

Thursday, 4 April 2024

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

Kaupapataka
Agenda

**Topic 6 - General Concerns,
Infrastructure, Definitions, Appendices**

(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**

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

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

Apiha Matua

Officer Responsible:

Group Manager: Planning and Regulatory Services - John

O'Shaughnessy

Reporting Planner

Senior Environmental Planner – Policy (Anna Summerfield)

Te Rōpū Manapori me te

Kāwanatanga

Democracy

Christine Hilton (Ext 5633)

Governance Services

Te Rārangi Take

Order of Business

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
-

Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing

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

<u>Document 1</u>	The covering administrative report	Pg 1
	S42A Report - Topic 6 - General Concerns, Infrastructure, Definitions, Appendices	Pg 3

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 - Topic 6 - General Concerns, Infrastructure, Definitions, Appendices	ENV-17-4-24-524	
S42A Report - Appendices (excluding Appendices 1 and 3)	ENV-17-4-24-525	Separate Document – Appendices

Section 42A Report for Plan Change 5: Right Homes, Right Place
Topic 6, Key Issue 1 – General Concerns – Privacy, Property Value, Trees, Crime/Safety

TOPIC 6, KEY ISSUE 1 – GENERAL CONCERNS – PRIVACY, PROPERTY VALUE, TREES, CRIME/SAFETY

1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
004.5	S Angus	Health and wellbeing	Oppose	Keep the status quo i.e. do not alter the HDC District Plan	Reject
005.4	J Armstrong	Property value	Oppose	Concern over the devaluation of my home. Have been a home owner for 83 years. Not to allow the plan change	Reject
012.2	G Campbell	Greenfields land	Not stated	Consider options in greenfield subdivision areas i.e. Lochhead Street	See Topic 1, Key Issue 3 report – Extent of Medium Density
012.11	G Campbell	Property value	Oppose	That a change is made to the plan so that all parties affected by land use change are notified and given the chance to object and/or call for modification to buildings plans and/or consent.	See Topic 3, Key Issue 1 report – Affected Persons' Consent
014.2	E Carr	Property value	Oppose	More houses alongside existing homes, particularly if bigger than one storey, will detrimentally impact the value of existing homes Consultation with neighbours impacted by more homes being built alongside them, especially where greater than a single storey, is a requirement and a right. Maintain affected party consent.	See Topic 3, Key Issue 1 report – Affected Persons' Consent
023.3	R Culver	Noise	Oppose	No change by stealth	Reject
040.2	L Herbert	KO/social fabric	Oppose	Say no to proposed district plan change 5.	Reject
040.3	L Herbert	KO/Lack of maintenance	Oppose	Say no to proposed district plan change 5	Reject
040.4	L Herbert	Amenity decline	Oppose	Not go ahead with the proposed district plan change 5.	Reject
040.5	L Herbert	Crime		Not go ahead with the proposed district plan change 5.	Reject
040.6	L Herbert	Property value	Oppose	Not go ahead with the proposed district plan change 5.	Reject
040.8	L Herbert	Families forced out by social issues	Oppose	Not go ahead with the proposed district plan change 5.	Reject
046.1	A Hodges	Trees	N/A	To add the Tōtara tree located at 322 Frimley Road to the Notable Tree Register under the District Plan.	Out of scope. That the totara tree at 322 Frimley Road be

Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing
S42A Report - Topic 6 - General Concerns, Infrastructure, Definitions, Appendices

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					added to the list of matters for consideration as part of the next Chapter 18.1 'Heritage Items and Notable Trees' Plan Change.
052.2	P Kumar	Social and environmental	Oppose	Not stated	-
054.2	A Lawrence	KO/Crime	Oppose	No to this new proposed plan change 5	Reject
FS01.2	A Lawrence	Submission point 054.2	Support	Allow submission	
054.3	A Lawrence	Property value	Oppose	No to this new proposed plan change 5	Reject
FS01.3	A Lawrence	Submission point 054.3	Support	Allow submission	
054.5	A Lawrence	Housing NZ overbuilding	Oppose	No to this new proposed plan change 5.	Reject
FS01.5	A Lawrence	Submission point 054.5	Support	Allow submission	
056.1	K List	Privacy / Amenity / Property value	Oppose	Revocation of non-notification for neighbouring properties for 2+ storey development.	See Topic 3, Key Issue 1 report – Affected Persons' Consent
058.1	P MacDonald	KO/Property value	Oppose	Not stated	-
075.1	D Pailthorpe	KO/Property value	Oppose	Not stated	-
077.1	R & J Piper	Amenity	Not stated	Not stated	-
077.5	R & J Piper	Privacy	Not stated	Not stated	-
077.6	R & J Piper	Property value	Not stated	Not stated	-
078.2	J Price	Noise/amenity	Oppose	Not stated	-
FS02.2	J Price	Submission point 078.2	Support	Allow	-
078.5	J Price	Tenancy (property value)	Oppose	Not stated	-
FS02.5	J Price	Submission point 078.5	Support	Allow	-
078.6	J Price	KO social issues/crime	Oppose	Not stated	-
FS02.6	J Price	Submission point 078.6	Support	Allow	-
078.7	J Price	Property value	Oppose	Not stated	-
FS02.7	J Price	Submission point 078.7	Support	Allow	-
084.1	M Rutherford	Property value	Oppose	Not stated	-
094.2	A Sivewright	Property value	Oppose	Retain the need of affected persons' consents or neighbours' approval.	See Topic 3, Key Issue 1 affected persons' consents
095.3	M Sivewright	Amenity value	Oppose	Not stated	-

Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing
S42A Report - Topic 6 - General Concerns, Infrastructure, Definitions, Appendices

Section 42A Report for Plan Change 5: Right Homes, Right Place
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095.6	M Sivewright	Property value	Oppose	Not stated	-
110.4	D Walsh	Amenity issues	Oppose	Not stated	-
111.1	C Walters	Amenity issues	Oppose	Further consultation be given to people living in or near MDRZs. I do not believe it is right that neighbours consents process should be done away with by these MDRZs The Raureka MDRZ should be scrapped.	Reject See Topic 3, Key Issue 1 – Affected persons' consent report See Topic 1, Key Issue 3 – Extent of medium density report
122.3	C Blackberry	Amenity Issues	Oppose	In summary - The right houses in the right areas is a must, and consideration must be made for what these areas, will do to the public facilities, parks, in the neighbourhood.	See Topic 1, Key Issue 3 report – Extent of Medium Density
122.4	C Blackberry	Social and environmental issues	Oppose	In summary - The right houses in the right areas is a must, and consideration must be made for what these areas, will do to the public facilities, parks, in the neighbourhood.	See Topic 1, Key Issue 3 report – Extent of Medium Density
131.1	A Hodges	Trees	N/A	Seeks formal acknowledgement, registration and protection of the Tōtara tree located at 322 Frimley Road through its addition to the Notable Tree Register in Section 18.1 'Heritage Items and Notable Trees' of the District Plan.	Out of scope for PC5. That the tōtara tree at 322 Frimley Road be added to the list of matters for consideration as part of the next Chapter 18.1 'Heritage Items and Notable Trees' Plan Change.
145.4	P Tucker	Social housing at Ada Street and Impacts on existing residential character	Oppose	For the above reasons and more I strongly oppose this development (Ada Street social housing)	See Topic 1, Key Issue 3 report – Extent of Medium Density

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148.8	L Watson	Privacy / Amenity / Property value / mental health / social fabric	Oppose.	I would like the HDC to only allow single storey dwelling with a minimum density of a maximum of 4 houses in single colour blending into the environment. If you are the landowner, you must ensure responsibility for the upkeep of all the grounds and maintenance on a yearly basis e.g. painted bi-yearly, lands mowed fortnightly, gardens maintained fortnightly. There should be an appeal structure to hold the landowner to account whether this is local or central government. You would be best to redirect these developments to large scale open land areas to create suburbs suited to high density needs	Out of scope See Topic 1, Key Issue 3 – Spatial extent of medium density report
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The Submissions

- 1.1 Thirty-seven submissions have highlighted some general concerns and issues about PC5 as follows:
- Health, wellbeing and social issues.
 - Concerns about decline in amenity and property values.
 - Concerns about Kāinga Ora housing and the displacement of existing communities.
 - One submitter has expressed concerns about the consultation process.
 - One submitter wants a tree at 322 Frimley Road registered as a notable tree.
- 1.2 Some of the submissions have also made specific decision requests and these are already covered in other reports as follows:
- Reject PC5 in its entirety (Topic 1, Key Issue 1 – Plan Change in its Entirety)
 - Change to the notification provisions (Topic 3, Key Issue 1 – Affected Persons’ Consent)
 - Scrap the Raureka MDRZ (Topic 1, Key Issue 3 – Extent of Medium Density Zoning)
 - Consider greenfield subdivision in areas such as Lochhead Road (Topic 1, Key Issue 3 – Extent of Medium Density Zoning)

Further Submissions

- 1.3 A Lawrence (FS01) supports A Lawrence (054) as follows:
- FS01.2 supports 054.1 in opposition to PC5 (Issue: Existing Amenity)
 - FS01.3 supports 054.3 in opposition to PC5 (Issue: Property Values)
 - FS01.5 supports 054.5 in opposition to PC5 (Issue: KO housing).
- 1.4 J Price (FS02) supports J Price (078) as follows:

