

Thursday, 4 April 2024

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council**  
**Hearings Committee Meeting**

*Kaupapataka*  
**Agenda**

# Introduction

## (Plan Change 5 - Medium Density Housing)

*Te Rā Hui:*  
Meeting date: **Thursday, 4 April 2024**

*Te Wā:*  
Time: **9.00am**

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

*Te Hoapā:*  
Contact: **Democracy and Governance Services  
P: 06 871 5000 | E: [democracy@hdc.govt.nz](mailto:democracy@hdc.govt.nz)**

*Te Āpiha Matua:*  
Responsible Officer: **Group Manager: Planning & Regulatory Services - John O'Shaughnessy**

## Hearings Committee – Terms of Reference

### Fields of Activity

The Hearings Committee is established to assist the Council by hearing and determining matters where a formal hearing is required in respect of a planning or regulatory function of the Council, including under the provisions of the:

- Resource Management Act 1991
- Building Act 2004
- Health Act 1956
- Dog Control Act 1996
- Litter Act 1979
- Hastings District Council Bylaws
- Local Government Act 1974
- Local Government Act 2002; and
- Hastings District Council Class 4 Gambling Venue Policy.

### Membership - Up to 10 Hearings Commissioners (comprising up to 7 elected members of Council and at least 3 external appointed Independent Hearings Commissioners)

- Chair appointed by Council from the membership including external appointed members.
- Deputy Chair appointed by the Council from the membership including external appointed members.
- Under s. 39B of the Resource Management Act, the Chair must be accredited, and unless there are exceptional circumstances, appointees on hearings panels must have accreditation to make decisions on;
  - Applications for Resource Consents.
  - Notice of Requirements given under s. 168 or 189 of the Resource Management Act.
  - Requests under clause 21(1) of Schedule 1 of the Resource Management Act for a change to be made to a Plan.
  - Reviews of Resource Consents.
  - Applications to change or cancel Resource Consent Conditions.
  - Proposed Policy Statements and plans that have been notified.
  - Any hearing of an objection under s. 357C of the Resource Management Act.

### Quorum

- a) For Hearings other than Council Initiated Plan Change hearings, a maximum of three members including the Chair (or Deputy Chair, in the Chair's absence) to meet for any one hearing.
- b) For Council Initiated Plan Change hearings, all members may attend and take part in the decision-making process unless the Chair exercises the power of delegation to assign any function, power or duty of the Hearings Panel to any one or more Commissioners.
- c) For Hearings other than Council Initiated Plan Change hearings the quorum shall be two members.
- d) For Council Initiated Plan Change Hearings, the quorum shall be three members.
- e) Members to sit on any hearing other than a Council Initiated Plan Change Hearing shall be selected by agreement between the Chair (or Deputy Chair, in the Chair's absence) and the Group Manager: Planning and Regulatory Services.
- f) For the purpose of hearing any objection in respect of the matters detailed under the Dog Control Act 1996 the Hearings Committee will consist of any three members selected by the Chair.

## *Kaupapataka*

# Agenda

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**Hearing Panel Members:**

Chair: George Lyons (Commissioner Chair - External appointee)

Bill Wasley (Commissioner External appointee)

Councillors Tania Kerr (Deputy Chair), Alwyn Corban, Eileen Lawson,

Wendy Schollum and Marcus Buddo

*Ngā mema o te Komiti*

**Committee Members:**

Heretaunga Takoto Noa Māori Standing Committee appointee: -

Vacancy

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*Apiha Matua*

**Officer Responsible:**

Group Manager: Planning and Regulatory Services – John

O'Shaughnessy

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**Reporting Planner**

Senior Environmental Planner – Policy (Anna Summerfield)

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*Te Rōpū Manapori me te*

*Kāwanatanga*

**Democracy**

Christine Hilton (Ext 5633)

**Governance Services**

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*Te Rārangī Take*

## Order of Business

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**Apologies & Leave of Absence – Ngā Whakapāhatanga me te Wehenga ā-Hui**

- 1.0** Leave of Absences had previously been granted to Councillor Lawson and Councillor Buddo
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**Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing**

- 2.0** **DOCUMENTS CIRCULATED FOR HEARING - COMPILED AS THREE SEPARATE DOCUMENTS**

<b><u>Document 1</u></b>	The covering administrative report	<b>Pg 1</b>
	S42A Report - Introduction	<b>Pg 3</b>

Thursday, 4 April 2024

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hearings Committee Meeting**

*Te Rārangi Take*

# Report to Hearings Committee

**Nā:**  
**From:** **Christine Hilton, Democracy and Governance Advisor**

**Te Take:** **Plan Change 5 - "Right Homes, Right Place" - Medium Density**  
**Subject:** **Housing**

## **1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 This is a covering report relating to the Proposed Hastings District Plan hearing – Plan Change 5, “Right Homes, Right Place” – Medium Density Housing.
- 1.2 The agenda documents can be viewed on the Council’s website.
- 1.3 The recommendations are included in the relevant sections of the agenda documents and are not summarised in this covering report.

## **2.0 Recommendations - Ngā Tūtohunga**

That the covering report titled Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing, the hearings report and associated attachments, dated 4 April 2024, be received.

### **Attachments:**

S42A Report - Introduction	ENV-17-4-24-518	
S42A Report - Topic 1 - Overview of Strategic Approach to PC5	ENV-17-4-24-519	Separate Document – Topic 1
S42A Report - Topic 2 - Zone Introductions and Objectives and Policies	ENV-17-4-24-520	Separate Document – Topic 2



*Section 42A Report for Plan Change 5: Right Homes, Right Place  
Introduction Report*

## **PC5: Right Homes, Right Place INTRODUCTION REPORT**

### **Contents**

#### Interpretation

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  - 1.4. Code of conduct
  - 1.5. Conflict of interest
  - 1.6. Scope of Report and Hearing
2. Overview of Plan Change 5 as notified
3. Statutory Considerations
4. Background to Medium Density Development in Hastings
5. Preferred Scenario for the Medium Density Residential Zone
6. Submissions
  - 6.1. Original and Further Submissions
  - 6.2. Late Submissions
  - 6.3. Structure of Submissions Analysis

### Interpretation

Throughout this report, a number of abbreviations have been used in the interest of conciseness. The following tables outline those abbreviations:

<b>Abbreviation</b>	<b>Explanation</b>
BCA	Business Capacity Assessment
CPTED	Crime Prevention Through Environmental Design
CRD	Comprehensive Residential Development
ECOP	Engineering Code of Practice
EPA	Environmental Protection Authority
FC	Feasible Capacity
FDS	Future Development Strategy
GRZ	General Residential Zone
HDC	Hastings District Council
HGRZ	Hastings General Residential Zone
HIRB	Height in Relation to Boundary
IAF	Infrastructure Acceleration Fund
HBA	Housing and Business Capacity Assessment
HCA	Housing Capacity Assessment
HPUDS	Heretaunga Plains Urban Development Strategy
LAP	Local Area Plan
LTP	Long Term Plan
MDRS	Medium Density Residential Standards
MDRZ	Medium Density Residential Zone
M.E.	Market Economics
MfE	Ministry for the Environment
MRZ	Medium Density Residential Zone
MVMC	My Voice, My Choice
NPS	National Policy Statement
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-UD	National Policy Statement on Urban Development 2020
NPS-UDC	National Policy Statement on Urban Development Capacity 2016
PC5	Plan Change 5: Right Homes, Right Place
PDC	Potential Development Capacity
PEC	Plan Enabled Capacity
RER	Reasonably Expected to be Realised
RMA	Resource Management Act 1991
RPS	Regional Policy Statement
S42A	Section 42A of the RMA referring to the Officers' Report
TARZ	Te Awanga Residential Zone
the Council	Refers to Hastings District Council
website	<a href="http://www.hastingsdc.govt.nz">www.hastingsdc.govt.nz</a>



## **1 INTRODUCTION**

### **1.1 Purpose of the report**

- 1.1.1 This report is prepared in accordance with section 42A of the Resource Management Act 1991 (RMA).
- 1.1.2 This report considers and assesses the submissions and further submissions that have been received in relation to proposed Plan Change 5 (PC5) to the Partially Operative Hastings District Plan 2020, against the relevant provisions of the RMA. It concludes by recommending whether each submission should be accepted, accepted in part, or rejected. Where submissions are recommended to be accepted or accepted in part, the report also recommends the amendments to be made to the Operative District Plan provisions.
- 1.1.3 The report should be read alongside the tracked changes version of the Sections of the Operative Plan which shows the recommended amendments resulting from the assessment of submissions in Appendix 1.

### **1.2 Statement of Experience**

- 1.2.1 The entire environmental policy team and two members of the environmental consent team at Hastings District Council have been involved in the writing of this report and analysis of submissions. Each member of the team involved in the writing of this report has prepared a statement of their experience, a description of their role in PC5 and the report topics that they analysed. They also each confirm compliance with the Code of Conduct for Expert Witnesses, as relevant. These statements are included in Appendix 2.

### **1.3 Preparation of the Report**

- 1.3.1 In preparing this report the role of the team members has included to review, provide analysis on, and make recommendations on the submissions and further submissions received in relation to the contents of PC5. The majority of those involved in writing the report were also involved in undertaking public consultation on PC5.
- 1.3.2 Where changes or amendments to the District Plan are recommended, these have been assessed in accordance with section 32AA of the RMA and an evaluation provided within the specific issue or topic report, at a level of detail corresponding to the scale and significance of the recommended change.
- 1.3.3 A separate section 32AA evaluation has been undertaken in respect of the general approach to submissions on PC5 and the philosophy behind the revised medium density residential zone spatial extent, discussed in section 5 of this report. This section 32AA report is included in Appendix 3.

### **1.4 Code of conduct**

- 1.4.1 The team confirm that they have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and have complied with it when preparing this report. The evidence stated in the analysis of the submissions is within the areas of expertise of the team, other than when it is expressly stated that reliance is on the advice of another person.

*Section 42A Report for Plan Change 5: Right Homes, Right Place  
Introduction Report*

- 1.4.2 The data, information, facts and assumptions that have been considered in forming the writers' opinions are set out within the submissions analysis. Where opinions have been given, the reasons for those opinions are stated. The writers of this report have not omitted to consider material facts known that might alter or detract from the opinions expressed.
- 1.4.3 The team members are authorised to give this evidence on the Council's behalf in relation to PC5.
- 1.5 **Conflict of Interest**
- 1.51 It is confirmed that there are no real or perceived conflicts of interest amongst the team members who have prepared this report.
- 1.6 **Scope of report and hearing**
- 1.6.1 The hearing addresses the following parts of the operative plan:
- New Residential Overview chapter
  - New Medium Density Residential Zone chapter
  - Section 2.4 Urban Strategy
  - Section 2.6 Medium Density Housing Strategy
  - Section 7.2 Hastings General Residential Environment and General Residential Zone
  - Section 8.2 Havelock North General Residential Environment and General Residential Zone
  - Section 9.2 Flaxmere Residential Environment and Flaxmere Residential Zone
  - Section 30.1 Subdivision and Land Development
  - Section 33.1 Definitions
  - Appendix 26 – Scheduled Sites and Activities
  - Appendix 27, 38 and 29 Sites suitable for comprehensive residential development
  - Appendix 38 Hastings Character Areas
  - Appendix 60
  - Amendments to the Hastings Medium Density Design Framework (formerly called Hastings Residential Intensification Design Guide).

## **2 OVERVIEW OF PC5 AS NOTIFIED**

- 2.1 PC5 is a first step in aligning the District Plan with Policy 5 of the National Policy Statement on Urban Development 2020 (NPS-UD). As Hastings District is part of a Tier 2 urban environment, the NPS-UD requires that a plan change to implement Policy 5 be notified no later than 2 years after the commencement date, that is, by 20 August 2022. Policy 5 relevantly provides:

... district plans applying to tier 2 ... urban environments enable heights and density of urban form commensurate with the greater of:

- (1) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- (2) relative demand for housing and business use in that location.



































