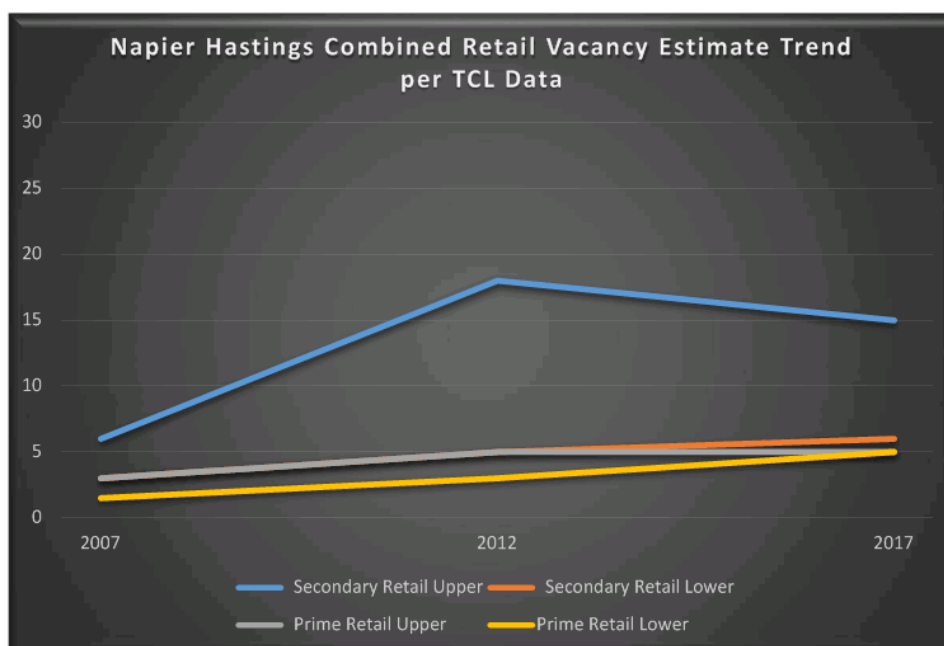
Figure 38: Napier Hastings Combined Office Vacancy Estimate Trend



(Source Turley & Co Data)

- 11.4. **Figure 39** below provides the same information again for the retail sector. In this case prime means main street strip retail e.g. Upper Emerson Street, Heretaunga 100 and 200 West blocks, while secondary means the main street contiguous strip retail adjacent to primary retail locations. Larger format locations are excluded.
- 11.5. While prime retail vacancy remains very low secondary property has trended upwards during themed period, probably as a result of the global financial crises of 2008/09 and increasing on-line retailing. Reduction in secondary retail property vacancy could be a result of a more buoyant economy, but the fact that it hasn't returned to pre GFC levels and slight rise in prime vacancy could be the result of on-line purchasing increasing and expansion in the large format sector, particularly at the Park Mega Centre. The number (supply) of mainstreet shops has expanded. Retail property markets are more complex than this commentary may suggest, but for this exercise the data does not indicate an obvious shortage or constraint in the supply of retail property.

Figure 39: Napier Hastings Combined Retail Vacancy Trend



(Source Turley & Co Data.)

Item 9

Attachment 1



CONTENTS

1.	Purpose of this Report	2
2.	About This Report.....	2
3.	Residential Land Capacity.....	4
4.	Land Prices /Sales	6
5.	Building Activity.....	6
6.	House Prices /Sales Activity.....	9
7.	Housing Affordability	10
8.	Business Building Activity.....	11

TABLE OF FIGURES

Figure 1	Napier-Hastings Urban Areas as defined by StatsNZ	3
Figure 2:	Napier Hastings Quarterly Lots Granted Last Three Years	4
Figure 3:	Quarterly Greenfield Residential Land Uptake Trend 2018	5
Figure 4	Napier and Hastings Vacant Residential, Quarterly Section Sales Volume and Prices Last two Years	6
Figure 5:	Napier Hastings Quarterly New Dwelling Consents 2015-2018	7
Figure 6:	Napier Hastings New Dwelling Consents 2015-2018 by Location	8
Figure 7:	Napier Hastings Quarterly New Dwelling Consents 2016-2018 by Housing Typology	8
Figure 8:	Napier Hastings Quarterly House Sales Volume and Prices	9
Figure 9:	Napier Hastings Monthly Average Rental Movements 2016-2018	9
Figure 10:	Hawke's Bay Massey University Quarterly Housing Affordability Index 2016-2018	10
Figure 11:	Napier Hastings Quarterly Commercial Industrial and Total Non-Residential Floorspace m2 consented last two years	11
Figure 12	Napier Hastings Commercial and Industrial	12

Item 9**Attachment 2**



HASTINGS & NAPIER URBAN AREA
Housing and Business Market
Indicator Monitoring
Quarterly Report to 31 March 2018



HASTINGS
DISTRICT
COUNCIL



HAWKE'S BAY
REGIONAL COUNCIL



NAPIER
CITY COUNCIL
Te Kaurihera o Ahuriri

Published May 2018

Item 9

Attachment 2

1. PURPOSE OF THIS REPORT

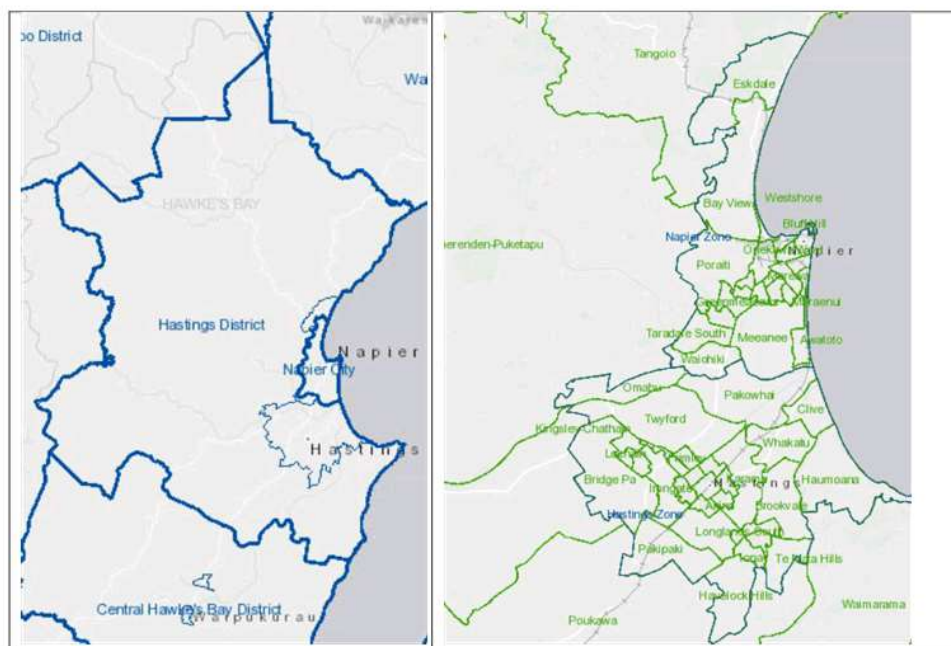
- 1.1. This report has been prepared by the Hastings District, Napier City and Hawke's Bay Regional Councils to provide a quarterly update of the Napier Hastings property market using a selection of housing and business indicators. It is prepared to meet the monitoring requirements of the government's National Policy Statement on Urban Development Capacity (NPSUDC).
- 1.2. The NPSUDC Policy PB6 requires the three councils to monitor a range of indicators on a quarterly basis including:
 - a) prices and rents for housing, residential land and business land, by location and type; and the changes in these prices and rents over time;
 - b) the number of resource consents and building consents granted for urban development relative to the growth in population; and
 - c) indicators of housing affordability.

2. ABOUT THIS REPORT

- 2.1. Where data is or will be available at three monthly intervals (i.e. quarterly), short monitoring reports for each of the three quarters between calendar years, will be produced. This report is the first of the intervening quarterly reports providing data for the period 1 January to 31 March 2018.
- 2.2. Previously, the three councils had prepared a baseline report¹ of housing and business market trends across a range of variables up to December 2017 (or 2016 in some cases depending on the time series data availability). Each of the three quarterly reports will culminate in an annual updated version of the baseline report.
- 2.3. The data used for this quarterly report has been drawn from a number of sources and therefore some is reported for the combined Napier Hastings Urban Territorial Areas and some for the Napier Hastings Urban Area, or in rare cases, for the Hawke's Bay region as a whole, depending upon the sources and data collection methods.
- 2.4. **Figure 1** overleaf shows the boundary of the Napier Hastings Main Urban Area in relation to the census area units incorporated within it.
- 2.5. In many cases, trends will remain the same from quarter to quarter, and unless there is a notable change in an indicator, detailed commentary on the indicators will be provided on an annual rather than quarterly basis.

¹Hastings and Napier Urban Area Housing and Business Market Indicator Monitoring Baseline Report to 31 December 2017.

Figure 1 Napier-Hastings Urban Areas as defined by StatsNZ



(Source StatsNZ)

- 2.7. **Table 1** sets out the indicators contained in this report, and Appendix 1 presents a map to illustrate the location of place names frequently mentioned in this report.

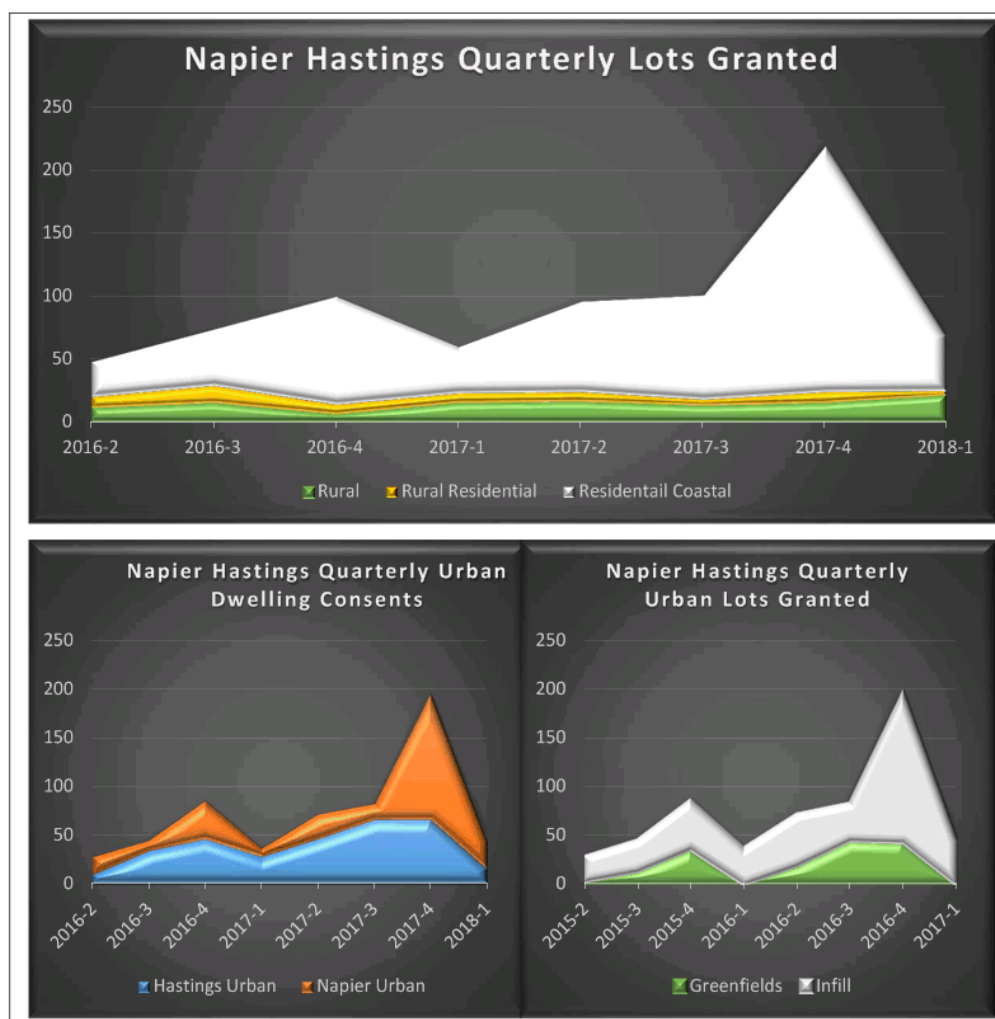
Table 1 Summary of Indicators Reported

NPSUDC-Ref	Type	Topic	Figure or Table	Quarterly Indicator
PB6 (b)	Residential	Land	Figure 2	House Lots Consented
PB6 (b)	Residential	Land	Table 2	Current Greenfields Residential Land Uptake
PB6 (b)	Residential	Land	Figure 3	Greenfield Residential Land Uptake Trend 2018
PB6 (b)	Residential	Land	Table 3	Changes Greenfield Residential Section Capacity
PB6 (a)	Residential	Land	Figure 4	Vacant Residential Section Sales Volume/Value
PB6 (a)	Residential	Dwellings	Figure 5	New Dwelling Consents Last Three Years
PB6 (a)	Residential	Dwellings	Figure 6	New Dwelling Consents by Greenfields Location
PB6 (a)	Residential	Dwellings	Figure 7	New Dwelling Consents by Housing Typology
PB6 (a)	Residential	Dwellings	Figure 8	Dwelling Sales Volume and Median Price
PB6 (a)	Residential	Dwellings	Figure 9	Average Weekly Dwelling Rental Movements
PB6 (c)	Residential	Affordability	Figure 10	Housing Affordability Index Movements
PB6 (c)	Residential	Affordability	Table 4	Housing Affordability Index Regional Comparison
PB6 (b)	Business	Building	Figure 11	Business Floorspace m ² Consented
PB6 (b)	Business	Value	Figure 12	Industrial and Commercial Building Consent Value

3. RESIDENTIAL LAND CAPACITY

- 3.1. Overall residential land capacity comprises greenfield residential areas, infill development potential, brownfields developments and other dispersed types of living environments such as coastal settlements, marae based communities and rural residential/lifestyle living.
- 3.2. **Figure 2** shows the estimated quarterly number of lots for which consent was granted and the urban lots broken down by Napier and Hastings and by infill and greenfields subdivision.

Figure 2: Napier Hastings Quarterly Lots Granted Last Two Years



(Source NCC and HDC)

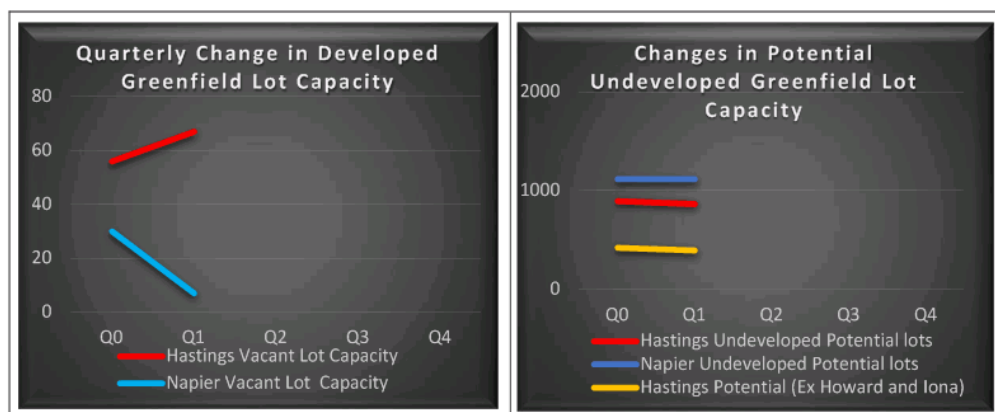
- 3.3. After a spike in infill subdivision in Napier in the last quarter of last year in Guppy Road, infill subdivision rates have return to background levels in 2018.
- 3.4. **Table 2** sets out the remaining vacant residential lot capacity within greenfield areas as at the end of March 2018 after allowing for building consents issued over the last quarter. It estimates the number of subdivided lots yet to be built on and the estimated capacity of larger zoned areas serviced with bulk infrastructure that have yet to be subdivided. Of the latter 209 lots in Napier (mostly Parklands) and 93 in Hastings (mostly Northwood) have resource consents for subdivision granted, but physical construction has not yet been completed. Overall capacity has increased by 39 lots in Arataki due to the release of the proposed school site (former camp ground) back into the developable area pool.

Table 2: Quarterly Greenfield Residential Land Uptake 31 March 2018

YTD 31/03/2018 Area	Unbuilt Lot Capacity 30-Dec '17	New Lots Created Last Quarter	Building Consents Granted Last Quarter	Balance lots Unbuilt	Lots yet to be Created	Total Remaining Capacity
Arataki	10	0	0	10	64	77
Lyndhurst Stage 1	16	0	6	10	13	23
Lyndhurst Lifestyle Village	22	0	1	21	0	21
Lyndhurst Stage 2	2	29	2	29	237	266
Northwood	6	0	1	5	80	85
Parklands	8	0	5	3	181	184
Te Awa	22	0	18	4	936	940
Total	86	29	33	82	1511	1596

- 3.5. **Figure 3** is the beginning of a quarterly track of uptake and remaining capacity in these greenfield growth areas in total from March 2018. This will ultimately represent three years of quarterly data. What it shows however, is that there is a shortage of vacant greenfield sections in Napier at present, despite plenty of potential capacity, and the current pinch point on Hastings supply is easing as new sections in Lyndhurst stage 2 come on stream. The Napier shortage is however, offset by the 130 lot infill developments at Guppy Road consented last quarter.

Figure 3: Quarterly Greenfield Residential Land Uptake Trend 2018



(Source HDC and NCC)

- 3.6. As well as these zoned and serviced areas **Table 3** shows the changes in future capacity planned to be provided through rezoning and infrastructure provision over the next two years, plus the total remaining capacity of land identified in HPUDS for future development. The net change in currently zoned capacity of just three is due the Arataki School Site being returned to the residential land development pool, increasing the potential yield by 39 sites and offsetting the 33 sites taken up for new dwellings in the quarter.

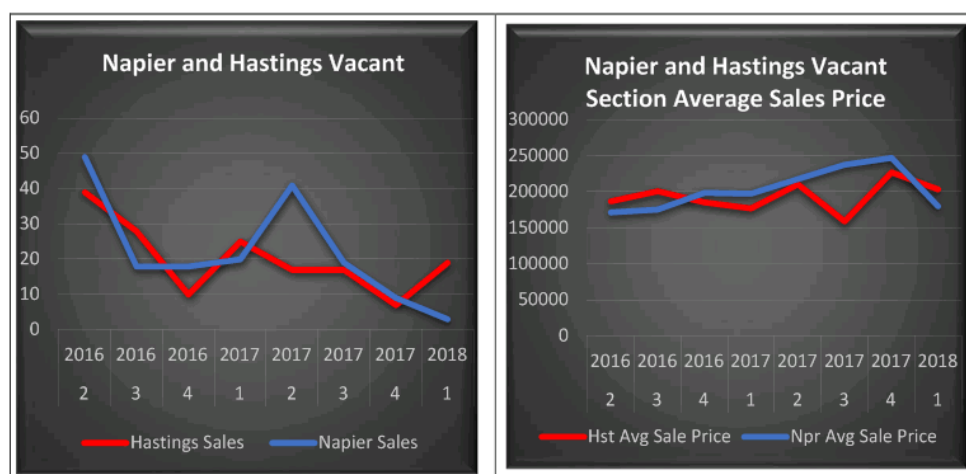
Table 3 Changes in Current and Planned Residential Section Capacity

Areas	Change from Last Quarter	Available Capacity
Currently Zoned	+6	1766
Planned Over Next Two Years	No Change	1300
Remaining HPUDS Areas	No Change	2235
Grand Total	No Change	5711

4. LAND PRICES /SALES

- 4.1. **Figure 4** shows Hastings and Napier quarterly rolling average vacant section sales and average sales prices over the last 2 years. This covers both infill and traditional greenfields sites. There may still be some under-reporting of the last fourth quarter of 2017 and first quarter of 2018, due to slow sales notifications. While sales volumes have fluctuated, probably due to the lumpy nature of greenfield land supply releases, prices have generally risen fairly steadily, particularly in Napier (despite less constrained greenfields land supply until the end of 2017).

Figure 4 Napier and Hastings Vacant Residential, Quarterly Section Sales Volume and Prices Last Two Years

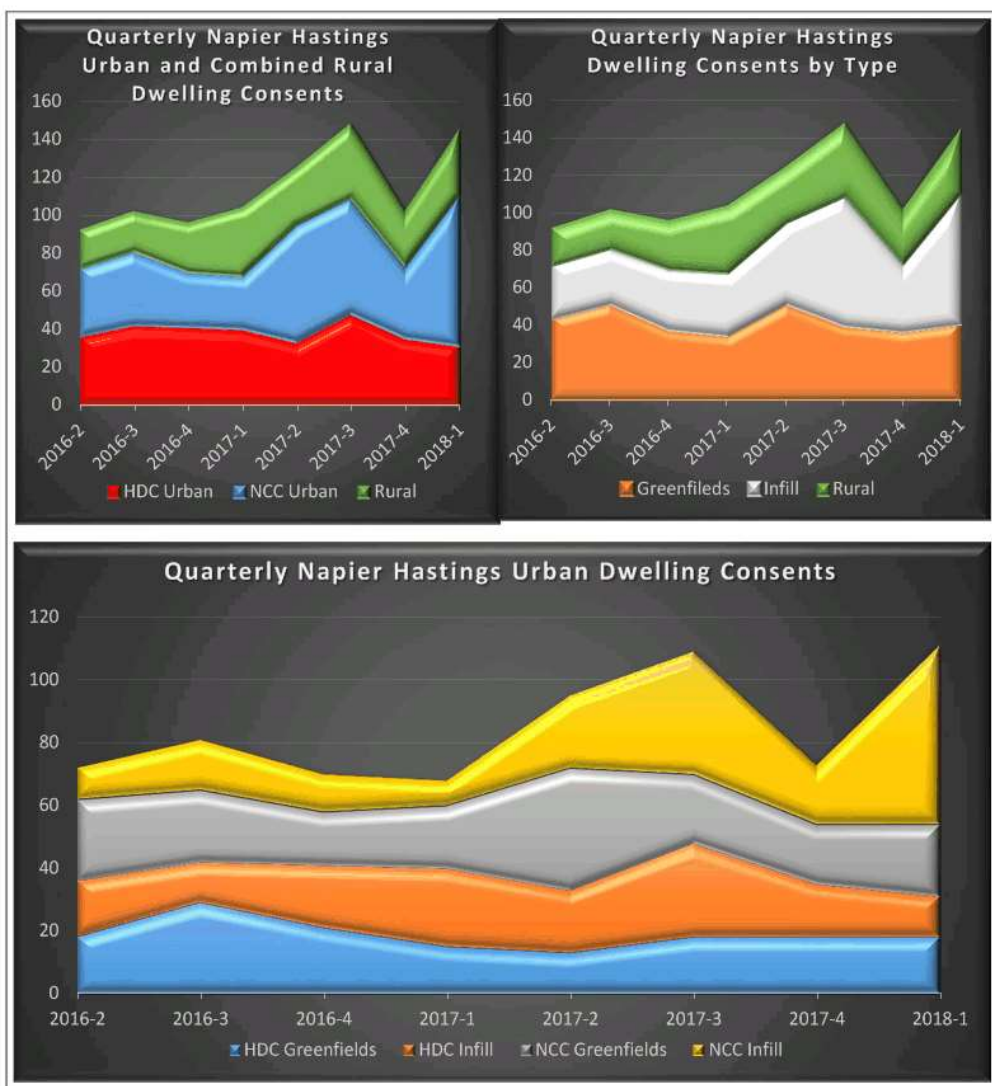


(Source Logan Stone Valuers)

5. BUILDING ACTIVITY

- 5.1. Building consent data in **Figure 5** shows a pick-up in new urban dwelling construction from around the beginning to middle of 2016 in both Hastings and Napier after a slow period following the GFC. The last quarter of 2017 however, potentially signalled a slower period, but a pick up in the first quarter of 2018 suggests that this was temporary. However the first quarter 2018 increase is largely due to a large number of consents being granted for supplementary dwellings (generally as detached units) in Napier as part of Housing New Zealand's social housing programme, rather than more broadly based market factors. This may be masking a deeper trend, but this will not be able to be determined until further quarterly results are available.

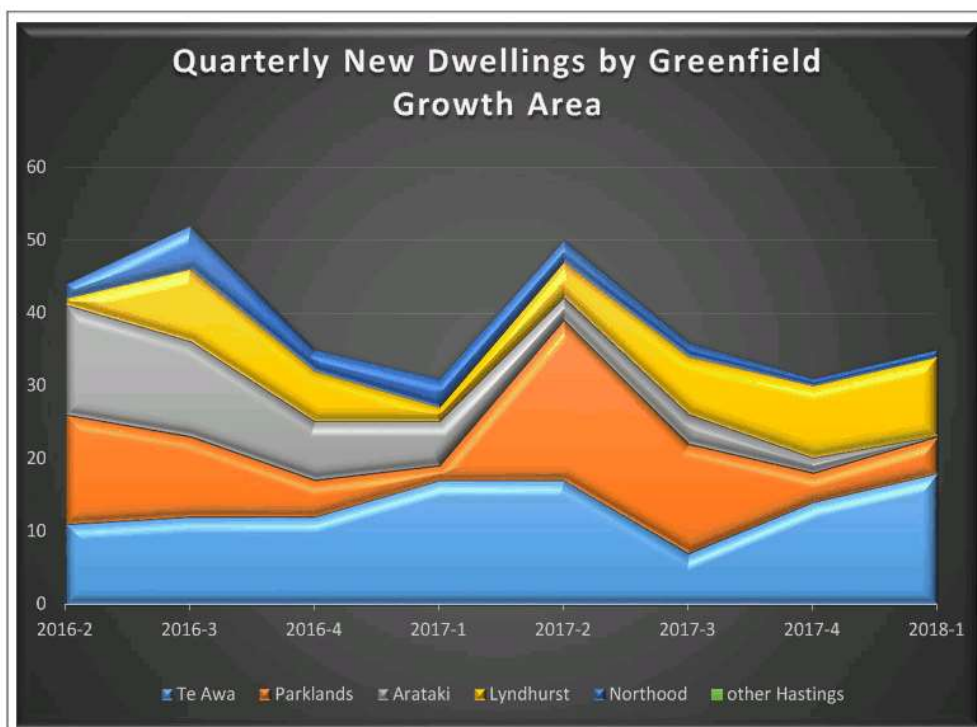
Figure 5: Napier Hastings Quarterly New Dwelling Consents 2016-2018



(Source HDC and NCC)

- 5.2. While increased infill and rural/lifestyle development dipped in the last quarter of 2017, infill development rebounded strongly due to Housing NZ's supplementary dwelling programme in Napier.
- 5.3. **Figure 6** shows improving section availability at Lyndhurst is starting to be reflected in slight increases toward the end of 2017 and into first quarter of 2018. A large release of sections at Parklands the first quarter of 2017 subsequently resulted in a building spike in the second quarter. However, this has been followed by a temporary shortage of available sections while the Napier City Council completes variations to its master plan associated with planning for the Park Island sportsground development. This has seen increased uptake in Te Awa over the last two quarters.

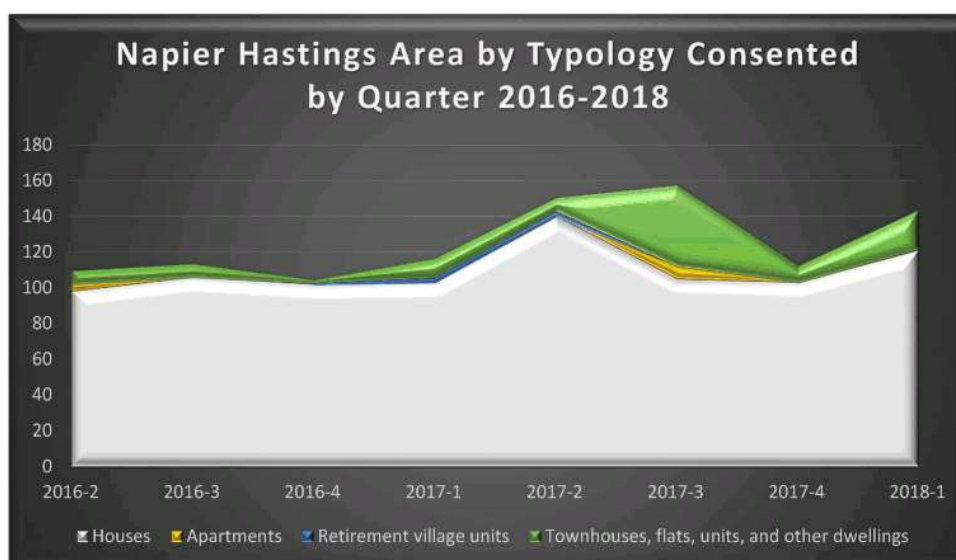
Figure 6: Napier Hastings New Dwelling Consents 2016-2018 by Location



(Source HDC and NCC)

- 5.4. **Figure 7** shows a continuation of the prevalent household typology in the detached dwelling format despite increased infill development, although from the middle of last year there have been some signs of increasing diversity. Hastings District Council adopted a Medium Density Housing Strategy in November 2017 to encourage greater development of semi-detached and terraced forms of intensification in addition to traditional infill.

Figure 7: Napier Hastings Quarterly New Dwelling Consents 2016 -2018 by Housing Typology



(Source StatsNZ)

6. HOUSE PRICES /SALES ACTIVITY

- 6.1. **Figure 8** presents the median sales price and sales volume for Napier and Hastings per quarter for the past two years. A reduction in sales volume is apparent accompanied by a steady rise in prices. This is similar to the vacant land sales track, but with less volatility in sales volume. NOTE the MBIE update for Q1 2018 will not be available until the end of May so will report in the June quarterly report.

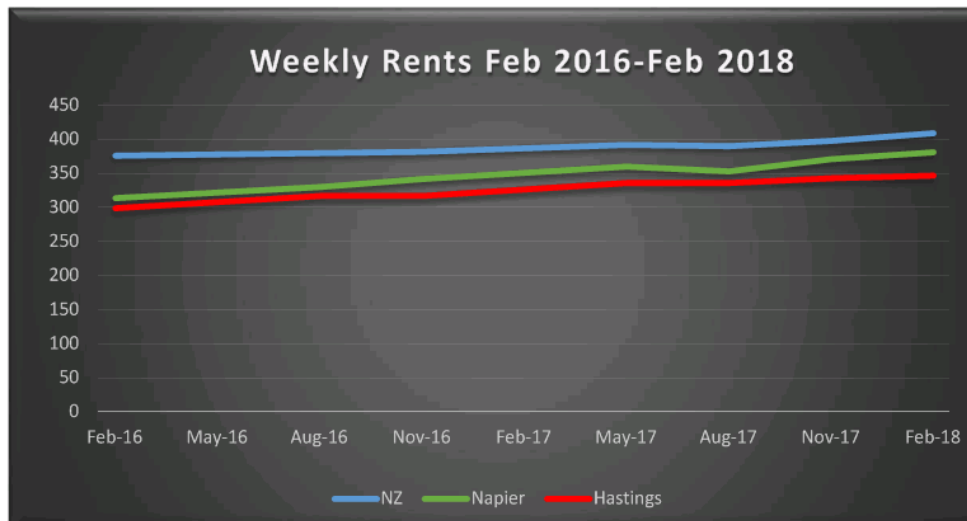
Figure 8: Napier Hastings Quarterly House Sales Volume and Prices



(Source MBIE)

- 6.2. **Figure 9** shows a continuation of increases in weekly rents from 2016, into 2018, particularly in Napier from the later half of 2017 and into 2018.

Figure 9: Napier Hastings Monthly Average Rental Movements 2016-2018

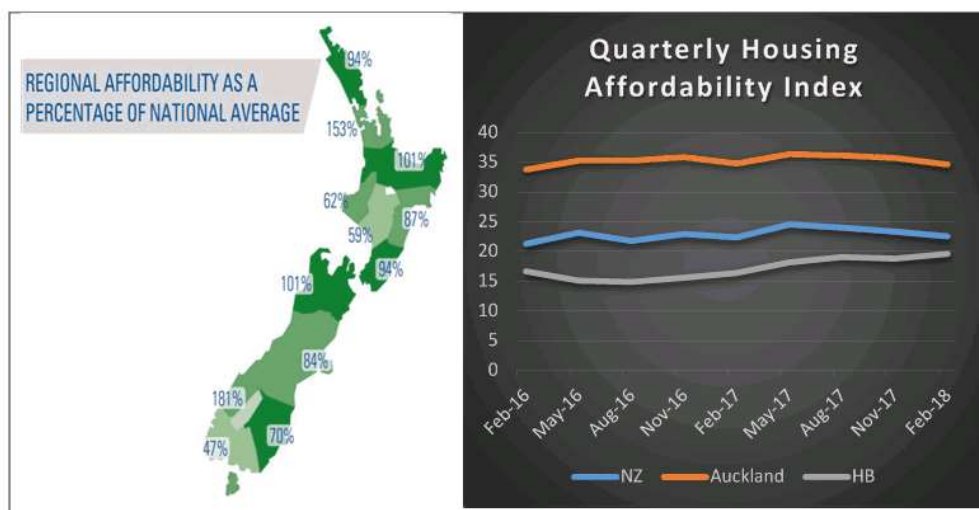


(Source Massey University)

7. HOUSING AFFORDABILITY

- 7.1. **Figure 10** shows the housing affordability quarterly track from 2016 using the Massey University index for Hawke's Bay relative to Auckland and New Zealand from 2016 to March 2018. **Table 4** compares Hawke's Bay with the other New Zealand regions since 2016. A trend of decreasing housing affordability from around mid 2016 continued over the first quarter of 2018, against the national trend over the last three quarters of 2017.

Figure 10: Hawke's Bay Massey University Quarterly Housing Affordability Index 2016-2018



(Source Massey University)

Table 4: Massey University Home Affordability Index Regional Comparison Nov 2017-Nov 2018

HOME AFFORDABILITY INDEX				PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 12 MONTHS		PERCENTAGE CHANGE IN HOME AFFORDABILITY IN THE LAST 3 MONTHS	
Region	February 2017	November 2017	February 2018	Improvement	Decline	Improvement	Decline
Northland	20.90	20.30	21.14		1.2%		4.1%
Auckland	33.61	35.74	34.63		3.0%	3.1%	
Waikato/Bay of Plenty	21.37	23.26	22.79		6.7%	2.0%	
Hawke's Bay	16.43	18.20	19.58		19.2%		7.5%
Taranaki	13.63	14.77	14.05		3.1%	4.9%	
Manawatu/Whanganui	12.11	14.14	13.38		10.5%	5.4%	
Wellington	20.68	21.74	21.14		2.2%	2.8%	
Nelson/Marlborough	21.39	23.42	22.77		6.4%	2.8%	
Canterbury/Westland	19.10	20.17	19.00	0.5%		5.8%	
Otago	15.35	15.86	15.70		2.3%	1.0%	
Central Otago Lakes	36.42	39.55	40.78		12.0%		3.1%
Southland	9.94	12.12	10.62		6.8%	12.4%	
New Zealand	21.63	23.35	22.57		4.4%	3.4%	

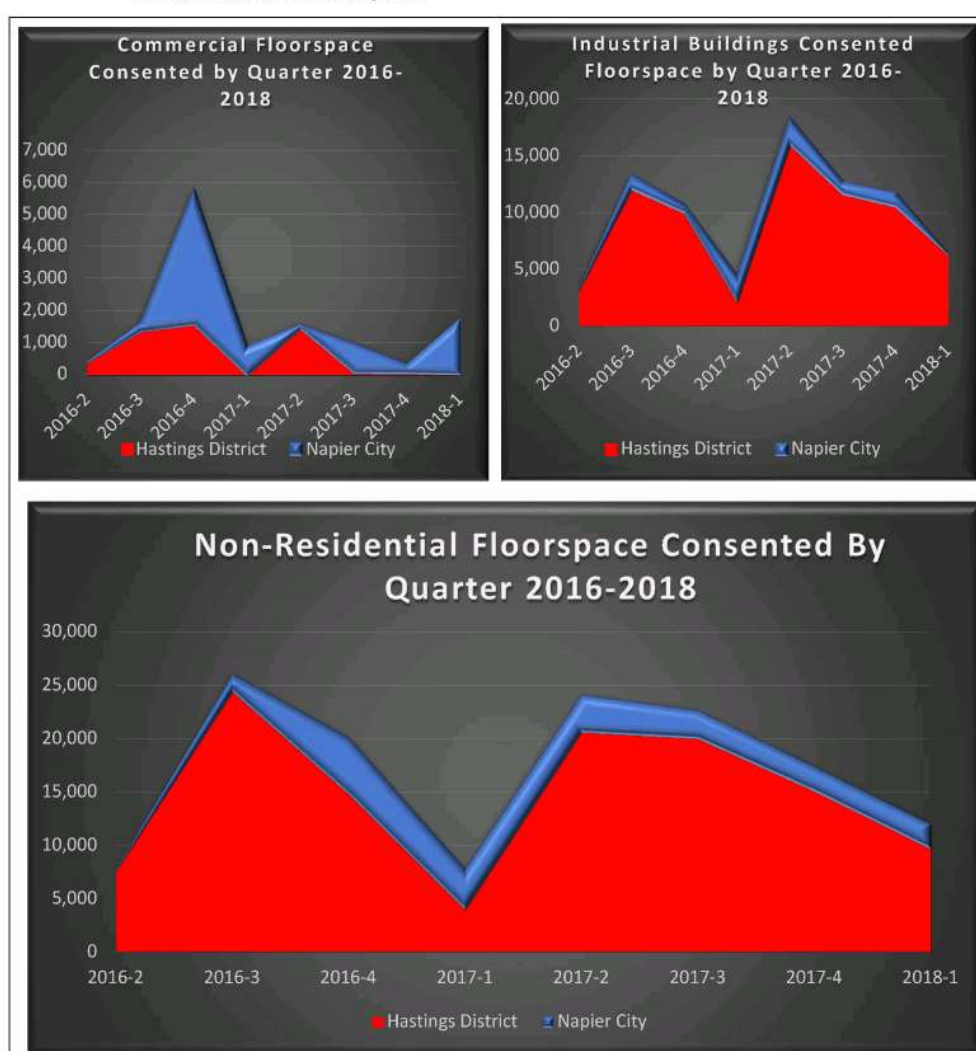
(Source Massey University)

- 7.2. Hawke's Bay's housing affordability deteriorated over the last 12 months by 19.2%, against the national trend, after improving through most of 2016. Hawke's Bay's position relative to other regions has slipped to 6th most affordable from 5th.
- 7.3. Overall home affordability in the region sits well relative to the rest of New Zealand, but is worsening as house prices rise quickly on the back of record increased migration a buoyant local economy, and some pinch points in residential land supply.

8. BUSINESS BUILDING ACTIVITY

- 8.1. The lumpy nature of business land development is highlighted in quarterly building consents for commercial, industrial and total non-residential building floorspace consents as shown in **Figure 11**. A slight rise in commercial floorspace consents in Napier is due to expansion at the airport while industrial floorspace consents have dropped across both cities over the last quarter. Given the spikey nature of industrial and commercial building rates this does not necessarily signal cause for immediate concern.

Figure 11: Napier Hastings Quarterly Commercial Industrial and Total Non-Residential Floorspace m2 consented last two years



(Source StatsNZ)

- 8.2. Despite this **Figure 12** indicates a slight rise in the value of both commercial and industrial building consents granted over the last three months after sliding over the previous three to six months.

Figure 12 Napier Hastings Commercial and Industrial

