



Hastings District Council

Civic Administration Building
Lyndon Road East, Hastings

Phone: (06) 871 5000

Fax: (06) 871 5100

OPEN DOCUMENT 2

HEARINGS COMMITTEE MEETING

Meeting Date: **Monday, 25 March 2019**
Time: **9.30am**
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

ITEM	SUBJECT	PAGE
2.	PROPOSED HASTINGS DISTRICT PLAN - VARIATION 5 (INNER CITY LIVING)	
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	Attachment F Submission 2 Michael Bate	Pg 11
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RPM Ref ENV-9-19-6-19-25

Variation 5
‘Inner City Living’
Submissions Summary Report

The following report provides a summary of submissions on Proposed Variation 5 to the Proposed Hastings District Plan. It has been prepared for use in the hearing of submissions, and to fulfill the requirements of Schedule 1 Clause 7(1) of the Resource Management Act, 1991.

Item 2

Attachment D

RPM Ref ENV-9-19-6-19-25

Sub #	Submitter Name	Contact Address for service:	Submission Type	Parts of the Variation submitted on	Summary of submission points	Summary relief sought
1	Simon Dunn, Wallace Development Company	Email address: simon@wdcl.co.nz Postal Address: 17 Napier Road Havelock North Hastings 4130	Support	Section 7.3 Section 26.1	1. Wallace Development Company own a number of commercial properties in the central area. 2. Supportive of changes to re-vitalise the CBD by encouraging inner city living. 3. Proposed amendments will help make economic the conversion of redundant first floor areas into inner living apartments. 4. A number of their properties occupy 100% of the site with buildings and so it is just not possible to provide car parking with these sites. 5. Strongly urge council to the support the proposed amendments	1. That the proposed policy amendments to Sections 7.3 and 26.1 be adopted.
2	Michael Bate	Email address: emb@hansenbate.co.nz Postal Address: 12 Shortland Place Havelock North 4130	Support with amendment	Section 26.1	1. The area to which the new rule applies (<i>parking exemption rule 26.1.6D(2)(a)</i>) should be expanded throughout the Central Commercial zone. Have one set of rules for all of the land that inner city living is allowed on. 2. Conversely if HDC just wants pure commercial activities in some locations the District Plan should be clear.	1. That consideration be given to expanding the car parking exemption area to include all of the Central Commercial zone.
3	HDC	Email Address: megang@hdc.govt.nz Postal Address: Environmental Policy Team Hastings District Council 207 Lyndon Rd East Hastings 4156	Support with amendment	Section 7.3 Rules relating to above ground floor level residential activities	1. Whether the Plan needs to have a statement (clarification) that ground floor level access, garaging and service areas to above ground floor residential activities are provided for as a permitted activity.	1. That consideration be given to either changing the rule or activity table of Section 7.3; or 2. include a definition of above-ground residential activity; or 3. some alternative mechanism to make explicit that above ground residential activities can include a pedestrian entrance at ground level (complying with standard 7.3.5D where applicable) and associated

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						ground level rear lane access or basement garaging and service areas.
4	Rochelle Horne	Email Address: roche@xtra.co.nz Postal Address: 123 Queen St East Hastings 4122	Support with amendment	Section 7.3 Section 26.1	<ol style="list-style-type: none"> 1. Is the resident obliged to insulate against noise or is the 'noise maker'? under rule 7.3.5.0 (Noise) 2. 7.3.6 Outdoor Living space - This should not be limited to north facing. In city situations there is a lot of reflected light from nearby buildings and glazing. So it is possible to get strong light in a South facing situation. Also North facing areas could be prone to overheating. 3. 26.1. Parking Support for secure, subsidised off street parking areas to be available. Residents are likely to walk or cycle within the city, and so not use on-street parking areas when shopping. 4. 7.3.6l(7)(a) Service/utility area Requirement for recycling bin space. Council does not currently provide a recycling collection. An inner city recycling collection is needed. 	<ol style="list-style-type: none"> 1. Support for Variation 5 'Inner City Living' as its flexibility will encourage more residential development in the inner city. More residents, more vibrancy. Many benefits to local business and community. 2. With consideration given to the submission points made regarding quality and enjoyment of life to current and future inner city residents.
5	Hawke's Bay District Health Board	Email Address: ceo@hbdhb.govt.nz Postal Address: Private Bag 9014 Hastings	Support with Amendments	Rule 25.1.7C(a)(ii) Proximity to licensed premises Rule 7.6.3C.3(a)	<p>General - While supportive of increasing housing options in Hastings and inner city living, the HBDHB believe it is crucial that design, environmental and social impact mitigates any negative health and wellbeing consequences of an increase in residential dwellings in the CBD.</p> <ol style="list-style-type: none"> 1. Amend Rule 25.1.7C(a)(ii) as it relates to the Central Commercial Zone <ol style="list-style-type: none"> a. Reasons – Noise exposure in inner city areas can lead to adverse health 	<ol style="list-style-type: none"> 1. Amend Rule 25.1.7C(a)(ii) as it relates to the Central Commercial Zone as follows: <ol style="list-style-type: none"> (ii) Where it is necessary to have windows closed to achieve the acoustic design requirements, an alternative ventilation system shall be provided. Any such ventilation system shall be designed to satisfy the following requirements: of the Building Code and achieve a level of no more than NC30 in any habitable space.

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					<p>effects. Rule 25.1.7C seeks to mitigate noise exposure.</p> <p>b. While this rule specifies adequate sound insulation, it only requires minimal ventilation that will not provide thermal comfort. This can be remedied by requiring ventilation.</p> <p>2. Concern about the potential harm caused by alcohol and gambling and proximity. No controls in the District Plan managing the proximity of licensed premises selling and supplying alcohol and/or gambling machines in relation to residential housing in commercial residential zones.</p> <p>3. Amendment sought to a. Studio – 35m². 35m² is considered inadequate living space for the comfort and amenity of occupants of above-ground residential units, unless there is access to a ground floor living space.</p>	<p>A) <u>provide mechanical ventilation to satisfy clause G4 of the NZ Building Code; and</u></p> <p>B) <u>be adjustable by the occupants to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u></p> <p>C) <u>provide relief for equivalent volumes of spill air; and</u></p> <p>D) <u>provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25.18°C; and</u></p> <p>E) <u>does not generate more than 35dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u></p> <p>2. That the proximity of new licensed premises (and those with gambling machines) to residential dwelling houses be considered within the Proposed District Plan in relation to inner city living (and commercial residential zones more broadly). In particular, that the Council ensure residents are well informed and are given the opportunity to have their say.</p> <p>3. That the 35m² standard is removed.</p>
6	Alison McMinn	<p>Email address: almac@actrix.co.nz</p> <p>Postal Address:</p>	Support	Accommodation/apartment living in the CBD	<p>1. Supports all efforts and rule changes that allow first floor (not ground floor) accommodation in the CBD.</p> <p>2. It will add vibrancy and security to the CBD.</p>	<p>1. That HDC remove restrictive regulations (re parking, outdoor space etc) so that buildings are permitted to use first floor premises for accommodation/apartment living space in the CBD.</p>

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		404 Lyndon Road West, Hastings 4122				
7	Marina Dinsdale	Email Address: Marinadinsdale604@gmail.com Postal Address: 604 St Aubyn St West, St Leonards, Hastings 4120	Support	Rule CCR3 – Allowing residential above ground floor.	1. Supports HDC permitting above-ground floor premises in the CBD to be used for residential accommodation – apartment living.	1. That HDC amend rules and regulations to permit above ground floor residential use in the CBD.
8	Heritage New Zealand Pouhere Taonga	Email Address: CRachlin@heritage.org.nz Postal Address: PO Box 2629 Wellington 6140 Attention: Caroline Rachlin	Support	Heritage buildings and historic heritage area	1. Heritage New Zealand Pouhere Taonga supports the proposed amendments to encourage inner city living in the Central Commercial zone and the associated exemptions for residential activities in the Russell St and Queen St historic areas – noting overall purpose and wider coverage of the Variation, but they focus their submission on the changes as relates to heritage. 2. Heritage New Zealand Pouhere Taonga supports the proposed amendment to include internal alterations to heritage buildings within the Russell St and Queen St historic areas (Appendix 51) as a permitted activity. 3. Reasons for support include that the plan change encourages the adaptive re-use of heritage buildings; 4. Exemptions to outdoor living space and parking means the external part of the buildings are less likely to need alterations, therefore maintaining the heritage fabric and appearance; and	1. Support changes to Rule Table 7.3.4.1 to amend Rule CCR3. 2. Adopt as proposed changes to Hastings Central Commercial Zone to provide exemptions from complying with certain specified activity specific standards as relates to heritage buildings and buildings in the Russell St and Queen St historic area. Includes changes to 7.3.6C(f), 7.3.6I(4)(c) and 26.1.6D(2)(a). 3. Adopt as proposed new outcomes for 7.3.6I(4)(c) and 26.1.6D(2)(a). 4. Adopt as proposed the change to provide for internal alterations for buildings in the Russell St and Queen St historic area as a permitted activity.

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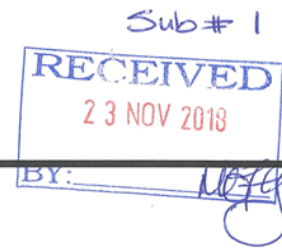
					<p>5. May off-set the cost of resource consent requirements to comply with certain rules and activity specific standards.</p> <p>6. Changes to Rule H2 creates consistency with the permitted activity status for internal alterations to Category II heritage buildings and with the overall policy and rules framework for historic areas.</p>	
0	Ruth Vincent, Chairman Landmarks Trust	<p>Email Address: ruth.vincent@xtra.co.nz</p> <p>Postal Address: 108 Margaret Avenue Havelock North</p>	Support with amendment	Section 7.3 Section 18.0 Section 26.1	<p>1. With development of laneways etc there is opportunity for backs of buildings in the Central Commercial zone to be used for residential and mixed use activities, further enhancing city vibrancy and use urban land more efficiently (reducing need for greenfield development).</p> <p>2. It would not reduce the availability of retail/commercial premises in the Central Commercial zone.</p> <p>3. On-going development of pocket parks and laneways means there is sufficient recreational space for inner city residents.</p> <p>4. Comprehensive Residential Development and Mixed Use development at ground floor level should not undermine the heritage fabric of identified heritage items.</p> <p>5. Ground level mixed use and residential development would encourage investment and make more feasible, developments such as:</p> <ul style="list-style-type: none"> - Adapting under-utilised back shop space - Creating boutique sized retail spaces, with living behind and/or above - Parking for inner city residents could be provided at the backs of buildings with living alongside and/or above 	<p>1. That residential and mixed use development be permitted (not discretionary) to the backs of buildings at ground floor level away from the street frontage.</p>

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					6. Evolving work and lifestyles required more flexible use and evolution in the Central Commercial zone to maintain vibrancy and provide facilities and lifestyles that people seek when considering setting up residence, business or moving to the region/city.	
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Item 2

Attachment D

Megan Gaffaney

From: Wufoo <no-reply@wufoo.com>
Sent: Friday, 23 November 2018 2:37 PM
To: Megan Gaffaney
Subject: HDC - Variation 5 'Inner City Living' [#1]

env-9-19-6-19-16

1. Your details: Simon Dunn

Name *

Address 
 17 Napier Road Havelock North
 Hastings 4130
 New Zealand

Email simon@wdcl.co.nz

Phone Number 06 877 2226

2. The specific parts of Variation 5 that my submission relates to are: (Give Details).

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).

Wallace Development Company own number of commercial properties in the central commercial area of Hastings. We are very supportive of the proposed changes aimed at re-vitalising the CBD by encouraging inner city living. The proposed amendments will help make economic the conversion of redundant first floor areas into inner living apartments. A number of our properties occupy 100% of the site with buildings and so it is just not possible to provide car parking with these sites.

We strongly urge the council the support the proposed amendments.

Simon Dunn

Simon Dunn, Portfolio Manager, Wallace Development Company Limited

4. I/We seek Support for the adoption of policy amendments 7.3 and 26.1

the

following

decision:

(Please give

precise

details, this

section

must be

completed

to ensure a

valid

submission).

5. Please I do not wish to speak at the Hearing in support of my submission.

indicate

whether you

wish to be

heard in

support of

your

submission:

Item 2

Attachment E



Megan Gaffaney

From: Wufoo <no-reply@wufoo.com>
Sent: Sunday, 2 December 2018 11:26 AM
To: Megan Gaffaney
Subject: HDC - Variation 5 'Inner City Living' [#2]

Submission #2

env-9-19-6-19-17

1. Your details: Michael Bate

Name *

Address 
 12 Shortland Place
 Havelock North 4130
 New Zealand

Email emb@hansenbate.co.nz

Phone Number 021503875

2. The specific parts of Variation 5 that my submission relates to are: (Give Details). Carparking for inner city living

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).)

My submission is the area to which the new rule applies should be expanded. This is because inner city living is permitted in the commercial zone so the same rules should apply throughout the zone rather than just this area.

To put it another way the District Plan should decide where inner city living is allowed and then have one set of rules for all of the land inner city living is allowed on. Conversely if HDC just wants pure commercial activities in some locations the District Plan should be clear.

For example my family is establishing student accomodation at 208 Karamu Road. This is inner city living but we are outside the proposed area for these car parking changes. So we must apply for a resource consent at some cost. We are establishing an activity that is wanted by HDC and are doing it in a way that will be complimentary to the existing CBD. In these circumstances the cost and the resource consent process may be more that should be required.

4. I/We seek the following decision: (Please give Consideration be given to expanding the area for relaxation of the inner city living Carparking rules.

precise
details, this
section must
be
completed
to ensure a
valid
submission).

5. Please I do not wish to speak at the Hearing in support of my submission.
indicate
whether you
wish to be
heard in
support of
your
submission:

6. Please If others make a similar submission please tick this box if you would consider presenting a joint case with them at the
indicate if Hearing.
you wish to
make a
joint case:

Item 2

Attachment F

Megan Gaffaney

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 18 December 2018 12:17 PM
To: Megan Gaffaney
Subject: HDC - Variation 5 'Inner City Living' [#3]

Submission #4

1. Your details: Megan Gaffaney

Name *

Address



Environmental Policy Team, Hastings District Council 207 Lyndon Road East
 Hastings 4156
 New Zealand

Email megang@hdc.govt.nz

Phone Number 8715000

2. The specific parts of Variation 5 that my submission relates to are: (Give Details). The rules in Section 7.3 relating to above ground floor level residential activities

3. My submission is that:
 (State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).
 It is submitted that further consideration should be given to the possible need for the rules in Section 7.3 Hastings Commercial Environment to be more explicit regarding entrances and accessways to above-ground level residential activities to ensure that these can be provided for at ground level as a permitted activity. Also consideration needs made as to whether there is a need to clarify that garaging and service areas can be provided for at ground level via rear lane access or underground within a basement area as a permitted activity.

4. I/We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).
 That consideration be given to either changing the rule or activity table of Section 7.3 or including a definition of above-ground residential activity or some alternative mechanism to make explicit that above ground residential activities can include a pedestrian entrance at ground level (complying with standard 7.3.5D where applicable) and associated ground level rear lane access or basement garaging and service areas

5. Please indicate whether you wish to be heard in support of your submission: I wish to speak at the Hearing in support of my submission; or

Megan Gaffaney


From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 18 December 2018 9:45 PM
To: Megan Gaffaney
Subject: HDC - Variation 5 'Inner City Living' [#4]

Submission # 14

env-9-19-b-19-18

1. Your details: Rochelle Horne

Name *

Address 
 123 Queen St East Hastings Central
 Hastings 4122
 New Zealand

Email roche@xtra.co.nz

Phone Number 021 2308929

2. The specific parts of Variation 5 that my submission relates to are: (Give Details).
 26.1.60 Parking, 7.3.6 North Facing, 7.3.50 Noise, 7a Service/utility areas

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).

I support Variation 5 The mixed use commercial/residential of inner city buildings, to allow for flexible live/ work use. But with the following considerations.

26.1.60 Outdoor space. I don't agree this should be limited to North facing. In city situations there is a lot of reflected light from nearby buildings and glazing. So it is possible to get strong light in a South facing situation. Also North facing areas could be prone to overheating.

26.1.60 Parking – support secure off street subsidised parking areas to be available. Residents are likely to walk or

cycle within the city, and so not use on the street parking areas when shopping.

7a Service/utility area Requirement for recycling bin space. Council does not currently provide a recycling collection. An inner city recycling collection is needed.

7.3.50 Noise Acoustic insulation requirements Is the resident obliged to insulate against noise or is the 'noise maker'? For example Drumming Lessons next door to a residence. Or noisy council footpath cleaning machines at 4am each morning.

4. I/We seek I support Variation 5 Inner City Living, as I believe its flexibility will encourage more residential the development in the inner city. More residents, more vibrancy. Many benefits to local business and following community.
decision: With consideration to the points above regarding quality and enjoyment of life to current and future (Please give inner city residents.
precise
details, this
section
must be
completed
to ensure a
valid
submission).

5. Please I do not wish to speak at the Hearing in support of my submission.
indicate
whether you
wish to be
heard in
support of
your
submission:

Item 2

Attachment H

Corporate Services



Our Ref: SUB035 18

Submission #5



17 December 2018

Hastings District Council
Variation 5
Environmental Policy Manager
Hastings District Council
Private Bag 9002
HASTINGS 4156

To whom it may concern

Submission on the Proposed Hastings District Plan - Variation 5 'Inner City Living'

Thank you for the opportunity to make a submission on *Variation 5 'Inner City Living'*, which introduces changes to three sections of the Proposed Hastings District Plan: Section 7.3 Central Commercial Zone; Section 18.1 Heritage Items and Notable Trees; and Section 26.1 Transport and Parking.

The New Zealand Public Health and Disability Act 2000 requires Hawke's Bay District Health Board (HBDHB) to improve, promote, and protect the health of people and communities of Hawke's Bay. HBDHB is also required to foster community participation in health improvement, and in planning for the provision of services and for significant changes to the provision of services.

We acknowledge the need to increase housing options in Hastings and support the Council's commitment to inner city living. However, we believe it is crucial that design and environmental and social impact is carefully considered to mitigate any negative health and wellbeing consequences of an increase in the number of residential dwellings in the CBD.

We wish to speak to our submission.

Yours sincerely

Chris Ash
ACTING CHIEF EXECUTIVE OFFICER

CHIEF EXECUTIVE'S OFFICE

Hawke's Bay District Health Board

Telephone 06 878 8109 Fax 06 878 1648 Email: ceo@hbdhb.govt.nz, www.hawkesbay.health.nz
Corporate Office, Cnr Omaha Road & McLeod Street, Private Bag 9014, Hastings, New Zealand

Item 2

Attachment 1

SUBMISSION FORM 5

Submission on Proposed District Plan

Variation 5 'Inner City Living'



Item 2

2. The specific parts of Variation 5 that the HBDHB submission relates to are: (Give Details).

- a. Rule 25.1.7C (a)(ii) as it relates to the *Central Commercial Zone*
- b. Proximity of licensed premises selling and supplying alcohol (and/or gambling machines) to residential housing (this issue is not covered for Commercial Residential Zones within the District Plan)
- c. 7.3.6C 3 (a) Above Ground Floor Residential Activities (All Zones)

3. Our submission is that:

(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

- a. **We seek amendment to - a. Rule 25.1.7C (a)(ii) as it relates to the Central Commercial Zone** for the following reasons.
Noise exposure in inner city areas can lead to adverse health effects. Rule 25.1.7C seeks to mitigate these effects. However, while the rule specifies adequate sound insulation, it only requires provision of minimal ventilation that will not provide adequate thermal comfort. Occupants will either have thermal discomfort with windows closed or excessive noise with windows open. As such, the specified sound insulation is nullified. This defect can be remedied by requiring ventilation to provide adequate thermal comfort so that windows can remain closed, and sound insulation maintained.
- b. **We seek amendment to - b. Proximity of licensed premises selling and supplying alcohol (and/or gambling machines) to residential housing (this issue is not covered for Commercial Residential Zones within the District Plan).**
There is no reference to distance between dwellings and licenced premise selling alcohol or that have gaming machines. We are concerned that the potential harms caused by alcohol and gambling premises are not being recognised by Hastings' District Council within their District Plan. That there are no rules around notification of residents to new licensed premises opening in Commercial Residential Zones is unusual. Indeed, most District Plans of Councils throughout New Zealand have restrictions in place for (at least) off-licensed premises. A recent example of where such a rule would have been utilised is the proposed off-licence application for a Bottle-O on Heretaunga Street East.
- c. **We seek amendment to – a. Studio – 35m²**
We do not believe 35m² is sufficient space to 'ensure adequate living space for the comfort and amenity of the occupants of the above-ground level residential units' unless there is access to a ground floor living space.

4. We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).

- a. **The recommendation sought is to amend this provision as follows:**
(ii) Where it is necessary to have windows closed to achieve the acoustic design requirements, an alternative ventilation system shall be provided. Any such ventilation system shall be designed to satisfy the following requirements: ~~of the Building Code and achieve a level of no more than NC30 in any habitable space.~~

Attachment I

- a) provide mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and
 - b) be adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and
 - c) provide relief for equivalent volumes of spill air; and
 - d) provide cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and
 - e) does not generate more than 35 dB $L_{Aeq(30s)}$ when measured 1 metre away from any grille or diffuser.
- b. We request that proximity of new licensed premises (and those that have gambling machines) to residential dwelling houses be considered within the Proposed District Plan in relation to inner city living (and Commercial Residential Zones more broadly). In particular, we urge the Council to ensure residents are well-informed and are given the opportunity to have their say.
- c. We recommend removal of 35m² standard.

Item 2

Attachment I

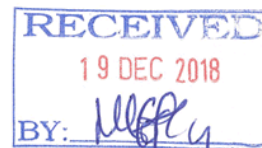
11/21/2018

HDC - Variation 5 'Inner City Living'

HDC - Variation 5 'Inner City Living'

Submission on Proposed District Plan

env-9-19-6-19-21



1. Your details:

Name *

ALISON McMINN

First

Last

Address

404 LYNDON ROAD WEST, HASTINGS, 4122

Street Address

Address Line 2

City

Hawke's Bay

State / Province / Region

Postal / Zip Code

New Zealand

Country

Email

~~ALISON~~ almac@actrix.co.nz

Phone Number

021 662444

2. The specific parts of Variation 5 that my submission relates to are: (Give Details).

Accommodation/apartment living in the C.B.D.

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).)

I totally support all efforts and rule changes that allow first floor (not ground floor) accommodation in the C.B.D. It will give added vibrancy and security to the C.B.D.

<https://napier.wufoo.com/forms/x1v3hiv1mbxw8/>

1/2

Item 2

Attachment J

11/21/2018

HDC - Variation 5 'Inner City Living'

Attach a File

Choose File

No file chosen

4. I/We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).

That the HDC remove restrictive regulations (re parking, outdoor space, etc) so that buildings are permitted to use first floor premises for accommodation/apartment living space in the CBD.

5. Please indicate whether you wish to be heard in support of your submission:

☒ I wish to speak at the Hearing in support of my submission; or

☐ I do not wish to speak at the Hearing in support of my submission.

6. Please indicate if you wish to make a joint case:

☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Item 2

Attachment J

11/21/2018

HDC - Variation 5 'Inner City Living'

HDC - Variation 5 'Inner City Living'

Submission on Proposed District Plan



Submission #7

1. Your details:

Name *

MARINA DINSDALE
First Last

Address

604 ST AUBYN ST WEST.
Street AddressST LEONARD
Address Line 2HASTINGS
City

Hawke's Bay

State / Province / Region

4120
Postal / Zip Code

New Zealand

Country

Email

marinadinsdale604@gmail.com

Phone Number

021 444 915

2. The specific parts of Variation 5 that my submission relates to are: (Give Details).

I agree to amend Rule C.C.R.3. to allow residential activity above-ground floor level, in the C.B.D.

3. My submission is that:

(State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).)

I support H.D.C. permitting above ground floor premises in the C.B.D to be used for residential accommodation - apartment living.

<https://napier.wufoo.com/forms/x1v3hiv1mbxw8/>

1/2

Item 2

Attachment K

11/21/2018

HDC - Variation 5 'Inner City Living'

Attach a File

Choose File

No file chosen

4. I/We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).

That the H.D.C. amends rules and regulations in order to permit above ground Floor residential use in the C.B.D.

5. Please indicate whether you wish to be heard in support of your submission:

- ☒ I wish to speak at the Hearing in support of my submission; or
☐ I do not wish to speak at the Hearing in support of my submission.

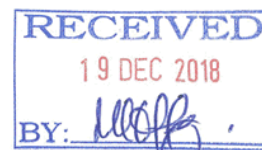
6. Please indicate if you wish to make a joint case:

- ☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.



env-9-19-6-19-23
HERITAGE NEW ZEALAND
POUHERE TAONGA



File ref: 33002-069

Submission #8

19 December 2018

Hastings District Council
Private Bag 9002
Hastings 4156

By email: policyteam@hdc.govt.nz

Dear Sir or Madam

FORM 5: SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA

Variation 5 – Inner City Living to Heritage to the Proposed Hastings District Plan.

TO: Hastings District Council

FROM: Heritage New Zealand Pouhere Taonga

1. This is a submission on the following proposed variation to a proposed plan (the proposal):

Proposed Variation 5 – Inner City Living (to the proposed Hastings District Plan).

2. Heritage New Zealand could not gain an advantage in trade competition through this submission.

3. The specific provisions of the proposal that Heritage New Zealand's submission relates to are:

The proposed Variation as it relates to heritage buildings and the historic heritage area.

4. Heritage New Zealand's submission is:

- Heritage New Zealand Pouhere Taonga supports the set of proposed amendments to the Hastings Central Commercial Zone to assist in enabling above ground-floor residential activities and the associated exemptions from complying with certain specified standards for heritage buildings and buildings in the Russell Street Historic Area and Queen Street Historic Area. Heritage New Zealand Pouhere Taonga notes the overall purpose and wider coverage of the Variation (beyond heritage buildings and historic areas) but focuses its submission on these changes as relates to heritage.
- Heritage New Zealand Pouhere Taonga supports the proposed amendment to include internal alterations to heritage buildings within the Russell Street or Queen Street East Historic Areas identified in Appendix 51 as a permitted activity.

5. The reasons for Heritage New Zealand's position are as follows:

Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage.

The protection of historic heritage from inappropriate subdivision, use, and development is a matter of national importance under section 6(f) of the Resource Management Act (RMA).

Changes to the Central City Zone - Heritage buildings and the Historic Areas

The proposed changes seek to enable and increase residential activity in the upper floor levels of buildings in the Hastings Central Commercial Zone. This is proposed through changes to policies and rules which introduce greater flexibility in the rules (including permitted activity status) and through exemptions from complying with certain specified activity standards. This extends to including heritage buildings and buildings in the Russell Street and Queens St East Historic Areas, the focus of Heritage New Zealand Pouhere Taonga submission.

The Section 32 report steps through the implications for historic heritage. In particular it is noted that the outdoor living space requirements associated with residential use at upper floor levels currently mean there is a requirement for a balcony. The Section 32 report highlights this as an issue as a conflict between provisions. Heritage New Zealand Pouhere Taonga considers that the addition of a balcony would necessarily result in alterations to the external fabric and appearance of buildings in the two historic areas, and thereby have a consequential impact with potential for significant change in appearance and undermining the wider heritage values of the historic areas. The proposed change addresses this potential outcome.

Heritage New Zealand Pouhere Taonga supports exemptions from the need to comply with specified outdoor living space requirements (associated with minimum floor area requirements), parking, and landscaping standards as relates to heritage buildings and buildings in the Historic Areas. It further notes that having more enabling provisions for residential activity in upper floor levels may have a potentially beneficial effect on heritage through adaptive re-use.

Together with the provisions being more enabling for upper floor residential activity, this may also further assist in contributing to adaptive re-use of heritage buildings and buildings in the historic areas, as it can assist for example in reducing costs associated with resource consent requirements to comply with certain rules and activity specific standards.

The Variation also proposes outcomes alongside two of the changes (i.e. outdoor living space and landscaping rules). The outcome is:

To assist and promote the adaptive re-use of upper levels of buildings for inner city residential living while not undermining the heritage fabric of Heritage Items

Heritage New Zealand Pouhere Taonga supports the addition of these outcomes in line with the above discussion.

Internal alterations and the Historic Heritage Areas

Policy HP1 of the proposed District Plan identifies and classifies heritage items in the district according to their relative significance. This policy shown below includes identifying Historic Heritage Areas in Appendix 51.

Identify and classify Heritage Items in the District according to their relative importance.

Explanation

Heritage Items may be identified for their aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological or traditional significance or value. They may also be identified for their group and setting significance, landmark significance or design significance. The District Plan defines a hierarchy of Heritage Items in order to align levels of protection with levels of classification so that important items are preserved. The Heritage New Zealand Pouhere Taonga identification and classification method is adopted. This method identifies two categories of historic places:

Category I - places of special or outstanding historical or cultural heritage significance or value.

Category II - places of historical or cultural heritage significance or value.

Appendices 47 and 48 identify Heritage Items (Places, Buildings, and Objects) and Appendix 51 identifies Historic Areas. Many of the items are from the New Zealand Heritage list/Rārangi Kōrero. Appendix 49 identifies items that are associated with the Te Mata Special Character Zone. These are buildings that have heritage value intrinsic to the special character of the area.

Objective HO3 of the proposed District Plan seeks the outcome of protecting historic areas in the Hastings CBD which contribute to the heritage character of the area. The policy explanation has an emphasis on the streetscape and identified character. Variation 5 proposes an addition to Rule H2 of the Plan which would provide for internal alterations to buildings with the Russell Street and Queen Street Historic Areas to be a permitted activity, and therefore to have the same activity status as internal alterations of Category II Heritage items which are listed in Appendix 48. Heritage New Zealand Pouhere Taonga supports this change for consistency with the permitted activity status for Category II heritage buildings, and moreover with the overall policy and rules framework for historic areas.

6. Heritage New Zealand seeks the following decision from the local authority:

- Support the changes to Rule Table 7.3.4.1 – Central Commercial Zone to amend Rule CCR3 to enable upper-ground floor residential activities insofar as it relates to heritage buildings and buildings in the Historic Heritage Areas and the potential beneficial effect on heritage.
- Adopt as proposed the changes to the Hastings Central Commercial Zone which provide for exemptions from complying with certain specified activity specific standards as relates to heritage buildings and building in the Russell Street Historic Area and Queen Street Historic Area. These include the addition of bullet points to provide exemptions under Standard 7.3.6C (f), Standard 7.3.6I (3)(b), Standard 7.3.6I (4)(c) and Standard 26.1.6D(2)(A).
- Adopt as proposed the new outcomes proposed for heritage items proposed under Standards 7.3.6I (3)(b), Standard 7.3.6I (4)(c) and Standard 26.1.6D(2)(A).
- Adopt as proposed the change to provide for internal alterations for buildings in the Russell Street Historic Heritage Area and Queen Street Historic Area as a permitted activity.

7. Heritage New Zealand wishes to be heard in support of our submission.

Yours sincerely



Jamie Jacobs
Director, Central Region

Address for service
Heritage New Zealand Pouhere Taonga
Central Region
PO Box 2629
Wellington 6140
Ph: 04 494-8325
Email: crachlin@heritage.org.nz
Contact person: Caroline Rachlin, Planner

SUBMISSION FORM 5

Submission on Proposed District Plan
Variation 5 'Inner City Living'

Date received:



Submissions can be:

Posted to:

Variation 5

Environmental Policy Manager

Hastings District Council

Private Bag 9002

Hastings 4156

Delivered to:

Civic Administration Building

Hastings District Council

Lyndon Road East

Hastings

Please use additional sheets if necessary.

We need to receive your submission by 5pm, Wednesday 19 December 2018

1. Your details:

Full Name: Ruth Vincent

Chairman, Landmarks Trust

Submission is on behalf of Landmarks Trust

Postal Address: 108 Margaret Ave, Havelock North

Email: ruth.vincent@extra.co.nz Phone: 877 6404**2. The specific parts of Variation 5 that my submission relates to are: (Give Details).**

Section 7.3: Central Commercial Zone

Section 18.0 Heritage Items and Notable Trees

Section 26.1 Transport and Parking

3. My submission is that:

(State the nature of your submission, clearly indicating **whether you support or oppose** the specific provisions or wish to have amendments made, giving reasons. Please continue on separate sheet(s) if necessary).

Landmarks Trust supports the suggested variations within the sections listed in 2. above to Proposed District Plan Variation 5 "Inner City Living"

Item 2

Attachment M

We wish to have amendments made to the proposed variation for Section 7.3 Central Commercial Zone, to enable residential and mixed use development in the Central Commercial Zone at ground level as a Permitted Activity rather than Discretionary Activity at the backs of buildings away from the street frontage.

With the development of laneways etc there is the opportunity to develop the backs of Central Commercial Zone buildings for mixed use. This would further enhance inner city vibrancy, and use urban land more efficiently. It would reduce the need for further greenfield sites on previously undeveloped land. It would further support the range of retail and commercial services in the city while maintaining continuous retail frontage, and would not reduce the availability of retail/commercial premises within the Central Commercial Zone. With the ongoing development of pocket parks and laneways within the CCZ there is sufficient recreational space for inner city residents. Comprehensive Residential Development and Mixed Use Development at ground level should not undermine the heritage fabric of Identified Heritage items.

If ground level mixed use and residential development was a permitted activity it would encourage developers to invest. It could allow, and make more feasible, developments such as:

- Adapting back shop space which is often underutilized for living
- Creating boutique sized retail spaces incorporating living spaces above and behind
- Parking space for inner city residents could be provided by adapting back areas of retail/commercial premises with living above and/or alongside a car park or garage.

Evolving work and life styles, and the blurring of boundaries between work, commerce and lifestyle require more flexible use, and evolution in the Central Commercial Zone to maintain vibrancy and provide the facilities and lifestyles that people seek when considering setting up residence and/or business, and/or moving to a region/city.

4. I/We seek the following decision: *(Please give precise details, this section must be completed to ensure a valid submission).*

That proposed Variation 5 be altered to allow residential and mixed use development at ground floor level as a permitted activity in the backs of buildings within the Central Commercial Zone away from the continuous retail/commercial frontage.

5. Please indicate whether you wish to be heard in support of your submission:

☐ I wish to speak at the Hearing in support of my submission

6. Please indicate if you wish to make a joint case:

☐ If others make a similar submission please tick this box if you would consider presenting a joint case with them at the Hearing.

7. Signature of person making submission or person authorised to sign on behalf of person making submission

(A signature is not required if you make your submission by electronic means).

Date: 19 / 12 / 18

If you have used extra sheets for this submission please attach them to this form and indicate this below:

☐ No, I have not attached extra sheets

PLEASE NOTE: ALL SUBMISSIONS ARE MADE AVAILABLE TO THE PUBLIC.

Item 2

Attachment M

Christine A. Hilton

From: Anna Summerfield <annaes@hdc.govt.nz>
Sent: Thursday, 31 January 2019 11:36 AM
To: Megan Gaffaney
Subject: FW: Form 6 - Variation 5 [#1]

Hi Megs
 This is a further submission for your variation
 Thanks
 Anna



ANNA SUMMERFIELD BA, MPLANPRAC
 SENIOR ENVIRONMENTAL PLANNER POLICY

Phone Mobile 0275351870
 Email annaes@hdc.govt.nz Web hastingsdc.govt.nz
 Hastings District Council, Private Bag 9002, Hastings 4156, New Zealand

From: Wufoo [mailto:no-reply@wufoo.com]
Sent: Thursday, 31 January 2019 10:35 AM
To: Anna Summerfield <annaes@hdc.govt.nz>
Subject: Form 6 - Variation 5 [#1]

1. Your Details

Ken Wheadon

Name *

Address *



202 Queen Street East
 Hastings 4122
 New Zealand

Email *

rachaelbarber82@gmail.com

Phone Number *

0220425084

I am [state whether you are — *

a person representing a relevant aspect of the public interest. In this case, also specify the grounds for saying that you come within this category

2. Please state whether you are submitting
 in support of or opposition to an original
 submission: *

Support

- 3 (a). I support/oppose the submission of: Kenneth Wheadon
202 Queen Street East
- 3 (b). The reasons for my support/opposition are: *
- I have been living in the inner city of Hastings off & on for the past 16 years. In my first years living in the city there was alot of buildings being graffitied which has stopped with the offenders knowing there were people living close by.
- Living in Sydney in the 1970's there was a time the City council allowed & enforced landlords to put upstairs apartments to curb the crime rate& after about 5 years crime in the city was down by about 40%.
- A great city is a alive city. Criminals also know when people are around. People living in the City is great for inner city security.
- 4 (a). The particular part(s) of the submission I support/oppose are: *
- People living in the Inner city
- 4 (b). The reasons for my support/opposition are: *
- to reduce crime in the CBD
5. I seek that the whole (or part [describe part]) of the submission be allowed/disallowed: *
6. Please indicate whether you wish to be heard in support of your submission: *
- I do not wish to speak at the Hearing in support of my submission.
- Please tick to confirm that you understand your responsibility to send this submission to the original submitter *
- I understand

COPY

HERITAGE NEW ZEALAND
POUHERE TAONGA

1 February 2019

File ref: 33082-069

Hastings District Council
Private Bag 9002
Hastings 4156

By email: policyteam@hdc.govt.nz

Dear Sir or Madam

FURTHER SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO THE HASTINGS DISTRICT COUNCIL – VARIATION 5**TO: Hastings City District Council****FROM: Heritage New Zealand Pouhere Taonga**

1. This is a further submission on a number of submissions in support or opposition on the following variation to the following proposed plan (the proposal):

Proposed Variation 5 – Inner City Living to proposed Hastings District Plan.

2. Heritage New Zealand has an interest in the proposal that is greater than the interest the general public has:

Heritage New Zealand Pouhere Taonga is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) for the identification, protection, preservation and conservation of New Zealand's historical and cultural heritage. Heritage New Zealand is New Zealand's lead agency for heritage protection.

3. Heritage New Zealand supports the submissions of:

Hastings District Council, Submitter No. 3
Address: Environmental Policy Team, Hastings District Council,
207 Lyndon Road East, Hastings 4156.
megang@hdc.govt.nz

Ruth Vincent, Chairman Landmarks Trust, Submitter No. 9
108 Margaret Avenue, Havelock North
ruth.vincent@xtra.co.nz

4. Heritage New Zealand opposes the submissions of:

Hawke's Bay District Health Board, Submitter No. 5,
Private Bag 9014, Hastings
ceo@hbdhb.govt.nz

5. The particular parts of the submission Heritage New Zealand supports are:

See the table attached as Appendix A.

6. The particular parts of the submission Heritage New Zealand opposes are:

See the table attached as Appendix A.

7. The reasons for Heritage New Zealand's opposition are:

See the table attached as Appendix A.

8. Heritage New Zealand seeks that the whole or part of the submission be allowed or disallowed as set out in the table attached at Appendix A.

9. Heritage New Zealand wishes to be heard in support of this further submission.

Yours sincerely



Jamie Jacobs,
Director, Central Region

Address for service

Heritage New Zealand Pouhere Taonga
Central Region
PO Box 2629
Wellington 6140
Ph: 04 494-8325
Email: crachlin@heritage.org.nz
Contact person: Caroline Rachlin, Planner

Attachments:

Appendix A: Further Submission of Heritage New Zealand Pouhere Taonga to Variation 5 to the Hastings Proposed District Plan.

Copy to - submitters:

Hastings District Council
Environmental Policy Team,
Hastings District Council
207 Lyndon Road East, Hastings 4156,
megang@hdc.govt.nz

Hawkes Bay District Health Board
Private Bag 9014, Hastings
ceo@hbdhb.govt.nz

Ruth Vincent
Chairman Landmarks Trust,
108 Margaret Avenue
Havelock North
ruth.vincent@xtra.co.nz

Appendix A - Further Submission of Heritage New Zealand Pouhere Taonga to Variation 5 to the Hastings Proposed District Plan.				
Variation 5 provision number	Submitter name, number, point number & content	Heritage New Zealand support or oppose	Reasons	Relief sought by the Heritage New Zealand
Section 7.3	<p>Hastings District Council, submitter 3.</p> <p>Submission point relating to Section 7.3 and definitions.</p> <p>The submission seeks amendments for clarity regarding above ground residential activities including pedestrian entrance at ground level.</p>	Support in part	<p>In its primary submission Heritage New Zealand Pouhere Taonga (HNZPT) supported a number of changes (insofar as they concerned heritage), to enable above ground floor residential activities, including changes in Section 7.3, Section 18.1 and 26.1.6D(2)(A).</p> <p>HNZPT supports the provision for providing for pedestrian entrances at ground floor and associated ground floor rear lane access or basement garaging and service areas. This may assist, along with other proposed changes in Variation 5 in enabling above-ground floor residential activities. HNZPT supports providing for this change with recognition that the Heritage rules at Section 18.1 continue to apply due to the hierarchy of the proposed Plan for undertaking land use activities. Therefore, any changes can be managed to protect heritage fabric and values.</p>	The submission is allowed.
	<p>Hawke's Bay District Health Board, submitter 5.</p> <p>Submission point which seeks amendments to Rule 25.1.7C(a)(ii) concerning alternative ventilation (submitter point 3a.)</p>	Oppose in part	<p>In its primary submission HNZPT supported a number of changes (insofar as they concerned heritage) to enable above ground floor residential activities, including changes in Section 7.3, Section 18.1 and 26.1.6D(2)(A).</p> <p>In relation to heritage, HNZPT supports the intent of the submission and notes that the Heritage rules at Section 18.1 apply given the hierarchy of the proposed Plan for undertaking land use activities. As such if changes to facilitate alternative ventilation may result in changes to heritage fabric and heritage</p>	The submission is disallowed in part.

1

Appendix A - Further Submission of Heritage New Zealand Pouhere Taonga to Variation 5 to the Hastings Proposed District Plan.				
Variation 5 provision number	Submitter name, number, point number & content	Heritage New Zealand support or oppose	Reasons	Relief sought by the Heritage New Zealand
			values the heritage rules apply. It is necessary to have oversight of any such changes to heritage buildings and those buildings in the heritage areas so that heritage fabric and values are maintained. However, HNZPT raises concerns about whether some of the change sought can be addressed by Variation 5.	
Section 7.9, 18.0 and 26.1	Ruth Vincent, Chairman Landmarks National Trust, submitter 9. The submitter seeks residential and mixed used development are permitted (not discretionary) to the back of buildings at ground floor level away from the street frontage.	Support in part	In its primary submission HNZPT supported a number of changes (insofar as they concerned heritage) to enable above ground floor residential activities, including changes in Section 7.3, Section 18.1 and 26.1.6D(2)(A). HNZPT supports this submission in that it would provide for the use of heritage buildings and buildings in the historic areas at ground floor level. This may assist in contributing to adaptive re-use of heritage buildings and buildings in the historic areas. There is potential, however, for such changes to impact on heritage fabric and values. The submission point refers to heritage within part of the submission. HNZPT supports the inclusion of these changes with recognition that the Heritage rules at Section 18.1 continue to apply given the hierarchy of the proposed Plan for undertaking land use activities. Therefore, any changes are able to be managed to protect heritage fabric and values.	The submission is allowed.

2