

Thursday, 4 April 2024

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

Kaupapataka

Topic 2 - Zone Introductions and Objectives and Policies

(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**

ITEM	SUBJECT	PAGE
2.	PLAN CHANGE 5 - "RIGHT HOMES, RIGHT PLACE" - MEDIUM DENSITY HOUSING	
	<u>Document 3</u> Containing this attachment	
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TOPIC 2, KEY ISSUE 1 – RESZ – RESIDENTIAL OVERVIEW CHAPTER

1. INTRODUCTION

- 1.1 The Residential Overview Chapter is a new chapter proposed to be inserted into the Hastings District Plan. As part of this plan change, the Council have sought to make a start on changing the structure of the District Plan to meet the requirements of the National Planning Standards template. The purpose of the Residential Overview chapter is to provide an overarching policy framework for the residential zones section of the District Plan.
- 1.2 However, the strategic direction for urban growth and development will still sit within Section 2.4 until the Council has finalised its Future Development Strategy (FDS) and incorporated this document into the new strategic direction section of the District Plan. The residential overview chapter will also house provisions that are applicable to all residential zones and therefore reduce repetition within the specific zone chapters which is one of the goals of implementing the national planning standards framework.
- 1.3 In general, most submissions received are supportive of the provisions in this new chapter as notified and seek their retention, some however request minor amendments to objectives and policies which are discussed further below.

A. RESIDENTIAL OVERVIEW SECTION IN ITS ENTIRETY AND INTRODUCTION

2. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
107.6	Waka Kotahi, New Zealand Transport Agency	Entire section	Support with amendment	Support subject to amendments to the objectives and policies to address the Waka Kotahi, New Zealand Transport Agency submissions and to better implement the intention, objectives and policies of the NPS-UD.	Accept in part
FS11.192	Development Nous	Submission point 107.6	Support	Development Nous seeks this submission be allowed in its entirety as it aligns with the alternate relief sought in its submission.	Accept in part
050.8	Kāinga Ora	Introduction	Support	Retain as notified	Accept
FS11.14	Development Nous	Submission point 050.8	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points	Accept

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				raised and relief sought in Development Nous' submission.	
FS19.34	Residents of Kaiapo Road etc	Submission point 050.8	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

3. ANALYSIS

3.1 **SUBMISSION POINT 107.6 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY)**

- 3.2 The submission from Waka Kotahi, New Zealand Transport Agency (Waka Kotahi) (107.6) supports the entire chapter subject to amendments to the objectives and policies to better implement the intention of the objectives and policies of the NPS-UD.
- 3.3 Waka Kotahi requests that the wording of the objectives and policies be amended from a focus on achieving a compact settlement pattern to a community focussed approach of achieving a "well-functioning urban environment".
- 3.4 The Residential Overview chapter will provide an overall policy framework for urban residential zones and provisions common to these. Therefore, it covers a wide range of zones within urban, rural and coastal environments. An urban environment is defined in the NPS-UD as any area of land that is or is intended to be predominantly urban in character; and is or is intended to be, part of a housing and labour market of at least 10,000 people. The existing suburbs of Hastings, Flaxmere and Havelock North all either meet or exceed this threshold and therefore it is appropriate to use this term in relation to these places. On that basis, it is considered that any objectives relating to achieving a well-functioning urban environment (that encompass business and residential activities) such as RESZ-O2 should in general be housed in Section 2.4 - Urban Strategy. The appropriate wording for an objective relating to well-functioning urban environments is considered in the analysis for RESZ-O2 below.
- 3.5 The focus on a compact settlement pattern in order to manage urban growth through RESZO6 and RESZ-P4 and applying this goal to the residential zone chapters across the District stems from HPUDS and the RPS and aligns with existing strategic objectives for the built environment outlined in this document.
- 3.6 A compact settlement pattern is not considered to be at odds with the NPS-UD objectives and policies for urban intensification. A compact settlement is a concept that has the endorsement of the community since 2010 when consultation occurred through a special consultative procedure to inform the drafting of the Heretaunga Plains Urban Development Strategy which was then incorporated into the RPS through section 3.1B Managing the Built Environment. Until the Council's FDS for Napier and Hastings is finalised and incorporated into RMA planning documents, the District Plan needs to give effect to the current RPS. It is noted that the current RPS aligns with

the intent of national policy on both urban development and highly productive land. Since 2014 / 2015 the region's and district's RMA planning documents have sought to encourage urban intensification to safeguard the versatile soils of the Heretaunga Plains. Certainly, the policy framework to protect the productive nature of the Heretaunga Plains has been a central tenet of the District Plan for the past 50 years. The existing policy framework is also in general alignment with the NPS-UD in terms of intensification within existing urban areas and the creation of a compact settlement pattern affirms this goal.

- 3.7 Waka Kotahi, New Zealand Transport Agency's submission (107.6) specifically supports the general intent of RESZ-O4 and RESZ-P5 but requests that the objectives and policies in this chapter are amended to require development to be plan-enabled with integrated urban development infrastructure planning and funding decisions, as well as a focus on active and public transport rather than roading. Objectives of a more strategic nature such as those relating to funding decisions and integrated urban development and infrastructure planning are more appropriately housed in Section 2.4 - Urban Strategy of the District Plan.
- 3.8 The intent of this submission, to align the objectives and policies with those of the NPS-UD, will be further considered as each specific objective and policy is considered in the analysis below.
- 3.9 Submission point 050.8 (Kāinga Ora) seeks that the introduction section of this chapter be retained as notified and as no other submissions have been received in opposition, this submission point is recommended to be accepted.

4. RECOMMENDATIONS

- 4.1 That the submission point **107.6 (Waka Kotahi, New Zealand Transport Agency)**, in support of the entire section in so far as it is amended to better implement the intention, objectives, and policies of the NPS-UD, **be accepted in part** in so far as Objective RESZ-O2 is recommended to be moved to section 2.4 urban strategy and amendments are recommended to RESZ-O1, RESZ-O2, RESZ-O3, RESZ-P2, RESZ-P4, and RESZ-P6 as specifically outlined in the sections below.
- 4.1.1 Reason:
- a. Where considered appropriate amendments are recommended to align with the intent and terminology of the NPS-UD. However, it is considered that objectives and policies relating to a well-functioning urban environment or requiring development to be plan-enabled with integrated urban development infrastructure planning and funding decisions are more appropriately located in the urban strategy section (Section 2.4) of the District Plan.
- 4.2 **That the submission point 050.8 (Kāinga Ora)** in support of the Residential Overview chapter introduction as notified **be accepted**.
- 4.2.1 **That as a consequence of the above recommendation**, the further submissions in support from **Development Nous (FS11.14) be accepted**

and those in opposition from the **Residents of Kaiapo Road etc (FS19.34)**
be rejected.

4.2.2 Reason:

- a. The intent of the introduction section to this chapter is considered appropriate.

B. RESIDENTIAL OVERVIEW SECTION OBJECTIVES

5. SUBMISSION POINTS – Objective RESZ-O1 – Purpose

Objective RESZ-O1 – Purpose

Primary purpose: To provide for residential activities and land use.

Secondary purpose: To allow activities that support the health and wellbeing of people and communities, where these are compatible in scale and intensity to the planned urban built environment and amenity values of the zone.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
028.4	Fire and Emergency NZ	RESZ-O1 – Purpose	Support	Retain as drafted.	Accept in part

6. ANALYSIS

6.1 SUBMISSION POINT 028.4 (FIRE AND EMERGENCY NZ)

- 6.2 The submission outlined above from FENZ seeks to retain Objective RESZ-O1 as notified. This submission is therefore recommended to be accepted in part subject to amendments requested by Waka Kotahi and considered below.

6.3 SUBMISSION POINT 107.6 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY)

- 6.4 The general submission from Waka Kotahi, New Zealand Transport Agency (107.6) requests alignment with the NPS-UD objectives and policies. Policy 6 of the NPS-UD states that when making decisions particular regard is to be had to the planned urban built form anticipated by RMA planning documents. Therefore, it is considered that there should be consistency in the use of this phrase throughout all the objectives and policies in this chapter. However, as these objectives and policies apply across a range of environments – urban, rural and coastal, it is recommended to remove the word urban from the phrase. The phrase “planned built form environments” should be used consistently in these objectives and policies. The built form environment sought to be achieved will be different within each residential zone in terms of scale and density of dwellings. Zone specific objectives and policies along with the zones bulk

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and location standards will articulate the specific built form environments sought for each residential zone.

- 6.5 As a consequence, RESZ-O1 should be amended to include the phrase “planned ~~urban~~ built form environment”.

7. RECOMMENDATION

- 7.1 **That the submission POINT 028.4 (Fire and Emergency New Zealand (FENZ)) be accepted in part** in so far as amendments are recommended to better align the objective with the terminology of the NPS-UD.

- 7.1.1 That as a consequence of the above, Objective RESZ-O1 – Purpose **be amended as follows:**

Primary purpose: To provide for residential activities and land use

Secondary purpose: To allow activities that support the health and wellbeing of people and communities, where these are compatible in scale and intensity to the planned ~~urban~~ built form environment and amenity values of the zone

- 7.1.2 Reason:

- a. That the recommended amendment aligns with the terminology of the NPS-UD and ensures clarity of intent and understanding.

8. SUBMISSION POINTS – Objective RESZ-O2 – Well-Functioning Residential Environments

Well-functioning residential environments that enable a variety of housing typologies and living arrangements that:

- Meet the needs of different households;
- Enable Māori to express their cultural traditions and norms;
- Have good accessibility for all people between housing, jobs, community services, natural and open spaces including by way of public or active transport;
- Support reductions in greenhouse gas emissions;
- Are resistant to the likely current and future effects of climate change.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.9	Kāinga Ora	Objectives – RESZ-O2	Support	Retain as notified	Accept in part
FS11.15	Development Nous		Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part

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FS19.35	Residents of Kaiapo Road etc		Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
119.4	Ara Poutama, Department of Corrections	Objective RESZ-O2	Support in part	1. Retain proposed objective RESZ-O2 as notified.	Accept in part
				2. Amend proposed policy RESZ-P1 as follows:	
				RESZ-P1	
	Relates to RESZ-O2			Provide a range of residential zones that cater for different types of housing densities, typologies, and living arrangements <u>and</u> households.	

9. ANALYSIS

9.1 This submission from **Kāinga Ora (050.9)** supports this objective which seeks to align with the intent of the NPS-UD provisions. A further submission from Development Nous is in support of Kāinga Ora while the Residents of Kaiapo Road etc oppose the submission and seek that it be disallowed as the requests of Kāinga Ora will adversely affect existing communities and residents. The further submission from the residents of Kaiapo Road etc is not accepted as the District Plan must give effect to the NPS-UD. A submission from **Ara Poutama Department of Corrections (119.4)** also supports this objective RESZ-O2 as notified. **Waka Kotahi, New Zealand Transport Agency's submission 107.6** (discussed above) seeks that objectives and policies align with the NPS-UD and the terminology used within that document. In accordance with the above discussion under A. Residential Overview Section in its Entirety, it is recommended that this objective be amended to further align with Policy 1 of the NPS-UD and moved to section 2.4 urban strategy. Recommended amendments to the wording of the objective are outlined below.

10. RECOMMENDATIONS

- 10.1 That the submission of **Kāinga Ora (050.9)** in support of objective RESZ-O2 **be accepted in part** in so far as it is recommended to move this objective to section 2.4 urban strategy as Objective UDO10 and to make amendments to better align with the NPS-UD terminology.
- 10.1.1 That as a consequence of the above the further submission of **Development Nous (FS11.15)** **be accepted in part** and that of the submission from the **Residents of Kaiapo Road etc (FS19.35)** **be rejected**.
- 10.2 That the submission from **Ara Poutama Department of Corrections (119.4)** **be accepted in part** insofar as it is recommended to amend this objective to further align with the NPS-UD and move it to section 2.4 urban strategy as Objective UDO10.

Objective RESZ-O2 be amended as follows and moved to section 2.4 Urban Strategy as UDO10:

RESZ-O2 UDO10 – Well-Functioning **Residential Urban** Environments

Well-functioning **residential urban** environments that:

- a. enable a variety of housing typologies and living arrangements that:
 - i. Meet the needs of different households;
 - ii. Enable Māori to express their cultural traditions and norms;
- b. Have good accessibility for all people between housing, jobs, community services, natural and open spaces including by way of public or active transport;
- c. Support reductions in greenhouse gas emissions;
- d. Are resistant to the likely current and future effects of climate change.

10.3 Reasons:

- a. The objective is applicable to a range of zones in which housing can be provided not just the residential zones and therefore is better housed within section 2.4 Urban Strategy.
- b. The recommended amendment will align further with Policy 1 of the NPS-UD confirming the intent to create well-functioning urban environments.

11. SUBMISSION POINTS - Objective RESZ-O3 – Planned Built Environments

Development is in accordance with the planned residential built form and character anticipated in each particular residential zone or precinct and described in the zone-specific objectives.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.10	Kāinga Ora	Objectives – RESZ-O3	Support	Retain as notified.	Accept in part
FS11.16	Development Nous	Submission point 050.10	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.36	Residents of Kaiapo Road etc	Submission point 050.10	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

12. ANALYSIS

- 12.1 Kāinga Ora (050.10) submits that this objective should be retained as notified. However, Waka Kotahi, New Zealand Transport Agency (107.6) in their submission across the whole section requests that objectives and policies be aligned better with those of the NPS-UD. Therefore, an amendment is recommended so that the same terminology as the NPS-UD

is used when describing the planned built form environment except that the word “urban” is omitted from the phrase as the objectives and policies of this section apply across all residential zones located in urban, rural and coastal environments.

13. RECOMMENDATIONS

13.1 That the submission from **Kāinga Ora (050.10)** **be accepted in part** in so far as an amendment to the wording of the objective is recommended to better align with the terms used in the NPS-UD.

13.1.1 That as a consequence of the above, the further submission of **Development Nous (FS11.16)** **be accepted** and the further submission of the **Residents of Kaiapo Road etc (FS19.36)** **be rejected**.

13.1.2 That the wording of Objective RESZ-O3 be amended as follows:

RESZ-O3 – Planned Built Form Environments

Development is in accordance with the planned **residential** built form **environment** and character anticipated in each particular residential zone or precinct and described in the zone-specific objectives.

13.1.3 **Reason:**

- a. That the recommended amendment aligns with the terminology used in the NPS-UD.

14. SUBMISSION POINTS - Objective RESZ-O4 – Infrastructure

Residential intensification and development is supported by sufficient three waters and roading infrastructure

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
008.6	Bike Hawkes Bay	RESZ-O4 – Infrastructure	Support with amendment	Amend to: "Residential intensification and development is supported by sufficient three waters and roading infrastructure, including active transport infrastructure ."	Accept
FS08.9	Waka Kotahi, New Zealand Transport Agency	Submission point 008.6	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept
FS13.16	Kāinga Ora	Submission point 008.6	Support	Allow submission	Accept
028.5	Fire and Emergency NZ	RESZ-O4 – Infrastructure	Support	Retain as drafted.	Accept in part

15. ANALYSIS

15.1 **Submission 008.6 (Bike Hawke’s Bay)** seeks an amendment to objective RESZ-O4 - Infrastructure to include reference to active transport. This amendment is considered appropriate, and it is recommended to **be accepted**. Two further submissions (**FS08.9** and **FS13.16**) have been

lodged in support of submission 008.6 and therefore as a consequence these are also **both accepted**.

- 15.2 **Submission 028.5 (Fire and Emergency NZ)** has submitted in support of RESZ-04 and requested that this objective be retained as drafted. This submission is **accepted in part** subject to including the amendment requested by Bike Hawkes Bay.

16. RECOMMENDATIONS

- 16.1 **That the submission of Bike Hawkes Bay (008.6) be accepted** and the submission of **Fire and Emergency NZ (028.5) be accepted in part.**

- 16.1.1 That as a consequence of the above, the further submissions of **Waka Kotahi, New Zealand Transport Agency (FS08.9)** and **Kāinga Ora (FS13.16)** also **be accepted**.

- 16.1.2 That the following amendments to objective RESZ-O4 be made:

RESZ-O4 – Infrastructure

Residential intensification and development is supported by sufficient three waters and roading infrastructure, including active transport infrastructure

- 16.1.3 Reason:

- a. That the recommended amendment will ensure the active infrastructure network is also sufficient to support medium density development, enabling residents to choose active transport modes to access facilitate and services in these areas.

17. SUBMISSION POINTS - Objective RESZ-O6 – Urban Growth

Urban Growth is managed in accordance with the Hawkes's Bay Regional Policy Statement and the Heretaunga Plains Urban Development Strategy or any subsequent Future Development Strategy (FDS).

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
061.7	McFlynn Surveying and Planning	Objective RESZ-O6 – Urban Growth	Oppose in part	Remove reference to the Heretaunga Plains Urban Development Strategy.	<i>Submission withdrawn</i>
134.8	McFlynn Surveying and Planning, A McFlynn	Objective RESZ-O6 – Urban Growth	Oppose in part	Remove reference to the Heretaunga Plains Urban Development Strategy.	Reject
FS027.8	Janet Jackson	Submission point 134.8	Support	Allow the submission	Reject
FS030.7	P Rawle	Submission point 134.8	Support	Seek these parts of the submission to be allowed.	Reject

18. ANALYSIS

- 18.1 **Submission 134.8 (McFlynn Surveying and Planning)** requests that the reference to the Heretaunga Plains Urban Development Strategy (HPUDS) be removed from objective RESZ-O6 – Urban Growth because it is a non-statutory document and there was no consultation, no opportunity for public input or challenge to this document. This statement is incorrect in that HPUDS was drafted in 2009/10 subject to the special consultative procedure under the Local Government Act, 2004. In 2014, when it was incorporated into the Regional Policy Statement it was subject to schedule 1 of the RMA.
- 18.2 While it is a non-statutory document, it outlines the current strategic direction for urban growth for the Heretaunga Plains sub-region and is incorporated into the RPS policy on managing the built environment. References to HPUDS will be replaced by the FDS once this is finalised and has been incorporated into the RPS and District Plan. Until then, this document aligns with both national and regional policy on urban growth and is appropriately referenced in the District Plan.

19. RECOMMENDATIONS

- 19.1 **That the submission of McFlynn Surveying and Planning (134.8)** opposing in part Objective RESZ – O6 Urban Growth and requesting the removal of the reference to the Heretaunga Plains Urban Development Strategy in objective RESZ-O6 Urban Growth **be rejected**.
- 19.1.1 That as a consequence on the above recommendation, the further submission of **Janet Jackson (FS027.8)** also **be rejected**.
- 19.1.2 Reasons:
- a. The Heretaunga Plains Urban Development Strategy (HPUDS) is entirely appropriate as this document along with the Regional Policy Statement outline the current strategic direction for urban growth for the District.
 - b. HPUDS was developed subject to the special consultative procedure under the Local Government Act 2004, thereby including opportunities for public consultation and input.

C. RESIDENTIAL OVERVIEW SECTION – POLICIES

20. SUBMISSION POINTS - Policy RESZ-P1 – Housing Diversity

Provide for a range of residential zones that cater for different types of housing densities, typologies, and living arrangements.

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Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation				
119.4	Ara Poutama, Department of Corrections	Objective RESZ-P1	Support in part	Amend proposed policy RESZ-P1 as follows: <table border="1"> <tr> <td>RESZ-P1</td> <td>Housing Diversity</td> </tr> <tr> <td>Relates to RESZ-O2</td> <td>Provide a range of residential zones that cater for different types of housing densities, typologies, and living arrangements and households.</td> </tr> </table>	RESZ-P1	Housing Diversity	Relates to RESZ-O2	Provide a range of residential zones that cater for different types of housing densities, typologies, and living arrangements and households.	Accept in part
RESZ-P1	Housing Diversity								
Relates to RESZ-O2	Provide a range of residential zones that cater for different types of housing densities, typologies, and living arrangements and households.								

21. ANALYSIS

21.1 Ara Poutama, Department of Corrections has requested amendments to the wording of the above policy seeking to add in the word 'households' to which the submitter has also requested a definition be provided in the District Plan. The intent of the inclusion of the word in the policy and corresponding definition is to ensure that all types of households and living arrangements are provided for in the defined term 'residential activity'. Thereby ensuring that residential accommodation provided by Ara Poutama in the community is covered under the definition of 'Residential Activity'.

21.2 The submitter has requested a new definition of household (which is further discussed in the Topic 6, Key Issue 4 - Definitions) which states the following:

Household: means a person or group of people who live together as a unit whether or not:

- (a) Any or all of them are members of the same family; or
- (b) One or more members of the group receives care, support and/or supervision (whether or not that care, support and/or supervision is provided by someone paid to do so).

21.3 The definition is to be used in conjunction with a requested amendment to RESZ-P1 to 'Provide a range of residential zones that cater for different types of housing densities, typologies, ~~and~~ living arrangements and households.' The direction of the submission relates to the submitter wishing to provide for residential accommodation supported by activities such as rehabilitation and reintegration services.

21.4 It is agreed that residential activities should provide for household members which may not be part of a family, and/or who may have additional needs as outlined by a) and b) above, however it is considered that the existing District Plan definition of Residential Activity is inclusive or rather does not specifically exclude any form of household including those where residents receive additional care. The operative definition of 'Residential Activity' reads as follows:

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Residential Activity: means the use of land and buildings by people for the purpose of permanent living accommodation, and includes, residential buildings, residential unit buildings, supplementary residential buildings and associated accessory buildings and for Residential Zones it includes seasonal workers accommodation for a maximum of 10 persons per site.

21.5 The definition of residential activity provides for all forms of living accommodation, and all living situations for all people. Therefore, it is not considered necessary to define specific living situations, as all household types are inherently provided for in the above definition. Furthermore, in relation to Policy RESZ-P1 it is considered that the as notified wording of the policy includes all types of living arrangements and the intent of the policy is to provide housing that meets the needs of all people in all types of living arrangements without the need to add in a new defined term to clarify the matter. On this basis the submission is recommended to be rejected.

22. RECOMMENDATION

22.1 That the submission of Ara Poutama, Department of Corrections (119.4) requesting amendments to Policy RESZ-P1 **be rejected**.

22.1.1 Reasons:

- a. That Policy RESZ-P1 is worded in an inclusive way that does not restrict consideration of any type of household or living arrangement.
- b. That the as notified wording of Policy RESZ-P1 includes all living arrangements and the intent of the policy is to provide housing that meets the needs of all people in all types of households without the need to add in a new defined term to clarify the matter.

23. SUBMISSION POINTS - Policy RESZ-P2 – Residential Amenity

Policy RESZ-P2 – Residential Amenity

Manage the effects of residential activities and development to ensure a quality living environment that is consistent with the Hastings Medium Density Design Framework 2022 relative to the particular planned built form environment sought for the zone.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.11	Kāinga Ora	Policies – RESZ-P2	Oppose in part	Amendments sought: Manage the effects of residential activities and development to ensure a level of amenity quality living environment that is consistent with the Hastings Medium Density Design Framework 2022 relative to the	Accept in part

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				particular planned built form environment sought for the zone.	
FS11.17	Development Nours		Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission.	Accept in part
FS19.37	Residents of Kaiapo Road etc		Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part

24.1 ANALYSIS

24.1 Submission 050.11 (Kāinga Ora) oppose in part Policy RESZ-P2 – Residential Amenity – specifically the submitter opposes referencing the Hastings Medium Density Design Framework within the District Plan as it is a non-statutory document. The Design Framework includes principles and key design elements that achieve good design outcomes and therefore assists to create quality residential environments that ensure residential amenity levels are consistent with the development outcomes sought for the zone. These have been used to assess applications for comprehensive residential development since the Council adopted the Design Framework (then known as the Hastings Residential Intensification Design Guide) in 2020. The Design Framework outlines six principles and eleven key design elements that are relevant to residential development, and it is considered appropriate that these are referenced in policies that seek to ensure good design and residential amenity outcomes.

24.2 While the key design design elements can be applied to the consideration of all residential development they are particularly relevant to small site development. Therefore, it is considered that referring specifically to these parts of the Design Framework document assists in underlining the importance of design in achieving quality residential development that positively contributes to existing neighbourhoods and that these matters need to be addressed in any resource consent application.

24.3 The policy could be worded more specifically to reference the principles and design elements rather than the whole of the Design Framework. While the key design elements have a statutory basis within the District Plan through matters of discretion in the MDRZ and for CRD in the specific urban development areas of the GRZ and therefore could only change in future through a schedule 1 process, the remainder of Medium Density Design Framework itself sits outside the plan as a non-statutory document. The eleven key design elements encompass general urban design principles and are outlined in the assessment criteria as follows:

Key Design Elements	Description / Assessment Criteria
House Types, Sizes and Adaptability	<i>Whether the proposal offers a diverse range of housing types e.g. duplex, two-storey, terraced, 1, 2, 3 bedroom and suitable for the development's site characteristics</i>

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Entrances, Detailing and Colour	<i>Whether the proposal maximises street-facing dwelling entrances, incorporates varied architectural detailing and colours to distinguish individual residential units.</i>
Building Height, Dominance and Sunlight	<i>Whether the building(s) design (height, form, scale) incorporates elements to reduce building dominance, enhance visual interest while maximising access to sunlight.</i>
Connections to Open Space	<i>Whether the proposal integrates public or communal open spaces and whether they have enabled natural surveillance for safety and usability</i>
Landscape Design	<i>Whether the landscaping design is sustainable, provides sufficient vegetation to 'soften' building form, driveways and carparking areas, retains existing trees where reasonably possible, integrates the development as a whole providing a high amenity living environment.</i>
Private and Safe Living Environments	<i>Whether the building design ensures privacy for residents and neighbours through thoughtful building orientation, separation distances, window and balcony placement and features, and external lighting.</i>
Outdoor Living Space	<i>Whether residents are provided with an outdoor living area for recreation and wellbeing. Specifically considering:</i> <ul style="list-style-type: none"> <i>i. Design and location of the outdoor living space, and whether its shape and size are suitable for recreation and play;</i> <i>ii. How the outdoor living space is accessed from the residential unit;</i> <i>iii. The location of the outdoor living space in terms of winter and summer access to sunlight;</i> <i>iv. The location of the outdoor living space and whether it will be overlooked by neighbouring residential units.</i>
Access, carparking and manoeuvring	<ul style="list-style-type: none"> <i>1.1 The extent to which the development provides safe and efficient vehicle access and avoid dominating the frontage of the site, including:</i> <i>2.1 a) The minimisation of vehicle access points to a site</i> <i>3.1 b) Clear differentiation of pedestrian and vehicle movement routes within a site</i> <i>4.1 c) Separation of shared and private parking areas within a site where possible for functionality and security</i> <i>5.1 d) Well-lit carparking areas are encouraged for public safety</i> <i>6.1 e) Vehicle entrances to buildings are clearly defined, and well-integrated into the overall site layout</i> <i>7.1 f) Soft landscaping is integrated into larger parking areas.</i> <i>8.1 g) Consider the location of charging points for electric cars and bikes</i>
Waste and Service Areas	<i>Whether sufficient on-site waste and service areas are provided, screened from the street, neighbouring residences and public open spaces.</i>
Site coverage and low-impact stormwater design	<i>Whether the proposal incorporates low-impact design eg raingardens, water re-use to reduce stormwater runoff and enhance sustainability.</i>

Building materials and environmental sustainability	<i>Assess if the proposed materials are visually appealing, sustainable, durable, easily maintained, with a variety of materials to create interest.</i>
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- 24.4 There are two further submissions that have been registered against this submission – one in support (FS11.17 - Development Nous) and one in opposition (FS19.37 - Residents of Kaiapo Road etc). These respectively support and oppose all submissions of Kāinga Ora in general. FS11.17 seeks that the submission be allowed insofar as it aligns with the submission of Development Nous. In relation to policies within PC5, Development Nous has requested that in general these be “*clear and concise, avoiding duplication with existing zone provisions and avoid overly restrictive, complex and multi-layered assessments*”. If the policy wording were tightened to specifically reference the key design elements of the Design Framework then this would provide greater clarity in terms of how the Council assesses and seeks to achieve quality residential environments that are consistent with the planned built form environment sought for the zone.
- 24.5 The Residents of Kaiapo Road etc (FS19.37) seek that the submission of Kāinga Ora be disallowed as they submit that Kāinga Ora’s requests in general are “*too broad and far reaching, resulting in severely adversely affecting existing communities and residents*”. Referencing the key design elements in the policy recognises the importance of the key design elements in achieving quality residential environments and amenity levels. It provides clarity as to how Council envisages the effects of residential development to be managed. It also provides certainty for applicants drawing a link between the assessment criteria for residential developments in the MDRZ and for CRD in the GRZ (urban development areas) and the policy.
- 24.6 The policy RESZ-P2 Residential Amenity is recommended to be amended as follows to satisfy the decision sought by all parties in part:

Manage the effects of residential activities and development including by applying the eleven key design elements of the Hastings Medium Density Design Framework 2022 to ensure a level of amenity is achieved quality living environment that is consistent with the Hastings Medium Density Design Framework 2022 relative to the particular planned built form environment sought for the zone.

25. RECOMMENDATION

- 25.1 That the submission of **Kāinga Ora 050.11** in part opposition to Policy RESZ-P2 **be accepted in part** and that the policy wording is recommended to be amended as follows:

RESZ-P2 - Residential Amenity
Manage the effects of residential activities and development including by applying the eleven key design elements of the Hastings Medium Density Design Framework 2022 to ensure a

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~~level of amenity is achieved quality living environment~~ that is consistent with ~~the Hastings Medium Density Design Framework 2022 relative to~~ the particular planned built form environment sought for the zone.

25.1.1 Reason:

- a. That the recommended amendments will provide clear guidance on how to achieve an appropriate level of amenity whilst addressing and balancing the concerns of the submitter and further submitters.

25.1.2 That as a consequence of the recommendation above, the further submissions of **Development Nous (FS11.17)** and **Residents of Kaiapo Road etc (FS19.37)** be accepted in part.

26. SUBMISSION POINTS - Policy RESZ-P4 – Managing Growth

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.12	Kāinga Ora	Policies – RESZ-P4	Oppose in part	Amendments sought: Provide for compact settlement development and the efficient utilisation of land relative to the characteristics of the particular residential planned built environment in order to help safeguard the productive nature of the soils surrounding the residential zones of the district.	Accept in part
FS11.18	Development Nous	Submission point 050.12	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.38	Residents of Kaiapo Road etc	Submission point 050.12	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
064.8	McFlynn Surveying and Planning	Policy RESZ-P4 – Managing Growth	Support	Retain this policy and amend the provisions of the medium density residential zone to be consistent with this policy.	Submission withdrawn
134.9	McFlynn Surveying and Planning	Policy RESZ-P4 – Managing Growth	Support in part	Amend this policy to: Provide for compact low and medium density settlement development and the efficient utilisation of land relative to the characteristics of the particular residential environment in order to help safeguard the productive nature of the soils surrounding the residential zones of the district.	Reject
FS027.9	Janet Jackson	Submission point 134.9	Support	Allow the submission	Reject

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FS030.8	P Rawle	Submission point 134.9	Support	Allow the submission as it will enable a sustainable balance between development of residential areas and preservation of fertile land.	Reject
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27. ANALYSIS

- 27.1 **Submission 050.12 from Kāinga Ora** seeks amendments to policy RESZ-P4 to refer to the planned built environment rather than “particular residential environment”. Any accepted amendments should ensure that the terminology used is consistent with the NPS-UD. The phrase used or referred to in the NPS-UD is “planned urban built form environment”. Given that these objectives and policies apply across a range of environments – urban, rural and coastal, it is recommended to remove the word urban. The phrase “planned built form environments” should be used consistently in these objectives and policies. The built form environment sought to be achieved will be different within each residential zone in terms of scale and density of dwellings. Zone specific objectives and policies along with the bulk and location standards will articulate the specific built form environments sought for each residential zone.
- 27.2 There are two further submissions registered against submission 050.12 (Kāinga Ora) – one in support (FS11.18 - Development Nous) and one in opposition (FS19.38 - Residents of Kaiapo Road etc). FS11.18 seeks that the submission be allowed insofar as it aligns with the submission of Development Nous. In relation to policies within Plan Change 5, Development Nous has requested that in general these be “*clear and concise, avoiding duplication with existing zone provisions and avoid overly restrictive, complex and multi-layered assessments*”. Achieving consistency in terminology is considered to achieve the request sought and therefore this further submission is accepted. The residents of Kaiapo Road etc (FS19.38) seek that the submission of Kāinga Ora be disallowed as they submit that Kāinga Ora’s requests in general are “*too broad and far reaching, resulting in severely adversely affecting existing communities and residents*”. In this instance, this further submission is rejected as this submission (050.12) is specific and amending the terminology will achieve consistency with terms used in the NPS-UD while also assisting to provide clear policy direction.
- 27.3 **Submission 134.9 (McFlynn Surveying and Planning)** supports in part Policy RESZ-P4 but seeks that it include a description of the appropriate density (i.e. compact low to medium density). Further Submissions in support of this submission have been received from **J Jackson (FS027.9)** and **P Rawle (FS030.8)** A detailed description of density is not considered appropriate in this policy given that it will apply to all residential zones which will all vary greatly in density (for example low density character residential zones, large lot or coastal residential zones and in future may include high density residential zones). The appropriate place for a description of density is in the specific zone objectives and policies. Therefore, the request for this amendment is recommended to **be rejected**.

27.3 It is recommended that policy RESZ-P4 Managing Growth be amended as follows:

Provide for compact settlement development and the efficient utilisation of land relative to the characteristics of the ~~particular residential planned built form~~ environment in order to help safeguard the productive nature of the soils surrounding the residential zones of the District.

28 RECOMMENDATIONS

28.1 That the submissions of **Kāinga Ora (050.12)** opposing in part Policy RESZ – P4 **be accepted in part** and recommended wording of this policy be amended as follows:

Policy RESZ – P4 – Managing Growth
Provide for compact settlement development and the efficient utilisation of land relative to the characteristics of the ~~particular residential planned built form~~ environment in order to help safeguard the productive nature of the soils surrounding the residential zones of the District.

28.1.1 That as a consequence of the above recommendation, the further submission of **Development Nous (FS11.18)** **be accepted in part** and the further submission of the **Residents of Kaiapo Road etc (FS1911.38)** **be rejected**.

28.2 That the submission of **McFlynn Surveying and Planning (134.9)** supporting in part Policy RESZ-P4 and requesting amendment to include a description of density “low and medium density” **be rejected**.

28.2.1 That the further submissions of **J Jackson (FS027.9)** and **P Rawle (FS030.8)** in support **be rejected**.

28.3 Reason:

- a. The Heretaunga Plains Urban Development Strategy (HPUDS) is entirely appropriate as this document along with the Regional Policy Statement

29. SUBMISSION POINTS - Policy RESZ – P5 Infrastructure

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
008.7	Bike Hawkes Bay	RESZ-P5 – Infrastructure	Support with amendment	Amend to: “Ensure that the three waters and roading infrastructure network (including active transport) has sufficient capacity to accommodate development prior to it occurring.	Accept in part
FS08.10	Waka Kotahi, New Zealand Transport Agency	Submission point 008.7	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part

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FS13.17	Kāinga Ora	Submission point 008.7	Oppose	Disallow submission.	Accept in part
028.6	Fire and Emergency NZ	RESZ-P5 – Infrastructure	Support	Retain as drafted.	Accept in part

30. ANALYSIS

30.1 Bike Hawke’s Bay (008.7) also seeks to amend policy RESZ-P5 to include active transport so that this is considered when assessing infrastructure capacity as follows:

“Ensure that the three waters and roading infrastructure network **(including active transport)** has sufficient capacity to accommodate development prior to it occurring”.

30.2 Waka Kotahi, New Zealand Transport Agency in their further submission (FS08.10) supports changes to ensure an integrated approach is taken to urban development and infrastructure planning, including providing for active transport infrastructure and considering active transport in determining infrastructure capacity for development.

30.3 Kāinga Ora (FS13.17) opposes this submission stating that *“it is unclear how the capacity of an active transport network can be measured as part of understanding the ability of the network to accommodate a development”*.

30.4 FENZ (Fire and Emergency New Zealand) submission 028.6 seeks that this policy be retained as drafted.

30.5 The submitters and further submitters all raise valid points that require further consideration in terms of how the active transport network should be considered. The need to ensure sufficient capacity of the 3 waters infrastructure and roading network is not challenged.

30.6 It is acknowledged that greater residential density will lead to higher numbers of vehicles in neighbourhoods, unless residents move to alternative transport modes. As Council cannot require on site car parking because of the NPS-UD and people will continue to own or use vehicles through personal choice, Council does need to look at measures to manage transportation effects including parking on the wider operation of the network. With the latter, it will be necessary to ensure that the safety and operation of the roads are not affected by any on-street parking especially for emergency vehicles and refuse and recycling collections and that active transport users have a footpath and cycleway network that is safe to use.

30.7 Active transport is central to the measure of accessibility and this is clearly outlined in Policy 5 of the NPS-UD. The impacts of development on the roading and active transport network need to be managed to ensure that developments do not adversely impact the safe and efficient operation of the transportation network which includes the active transport network.

30.8 Therefore, it is recommended that RESZ-P5 be amended as follows:

“Ensure that the three waters and roading infrastructure network has sufficient capacity to accommodate development prior to it

occurring and manage the effects of development to ensure the transportation network (including active transport) operates in a safe and efficient manner".

- 30.9 It is the Council's intention that local area plans will be developed in consultation with local communities to underpin and facilitate quality medium density development in appropriate areas. A Local Area Plan (LAP) is a place-based plan, which provides an integrated overview of the various planning, infrastructure, amenity, and community inputs within a defined urban area. An LAP serves a similar purpose in brownfield, medium density areas as structure plans do in greenfield areas; ensuring infrastructure (including active transport infrastructure), amenity and planning decision-making are integrated at a local level to deliver positive urban outcomes. LAPs will provide a framework for future growth in a manner that facilitates a 'well-functioning urban environment'.
- 30.10 In the Hastings context, the LAP programme has been initiated to optimise community outcomes and to create quality medium density neighbourhoods as an extension and amplification of the current Medium Density Housing Strategy through a place-based approach. Specifically, the programme of Local Area Plans had its genesis in the 2022 Addendum to the Medium Density Housing Strategy and Implementation Plan 2014, where it was identified as a key action/recommendation to be undertaken:
- Develop Local Area Plans for identified Medium Density Residential Development Areas through engagement with the community to define short-, medium- and long-term scenarios for land use (residential, health, social, cultural, education, business), infrastructure (transport, three waters, streetscape, active and passive open spaces) and natural spaces.*
- 30.11 As a non-statutory document, a Local Area Plan is more responsive than other regulatory plans, as it does not require a Schedule 1 process to facilitate updates or amendments over time. Noting its higher degree of flexibility, it serves to support the development of the District Plan through engagement with the community. LAP's will also inform and guide the Essential Services Development Plan and the Long-Term Plan which will determine appropriate level of service, timing and funding of infrastructure provision/upgrading. Therefore, the LAP program will be a key mechanism to identify and plan for the delivery of quality medium density residential environments that include 3 waters infrastructure and transportation networks including active transport networks that have sufficient capacity and operate in a safe and efficient manner.

31. RECOMMENDATION

- 31.1 That the submissions of **Bike Hawke's Bay (008.7)** in support of Policy RESZ-P5 with amendment and the submission of **FENZ (028.6)** in support of Policy RESZ-P5 **be accepted in part** with the following amendments recommended to RESZ-P5 – Infrastructure:

"Ensure that the three waters and roading infrastructure network has sufficient capacity to accommodate development prior to it occurring and manage the effects of development to ensure the

transportation network (including active transport) operates in a safe and efficient manner".

31.1.1 That as a consequence of the above recommendation, the further submissions of **Waka Kotahi, New Zealand Transport Agency (FS08.10)** and **Kāinga Ora (FS13.17)** **be accepted in part.**

31.1.2 Reason:

- a. That the recommended amendments will address the concerns of both submitters in a manner that ensures the active transport network meets the needs of existing and new members of the community.

32. SUBMISSION POINTS - Policy RESZ – P6 – Supporting Activities

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.13	Kāinga Ora	Policies – RESZ-P6	Oppose in part	Amendments sought: Manage the effects of activities that support the health and wellbeing of people and communities to ensure these maintain the quality living environment in accordance with the and planned built form character of the particular zone.	Accept
FS11.19	Development Nours	Submission point 050.13	Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission.	Accept
FS19.39	Residents of Kaiapo Road etc	Submission point 050.13	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

33. ANALYSIS

33.1 **Kāinga Ora's submission 050.13** seeks amendments to Policy RESZ-P6 – Supporting Activities to include the words “planned built form” and remove the word “character”. Kāinga Ora support the policy but request that rather than referring the assessment back to the character of the particular zone, the policy should refer to the planned built environment. This is accepted and aligns with the intent and direction of the NPS-UD and in particular, Policy 6. The amended wording will also align with changes made above to other objectives and policies referring to the planned built form environment. Therefore, this submission is accepted, and the policy is recommended to be amended as follows:

RESZ-P6 Supporting Activities

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Manage the effects of activities that support the health and wellbeing of people and communities to ensure these maintain the quality living environment in accordance with the ~~and~~ planned built form environment character of the particular zone.

34.1 RECOMMENDATION

- 34.1 That the submission of **Kāinga Ora (050.13)** opposing in part Policy RESZ – P6 – Supporting Activities **be accepted** and the following amendments made to the Policy wording:

RESZ-P6 Supporting Activities

Manage the effects of activities that support the health and wellbeing of people and communities to ensure these maintain the quality living environment in accordance with the ~~and~~ planned built form environment character of the particular zone.

34.1.1 Reason:

- a. That the recommended amendments will provide for consistent terminology in line with the NPS-UD and as such make the intent of the policy clearer.

D. RESIDENTIAL OVERVIEW SECTION MATTERS OF DISCRETION

35. SUBMISSION POINTS - RESZ-MAT 1 – Visitor Accommodation, Education Facility, Places of Assembly, Emergency Service Activities, Non-Residential Care Facilities and Rest Home Care.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
008.8	Bike Hawkes Bay	RESZ-MAT1 (6)	Support with amendment	Amend to: "The number of vehicle movements anticipated by the activity and the effects on the safety and efficient operation of the adjoining road network, <u>particularly the effects on the safety and accessibility of pedestrians, cyclists, and other active transport or micromobility users...</u> "	Accept
028.7	Fire and Emergency NZ	RESZ-MAT1 – Visitor Accommodation, Education Facility, Places of Assembly, Emergency Service Activities, Non-Residential Care	Support in part	Amend as follows: ... <i>4. Adequate infrastructure (water supply including firefighting water supply, wastewater and stormwater) to service the proposed activity (based on when activity is at 100% occupancy / capacity, where relevant);</i>	Accept

		Facilities, Rest Home Care			
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36. ANALYSIS

- 36.1 Two submissions were received in relation to these provisions. Bike Hawkes Bay requested that assessment criteria or matter number (6) be amended as follows: (6) “The number of vehicle movements anticipated by the activity and the effects on the safety and efficient operation of the adjoining road network, particularly the effects on the safety and accessibility of pedestrians, cyclists, and other active transport or micromobility users.” It is agreed that the impacts of new activities, particularly high traffic generators should be considered on both users of the road and active transport network. It is recommended that the assessment matter is amended as outlined above.
- 36.2 Fire and Emergency NZ (FENZ) have submitted in support of these assessment matters in RESZ-MAT1 but have requested inclusion of the following wording in respect of assessment matter (4) to ensure fire-fighting water supply is sufficient. These provisions have not been changed by PC5. These provisions already exist within the General Residential zone sections of the plan and have been moved to this chapter unamended to reduce repetition in future when the plan is re-structured into the National Planning Standards format. Therefore, there is a question of whether there is scope to make this change under PC5. The request from FENZ in itself does not change the intent of the matters of discretion for these activities and while it is considered that the assessment criteria as written are sufficient to ensure water supply for fire-fighting purposes, for clarity, the requested amendment could be made. If there is scope to make this change, then it is recommended that this amendment be accepted.

“(4) Adequate infrastructure (water supply including fire-fighting water supply, wastewater, and stormwater) to service the proposed activity (based on when activity is at 100% occupancy / capacity, where relevant)”.

37. RECOMMENDATION

- 37.1 That the submissions of **Bike Hawke’s Bay (008.8)**, **Fire and Emergency NZ (028.7)**, in support but seeking amendments to the matters of discretion for specified non-residential activities **be accepted** and the requested amendments be made to RESZ-MAT1 as follows:

Matters of Discretion – RESZ-MAT1 - Visitor Accommodation, Education Facility, Places of Assembly, Emergency Service Activities, Non-Residential Care Facilities, Rest Home Care

(4) Adequate infrastructure (water supply, including fire-fighting water supply, wastewater and stormwater) to service the proposed activity (based on 100% capacity occupancy / capacity, where relevant);

(6) “The number of vehicle movements anticipated by the activity and the effects on the safety and efficient operation of the

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adjoining road network, particularly the effects on the safety and accessibility of pedestrians, cyclists, and other active transport or micromobility users."

37.2 Reason:

- a. That the amendments proposed are appropriate and ensure clarity in understanding the intent of the provisions.

38. SUBMISSION POINTS - RESZ-Mat 4 – Relocated Buildings

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
028.8 and 028.9	Fire and Emergency NZ	RESZ-MAT4 – Relocated Buildings	Support in part	Amend as follows: ... <i>x. Adequate infrastructure (water supply, firefighting water supply, wastewater and stormwater) to service the relocated building.</i>	Reject
050.14	Kāinga Ora	General Standards for Relocated Buildings Application in all Residential Zones	Oppose	Kāinga Ora seek all provisions relating specifically to relocatable buildings be deleted from the plan.	Reject
FS11.20	Development Nous	Submission point 050.14	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.40	Residents of Kaiapo Road etc	Submission point 050.14	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part
050.15	Kāinga Ora	Standards – RESZ-MAT4	Oppose	Delete all provisions relating to relocatable homes.	Reject
FS11.21	Development Nous	Submission point 050.15	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.41	Residents of Kaiapo Road etc	Submission point 050.15	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part

38. ANALYSIS

- 38.1 **FENZ (028.8 and 028.9)** have also submitted on the assessment matters for relocated buildings and requested specific inclusion of the consideration of infrastructure servicing including firefighting water supply. General provisions for infrastructure are provided for in the subdivision section of the plan, however there may be instances where the provision of relocated buildings does not necessitate a subdivision application. In these cases the Engineering Code of Practice (ECOP) and the Building Act provisions will ensure that dwellings are provided with appropriate connections to the reticulated network. The purpose of the assessment criteria for relocated buildings is to ensure the reinstatement and repair of the building occurs in the timely manner when the permitted standards are not met. Therefore, this submission is not supported and it is recommended to be rejected.
- 38.2 Notwithstanding the above, it is considered that this submission point seeking to amend the assessment criteria applicable to all relocatable buildings is not 'on' Plan Change 5 and does not meet the case law '*Clearwater*' tests for whether a submission is "on" a plan change. The only thing that PC5 does in relation to relocated buildings is to move some of the standards for relocated buildings to this new Residential Overview chapter, but it does not amend the rules for such buildings which continue to be located, unamended, in the relevant Residential zone chapter. None of the relocated building rules, standards or matters for discretion are amended by the plan change – the only change is the relocation of the standards for the purpose of avoiding repetition in the future as the District Plan is amended to meet the national planning standards structure and framework.
- 38.3 Submissions **050.14 and 050.15 from Kāinga Ora** requests the deletion of all specific performance standards and removal of matters of discretion for relocated buildings from the District Plan in their entirety not just within the Residential Overview Chapter.
- 38.4 This request has considerable implications for the way relocated buildings are managed in the District. The provisions relating to relocated buildings were drafted as part of the review of the District Plan in 2012 -2014. Relocated buildings had been a significant issue for the District over the preceding 10 years and continued to be an issue for the community right up until the current provisions were made operative following mediation of an appeal by Heavy Haulage Ltd to the proposed District Plan in 2015 / 2016. The provisions of the current operative District Plan were included without change in the two new District Plan chapters (Residential Zones overview and Medium Density Residential Zone) notified as part of Plan Change 5. The mediated provisions included in the District Plan have been working well over the past 5 or so years with no complaints in respect of relocated building activities having been recorded. Deleting these provisions while also increasing densities would be inappropriate and untenable to the community and council given the significant adverse effects and impacts that have occurred from relocated building activities in the past.

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- 38.5 Relocated building activities under the current District Plan specifically exclude the relocation of newly constructed buildings that have not been used. Relocated building development in Hastings is considered differently from the construction of new buildings under the provisions of the general residential zones because when buildings are relocated onto a site they are already a completed built structure but generally require significant repairs to be made. Until these repairs are carried out, the appearance of the building can be (based on experience from relocated buildings within the District – see photos below) one of rotten or unpainted weatherboards or cladding that is missing or broken, roofing iron that is rusted and/or glazing or joinery that is broken or boarded up and needs replacing. It is this state of disrepair that has an impact on the amenity values of neighbouring properties and the residential area in general and necessitates a different management approach than the construction of a new built dwelling. The extent of adverse effects depends on the extent of disrepair of the building and the length of time it takes for repairs to be completed. The standards included in the District Plan seek to ensure that the adverse effects of relocated building activities are managed appropriately and repairs are completed in a timely manner.
- 38.6 As discussed in the previous submission analysis and notwithstanding the consideration of the submission above, this submission point seeking to amend the assessment criteria applicable to all relocatable buildings is not considered to be 'on' Plan Change 5 and does not meet the case law 'Clearwater' tests for whether a submission is "on" a plan change. The only thing that PC5 does in relation to relocated buildings is to move some of the standards for relocated buildings to this new Residential Overview chapter, but does not amend the rules for such buildings which continue to be located, unamended, in the relevant Residential zone chapter. None of the rules or standards are amended by the plan change – the only change is the relocation of the standards and matters of discretion for the purpose of avoiding repetition in the future as the District Plan is amended to meet the national planning standards structure and framework.

38.6.1



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39. RECOMMENDATION

39.1 That the submissions of **Kāinga Ora (050.14 and 050.15)** in opposition to the standards and matters of discretion for relocated buildings in all residential zones **be rejected**.

39.1.1 Reason:

- a. Relocated buildings have been a significant issue for the District in the past, necessitating a different management approach and bespoke provisions which have been agreed with industry representatives. These provisions have been in place for approximately 6 years and are working well to address the effects of this activity.

39.1.2 That as a consequence of the above recommendation the further submission of **Development Nous (FS11.20 and FS11.21)** **be rejected** and the further submission of the **Residents of Kaiapo Road etc (FS19.40 and FS19.41)** **be accepted in part**.

39.2 That the submission of **Fire and Emergency NZ (028.8 and 028.9)** requesting the addition of adequate infrastructure provision as a matter of discretion to RESZ-MAT4 **be rejected**.

39.2.1 Reasons:

- a. The Engineering Code of Practice and the Building Act ensure sufficient infrastructure is provided to service dwellings including relocated buildings.
- b. The purpose of the assessment matters in RESZ-MAT4 is to ensure that relocated buildings are repaired in a timely manner when the permitted activity standards are not met.

TOPIC 2, KEY ISSUE 2 – MRZ – MEDIUM DENSITY RESIDENTIAL ZONE – ENTIRE SECTION, OVERVIEW, OBJECTIVES AND POLICIES

A. MRZ – MEDIUM DENSITY RESIDENTIAL ZONE SECTION IN ITS ENTIRETY

1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
007.1	Bay Planning	Entire Section	Support	Support	Accept
103.2	Terra Nova Group	Entire section	Support with amendment	<p>The submitter seeks the following relief:</p> <ul style="list-style-type: none"> Amendments to the MRZ to provide greater design flexibility and clarity, particularly on larger sites that can potentially accommodate greater density and height; and Any other subsequent or consequential changes that are required to give effect to the relief sought by the submitter. 	Accept in part see Topic 4, Key Issue 2 - Height for consideration and recommendation
107.5	Waka Kotahi, New Zealand Transport Agency	Entire MRZ section	Support with amendment	<p>Amendments to address the submission and ensure alignment and implementation of the objectives, policies and definitions of the NPS.</p> <p>Provide further evidence and analysis as to the location, size and anticipated housing capacity supplied by the Medium Density Zone and required to meet demand. Waka Kotahi, New Zealand Transport Agency suggest that this evidence base considers enabling medium density around the centre, key walking / cycling and public transport routes.</p> <p>Based on the revised evidence base, amend the zone rules and maps to ensure the appropriate amount and location of medium density land is plan-enabled and infrastructure ready.</p>	Accept in part – see Topic 1, Key Issue 3 - Spatial Extent for recommendations relating to the location, size and anticipated housing capacity supplied by the proposed zone.
FS11.193	Development Nous	Submission point 107.5	Support	Development Nous seeks this submission be allowed in its entirety as it aligns with the alternate relief sought in its submission.	Accept in part
050.113	Kāinga Ora	General	Support in part	1. Kāinga Ora seek the spatial application of the Medium	Accept in part – see Topic 1, Key

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				Density Zone be increased, in accordance with the maps shown in their full submission. 2. Kāinga Ora seek that provisions within the Medium Density Zone are amended, consistent with the relief sought throughout this submission.	Issue 3 - Spatial Extent of the zone for recommendation
FS11.119	Development Nous	Submission 050.113	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS16.15	M Reid	Submission 050.113	Oppose	MRZ-O1–MRZ-O2: Reduce the number of areas proposed for medium density housing along Porter Drive in Havelock North due to the existing congestion and additional traffic flow from proposed developments on Middle Road and Havelock Road, and due to the poor water management infrastructure along Campbell Street and Porter Drive. Remove the Havelock North bowling green, an important recreational resource for the community, from plans for medium density housing	Reject – See Topic 1, Key Issue 3 - Spatial Extent for greater analysis of spatial application of the Medium Density Residential Zone
FS19.139	Residents of Kaiapo Road etc	Submission point 050.113	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

2. ANALYSIS

2.1 The submissions relating to the entire Medium Density Residential Zone are supportive subject to amendments to:

- Provide greater design flexibility and clarity, particularly for larger sites where greater density and height could be allowed (considered further in Topic 4, Key Issue 3 report);
- Better align the objectives and policies with those of the NPS-UD;
- Increase the spatial application the zone and the provision of evidence that the spatial application will result in an anticipated housing capacity sufficient to meet demand (considered further in Topic 1, Key Issue 3 report);

2.2 In terms of further submissions there are two that have been lodged in support of Waka Kotahi, New Zealand Transport Agency and Kāinga Ora's submissions from Development Nous (FS11.119 and FS11.193) and three further submissions in opposition to Kāinga Ora's submission. The further submission of M Reid is in opposition to Kāinga Ora's position to increase the size of the zone, and seeks that

the Medium Density Residential Zone (MRZ) around the Havelock North town centre be reduced due to existing traffic congestion and poor water infrastructure along Campbell Street and Porter Drive. This submission also requests the removal of the bowling green from the zone as it is an important recreational resource. The analysis of the spatial application of the Medium Density Residential Zone is considered further in Topic 1, Key Issue 3 but in summary there is a need to provide sufficient land in proximity to the Havelock North town centre in order to meet the immediate and anticipated future demand for housing in a location that has good accessibility links to the services and facilitates that the town centre provides. Ensuring the efficient and safe operation of the transportation network is important. These concerns are addressed in Topic 6, Key Issue 2 - General Traffic and Parking Concerns report. The issues concerning 3 waters infrastructure are noted and are considered further in Topic 6, Key Issue 3 report General Infrastructure Concerns. In summary council are currently progressing with wastewater upgrades which will free up capacity for intensification in identified MDRZ areas.

- 2.3 It is appropriate to align the objective and policies of the MDRZ with the NPS-UD terminology. The submission from Terra Nova (103.2) requests greater design flexibility and clarity particularly for larger sites. Specific amendments are recommended below in relation to each specific objective and policy where appropriate.

3. RECOMMENDATIONS

- 3.1 **That the submission point 007.1 (Bay Planning)** in support of this section in its entirety **be accepted**.
- 3.2 **That the submission point 107.5 (Waka Kotahi, New Zealand Transport Agency)** seeking that objectives and policies be aligned with those of the NPS-UD **be accepted in part** where these amendments are considered appropriate (see below in Section C and D for specific wording of objectives and policies).
- 3.2.1 That as a consequence of submission point 107.5 above, the further submission of **Development Noun (FS11.193)** in support of Waka Kotahi, New Zealand Transport Agency's submission be **accepted in part**.
- 3.3 **Reason:**
- a. That it is entirely appropriate and accepted that the objectives and policies of the zone should align with the intent and terminology used in the NPS-UD.

B. MEDIUM DENSITY RESIDENTIAL ZONE – OVERVIEW SECTION

4. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
008.9	Bike Hawkes Bay	MRZ – Overview	Support with amendment	Amend to: “Due to the compact nature of such housing typologies, it is important that this housing is located in areas where amenity open spaces, services, employment and public and active transport are most accessible, and that development is of a high quality and design that is consistent with the principles and key design elements of the Hastings Medium Density Design Framework”.	Accept
050.114	Kāinga Ora	Overview	Support in part	Amendments sought: The purpose of the Medium Density Residential Zone is to provide for a more compact form of residential development through the use of housing typologies such as detached townhouses, attached duplexes, terraced housing, and low-rise apartments. Two and Three storey buildings are appropriate in this zone.	Reject
FS11.120	Development Nous	Submission point 050.114	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous’ submission.	Reject
FS19.140	Residents of Kaiapo Road etc	Submission point 050.114	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
050.115	Kāinga Ora	Overview	Oppose in part	Amendments sought: Due to the compact nature of such housing typologies, it is important that this housing is located in areas where amenity open spaces, services, employment and public transport are most accessible, and that development is of a high quality and design that is consistent with the planned built environment, principles and key design elements of the Hastings Medium Density Design Framework.	Accept in part
FS11.121	Development Nous	Submission point 050.115	Support in part	Development Nous seeks the submission be allowed to the	Accept in part

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				extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission.	
FS19.141	Residents of Kaiapo Road etc	Submission point 050.115	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

ANALYSIS

- 4.1 The submissions to the overview section of the Medium Density Residential Zone generally support the content but request some amendments to include reference to active transport, the planned built environment and removing reference to two and three storey buildings and the Hastings Medium Density Design Framework.
- 4.2 It is considered appropriate to accept the request from Bike Hawkes Bay (008.9) to include active transport into this section given this will align with NPS-UD policy to create a well-functioning urban environment. To promote a well-functioning urban environment there is a need to promote a shift away from single occupancy vehicles to public transport and active transport modes, resulting in a reduction in greenhouses gases. Greater densities should be provided for in areas with high accessibility including through active transport. Therefore, this submission is recommended to be accepted.
- 4.3 There are two submissions from Kāinga Ora which seek amendments to the overview section. Submission 050.114 requests the removal of the words “Two and three storey buildings are appropriate in this zone” from the description of the zone. The submission states that *“Whilst Kāinga Ora support the general intent of the Medium Density Zone, reference to ‘storeys’ within the overview of the zone is opposed and instead the permitted heights within performance standards should be relied upon.”* The rationale behind referring to storeys rather than height is that it is easier to visualise the scale of built form sought for the zone. A 3 storey building is much easier to understand than an 11m height limit.
- 4.4 However, it is understood that there is concern that in doing so this may be incongruent with what can be built within the 11m + 1m (roof) height limit in the zone. Even so, it is considered important to ensure the anticipated scale of development within the Medium Density Residential Zone is easily understood and therefore the intent of the statement and use of the word storey is considered appropriate as long as there is confidence that the reference to storey numbers is accurate and corresponds with the height limit provided for within the zone.
- 4.5 It is noted that the appropriateness of the maximum height limit for this zone is considered in the Topic 4, Key Issue 2 – Height and Height in relation to Boundary report. The recommendation of this report is to reduce the height limit to 10m plus 1m for the roof. The Council’s residential building consent team have been consulted and they have confirmed that a maximum of 3 stories could be achieved within this height limit. On this basis it is recommended to retain the statement as notified.
- 4.6 Submission 050.115 from Kāinga Ora requests the removal of reference to the Medium Density Design Framework and replacement with the words “consistent with the planned built environment”. It is appropriate to reference the planned urban built

environment as this is consistent with the outcomes sought in the NPS-UD. To ensure consistency with the NPS-UD the terminology used should be the same. The NPS-UD uses the phrase “planned urban built form environment” and therefore this phrase should be used.

- 4.7 The removal of the reference to the Design Framework is requested, as it is a non-statutory document. The Design Framework includes principles and key design elements that achieve good design outcomes and therefore assists to create quality residential environments that ensure residential amenity levels when development occurs. The principles and key design elements have been used to assess applications for residential development since the Council adopted the Design Framework (then known as the Hastings Residential Intensification Design Guide) in 2020.
- 4.8 The key design elements of the Design Framework are specifically relevant to the consideration of residential development and in particular small site development. Through this plan change proposal, these design elements are specifically included in the District Plan as assessment matters for residential developments in the Medium Density Residential Zone. The overriding concern in removing barriers to achieve more medium density housing in existing urban areas is the need to ensure good design and residential amenity outcomes. The principles and key design elements of the Design Framework outline how to achieve good design outcomes. Therefore, it is considered that referring specifically to these parts of the Design Framework document assists in underlining the importance of design in achieving quality residential development that positively contributes to existing neighbourhoods and that these matters need to be addressed in any resource consent application. In addition, it highlights Council’s commitment to achieving good design outcomes for neighbourhoods as these transition to a more intensive residential environment.

RECOMMENDATIONS

- 5.1 That the submission of Bike Hawkes Bay (008.9) in support with amendment requesting inclusion of the words “and active” to the overview section as outlined above **be accepted**.
- 5.2 That that submission of Kāinga Ora (050.114) in support but requesting an amendment to remove the words: “Two and three storey buildings are appropriate in this zone” **be rejected**.
- 5.2.1 That as a consequence of the above the further submissions of Development Nous (FS11.120) **be rejected** and the Residents of Kaiapo Road (FS19.140) **be accepted**.
- 5.3 That the submission from Kāinga Ora (050.115) in opposition to the reference of the “Medium Density Design Framework” and request to replace it with the words “planned built environment” **be accepted in part** in so far as the wording be amended as follows:

*“Due to the compact nature of such housing typologies it is important that this housing is located in areas where amenity open spaces, employment, public **and active** transport are most accessible and that development is of a high quality and design that is consistent with the **planned urban built form environment and the** principles and key design elements of the Hastings Medium Density Design Framework”.*

5.3.1 That as a consequence of the above, the further submission of **Development Nous (FS11.121) be accepted in part** and that the further submission of the Residents of Kaiapo Road (FS19.141) **be accepted in part**.

5.4 Reasons:

- a. That it is accepted that the medium density residential zone should have good accessibility to the active transport network to create a well-functioning urban environment.
- b. That the following wording “Two and three storey buildings are appropriate in this zone” should be retained to enable clarity and understanding of the development outcomes sought in the zone.
- c. That using the NPS-UD terminology (“*planned urban built form environment*”) assists to ensure consistency and clarity within the District Plan.
- d. That retaining reference to the principles and key design elements of the Medium Density Design Framework assists in ensuring that high quality development outcomes and therefore residential environments are clearly articulated so that they can be achieved.

C. MEDIUM DENSITY RESIDENTIAL ZONE – OBJECTIVES

6. MRZ-O1 – Purpose of the Zone

6.1 The Medium Density Residential Zone provides for residential living at higher densities than is anticipated in the General Residential Zone where development facilitates the planned built environment of the zone while controlling other activities that support the health and well-being of people and communities to ensure that land within the zone is primarily and efficiently used for medium density housing.

SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
028.10	Fire and Emergency NZ	MRZ-O1 – Purpose of the Zone	Support	Retain as drafted	Accept
050.116	Kāinga Ora	Objectives – MRZ-O1	Support	Retain as notified	Accept
FS11.122	Development Nous	Submission point 050.116	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept
FS19.142	Residents of Kaiapo Road etc	Submission point 050.116	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
148.1	L. Watson	MRZ-O1	Oppose	The purpose of the zone does not take into account the wellbeing of existing residents. It degrades the	Reject

		Purpose of the Medium Density Zone		health and safety and economic wellbeing of existing residents	
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ANALYSIS

- 6.2 The submission from L. Watson (148.1) in opposition to objective MRZ-O1 states that the purpose of the zone does not take into account the wellbeing of existing residents and puts the emphasis on future residents. The submission states that intensification has a major impact on overall mental wellbeing and while the objective considers the health and wellbeing of the future population, the purpose of the objective to allow for intensification degrades the existing residents' health and safety as well as their economic wellbeing. The submitter does not provide or suggest any alternative wording to address their concerns.
- 6.3 It is acknowledged that the creation of a medium density residential zone within the existing residential areas of Hastings, Havelock North and Flaxmere will result in significant changes to the existing environment in which residents currently live. Objective MRZ-02 describes the built urban environment that is sought to be achieved. Policies MRZ-P3 (urban character), P4 (high quality living environments) and P5 (high amenity streets and neighbourhoods) outline how the district plan provisions will achieve this environment. As a whole, the objectives and policies, seek to ensure that the zone transitions from a suburban to a more urban environment in a manner that ensures a quality living environment through compliance with the set of zone performance standards. It is these performance standards that will ensure a quality living environment that supports the wellbeing of both existing and new residents in these areas. Submissions on the specific performance standards proposed for the Medium Density Residential Zone are considered in Topic 4, Key Issue 3.
- 6.4 The submission from L. Watson is recommended to be rejected as it is considered that the objective and policy framework does take into account the wellbeing of existing and new residents through the description of the zone and setting of appropriate performance standards to manage development, notwithstanding that this will result in a change to the environment from its existing state.
- 6.5 In considering the effects on existing residents during this transitional phase, Policy 6 of the NPS-UD acknowledges that significant change may occur and that those changes:
 - (i) *May detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities and future generations, including by providing increased and varied housing densities and types; and*
 - (ii) *Are not of themselves an adverse effect.*
- 6.6 Two Submissions from FENZ (028.10) and Kāinga Ora (050.116) were received on objective MRZ-O1 outlining the purpose of the zone are in support of the objective as it was notified and seek that it be retained. These submissions are recommended to be accepted.

7. RECOMMENDATIONS

- 7.1 **That the submission from L.Watson (148.1)** in opposition to MRZ-O1 for the reason that it does not consider the impacts of intensification on the wellbeing of existing residents **be rejected.**
- 7.2 **That the submissions of Fire and Emergency NZ (028.10) and Kāinga Ora (050.116)** in support of Objective MRZ-01 **be accepted** in so far as the wording is recommended to be amended to align with the terminology of the NPS-UD as follows:

*"MRZ-01 Purpose of the Zone - The Medium Density Residential Zone provides for residential living at higher densities than is anticipated in the General Residential Zone where development facilitates the planned **urban built form** environment of the zone while controlling other activities that support the health and well-being of people and communities to ensure that land within the zone is primarily and efficiently used for medium density housing".*

- 7.2.1 That as a consequence of the above the further submission of **Development Nous (FS11.122)** in support of Kāinga Ora's submission (050.116) **is accepted** and the further submission of the **Residents of Kaiapo Road etc (FS19.142)** in opposition to Kāinga Ora's submission (050.116) **is rejected.**

7.2.2 Reasons:

1. That the objective and policy framework seeks to ensure a quality living environment is provided for all residents of the zone through compliance with an appropriate set of performance standards.
2. That it is acknowledged that there will be a transition from the existing suburban environment to a more urban environment as development occurs within the Medium Density Residential Zone
3. That the submission from L. Watson does not provide any alternative wording to address their concerns.
4. That MRZ-O1 outlines the purpose of the zone to provide for more intensive residential activities and as such aligns with national and regional policy on urban development.

8. MRZ-O2 – The Planned Urban Environment of the Zone

- 8.1 The planned urban built environment of the zone is characterised by:
- a. A diversity of housing typologies including townhouses, duplexes, terrace houses and low rise apartments;
 - b. A built form of predominantly two and three storey buildings which are integrated with public and private open space;
 - c. Good quality on-site and off-site residential living environments that provide for the health and well-being of people and communities and are consistent with the Hastings Medium Density Design Framework;

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- d. An urban environment that is visually attractive, safe and easy to navigate and convenient to access.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
012.3	G Campbell	MRZ – O2	Not stated	That the current building code is not seen as the benchmark for construction when intensification occurs so that buildings are of a very high design standard and construction materials – built to last and not just trendy.	Reject
050.117	Kāinga Ora	Objectives – MRZ-O2	Oppose in part	<p>Amendments sought:</p> <p>The planned urban built environment of the zone is characterised by:</p> <ul style="list-style-type: none"> a. A diversity of housing typologies including townhouses, duplexes, terrace houses and low rise apartments; b. A built form of predominantly two and three storey buildings which are that is integrated with public and private open space; c. Good quality on-site and off-site residential living environments that provide for the health and well-being of people and communities and are consistent with the Medium Density Design Framework; d. An urban environment that is visually attractive, safe and easy to navigate and convenient to access. 	Reject
FS11.123	Development Nous	Submission point 050.117	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.143	Residents of Kaiapo Road etc	Submission point 050.117	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
134.10	McFlynn Surveying and Planning,	Objective MRZ-O2 – The Planned Urban Environment of the Zone	Oppose in part	<p>Amend Objective MRZ-O2 as follows:</p> <p>The planned built environment of the zone is characterised by:</p> <ul style="list-style-type: none"> a. A diversity of housing typologies including townhouses, 	Accept in part

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				<p>duplexes, terraces houses and low rise apartments- detached, semi-detached and terraced housing, low-rise apartments and other compatible activities;</p> <p>b. A built form of predominantly two and three storey buildings which are integrated with public and private open space;</p> <p>c. Good quality on-site and off-site residential living environments that provide for the health and well-being of people and communities and are consistent with the Hastings Medium Density Design Framework;</p> <p>d. An urban environment that is visually attractive, safe, and easy to navigate and convenient to access.</p>	
FS027.10	Janet Jackson	Submission point 134.10	Support	Seek that the whole submission be allowed.	Accept in part

ANALYSIS

- 8.2 Submissions lodged in respect of Objective MRZ-O2 – The planned urban environment of the zone – are a mixture of partial support and partial opposition on the basis that the wording of this objective requires amendment to:
- Raise the benchmark in terms of the quality of design and construction materials for more intensive housing;
 - Use a consistency of terminology – specifically that of the National Planning Standards template which refers to specific housing typologies listed in its description of a medium density residential zone; and
 - Remove reference to two and three storey buildings and the Hastings Medium Density Design Framework.
- 8.3 While it is important to have high quality residential developments that are built to last, it is not appropriate to include objectives or rules in a District Plan that require residential developments to build in excess of the current building code. The Building Act and Building Code are the most appropriate mechanisms by which to manage the quality of building construction methods and materials. Furthermore, it is noted that build quality is also linked to cost and there is a need to ensure that a range of price points are enabled in terms of the provision of new housing stock in order to meet the needs of all members of the community. Therefore, on this basis the submission of **G. Campbell (012.3)** is recommended to **be rejected**.
- 8.4 There are two submissions – from **Kāinga Ora (50.117)** and **A. McFlynn (134.10)** that request amendments to the wording of this objective. Both request the deletion of wording related to a built form of two and three storey buildings. As discussed previously (under section 2 above) the intent of this word is to make the development

outcomes sought for this zone easily understandable. As discussed above the recommendations from the report on height (Topic 4, Key Issue 2) and consultation with the Councils residential building team confirm that a maximum of three stories could be built within the recommended 10m + 1m for roof height limit. Therefore it is recommended that this wording be retained.

8.5 Submission 134.10 also requests the deletion of (b) which states:

b. A built form of predominantly two and three storey buildings which are integrated with public and private open space;

8.6 This submitter states that *"A predominance of 2 – 3 level buildings is not realistic, and is not consistent with the zone description of a Medium Density Residential Zone as prescribed by the National Planning Standards"*.

8.7 Enabling greater height and density in areas of accessibility is the key focus of the NPS-UD and therefore it is considered there is a need to clearly distinguish the development outcomes sought in the General Residential Zones from those sought in the Medium Density Residential Zone. Therefore as the GRZ provides for 1 and 2 storey buildings, the medium density residential zone should provide for a greater height and scale of buildings. As such the reference to 2 and 3 storey buildings is considered appropriate and while market conditions for developers in Hastings may not be conducive to 3 storey buildings, those conditions could change over time and should not be the basis for limiting height.

8.8 The National Planning Standards to my understanding do not seek to specifically control or limit development. Their aim is to create a consistency in the format and structure of District Plans rather than specify the heights limits of certain types of development.

8.9 On this basis, it is considered appropriate to retain reference to two and three storey buildings in objective MRZ-O2 to aid understanding and clarity around the development outcomes and planned built form sought for the zone.

8.10 In addition, submission 134.10 requests changes to the housing typologies mentioned to align with the description of the zone in the National Planning Standards. This request is considered appropriate and is therefore **accepted**.

8.11 The submission of McFlynn Surveying and Planning Ltd (134.10) was supported by the further submission of J.Jackson (027.10).

8.12 Kāinga Ora also request changes to clause c. of this objective to remove reference to the Medium Density Design Framework. For the reasons discussed above this request is recommended to be rejected. However, to focus on the parts of the guide that are most important it is recommended that clause c. include reference to the key design elements of the Hastings Medium Density Design Framework to clarify that it is these elements of the framework that developments need to be consistent with. This submission was supported in general by Development Nous and opposed in general by the Residents of Kaiapo Rd.

RECOMMENDATIONS

9.1 **That the submission point 012.3 (G Campbell) requests that the quality of building exceeds the current Building Code requirements be rejected.**

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- 9.2 **That the submissions points 050.117 (Kāinga Ora) requesting amendments to objective MRZ-O2 to remove reference to two and three storey buildings and the medium density design framework be rejected.**
- 9.2.1 That as a consequence of the above submission the further submission in support from **Development Nous (FS11.123) be rejected** and in opposition from the **Residents of Kaiapo Road etc (FS19.143) be accepted**.
- 9.3 **That the submission point 134.10 (Angela McFlynn) requesting amendments to the wording of MRZ-O2 are accepted in part** in so far as the objective be amended to read as follows:

The planned urban built form environment of the zone is characterised by:

- a. *A diversity of housing typologies including ~~townhouses, duplexes, terraces houses and low rise apartments~~ detached, semi-detached and terraced housing, and low - rise apartments;*
 - b. *A built form of predominantly two and three storey buildings which are integrated with public and private open space;*
 - c. *Good quality on-site and off-site residential living environments that provide for the health and well-being of people and communities and are consistent with the key design elements of the Hastings Medium Density Design Framework;*
 - d. *An urban environment that is visually attractive, safe and easy to navigate and convenient to access.*
- 9.3.1 That as a consequence of the above recommendation, the further submission of J.Jackson **(FS027.10) be accepted in part**.
- 9.4 Reasons:
- a. That it is entirely appropriate and accepted that the objectives and policies of the zone should align with the zone descriptions outlined in the National Planning Standards Zone Framework Standard.
 - b. That the as notified wording of part (b) will ensure clarity and understanding of the development outcomes and planned urban built form environment sought for the zone;
 - c. That it provides clarification that it is the key design elements of the Hastings Medium Density Design Framework that development proposals need to be consistent with. This will assist applicants and developers when designing their development proposal and ensure that the environmental outcomes sought by the District Plan will be achieved.

10.0 MRZ-O3 – Sustainable Design and Infrastructure

10.1 Public health and environmental wellbeing are maintained, and where practicable enhanced through sustainable design and sufficient provision of infrastructure.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
013.5	S Campbell	MRZ-O3 – Sustainable Design and Infrastructure	Oppose	Removing the right of consent for affected parties and neighbours for those in the Medium Density Zone is the opposite of this as it will significantly affect residents and owners. Council must provide for the right of consent to be maintained for all zones.	Reject – see Topic 3, Key Issue 1 - Affected Persons' Consent
028.11	Fire and Emergency NZ	MRZ-O3 – Sustainable Design and Infrastructure	Support	Retain as drafted	Accept

ANALYSIS

10.2 Two submissions have been lodged in relation to MRZ-O3 – one in support and one in opposition as outlined above. The submission from S. Campbell (013.5) does not seek any amendments or put forward any arguments that specifically relate to the wording or intent of the objective. The purpose of the objective is to ensure environmental well-being is maintained through the use of low impact design techniques and the sufficient provision of infrastructure. Ensuring the sufficient provision of infrastructure where housing development is proposed to be intensified is essential to prevent adverse effects as development occurs. Therefore, the submission point **028.11 (Fire and Emergency NZ)** in support of this objective to retain as drafted **is accepted**.

RECOMMENDATIONS

- 10.3 **That the submission of S Campbell (013.5) opposing objective MRZ-O3 be rejected.**
- 10.4 **That the submission of Fire and Emergency NZ (028.11) in support of objective MRZ-O3 as notified be accepted.**
- 10.5 Reason:
- a. That objective is entirely appropriate as notified to achieve its intent of ensuring development is sufficiently serviced with infrastructure to avoid adverse environmental effects.

D. MEDIUM DENSITY RESIDENTIAL ZONE – POLICIES

11. MRZ – P1 – Comprehensive Residential Development

11.1 Enable comprehensive residential development where it is demonstrated that there is sufficient infrastructure capacity to service development.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
028.12	Fire and Emergency NZ	MRZ-P1 – Comprehensive Residential Development	Support	Retain as drafted	Reject
050.118	Kāinga Ora	Policies – MRZ-P1	Oppose	Delete policy MRZ-P1	Reject
FS11.124	Development Nous	Submission point 050.118	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.144	Residents of Kaiapo Road etc	Submission point 050.118	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
134.11	McFlynn Surveying and Planning	MRZ-P1 – Comprehensive Residential Development	Oppose	Delete this policy	Reject
FS027.11	Janet Jackson	Submission point 134.11	Support	Allow the submission	Reject

ANALYSIS

11.2 One submission in support from **FENZ (028.12)** requesting the Policy be retained as drafted and two submissions in opposition from **Kāinga Ora (050.118)** and **McFlynn Surveying and Planning (134.11)** were received in relation to this Policy.

11.3 Kāinga Ora stated in their submission that:

Consistent with the relief sought, Kāinga Ora oppose the use of 'Comprehensive Residential Development' particularly as this results in the creation of a separate residential activity. Kāinga Ora consider that the zone should be constructed with performance standards that enable a residential activity, regardless of the number of units proposed rather than a separate activity to deal with a level of development based on the number of units.

11.4 McFlynn Surveying and Planning stated in their submission that:

In identifying the Medium Density Residential zone as suitable for comprehensive residential development, and essentially attempting to prohibit any other form of development in these areas, Council must have already confirmed that there is sufficient infrastructure capacity to service this type of development.

- 11.5 Both submissions in opposition raise valid points. It is agreed that removing reference to comprehensive residential development in this zone will simplify the rule framework and aid understanding. However, it is still appropriate to include an objective relating to the type and scale of residential development sought. This policy will link back to Objectives MRZ-O1 and MRZ-O2 providing the rationale for the rule framework for residential activities and development in the zone.
- 11.6 Submitter 134.11 (McFlynn Surveying and Planning) also raises a valid point relating to the provision of infrastructure within the zone. While the general approach of Plan Change 5 was at the outset to further implement the Councils existing Medium Density Strategy including rezoning the already identified areas suitable for CRD, this approach was on the premise that infrastructure capacity would need to be confirmed prior to development or through the resource consent process. The finalised Infrastructure Constraints Report (May 2023) identified significant wastewater capacity limitations across the Hastings urban area to an extent that development could not be enabled on a permitted activity basis within the proposed medium density zone areas.
- 11.7 Council is now progressing with major capacity upgrade projects to address these deficiencies with priority focussed on the areas Council has identified for intensification in a staged approach. Councils Program Manager – Growth Infrastructure has advised that *"an initial investment of \$40M over 3 years (2022-2025) as a growth ready package of works with a further \$180M identified in the 2024 Long-Term Plan and beyond to progressively unlock capacity in areas where further intensification is anticipated"*. (See Appendix 10 for this memo).
- 11.8 To address the concerns of these submitters the following amendments are recommended for MRZ – P1 below:

MRZ – P1 – ~~Comprehensive~~ Residential Development

Enable ~~comprehensive~~ residential development with a moderate concentration and bulk of buildings, including a variety of housing typologies to provide choice in the housing market where it is demonstrated that there is sufficient infrastructure capacity to service development

RECOMMENDATIONS

- 12.1 **That the submission of Fire and Emergency NZ (028.12) in support of Policy MRZ-P1 as drafted be accepted in part in so far as the policy is retained but amended as recommended above.**
- 12.2 **That the submission of Kāinga Ora (050.118) in opposition of objective MRZ-P1 as notified be accepted in part in so far as the policy is amended as recommended above to address the submitters concerns.**
- 12.2.1 **That as a consequence of the above recommendation that the further submission of Development Nours (FS11.124) be accepted in part.**
- 12.2.2 **That as a consequence of the above recommendation that the further submission of Residents of Kaiapo Road etc (FS19.144) be accepted in part.**
- 12.3 Reasons:

- a. That the amendments to the Policy will ensure residential development that provides a range of housing typologies is enabled within the zone implementing objectives MRZ-O1 and MRZ-O2.
- b. It is accepted that removing the term CRD will enable a simplified rule structure and framework in this zone. Therefore it is appropriate to remove it from the policy.

12.4 **That the submission of McFlynn Surveying and Planning (134.11) in opposition of objective MRZ-P1 as notified be accepted in part in so far as the policy is amended as recommended above to address the submitters concerns.**

12.4.1 That as a consequence of the above recommendation that the further submission of **J Jackson (FS027.11) be accepted in part.**

12.4.2 Reasons:

- a. That the removal of the requirement to demonstrate sufficient infrastructure capacity provides confidence to developers and landowners that sufficient capacity will be unlocked and provided in these areas to allow medium density development to occur.

13. MRZ – P2 – Compact Development

13.1 Restrict infill development of one additional dwelling on a site to ensure the efficient use of the zone for more compact housing types including duplex, terraced housing and low-rise apartments.

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
012.9	G Campbell	MRZ – P2 – Compact Development	Oppose	Should have the right to choose to have one extra dwelling on a property and not be forced to put more on. Many neighbourhoods would cope with 1 dwelling compared to multi.	Accept
013.6	S Campbell	MRZ-P2 – Compact Development	Oppose	Allow for infill development.	Accept
050.119	Kāinga Ora	Policies – MRZ-P2	Oppose	Delete policy	Accept
FS11.125	Development Nous	Submission point 050.119	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept
FS19.145	Residents of Kaiapo Road etc	Submission point 050.119	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
134.12	McFlynn Surveying and Planning	MRZ-P2 – Compact Development	Oppose	Amend to: Provide for infill development of one addition dwelling on a site to ensure that efficient use of the zone for more compact housing	Accept in part

**Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing
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				types where an average density of greater than one dwelling per 350m ² net site area is achieved. AND Make consequential amendments to the District Plan to reflect the appropriateness of infill subdivision.	
FS11.183	Development Nous	Submission point 134.12	Support	Development Nous seeks this submission be allowed aligns with the alternate relief sought in its original submission.	Accept in part
FS027.12	Janet Jackson	Submission point 134.12	Support	Seeks that the whole submission be allowed also including that onsite parking must be provided for each site.	Accept in part
FS030.9	P Rawle	Submission point 134.12	Support	Support these parts of the submission to the extent that they align with relief sought in original submission. These points will enable the social and economic wellbeing of the people of Hastings in a sustainable way. Submission demonstrates how a sustainable balance can be achieved between development of residential areas and preservation of fertile land Seeks that these parts of the submission be allowed	Accept in part

ANALYSIS

- 13.2 The intention of this policy was to ensure that the limited size of the land resource of the Medium Density Residential Zone (similar to the existing City Living Zone in the Operative District Plan) was used in the most efficient manner possible. However, there is a general opposition to this Policy from submitters who raise valid points.
- 13.3 **Kāinga Ora (050.119)** state they do not support the inclusion of a policy relating to compact development that is less enabling of a particular form of development. Some situations render infill development the most appropriate and sustainable development option and discouraging this through the planning framework has the potential to stifle development by prioritising comprehensive development.
- 13.4 **McFlynn Surveying and Planning (134.12)** state that this policy will effectively prohibit development of smaller sites and constrain housing supply, by preventing the efficient use of the zone, and is therefore inconsistent with the NPS-UD. The implementation of this policy will prevent development of the Medium Density Residential Zone in accordance with the zone description prescribed in the national planning standards.
- 13.5 These arguments from submitters are accepted and it is recommended that this policy be deleted.

RECOMMENDATIONS

- 14.1 **That the submission points of 012.9 (G Campbell), 013.6 (S Campbell), 050.119 (Kāinga Ora) and 134.12 (McFlynn Surveying and Planning) in opposition of Policy MRZ-P2 be accepted in so far as the policy is recommended to be deleted.**

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14.1.1 That as a consequence of the above recommendation the further submissions of **Development Nous (FS11.125 & FS11.183), Residents of Kaiapo Road etc (FS19.145), J Jackson (FS027.12), P Rawle (FS30.9) be accepted.**

14.1.2 Reason:

- a. That the deletion of this policy will enable any form or type of residential development to occur in the zone that meets the performance standards of the zone.

15. MRZ – P3 – Urban Character

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
012.10	G Campbell	MRZ – P3 – Urban Character	Oppose	That mature planting in areas that are not in current character zones are protected where possible and clear criteria are in place as to when removal may occur.	Reject – out of scope
050.120	Kāinga Ora	Policies – MRZ-P3	Support in part	Amendments sought: Achieve the planned urban built environment character of two and three storey buildings surrounded by landscaping including by: <ol style="list-style-type: none"> a. limiting height, bulk and form of development; b. Managing the design, appearance and variety of building development; c. Requiring setbacks and landscaped areas that are consistent with an urban character; <p>Ensuring developments are consistent with the Hastings Medium-Density Design Framework principles and key design elements.</p>	Reject
FS11.126	Development Nous	Submission point 050.120	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission	Reject
FS19.146	Residents of Kaiapo Road etc	Submission point 050.120	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents	Accept
134.13	McFlynn Surveying and Planning	MRZ-P3 Urban Character	Oppose in part	Amend to: Achieve the planned <u>Medium Density</u> urban built environment character of two and three storey buildings surrounded by landscaping including by:	Reject

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				<ul style="list-style-type: none"> a. Limiting height, bulk and form of development; b. Managing the design, appearance and variety of building development; c. Requiring setbacks and landscaped areas that are consistent with an urban character; d. Ensuring developments are consistent with the Hastings Medium Density Design Framework principles and key design elements. 	
FS027.13	J Jackson	Submission point 134.13	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.10	P Rawle	Submission point 134.13	Support	Allow the submission	Reject

ANALYSIS

- 15.1 One submission in opposition and two submissions in support with amendment were received in respect of this Policy. The submission point **012.10 (G Campbell)** does not seek any amendments or put forward any arguments that specifically relate to the wording or intent of the objective. Rather it seeks protection of mature plantings of trees in areas that are not current character zones along with criteria for when removal of trees may occur. This request is out of scope of PC5 as relates to the protection of trees which are the subject of the Heritage Items and Trees Section 18.1 of the District Plan. Therefore, this submission is recommended to **be rejected**.
- 15.2 The submission points **050.12 (Kāinga Ora)** and **134.13 (McFlynn Surveying and Planning)** are supportive but requested amendments be made to the policy to address their concerns. These submissions were supported by Development Noun and opposed by the Residents of Kaiapo Rd in the case of Kāinga Ora and supported by J.Jackson and P. Rawle in the case of McFlynn Surveying and Planning. The submissions sought amendments as follows:
- To remove reference to two and three storey buildings and insert the words “Medium Density”
 - To remove reference to the Design Framework in the case of Kāinga Ora
- 15.3 The removal of wording referring to two and three storey buildings has been discussed previously and as such its retention is considered appropriate. The addition of the words medium density is not considered necessary given that this is already expressed in the name of the zone being Medium Density Residential Zone. In terms of reference to ensuring consistency with the principles and key design elements of the Medium Density Design Framework as discussed previously in this report, it is considered that these matters outline what is necessary to achieve the creation of a quality residential environment and will assist to create the urban character that is sought within this zone. On that basis it is recommended that Policy MRZ-P3 be retained as notified apart from an amendment to align better with the NPS-UD terminology.

RECOMMENDATIONS

- 16.1 That the submission point **012.10 (G Campbell) be rejected.**
- 16.1.1 Reason:
- a. The relief sought in this submission is out of scope of PC5.
- 16.2 That the submission point **050.120 (Kāinga Ora)** in opposition of Policy MRZ-P3 **rejected.**
- 16.2.1 That as a consequence of the above recommendation the further submissions of **Development Nous (FS11.126)** in support **be rejected** and that in opposition from **Residents of Kaiapo Road etc (FS19.146) be accepted.**
- 16.2.2 Reason:
- a. That the as notified wording of this policy and in particular reference to the principles and key design elements of the Design Framework will ensure the urban character created in this zone achieves the quality residential environment outcomes sought.
- 16.3 That the submission points **134.13 (McFlynn Surveying and Planning)** requesting amendments to MRZ-P3 **be rejected.**
- 16.3.1 That as a consequence of the recommendation above, the further submissions in support from **J Jackson (FS027.13), P Rawle (FS30.10) also be rejected.**
- 16.3.2 Reasons:
- a. That the as notified wording of the policy is considered to better describe the development outcomes sought for the zone and as such aid understanding and provide clarity.
- 16.4 That the submission be amended to align with terminology in the NPS-UD as per the submission of Waka Kotahi (107.3).
- MRZ – P3 – Urban Character***
*Achieve the planned urban built **form** environment character of two and three storey buildings surrounded by landscaping including by:*
- a. *Limiting height, bulk and form of development;*
 - b. *Managing the design, appearance and variety of building development;*
 - c. *Requiring setbacks and landscaped areas that are consistent with an urban character;*
 - d. *Ensuring developments are consistent with the Hastings Medium Density Design Framework principles and key design elements.*

17. MRZ – P4 – High Quality Living Environment

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
008.10	Bike Hawkes Bay	MRZ-P4 (f)	Support with amendment	Amend MRZ-P4 (f) as follows: f. Safe pedestrian access and/or vehicle access and carparking g. If relevant, vehicle access and carparking that minimise the impact on pedestrian access to the site and users of any adjacent active transport infrastructure.	Accept
013.7	S Campbell	MRZ-P4	Oppose	The 'Design Guide 2022' seems to take into account neighbours within a development site there is a significant lack of attention and application to the rights outlined for the already established neighbours and neighbourhood. It seems the only 'neighbourhood' concerns are how aesthetically pleasing the developments are for those driving by when the focus should really be on lessening the impact on the quality of neighbours' lives who are actually living there.	Reject
034.1	A Galloway	MRZ-P4.c	Support in part	Further rules to ensure protection of transition zones (properties immediately adjacent to MRZ). This includes overlooking, sunlight, shading, visual impact, impact of on-street parking. Clarification and strengthening of rules to minimise shading/overlook and ensure daylight penetration into dwellings. Reduction of maximum height limit. Establishment of a Design Panel to review all proposals before consent is granted, and before sign off as part of CCC.	Refer to Topic 4, Key Issue 3 MRZ performance standards Refer Topic 4, Key Issue 2 Refer Topic 5, Key Issue 1
FS19.13	Residents of Kaiapo Road etc	Submission point 034.1	Support	We seek the whole of the submission be allowed.	Refer as above
050.121	Kāinga Ora	Policies – MRZ-P4	Support in part	Amendments sought: Manage development to achieve a healthy, safe, high amenity, and comfortable living environment for residents and neighbours that is consistent with the planned built environment with the principles and key design elements of the Hastings Medium Density Design Framework, including by providing:	Accept in part
FS11.127	Development Nous	Submission point 050.121	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points	Accept in part

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				raised and relief sought in Development Nours' submission	
FS19.147	Residents of Kaiapo Road etc	Submission point 050.121	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents	Accept in part
134.14	McFlynn Surveying and Planning	Policy MRZ-P4	Support in part	Amend Policy MRZ-P4 to include: a. Limiting development to medium density development, comprising of a density of no greater than one dwelling per 250m ² net site area.	Reject
FS27.14	Janet Jackson	Submission point 134.14	Support	Submission addresses concerns regarding consistent plan providing development at an appropriate density. Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS28.1	Kāinga Ora	Submission point 134.14	Oppose	Disallow the submission. Notwithstanding the relief sought in the Kāinga Ora primary submission, Kāinga Ora oppose the proposed introduction of a density standard for medium density development. Further this addition reads as a rule rather than a policy.	Accept

ANALYSIS

17.1 Four submissions were received in support with amendment or partially support to this Policy. **Submission point 013.7 (S Campbell)** was received in opposition requesting that more emphasis be placed on impacts on adjoining neighbours and maintaining their existing amenity levels. This submission is considered at odds with the directive of the NPS-UD which seeks to allow environments to change over time to enable intensification provided that the planned urban built form character of the environment (outlined in Policy MRZ - P.3) is achieved. The NPS-UD outlines this direction in clause (b)(i) and (ii) of Policy 6 which states:

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
 - (ii) are not, of themselves, an adverse effect

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- 17.2 The amendments requested by **Bike Hawkes Bay (008.10)** which seek to ensure pedestrian and active transport infrastructure / users are not impacted adversely by developments are accepted in so far as the recommended wording of the policy is outlined below.
- 17.3 The submission of **A Galloway (34.1)** does not specifically request any amendments to this policy but supports in part clause (c). The relief requested by this submission is considered in other reports as indicated in the summary table above.
- 17.4 The amendments requested by **Kāinga Ora (050.121)** are partially accepted to include the terminology used in the NPS-UD. However, reference to the Hastings Medium Density Design Framework is retained as per the discussion and analysis outlined above in this report.
- 17.5 The request from McFlynn Surveying and Planning Ltd (**134.14**) to include reference to a density provision in the description of a quality-built environment for the zone is not considered appropriate. The bulk and location standards provided within the zone framework are a package of standards which as a whole seek to ensure that the living environments created within the zone will be of a high quality. It is considered that site size does not solely determine a quality living environment. Restricting site sizes to a defined minimum creates a barrier to development that is not warranted in this medium density residential zone context on the grounds that meeting the performance standards of the zone will provide the direction for the density of development depending on the dwelling design and types proposed.
- 17.6 Furthermore, innovative design solutions can achieve high quality living environments on sites less than 250m² provided that the key design elements of the Design Framework are met. On this basis, this submission point **is rejected**.
- 17.7 The policy is recommended to be amended as follows:

MRZ – P4 – High Quality Living Environment

Manage development to achieve a healthy, safe, high amenity, and comfortable living environment for residents and neighbours that is consistent with the planned urban built form environment and with the principles and key design elements of the Hastings Medium Density Design Framework, including by providing:

- a. Usable and accessible outdoor living space appropriate for the orientation of the site and housing typology;
- b. Privacy;
- c. Access to sunlight;
- d. Functional living spaces;
- e. Storage including outdoor storage and service areas;
- f. Safe pedestrian ~~access and/or vehicle access and carparking~~
- g. Safe vehicle access and carparking that minimise the impact on pedestrian access to the site and users of any adjacent active transport infrastructure.

RECOMMENDATIONS

- 18.1 **That the submission point 013.7 (S Campbell) in opposition to Policy MRZ-P4 be rejected.**
- 18.1.1 Reason:

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- a. That the intent of the policy is consistent with Policy 6 of the NPS-UD while ensuring design outcomes create a quality living environment consistent with Medium Density Design Framework's principles and key design elements.
- 18.2 **That the submission point 008.10 (Bike Hawkes Bay) in support with amendment be accepted insofar as the amendment to the policy is outlined below.**
- 18.2.1 Reason:
- a. That the amendments requested seek to ensure pedestrian and active transport infrastructure / users are not impacted adversely by developments.
- 18.3 **That the submission point 050.121 (Kāinga Ora) in support with amendment be accepted in part in so far as it is recommended that to include reference to the planned built environment but that reference to consistency with the Hastings Medium Density Design Framework be retained.**
- 18.3.1 That as a consequence of the above recommendation the further submissions of **Development Nous (FS11.127), Residents of Kaiapo Road etc (FS19.147) both be accepted in part.**
- 18.3.2 Reason:
- a. That the terminology used in the policy is consistent with that of the NPS-UD
 - b. That the as notified wording of this policy and in particular reference to the principles and key design elements of the Design Framework will ensure the high quality living environment that is sought in this zone.
- 18.4 **That the submission point 134.14 (McFlynn Surveying and Planning) in opposition of Policy MRZ-P4 be rejected.**
- 18.4.1 That as a consequence of the above recommendation the further submission of **J Jackson (FS027.14) be rejected and Kāinga Ora (FS028.1) be accepted.**
- 18.4.2 Reason:
- a. That development flexibility is retained in terms of site size and provisions do not act as barriers to residential development or house typologies.

19. MRZ – P5 – High Amenity Streets and Neighbourhoods

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.122	Kāinga Ora	Policies – MRZ-P5	Support in part	Amendments sought: Manage development to contribute to safe, attractive and connected streets that encourage active transport modes including by: a. requiring consistency with the Hastings Medium Density Design Framework principles and key design elements;	Reject
FS11.128	Development Nous	Submission point 050.122	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission	Reject
FS19.148	Residents of Kaiapo Road etc	Submission point 050.122	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents	Accept
134.15	McFlynn Surveying and Planning	Policy MRZ-P5	Support in part	Amend Policy MRZ-P5 to include: a. Limiting development to density development, comprising of a density of no greater than one dwelling per 250m ² net site area.	Reject
FS27.15	Janet Jackson	Submission point 134.15	Support	Allow the submission	Reject
FS28.2	Kāinga Ora	Submission point 134.15	Oppose	Disallow the submission. Notwithstanding the relief sought in the Kāinga Ora primary submission, Kāinga Ora oppose the proposed introduction of a density standard for medium density development. Further this addition reads as a rule rather than a policy.	Accept

ANALYSIS

- 19.1 There are two submissions in general support of this policy but that request amendments. The **submission point 050.122 (Kāinga Ora)** requests that reference to the Hastings Medium Density Design Framework be deleted on the basis that this is a non-statutory document. As discussed previously it is considered that the principles and key design elements of the guide are central to ensuring a quality living environment for both residents and neighbours of medium density development. The key design elements within the guide set out how to achieve a quality environment including safe, attractive and connected streets. These design elements also provide the basis for assessing and evaluating applications to ensure

that the assessment criteria, objective and policies of the zone are met. On this basis it is recommended that this submission **be rejected**.

- 19.2 The **submission point 134.15 (McFlynn Surveying and Planning)** requests that the policy is amended to include a statement that limits development density to 1 dwelling per 250m². The approach in respect of density for the Medium Density Residential Zone has been to draft a set of performance standards that together ensure a quality living environment. These performance standards effectively limit the density of dwellings to an appropriate level while allowing flexibility to build a range of different house typologies and sizes. Furthermore, the further submission from **Kāinga Ora (FS28.2)** in opposition to submission 134.15 of McFlynn Surveying and Planning is accepted on the basis that a policy is not the appropriate location for a rule or standard.
- 19.3 The policy is therefore recommended to be retained as drafted (see below).

MRZ-P5 – High Amenity Streets and Neighbourhoods

Manage development to contribute to safe, attractive and connected streets that encourage active transport modes including by:

- a. *Requiring consistency with the Hastings Medium Density Design Framework principles and key design elements;*
- b. *Requiring visibility for passive surveillance over the street and/or any adjoining public open spaces in accordance with CPTED principles;*
- c. *Requiring front yard setbacks, landscaping and permeable front fencing;*
- d. *Minimising the visual dominance of large, bulky buildings, garages, service and storage areas;*
- e. *Requiring publicly accessible connections through large sites where practical and beneficial.*

RECOMMENDATIONS

- 20.1 **That the submission point 050.122 (Kāinga Ora)** in support with amendment to Policy MRZ-P5 **be rejected**.
- 20.1.1 That as a consequence of the above recommendation the further submission of **Development Nours (FS11.127)** also **be rejected** and that of the **Residents of Kaiapo Road etc (FS19.147)** **be accepted**.
- 20.2 **That the submission point 134.15 (McFlynn Surveying and Planning)** in support with amendment of Policy MRZ-P5 **be rejected**.
- 20.2.1 That as a consequence of the above recommendation the further submissions of **J Jackson (FS027.15)** **be rejected** and **Kāinga Ora (FS028.2)** **be accepted**.
- 20.3 Reasons:
- a. That the intent of the policy is clear in its current form and the inclusion of reference to the Hastings Medium Density Design Framework's principles and key design elements demonstrates the importance of the need to create quality living environments.
 - b. That development flexibility is retained in terms of site size and provisions do not act as barriers to residential development or house typologies.

21. MRZ – P6 – Sustainable Design and Infrastructure

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
013.8	S Campbell	MRZ-P6	Support in part	Require developments to include low-impact design measures in developments	Accept in part
028.13	Fire and Emergency	MRZ-P6 – Sustainable design and Infrastructure	Support	Retain as drafted	Accept

ANALYSIS

- 21.1 Submissions received in relation to Policy 6 are supportive and seek to retain this policy as drafted. The submission point **013.8 (S Campbell)** also seeks that developments are required to include such low-impact design measures including on-site collection of rain water; and collection and treatment of grey water with reticulation systems, and solar panels. Developments within the Medium Density Residential Zone are required to meet the stormwater management standard (MRZ-S12) that sets a peak stormwater runoff requirement for each site. There is flexibility in how to achieve this standard with encouragement to use low impact design techniques outlined in the Subdivision and Infrastructure Design Guide and Hastings Medium Density Design Framework. There are also standards which require a certain amount of the site to be in landscaped / permeable surfaces to assist with stormwater management.
- 21.2 The policy approach is not to require low-impact design methods but to encourage their inclusion in developments through documents such as the Medium Density Design Framework and the Subdivision and Infrastructure Best Practice Design Guide.
- 21.3 Therefore, it is recommended that Policy MRZ-P6 be retained as notified and outlined below:

MRZ-P6 – Sustainable Design and Infrastructure

Ensure potential public and environmental health and ponding or flooring effects of development are minimised, including by:

- a. Managing the amount of stormwater runoff generated by a development and ensuring that adverse effects on water quality, quantity and amenity values are avoided or mitigated;*
- b. Requiring low impact stormwater management, including the retention and re-use of water, where practicable;*
- c. Encouraging sustainable design in development including optimising solar orientation and passive ventilation;*
- d. Requiring sufficient infrastructure provision and/or mitigation measures to accommodate demand.*

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Topic 2, Key Issue 2 – MRZ – Medium Density Residential Zone – Entire Section, Overview, Objectives, and Policies*

RECOMMENDATIONS

- 22.1 **That the submission point 013.8 (S Campbell)** in support in part to Policy MRZ-P6 **be accepted in part** insofar as developments are encouraged to use low-impact design techniques to meet the stormwater standard.
- 22.2 **That the submission point 028.13 (Fire and Emergency NZ)** in support of Policy MRZ-P6 as drafted **be accepted**.
- 22.3 Reasons:
- a. That the intent of the policy is clear in is appropriate in its form as notified.
 - b. That, as notified, the Medium Density Residential Zone includes standards to ensure the appropriate management of stormwater within a site and low impact design measures are encourage through documents such as the Medium Density Design Framework and Subdivision and Infrastructure Best Practice Design Guide.

TOPIC 2, KEY ISSUE 3 – GENERAL RESIDENTIAL ZONE – OBJECTIVES AND POLICIES

1. HASTINGS GENERAL RESIDENTIAL ZONE

1.1 SUBMISSION POINTS – Hastings General Residential Zone

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
HASTINGS GENERAL RESIDENTIAL ZONE OBJECTIVES AND POLICIES					
050.35	Kāinga Ora	General Residential Zone & Comprehensive Residential Development Provisions	Oppose	Delete the Hastings GRZ and any reference to and provisions associated with Comprehensive Residential Development.	Accept in part in terms of CRD provisions
FS11.41	Development Nous	Submission point 050.35	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.61	Residents of Kaiapo Road etc	Submission point 050.35	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part
061.2	McFlynn Surveying and Planning, A McFlynn	Section 7.2 – Objective RO1	Support in part	Amend Objective RO1 to identify the specific elements that are considered necessary to ensure a quality living environment.	Submission withdrawn
061.3	McFlynn Surveying and Planning, A McFlynn	Section 7.2 – Objective RO2	Oppose in part	Amend Objective RO2 to identify the specific elements that are considered necessary to ensure a quality living environment.	Submission withdrawn
061.4	McFlynn Surveying and Planning, A McFlynn	Section 7.2 – Policy RP4	Oppose in part	Amend Policy RP4 to identify the specific elements that are considered necessary to ensure a quality living environment.	Submission withdrawn
134.3	McFlynn Surveying and Planning	Objective RO1	Support in part	Amend Objective RO1 to identify the specific elements that are considered necessary to ensure a quality living environment.	Reject
FS027.3	J Jackson	Submission point 134.3	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.4	P Rawle	Submission point 134.3	Support	Seek these parts of the submission to be allowed.	Reject

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134.4	McFlynn Surveying and Planning	Objective RO2	Oppose in part	Amend Objective RO2 to identify the specific elements that are considered necessary to ensure a high quality residential environment.	Reject
FS027.4	J Jackson	Submission point 134.4	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.5	P Rawle	Submission point 134.4	Support	Seek these parts of the submission to be allowed.	Reject
134.5	McFlynn Surveying and Planning	Policy RP4	Oppose in part	Amend Policy RP4 to identify the specific elements that are considered necessary to ensure a high quality residential environment.	Reject
FS027.5	J Jackson	Submission point 134.5	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.6	P Rawle	Submission point 134.5	Support	Seek these parts of the submission to be allowed.	Reject
143.3	A Smith, G Smith, and S. Taylor	Policy GRP3	Oppose	Amend Policy GRP3 as follows: POLICY GRP3 - Provide for comprehensive residential development on sites that are located within walking distance (400- 600m) of public parks and commercial centres and are located on public transport routes. Explanation (<i>Abridged</i>) Comprehensive residential development is an appropriate way to provide new housing in suitable locations in Hastings ... can also be appropriate in the General Residential Zone... Seeks that in addition to any other amendments sought by this submission, any other amendments to the District Plan are requested to address concerns raised.	Reject

2. ANALYSIS

- 2.1 Submissions were received from **Kāinga Ora (050.35), McFlynn Surveying and Planning (134.3, 134, 4, 134, 5) and A Smith, G Smith and S Taylor (143.3)** generally in opposition and seeking further amendments to the proposed objectives and policies of the Hastings General Residential Zone.
- 2.2 Kāinga Ora opposes the Hastings General Residential zone in its entirety and seeks that it be replaced by the Medium Density Residential Zone. Kāinga Ora also seek the removal of any reference to Comprehensive Residential Development throughout the plan including in the objectives and policies. This submission was supported by a further submission from **Development Nous (FS11.41)** and opposed by a further submission from the **Residents of Kaiapo Road etc (FS19.61)**.

- 2.3 In response to Kāinga Ora's submission, the recommended approach to PC5 is to consolidate and increase the area of land zoned Medium Density Residential to those properties located within a 400m walkable catchment around the Hastings CBD and commercial service zones and transport corridors of Heretaunga Street and Karamū Road (and the corresponding village centres of Havelock North and Flaxmere). The philosophy of the revised Medium Density Residential Zone is discussed in the S42A introductory report.
- 2.4 The other aspect to the revised zone and approach to Plan Change 5 is to ensure there is a distinction between the provisions and rules of the Medium Density Residential Zone (MDRZ) and the General Residential Zones (GRZ) in order to create the urban residential environment anticipated in the MDRZ and the suburban environment that is sought in the General Residential Zones. This approach also provides certainty to both residents and the development community of what to expect in each of these zoned areas and locations.
- 2.5 To analyse the submission from Kāinga Ora (050.35) further, HDC engaged Market Economics to model the dwelling capacity that would be achieved by accepting Kāinga Ora's request against three other options to ascertain the most appropriate response. The four scenarios modelled are described below and maps of these extents are included in the Market Economics report - Appendix 6:
- Scenario 1 - Plan Change 5 as notified – MRZ and applies within a 600m catchment around the centres.
 - Scenario 2A – MRZ as for Scenario 1 and applied within a 400m catchment around the centres of Hastings, Havelock North and Flaxmere.
 - Scenario 2B – MRZ applied within a 400m catchment around the centres of Hastings, Havelock North and Flaxmere.
 - Scenario 3 – MRZ applied across the entire GRZ of Hastings, and within an 800m catchment of the centres of Havelock North and Flaxmere.
- 2.6 The full report from Market Economics is attached as Appendix 6. In summary, the results show that all four scenarios will provide sufficient development capacity to meet long term demand (including a competitiveness margin). However, enabling intensification across the entire urban area of Hastings is not likely to create a well-functioning environment in Hastings. Instead, such a policy is likely to reduce the benefits of concentrating intensification and activity around centres including accessibility to amenities and services as well as the social, economic, environmental and health benefits that can be gained. Refer to the methodology report (Appendix 4) which includes more detail in relation to the extent of the MDRZ.
- 2.7 Providing for intensification everywhere in Hastings may lead to developments occurring in an ad hoc manner, away from the commercial centres where business activities are concentrated. Such a development pattern would spread out demand, drawing it away from the commercial centres, weakening the benefits of intensification associated with a more concentrated urban form.
- 2.8 As noted in the Market Economics report, if intensification is too widespread, the ability to provide infrastructure services efficiently may be reduced and this may lead to increased costs to deliver infrastructure. This would occur because of the need for infrastructure networks to service a much larger urban area to enable intensification which in turn would create a large amount of excess capacity in the network as Council are unable to anticipate and plan for where growth will occur.

- 2.9 On this basis, it is recommended that the submission of **Kāinga Ora (050.35)** to rezone the entire Hastings General Residential Zone area to Medium Density Residential Zone be rejected. Instead, it is recommended that the General Residential Zone provisions (including the objectives and policies) revert to the operative District Plan wording with the exception of removing the ability to undertake Comprehensive Residential Developments within this zone except where these are located on greenfield urban development areas. Comprehensive Residential Development should still be enabled in the two existing greenfield growth areas at Howard Street in Hastings and Brookvale in Havelock North.
- 2.10 The removal of the term Comprehensive Residential Development aligns with the findings of the Council's review of the Medium Density Strategy to simplify the rule framework. As such it is considered appropriate to remove the term Comprehensive Residential Development from the General Residential Zone except in the case of the identified greenfield growth areas of Howard Street in Hastings and Brookvale in Havelock North (where structure planning and a corresponding rule framework has already been put in place to enable such development). The removal of the terms in these specific cases could create issues given infrastructure planning and development has already been put in place to service these areas to a certain level in line with the existing planning provisions that specifically relate to these areas.
- 2.11 The submissions from **McFlynn Surveying and Planning Ltd (134.3, 134.4, 134.5)** seek amendments to Objectives RO1 and RO2 and Policy RP4 to specify the elements that create a quality living environment and a high quality residential environment that these objectives and policies are seeking to achieve. Further submissions in support of each of the above submissions and seeking that these be allowed were received from **J Jackson (FS027.3, FS027.4, FS027.5)** and **P Rawle (FS030.4, FS030.5, FS030.6)**. Given the above explanation of the general approach to submissions on Plan Change 5, the objectives RO1, RO2 and Policy RP4 are recommended to revert to their operative wording with no further amendments proposed to be made, except to align with NPS-UD policies. Particularly those that consider changes to amenity and character should be assessed in terms of the planned urban built form environment. Where recommended amendments to wording are appropriate for the particular objective or policy these are shown in red underline text.

2.11.1

PC5 as notified Objective RO1	Operative Objective RO1
<i>To enable a diverse range of housing that meets the needs of the community while offering protection to the amenity of neighbouring properties and the local environment <u>ensuring a quality living environment for residents and neighbours.</u></i>	<i>To enable a diverse range of housing that meets the needs of the community while offering protection to the amenity of neighbouring properties.</i>

2.11.2

PC5 as notified Objective RO2	Operative Objective RO2
<i>To ensure <u>a high quality that the amenity of the present character</u> of the residential environment is maintained and enhanced by</i>	<i>To ensure that the amenity <u>and of the present</u> character of the <u>residential planned urban built form</u> environment is maintained and enhanced by managing</i>

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<i>managing, design, layout, intensity and land use activities.</i>	<i>design, layout, intensity and land use activities.</i>
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2.11.3

PC5 as notified Policy RP4	Operative Policy RP4
<i>Maintain and enhance a high quality standard of amenity in the residential environment for residents and neighbours while enabling development innovation and building variety.</i>	<i>Maintain and enhance a high standard of amenity in <u>accordance with the planned urban built form</u> the residential environment while enabling development innovation and building variety</i>

2.12 The submission from **A Smith, G Smith and S. Taylor (143.3)** seeks amendments to Policy GRP3 to delete the 600m figure from the walkable distance and to include the words “suitable locations” that ensure Comprehensive Residential Development is provided in suitable locations in Hastings. As discussed above, in accordance with the revised approach to the Medium Density Residential Zone, the objectives and policies of the General Residential Zone are recommended to revert to their operative wording with the exception that all references to Comprehensive Residential Development are to be removed (excluding those relating to new urban development areas of Howard St and Brookvale). Therefore, it is recommended that Policy GRP3 be deleted in its entirety as it solely relates to Comprehensive Residential Development and facilitation of this development type in the Hastings General Residential zone. It is recommended that this policy be replaced with a new policy that makes provision for medium density development in new urban development areas.

Recommended Amendments

2.13 The recommended replacement policy for GRP3

GRP3

Provide for medium density residential development within the existing new urban development areas linked to servicing capacity and where structure plans provide accessibility to amenities including commercial areas, public parks, and active and public transport networks.

Explanation

The existing new urban development areas are an appropriate way to provide for new housing at higher densities than the general residential zone allows for and can lead to better amenity outcomes provided that commercial areas, public parks, and active and public transport networks are included in the structure plan for the area. Applications for higher densities in these areas will be assessed against the specific structure plan criteria, including the servicing capacity and medium density residential zone provisions.

2.14 The PC5 as notified wording of GRP3 (recommended to be deleted):

Provide for comprehensive residential development on sites in locations that are ~~located in close proximity~~ within walking distance (400-600m) of ~~to high quality public amenities~~ public parks and commercial centres and are located on public transport routes.

Explanation:

~~Comprehensive residential development is an appropriate way to provide for new housing in Hastings and can lead to better amenity outcomes than traditional infill development. It has been specifically provided for within the City Living Medium Density Residential Zone, however provided that the comprehensive residential developments are in close proximity to amenities, such as shopping areas, public transport routes and public parks, such development can also be appropriate in the General Residential zone. This type of development is therefore envisaged in identified locations within the General Residential Zone (refer Appendix 27 Figures 1-3). Comprehensive Residential Development will be assessed in terms of the key design elements of the Hastings Medium Density Design Framework and whether there is sufficient infrastructure available to service the development. Of particular concern is provision for a quality living environment and a positive contribution to the public streetscape and neighbourhood in general. May also be appropriate in other locations in the General Residential Zone, however the suitability of such sites will need to be assessed on a case by case basis. Within the Character Residential Zone, an overlay provides for comprehensive residential development in certain streets overlooking or directly adjacent to Cornwall Park. Cornwall Park provides residents with high quality recreation space and because of the Park's appeal and attractiveness, the properties identified in Appendix 27 Figure 2 are considered to be a prime location for increasing the density of residential activity. The underlying character zone provisions however will ensure that new development is respectful of and complements the existing residential amenity and character of this area.~~

Consequential Amendments

- 2.15 Consequential amendments are required to reinstate the operative wording to Policy RP3 and GRP4 and to remove reference and provision for Comprehensive Residential Development. The recommended amendments are outlined below:

Policy RP3

Manage the scale and intensity of residential development to ensure that it relates positively to the quality of the collective streetscape and avoids adverse effects on neighbourhood amenity, environmental quality, community health and safety.

Explanation

The HPUDS study revealed that significant urban intensification has already taken place but concluded that density increases are still possible and necessary in the existing residential centres, having regard to market demand and residential preferences and the opportunity to manage the effects associated with higher density environments. Residential intensification will take some pressure off the Heretaunga Plains land resource and can contribute to improved diversity, amenity, and sense of place if planned and managed carefully in accordance with the planned urban built form environment sought for the zone. The provision for comprehensive residential development as a Restricted Discretionary Activity (non-notified) in specified areas the General Residential Zone of Hastings will allow for a site by site assessment of the potential impact of additional development, acknowledging that some of these developments can be appropriately integrated into existing residential areas.

2.16 GRP4 Amendments (to operative wording with recommended amendments (in red text))

Manage the scale and intensity of infill housing and ~~comprehensive residential development to avoid adverse effects on the local neighbourhood character and amenity.~~

Explanation

In achieving the consolidation of the Hastings Residential Environment sought by HPUDS ~~it is unrealistic to expect all new housing to be part of comprehensive residential development, particularly given the large site sizes that such development requires. Therefore,~~ some infill development ~~is also will be~~ necessary. There are already concerns around the quality of infill development established during the 1990s and 2000s. Any new infill must occur in accordance with quality design and site layout that is consistent with the planned urban built form environment sought for the zone sympathetic to the surrounding environment. ~~Higher residential density will also require certain design criteria and locations for such development will need to be carefully considered.~~ It is not simply the environmental effects of such development that are of concern, but also the impact such development has on the wellbeing of the community and those who live in such developments. This means that new infill development will need to address the issues that have caused concern with previous developments as set out in Policy RP1 above.

3. RECOMMENDATIONS

- 3.1 That the submission from **Kāinga Ora (050.35)** in opposition to the Hastings General Residential Zone in its entirety and references to the Comprehensive Residential Development provisions be accepted in part in so far as all references to the term Comprehensive Residential Development be removed from provisions of the plan including all objectives and policies in the Hastings, Havelock North and Flaxmere General Residential Zones (except where provisions relate to Comprehensive Residential Development within the Howard Street or Brookvale new urban development areas and including the definition of Comprehensive Residential Development).
- 3.2 That as a consequence of the above recommendation, the further submissions of **Development Nous (FS11.41)** in support of Kāinga Ora (050.35) be accepted in part and that of the **Residents of Kaiapo Road etc (FS19.61)** in opposition to Kāinga Ora (050.35) also be accepted in part.
- 3.3 That the submissions of **McFlynn Surveying and Planning Ltd (134.3, 134.4, 134.5)** in partial opposition to objectives RO1, RO2 and Policy RP4 be rejected in that in accordance with the general approach to submissions on PC5 the provisions of the General Residential Zones will revert to their operative wording.
- 3.4 That as a consequence of the above recommendation, the further submissions of **J Jackson (FS027.3, FS027.4, FS027.5)** and **P Rawle (FS030.4, FS030.5, FS030.6)** also be rejected.
- 3.5 That the submission of **A Smith, G. Smith and S. Taylor (143.3)** seeking amendments to Policy GRP3 be rejected in that GRP3 is recommended to be deleted in its entirety as a consequence of recommendation 1 and removal of all references to Comprehensive Residential Development and replaced with a new

policy that provides for Medium Density Development in new urban development areas within the Hastings General Residential Zone.

3.6 Reasons:

- a. In accordance with the revised approach to Medium Density Residential Zone and in consideration of submissions to PC5, the retention of the Hastings General Residential Zone and in general its provisions in their operative state (with some exceptions) will not impact the ability of the Council to meet its obligations under the NPS-UD. The recommended extent of the Medium Density Residential Zone along with the removal of CRD from the General Residential Zone (retaining its minimum site size of 350m²) will provide a feasible capacity (as modelled by Market Economics) of 30,445 dwellings over 30 years well above the 12,830 required to meet the expected housing demand (including a competitiveness margin).
- b. Retaining the General Residential Zone as a suburban residential environment will still allow for intensification but at a lower concentration of dwellings which will provide alternative options for those seeking a relatively larger site size or detached housing typology.
- c. Reverting to the operative version of the General Residential zone provisions (except for those relating to Howard Street and Brookvale) will create a clear and marked distinction between the outcomes sought between the Medium Density Residential zones and the General Residential Zones at Hastings, Havelock North and Flaxmere.
- d. Removal of provision for and reference to Comprehensive Residential Development from all General Residential zone provisions (except in the Howard Street and Brookvale structure plan areas) will assist to simplify the objective and policies of the General Residential Zones and provide certainty for both the residents and the development community on what level of development can occur in these locations.
- e. The deletion of Policy GRP3 is a consequential change that reflects the abovementioned revised approach following consideration of submissions to PC5.

4. FLAXMERE GENERAL RESIDENTIAL ZONE

4.1 SUBMISSION POINTS – Flaxmere General Residential Zone

Sub Point	Submitter/ Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.75	Kāinga Ora	Section 9.2 Introduction	Oppose in part	Rewrite the introductory statement to reflect the intended and planned built form and what is intended for the area rather than considering the existing character as suggested:	Reject

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				<p><u>The Flaxmere Residential Environment enables a variety of housing types and sizes to meet the needs of the community, including smaller households and inter-generational living. The established neighbourhoods in Flaxmere will change over time to include a mix of one and two storey residential buildings with private on-site open space and landscaped areas.</u></p> <p><u>Changes to urban form will become visible and is anticipated as existing housing stock is replaced. Development within the zone is expected to achieve quality urban design outcomes and manage transitions in building bulk and scale relative to the surrounding neighbourhood.</u></p>	
FS11.81	Development Nous	Submission point 050.75	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.101	Residents of Kaiapo Road etc	Submission points 050.75	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept

5. ANALYSIS

- 5.1 **Kāinga Ora (050.75)** requested amendments to the introduction section of the Flaxmere Residential Zone. This submission was supported by a further submission from **Development Nous (FS11.81)** and opposed by a further submission from **the Residents of Kaiapo Road etc (FS19.101)**.
- 5.2 Given the philosophy behind the revised extent of the Medium Density Residential Zone (outlined in the introductory report) and the recommended inclusion of a specific Medium Density Residential Zone within approximately a 400m catchment around the Flaxmere Village Centre, the existing operative provisions and statements of the Flaxmere Residential Zone are recommended to be retained. This will ensure that the development outcomes sought for this General Residential Zone will be clear and transparent providing certainty of the low-density suburban environment and concentration of dwellings sought for the zone.

6. RECOMMENDATIONS

- 6.1 That the submission of **Kāinga Ora (050.75)** be rejected.

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6.2 That as a consequence of the above recommendation that the further submission from **Development Nous (FS11.81)** in support of Kāinga Ora also be rejected and the further submission from **the Residents of Kaiapo Road etc (FS19.101)** in opposition to Kāinga Ora **be accepted**.

6.3 Reason:

- a. That the recommended inclusion of a Medium Density Residential Zone around the village centre will provide for a variety of house types and sizes including for smaller households. Consequently, the remainder of the Flaxmere residential area will retain its existing Flaxmere Residential Zone provisions and lower density suburban development outcomes. Therefore, the statement as written would be inappropriate to include in the District Plan for this zone.

7. SUBMISSION POINTS - FLAXMERE RESIDENTIAL ZONE – ANTICIPATED OUTCOMES

7.1 SUBMISSION POINTS

Sub Point	Submitter/ Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
050.76	Kāinga Ora	Section 9.2 introduction	Support in part	Amendments sought: The District Plan seeks to ensure that existing activities and new development is able to respond to community needs and wants <u>in accordance with the planned built environment</u> .	Accept in part
FS11.82	Development Nous	Submission points 050.76	Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission	Accept in part
FS19.102	Residents of Kaiapo Road etc	Submission points 050.76	Oppose in part	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.77	Kāinga Ora	9.2.2 Anticipated outcomes – FRAO4	Support in part	Amendments sought: Managed consolidation and enhanced building developments in <u>scale and character accordance with the planned built environment</u>	Accept in part
FS11.83	Development Nous	Submission point 050.77	Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised	Accept

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				and relief sought in Development Nous' submission	
FS19.103	Residents of Kaiapo Road etc	Submission points 050.77	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.78	Kāinga Ora	9.2.2 Anticipated Outcomes FRAO5	Support in part	Amendments sought: Attractive streetscapes and heightened residential amenity <u>in accordance with the planned built environment</u>	Accept in part
FS11.84	Development Nous	Submission 050.78	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.104	Residents of Kaiapo Road etc	Submission 050.78	Support all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.79	Kāinga Ora	9.2.2 Anticipated Outcomes – FRAO10	Support in part	Amendments sought: Flaxmere residents are provided a high quality residential environment <u>in accordance with the planned built form</u>	Accept in part
FS11.85	Development Nous	Submission 050.79	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.105	Residents of Kaiapo Road etc	Submission 050.79	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

8. ANALYSIS

- 8.1 Kāinga Ora (050.76, 050.77, 050.78, 050.79)** requests amendments to include reference to the planned built form environment in the introduction statement 9.2.1 and anticipated outcomes FRAO4, FRAO5, FRAO10. These submissions are generally supported by further submissions from **Development Nous (FS11.82, FS11.83, FS11.84, FS11.85)**. Further submissions in opposition to these

submissions from Kāinga Ora have also been received from the **Residents of Kaiapo Road etc (FS19.102, FS19.103, FS19.104, FS19.105)**.

- 8.2 This statement will provide clarity in terms of the development expectations for the zone. The planned built form environment is controlled through the bulk and location standards set within the zone provisions such as density and number of buildings on a site, height, height in relation to boundary, yard setbacks, outdoor living space and building coverage requirements along with other performance standards.
- 8.3 Therefore, it is considered appropriate to include reference to the planned built form environment. However, it is important that the terminology used is consistent and aligns with the NPS-UD. The NPS-UD uses the phrase “planned urban built form” and so it is considered appropriate to align with this phrase as much as possible.
- 8.4 A lower density suburban residential environment is sought in the Flaxmere General Residential Zone. This is primarily driven by the desire for larger site sizes to accommodate larger or multi-generational families and households that characterise the population of this area. It is recommended that the introduction statement 9.2.1 and anticipated outcomes (FRAO4, FRAO5, and FRAO10) be amended in the manner requested by including the following phrase: “... *in accordance with the planned built form environment of the zone*”.
- 8.5 Specifically, the introduction 9.2.1. and anticipated outcomes are therefore recommended to be amended as outlined below:

9.2.1. Introduction

..... *The District Plan seeks to ensure that existing activities and new development is able to respond to community needs and wants in accordance with the planned built form environment of the zone.*

FRAO4 *Managed consolidation and enhanced building developments in ~~scale and character~~ in accordance with the planned built form environment of the zone*

FRAO5 *Attractive streetscapes and heightened residential amenity in accordance with the planned built form environment of the zone.*

FRAO10 *Flaxmere residents are provided a high-quality residential environment in accordance with the planned built form environment of the zone.*

9. RECOMMENDATIONS

- 9.1 That the submission of **Kāinga Ora (050.76, 050.77, 050.78, 050.79)** requesting amendments to introduction statement 9.2.1 and anticipated outcomes (FRAO4, FRAO5, and FRAO10) **be accepted in part** in so far as the amendments are worded as outlined above.
- 9.2 That as a consequence of the above recommendation, the further submissions of **Development Nous (FS11.82, FS11.83, FS11.84, FS11.85)** in support of Kāinga Ora are also **accepted in part** and the further submission of **Residents of Kaiapo Road etc (FS19.102, FS19.103, FS19.104, FS19.105)** in opposition to Kāinga Ora **be rejected.**
- 9.3 Reason:

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- a. The inclusion of this phrase “*planned built form environment*” in the introductory statement and anticipated outcomes aligns with Policy 6 of the NPS-UD and will ensure that when making planning decisions, decision-makers have particular regard to the planned urban built form environment anticipated by the zone provisions.

10. SUBMISSION POINTS - FLAXMERE RESIDENTIAL ZONE – OBJECTIVES AND POLICIES

10.1 SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
Flaxmere Residential Zone – Objectives and Policies					
050.80	Kāinga Ora	9.2.3 Objectives and Policies FRO1	Support in part	Amendments sought: Ensure that growth within the residential environment of Flaxmere is managed in a manner that enables efficient land use management and development where appropriate and suitable for the community in accordance with the planned built environment.	Reject
FS11.86	Development Nous	Submission point 050.80	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.106	Residents of Kaiapo Road etc	Submission point 050.80	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
050.81	Kāinga Ora	9.2.3 Objectives and Policies FRP1	Oppose in part	Partial deletion sought: Explanation Flaxmere is an established suburb contained within well-defined boundaries. This Policy recognises the place-based approach where the mix of characteristics that make up the Flaxmere settlement are managed	Reject

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				<p>in an integrated manner. While the development of Flaxmere is reflected in housing with construction depicting different eras since the 1960s-1970s, with some well-maintained and attractive streetscapes in particular parts, there are no particular areas where the existing character justifies protection via more restrictive Plan Rules and Standards.</p> <p>Given the era of Flaxmere's development, however, the relocation of older buildings out of character in style to the Flaxmere residential area does have the potential to adversely affect amenity, therefore such activities will require Restricted Discretionary activity Resource Consent assessment. It is acknowledged that the removal, re-positioning (within a site) and relocation of residential buildings in the District assists the efficient use of residential land within the existing urban area of Flaxmere and contributes to achieving the goals of HPUDS. The ER provisions of the Flaxmere Residential Zone acknowledge the positive contribution of relocated buildings by providing for those where the building was constructed after or during 1970, as a permitted activity subject to compliance with specific performance standards.</p>	
FS11.87	Development Nour	Submission point 050.81	Support in part	Development Nour seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nour's submission.	Reject
FS19.107	Residents of Kaiapo Road etc	Submission point 050.81	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely	Accept

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				adversely affecting existing communities and residents.	
050.82	Kāinga Ora	9.2.3 Objectives and Policies FRP2	Oppose in part	<p>Amendments sought:</p> <p>Facilitate residential land use options that provide for family and whanau living by including suitable performance standards for residential development density standards and associated controls to manage infill development.</p> <p>This Policy supports Flaxmere being an attractive family friendly suburb by ensuring the built residential environment has ample space for a minimum household size. While the existing residential sites are compliant with the previous District Plan minimum density of 1 dwelling per 350 square metre of land space, the majority of sites in Flaxmere are more than 500 square metres. The housing issues relating to amenity, overcrowding and substandard accommodation have been a consequence of infill housing in parts of the suburb where the current densities do not match the preferences of people in need of being accommodated. The minimum site size for any future vacant lot subdivision is therefore raised to 500m2 where any section with smaller areas than that would require Resource Consent. That is to ensure that the site layout, size and proposed residential development would be compatible with the planned built environment surrounding properties and also better contribute to the amenity of the area. It is acknowledged that some forms of residential</p>	Reject

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				development specifically targeting smaller household sizes such as retirement housing could be appropriate on smaller site sizes than 500m2 and this need would be able to be assessed via the Resource Consent process. A 500m2 minimum site size better reflects the status quo and, where appropriate, manages the effects of possible overcrowding on smaller site sizes created by infill development.	
FS11.88	Development Nous	Submission point 050.82	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.108	Residents of Kaiapo Road etc	Submission point 050.82	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
050.83	Kāinga Ora	9.2.3 Objectives and Policies FRP3	Oppose in part	Amendments sought: <i>Enhance and promote the sustainability of Flaxmere's urban form by requiring new development to incorporate design elements outlined in Section D (Subdivision Design) & E (Road Design) of the Hastings District Council's Subdivision and Infrastructure Development in Hastings: Best Practice Design Guide.</i>	Reject
FS11.89	Development Nous	Submission point 050.83	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.109	Residents of Kaiapo Road etc	Submission point 050.83	Oppose all	We seek the whole of the KO submission be	Accept

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				disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	
050.84	Kāinga Ora	9.2.3 Objectives and Policies FRP5	Oppose in part	<p>Amendments sought:</p> <p><i>Enable and provide for the development of a range of housing types through subdivision, comprehensive residential development provisions and dialogue on housing types that suit the diverse needs of the community and incorporate good urban design principles.</i></p> <p>Explanation</p> <p>This Policy recognises the need to attract a variety of housing types to Flaxmere to better cater for the differing household compositions of the community. Council can encourage developers and facilitate dialogue with community representatives to promote a variety of housing types that are appropriate and desired to meet community needs. The minimum site size is amended to better suit the family preferences of the residents which in Flaxmere tends to be a greater number of people per household than in other areas. Comprehensive Residential Development is provided for as a Restricted-Discretionary activity (non-notified). This would provide the opportunity, via the Consent process, for developers to provide housing at greater densities in a comprehensive and designed way. While, Comprehensive Residential Development</p>	Accept in part

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				<p>has been specifically provided for in the Medium Density Residential Zone, it may also be appropriate in the Flaxmere Residential Zone provided that comprehensive residential developments are located within walking distance (400-600m) of amenities such as parks and playgrounds, shopping areas and public transport services and routes. Comprehensive Residential Development will be assessed in terms of the key design elements of the Hastings Medium Density Design Framework and whether there is sufficient infrastructure available to service the development. Of particular concern is provision for a quality living environment and a positive contribution to the public streetscape and neighbourhood in general. Developments are subject to design requirements via assessment criteria to ensure visual surveillance and consideration of the facilities and public spaces in the proximity. Building design and layout for such development needs to consider connections to the street, relationships with adjoining sites, onsite access as well as landscaping and visual amenity. A number of strategic documents completed for Flaxmere, such as the Urban Design Framework and the Health Impact Assessments, can be the basis for dialogue with key developers regarding housing options and accommodation alternatives suitable for Flaxmere.</p>	
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FS11.90	Development Nous	Submission point 050.84	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.110	Residents of Kaiapo Road etc	Submission point 050.84	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part
050.85	Kāinga Ora	9.2.3 Objectives and Policies FRO4	Support in part	Amendments sought: To ensure a high standard of residential amenity consistent with the planned built environment , for residents of and visitors to Flaxmere so that it is an enjoyable and attractive place to live and visit.	Accept in part
FS11.91	Development Nous	Submission point 050.85	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.111	Residents of Kaiapo Road etc	Submission point 050.85	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.86	Kāinga Ora	9.2.3 Objectives and Policies FRP9	Support in part	Amendments sought: Achieving an improved quality of life in Flaxmere includes managing building scale, design and form to avoid adverse effects of overshadowing, creating unusable unsafe spaces and loss of privacy for the neighbours or affecting the very outcomes that are intended to be achieved through the planned built environment .	Accept in part

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FS11.92	Development Nous	Submission point 050.86	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS19.112	Residents of Kaiapo Road etc	Submission point 050.86	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject

11. ANALYSIS

- 11.1 Submissions received in respect of the objectives and policies of the Flaxmere Residential Zone were all from Kāinga Ora. Further submissions were received on all these submissions in general support from **Development Nous (FS11.86, FS11.87, FS11.88, FS11.89, FS11.90, FS11.91, FS11.92)** and in general opposition from **Residents of Kaiapo Road etc (FS19.106, FS19.107, FS19.108, FS19.109, FS19.110, FS19.111, FS19.112)**. As discussed above it is recommended that all provisions of the General Residential Zone in Flaxmere revert to their operative state with the exception of the removal of comprehensive residential development provisions. As such the submissions from **Kāinga Ora (050.80, 050.81, 050.82, 050.83)** seeking amendments to FRO1, FRP2, FRO2, FRP2, and FRP3 are recommended to be rejected.
- 11.2 Submission point **050.84 (Kāinga Ora)** relates to amendments to FRP5 which includes reference to comprehensive residential development. While some of the requested amendments in this submission are accepted the removal of operative wording related to design and assessment requirements are considered to remain relevant. Therefore, it is recommended that this policy be amended as follows:

Policy FRP5

To enable and provide for the development of a range of housing types through subdivision, ~~comprehensive residential development~~ provisions and dialogue on housing types that suit the diverse needs of the community and incorporate good urban design principles.

Explanation

This Policy recognises the need to attract a variety of housing types to Flaxmere to better cater for the differing household compositions of the community. Council can encourage developers and facilitate dialogue with community representatives to promote a variety of housing types that are appropriate and desired to meet community needs. The minimum site size is amended to better suit the family preferences of the residents which in Flaxmere tends to be a greater number of people per household than in other areas. ~~Comprehensive Residential Development is provided for as a Restricted Discretionary activity (non-notified). This would provide the opportunity, via the Consent process, for developers to provide housing at greater densities in a comprehensive and designed way. While, Comprehensive Residential Development has been specifically provided for in the Medium Density Residential Zone, it~~

~~may also be appropriate in the Flaxmere Residential Zone provided that comprehensive residential developments are located within walking distance (400-600m) of amenities such as parks and playgrounds, shopping areas and public transport services and routes. Comprehensive Residential Development will be assessed in terms of the key design elements of the Hastings Medium Density Design Framework and whether there is sufficient infrastructure available to service the development. Of particular concern is provision for a quality living environment and a positive contribution to the public streetscape and neighbourhood in general.~~ Developments are subject to design requirements via assessment criteria to ensure visual surveillance and consideration of the facilities and public spaces in the proximity. Building design and layout for such development needs to consider connections to the street, relationships with adjoining sites, onsite access as well as landscaping and visual amenity. A number of strategic documents completed for Flaxmere, such as the Urban Design Framework and the Health Impact Assessments, can be the basis for dialogue with key developers regarding housing options and accommodation alternatives suitable for Flaxmere.

- 11.3 **Kāinga Ora (050.85, 050.86)** requests amendments to FRO4, and FRP9 to include reference to the "*planned built environment*". As discussed above, this is considered appropriate and aligns with Policy 6 of the NPS-UD. However, consistency in wording is needed and so the amendments are recommended to state "*planned built form environment*". On this basis, the amended wording of these provisions is outlined below:

FRO4 *To ensure a high standard of residential amenity consistent with the planned built form environment, for residents of and visitors to Flaxmere so that it is an enjoyable and attractive place to live and visit.*

FRP9 *Minimise the adverse effects of developments created by excessive building scale, overshadowing, building bulk, excessive site coverage or loss of privacy.*

Explanation

..... Achieving an improved quality of life in Flaxmere includes managing building scale, design and form to avoid adverse effects of overshadowing, creating unusable unsafe spaces and loss of privacy for the neighbours or affecting the very outcomes that are intended to be achieved through the planned built form environment.

12. RECOMMENDATIONS

- 12.1 That the submissions of **Kāinga Ora (050.80, 050.81, 050.82, 050.83)** in support with amendment of Objectives FRO1, FRO2 and policies FRP1, FRP2, and FRP3 **be rejected**.
- 12.2 That as a consequence of the above, the further submissions of **Development Nous (FS11.86, FS11.87, FS11.88, FS.89)** in support **be rejected** and the further submissions of the **Residents of Kaiapo Road etc (FS19.106, FS19.107, FS19.108, FS19.109)** **be accepted**.
- 12.3 That the submission of **Kāinga Ora (050.84)** in support with amendment of Policy FRP5 be **accepted in part** in so far as the policy is recommended to be amended as outlined above.

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- 12.4 That as a consequence of the above, the further submissions of **Development Nous (FS11.90)** in support of Kāinga Ora (050.84) and the **Residents of Kaiapo Road etc (FS19.110)** in opposition to Kāinga Ora (050.84) **be accepted in part.**
- 12.5. That the submissions of **Kāinga Ora 050.85, 050.86** requesting amendments to Objective FRO4 and policy FRP9 **be accepted in part** in so far as the objective and policy are recommended to be amended as outlined above.
- 12.6 That as a consequence of the above recommendation, the further submissions of **Development Nous (FS11.91, FS11.92)** in support **be accepted in part** and those in opposition from the **Residents of Kaiapo Road etc (FS19.111, FS19.112) be rejected.**
- 12.7 Reasons:
- Reverting to the operative version of the Flaxmere General Residential zone objectives and policies will create a clear and marked distinction between the outcomes sought between the Medium Density Residential zones and General Residential Zones.
 - Removal of provision for and reference to comprehensive residential development from all general residential and medium density residential zone provisions (except in the Howard Street and Brookvale structure plan areas) will assist to simplify the objective and policies of the General Residential Zones and provide certainty for both the residents and the development community on what level of development can occur in these locations.
 - The inclusion of this phrase “*planned built form environment*” in the introductory statement and anticipated outcomes aligns with Policy 6 of the NPS-UD and will ensure that when making planning decisions, decision-makers have particular regard to the planned urban built form environment anticipated by the zone provisions.

13. SUBMISSION POINTS – HAVELOCK NORTH GENERAL RESIDENTIAL ZONE

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
Havelock North General Residential Zone Objectives and Policies					
050.36	Kāinga Ora	Section 8.2 - Introduction	Not stated	Amendment sought: Havelock North's residential character is a result of its evolution over time and its community has a keen desire to maintain the village feel. There is a strong focus on ensuring the suburb does not expand and spill onto the productive Plains land that bound it; at the same time, there is concern that unplanned intensification may undermine much of the Village's established character. The purpose of the Havelock North Residential Environment section is to	Reject

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				therefore provide for a more compact form whilst ensuring that higher density housing is of quality design, and is located in appropriate areas. Havelock North residents have a strong connection with the area in which they live and are committed to protecting its character; it is understandable that high amenity levels are sought and there is a desire for them to be maintained throughout the Village. However, to allow for intensity and a more compact urban form, it is also recognised that this character and amenity of the area will change over time. Controls over design and location of certain activities are therefore incorporated into the District Plan to provide this balance.	
FS11.42	Development Nours	Submission point 050.36	Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission.	Reject
FS16.2	M Reid	Submission point 050.36	Oppose	Revert to original wording.	Accept
FS19.62	Residents of Kaiapo Road etc	Submission point 050.36	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
050.37	Kāinga Ora	8.2.2 Anticipated Outcome HNRAO1	Oppose in part	Amendments sought: Intensification and infill development compatible in character with contribute positively to existing neighbourhood development in the planned built environment of Havelock North	Accept in part
FS11.43	Development Nours	Submission point 050.37	Support in part	Development Nours seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nours' submission.	Accept in part
FS16.3	M Reid	Submission point 050.37	Oppose	Revert to original wording.	Reject
FS19.63	Residents of Kaiapo Road etc	Submission point 050.37	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.38	Kāinga Ora	8.2.2 Anticipated Outcome HNRAO2	Support in part	Amendments sought: Residential development which does not create adverse impacts in terms of overshadowing,	Accept in part

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				excessive building scale, or invasion of neighbourhood privacy when considered in accordance with the planned built environment.	
FS11.44	Development Nous	Submission point 050.38	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS16.4	M Reid	Submission point 050.38	Oppose	Revert to original wording.	Reject
FS19.64	Residents of Kaiapo Road etc	Submission point 050.38	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.39	Kāinga Ora	8.2.2 Anticipated Outcomes HNRAO7	Oppose	Delete Objective	Reject
FS11.45	Development Nous	Submission point 050.39	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS16.5	M Reid	Submission point 050.39	Oppose	Revert to original wording.	Accept in part
FS19.65	Residents of Kaiapo Road etc	Submission point 050.39	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part
050.40	Kāinga Ora	8.2.3 Objectives and Policies HNRO6	Oppose in part	Amendment sought: New developments will be of a design, scale, layout and intensity that is consistent and compatible with the planned built environment existing residential areas of Havelock North.	Accept in part
FS11.46	Development Nous	Submission point 050.40	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS16.6	M Reid	Submission point 050.40	Oppose	Revert to original wording.	Reject
FS19.66	Residents of Kaiapo Road etc	Submission point 050.40	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.41	Kāinga Ora	8.2.3 Objectives	Oppose in part	Partial deletion sought:	Reject

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		and Policies HNRP1		The removal, re-positioning and relocation of residential buildings in the District assists the efficient use of residential land within the existing urban area of Havelock North and contributes to achieving the goals of HPUDS. The provisions of the General Residential Zone acknowledge the positive contribution of these activities by providing for removal and re-positioning of residential buildings as permitted activities in that these are encompassed in the definition of Residential Activity. Relocated building activities are also provided for as permitted activities subject to compliance with specific performance standards in order to ensure that these buildings are appropriately repaired and upgraded in a timely manner to maintain the character of the residential environment that the building is moving into.	
FS11.47	Development Nous	Submission point 050.41	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Reject
FS19.67	Residents of Kaiapo Road etc	Submission point 050.41	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept
050.42	Kāinga Ora	8.2.3 Objectives and Policies HNRP2	Support in part	Amendments sought: <i>Where possible, Avoid the adverse effects of developments created by excessive building scale, overshadowing, building bulk, excessive site coverage, or invasion of neighbourhood privacy, on the character of the local neighbourhood planned built environment.</i> Explanation Consultation has confirmed that people's perception of the residential amenity in their neighbourhood is largely dependent upon adequate access to daylight, sunlight, private open space and outlook. These amenity characteristics will be adversely affected by buildings which are out of character or scale with the <u>planned built environment residential environs.</u>	Accept in part

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FS11.48	Development Nous	Submission point 050.42	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS16.7	M Reid	Submission point 050.42	Oppose	Revert back to original wording	Accept in part
FS19.68	Residents of Kaiapo Road etc	Submission point 050.42	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Accept in part
050.43	Kāinga Ora	8.2.3 Objectives and Policies HNRP9	Oppose in part	Amendments sought: Explanation HPUDS has identified that further development in Havelock North should occur as consolidation of the existing urban environment. This will mean that higher density housing is required in some locations, and some infill will also occur. There are already concerns around the quality of infill development established during the 1990s and 2000s, and that any further infill must occur in accordance with <u>quality urban design principles that achieve high quality living environments in accordance with the planned built environment that is sympathetic to the surrounding environment. Higher residential density will also require certain design criteria and locations for such development will need to be carefully considered. It is not simply the environmental effects of such development that are of concern, but also the impact such development has on the wellbeing of the community and those who live in such developments.</u>	Accept in part
FS11.49	Development Nous	Submission point 050.43	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept in part
FS16.8	M Reid	Submission point 050.43	Oppose	Revert to original wording	Reject
FS19.69	Residents of Kaiapo Road etc	Submission point 050.43	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
050.44	Kāinga Ora	8.2.3 Objectives	Oppose	Delete Policy	Accept in part

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		and Policies HNRP10			
FS03.16	Oceania Healthcare Limited	Submission point 050.43	Oppose	Disallow the submission	Reject
FS11.50	Development Nous	Submission point 050.44	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept
FS19.70	Residents of Kaiapo Road etc	Submission point 050.44	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
143.7	A Smith, G Smith, and T Simon	Policy HNRP10	Oppose	Amend policy HNRP10 as follows: POLICY HNRP10 – Provide for comprehensive residential development on sites that are located within walking distance (400m – 600m) of public parks or and commercial centres and are located on public transport routes. Explanation Comprehensive residential development (medium density housing) has been identified as an appropriate way of providing for new housing development in existing urban areas in suitable locations ... (Abridged) While comprehensive residential development is envisaged in appropriate locations in the General Residential Zone, it would not be encouraged in the Character Residential Zone ... (Abridged) Seeks that in addition to any other amendments sought by this submission, any other amendments to the District Plan are requested to address concerns raised.	Reject

14. ANALYSIS

- 14.1 Primarily, submissions were received on the Havelock North General Residential Zone objectives and policies.
- 14.2 **Kāinga Ora (050.36)** requests amendments to 8.2 introduction. Further submissions in relation to this submission have been received from **Development Nous (FS11.42)** in support and from **M. Reid (16.2)** and **Residents of Kaiapo Road etc (FS19.68)** in opposition.

- 14.3 These amendments are not considered to be appropriate given the revised medium density residential zone extent and general approach to submissions on PC5 that seeks to create a clear distinction between the Medium Density Residential and General Residential Zone provisions and the types of residential development that can occur. In order to achieve an urban residential environment in the Medium Density Residential Zone and a suburban residential environment in the General Residential Zone, it is recommended that the General Residential Zone provisions revert to their operative state with some exceptions:
- removal of provision for and references to comprehensive residential development except in the case of new urban development areas of Howard Street, Hastings and Brookvale, Havelock North;
- 14.4 **Kāinga Ora (050.37, 050.38, 050.40, 050.41, 050.42, 050.43)** have also requested amendments to the wording of HNRAO1, HNRAO2, HNRO1 (incorrectly referenced in submission as HNRO6), HNRP2, HNRP9 so that:
- development is required to be consistent and compatible with the “planned built environment” rather than the existing character and amenity of the surrounding area;
- 14.5 Further submissions from **Development Nous (FS11.43, FS11.44, FS11.46, FS11.48, FS11.49)** were received in support of these submissions from Kāinga Ora. Further submitters in opposition to these submissions from Kāinga Ora were received from **M. Reid (FS16.3, FS16.4, FS16.6, FS16.7, FS16.8)** and the **Residents of Kaiapo Road etc (FS19.63, FS19.64, FS19.66, FS19.68, FS19.69)**.
- 14.6 Kāinga Ora request inclusion of wording relating to the “planned built environment” this amendment is accepted as it aligns with the direction in Policy 6 of the NPS-UD. As such the District Plan needs to give effect to this policy. However, a consistency of terminology is needed and as such the following amendments are proposed to these provisions:

Operative Wording	As Notified Wording	As Recommended Wording
HNRAO1 <i>Intensification and infill development compatible in character with existing development in Havelock North.</i>	HNRAO1 Intensification and infill development compatible in character with contribute positively to existing <u>neighbourhood</u> development in Havelock North.	HNRAO1 <i>Intensification and infill development compatible in character with existing the planned urban built form environment of the relevant Havelock North residential zone.</i>
HNRAO2: <i>Residential development which does not create adverse impacts in terms of overshadowing, excessive building scale, or invasion of neighbourhood privacy.</i>	HNRAO2 – no amendments proposed.	HNRO2: <i>Residential development which does not create adverse impacts in terms of overshadowing, excessive building scale, or invasion of neighbourhood privacy <u>when considered in accordance with the planned urban built form environment of the relevant zone.</u></i>
HNRAO1 <i>New developments will be of a design, scale, layout and intensity that is consistent and compatible with the</i>	HNRO1 no amendments proposed.	HNRO1 <i>New developments will be of a design, scale, layout and intensity that is consistent and compatible with the <u>planned urban built</u></i>

**Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing
S42A Report - Topic 2 - Zone Introductions and Objectives and Policies**

Section 42A Report for Plan Change 5: Right Homes, Right Place
Topic 2, Key Issue 3 - General Residential Zone – Objectives and Policies

<p>existing residential areas of Havelock North.</p>		<p>form environment existing residential areas of the relevant Havelock North zone.</p>
<p>HNRP2 Avoid the adverse effects of developments created by excessive building scale, overshadowing, building bulk, excessive site coverage, or invasion of neighbourhood privacy, on the character of the local neighbourhood. <u>Explanation</u> Consultation has confirmed that people's perception of the residential amenity in their neighbourhood is largely dependent upon adequate access to daylight, sunlight, private open space and outlook. These amenity characteristics will be adversely affected by buildings which are out of character or scale with the residential environs.</p>	<p>HNRP2 no amendments proposed.</p>	<p>HNRP2 Avoid the adverse effects of developments created by excessive building scale, overshadowing, building bulk, excessive site coverage, or invasion of neighbourhood privacy, on the character of the local neighbourhood <u>planned urban built form environment of the relevant zone.</u> <u>Explanation</u> Consultation has confirmed that people's perception of the residential amenity in their neighbourhood is largely dependent upon adequate access to daylight, sunlight, private open space and outlook. These amenity characteristics will be adversely affected by buildings which are out of character or scale with the <u>planned urban built form environment of the relevant zone residential environs.</u></p>
<p>HNRP9 Manage the scale and intensity of consolidation and infill development to avoid adverse effects on local neighbourhood amenity. <u>Explanation</u> HPUDS has identified that further development in Havelock North should occur as consolidation of the existing urban environment. This will mean that higher density housing is required in some locations, and some infill will also occur. There are already concerns around the quality of infill development established during the 1990s and 2000s, and that any further infill must occur in accordance with quality</p>	<p>HNRP9 Manage the scale and intensity of consolidation and infill development to avoid adverse effects on local neighbourhood amenity. <u>Explanation</u> HPUDS has identified that further development in Havelock North should occur as consolidation of the existing urban environment. This will mean that higher density housing is required in some locations, and some infill will also occur. There are already concerns around the quality of infill development established during the 1990s and 2000s, and that any further infill must occur in accordance with quality</p>	<p>HNRP9 Manage the scale and intensity of consolidation and infill development to avoid adverse effects on local neighbourhood amenity. <u>Explanation</u> HPUDS has identified that further development in Havelock North should occur as consolidation of the existing urban environment. This will mean that higher density housing is provided for in the Medium Density Residential Zone close to the village centre and amenities, is required in some locations, and some infill development and consolidation will continue to occur in accordance with the provisions of the</p>

<p>design that is sympathetic to the surrounding environment. Higher residential density will also require certain design criteria and locations for such development will need to be carefully considered. It is not simply the environmental effects of such development that are of concern, but also the impact such development has on the wellbeing of the community and those who live in such developments.</p>	<p><u>urban design principles that achieve high quality living environments that is sympathetic to the surrounding environment.</u> Higher residential density will also require certain design criteria and locations for such development will need to be carefully considered. It is not simply the environmental effects of such development that are of concern, but also the impact such development has on the wellbeing of the community and those who live in such developments.</p>	<p><u>General Residential Zone will also occur.</u> There are already concerns around the quality of infill development established during the 1990s and 2000s, and that any further <u>redevelopment or infill</u> must occur in accordance with <u>quality urban design principles (outlined in the Medium Density Design Framework) that achieve high quality living environments consistent with the planned built form environment of the General Residential zone. that is sympathetic to the surrounding environment.</u> Higher residential density will also require certain design criteria and locations for such development will need to be carefully considered. It is not simply the environmental effects of such development that are of concern, but also the impact such development has on the wellbeing of the community and those who live in such developments.</p>
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- 14.7 **Kāinga Ora (050.39)** requests that anticipated outcome HNRAO7 be deleted. Further submissions have been received in support from **Development Nous (FS11.45)** and in opposition from **M Reid (FS16.5)** and **Residents of Kaiapo Road etc (FS19.65)**. This anticipated outcome states:

HNRAO7: *New residential development is consistent with or enhances the amenity of the existing residential environment and does not compromise the existing streetscape amenity characteristic of Havelock North.*

- 14.8 Given the overall approach to return the provisions of the General Residential Zones to their operative state with the exception of aligning with the NPS-UD (where relevant), I am of the opinion that this anticipated outcome can be amended to be consistent with policy 6 of the NPS-UD and include reference to the “planned built form environment of the relevant zone” rather than deleted as requested. The recommended amendments are outlined below:

HNRAO7: *New residential development is consistent with ~~or enhances~~ the amenity of the ~~existing~~ planned built form residential environment of the relevant zone and does not compromise the ~~existing~~ streetscape amenity characteristic of Havelock North.*

- 14.9 **Kāinga Ora (050.41)** requests the removal of wording relating to the provision of relocated buildings. Further submissions have been received in relation to this

- submission in general support from **Development Nous (FS11.47)** and in opposition from the **Residents of Kaiapo Road etc (FS19.67)**.
- 14.10 This request is not supported. Relocated buildings (excluding new builds) are specifically provided for and managed separately to the construction of residential buildings in the District Plan. Deleting these provisions would be inappropriate and untenable to the community and council given the significant adverse effects and impacts that have occurred from relocated building activities in the past.
- 14.11 The current provisions were made operative following mediation of an appeal by Heavy Haulage Ltd to the proposed District Plan in 2016. The mediated provisions included in the current operative District Plan have been working well over the past 5 years with no complaints in respect of relocated building activities having been recorded within the Hastings, Flaxmere or Havelock North general residential zones. While this may be considered a barrier to development and the provision of affordable housing, the risks associated with the removal of this rule framework are considered to be significant based on the considerable adverse impacts on residential neighbourhoods that have occurred in the past. Such risks are considered to outweigh the benefits of their removal and therefore this request is not recommended.
- 14.12 **Kāinga Ora (050.44)** have requested the removal of references to and provision for comprehensive residential development and specifically the deletion of Policy HNRP10 which provides for this type of development in the Havelock North General Residential Zone. This request is supported as already described above in the general approach to submissions on PC5. Further removal of this term will simplify the provisions of the district plan.
- 14.13 **Oceania Healthcare Ltd's (FS03.16)** further submission in opposition to **Kāinga Ora (050.44)** raises concern over the removal of comprehensive residential development if there is no other provision for retirement villages which are provided for in the definition of comprehensive residential development. Provision for retirement village development is considered in the Topic 3, Key Issue 4 report. However, it is noted here that this report recommends separate provision be made in the rules for this particular activity in the General Residential Zones. On this basis this further submission point from Oceania Healthcare Ltd is recommended to be rejected.
- 14.14 **The Residents of Kaiapo Road etc (FS19.70)** raise concerns about the general nature of the entire Kāinga Ora submission adversely affecting existing communities and residents. In relation to Kāinga Ora submission point (050.44) requesting the deletion of Policy HNRP10, this will in fact provide existing communities with more certainty that a suburban environment will be maintained in the General Residential Zones. As such this submission from Kāinga Ora is accepted and the further submission from the Residents of Kaiapo Road etc is rejected.
- 14.15 Amendments to HNRP10 were also requested by **A Smith, G Smith and T Simon (143.3)** to ensure that this policy could give effect to HNRO6 (that intensification of housing in Havelock North is designed to create a high quality living environment for residents and neighbours). However, the general approach to submissions outlined above is considered to achieve this in that the removal of the provision for comprehensive residential developments will ensure residents have certainty of the type and level of development through the retention of the existing operative density and minimum site size provisions which seek to create a suburban residential

environment. As such this submission point is recommended to be rejected and policy HNRP10 is recommended to be deleted and replaced with a new policy that provides for medium density residential housing in new urban development areas in Havelock North.

14.16 The recommended replacement policy HNRP10 is outlined below:

Policy HNRP10 (recommended replacement policy)

Provide for medium density residential development within new urban development areas where structure plans provide accessibility to amenities including commercial areas, public parks, and active and public transport networks.

Explanation

New Urban development areas are an appropriate way to provide for new housing at higher densities than the general residential zone allows for and can lead to better amenity outcomes provided that commercial areas, public parks, and active and public transport networks are included in the structure plan for the area. Applications for higher densities in these areas will be assessed against the specific structure plan criteria and medium density residential zone provisions.

Consequential Amendments:

14.17 Consequential amendments are required to align the operative wording of Objective HNRO6 with the objectives and policies of the NPS-UD. Given the general philosophy and approach to PC5 submissions and that objectives and policies of the general residential zones should revert to their operative wording except to remove reference to comprehensive residential development, the following additional amendments are recommended to align the operative wording of HNRO6 with the NPS-UD. This is to ensure that the impacts on the existing amenity and character of residential environments should be considered in terms of the planned urban built form environment. The following table outlines the proposed amendments to the objective as per PC5 as notified and those now recommended to the operative version of the objective to align it with the NPS-UD.

14.18

PC5 as notified HNRO6	Recommended amendments to the operative wording of HNRO6
To ensure that intensification of housing in Havelock North is sympathetic to the existing environment in its designed to create a high quality living environment for residents and neighbours and is location.	To ensure that intensification of housing in Havelock North is sympathetic to the existing environment consistent in its design and location <u>with the planned urban built form environment sought for the zone</u>

15. RECOMMENDATIONS

15.1 That the submissions from **Kāinga Ora (050.36, 050.39, 050.41)** in partial opposition to the 8.2 introduction statement, anticipated outcome HNRAO7 and amendments to the explanation of policy HNRP1 be rejected in so far as the operative wording is

- retained and in the case of HNRAO7 amendments are proposed to reflect policy 6 of the NPS-UD in relation to development being in accordance with the planned built form environment of the relevant zone.
- 15.2 That as a consequence of the above, the further submissions of **Development Nous (FS11.42, FS11.45, FS11.47)** also **be rejected** and the further submissions of **M Reid (FS16.2, FS16.5)** and the **Residents of Kaiapo Road etc (FS19.62, FS19.65, FS19.67)** **be accepted**.
- 15.3 That the submission of **Kāinga Ora (050.44)** in opposition to HNRP10 **be accepted in part** and the submission of **A Smith, G Smith and S. Taylor (143.3)** in opposition and seeking amendment to Policy HNRP10 **be rejected** in so far as it is recommended that Policy HNRP10 be deleted so that provision for comprehensive residential development is removed from the Havelock North general residential zone and replaced with a new policy HNRP10 that provides for medium density housing within new urban development areas.
- 15.4 That as a consequence of the above, the further submissions of **Development Nous (FS11.50)** in support of **Kāinga Ora (050.44.)** **be accepted** and the further submissions of the **Residents of Kaiapo Road etc (FS19.70)** **be rejected**.
- 15.5 That the submission of **Kāinga Ora (050.37, 050.38, 050.40, 050.42, 050.43)** requesting amendments to anticipated outcomes HNRAO1, HNRAO2, HNRO1, HNRP2, HNRP9 **be accepted in part** in so far as the recommended wording is outlined in the text above.
- 15.6 That as a consequence of the above recommendation, the further submissions in support of Kāinga Ora received from **Development Nous (FS11.43, FS11.44, FS11.46, FS11.48, FS11.49)** **be accepted in part** and the further submissions in opposition from **M. Reid (FS16.3, FS16.4, FS16.6, FS16.7, FS16.8)** and the **Residents of Kaiapo Road etc (FS19.63, FS19.64, FS19.66, FS19.68, FS19.69)** **be rejected** in so far as the operative wording is amended to align with Policy 6 of the NPS-UD in relation to the planned built form environment.
- 15.7 Reasons:
- a. Reverting to the operative version of the Havelock North General Residential zone objectives and policies will create a clear and marked distinction between the outcomes sought between the Medium Density Residential zones and General Residential Zones.
 - b. Amending the operative wording of some of the objectives, policies and anticipated outcomes will ensure alignment with Policy 6 of the NPS-UD and the need for developments to be undertaken in accordance with the planned built form environment of the relevant zone.
 - c. Removal of provision for and reference to comprehensive residential development from all General Residential and Medium Density Residential Zone provisions (except in the Howard Street and Brookvale structure plan areas) will assist to simplify the objective and policies of the General Residential Zones and provide certainty for both the residents and the development community on what level of development can occur in these locations.

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- d. The provisions for relocated buildings (excluding new build relocates) seek to ensure that the adverse effects of this activity are appropriately managed, and repairs are undertaken in a timely manner to mitigate any adverse effects on the surrounding character and amenity of the environment.

TOPIC 2, KEY ISSUE 4 – CHARACTER RESIDENTIAL ZONE PROVISIONS – HASTINGS AND HAVELOCK NORTH

1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
012.4	G Campbell	MRZ and Character Zones	Oppose	That more areas are considered as character zones and the community has a say in this.	Accept
013.15	S Campbell	Character Zones	Oppose	There are other significant areas of 'Special Character' that could/should be included.	Reject
050.7	Kāinga Ora	General Residential Character Zones	Not stated	In the absence of scope within this plan change, consistent with the NPS-UD, Kāinga Ora seek that an assessment of the existing General Residential Character Zones be undertaken, specifically in light of policy 5a of the NPS-UD to determine the appropriateness of the existing zoning. It is suggested that a plan change should be prepared and notified to ensure the outcomes of the NPS-UD are able to be achieved within these existing locations.	Noted
FS11.13	Development Nous	Submission point 050.7	Support in part	Development Nous seeks the submission be allowed to the extent that those parts of the submission align with the points raised and relief sought in Development Nous' submission.	Accept
FS19.33	Residents of Kaiapo Road etc	Submission point 050.7	Oppose all	We seek the whole of the KO submission be disallowed, as the requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	Reject
061.5	McFlynn Surveying and Planning, A-McFlynn	Rule HC26 – Hastings Character Residential Zone	Support in part	Amend this rule to HC26 – Comprehensive Residential Development – Restricted Discretionary Activity	<i>Submission withdrawn</i>
061.6	McFlynn Surveying and Planning, A-McFlynn	Rule HC32 – Hastings Character Residential Zone	Oppose	Delete Rule HC32.	<i>Submission withdrawn</i>
066.3	N Morgan	Effects on character zone	Oppose in part	Adhering to Character zone rules build costs were double	Accept

**Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing
S42A Report - Topic 2 - Zone Introductions and Objectives and Policies**

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				to maintain character. This was acceptable because of the protections it also gave to our area. Less than 10 years later the Council no longer cares about the character of our area which we have paid to maintain.	
092.3	C G Shaw	Loss of Character Dwellings	Oppose	Loss of character dwellings in existing character areas. Three storey dwellings will be out of character with existing residential stock in Roberts St and around Cornwall Park.	Accept in part
133.7	J Jackson	Character Homes	Oppose	The character residential zones need attention and individual historic homes should be included.	Accept
134.6	McFlynn Surveying and Planning	Rule HC26 Comprehensive Residential Development on Land Identified in Appendix 27 Figure 2 – RD	Support in part	Amend to 'Multi Unit Residential Development that complies with specific performance standard 7.2.6E' - RD	Reject in so far as comprehensive residential development is removed from the activity table in the Hastings Character Residential Zone.
FS027.6	J Jackson	Submission point 134.6	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
134.7	McFlynn Surveying and Planning	Rule HC32 – Comprehensive Residential Development outside the areas identified in Appendix 27 Figure 2 – NC	Oppose	Amend to 'Multi Unit Residential Development that does not comply with specific performance standard 7.2.6E' - NC	Reject in so far as comprehensive residential development is recommended to be removed from the activity table of the Hastings Character Residential Zone
FS027.7	J Jackson	Submission point 134.7	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
138.8	P Rawle	Character Buildings	Oppose	Protect historic character buildings from being removed for future development.	Accept in part

2. ANALYSIS

- 2.1 Nine submissions were received primarily in opposition to PC5 proposed changes to the character zone areas around Cornwall Park, loss of character dwellings because of future development and seeking their protection, opposition to the rules relating to comprehensive residential development with the Hastings Character Residential Zone (HC26 and HC32).

REVIEW OF THE CHARACTER RESIDENTIAL ZONES

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- 2.2 The **Kāinga Ora submission (050.7)** did not state a position but “*seeks that an assessment of the existing General Residential Character Zones be undertaken, specifically in light of policy 5a of the NPS-UD to determine the appropriateness of the existing zoning. It is suggested that a plan change should be prepared and notified to ensure the outcomes of the NPS-UD are able to be achieved within these existing locations*”.
- 2.3 **G Campbell (012.4)** seeks in their submission “*That more areas are considered as character zones and the community has a say in this*” and **S Campbell (013.15)** requests “*there are other significant areas of ‘Special Character’ that could/should be included*”. **J Jackson (133.7)** states that “*The character residential zones need attention and individual historic homes should be included.*”
- 2.4 It is agreed and accepted that the Hastings and Havelock North Character Residential Zones should be reviewed in light of the requests from the submissions outlined above. As that cannot be achieved through this plan change due to scope these submissions are therefore noted and will be recommended to Council for future action to ensure the Character Residential Zone appropriately identifies all areas of special built and landscape character within Hastings, Havelock North and Flaxmere and that the appropriateness of all these areas are considered in light of Policy 5a, the Market Economics analysis under Plan Change 5 and any adopted Future Development Strategy for the district.
- 2.5 This will be a significant future project and given the Character Residential Zones will have been in existence for 10 years in September 2025, it would be appropriate to recommend to Council that the spatial extent and provisions of the zone be reviewed as part of the rolling review of the Operative District Plan.

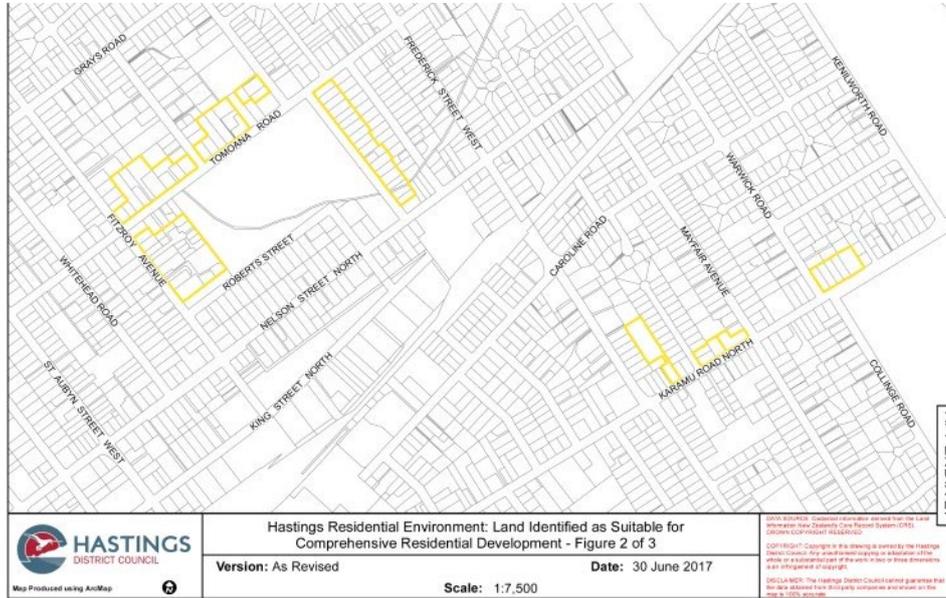
CORNWALL PARK CHARACTER RESIDENTIAL ZONED AREAS

- 2.6 A submission from **N Morgan (066.3)** was received expressing concern regarding the potential loss of character that she personally has paid to maintain as a result of the proposal to change the zoning of these areas around Cornwall Park to medium density residential zone.
- 2.7 Currently under the Operative District Plan a significant portion of the streets around Cornwall Park are zoned Character Residential Zone (Fitzroy Ave, Tōmoana Road, and Cornwall Road). Parts of the Fitzroy, Tōmoana and Cornwall Road character areas include existing multi-unit development amongst the existing character homes. At the time the Operative District Plan was prepared, the character assessment and peer review undertaken by a local architect identified parts of these streets as suitable for quality designed multi-unit or medium density development. It was thought that smaller sites could be facilitated in behind character dwellings or that existing sites containing multi-unit developments could be redeveloped with the park providing a significant amenity feature. Such comprehensive residential developments would however be subject to additional considerations to maintain the character and amenity of the area. As a result, these areas were included in Appendix 27 (see figure below) of the District Plan as areas suitable for comprehensive residential development in addition to their Character Residential zoning.
- 2.8 Plan Change 5 as notified included all areas identified in Appendix 27 as part of the proposed Medium Density Residential Zone. In the context of these submissions along with those in opposition to PC5 in its entirety and the preferred scenario for the

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medium density residential zone outlined in section 5 of this Introductory Report, it is recommended that the operative Character Residential zoning of these streets (Fitzroy, Tōmoana and Cornwall) should be retained. This will maintain the existing operative boundaries and extent of the Hastings Character Residential Zone.

2.9



COMPREHENSIVE RESIDENTIAL DEVELOPMENT IN THE HASTINGS CHARACTER RESIDENTIAL ZONE

- 2.10 **McFlynn Surveying and Planning (134.6, 134.7)** seeks amendments to HC26 and HC32 to replace the term “Comprehensive Residential Development” with “Multi-unit development” and to include the requirements to meet the specific performance standards 7.2.6E for comprehensive residential developments. Further submissions in support of these have been received from **J Jackson (FS27.3, FS27.7)**.
- 2.11 As part of the amendments notified for PC5, Appendix 27 was proposed to be removed and these areas were to be rezoned Medium Density Residential Zone. As such Rule HC26 and HC32 should have been proposed to be deleted as they would have been replaced by the medium density residential zone rules for these sites. However, these amendments were missed and not included in the documentation.
- 2.12 Considering this submission in the context of the general approach to all submissions on PC5 outlined in the Topic 1, Key Issue 1 ‘Plan Change in its Entirety’ report, it is recommended that in order to create a consistent, clear, and transparent rule framework for residential development, comprehensive residential development activities should be removed from the Hastings Character Residential Zones just as it is proposed to be removed from the General Residential Zones. As such this would mean that Rules HC26 and HC32 would be recommended to be deleted thereby retaining the integrity of this zone as a Character Residential Zone until the

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recommended review of the provisions and spatial extent of the Hastings Character Residential Zone can be undertaken as outlined above.

- 2.13 This would remove the development potential that was afforded to these properties through the CRD pathway under the Operative District Plan. Therefore, removing this pathway will mean that it is unlikely that these properties would be able to be further developed unless the land areas are sufficiently large enough to meet the minimum site size requirements.
- 2.14 In considering such an amendment under Section 32AA, the benefits of removing comprehensive residential development include creating a simplified rule framework that maintains the integrity of the zone ensuring existing character and amenity is maintained and clearly establishes the development outcomes sought for the zone. The costs associated with this amendment are that it will be more difficult for landowners of these properties to be able to subdivide and/or develop their land.

POTENTIAL LOSS OF CHARACTER HOMES

- 2.15 **C G Shaw (092.3)** states that their submission relates to the loss of character dwellings in existing character areas and that three-storey dwellings will be out of character with existing housing stock in Roberts Street and around Cornwall Park.
- 2.16 **P Rawle (138.8)** submits that "*Council has allowed the destruction of many historic character homes. We need to protect the remaining notable examples in the City*". The decision requested by P. Rawle is to "*protect historic character buildings from being removed for future development*".
- 2.17 These two submissions seek the retention of character homes both in the character residential zone and across Hastings in general. The recommendation discussed above to remove the ability to undertake comprehensive residential development within the Hastings Character Residential Zone (deletion of Rules HC26 and HC32) will address these submissions to the extent possible under PC5. The recommended review of the spatial extent and provisions of the Hastings Character Residential zone (also discussed above) will also go some way to addressing concerns raised in that additional character homes warranting protection from residential intensification and development will form part of this review process. It is noted that it not within the scope of the current plan change to apply protective rules to specific buildings or otherwise amend the provisions of the GRCZ.

3. RECOMMENDATIONS

- 3.1 That the submissions of **G Campbell (012.4)**, **S Campbell (013.15)**, **Kāinga Ora (050.7)**, **J. Jackson (133.7)** and **P. Rawle (135.5)** **are noted in so far as** a review of Character Residential Zone is recommended to be undertaken as part of the District Plan review program to ensure that the zone identifies all areas of special built and landscape character within Hastings, Havelock North and Flaxmere and that the appropriateness of all of these areas are considered in light of the NPS-UD Policy 5a, the Market Economics analysis prepared for Plan Change 5 and any adopted Future Development Strategy for the district. However that review is outside the scope of PC5.
- 3.1.1 That as a consequence of the above recommendation, the further submissions of **Development Nous (FS11.13)** in support of **Kāinga Ora (050.7)** **be noted** and that

of the **Residents of Kaiapo Road etc (FS19.33)** in opposition to Kāinga Ora (050.6) **be rejected.**

3.1.2 Reason:

- a. The Character Residential Zones will have been in existence for 10 years in September 2025 and therefore it is appropriate to reconsider these as part of the rolling review of the District Plan and in the context of relevant National Policy and Regional Policy Statements and any adopted future development strategy for the district.

3.2 That the submission of **N Morgan (066.3)** seeking retention of the Character Residential Zone around Cornwall Park **be accepted.**

3.2.1 Reason:

- a. That the preferred scenario for the medium density residential zone outlined in Section 5 of the Introductory Report, it is recommended that the operative Character Residential zoning of these streets (Fitzroy, Tōmoana and Cornwall) should be retained.

3.3 That the submissions of **McFlynn Surveying and Planning (134.6, 134.7)** in relation to Rules HC26 and HC27 **be rejected** in so far as the rules are proposed to be deleted in their entirety.

3.3.1 That as a consequence of the recommendation above, the further submissions of **J. Jackson (FS027.7, FS027.7)** are **also rejected.**

3.3.2 Reason:

- a. Provision for comprehensive residential development in the Hastings Character Residential Zone is at odds with creating a clear and transparent rule framework. These rules should have been removed as part of the PC5 as notified amendments given that Appendix 27 is proposed to be removed and replaced with the Medium Density Residential Zone and its provisions.

3.4 That the submissions of **CG Shaw (092.3)** and **P. Rawle (138.8)** in relation to preventing the loss of character dwellings **be accepted** in so far as it is recommended that comprehensive residential development will not be provided for in the Hastings Character Residential Zone. Further it is recommended that all character residential zones be reviewed with the potential to identify new character areas and homes, however this is a separate planning process.

3.4.1 Reason:

- a. The retention of character areas and homes is important to the community and ensuring a clear and transparent rule and zoning framework will achieve this.