

Thursday, 4 April 2024

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

*Kaupapataka*  
**Agenda**

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

**(Plan Change 5 - Medium Density Housing)**

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

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*Te Wā:*  
Time: **9.00am**

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

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

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

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## Hearings Committee – Terms of Reference

### Fields of Activity

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

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

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

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

### Quorum

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

## *Kaupapataka*

# Agenda

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**Hearing Panel Members:**

Chair: George Lyons (Commissioner Chair - External appointee)

Bill Wasley (Commissioner External appointee)

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

Wendy Schollum and Marcus Buddo

*Ngā mema o te Komiti*

**Committee Members:**

Heretaunga Takoto Noa Māori Standing Committee appointee: -

Vacancy

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*Apiha Matua*

**Officer Responsible:**

Group Manager: Planning and Regulatory Services - John

O'Shaughnessy

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**Reporting Planner**

Senior Environmental Planner – Policy (Anna Summerfield)

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*Te Rōpū Manapori me te*

*Kāwanatanga*

**Democracy**

Christine Hilton (Ext 5633)

**Governance Services**

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*Te Rārangī Take*

## Order of Business

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

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

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

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

Thursday, 4 April 2024

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

**Hastings District Council: Hearings Committee Meeting**

*Te Rārangi Take*

# Report to Hearings Committee

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

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

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

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

## **2.0 Recommendations - *Ngā Tūtohunga***

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

### **Attachments:**

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



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

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

### 1. SUBMISSION POINTS

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

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

Section 42A Report for Plan Change 5: Right Homes, Right Place  
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					added to the list of matters for consideration as part of the next Chapter 18.1 'Heritage Items and Notable Trees' Plan Change.
052.2	P Kumar	Social and environmental	Oppose	Not stated	-
054.2	A Lawrence	KO/Crime	Oppose	No to this new proposed plan change 5	Reject
FS01.2	A Lawrence	Submission point 054.2	Support	Allow submission	
054.3	A Lawrence	Property value	Oppose	No to this new proposed plan change 5	Reject
FS01.3	A Lawrence	Submission point 054.3	Support	Allow submission	
054.5	A Lawrence	Housing NZ overbuilding	Oppose	No to this new proposed plan change 5.	Reject
FS01.5	A Lawrence	Submission point 054.5	Support	Allow submission	
056.1	K List	Privacy / Amenity / Property value	Oppose	Revocation of non-notification for neighbouring properties for 2+ storey development.	See Topic 3, Key Issue 1 report – Affected Persons' Consent
058.1	P MacDonald	KO/Property value	Oppose	Not stated	-
075.1	D Pailthorpe	KO/Property value	Oppose	Not stated	-
077.1	R & J Piper	Amenity	Not stated	Not stated	-
077.5	R & J Piper	Privacy	Not stated	Not stated	-
077.6	R & J Piper	Property value	Not stated	Not stated	-
078.2	J Price	Noise/amenity	Oppose	Not stated	-
FS02.2	J Price	Submission point 078.2	Support	Allow	-
078.5	J Price	Tenancy (property value)	Oppose	Not stated	-
FS02.5	J Price	Submission point 078.5	Support	Allow	-
078.6	J Price	KO social issues/crime	Oppose	Not stated	-
FS02.6	J Price	Submission point 078.6	Support	Allow	-
078.7	J Price	Property value	Oppose	Not stated	-
FS02.7	J Price	Submission point 078.7	Support	Allow	-
084.1	M Rutherford	Property value	Oppose	Not stated	-
094.2	A Sivewright	Property value	Oppose	Retain the need of affected persons' consents or neighbours' approval.	See Topic 3, Key Issue 1 affected persons' consents
095.3	M Sivewright	Amenity value	Oppose	Not stated	-



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

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

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

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

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

**Further Submissions**

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

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- FS02.2 supports 078.1 (Issue: Amenity)
- FS02.5 supports 078.5 (Issue: Property values)

## **2. THE ISSUES**

### Health and wellbeing and social issues.

- 2.1 004.5 (S Angus) raises the concern that children who live in crowded apartment complexes have depression, loneliness, elevated blood pressure and lower academic performance.
- 2.2 040.5 (L Herbert) raises concerns that higher density will introduce neighbourhood anti-social and behavioural issues.
- 2.3 052.2 (P Kumar) raises concerns that overcrowding will lead to social and environmental issues.
- 2.4 122.3/122.4 (C Blackberry) raises social and environmental concerns about medium density development and its impact on existing facilities and infrastructure.

### Amenity

- 2.5 023.3 (R Culver), 040.4 (L Herbert), 056.1 (K List), 077.1 (R & J Piper), 078.2 (J Price), 095.3 (M Sivewright), 111.1 (C Walters) raise concerns that allowing medium density into established lower density suburbs will reduce the amenity of these suburbs forever. 095.3 (M Sivewright) is concerned about the Havelock North village regarding the existing living environment. 145.4 (P Tucker) raises concerns about social housing in Ada Street and opposes any such development for this location.

### Property Values

- 2.6 005.4 (J H Armstrong), 012.11 (G Campbell), 014.2 (E Carr), 040.6 (L Herbert), 054.3 (A Lawrence), 077.6 (R & J Piper), 078.5 (J Price), 078.7 (J Price), 084.1 (M Rutherford), 094.2 (A Sivewright), 095.5 (M Sivewright) raise concerns that allowing medium density into existing conventional suburbs will reduce property values on existing individual properties and 078.5 (J Price) noted that finding new tenants would be more difficult.

### Kāinga Ora

- 2.7 040.2 (L Herbert), 040.3 (L Herbert), 054.2 (A Lawrence), 054.5 (A Lawrence), 058.1 (P MacDonald), 075.1 (D Pailthorpe), 078.6 (J Price), and 110.4 (D Walsh) raise concerns about the introduction of medium density government housing within their existing suburbs that will lead to more social issues in the area and adversely alter the existing amenity.

### Displacement of existing communities

- 2.8 040.8 (L Herbert) raises a concern that introducing medium density housing into existing suburbs will mean that it will force people out who do not feel comfortable or safe with the changes happening in their suburbs.

## **ANALYSIS**

- 2.9 There are benefits and shortcomings of residential intensification. Many of the potential shortcomings have been raised by the submitters and are listed in the headings above. Often these shortcomings are interlinked.

While the recommendation is to reject the relief sought by these submissions, it is acknowledged that many of the concerns behind the relief sought are valid and are shared by the Council. These concerns and how they are responded to, where possible within the scope of PC5, are discussed below.

- 2.10 The benefits of residential intensification include more efficient land use, increased housing options to meet a range of people' needs and greater demand for and greater utilisation of existing amenities (commercial and community services, parks and other infrastructure).
- 2.11 It is recognised that poorly planned or designed housing developments can negatively impact the aesthetics, character, and functionality of an existing neighbourhood. Inadequate architectural design, lack of green spaces, or inappropriate scale and density can contribute to a negative perception of the development and potentially impact property values.
- 2.12 Social issues can occur where tenanted (state/community housing) is introduced into a neighbourhood at levels/densities that overwhelm the existing social fabric. These issues can be exacerbated by a lack of support services for state/community house tenants, insufficient property management and a limited integration/compatibility with existing residential communities. Behavioural issues are not matters that can be considered under the RMA and while these can have significant impacts on a local community, they are not able to be considered as environmental effects and therefore cannot be used as a justification not to enable more intensive residential options in the urban environment.
- 2.13 It is considered that the provisions as recommended carefully balance Council's obligations under the NPS-UD for residential intensification with the provision of a suite of planning controls to manage the potential adverse effects and including the key design elements of the Medium Density Design Framework 2022 as assessment matters to ensure good urban design outcomes are achieved.
- 2.14 Residential intensification outcomes can vary depending on the specific design, location, and context of the development. However, it is considered that the specific performance standards and assessment criteria that apply in the MDRZ and for CRDs in the Howard St and Brookvale new urban development areas will ensure that good design outcomes are achieved and development will make a positive contribution to creating a new compact residential neighbourhood character in the medium density residential zone.

#### **RECOMMENDATIONS**

- 2.15 That the submissions **004.5 (S Angus), 005.4 (J Armstrong), 012.2, 012.11 (G Campbell), 014.2 (E Carr), 023.3 (R Culver), 040.2, 040.3, 040.4, 040.5, 040.6, 040.8 (L Herbert), 052.2 (P Kumar), 054.2, 054.3, 054.5 (A Lawrence), 056.1 (K List), 058.1 (P MacDonald), 075.1 (D Pailthorpe), 077.1, 077.5, 077.6 (R & J Piper), 078.2, 078.5, 078.6, 078.7 (J Price), 084.1 (M Rutherford), 094.2 (A Sivewright), 095.3, 095.6 (M Sivewright), and 110.4 (D Walsh)** expressing general concerns and issues about PC5, and consequentially seeking that PC5 not be confirmed are recommended to **be rejected**.
- 2.16 As a consequence of the above recommendation, the further submissions **FS01.2 (A Lawrence)** in support of 054.2 (A Lawrence), **FS01.3 (A Lawrence)** in support of 054.3 (A Lawrence), **FS01.5 (A Lawrence)** in support of 054.5 (A Lawrence), **FS02.2**

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**(J Price)** in support 078.2 (J Price), **FS02.5 (J Price)** in support 078.5 (J Price), **FS02.6 (J Price)** in support 078.6 (J Price), **FS02.7 (J Price)** in support 078.7 (J Price), are recommended to **be rejected.**

2.17 Reasons:

- a. The submitters have raised concerns about residential intensification many of which cannot be addressed through provisions in a District Plan.
- b. Council has given due regard to these issues by identifying specific areas conducive to medium density residential development and has also developed a suite of design controls and assessment criteria to address amenity concerns to ensure quality residential environments are achieved.
- c. Council recognises that although it can address the potential for amenity and urban design issues it cannot solve all the social and economic issues that may also occur in the process of residential intensification.
- d. Council has been required to meet the mandate of central government for increased residential intensification as specified in the NPS-UD and the NPS HPL.

**3. MISCELLANEOUS ISSUES**

Inadequate Consultation

- 3.1 Submission 111.1 (C Walters) has expressed concerns about the consultation process and seeks that this be addressed.
- 3.2 The submission states that the proposed MDRZs should have been clearly notified by HDC with specific communications of this to people living in these MDRZs and people living in the nearby areas. It is stated that it is the HDC's duty to clearly notify those who live in these areas what the implications of these MDRZs are for them. They do not believe this has been done and that HDC has a duty to existing residents to inform them.
- 3.3 The submission also notes that the consultation process is difficult for many lay people to understand with too much jargon and lack of clarity of what Plan Change 5 actually means for existing residents.
- 3.4 The decision request is that further consultation be given to people living in or near the proposed MDRZ areas.

**ANALYSIS**

- 3.5 MDRZ areas are clearly identified on maps contained in the plan change documentation and are accessible on the Council's website.
- 3.6 In relation to the General Residential Zones (Hastings, Havelock North and Flaxmere) the provisions include comprehensive residential development for sites that are within or partially within a 400-600m radius of:
  - An existing or proposed public transport bus-stop; and
  - Existing public park or proposed open space reserve, or a proposed on-site communal playground or open space area; and

- A commercial zone.
- 3.7 After consideration of all the submissions on PC5, it has been recommended that the CRD provisions applying across the general residential zones be removed except for those applying to existing new urban development areas (Howard St, Hastings and Brookvale, Havelock North). This revised approach to Plan Change 5 is considered in the discussion of the preferred scenario for the Medium Density Residential zone in section 5 of the s42a introductory report.
- 3.8 The engagement and consultation undertaken in respect of PC5 has been outlined in Appendix 9. It is considered that this consultation meets the requirements of the RMA. Council considers that it has (and is) following due process under the RMA and that the concerns of all submitters will be given careful and balanced consideration via the hearing process.
- 3.9 Council also considers that it has undertaken a fair and transparent consultation process leading up to Plan Change 5. The issue of residential intensification and the compact city concept has been canvassed over the last decade in the following ways:
- 2010: HPUDs adopted to protect growing soils from development (a regional plan put together by the five Hawke's Bay councils).
  - 2015: A District Plan review in 2015 rezoned preferred areas in the central city for medium density development through the introduction of the City Living zone.
  - 2017: HPUDs reviewed and updated.
  - 2019: Proposed District Plan Variation 5 allowed inner city apartment living in the retail zone (first floor).
  - 2021: Hastings Residential Intensification Design Guide adopted to assist property developers, builders and architects to construct well-designed, sustainable housing.
  - On-going: Infrastructure assessment and planning to ensure medium density housing occurs where infrastructure can cope with more homes.
- 3.10 As far as Plan Change 5 is concerned the following activities have taken place:
- 2022: Prepared for Plan Change 5 and ran a public consultation exercise with the Hastings community.
  - 2022: Opening Plan Change 5 for submissions from 29 October.
  - 2023 Further Submissions from 25 March.
  - 2023: Plan Change re-opened from Saturday 15 July to Friday 11 August after discovering a technical error in the original submissions/further submissions process.
  - The details of the consultation process for PC5, including all the community meetings, are contained in Appendix 9.
- 3.11 Overall, Council considers that it has undertaken a fair and transparent consultation process and has also followed the RMA legal framework.

#### **RECOMMENDATION**

- 3.12 That the **submission 111.1 (C Walters)** seeking further consultation be given to people living in or near MDRZs **be rejected.**
- 3.13 Reasons:

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- a. Council has already undertaken a series of consultation programmes leading up to PC5 including the HPUDS review, previous plan changes specifically the District Plan Review (2015) and Inner City Living (2019) and the development of the Hastings Residential Intensification Design Guide (2021).
- b. Council has undertaken a series of community meetings specifically addressing PC5 in 2022.
- c. Council has followed due process under the RMA including direct notification of those living in the MDRZ areas.
- d. The consideration of all submissions on PC5 has resulted in a revised approach to PC5 that recommends removal of CRD provisions within the general residential zones (except for existing new urban development areas) along with a centralised and expanded MDRZ within 400m of the main commercial zones of Hastings, Havelock North and Flaxmere. This preferred scenario for the MDRZ is considered and discussed in section 5 of the s42a introductory report. This recommended approach will simplify the rule framework directing medium density development to the MDRZ.

#### **4. REQUEST TO ADD TŌTARA TREE AT 322 FRIMLEY ROAD TO THE NOTBALE TREE REGISTER**

- 4.1 Submissions 046.1 and 131.1 from A Hodges have requested that the Tōtara tree at 322 Frimley Road be added to the Notable Tree Register.

##### **ANALYSIS**

- 4.2 Outstanding and Significant Trees are currently protected by way of Chapter 18.1 'Heritage Items and Notable Trees' and their inclusion in different appendices depending on the reasons for their protection. Outstanding as they have high heritage and/or amenity values and Significant as they are important to the built and natural environment and are regarded as being valuable for historical, botanical, ecological or aesthetic reasons. Trees are not afforded protection through any other section of the District Plan. When PC5 was notified, it didn't propose any changes or additions to Chapter 18.1. For this reason, this submission is considered out of scope and further evaluation under PC5 is therefore not required.
- 4.3 However, substantial information was provided by the submitter on the potential value of this tree including a STEM Assessment. Further investigation will be needed to evaluate this tree for potential inclusion on the District Plan Notable Tree Register in time. The appropriate time for this is when Council advances a Plan Change for Section 18.1.

##### **RECOMMENDATION**

- 4.4 That the submissions **046.1 and 131.1 from A Hodges** seeking that the Tōtara Tree at 322 Frimley Road be added to the Notable Tree Register **be rejected.**
- 4.5 Reasons:
- a. The submission is considered out of scope.

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- b. That the Tōtara Tree be added to the list of matters for consideration as part of the next review of the District Plan addressing Chapter 18.1 'Heritage Items and Notable Trees' Plan Change.



## TOPIC 6, KEY ISSUE 2 – GENERAL TRAFFIC AND PARKING CONCERNS

### 1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
004.3	S Angus	Parking Provision	Oppose	Developments need to cater for 2 car households in Hastings as 79.3% of households in Hastings have two cars.	Reject but concerns are noted
023.2	R Culver	Provision for off street parking	Oppose	Not stated	Reject but concerns are noted
035.3	B Gardner	Provision for off street parking	Oppose	Provide suitable parking (off street) minimum of 1 per house.	Reject, due to required removal of parking minimums in the NPS-UD but concerns are noted
096.2	M Smiley	Carparking	Support with amendment	I believe there is a national policy statement from the Government severely restricting the allowance of car parking in residential subdivisions. In a city like Hastings such a policy is nonsense and I urge the Council to resist this with the same determination it has resisted Three Waters. Central Government is elected to serve the people not to force on them ridiculous, ideology driven regulations.	Reject as Council is required to give effect to the NPS-UD removing onsite parking minimums
012.6	G Campbell	Environment - Traffic and Parking	Oppose	That the Council do not allow multiple sites in one area to have intensification of dwellings without consultation to the wider community and that necessary infrastructure is put in place first.	Reject (but note new assessment matter proposed to adequately address congestion and effects on the transportation network). Also see Methodology Appendix and Topic 1, Key Issue 3 Spatial Extent.
057.3	R I Lyndon	Traffic congestion in Havelock North and along Havelock Road	Oppose	This change should not go ahead, and Havelock North village should be protected.	Reject
057.4	R I Lyndon	On street parking and children's safety	Oppose	This change should not go ahead, and Havelock North village should be protected.	Reject
064.4	E Miller	Traffic problems/extra vehicle movements	Oppose	Not stated	Reject

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

Section 42A Report for Plan Change 5: Right Homes, Right Place  
 Topic 6, Key Issue 2 – General Traffic and Parking Concerns

078.1	J Price	Traffic density, access to properties and parking will be a problem	Oppose	Not stated	Reject
FS02.1	J Price	Submission point 078.1	Support	Allow	Reject
080.3	M Reid	Pedestrian safety, vehicle access and parking, congestion at Porter Drive, traffic congestion in the Village	Support in part	Reduce the number of areas proposed for medium density housing along Porter Drive.	Accept insofar as an assessment matter is added requiring congestion and transportation effects to be considered as part of developments - See also Spatial Extent Report
FS05.1	Ministry of Education	Submission point 080.3	Support/neutral	(1) The Ministry requests that Hastings District Council considers the effects the proposed intensification from PC5 will have on the safety of the road network (2) by providing for active mode users with safer walking and cycling facilities, particularly around schools.	(1) Accept and (2) noted in relation to active mode users.
087.2	L Saunders	Increase in traffic flows and lack of parking	Oppose	Completely abolish all parts of the proposal.	Reject
089.1	N Secombe	Traffic and parking impacts in Havelock North including safety at pedestrian crossings	Support in part	Improve the infrastructure to accommodate higher density development.	Accept
108.2	I J Wakefield	Carparking on existing narrow streets	Oppose	Not stated	Reject
113.2	L Williams and A Calder	Carparking congestion on streets	Oppose	Not stated	Reject
122.2	C Blackberry	Carparking congestion on streets	Oppose	Parking for vehicles with these new intensive homes - The footpaths must not be an option	Reject
130.4	B Harrison	Carparking congestion on streets	Oppose	That the inclusion of 3 story low rise apartments be removed from the plan/streets	Reject
133.3	J Jackson	Carparking congestion on streets	Oppose	Hastings needs to stop this perpetual KO house building and catchup with the infrastructure & services	Reject (but note new assessment matter proposed to adequately address congestion and effects on the transportation network).
135.2	J McIntosh	Carparking congestion on streets	Oppose	I note that parking spaces on the property are not required by central government law but that the strategy aims for parking on site. This is important for safer streets. I hope that this can be insisted upon.	Reject (but note new assessment matter proposed to adequately address congestion and effects on the transportation network).

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 Topic 6, Key Issue 2 – General Traffic and Parking Concerns

145.2	P Tucker	On-site Carparking	Oppose	The number of vehicles is very concerning as the number of parking places per dwelling could become a concern especially if insufficient are supplied so vehicles will spill out onto Ada Street	Reject (but note new assessment matter proposed to adequately address congestion and effects on the transportation network).
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**SUBMISSIONS**

- 1.1 A number of submissions oppose PC 5 on the basis of traffic and parking concerns. Some support PC5 but seek that parking congestion, infrastructure and transportation and safety effects become a key consideration ahead of (as part of) intensification occurring.

**2. ANALYSIS**

**Collective Consideration of Carparking and Transportation Effects and Approach**

- 2.1 Traditionally the minimum number of onsite parks which needed to be provided as part of a particular development was determined through the District Plan. However, this changed when the National Policy Statement on Urban Development 2020 (NPS-UD) introduced policies which required that Tier 1, 2 or 3 Territorial Authorities remove District Plan rules, assessment criteria, policies and objectives that have the effect of setting minimum car parking rates for urban residential and commercial activities. HDC is a Tier 2 Territorial Authority. Territorial Authorities had to amend their District Plans to remove car parking minimums as soon as practicable, but no more than 18 months from the date of commencement of the NPS-UD. In accordance with this requirement, HDC has removed its parking requirements from the District Plan.
- 2.2 The stated purpose of removing onsite parking minimums in the NPS-UD is that this will *“enable more housing and commercial developments in higher density areas with the idea that people do not necessarily need to own or use a car to access jobs, services, or amenities. Therefore, enabling urban space to be used for purposes other than car parking and removing a cost for higher density developments. Developers may still choose to provide car parking in many areas, but the number of car parks will be driven by market demand”*<sup>1</sup>.
- 2.3 The NPS-UD does not affect engineering standards or the ability of Territorial Authorities to provide on-street carparking spaces. It is accepted that developments that do not adequately account for transport needs can have a significant impact on access, connectivity, efficiency, and road safety. The ability to consider travel demand or broader transportation effects is not affected by the car parking policy and can continue to be managed by District Plans.

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<sup>1</sup> <https://environment.govt.nz/assets/Publications/Files/car-parking-factsheet.pdf> (page 1)

- 2.4 Even though the car parking policy requires Territorial Authorities to remove rules, assessment criteria, policies and objectives that have the effect of setting minimum parking rates it does not impact the following as outlined in the NPS-UD, carparking fact sheet prepared by MFE<sup>2</sup>:
- *Rules and engineering standards that set dimensions for vehicle manoeuvring and car parking spaces when a developer chooses to supply car parks;*
  - *Parking for vehicles other than cars, such as bus and bike parking;*
  - *Short term parking for service and utility spaces, such as loading bays and drop-off areas;*
  - *Rules and other standards held under other statutes and regulations, such as the Building Code as it relates to access for car parks, accessible car parking and fire service vehicle access;*
  - *Rules which set the minimum rates of accessible car parks;*
  - *Rules which set maximum parking rates;*
  - *Managing the physical effects of car parking such as visual impacts, stormwater effects from impervious areas, and impacts on adjacent uses;*
  - *Local authorities can continue to manage the effects in ways such as avoiding or managing surface level or front yard parking, and screening parking areas from adjacent activities; and*
  - *District plans may contain a policy stating that comprehensive parking management plans, travel demand management and other methods are the appropriate means of managing the demand and supply effects of car parking.*
- 2.5 Overall, PC5 aims to encourage residential intensification in certain locations to give required effect to the NPS-UD and provide housing choices. With no provision for on-site (off road) car parking, this has the potential to cause an increase in roadside congestion and parking issues if not appropriately managed. Greater residential density will lead to higher numbers of vehicles in the neighbourhoods, unless residents move to alternative transport modes. As Council cannot require on site carparking 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. 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.
- 2.6 The Council Infrastructure Constraints Report dated April 2023 (adopted by Council in May 2023 and attached as Appendix 12) recognises that traffic congestion is an ongoing concern. The document under 1.7 "Schedule of Key Findings (Transportation)" states:

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<sup>2</sup> <https://environment.govt.nz/assets/Publications/Files/car-parking-factsheet.pdf> (page 3)

Constraint	Consequence	Council Response
Suburban roads are being used as de facto bypasses to avoid more congested areas.	The generation of undesirable levels of traffic on access roads with increased noise, vibration and impact on amenity.	Sustainable transport initiatives are targeted at promoting alternatives means of transport (walking and cycling) and increased use of public transport to get around.
Road safety statistics highlight half of the district's crashes occur on urban roads.	More people are driving on our roads increasing the potential for frustration and risk taking behaviours to emerge.	Road safety plans include improving intersection connectivity, pavement re-designs (better paths and cycleways).
There is a high reliance on private and commercial vehicle use.		

2.7 It should be noted from resource consent applications lodged and approved for more intensive developments to date, that locally developers are still choosing to provide onsite carparks due to the identified reliance and market demands. This same report outlines in more detail than the summary given above, how congestion and parking issues can potentially be managed and resolved, noting it's a multifaceted issue with multiple components, a number of which sit outside the District Plan:

- *“The Council has developed, besides regulations, several guides to help developers understand and contribute to the council's objectives regarding transport. The most influence at this stage, will most likely be the subdivision and infrastructure design Guide. By providing guidance on the ambitions as well as expectations, the Council can influence and inspire designers to design subdivisions that deliver high quality places for people to live. Hastings District Council vision is to create connected and resilient neighbourhoods where transport choice is maximised reducing the reliance of residents on private vehicles for short trips by infrastructure design and public transport options”;*<sup>3</sup>
- Completion of approved walking and cycling projects within the iWay network;
- Engineering Code of Practice requirements;
- The inclusion of the Transport Strategy and Rooding Hierarchy (adapted from the New Zealand Transport Agency's One Network Road Classification) in the Hastings District Plan (updated via Plan Change 2) to align with the Engineering Code of Practice 2020); and
- Working with other organisations such a regional and central government on public transport, walking and cycling initiatives.

2.8 Council can also encourage the development of decentralised live and work hubs via area plans. The development of Local Area Plans has the ability consider parking and transportation effects and what might be needed to address these as part of their preparation and successful implementation. Council has a programme for the preparation of Local Area Plans and a draft method is included in Section 2.4 of the

<sup>3</sup> Page 125, Infrastructure Constraints Report, see Appendix 12

- District Plan as part of PC5. There is also work from home/flexible work environment models that can be encouraged.
- 2.9 A number of submissions, identify congestion and broader transportation effects and as mentioned above, developments that do not adequately account for transport needs, can have significant effects. To assist with the consideration of development proposals including those involving residential intensification, Council has the ability to assess the effects through its Transport Model. This traffic flow model helps identify Level of Service or performance issues generally but also at a more localised level.
- 2.10 The NPS-UD strongly encourages local authorities to manage “*effects of car parking through comprehensive parking management plans*”<sup>4</sup>. It is a requirement that parking management strategies are developed ahead of comprehensive management plans. HDC is working on the development of its strategy. These are considered key tools in improving accessibility and assisting with the management of parking and transportation effects.
- 2.11 Territorial Authorities still have the ability as part of residential intensification proposals needing resource consent to consider street congestion and broader transportation or network effects. More intensive housing is encouraged provided that the assessment criteria which include the key design elements of the Medium Density Design Framework can be met, included in this is a ‘Parking and Manoeuvring’ consideration but traffic generation can have a significant effect on the road network and the quality of the living environment. For these reasons, it is considered that submissions seeking greater consideration of these particular effects be accepted.
- 2.12 The wording proposed to be added to the assessment matters is as follows:

*Parking Congestion and Transportation Effects:*

*The extent to which the development (i) avoids parking congestion on streets and effects on the safe and efficient operation of the transportation network including on active transport users and (ii) provides for unobstructed access for emergency vehicles and refuse and recycling collections.*

*A Traffic Impact Assessment maybe required as part of any assessment of effects (including cumulative) and shall take into account any Parking Management Strategy, Comprehensive Parking Management or Local Area Plans if these have been adopted by Council for the area to which the development proposal relates.*

### 3. RECOMMENDATIONS

- 3.1 That the submissions of **A Angus (004.3)**, **R Culver (023.2)**, **B Gardner (035.3)** and **M Smiley (096.2)** **be rejected** but concerns are noted.
- 3.1.1 Reason:

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<sup>4</sup> [www.nzta.govt.nz/assets/resources/national-parking-management-guidance/national-parking-management-guidance.pdf](http://www.nzta.govt.nz/assets/resources/national-parking-management-guidance/national-parking-management-guidance.pdf)

- a. That car parking minimums were required to be removed from District Plans under the NPS-UD (other than for accessible carparks), so there is no necessity to provide on-site (off road) car parking as part of residential intensification developments.
- 3.2 That the submission of **N Seccombe (089.1) be accepted**, the submission of **M Reid (080.3)** and further submission of the **Ministry of Education (FS05.1) be accepted insofar** that an additional assessment matter is added to the Medium Density Residential Zone and to those which also applies to CRD in the General Residential Zone by way of cross referencing, requiring:

*Parking Congestion and Transportation Effects:*

*The extent to which the development (i) avoids parking congestion on streets and effects on the safe and efficient operation of the transportation network including on active transport users and (ii) provides for unobstructed access for emergency vehicles and refuse and recycling collections.*

*A Traffic Impact Assessment maybe required as part of any assessment of effects (including cumulative) and shall take into account any Parking Management Strategy, Comprehensive Parking Management or Local Area Plans if these have been adopted by Council for the area to which the development proposal relates.*

3.2.1 Reasons:

- a. It is recognised that traffic congestion will increase as residential densities increase;
  - b. It is accepted that developments that do not adequately account for transport needs can have effects on the transport network and Council should have the ability to consider these effects through the resource consent process; and
  - c. That the inclusion of this assessment matter will assist ensure that Council can consider congestion and transportation effects through the resource consent process but note there are other safety and transportation measures which sit outside the District Plan which Council is involved with and contribute to positive traffic safety outcomes also.
- 3.3 That the submissions of **012.6 (G Campbell (057.3), R I Lyndon (057.3 and 057.4), E Miller (064.4), J Price (078.1), R & B Saunders (087.2), I J Wakefield (108.2), L Williams & A Calder (113.2), C Blackberry (122.2), B Harrison (130.4), J Jackson (133.3), J McIntosh (135.2), P Tucker (145.2)** and further submissions of **J Price (FS02.1) be rejected**.

3.3.1 Reasons:

- a. That car parking minimums were required to be removed from District Plans under the NPS-UD (other than for accessible carparks), so there is no necessity to provide on-site (off road) car parking as part of residential intensification developments;
- b. Council still has the ability to consider a number of technical matters associated with carparking including Engineering Standards as set out in the NPS-UD, carparking fact sheet prepared by MFE (listed in 2.4 of this topic report);

- c. Potential effects on the transportation network are linked to development scale and with the inclusion of the above assessment matter, it is considered that Council will have the ability to satisfactorily consider such effects; and
- d. Council will also continue to address concerns raised in submissions through the following alternative means, which sit outside the District Plan, including:
  - Sustainable transport initiatives aimed at promoting alternatives means of transport (walking and cycling) and increased use of public transport;
  - Monitor traffic flows and safety issues and continue to investigate design solutions;
  - Working with communities (including schools) to improve intersection connectivity, pavement designs and general traffic management solutions to enhance traffic safety;
  - Working with other organisations such a regional and central government on public transport, walking and cycling initiatives; and
  - The Council has developed, besides regulations, several guides to help developers understand and contribute to the council's objectives regarding transport.



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Topic 6, Key Issue 3 – General Infrastructure Concerns

## TOPIC 6, KEY ISSUE 3 – GENERAL INFRASTRUCTURE CONCERNS

### 1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
012.5	G Campbell	School and Civic Infrastructure	Not stated	That the necessary infrastructure is put in place first.	Concerns noted and addressed
029.1	First Gas Ltd, P Unkovich	Gas Infrastructure, planning maps	Support with amendment	<p>Firstgas seeks that a 'pipeline corridor' be provided for within the District Plan and shown on associated planning maps, which requires any increase of residential intensity, change of use to a sensitive activity and/or subdivision of site to consult with Firstgas to ensure that the activity does not result in any adverse effects on pipeline safety, integrity and continued operation of the pipeline. Firstgas seek the corridor to have dimensions of 120 metres (60m either side) of the transmission gas pipeline.</p> <p>Consultation (at no cost to consulting parties) would ensure that Firstgas are able to provide technical expertise early in residential and land developments to assess whether proposed developments present a risk to gas pipelines which may threaten the safety of people, property and the pipeline.</p> <p>It should be noted that Firstgas is not intending to prohibit development within the proposed pipeline corridor, and there may be situations where development is appropriate, for example, if the pipe is actually smaller or operating at a lower pressure and/or if appropriate modifications can be made to the pipeline to minimise any identified risk – the pipeline corridor is a trigger to begin discussions with the party to ensure practicable steps are taken early to minimise risk.</p> <p>Firstgas also seeks that specific use and reference to the terminology of 'qualifying matters'</p>	Reject

**Plan Change 5 - "Right Homes, Right Place" - Medium Density Housing**  
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				is enabled within PC5 (Plan Change 5), to ensure consistency with NPS-UD (national policy statement on Urban Development) and to promote greater awareness of location of gas networks and safety considerations.	
FS13.9	Kāinga Ora	Submission points 029.1	Oppose	Disallow submission	Accept
036.3	C Hames	Infrastructure.	Not stated	Does not believe infrastructure can cope with 3 storey houses/apartments.	Concerns noted and addressed.
053.3	Landsdale Development	Infrastructure	Support with amendment	Commitment to service upgrades as necessary to affect Plan Change 5.	Reject
057.2	R I Lyndon	Infrastructure	Oppose	The effect of increasing residential development on infrastructure.	Concerns noted and addressed.
067.2	G Neill	Infrastructure	Not stated.	Existing infrastructure issues to be dealt with - Multiple and regular water leaks, Sewer, Water restrictions,	Concerns noted and addressed.
FS06.2	G Neill	Submission points 067.2	Support	I seek the whole of the submission be allowed.	Concerns noted and addressed
078.4	J Price	Wastewater Infrastructure	Not stated	Concern whether the infrastructure regarding wastewater could affect her property.	Concerns noted and addressed
FS02.4	J Price	Submission points 078.4	Support	Allow	Concerns noted and addressed
095.1	M Sivewright	Infrastructure	Support in part	Will the existing services meet these increased demands, if not what plans are in place to meet the increased demands that will be needed	Concerns noted and addressed.
095.4	M Sivewright	Infrastructure	Not stated	With all these changes and the effect it has on present services how is the Council going to meet the costs to any upgrade required due to the plan change	Concerns noted and addressed.
108.3	I J Wakefield	Infrastructure	Not Stated.	Will the aging amenities in the area cope with more housing	Concerns noted and addressed.
114.3	AM & A Wilson	Infrastructure	Not stated	Consideration should be given to the need for increased or updated infrastructure.	Concerns noted and addressed.
121.2	J Barnden	Infrastructure	Not stated.	The existing sewage infrastructure struggles to cope in heavy rain and would be severely compromised having to cater for multiple new dwellings.	Concerns noted and addressed.
122.5	C Blackberry	Infrastructure	Not stated.	Drainage, and current wastewater issues. Who pays when all this intensive development is done for the extra drainage needed in the neighbouring areas.	Concerns noted and addressed
133.8	J Jackson	Infrastructure / services / amenities	Not stated.	Hastings needs to catch up with the infrastructure and services we need.	Concerns noted and addressed
145.3	P Tucker	Effects on infrastructure	Not stated.	The number of dwellings on this limited size will impact considerably on sewerage overload in	Concerns noted and addressed

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				the area where currently in excessive weather conditions it is currently does not cope with excessive overflow into the street.	
148.9	L Watson	Infrastructure	Not stated.	Storm Water runoff - intensification is significant - if you intensify you run the risk of increasing the flood risk to my property which ultimately could see my house as uninsurable.	Concerns noted and addressed.

**2. ANALYSIS**

2.1 The purpose of this analysis is to address submissions received in relation to infrastructure constraints and the effect of or the ability to manage the additional infrastructure requirements needed to service medium density housing. A total of 19 submission points were received which includes three further submissions. One submission, from First Gas (029.1) was specific in wanting protection of their network utility service.

**SUBMISSION POINT 029.1 (FIRST GAS LTD)**

2.2 **Submission point 029.1 (First Gas Ltd)** is requesting the mapping of a 120m gas pipeline corridor so that any medium density residential development within the corridor and likely to impact on their utility would need to consult with First Gas. The purpose of Plan Change 5 is to enable medium density residential development to occur within the identified areas of Hastings, Flaxmere and Havelock North. This request from First Gas is considered excessive and is considered to be outside the scope of PC5. Further to this, the notice of requirement process could be used by First Gas to implement their request. This process is covered by Kāinga Ora’s further submission in opposition to the request from First Gas.

2.3 **Further submission FS13.9 (Kāinga Ora)** opposes First Gas’ submission noting that the proposal is excessive, and that First Gas should be using the notice of requirement process to implement a buffer corridor.

2.4 Given that the request of First Gas is out of scope of Plan Change 5, it is recommended that the submission of First Gas is rejected and the submission of Kāinga Ora in opposition to First Gas’ submission is accepted for the reasons covered.

**SUBMISSION POINTS 012.5 (G CAMPBELL), 036.6 (C HAMES), 057.2 (R LYNDON), 067.2 & FS06.2 (G NEILL), 078.4 & FS02.4 (J PRICE), 095.1 & 095.4 (M SIVEWRIGHT), 108.3 (I WAKEFIELD), 114.3 (A-M & A WILSON), 121.2 (J BARNDEN), 122.5 (C BLACKBERRY), 133.8 (J JACKSON), 145.3 (P TUCKER) and 148.9 (L WATSON)**

2.5 Submission and further submission points **012.5 (G Campbell), 036.6 (C Hames), 057.2 (R Lyndon), 067.2 & FS06.2 (G Neil), 078.4 & FS02.4 (J Price), 095.1 & 095.4 (M Sivewright), 108.3 (I Wakefield), 114.3 (A-M & A Wilson), 121.2 (J Barnden), 122.5 (C Blackberry), 133.8 (J Jackson), 145.3 (P Tucker) and 148.9 (L Watson)** have questioned the infrastructure serving these medium density residential developments and their ability to be serviced. The Council’s Program Manager Growth Infrastructure has made the following comments in respect of infrastructure provision to facilitate PC5:

*The Infrastructure Constraints Report (May 2023) identifies significant wastewater capacity limitations across the Hastings urban area and Council is currently progressing with major capacity upgrade projects to address deficiencies at a network wide level.*

*This programme of works has also been prioritised to provide capacity to areas that Council has identified for intensification in a staged approach with 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 LTP and beyond to support growth over the longer term and progressively unlock capacity in areas where further intensification is anticipated.*

*This programme has been developed to ensure that significant investment in wastewater can be implemented strategically over time to meet our immediate and future growth demands in a more planned and co-ordinated way. Increasing capacity in targeted residential zones in Hastings, Havelock North and Flaxmere ensures investment is aligned with Council's growth strategy rather than reacting in an ad-hoc and inefficient manner to growth pressures across all parts of the city.*

*The wastewater upgrades will support Plan Change 5 in terms of enabling residential intensification and assuring infrastructure capacity within the Medium Density Residential Zone areas. This will mean that in the Medium Density Residential Zone, the requirement to confirm infrastructure capacity through a certification process is not needed and infrastructure capacity can form part of the overall assessment of the application through the resource consent process.*

- 2.6 The management and coordination of development alongside planned infrastructure upgrades is therefore necessary for Plan Change 5 and the Medium Density Strategy to be successfully implemented. Further, through the resource consent process, the assessment criteria for the construction of three or more dwellings will ensure consideration of infrastructure servicing. The assessment criteria include the following matters relating to infrastructure provision:
- Whether there will be sufficient infrastructure capacity to service the development at the time of connection to HDC's infrastructure network (water, wastewater, stormwater and roading network).
  - Whether there will be any adverse impacts on public health and safety on the operation of the network from the proposed development; and/or
  - Whether the design and/or upgrading of any existing systems can ensure any adverse impacts are mitigated to a sufficient extent prior to development occurring.
- 2.7 These matters are considered sufficient to ensure infrastructure capacity and capability to service medium density housing development without impacting on the existing environment.
- 2.8 By planning and coordinating infrastructure provision to the medium density residential zone Council is fulfilling its requirement to meet the NPSUD requirements while ensuring public health and wellbeing are maintained through the provision of sufficient infrastructure.
- 2.9 Given these areas will be adequately serviced, it is considered that the submission concerns from submission points **012.5 (G Campbell)**, **036.6 (C Hames)**, **057.2 (R**

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Lyndon), 067.2 & FS06.2 (G Neil), 078.4 & FS02.4 (J Price), 095.1 & 095.4 (M Sivewright), 108.3 (I Wakefield), 114.3 (A-M & A Wilson), 121.2 (J Barnden), 122.5 (C Blackberry), 133.8 (J Jackson), 145.3 (P Tucker) and 148.9 (L Watson) have been noted and addressed.

**SUBMISSION POINT 053.3 (LANDSDALE DEVELOPMENT)**

- 2.10 **Submission point 053.3 (Landsdale Development)** supports in part that services (in particular) be of a standard to support/match intensification in a manner that considers existing, under construction and future housing. For example, Landsdale believe that consideration be given to managing backwater/tailwater in respect of the Brookvale Structure plan area. In doing so this will allow or further intensification in line with the mandate expressed through the NPS-UD and reflect the development constraints that have been placed on greenfield land through the introduction of the NPS-HPL.
- 2.11 This submission point has been considered by Councils 3 waters Growth Manager and Program Manager Growth Infrastructure who state:
- The Brookvale Structure Plan area has been designed with the existing impediments in relation to potential flooding from backwater / tailwater in mind. The District Plan and structure plan allows a level of development where these potential impacts can be adequately mitigated and managed. Allowing for further intensification of this area now, after the rezoning process has occurred and infrastructure concept design has been completed is difficult.*
- The management of backwater / tailwater from the Karitūwhenua and Karamū Streams is a complex issue with the ultimate boundary condition and defining control point being the Karamū Stream. While the Council has committed to undertake modelling work to better understand these issues in this area, it is highly likely that this work will not provide immediate solutions. This issue is not one that HDC (Hastings District Council) can resolve on its own, particularly in the case of the Karamū Stream, given that the Karamū Stream falls within the Hawkes Bay Regional Council's control.*
- This issue requires a long-term solution and should be discussed through the review of the Heretaunga Plains Flood Control and Drainage Scheme work that is being undertaken in response to the impacts of Cyclone Gabrielle. If further intensification is to occur in this area there needs to be a commitment from all parties – that is developers, HDC and Hawkes Bay Regional Council - to contribute to the necessary mitigation and flood control measures.*
- However, this does not preclude land developers from undertaking their own investigations to identify alternative solutions that could mitigate effects to an extent that further intensification can be accommodated at Brookvale.*
- 2.12 For the reasons covered above, it is recommended that submission point 053.3 (Landsdale Development) is rejected.

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**3. RECOMMENDATIONS**

3.1 **That the submission point 029.1 (FirstGas) requesting that a 120m wide gas pipeline corridor be shown on the planning maps to require medium density development planned within the corridor to consult with FirstGas be rejected.**

3.1.2 That as a consequence of submission point 029.1 (FirstGas) above, the further submission point **FS09.2 from Kāinga Ora, be accepted.**

3.1.3 Reason:

- a. The request from FirstGas is out of scope of PC5 as the purpose of this plan change is to provide a rule framework that enables residential intensification within the urban areas of Hastings, Havelock North and Flaxmere.

3.2 **The submission concerns raised by submitters G Campbell (12.5), C Hames (036.6), R Lyndon (057.2), G Neill (067.2), FS06.2 (Greg Neil), 078.4 (J Price), FS02.4 (J Price), M Sivewright (095.1 and 095.4), I Wakefield (108.3), AM & A Wilson (114.3), J Barnden (121.2), C Blackberry (122.5), J Jackson (133.8), P Tucker (145.3) and L Watson (148.9) have been noted and addressed.**

3.2.1 Reasons:

- a. The infrastructure concerns raised by submitters will be addressed through the wastewater capacity upgrade works currently be undertaken.
- b. The programme of infrastructure works planned and budgeted for within the 2024 LTP will support growth over the longer term to ensure infrastructure capacity for residential intensification in the identified areas is sufficient.

3.3 **That the submission point 053.3 (Landsdale Development) be rejected.**

3.3.1 Reason:

- a. Plan Change 5 is not the process to ensure address infrastructure issues and provide additional services to enable the further intensification of the Brookvale structure plan area.

## TOPIC 6, KEY ISSUE 4 – SECTION 33.1 DEFINITIONS

### 1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
007.2	Bay Planning, A Francis	Definition of 'Home Business'	Support with amendment	Amend / clarify definition of 'home business'.	Accept in part (See Topic 3, Key Issue 2, part 3.0 MRZ-R5 for analysis)
007.34	Bay Planning, A Francis	Definition of 'Comprehensive Residential Development'	Support	Support	Accept in part
007.35	Bay Planning, A Francis	'Outlook Space'	Support with amendment	Provide a definition of 'outlook space'.	Reject
FS13.40	Kāinga Ora	Submission point 007.35	Oppose	Disallow submission	Accept
026.8	A Elgie	'Main Living Area / Space'	Support with amendment	Provide a definition of 'main living area or space'	Reject
029.2	First Gas Ltd, P Unkovich	'Transmission Gas Pipeline'	Support with amendment	Amend to include the following definition in the District Plan:  <a href="#">Transmission Gas Pipeline: main high-pressure pipelines with a nominal operating pressure 2000kPa and above</a>	Reject
050.149	Kāinga Ora	'Accessory Building' and 'Accessory Building (in the Medium Density Residential Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Accessory Building (in the Medium Density Residential Zone):</b> means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.	Reject
FS08.12	Waka Kotahi, New Zealand Transport Agency	Submission point 050.149	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.155	Development Nous	Submission point 050.149	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
FS19.175	Residents of Kaiapo Road etc	Submission point 050.149	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
050.150	Kāinga Ora	'Allotment'	Support in part	Amendment sought:	Accept

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				<b>Allotment</b> ( <del>in the Medium Density Residential Zone</del> ): has the same meaning as in section 128 of the RMA (as set out below) ...	
FS08.13	Waka Kotahi, New Zealand Transport Agency	Submission point 050.150	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept
FS11.156	Development Nous	Submission point 050.150	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
FS19.176	Residents of Kaiapo Road etc	Submission point 050.150	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
050.151	Kāinga Ora	'Ancillary Activity'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Ancillary Activity</b> ( <del>in the Medium Density Residential Zone</del> ): means an activity that supports and is subsidiary to a primary activity.	Accept
FS08.14	Waka Kotahi, New Zealand Transport Agency	Submission point 050.151	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept
FS11.157	Development Nous	Submission point 050.151	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
FS19.177	Residents of Kaiapo Road etc	Submission point 050.151	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
050.152	Kāinga Ora	'Building' and 'Building (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Building</b> ( <del>in the Medium Density Residential Zone</del> ): means a temporary or permanent movable or immovable physical construction that is:  1. partially or fully roofed, and 2. fixed or located on or in land; but excludes any motorised vehicle or other mode of	Reject



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				transport that could be moved under its own power.	
FS08.15	Waka Kotahi, New Zealand Transport Agency	Submission point 050.152	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.158	Development Nous	Submission point 050.152	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
FS19.178	Residents of Kaiapo Road etc	Submission point 050.152	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
050.153	Kāinga Ora	'Building Coverage' and 'Building Coverage (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Building Coverage</b> ( <del>in the Medium Density Residential Zone</del> ): means the percentage of the net site area covered by the building footprint.	Reject
FS08.16	Waka Kotahi, New Zealand Transport Agency	Submission point 050.153	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.159	Development Nous	Submission point 050.153	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
FS19.179	Residents of Kaiapo Road etc	Submission point 050.153	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
050.154	Kāinga Ora	'Building Footprint' and 'Building Footprint (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Building Footprint</b> ( <del>in the Medium Density Residential Zone</del> ): means in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.	Accept
FS08.17	Waka Kotahi, New Zealand	Submission point 050.154	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept

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	Transport Agency				
FS11.160	Development Nous	Submission point 050.154	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
FS19.180	Residents of Kaiapo Road etc	Submission point 050.154	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
050.155	Kāinga Ora	'Commercial Activity' and 'Commercial Activity (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Commercial Activity</b> ( <del>in the Medium Density Residential Zone</del> ); means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).	Reject
FS08.18	Waka Kotahi, New Zealand Transport Agency	Submission point 050.155	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.161	Development Nous	Submission point 050.155	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
FS19.181	Residents of Kaiapo Road etc	Submission point 050.155	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
050.156	Kāinga Ora	'Comprehensive Residential Development'	Oppose	Delete definition.	Reject
FS03.21	Oceania Healthcare Limited	Submission point 050.156	Oppose	Disallow the submission.	Accept
FS11.162	Development Nous	Submission point 050.156	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.	Support in part
FS19.182	Residents of Kaiapo Road etc	Submission point 050.156	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

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050.157	Kāinga Ora	'Educational Facility' and 'Educational Facility (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  Educational Facility ( <del>in the Medium Density Residential Zone</del> ): means land or buildings used for teaching or training by childcare services, schools, and tertiary education services, including any ancillary activities.	Reject
FS08.19	Waka Kotahi, New Zealand Transport Agency	Submission point 050.157	Support	Waka Kotahi, New Zealand Transport Agency sees the submission be allowed.	Reject
FS11.163	Development Nous	Submission point 050.157	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
FS19.183	Residents of Kaiapo Road etc	Submission point 050.157	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
050.158	Kāinga Ora	'Ground level' and 'Ground level (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition: Ground Level ( <del>in the Medium Density Residential Zone</del> ): means – a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created); b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground; c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.	Reject
FS08.20	Waka Kotahi, New Zealand Transport Agency	Submission point 050.158	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.164	Development Nous	Submission point 050.158	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 Nous' submission.	
FS19.184	Residents of Kaiapo Road etc	Submission point 050.158	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
050.159	Kāinga Ora	'Habitable Space' and 'Habitable Room'	Support in part	Delete definition for 'Habitable Space'.	Reject
FS08.21	Waka Kotahi, New Zealand Transport Agency	Submission point 050.159	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.165	Development Nous	Submission point 050.159	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
FS19.185	Residents of Kaiapo Road etc	Submission point 050.159	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
050.160	Kāinga Ora	'Height'	Support in part	Amendment sought: <b>Height (in the Medium Density Residential Zone):</b> means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.	Reject
FS08.22	Waka Kotahi, New Zealand Transport Agency	Submission point 050.160	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.166	Development Nous	Submission point 050.160	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
FS19.186	Residents of Kaiapo Road etc	Submission point 050.160	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
050.161	Kāinga Ora	'Height in Relation to Boundary'	Support in part	Amendment sought: <b>Height in Relation to Boundary (in the Medium Density Residential Zone):</b> means the height of a structure, building or feature, relative to its distance from either the boundary of: a. site; or b. another specified reference point.	Reject

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FS08.23	Waka Kotahi, New Zealand Transport Agency	Submission point 050.160	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.167	Development Nous	Submission point 050.160	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
FS19.187	Residents of Kaiapo Road etc	Submission point 050.160	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
050.162	Kāinga Ora	'Height of a Building'	Oppose	Delete definition	Reject
FS08.24	Waka Kotahi, New Zealand Transport Agency	Submission point 050.162	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.168	Development Nous	Submission point 050.162	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
FS19.188	Residents of Kaiapo Road etc	Submission point 050.162	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
050.163	Kāinga Ora	'Home Business (in the Medium Density Residential Zone)'	Support in part	Amendment sought:  <b>Home Business (in the Medium Density Residential Zone):</b> means a commercial activity that is:  a. undertaken or operated by at least one resident of the site; and  b. incidental to the use of the site for a residential activity.	Accept
FS08.25	Waka Kotahi, New Zealand Transport Agency	Submission point 050.163	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept
FS11.169	Development Nous	Submission point 050.163	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
FS19.189	Residents of Kaiapo Road etc	Submission point 050.163	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	Reject

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				existing communities and residents.	
050.164	Kāinga Ora	<i>'Infill Residential Development'</i>	Oppose	Delete definition	Accept
FS11.170	Development Nous	Submission point 050.164	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
FS19.190	Residents of Kaiapo Road etc	Submission point 050.164	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
050.165	Kāinga Ora	<i>'Infill Residential Development'</i>	Oppose	Delete definition	
FS11.171	Development Nous	Submission point 050.165	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.	
FS19.191	Residents of Kaiapo Road etc	Submission point 050.165	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.	
050.166	Kāinga Ora	<i>'Minor Residential Unit (in the Medium Density Zone)'</i>	Support in part	Amendment sought: <b>Minor Residential Unit</b> ( <del>in the Medium Density Residential Zone</del> ): means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site.	Reject
FS08.26	Waka Kotahi, New Zealand Transport Agency	Submission point 050.166	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.172	Development Nous	Submission point 050.166	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
FS19.192	Residents of Kaiapo Road etc	Submission point 050.166	Oppose	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
050.167	Kāinga Ora	<i>'Net Site Area' and 'Net Site Area (in the</i>	Support in part	Delete and replace existing definition with National Planning Standards definition:	Reject

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		Medium Density Residential Zone)'		<p><b>Net Site Area (<del>In the Medium Density Residential Zone</del>):</b> means the total area of the site but excludes:</p> <ul style="list-style-type: none"> <li>a. any part of the site that provides legal access to another site;</li> <li>b. any part of a rear site that provides legal access to that site;</li> </ul> <p>any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</p>	
FS08.27	Waka Kotahi, New Zealand Transport Agency	Submission point 050.167	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission by allowed.	Reject
FS11.173	Development Nous	Submission point 050.167	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
FS19.193	Residents of Kaiapo Road etc	Submission point 050.167	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
050.168	Kāinga Ora	'Outdoor Living Space' and 'Outdoor Living Space (in the Medium Density Residential Zone)'	Support in part	<p>Delete and replace existing definition with National Planning Standards definition:</p> <p><b>Outdoor Living Space (<del>In the Medium Density Residential Zone</del>):</b> means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.</p>	Reject
FS08.28	Waka Kotahi, New Zealand Transport Agency	Submission point 050.168	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.174	Development Nous	Submission point 050.168	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
FS19.194	Residents of Kaiapo Road etc	Submission point 050.168	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

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050.169	Kāinga Ora	'Residential Activity' and 'Residential Activity (in the Medium Density Residential Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Residential Activity (in the Medium Density Residential Zone):</b> means the use of land and building(s) for people's living accommodation.	Reject
FS08.29	Waka Kotahi, New Zealand Transport Agency	Submission point 050.169	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Reject
FS11.175	Development Nous	Submission point 050.169	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
FS19.195	Residents of Kaiapo Road etc	Submission point 050.169	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
119.7	Ara Poutama Department of Corrections	Residential Building and Residential Unit	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Residential Unit (in the Medium Density Residential Zone):</b> means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.	Accept
050.170	Kāinga Ora	'Residential Building' and 'Residential Building (in the Medium Density Residential Zones)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Residential Unit (in the Medium Density Residential Zone):</b> means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.	Accept
FS08.30	Waka Kotahi, New Zealand Transport Agency	Submission point 050.170	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept
FS10.1	Ara Poutama, Department of Corrections	Submission point 050.170	Support	Amend the definition of 'residential activity' as sought by Kāinga Ora	Accept
FS11.176	Development Nous	Submission point 050.170	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 Nous' submission.	
FS19.196	Residents of Kaiapo Road etc	Submission point 050.170	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
050.171	Kāinga Ora	'Residential Zones'	Support	Retain as notified.	Accept
FS10.2	Ara Poutama, Department of Corrections	Submission point 050.171	Support with amendment	Amend the definition of "residential activity" as sought by Kāinga Ora, and include a definition of "household" as follows:  <u>Household: means a person or group of people who live together as a unit whether or not:</u> a. <u>any or all of them are members of the same family; or</u> b. <u>one or more members of the group (whether or not they are paid) receives day-to-day care, support and/or supervision.</u>	Accept in part
FS11.177	Development Nous	Submission point 050.171	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
FS19.197	Residents of Kaiapo Road etc	Submission point 050.171	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
050.172	Kāinga Ora	'Retirement Village' and 'Retirement Village (in the Medium Density Residential Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Retirement Village (in the Medium Density Residential Zone):</b> means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.	Accept
FS03.7	Oceania Healthcare Limited	Submission point 050.172	Support	Allow the submission	Accept

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FS11.178	Development Nours	Submission point 050.172	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
FS17.5	Retirement Villages Association	Submission point 050.172	Support	Allow the submission point.	Accept
FS18.5	Ryman Healthcare Ltd	Submission point 050.172	Support	Allow the submission point.	Accept
FS19.198	Residents of Kaiapo Road etc	Submission point 050.172	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
050.173	Kāinga Ora	'Site' and 'Site (in the Medium Density Residential Zone'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Site (in the Medium Density Residential Zone):</b> means  a. an area of land comprised in a single record of title under the Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately within the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or  despite paragraphs a to c, in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.	Accept
FS11.179	Development Nours	Submission point 050.173	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
FS19.199	Residents of Kaiapo Road etc	Submission point 050.173	Oppose all	We seek the whole of the KO submission be disallowed, as the	Reject

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				requests are far too broad and far reaching. Resulting in severely adversely affecting existing communities and residents.	
050.174	Kāinga Ora	'Visitor Accommodation' and 'Visitor Accommodation (in the Medium Density Zone)'	Support in part	Delete and replace existing definition with National Planning Standards definition:  <b>Visitor Accommodation (in the Medium Density Residential Zone):</b> means land and/or buildings used for accommodating visitors, subject to a tariff being paid and includes any ancillary activities.	Reject
FS11.180	Development Nous	Submission point 050.174	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
FS19.200	Residents of Kaiapo Road etc	Submission point 050.174	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
065.1	Ministry of Education, A Dibley	Section 31.1.1 - 'Educational Facility' and 'Educational Facility (in the Medium Density Residential Zone)'	Support in part	<del><b>Educational Facility:</b> means land and/or buildings used to provide regular instruction or training in accordance with a systematic curriculum by suitably qualified instructors, and includes schools, technical institutes, teacher's colleges and universities, kura kaupapa (primary school) and kura Māori (secondary school) and their ancillary administrative, cultural, health, retail and communal facilities, but does not include Early Childhood Centres.</del>  <b>Educational Facility (in the Medium Density Residential Zone):</b> means land or buildings used for teaching or training by childcare services, schools, and tertiary education services, including any ancillary activities.	Reject
081.1	Retirement Villages Association of NZ	Definition for 'Comprehensive Residential Development'	Support in part	Remove retirement villages from the definition of comprehensive residential development.	Accept
FS03.1	Oceania Healthcare Ltd	Submission point 081.1	Support	Allow the submission.	Accept
081.2	Retirement Villages Association of NZ	Definition of 'Retirement Village'	Support in part	Remove the reference to the Medium Density Residential Zone from the National Planning standard for Retirement Village.	Accept

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

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FS03.2	Oceania Healthcare Ltd	Submission point 081.2	Support	Allow the submission.	Accept
085.2	Ryman Healthcare Limited	Definition for 'Comprehensive Residential Development'	Support in part	Remove retirement villages from the definition of comprehensive residential development.	
085.3	Ryman Healthcare Limited	Definition of 'Retirement Village'	Support in part	Remove the reference to the Medium Density Residential Zone from the National Planning standard for Retirement Village.	
107.2	Waka Kotahi	Definitions – all	Support in part	Support subject to various amendments to the definitions section to be consistent with the NPS-UD definitions including (but not limited to) the following NPS-UD definitions:  <ul style="list-style-type: none"> <li>- well-functioning urban environment</li> <li>- active transport</li> <li>- additional infrastructure</li> <li>- community services</li> <li>- development capacity</li> <li>- development infrastructure</li> <li>- infrastructure ready</li> <li>- plan-enabled</li> <li>- public transport</li> </ul>	Accept in part
FS11.189	Development Nous	Submission point 107.2	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
FS13.3	Kāinga Ora	Submission point 107.2	Support in part	Allow submission.	Accept in part
119.2	Ara Poutama, Department of Corrections	New Definition – 'Community Corrections Activity'	Support with amendment	<u>Community Corrections Activity</u> : means the use of land and buildings for non-custodial services for safety, welfare, and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.	Reject
119.2	Ara Poutama, Department of Corrections	New Definition – 'Household'	Support with amendment	<u>Household</u> : 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).	Reject

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

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119.3	Ara Poutama, Department of Corrections	Definitions – 'Residential Activity'	Support with amendment	<p>1. Delete the operative definition of "residential activity" in the HDP.</p> <p><del>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.</del></p> <p>2. Amend the proposed PC5 definition of "residential activity" as follows:</p> <p>Residential Activity (in the Medium Density Residential Zone): means the use of land and building(s) for people's living accommodation.</p> <p>3. Consequential amendments to give effect to this relief</p>	Reject
134.2	McFlynn Surveying and Planning	Definitions / Use of Terms – 'Comprehensive Residential Development'	Oppose	Replace all occurrences of 'comprehensive residential development' with 'multi-unit development'.	Reject
FS027.2	J Jackson	Submission point 134.2	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.3	P Rawle	Submission point 134.2	Support	Seek these parts of the submission to be allowed.	Reject

## 2. ANALYSIS

### 2.1 National Planning Standards

2.1.1 There have been multiple submissions on the need to apply the National Planning Standards definitions across all zones within the District Plan through PC5 rather than limiting these to the MDRZ. If these definitions were to apply to all zones across the District Plan, it must be recognised that such amendments, may have consequences greater than those proposed through PC5 itself. This is certainly the case with National Planning Standards definitions, where the majority of the definitions apply to a greater range of activities than that amended by PC5. Given this, there is a need to be cautious when amending any definition that might apply to areas outside of PC5. This was the reason, the definitions were limited to only the Medium Density Residential Zone, thus ensuring no unintended crossovers with other parts of the Plan.

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2.1.2 Nevertheless, it is recognised that the National Planning Standard definitions will need to be incorporated into the Plan by August 2026, and it would be prudent to incorporate these definitions into the Plan at the earliest possible stage where we are comfortable it will not create undesired impacts on other parts of the plan. As such, the analysis for submissions proposed to be amended to National Planning Standards, will be grouped into two parts. First, those definitions that are already part of other legal documents (such as those already defined through the RMA) and definitions that only require minor amendments to align with National Planning Standards, and thus have little risk to the application of the remainder of the plan. Second, those which will lead to significant changes to the existing District Plan definition, and which are considered to need further analysis and work to ensure no unintended consequences occur due to the amendments requested, as well as being potentially out of scope for this plan change (due to the changes to other sections of the Plan)

**2.2 SUBMISSION POINTS 050.150, 050.151, 050.154, 050.163, 050.168, 050.170, 050.172, 050.173 (KAINGA ORA), 081.2 (RETIREMENT VILLAGES ASSOCIATION OF NZ), 085.3 (RYMAN HEALTHCARE LIMITED) and FURTHER SUBMISSION POINTS FS03.2, FS03.7 (OCEANIA HEALTHCARE LIMITED) FS08.13, FS08.14, FS08.17, FS08.25, FS08.28, FS08.30 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS10.1, FS10.2 (ARA POUTAMA, DEPARTMENT OF CORRECTIONS) FS11.156, FS11.157, FS11.160, FS11.169, FS11.174, FS11.176, FS11.178, FS11.179 (DEVELOPMENT NOUS), FS17.5 (RETIREMENT VILLAGES ASSOCIATION), FS18.5 (RYMAN HEALTHCARE LTD), FS19.176, FS19.177, FS19.180, FS19.189, FS19.194, FS19.196, FS19.198, FS19.199 (RESIDENTS OF KAIAPO ROAD ETC).**

2.2.1 The submissions of Kāinga Ora listed above have all requested amendments to these National Planning Standard definitions, which as notified only applied to the Medium Density Residential Zone, to apply across the entire District Plan. Upon review, it is considered that the amendments to the operative plan definitions so that they align with the National Planning Standard definitions will make no material difference to their understanding. There is little risk that it will alter the use of the remainder of the Plan through the changes. As such we are comfortable the amendments can occur across the Plan and are supported through PC5. \*Note the further submission of Ara Poutama Aotearoa relating to the inclusion of the definition of 'household' will be dealt with in the definition submission analysis further below.

## **RECOMMENDATIONS**

2.2.2 That the submission points **050.150, 050.151, 050.154, 050.163, 050.168, 050.170, 050.172, 050.173 (Kāinga Ora)** requesting that the definitions of 'Allotment', 'Ancillary Activity', 'Building Footprint', 'Home Business', 'Outdoor Living Space', 'Residential Unit', 'Retirement Village' and 'Site', be amended to apply across the Plan, **be accepted** insofar as the part of each definition stating (in the Medium Density Residential Zone) shall be removed. That as a consequence of this recommendation the existing operative definitions of 'Allotment', 'Ancillary Activity', 'Building Footprint', 'Home Business', 'Outdoor Living Space', 'Residential Building', 'Retirement Village' and 'Site' shall be removed.

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- 2.2.3 That the further submission points **FS08.13, FS08.14, FS08.17, FS08.25, FS08.28, FS08.30 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission points of Kāinga Ora, **be accepted.**
- 2.2.4 That the further submission points **FS11.156, FS11.157, FS11.160, FS11.169, FS11.174, FS11.176, FS11.178, FS11.179 (Development Nous)** supporting the submission points of Kāinga Ora, **be accepted.**
- 2.2.5 That the further submission points **FS19.176, FS19.177, FS19.180, FS19.189, FS19.194, FS19.196, FS19.198, FS19.199 (Residents of Kaiapo Road etc)** opposing the submission points of Kāinga Ora **be rejected.**
- 2.2.6 That the submission point **119.7 (Ara Poutama - Department of Corrections)** requesting the definition of Residential Unit be amended to apply across the Plan, **be accepted** insofar as the part of each definition stating (in the Medium Density Residential Zone) shall be removed. That as a consequence of this recommendation the existing operative definition of ‘*Residential Building*’,
- 2.2.7 That the submission points **081.2 (Retirement Village Association of NZ) and 085.3 (Ryman Healthcare Limited)** requesting that the definition of ‘*Retirement Village*’ be amended to apply across the Plan, **be accepted** insofar as that part of the definition stating (in the Medium Density Residential Zone) shall be removed.
- 2.2.8 That the further submission point **FS03.2 (Oceania Healthcare Limited)** supporting the submission points of Retirement Village Association of NZ **be accepted.**
- 2.2.9 Reason:
- a. That the utilisation of National Planning Standards definitions will have no material change to the remainder of the operative plan. Thus, I am comfortable allowing these definitions to be applied plan wide as I consider it will have no effect on parts of the Plan not proposed to change under PC5.

- 2.3 **SUBMISSION POINTS 050.149, 050.152, 050.153, 050.155, 050.157, 050.158, 050.160, 050.161, 050.162, 050.166, 050.167, 050.169, 050.174 (KĀINGA ORA), 065.1 (MINISTRY OF EDUCATION), 119.3 (ARA POUTAMA, DEPARTMENT OF CORRECTIONS) and FURTHER SUBMISSION POINTS FS08.12, FS08.15, FS08.16, FS08.18, FS08.19, FS08.20, FS08.22, FS08.23, FS08.24, FS08.26, FS08.27, FS08.28, FS08.29 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS10.1 (ARA POUTAMA, DEPARTMENT OF CORRECTIONS) FS11.155, FS11.158, FS11.159, FS11.161, FS11.163, FS11.164, FS11.166, FS11.167, FS11.168, FS11.172, FS11.173, FS11.174, FS11.175, FS11.180 (DEVELOPMENT NOUS), FS19.175, FS19.178, FS19.179, FS19.181, FS19.183, FS19.184, FS19.186, FS19.187, FS19.188, FS19.192, FS19.193, FS19.194, FS19.195, FS19.200 (RESIDENTS OF KAIAPO ROAD ETC)**

#### ANALYSIS

- 2.3.1 The following definitions are not supported for application across the Plan for the following Reasons:
- 2.3.2 **Accessory Building:** We have yet to determine what impacts the change in wording around the need for accessory buildings to be ‘detached’ under the National Planning Standards will have. While it is anticipated this wording change will have minimal

impacts, we believe it preferable to consider this as part of the wider plan change to apply r the National Planning Standards.

- 2.3.3 **Building:** The HDC definition has a number of additional inclusions, such as tanks and pools, which the National Planning Standard does not. While clearly the new definition is more succinct, we have not fully examined the impacts the change will make across the plan for bulk and location effects and consider this definition should be confined to only applying to the Medium Density Residential Zone until the remainder of the effects can be reviewed.
- 2.3.4 **Building Coverage:** The HDC definition currently includes the following *'including overhanging or cantilevered parts of buildings (including any part of the eaves and/or spouting projecting more than 0.6 metres measured horizontally from the exterior wall).'* This difference is significant compared to the National Planning Standards which solely relates to the building footprint. As yet, we have not reviewed the Plan to understand what the amendment to cantilever requirements will have to building coverage. It is important to understand this, as it may have a dramatic effect on both amenity and stormwater controls if we are allowing (or disallowing) the additional coverage created by the overhang. Also note that there is a strong correlation with the application of the building footprint definition regarding what is and is not included under each definition.
- 2.3.5 **Commercial Activity:** The definition of Commercial Activity is largely the same between the District Plan and the National Planning Standards apart from the exemption of Helicopter depots. While this amendment is relatively minor, it was incorporated into the District Plan through submission as part of the 2003 review. There has not been specific assessment as to the exclusion of helicopter depots and how this should be incorporated into the Plan elsewhere. As such it is considered the amendments requested to the definition of Commercial Activity should be rejected.
- 2.3.6 **Educational Facilities:** The inclusions of *'Educational Facilities'* have been requested by both the Ministry of Education and Kāinga Ora. While overall it is agreed that a unified definition makes sense across District Plan, the amendments alter the activity status of childcare facilities. Presently childcare is separated out from other educational facilities in the District Plan, we do not have a complete understanding as to whether including childcare facilities within this definition will make material difference to the provisions in the remainder of the Plan, as such it is not recommend that this definition apply across the Plan.
- 2.3.7 **Ground Level:** While these definitions are very similar, it is considered more work needs to be done around whether the amendments will affect ground level when it is changed by permitted earthworks. While it is considered relatively low risk, it is considered a greater level of analysis should be undertaken before this definition amendment is applied across the Plan.
- 2.3.8 **Height (height of a building):** The definition in the Hastings District Plan provides a number of exemptions for aspects of a building that do not apply to the height, such as chimneys and dormer windows. The national planning standards definition has none of these exemptions. This has the potential to alter how we calculate height of buildings within the district and will likely need the exemptions to apply specifically in the zoning provisions. Given this work has not been a part of the analysis t through PC5 it is considered that this definition should not apply Plan-wide at this stage.



- 2.3.9 **Height in Relation to Boundary:** The existing Plan definition and National Planning Standards definition are very similar, and only differ due to the mention of a 'plane' requirement, as well as how the exemptions apply with the above-mentioned height requirement. While this definition is relatively low risk to be applied Plan-wide, the differences are such that it would benefit on reviewing this in relation to how it effects all planning provisions as part of a full assessment.
- 2.3.10 **Minor Residential Unit (Supplementary Residential Dwelling):** The definition around supplementary residential dwelling was heavily discussed as part of the previous District Plan review, particularly as it relates to the Plains Production Zone. The use of the term '*curtilage*' was incorporated into the definition through the need to ensure it was within close proximity to the primary dwelling. The removal of this terminology would need to be counteracted with a change to the rules and/or standards of the Plains Production zone as part of the National Planning Standards work. As a full assessment of the impacts of these amendments has not yet been undertaken and given that the Plains Production zone is not subject to PC5, it is not appropriate for these amendments to apply plan-wide through PC5.
- 2.3.11 **Net Site Area:** Under the Hastings District Plan, the net site area definition has specific requirements relating to separation by access lots in the Rural Zone. This definition was previously amended to address developments finding a work around to the 5 year lifestyle provision within the Rural Zone. The National Planning Standard definition would remove this specific requirement. Therefore, additional analysis is required to the subdivision section of the plan before the new definition can apply across all sections of the plan, and as such it is strongly recommended the submission to include this definition plan-wide be rejected.
- 2.3.12 **Residential Activity:** Under Variation 7 to the Hastings District Plan, the additional wording of '*seasonal workers accommodation for a maximum of 10 persons per site*' was added to the definition of '*Residential Activity*'. Plan Change 5 has not proposed to amend the provision around workers accommodation and additional work needs be undertaken to support these changes when the National Planning Standards definition is introduced. As such it is not considered this definition should not apply across the plan at this time and the submissions should be rejected.
- 2.3.13 **Visitor Accommodation:** The Hastings District Plan definition introduced the terminology of '*transient accommodation for no more than 50 days in any twelve month period*' in an effort to differentiate '*visitor accommodation*' from '*rental accommodation*' and to incorporate Airbnb style accommodation. The National Planning Standards definition has proposed to remove this requirement. There has not been a full assessment undertaken to understand what changes are needed to amend the accommodation provisions throughout the different zones of the plan and as such it is recommended that this definition does not apply across the plan.

#### **RECOMMENDATIONS**

- 2.3.14 That the submission points **050.149, 050.152, 050.153, 050.155, 050.157, 050.158, 050.160, 050.161, 050.162, 050.166, 050.167, 050.168, 050.169, 050.174 (Kāinga Ora)** requesting that the definitions of '*Accessory Building*', '*Building*', '*Building Coverage*', '*Commercial Activity*', '*Educational Activities*', '*Ground Level*', '*Height (height of a building)*', '*Height in Relation to Boundary*', '*Minor Residential Unit (Supplementary Residential Dwelling)*', '*Net Site Area*', '*Outdoor Living Space*',

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'Residential Activity' and 'Visitor Accommodation' be amended to apply across all sections of the plan, **be rejected.**

- 2.3.15 That the further submission points **FS08.12, FS08.15, FS08.16, FS08.18, FS08.19, FS08.20, FS08.22, FS08.23, FS08.24, FS08.26, FS08.27, FS08.29 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission points of Kāinga Ora, **be rejected.**
- 2.3.16 That the further submission points **FS11.155, FS11.158, FS11.159, FS11.161, FS11.163, FS11.164, FS11.166, FS11.167, FS11.168, FS11.172, FS11.173, FS11.175, FS11.180 (Development Nours)** supporting the submission points of Kāinga Ora, **be rejected.**
- 2.3.17 That the further submission points **FS19.175, FS19.178, FS19.179, FS19.181, FS19.183, FS19.184, FS19.186, FS19.187, FS19.188, FS19.192, FS19.193, , FS19.195, FS19.200 (Residents of Kaiapo Road etc)** opposing the submission points of Kāinga Ora **be accepted.**
- 2.3.18 That the submission point **119.3 (Ara Poutama, Department of Corrections)** requesting the definition of 'Residential Activity' be amended to apply to all sections across the plan, **be rejected.**
- 2.3.19 That the submission point **065.1 (Ministry of Education)** requesting the definition of 'Educational Facility' be amended to apply to all sections across the plan, **be rejected.**
- 2.3.20 Reasons:
- a. That the above submissions have all requested that the National Planning Standard definitions be applied across all sections of the District Plan, rather than just the Medium Density Residential Zone. In considering each definition, they have been found to have potential unintended consequences to other sections of the Plan not proposed to be amended under PC5.
  - b. That it is considered the specific reference to the Medium Density Residential Zone is only a short term solution until such time as the National Planning Standards are implemented into the plan in 2026.

#### **2.4 SUBMISSION POINT 007.2 (BAY PLANNING)**

##### **ANALYSIS**

- 2.4.1 The submission requesting clarification of the definition of 'Home Business' has been previously addressed as part of Topic 3, Key Issue 2. In short, it is considered that food and beverage production and sales would be considered a home occupation (dependent on scale), but manufacturing would not.

##### **RECOMMENDATION**

- 2.4.2 That the submission point **007.2 (Bay Planning)**, requesting clarification of the definition of 'Home Business' be **accepted in part.**
- 2.4.3 Reason:
- a. That the submission point has requested clarification to the definition rather than a specific change.

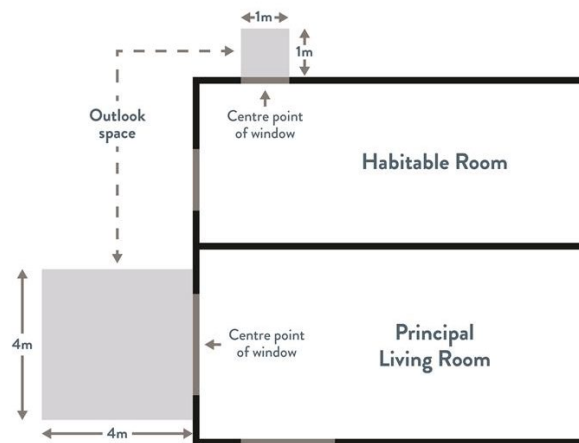
**2.5 SUBMISSION POINT 007.35 (BAY PLANNING), and FURTHER SUBMISSION POINT FS13.40 (KĀINGA ORA)**

**ANALYSIS**

2.5.1 The submitter has requested a definition of 'outlook space'. The standard in 7.2.6E(11) clearly defines the parameters of an 'Outlook Space' as described and demonstrated through the diagram below:

**11. OUTLOOK SPACE**

- a. An outlook space must be provided for each residential unit as follows:
- A principal living room must have an outlook space of minimum dimensions of 4m depth, and 4m width, measured from the centre point of the largest window on the building face to which it applies.
  - All other habitable rooms must have an outlook space with a minimum dimension of 1m width and 1m depth measured from the centre point of the largest window on the building face to which it applies
  - Outlook spaces must be clear and unobstructed by buildings, structures or vehicles.



2.5.2 This has been directly applied from the Resource Management Act, and self-explanatory through the standard. The RMA does not provide any additional definition for 'Outlook Space'. It is not considered that a specific definition will provide any additional clarity to this provision and is not considered necessary as part of PC5. As such it is recommended that this submission point be rejected.

**RECOMMENDATION**

2.5.3 That the submission point **007.35 (Bay Planning)** requesting clarification of the definition of Home Business be rejected.

2.5.4 That the further submission point **FS13.40 (Kāinga Ora)** opposing the submission of Bay Planning, be accepted.

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2.5.5 Reason:

- a. That the 'Outlook Space' standards are taken directly from the MDRS standards for Tier 1 authorities outlined in the RMA, and a definition would not add additional clarity to what is already provided in the standard.

**2.6 SUBMISSION POINT 026.8 (A ELGIE)**

**ANALYSIS**

2.6.1 The submission by **A Elgie (026.8)** has requested that 'main living area or space' be defined to assist with the interpretation of MRZ-S7. As shown below:

- a. A residential unit at ground floor must have an outdoor living space that is at least 30m<sup>2</sup>, with a minimum 4m dimension
- b. A residential unit above ground floor must have an outdoor living space of at least 8m<sup>2</sup>, with a minimum 1.8m dimension
- c. All outdoor living spaces must be **accessible from the main living area of the residential unit; and**
- d. All outdoor living spaces must be north facing i.e. orientated north of east or west.
- e. All outdoor living spaces must be clear of buildings, parking spaces, servicing and manoeuvring areas.

2.6.2 It is difficult to understand the necessity of defining the term 'main living area'. It is considered that there is little room for confusion as to what a main living area is, which would be a lounge, or kitchen dining area. It would be difficult for an applicant to argue that a bedroom or garage is part of the main living area. Therefore, it is considered that defining this term would be superfluous and the submission is recommended to be rejected.

**RECOMMENDATION**

2.6.3 That the submission point **026.8 (A Elgie)** requesting a definition for 'main living area or space' **be rejected**.

2.6.4 Reason:

- a. It is considered that 'main living area' is self-explanatory, and a specific definition would not add additional clarity for this standard.

**2.7 SUBMISSION POINT 029.2 (FIRST GAS LTD, P UNKOVICH)**

**ANALYSIS**

2.7.1 The submission of **First Gas Ltd (029.2)** has requested a definition of 'Transmission Gas Pipeline' in association with the remainder of their submission. As has been previously assessed under Topic 6, Key Issue 3 of the Section 42A Report, the incorporation of a gas pipeline corridor is out of scope for Plan Change 5 and therefore the inclusion of this definition is recommended to be rejected.

**RECOMMENDATION**

2.7.2 That the submission point **029.2 (First Gas Ltd)** requesting a definition for 'Transmission Gas Pipeline' **be rejected**.

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2.7.3 Reason:

- a. As discussed under Topic 6, Key Issue 3 of the Section 42A Report the request for a corridor for a transmission gas pipeline is outside the scope of PC5.

2.8 **SUBMISSION POINT 007.34 (BAY PLANNING), 050.156 (KĀINGA ORA), 081.1 (RETIREMENT VILLAGES ASSOCIATION OF NZ), 085.2 (RYMAN HEALTHCARE LIMITED) and FURTHER SUBMISSION POINTS FS03.1, FS03.21 (OCEANIA HEALTHCARE LTD), FS11.162 (DEVELOPMENT NOUS), FS19.182 (RESIDENTS OF KAIAPO ROAD ETC)**

**ANALYSIS**

- 2.8.1 The submissions above either support or oppose the definition of 'Comprehensive Residential Development'. For reference, the submission is listed below (as notified amendments shown in black underline and strikethrough text):

*Comprehensive Residential Development: means residential development that comprises ~~3~~ 2 or more new or additional principal residential units buildings at a density of 20-40 residential buildings per hectare of land and incorporates an overall integrated design of buildings, infrastructure and landscaping. Comprehensive residential development can occur separately as a land use application or concurrently with a subdivision application.*

*For the avoidance of doubt, retirement villages are considered to be comprehensive residential developments.*

*Note: ~~Comprehensive Residential Developments can include subdivision of the proposed residential buildings, however it is not a requirement.~~*

- 2.8.2 Bay Planning support the definition in its entirety. Kāinga Ora want the definition deleted in line with their submission requesting all references to Comprehensive Residential Development be removed from PC5. The Retirement Villages Association and Ryman Healthcare only request that retirement villages are not considered comprehensive residential developments.
- 2.8.3 In terms of the retention of the overall definition, these has been previously assessed as part of the general approach outlined in section 5 of this report. That is CRD is to be removed from the MDRZ and from the General Residential Zones, however the definition needs to be retained for CRD development within existing urban development areas in Howard, Brookvale and Iona due to the bespoke provisions relating to the structure planning of these developments. Furthermore, there are other zones in the District Plan not subject to PC5 that allow CRD such as the Havelock North Mixed Use zone and therefore the definition needs to be retain to continue to allow development in this location. As such it is considered that the definition should be retained, and while this will result in the rejection of the Kāinga Ora submission point, the reduction in zones that the definition will now apply to should be noted. It is considered that the removal of the density provisions as supported by the Bay Planning submission should be retained as this is now covered in the subdivision standards, which is more appropriate than addressing density through the definition.

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- 2.8.4 In terms of the removal of the reference to retirement villages being included within the definition of comprehensive residential development. This has been addressed as part of Topic 3, Key Issue 4 of the report. The submitter raises significant points relating to the different needs for retirement village complexes regarding the reduced need for accessibility and requirements to be near commercial hubs. Retirement Villages by their very nature tend to be an internalised in an all in one style complex. As such it is considered appropriate that these requirements are applied to retirement villages separately under the District Plan, and the submission requesting that retirement villages are not part of Comprehensive Residential Developments be accepted, as shown below.

*Comprehensive Residential Development: means residential development that comprises 3 or more new or additional principal residential units buildings at a density of 20-40 residential buildings per hectare of land and incorporates an overall integrated design of buildings, infrastructure and landscaping. Comprehensive residential development can occur separately as a land use application or concurrently with a subdivision application.*

*For the avoidance of doubt, retirement villages are not considered to be comprehensive residential developments.*

*Note: Comprehensive Residential Developments can include subdivision of the proposed residential buildings, however it is not a requirement.*

#### **RECOMMENDATION**

- 2.8.5 That the submission point **007.34 (Bay Planning)**, supporting the definition of Comprehensive Residential Development **be accepted in part.**
- 2.8.6 That the submission point **050.156 (Kāinga Ora)** opposing the definition of Comprehensive Residential Development **be rejected.**
- 2.8.7 That the further submission points **FS11.162 Development Nous** supporting the submission points of Kainga Ora, **be rejected in part.**
- 2.8.8 That the further submission points **FS03.21 (Oceania Healthcare Ltd)** and **FS19.182 (Residents of Kaiapo Road etc)** opposing the submission of Kāinga Ora, **be accepted.**
- 2.8.9 That the submission point **081.1 (Retirement Village Association of NZ)** and **081.2 (Ryman Healthcare Ltd)** requesting that retirement villages be separated from the definition of Comprehensive Residential Development **be accepted** in so far as the following wording should be included within the definition:
- For the avoidance of doubt, retirement villages are not considered to be comprehensive residential developments*
- 2.8.10 That the further submission point **FS03.1 (Oceania Healthcare Ltd)** supporting the submission of Retirement Village Association of NZ **be accepted.**
- 2.8.11 Reasons:
- a. That the definition is recommended to be retained to support the use in the urban development areas of Brookvale, Howard and Iona. Even though it is recommended to be removed from General Residential and Medium Density

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Residential Zones.

- b. It is agreed that Retirement Villages are distinct from CRD and should be considered and provided for separately. Therefore, they should not form part of the definition of comprehensive residential development as further outlined under Topic 3, Key Issue 4 of the section 42A report.

**2.9 SUBMISSION POINT 050.159 (KĀINGA ORA), and FURTHER SUBMISSION POINTS FS08.21 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS11.165 (DEVELOPMENT NOUS), FS19.185 (RESIDENTS OF KAIAPO ROAD ETC)**

**ANALYSIS**

- 2.9.1 The submission point **050.159 (Kāinga Ora)** has requested the deletion of 'Habitable Space', as it has now been superseded by the National Planning Standards definition of 'Habitable Room'. While it is agreed that the submissions are basically identical, the noise section 25.1 in the District Plan still refers to Habitable Space rather than room, and there is no proposal to change this section as part of PC5. As such it is recommended that both definitions are retained until such time as the noise section is amended to reflect the new definition.

**RECOMMENDATION**

- 2.9.2 That the submission point **050.159 (Kāinga Ora)** requesting the deletion of the definition for habitable space **be rejected.**
- 2.9.3 That the further submission point **FS08.21 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission points of Kāinga Ora, **be rejected.**
- 2.9.4 That the further submission points **FS11.165 (Development Nous)** supporting the submission points of Kāinga Ora, **be rejected in part.**
- 2.9.5 That the further submission points **FS19.185 (Residents of Kaiapo Road etc)** opposing the submission points of Kāinga Ora **be accepted.**
- 2.9.6 Reason:
- a. The Noise Section 25.1 still refers to the term 'habitable space', and this has not been proposed to be amended as part of Plan Change 5. The definition should remain until it can be analysed as part of a National Planning Standard Plan Change.

**2.10 SUBMISSION POINT 050.164 (KĀINGA ORA) and FURTHER SUBMISSION POINTS FS11.170 (DEVELOPMENT NOUS), FS19.190 (RESIDENTS OF KAIAPO ROAD ETC)**

**ANALYSIS**

- 2.10.1 The submission point **050.164 (Kāinga Ora)** has requested the deletion of infill residential development consistent with the remainder of their submission. As part of the general approach outlined in Section 5 of the Introductory Report, medium density residential development has been restricted to within the MDRZ itself. As part

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of this, the approach of providing for CRD within the General Residential Zones has now been removed. As such, the necessity of defining infill residential development is now superfluous, as there is no longer the need to differentiate infill residential development from CRD and the rule structure within the zones provide for all residential development, regardless of density. It is considered that the type of subdivision in all Zones does no longer need to be defined given that it sits within the zone rules anyway. As such this submission point is recommended to be accepted.

#### **RECOMMENDATION**

- 2.10.2 That the submission point **050.164 (Kāinga Ora)** requesting the deletion of the definition for infill residential development be accepted.
- 2.10.3 That the further submission points **FS11.170 (Development Nous)** supporting the submission points of Kāinga Ora, be accepted in part.
- 2.10.4 That the further submission points **FS19.190 (Residents of Kaiapo Road etc)** opposing the submission points of Kāinga Ora be rejected.
- 2.10.5 Reason:
- a. As part of the overall approach discussed in Section 5 of the Introductory Report, the definition of '*Infill Residential Development*' is now considered superfluous as development can be defined as either residential activity, residential unit, or as a complying subdivision under the rules of the District Plan.

#### **2.11 SUBMISSION POINT 050.171 (KĀINGA ORA) and FURTHER SUBMISSION POINTS FS11.177 (DEVELOPMENT NOUS), FS19.197 (RESIDENTS OF KAIAPO ROAD, ETC)**

#### **ANALYSIS**

- 2.11.1 The submission point **050.171 (Kāinga Ora)** supports the removal of '*City Living Zone*' and replacement with '*Medium Density Residential Zone*'. There are no submissions specifically opposed to this change. As such the submission should be accepted.

#### **RECOMMENDATION**

- 2.11.2 That the submission point **050.171 (Kāinga Ora)** requesting the deletion of the definition for '*City Living Zone*' be accepted.
- 2.11.3 That the further submission points **FS11.177 (Development Nous)** supporting the submission points of Kāinga Ora, be accepted in part.
- 2.11.4 That the further submission points **FS19.197 (Residents of Kaiapo Road etc)** opposing the submission points of Kāinga Ora be rejected.
- 2.11.5 Reason:
- a. The removal of the '*City Living Zone*' and replacement with '*Medium Density Residential Zone*' is appropriate as no specific reasons or submissions were received against this change.



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**2.12 SUBMISSION POINT 107.2 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), and FURTHER SUBMISSION POINTS FS11.189 (DEVELOPMENT NOUS), FS13.3 (KĀINGA ORA)**

**ANALYSIS**

2.12.1 The submission of Waka Kotahi, New Zealand Transport Agency has requested a number of the key terms of the NPS-UD be included within the District Plan to better integrate PC5 with the National Policy Statement. While it is agreed that when a definition from the NPS-UD is used within the Plan, the definition should also be reflected, many of the definitions listed above have not been utilised as part of this plan change. It is considered that there is very little use in defining terms that are not being used within Plan, and as such most of these terms should be left out.

2.12.2 Nevertheless, the terms 'Active Transport', 'Community Services' and 'Public Transport' are all utilised within the Plan, but no definition has been brought across. As such it is agreed that these definitions should be included within the plan, and it is accepted that these should reflect the NPS-UD definitions. As such it is recommended that the following definitions be included within the Plan:

**Active Transport:** means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.

**Community Services:** means the following:

- a) community facilities
- b) educational facilities
- c) those commercial activities that serve the needs of the community

**Public Transport:** means any existing or planned service for the carriage of passengers (other than an aeroplane) that is available to the public generally by means of:

- a) a vehicle designed or adapted to carry more than 12 persons (including the driver); or
- b) a rail vehicle; or
- c) a ferry

**RECOMMENDATION**

2.12.3 That the submission point **107.2 (Waka Kotahi, New Zealand Transport Agency)** requesting that multiple definitions from the NPS-UD be also included in the Hastings District Plan through PC5 **be accepted in part** insofar as the definitions are included as shown above.

2.12.4 That the further submission points **FS11.189 (Development Nous)** and **FS13.2 (Kāinga Ora)** supporting the submission of Waka Kotahi, New Zealand Transport Agency **be accepted in part**.

2.12.5 Reasons:

- a. That it is accepted where the District Plan is using terms that are replicated within the NPS-UD, these same definitions should be used where possible. As such the terms 'Active Transport', 'Community Services' and 'Public Transport' are recommended to be defined.

- b. That definitions that are not being used in the District Plan are not considered necessary to be defined and that the definitions within the NPS-UD should be sufficient.

## **2.13 SUBMISSION POINTS 119.2 (ARA POUTAMA, DEPARTMENT OF CORRECTIONS)**

### **ANALYSIS**

- 2.13.1 The submission point **119.2 (Ara Poutama, Department of Corrections)** has requested new definitions for 'Community Corrections Activity' and 'Household' which relate to the need to provide for additional activities relating to rehabilitation and reintegration activities. The analysis to the 'community correction activity, submission points have been undertaken as part of Topic 3, Key Issue 5. The analysis states that:

*The request to include community correction activities in the commercial and industrial zones of the district does not relate to either the purpose of the plan change or the zones in which the plan change applies.*

- 2.13.2 This report and analysis has therefore recommended that the submission points be rejected given that the purpose of PC5 is to enable residential intensification within the existing urban areas of the district, namely the residential zones that cover the Hastings, Havelock North and Flaxmere areas. The Council will undertake a rolling review of its District Plan sections and this is considered the appropriate process in which to consider these submission points. Alternatively, a separate private plan change could be applied for to enable these activities within the commercial and industrial zones of the district.
- 2.13.3 Overall, it is considered that expanding the ability to locate community corrections activities into zones outside of the changes proposed by PC5, is outside the scope of the plan change. As such, it is not recommended to include the above definitions and these submission points should be rejected.
- 2.13.4 The definition of 'household' is discussed in conjunction with the review of submission point 119.4 and the request to amend policy RESZ-P1 Housing Diversity under Topic 2 – Key Issue 1 - Residential Zones Overview section of this report. The submitter has requested a new definition of household 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).

- 2.13.5 This has been undertaken in conjunction with a proposed 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 additional activities relating to rehabilitation and reintegration activities.
- 2.13.6 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)

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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. The operative definition reads as follows:

**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.

2.13.7 The proposed definition for the MDRZ reads as follows:

**Residential Activity (in the Medium Density Residential Zone):**  
means the use of land and building(s) for people's living accommodation.

2.13.8 Both of these definitions provide for all forms of living accommodation, and all living situations. It is not considered necessary to define specific living situations as part of this or provide additional definitions and as such this submission point is recommended to be rejected.

#### **RECOMMENDATIONS**

2.13.9 That the submission point **119.2 (Ara Poutama, Department of Corrections)** requesting new definitions of 'Community Corrections Activity' and 'Household' be rejected.

2.13.10 Reasons:

- a. As discussed as part of the introductory Report, PC5 is aimed at providing for more housing greater residential intensity near highly accessible areas rather than addressing social needs relating to rehoming and rehabilitation.
- b. That expanding the ability to locate community corrections activities into additional zones is considered outside the scope of PC5.
- c. The definition for 'Residential Activity' adequately covers the specific household make up requested by the submitter.

**2.14 SUBMISSION POINTS 134.2 (MCFLYNN SURVEYING AND PLANNING), FS027.2 (J JACKSON), FS030.3 (P RAWLE)**

#### **ANALYSIS**

2.14.1 The submission of McFlynn Surveying and planning has requested that the term Comprehensive Residential Development be replaced by multi-unit development as it better represents the activity.

2.14.2 As part of the recommended approach discussed in the Introductory Report, Comprehensive Residential Development is being proposed from all zones apart from the Howard and Brookvale structure plan areas. Given that these areas are relatively bespoke due to recent structure plan processes it is not considered necessary to replace the definition for these areas. While the submitters concern is understood, allowing development within the MDRZ not to be defined (rather having specific density provisions) is a logical solution which removes the need to define the

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type of development. As such the submission is rejected insofar as it is not proposed to create a new definition for 'multi-unit development'.

**RECOMMENDATIONS**

2.14.3 That the submission point **134.2 (McFlynn Surveying and Planning)** requesting the definition of Comprehensive Residential Development be retitled as multi-unit development **be rejected.**

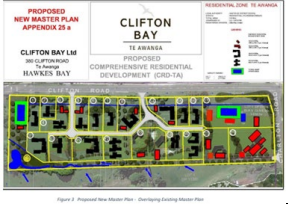
2.14.4 That the further submission points **FS027.2 (J Jackson)** and **FS030.3 (P Rawle)** supporting the submission of McFlynn Surveying and Planning **be rejected.**

2.14.5 Reasons:

- a. That as part of the recommended approach, Comprehensive Residential Development will only be located within the Howard St and Brookvale urban development area, is relatively bespoke and unnecessary to be redefined.
- b. Medium Density development is not proposed to be defined, rather determined by density standards.

## TOPIC 6, KEY ISSUE 5 – APPENDICES

### 1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
123.3	Clifton Bay, M Mahoney	Appendix 25A	Support with amendment	<p>Amend Appendix 25A by inserting new master plan (shown below) to allow for medium density housing development.</p> <p>The proposed New Master Plan seeks to optimise yield from scarce greenfield land while also providing for a range of community facilities as shown below in Figure 3.</p> 	Reject (See Topic 4, Key Issue 1, and Topic 1, Key Issue 3 for further analysis on substantive submission)
050.175	Kāinga Ora	Appendix 60	Oppose	Delete Appendix 60.	Reject (See Topic 4, Key Issue 2 for further analysis of height in relation to boundary controls)
FS11.181	Development Nous	Submission points 050.175	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
FS19.201	Residents of Kaiapo Road etc	Submission points 050.175	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
071.1	Oceania Village Company	Appendix 27 & 80	Support	Supports the deletion of the reference to Appendix 27 & 80 for 'Comprehensive Residential Developments' in the Activity Table for the 'Havelock North General Residential Zone' (Rules HNGR14 & HNGR26).	Accept in part
100.3	Te Kāhui Whaihanga	Appendix 38	Support	Support the identified character areas that are protected from intensification. But seeking clarification for Appendix 38.	Accept
100.7	Te Kāhui Whaihanga	Appendix 60	Support with amendment	Include the height limit at the boundary for the Medium Density Residential Zone.	Accept

## **2. ANALYSIS**

- 2.1 A total of eight submission points were received. For completeness, some of the requests in relation to the appendices will be analysed in the relevant topic report to which the submission point is attached. The submission points are as follows.
- 2.2 **Submission point 123.3 (M Mahoney)** has requested an amendment to Appendix 25A to insert a new master plan (shown below) to enable medium density residential development in the Te Awanga Lifestyle Zone. The Te Awanga lifestyle zone does not fall within the scope of PC5 as it is situated outside the main urban areas of Hastings, Havelock North and Flaxmere. Te Awanga is situated some distance from the main commercial centres of the district and is therefore not an appropriate location for medium density residential development. This submission is therefore not supported.
- 2.3 **Submission point 050.175 (Kāinga Ora)** opposes Appendix 60 which relates to the height in relation to boundary tool. As part of Plan Change 5, Kāinga Ora has requested for it to be deleted. This submission point relates to Topic 4, Key Issue 2: Height and will be analysed further as part of the response to submission point of **Kāinga Ora (050.131)** under Topic 4, Key Issue 2: Height Limits and Height in Relation to Boundary Controls. In summary, it is noted that the height in the existing height in relation to boundary controls are recommended to be retained and therefore Appendix 60 is also recommended to be retained. Therefore, the submission point of **Kāinga Ora (050.175)** is recommended to be rejected.
- 2.4 **Further submission point FS11.181 (Development Nous)** supports in part submission point 050.175 to delete Appendix 60 so long as the points raised by Kāinga Ora are accepted. The further submission FS11.181 (Development Nous) is not supported and it is recommended to reject this submission to delete Appendix 60.
- 2.5 **Further submission point FS19.201 (Residents of Kaiapo Road etc)** opposes the whole of Kāinga Ora's submission as the requests are too broad and far reaching. Resulting in severely adversely affecting existing communities and residents. In response to further submission FS19.201, it is recommended to accept on the basis that the height in relation to boundary controls (considered under Topic 4, Key Issue 2) are recommended to be retained as notified and therefore Appendix 60 should be retained also. On this basis the further submission of the Residents of Kaiapo Road etc is supported.
- 2.6 **Submission point 071.1 (Oceania Village Company Limited)** supports the deletion of Appendix 27 (Sites Identified for Comprehensive Residential Development) and Appendix 80 being the structure plan for Howard Street. In response to submission 071.1, it is recommended to accept in part the request to delete Appendix 27 on the basis that these sites are replaced by the Medium Density Residential Zone in order to provide areas where greater heights and densities of residential development are enabled as per the requirements of policy 5 of the National Policy Statement on Urban Development (NPSUD).
- 2.7 In response to the request from Oceania Village Company Ltd (071.1) to delete Appendix 80, it is recommended that this part of the request be rejected as the structure plan for Howard Street is still required to guide the development of this new urban development area within which comprehensive residential development provisions are recommended to be retained to ensure this land is used as efficiently as possible as discussed in the section 42A introduction report. It is appropriate for

new urban development areas to include medium density housing typologies and densities of development as they provide the greatest opportunity to create well-designed neighbourhoods.

- 2.8 **Submission point 100.3 (Te Kāhui Whaihanga) supports in part** the protection of identified character areas from intensification but is seeking clarification on Appendix 38 which outlines the character area maps. Submission point 100.3 notes that Appendix 38 is greyed out and it is unclear whether they show existing or proposed areas. In response to the changes to the Appendix 38 maps, written in red on the right side of the map there is a description of the changes. PC5 as notified proposed that some of the maps be amended and replaced by new maps are identified as figures 3, 6, 7 and 8. This was because some of the character zone areas around Cornwall Park were proposed to be rezoned Medium Density Residential zone. As part of the consideration of submissions it is recommended that the character residential zone properties around Cornwall Park will retain their current operative Character Residential Zone. Therefore, consequentially the changes to the changes to Appendix 38 will not be required and Appendix 38 will be retained in its current operative state. Considering submission point 100.3, it is recommended to accept this submission point given that the submitter supports the protection of the identified character areas.
- 2.9 **Submission point 100.7 (Te Kāhui Whaihanga) supports with amendment** Appendix 60 and requests inclusion of the height limit at the boundary for the Medium Density Residential Zone recession plane. In 'Appendix 60: Recession Planes' currently show no height limit at boundary for MDZ. In response to submission 100.7, Appendix 60 was more of a name change from City Living zone to Medium Density Residential Zone. The 3m height limit was to be transferred with just the name change but was overlooked or not picked up. It is recommended to accept submission 100.7 to reinstate the recession height limit of 3m for Appendix 60 for completeness.

### **3. RECOMMENDATIONS**

- 3.1 **That submission point 016.6 from Mark Mahoney**, requesting the deletion of Appendix 25A, be rejected.
- 3.1.1 Reason:
- a. The Te Awanga Lifestyle Zone is located a significant distance from the main commercial centres of Hastings, Havelock North and Flaxmere and therefore is out of scope of this plan change.
- 3.2 **That submission point 050.175 from Kāinga Ora**, requestion the deletion of Appendix 60 be rejected.
- 3.2.1 That as a consequence of the above recommendation, the further submission from **Development Nours (FS11.181)** in support of Kāinga Ora be rejected and the further submission in opposition to Kāinga Ora from **Residents of Kaiapo Road etc (FS19.201)** be accepted.
- 3.2.2 Reason:
- a. The as notified height in relation to boundary controls are recommended to be retained after consideration of submissions and evidence comparing the

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building envelopes and shading impacts of the existing, as notified and requested controls. Therefore, on that basis, the as notified controls are the most appropriate for medium density residential development in Hastings.

- 3.3 **That submission point 071.1 from Oceania Village Company Limited** requesting the deletion of Appendix 27 **be accepted**.
- 3.3.1 Reasons:
- a. The Medium Density Residential Zone will provide for residential development of greater intensity and therefore Appendix 27 is not necessary and can be deleted.
  - b. A zone is a more transparent approach to providing for medium density residential development.
- 3.4 **That submission point 100.3 from Te Kāhui Whaihanga** supporting in part the protection of identified character areas from intensification **be accepted**.
- 3.4.1 Reason:
- a. The submitter supports the protection of the identified character areas as part of Plan Change 5 and Appendix 38 will be retained as per the operative version of the District Plan.
- 3.5 **That submission point 100.7 from Te Kāhui Whaihanga** supporting with amendment the reinstatement of the recession height limit of 3m for Appendix 60 **be accepted**.
- 3.5.1 Reason:
- a. That appendix 60 has been retained and for accuracy and completeness the height limit will need to be reinstated.