

TOPIC 1, KEY ISSUE 1: PLAN CHANGE IN ITS ENTIRETY (GENERAL OPPOSITION AND GENERAL CONCERNS)

1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
001.1	S B Adamson	All	Oppose	To abolish completely all parts of the proposal.	Reject
002.1	S Ali	All	Oppose	Say “No” to the plan change.	Reject
003.1	D Allen	All	Oppose	Don’t change policy.	Reject
005.1	J H Armstrong	All	Oppose	Not to allow plan change.	Reject
006.1	R Barber	All	Oppose	Not specifically stated.	Reject
008.1	Bike HB	All	Support with specific amendments	Approve plan change but amend wording relating to cycling and walking.	Accept in part See reports on wording to objectives and policies and assessment criteria
010.1	K Brewer	All	Oppose	The Council not go ahead with PC5 (Plan Change 5) until without 100% agreeance from ratepayers for it to go ahead.	Reject Outside of scope
011.1	B & C Buckrell	All	Oppose	Submitter doesn’t support any such proposals in this Council plan. Submitter requests a reply to their concerns before any further discussion.	Reject
013.1	S Campbell	All	Support in part	Support in principle but keep affected persons’ consent.	Accept in part See Topic 3, Key Issue 1 –Affected Persons’ Consent report
015.1	V B Cassin	All	Oppose	To abolish completely all parts of the proposal.	Reject
017.1	G Clifton	All	Support	Approve the plan change.	Accept in part
018.1	N Costello	All	Oppose	To abolish completely all parts of the proposal.	Reject
019.1	D Cowman	All	Oppose	Remove the proposed changes on the grounds that the change removes rights by being non-notifiable and thereby being unable to have views taken into account or negotiated.	Reject See Topic 3, Key Issue 1 – Affected Persons’ Consent report
022.1	P Crawford	All	Oppose	Not specifically stated	Reject
024.1	A Davy	All	Oppose	Stop future redesignation of areas. Stop development at 701 Kennedy Road.	Reject
038.1	R R Harrison	All	Oppose	Abolish completely all parts of the proposal.	Reject
040.1	L Herbert	All	Oppose	Do not go ahead with the proposed district Plan Change 5.	Reject
042.1	S Herries	All	Oppose	To abolish completely all parts of the proposal.	Reject

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044.1	D Higham	All	Oppose	To abolish completely all parts of the proposal.	Reject
049.1	Hydralada, J Smith	All	Oppose	To abolish completely all parts of the proposal.	Reject
053.1	Landsdale Development	All	Support	Support intended outcomes of the plan change in general.	Accept
054.1	A Lawrence	All	Oppose	No to this Plan Change 5 No to condensed housing of our existing family homes No medium density housing within existing established suburbs and neighbourhoods.	Reject
FS01.1	A Lawrence	Submission point 054.1	Support	Allow submission	Reject
059.1	R Masters	All	Oppose	Do away with the proposal.	Reject
060.1	J Mayberry	All	Oppose	To abolish completely all parts of the proposal.	Reject
063.1	S McKinnon	All	Oppose	To leave the Duke Street Reserve as the dog park, childcare facilities, use for Scout activities, and play area for children and adults too.	Accept in part
064.1	E Millar	MDZ	Oppose	Record No to the proposed plan changes.	Reject
069.1	L North	All	Oppose	To abolish completely all parts of the proposal.	Reject
073.1	J Oliver	All	Oppose	To abolish completely all parts of the proposal.	Reject
079.1	I Rakuraku	All	Oppose	To not move forward with the District Plan Change 5 proposals and MRZ (Medium Density Residential Zone).	Reject
083.1	K Rutherford	All	Oppose	To abolish completely all parts of the proposal.	Reject
086.1	R Sanders & B Sanders	All	Oppose	To abolish all parts of the plan change.	Reject
087.1	L Saunders	All	Oppose	Completely abolish all parts of the proposal.	Reject
088.1	G Schofield	All	Oppose	To abolish completely all parts of the proposal.	Reject
091.1	K Seymour	Maintain the productive base of the land	Support	Building and living in multi-level houses and apartments will ensure that we have less producing land taken. The concern over these housing typologies in Pukekohe has been dispelled once the actual building has started.	Noted
096.1	M Smiley	All	Support with amendment	The current council plan that has areas of medium density housing could be amended to include areas of high-density housing. New subdivisions must include medium density options. Consider amenity issues for existing areas. Consider a range of possible options as listed in the submission ("some possible answers").	Accept in part See Topic 1, Key Issue 3 – Spatial Extent of Medium Density Zone report.

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097.1	K H Styles	All	Oppose	To abolish completely all parts of the proposal.	Reject
098.1	Summerset Group Holdings	All	Support	Requests that the Council engages constructively with the Retirement Villages Association of NZ in relation to Council's Proposed District Plan.	Noted See Topic 3, Key Issue 4 – Retirement Village provision report
099.1	A Tattersall	All especially type, height and numbers being built on sites	Oppose	To abolish completely all parts of the proposal.	Reject
102.1	Tedot Limited	All	Oppose	Not specifically stated	Reject
104.1	V Tough	All	Oppose	See to stop the proposed plan change.	Reject
108.1	I J Wakefield	All	Oppose	To abolish completely all parts of the proposal.	Reject
109.1	C Walsh	All	Oppose	Not stated / oppose	Reject
112.1	L Westhall	All	Oppose	To abolish completely all parts of the proposal.	Reject
115.1	J J Wolfenden	All	Oppose	That houses be in keeping with the area / street in which they are to be built. I know we need more houses and to stop encroaching on our good agricultural land, but don't spoil the city scape in doing so.	Reject
116.1	K J Wood	All	Oppose	To abolish completely all parts of the proposal.	Reject
118.1	K I White	All	Oppose	To abolish completely all parts of the proposal.	Reject
125.1	D Cornes	All	Oppose	Discontinue PC5.	Reject
126.1	B Currie	All & MRZ-R16 CRD	Oppose	Don't let the Hastings people down (and therefore the younger generations) by giving developers free reign where they can take away the value of surrounding properties and make the areas feel unsafe, even perceptually.	Reject
127.1	S Currie	All including Objective MRZ-O1 and Rule MRZ-R16	Oppose	I oppose the proposal of allowing 3 Storey Housing, Smaller Section Size, Duplex and Low-rise Apartments being allowed in existing neighbourhoods.	Reject
128.1	J Davies	All	Oppose	Request only single storey housing at the most to be built. Whoever is the landlord to any of these developments (should any of it go ahead) to have a contract for maintaining the lawns, gardens and maintenance of the dwellings.	Reject Out of scope
129.1	B Fyfe	All	Oppose	That medium density housing is not allowed in existing urban areas. That medium density housing is overruled	Reject
131.2	A Hodges	All	Oppose	That proposed Plan Change 5 not go through in its present form.	Reject

				That Council goes back to the community for feedback and further input.	
132.1	G Hussey	All	Oppose	More sections and areas need to be opened up for development with sections and housing that reflect family living with parking and green space where kids can play.	Reject
134.1	McFlynn Surveying and Planning	All	Oppose	That the plan change is withdrawn, and a new plan change prepared that is consistent with the NPS-UD, aligns with community aspirations, provides for development at an appropriate density.	Accept in part CRD activities deleted from GRZ see Topic 1, Key Issue 5
FS027.1	J Jackson	Submission point 134.1	Support	Seek that the whole submission be allowed. Also including that onsite parking must be provided for each dwelling.	Reject
FS030.2	P Rawle	Submission point 134.1	Support	Seek these parts of the submission to be allowed.	Reject
136.1	M Moffat	All	Oppose	Reject plan change.	Reject
142.1	K Senior	All	Oppose	I request that the changes proposed in Plan Change 5 of the District Plan are withdrawn.	Reject
152.1	G Wright	All	Oppose	Seek the Plan Change 5 is not accepted and status quo retained until proper planning and consultation has taken place.	Accept in part CRD activities deleted from GRZ see Topic 1, Key Issue 5

THE SUBMISSIONS

1.1 In opposition/reject outright

1.2 Sixty five submitters (001.1 S B Adamson, 002.1 S Ali, 003.1 D Allen, 005.1 J H Armstrong, 006.1 R Barber, 010.1 K Brewer, 011.1 B & C Buckrell, 015.1 V B Cassin, 018.1 N Costello, 019.1 D Cowman, 022.1 P Crawford, 024.1 A Davy, 038.1 R R Harrison, 040.1 L Herbert, 042.1 S Herries, 044.1 D Higham, 046 A K Hodges, 049.1 J Smith, 054.1 A Lawrence, 059.1 R Masters, 060.1 J Mayberry, 063.1 S McKinnon, 064.1 E Millar, 069.1 L North, 073.1 J Oliver, 079.1 I Rakuraku, 083.1 K Rutherford, 086.1 R & B Sanders, 087.1 L Saunders, 088.1 G Schofield, 097.1 K H Styles, 099.1 A Tattersall, 102.1 Tedot Ltd, 104.1 V Tough, 108.1 I J Wakefield, 109.1 C Walsh, 112.1 L Westhall, 115.1 J J Wolfenden, 116.1 K Wood, 118.1 K White, 125.1 D Cornes, 126.1 B Currie, 127.1 S Currie, 128.1 J Davies, 129.1 B Fyfe, 131.2 A Hodges, 132.1 G Hussey, 134.1 McFlynn Surveying and Planning, 136.1 M Moffat, 142.1 K Senior, and 152.1 G Wright) have stated their opposition to the plan change and have requested that it is rejected outright.

1.3 Of the above submissions in opposition there were three submissions (006.1 R Barber, 022.1 P Crawford, 102.1 Tedot Ltd) that expressed their opposition to PC5 but did not explicitly request a decision.

- 1.4 There is one further submission (FS01.1 A Lawrence) supporting the submission 054.1 (A Lawrence) to reject PC5 outright.
- 1.5 There are two further submissions (FS27.1 J Jackson and FS30.2 P Rawle) supporting submission 134.1 (McFlynn Surveying and Planning) that PC5 is withdrawn.
- 1.6 **In opposition with specific decision requests and other comments**
- 1.7 Of the above submissions three submitters have stated their opposition to PC5 and have also made other decision requests and/or comments. These other decision requests/comments are analysed below at the end of this report.
- 1.8 Submission 063.1 (S McKinnon) requests that the Duke Street Reserve is left as a reserve.
- 1.9 Submission 086.1 (R & B Sanders) requests that Clive and Havelock North are considered for medium density housing and that consideration be given to spreading out onto the outskirts for affordable housing for first home buyers. This comment is further considered in the report covering the spatial extent of the Medium Density Residential Zone.
- 1.10 Submission 102.1 (Tedot Ltd) raises concerns about the rights to object to development. This is further considered in the report covering matters related to affected persons' consent.
- 1.11 Submission 132.1 (G Hussey) states that more sections should be opened up for development that reflects family living needs.
- 1.12 **Miscellaneous comments**
- 1.13 Submission 010.1 (K Brewer) requests a 100 percent agreement from ratepayers.
- 1.14 Submission 011.1 (B & C Buckrell) request a reply to concerns before any further discussion on PC5.
- 1.15 Submission 024.1 (A Davy) requests that development at 701 Kennedy Road, Raureka be stopped.
- 1.16 Submission 098.1 (Summerset Group Holdings Ltd) requests that Council engages constructively with Retirements Villages Association of NZ is accepted as the Association.
- 1.17 Submission 128.1 (J Davies) seeks that all development is covered by contracts for ongoing maintenance of dwelling and lawns and gardens.
- 1.18 Submission 131.2 (A Hodges) requests that Council goes back to the community for feedback and further input.
- 1.19 Submission 152.1 (G Wright) seeks that PC5 is not accepted until proper planning and consultation has taken place.
- 1.20 The above miscellaneous comments are analysed individually at the end of the analysis below.
- 1.21 **In full support**
- 1.22 Submission 017.1 (G Clifton) gave full support for PC5.

- 1.23 Submission 091.1 (K Seymour) expressed support but did not explicitly request a decision.
- 1.24 Submission 098.1 (Summerset Group Holdings) gave full support for PC5 and requested that Council engages constructively with the Retirements Villages Association of NZ.
- 1.25 **In support with requested amendments**
- 1.26 Five submitters gave their support but have also requested specific amendments that are addressed in separate issue reports - 008.1 Bike HB (reports on objectives and policies to recognise active transport modes - cycling and walking), 013.1 Campbell (affected persons), 053.1 Landsdale Development (spatial extent of medium density residential zone), 096.1 Smiley (spatial extent of medium density residential zone) and 101.4 Te Tuāpapa Kura Kāinga, Ministry of Housing and Development (spatial extent of medium density residential zone).
- 1.27 There is one further submission (FS11.187 Development Nous) supporting the submission point 101.4 (Te Tuāpapa Kura Kāinga, Ministry of Housing and Development).

2. ANALYSIS

- 2.1 To determine whether Plan Change 5 should be rejected outright we need to consider the reasoning behind it and how much housing is required to meet housing demands in the short, medium and long term. We also need to understand what the potential is for residential capacity under the current district plan rule framework.
- 2.2 **Purpose of PC5**
- 2.3 The proposed plan change as notified seeks to enable more housing including a greater range of typologies (low-rise apartment style-living, terraced and attached dwellings along with detached homes) within the existing urban areas of Hastings, Flaxmere and Havelock North.
- 2.4 The section 32 evaluation report outlines the purpose and objectives of PC5 which are:
- *To make it easier to build more houses on existing residential land within Hastings, Havelock North and Flaxmere, and*
 - *To provide certainty through a less onerous rule framework that encourages high quality comprehensive residential development (medium density housing).*
- 2.5 **Reasoning behind PC5**
- 2.6 As a Tier 2 local authority the Hastings District Council is required under the NPS-UD to specifically provide for intensification within its District Plan. The District Plan is required to give effect to national policy statements such as the NPS-UD.
- 2.7 Given the need to meet the NPS-UD requirements and the pressure of demand for new housing in the District, the Council undertook a plan change that sought to implement new district plan provisions that aligned with HDC's existing Medium Density Housing Strategy and provided progress towards implementing NPS-UD policy.

- 2.8 After an independent review of the Council's Medium Density Housing Strategy, several development barriers were identified, particularly in respect of existing District Plan provisions. This work informed the development of Plan Change 5.
- 2.9 The express purpose of Plan Change 5 is to amend the existing plan provisions to allow for a more enabling framework for residential intensification, particularly comprehensive residential development in existing locations already highlighted in the District Plan and Council strategies as being suitable for greater housing densities. In essence the plan change was predicated on the existing Hawkes Bay Regional Policy Statement (to create a compact urban environment to protect the productive plains land) and HDC's Medium Density Housing Strategy adopted by the Council in 2014.
- 2.10 With respect to the need to align the District Plan with National Policy of the NPS-UD, the relevant objectives and policies in the NPS-UD are outlined below:
- Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic and cultural wellbeing and for their health and safety now and into the future.
 - Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
 - (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households; and
 - (ii) enable Māori to express their cultural traditions and norms; and
 - (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
 - (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
 - (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
 - (e) support reductions in greenhouse gas emissions; and
 - (f) are resilient to the likely current and future effects of climate change.
 - Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:
 - (a) the area is in or near a centre zone or other area with many employment opportunities
 - (b) the area is well-serviced by existing or planned public transport
 - (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

- Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.
- Policy 5: Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:
 - (a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services;
or
 - (b) relative demand for housing and business use in that location
- Policy 7: Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.
- Objective 4 New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.
- Policy 6 when making planning decisions that affect urban environments, decision makers have particular regard to
 - (a) The planned urban built form anticipated by those RMA planning documents (i.e the District Plan) that have given effect to this NPS
 - (b) That the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
 - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities and future generations, including by providing increased and varied housing densities and types; and
 - (ii) are not, of themselves an adverse effect.
 - (c) The benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1);
 - (d) Any relevant contribute that will be made to meeting the requirements of the NPS to provide or realise development capacity;
 - (e) The likely current and future effects of climate change.
- Objective 6: Local authority decisions on urban development that affect urban environments are:
 - integrated with infrastructure planning and funding decisions; and
 - strategic over the medium term and long term; and
 - responsive, particularly in relation to proposals that would supply significant development capacity.
- Objective 8: New Zealand's urban environments:
 - support reductions in greenhouse gas emissions; and
 - are resilient to the current and future effects of climate change.

- Policy 11: In relation to car parking: the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks;
- 2.11 HDC have already amended the District Plan to remove minimum carparking requirements in accordance with policy 11. Housing bottom lines in accordance with Policy 7 have also been included in Section 2.4 Urban Strategy through Objective UDO7. These housing bottom lines were derived from the Housing capacity assessment completed in 2021.
- 2.12 **Housing Development Capacity and Demand**
- 2.13 As required by the NPS-UD, a Housing Capacity Assessment 2021 (HCA) was prepared for Napier and Hastings areas for the period 2020-2050. The HCA report assesses housing demand and development capacity (supply) over the short (0-3 years, 2020-2023), medium (3-10 years, 2023-2030) and long (10-30 years, 2030-2050) term based on the operative District Plan provisions.
- 2.14 The HCA analysis established the following housing bottom lines (the number of dwellings required to meet estimated demand during the period):
- Short term (yrs 2020-2023) 1920 dwellings
 - Medium terms (yrs 2023-2030) 3270 dwellings
 - Long term (yrs 2030 – 2050) 7640 dwellings
- 2.15 The supply of housing identified in the housing bottom lines, is to be provided through a mix of intensification, greenfields and rural lifestyle development. The region's current growth strategy HPUDS 2017 targets 60% of this supply to be provided through intensification by 2045. While the Future Development Strategy (FDS) will confirm the split between intensification, greenfields and rural / lifestyle development, in order to assess the capacity required to be provided through intensification, it is considered appropriate to use the 60% figure for intensification.
- 2.16 On that basis 1962 dwellings are required to be provided through intensification in the medium term (yrs 2023-2030) with 4584 dwellings in the long term (yrs 2030-2050).
- 2.17 Under the current operative district plan rule framework, the HCA estimated that:
- There is sufficient capacity for the short to medium term, but the medium-term margin is small and sensitive to the assumptions made.
 - There is a deficiency for the long-term housing capacity even when capacity with unconfirmed infrastructure is included.
- 2.18 On this basis it is considered necessary to enable more housing within existing urban area to ensure there is sufficient development capacity to meet demand in the medium and long term.
- 2.19 Given that we are now in 2024 in the medium-term years of the HCA where capacity margins are small and sensitive to assumptions made, there is a real need to ensure capacity is sufficient to meet this demand now and to future proof capacity given the length of time required to undertake changes to the District Plan. Additional analyses have now been completed in respect of infrastructure and development capacity.

Modelling of development capacity under four scenarios has also been prepared to compare the PC5 as notified provisions with three other alternative scenarios that arose through consideration of submissions (refer Appendix 6) for the Market Economics report). Therefore, on this basis it is not considered appropriate to withdraw the plan change or to reject it outright.

- 2.20 In considering submissions requesting that PC5 be withdrawn until sufficient consultation and engagement with the community has occurred, it is considered that the consultation and engagement undertaken (outlined in Section 7 of the Introductory Report) meets the requirements of the RMA and that as there have been two opportunities for submissions and further submissions, there has been sufficient time for members of the community to participate in this process. It is also noted that consultation on achieving a more compact urban environment to reduce pressure on productive plains land that surrounds existing urban areas started in 2009/2010 with the preparation of HPU DS. Therefore, enabling more intensive development of existing urban areas is not a concept that the community are unfamiliar with. The concept of residential intensification has been discussed over a number of years through the drafting of HPU DS and the inclusion of this document into the Regional Policy Statemen through Chapter 3.1B Managing the Built Environment.
- 2.21 Consideration of submissions to PC5 as a whole**
- 2.22 The general thrust of submissions from the community to PC5 has been negative with a number of concerns raised in relation to amenity, character, personal safety, property values, traffic and infrastructure concerns. In considering these submissions and balancing Councils obligations to meet the NPS-UD, it is recommended that the district plan identify defined areas for medium density development. It is recommended that the medium density residential zone be focussed around the primary commercial centres of Hastings, Havelock North and Flaxmere and main transport corridors in Hastings where accessibility to commercial and community services and active and public transport networks is greatest.
- 2.23 To provide greater certainty to the community it is recommended to remove provision for comprehensive residential development activities in the General Residential Zone and restrict these to the existing new urban development areas of Howard St and Brookvale. While development of the General Residential Zone will still be able to occur, any proposal not meeting the density of 1 residential unit per 350m² will require a discretionary activity resource consent to be approved.
- 2.24 Such a response to submissions will provide a more transparent and simplified rule framework and improve understanding of where medium density development is considered appropriate.
- 2.25 Overall, it is considered that changes to the District Plan are required to front foot the demand for housing in the medium and long term and as such PC5 is required to enable greater development capacity within the urban areas of Hastings, Havelock North and Flaxmere to meet the NPS-UD requirements.
- 2.26 The recommended approach is considered to balance community concerns with the requirements and responsibilities of the NPS-UD in order that the community can transition to a residential environment that is more compact.

2.27 **INDIVIDUAL SUBMISSION REQUESTS**

2.28 **SUBMISSION 063.1 (S McKinnon)**

2.29 Submission 063.1 (S McKinnon) requests that the Duke Street Reserve is left as a reserve. The Open Space Zone that applies to Duke Street Reserve currently under the Operative District Plan is not proposed to change as part of PC5.

2.30 **SUBMISSION 132.1 (G Hussey)**

2.31 Submission 132.1 (G Hussey) states that more sections should be opened up for development that reflects family living needs. The make-up of families and households is diverse therefore in line with Policy 1 of the NPS-UD (outlined above), a range of section sizes is required to enable a variety of house types to be built to meet those different needs. Housing preferences and price points vary greatly, ensuring there is a choice of options available will enable all people to meet their housing needs.

2.32 **SUBMISSION 010.1 (K Brewer)**

2.33 A 100 percent agreement from ratepayers would require a referendum which is outside the scope of the RMA and the plan change process.

2.34 **SUBMISSION 011.1 (B & C Buckrell)**

2.35 “A reply to concerns before any further discussion on PC5” is outside the framework of this RMA process but recognising a discussion of issues raised through the submission process will occur through the hearing process for PC5.

2.36 **SUBMISSION 024.1 (A Davy)**

2.37 Submission 024.1 (A Davy) requests that development at 701 Kennedy Road be stopped. It is outside the scope of PC5 to halt development that has been approved through resource consent.

2.38 **SUBMISSION 086.1 (R & B Sanders)**

2.39 R & B Sanders (086.1) request that Clive and Havelock North are considered for medium density housing and that land on the outskirts of the existing urban area also be utilised for housing. These submissions are considered further in the Spatial Extent of the Medium Density Residential Zone report (Topic 1, Key Issue 3).

2.40 **SUBMISSION 098.1 (Summerset Group Holdings Ltd)**

2.41 The request that Council engages constructively with the Retirements Villages Association of NZ is accepted as the Association is seen an important contributor to the delivery of retirement houses for the region.

2.42 **SUBMISSION 128.1 (J Davies)**

2.43 Requiring that all development is covered by contracts for ongoing maintenance of dwelling and lawns and gardens is outside the scope of PC5. This would be covered by covenants if the developers so desired. It is considered to be an overreach by Council to require this.

2.44 **SUBMISSIONS 131.1 (A Hodges) and 152.1 (G Wright)**

- 2.45 The respective requests that “Council goes back to the community for feedback and further input” and that “PC5 is not accepted until proper planning and consultation has taken place” are considered unreasonable taking into account the consultation process already undertaken (informal and formal) (refer appendix 9 consultation and engagement) and acknowledging that the hearing process will give due consideration to the submitters concerns.

3. RECOMMENDATIONS

3.1 Submissions in opposition/reject outright PC5

- 3.2 That the submission points **001.1 (S B Adamson), 002.1 (S Ali), 003.1 (D Allen), 005.1 (J H Armstrong), 006.1 (R Barber), 010.1 (K Brewer), 011.1 (B & C Buckrell), 015.1 (V B Cassin), 018.1 (N Costello), 019.1 (D Cowman), 022.1 (P Crawford), 024.1 (A Davy), 038.1 (R R Harrison), 040.1 (L Herbert), 042.1 (S Herries), 044.1 (D Higham), 046.1 (A Hodges), 049.1 Hydralada, J Smith), 054.1 (A Lawrence), 059.1 (R Masters), 060.1 (J Mayberry), 064.1 (E Millar), 069.1 (L North), 073.1 (J Oliver), 079.1 (I Rakuraku), 083.1 (K Rutherford), 086.1 (R Sanders & B Sanders), 087.1 (L Saunders), 088.1 (G Schofield), 097.1 (K H Styles), 099.1 (A Tattersall), 102.1 (Tedot Ltd), 104.1 (V Tough), 108.1 (I J Wakefield), 109.1 (C Walsh), 112.1 (L Westhall), 115.1 (J J Wolfenden), 116.1 (K J Wood), 118.1 (K I White), 125.1 (D Cornes), 126.1 (B Currie), 127.1 (S Currie), 128.1 (J Davies), 129.1 (B Fyfe), 131.2 (A Hodges), 132.1 (G Hussey), 134.1 (McFlynn Surveying and Planning), 136.1 (M Moffat), 142.1 (K Senior), 152.1 (G Wright)** seeking to dismiss PC5 in its entirety **be rejected**.

- 3.3 That as a consequence of the above recommendation, the further submission in support of McFlynn Surveying and Planning (134.1) from **J Jackson (FS27.1)** and **P Rawle (FS30.2)** **be rejected**.

3.4 Reasons:

- a. Rejecting PC5 in full would not be a prudent approach considering the amount of analysis and consultation already undertaken, the need to provide for housing capacity to meet medium and long term demand and the mandate from central government to provide more housing options along in main commercial centres and along transport corridors.
- b. The District Plan must align with national policy and therefore requires amendment to fully meet the policy direction of the NPS-UD.
- c. The consideration of all the submissions provides an opportunity to address the extent and scope of PC5 without having to reject PC5 in total.

3.5 Submissions in full support of PC5

- 3.6 That the submission points **017.1 (G Clifton), 091.1 (K Seymour), 098.1 (Summerset Group Holdings)** seeking to approve PC5 in its entirety **be accepted in part**.

3.7 Reasons:

- a. PC5 will ensure there is sufficient development capacity to meet medium and long term demand for housing.

- b. Consideration of all the submissions provides an opportunity to address the extent and scope of PC5 to ensure it meets the objectives of the NPS-UD and to assist the community to transition to more medium density housing being developed within the urban areas of the District.

3.8 **Submissions in opposition with requested amendments**

- 3.9 That the submission point of **063.1 (S McKinnon)** **be accepted in part** in that Duke Street reserve will retain its current open space zoning.

3.10 Reason:

- a. That Duke Street reserve will not be affected by PC5 and its existing open space zone in the Operative District Plan will remain.

3.11 **Submissions in support with requested amendments**

- 3.12 That the submission points **008.1 (Bike HB)**, **013.1 (S Campbell)**, **053.1 (Landsdale Development)**, **096.1 (M Smiley)**, and **101.4 (Te Tuāpapa Kura Kāinga)** are **accepted in part.**

3.13 Reasons:

- a. PC5 is necessary in order to ensure sufficient development capacity is provided to meet housing demand in the medium and long term.
- b. That the requested amendments and comments are given due consideration recognising that some of the issues raised are addressed in other specific hearing topic reports.

TOPIC 1, KEY ISSUE 2 – NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT (NPS-UD) / NATIONAL POLICY STATEMENT – HIGHLY PRODUCTIVE LAND (NPS-HPL)

1. SUBMISSION POINTS

Sub Point	Submitter / Further Submitter	Provision / Section of the Hastings District Plan	Position	Summary of Decision Requested	Recommendation
004.1	S Angus	All	Oppose	Seeks the status quo. That is to not alter the District Plan in its present form to appease the present government. The current District Plan took many years to compile at great cost to ratepayers.	Reject
025.1	Development Nous, P Stickney	All	Oppose	That HDC fulfil its urban development functions as required under the NPS-UD by: <ul style="list-style-type: none"> a. The full withdrawal of PC5; or b. If PC5 is not withdrawn, such further actions, assessment and amendments to the provisions and associated maps to give full effect to the matters raised in this submission (noting that this may entail further engagement and consultation with the community); and c. Any other alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission. 	Accept in part
FS08.1	Waka Kotahi, New Zealand Transport Agency	Submission point 025.1	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part
FS19.1	Residents of Kaiapo Road etc	Submission point 025.1	Support	We seek that parts of the Nous submission, as the items numbers listed in column 4 of this document are allowed. To allow for better planning for the community and developers equally. To stop the fragmented approach and for proper planning to take place.	Accept in part
025.2	Development Nous, P Stickney	All	Oppose	Provide a zoning framework that is coherent and sets the direction for medium density development giving certainty as to areas where medium density housing is	Accept in part

				planned to be progressively developed. Minimise barriers to deliver medium density housing typologies at a rate, scale and in locations that maximise the accessibility of housing to a full range of social, commercial and recreational facilities.	
FS08.2	Waka Kotahi, New Zealand Transport Agency	Submission point 025.2	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part
FS19.2	Residents of Kaiapo Road etc	Submission point 025.2	Support	We seek that parts of the Nous submission, as the items numbers listed in column 4 of this document are allowed. To allow for better planning for the community and developers equally. To stop the fragmented approach and for proper planning to take place.	Accept in part
025.3	Development Nous, P Stickney	All	Oppose	Ensure the provisions of PC5 are based on current economic analysis, an economic assessment of feasible development vs plan enabled development capacity; projected uptake and that the capacity provided through PC5 achieves the requirements of the NPS-UD and the intensification targets set out in the RPS and HPUDS as well as quantifiable evidence that the HBA is being meaningfully addressed. Ensure that PC5 gives meaningful and timely effect to the intensification vs greenfield targets contained within the RPS and HPUDS.	Accept in part
FS08.3	Waka Kotahi, New Zealand Transport Agency	Submission point 025.3	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part
FS19.3	Residents of Kaiapo Road etc	Submission point 025.3	Support	We seek that parts of the Nous submission, as the items numbers listed in column 4 of this document are allowed. To allow for better planning for the community and developers equally. To stop the fragmented approach and for proper planning to take place.	Accept in part
025.4	Development Nous, P Stickney	All	Oppose	Ensure the provisions include a clear and concise suite of Objectives, Policies, Rules, and Standards (including definitions) which avoid duplication with existing zone provisions and avoid overly restrictive, complex, multi-layered assessments and that are supported by a robust section 32 analysis	Accept in part

FS08.4	Waka Kotahi, New Zealand Transport Agency	Submission point 025.4	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part
033.1	R Gaddum, Save the Plains Group	N/A	Support	Not stated	Accept
045.4	L Hocquard	General	Oppose	<ol style="list-style-type: none"> 1. Low rise apartments (over two storey) ONLY INSIDE the city centre. Not in the existing suburbs. 2. If make a new suburb that is all low-rise apartments that is different as does not affect existing residents so those buying in know what they're getting into. 3. Resource consent remains notifiable if the buildings are over 2 storey; or if more than 4 dwellings are to be built on one section. 4. Add housing to land that is between the Hastings city centre and suburbs e.g., between Hastings and Havelock, Flaxmere, Waipatu. 	Reject
050.5	Kāinga Ora	Commercial Land	Not stated	In the absence of scope within this plan change, consistent with the NPS-UD, Kāinga Ora seek that an assessment of existing commercial land zoning patterns be undertaken and a subsequent plan change be prepared and notified to optimise the use of commercial land within the urban environment. Such an assessment should explore the options of introducing mixed-use and high-density land uses into the urban environment of Hastings.	Noted
FS11.5	Development Nous	Submission point 050.5	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.	Noted
FS19.31	Residents of Kaiapo Road etc	Submission point 050.5	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.	Noted
050.6	Kāinga Ora	Commercial Centres	Not stated	In the absence of scope within this plan change, consistent with the NPS-UD, Kāinga Ora seek that a separate plan change be prepared and notified to ensure provisions relating to commercial centres are appropriate for the	Noted

				role and function of the centre within the district. Through this plan change, and the adoption of the MDRZ height standard, the planned built environment for the Medium Density Zone is greater than the height enabled for the commercial zones. Whilst the increased height enabled within the Medium Density zone is supported, this outcome does not support the role and function of a commercial zone within the urban environment. This is not supported and should be resolved as soon as possible.	
FS11.12	Development Nous	Submission point 050.6	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.	Noted
FS19.32	Residents of Kaiapo Road etc	Submission point 050.6	Oppose all	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	Noted
061.1	McFlynn Surveying and Planning, A McFlynn	All	Oppose	That the plan change is withdrawn and a new plan change prepared that is consistent with the NPS-UD, and in particular provides for subdivision and development within the Medium Density Residential Zone that is not limited only to comprehensive residential developments.	<i>Submission withdrawn</i>
FS11.182	Development Nous	Submission point 061.1	Support	Development Nous seeks this submission be allowed aligns with the alternate relief sought in its original submission.	
101.1	Te Tuāpapa Kura Kāinga, Ministry of Housing and Development	All	Support with amendment	Enable sufficient feasible development capacity to address the supply gaps identified in the Housing and Business Capacity assessment (including different typology requirements), and the housing needs identified in the strategy.	Accept in part
FS08.5	Waka Kotahi, New Zealand Transport Agency	Submission point 101.1	Support	Waka Kotahi, New Zealand Transport Agency seeks the submission be allowed.	Accept in part
FS11.184	Development Nous	Submission point 101.1	Support	Development Nous seeks the submission be allowed in its entirety as it aligns with the alternate relief sought in its submission.	Accept in part
101.2	Te Tuāpapa Kura Kāinga, Ministry of	All	Support with amendment	Undertaking demand and accessibility assessments and reflecting these in PC5's	Accept in part

	Housing and Development			provisions to give effect to Policy 5 of the NPS-UD, in line with MfE's guidance. At a minimum, HUD expects this would result in rezoning all residential areas within a walkable catchments of the Hastings CBD, and the Flaxmere and Havelock North Town Centres to the Medium Density Residential Zone. Including such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out herein.	
FS11.185	Development Nous	Submission point 101.2	Support	Development Nous seeks the submission be allowed in its entirety as it aligns with the alternate relief sought in its submission.	Accept in part
106.1	Tumu Development, P Cooke	All	Support with amendment	Overall, we think the proposal is well considered, however we have made some suggested changes to some of the performance standards with the aim of providing additional clarity and limiting the potential for notification due to non-compliance with standards.	Accept
107.1	Waka Kotahi, New Zealand Transport Agency	All	Support with amendment	Supports plan change subject to: <ul style="list-style-type: none"> • Further analysis to assess the efficiency and effectiveness of the proposed provisions in achieving the objectives of the NPS-UD and providing reasons for the proposed provisions, and; • Amendments to Proposed Plan Change 5 to address Waka Kotahi, New Zealand Transport Agency submissions to better align and implement the objectives, policies and definitions in the NPS-UD. 	Accept in part
FS11.188	Development Nous	Submission point 107.1	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
FS13.2	Kāinga Ora	Submission point 107.1	Support	Allow submission	Accept in part
107.7	Waka Kotahi, New Zealand Transport Agency	Section 7.2 – Entire section	Support with amendment	Support subject to: <ul style="list-style-type: none"> • Further analysis to assess the efficiency and effectiveness of the proposed provisions in achieving the objectives and policies of the NPS – 	Accept in part

				<p>UD and providing the reasons for the proposed provisions.</p> <ul style="list-style-type: none"> • Amendments to the proposed plan change to better align and implement the objectives, policies and definitions in the NPS-UD. • Reconsider the location and framework of the Comprehensive Residential Zone provisions based on a revised evidence base. At a higher-level Waka Kotahi, New Zealand Transport Agency suggests that this evidence base considers enabling medium density around the centre, key walking / cycling and public transport routes. 	
107.8	Waka Kotahi, New Zealand Transport Agency	Section 8.2 – Entire section	Support with amendment	<p>Support subject to:</p> <ul style="list-style-type: none"> • Further analysis to assess the efficiency and effectiveness of the proposed provisions in achieving the objectives and policies of the NPS – UD and providing the reasons for the proposed provisions. • Amendments to the proposed plan change to better align and implement the objectives, policies and definitions in the NPS-UD. • Reconsider the location and framework of the Comprehensive Residential Zone provisions based on a revised evidence base. At a higher-level Waka Kotahi, New Zealand Transport Agency suggests that this evidence base considers enabling medium density around the centre, key walking / cycling and public transport routes. 	Accept in part
107.9	Waka Kotahi, New Zealand Transport Agency	Section 9.2 – Entire section	Support with amendment	<p>Support subject to:</p> <ul style="list-style-type: none"> • Further analysis to assess the efficiency and effectiveness of the proposed provisions in achieving the objectives and policies of the NPS – UD and providing the reasons for the proposed provisions. • Amendments to the proposed plan change to better align and implement the objectives, policies and definitions in the NPS-UD. • Reconsider the location and framework of the Comprehensive Residential 	Accept in part

				Zone provisions based on a revised evidence base. At a higher-level Waka Kotahi, New Zealand Transport Agency suggests that this evidence base considers enabling medium density around the centre, key walking / cycling and public transport routes.	
140.1	Save Our Fertile Soils	NPS-HPL	Not stated	Moving forward, the Council needs to focus on new residential and industrial communities within existing town and city boundaries and on unproductive land.	Accept in part
FS28.12	Kāinga Ora	Submission point 140.1	Support in part	Allow the submission in part.	Accept in part

2. **SUBMISSION POINT 004.1 (S ANGUS)**

ANALYSIS

- 2.1 The submission point 004.1 from S Angus has requested that the entire plan change be rejected, as they do not consider that Hastings is a 'Growth Area' and thus it should not be required to achieve greater urban densities as required through the NPS-UD. They consider that the existing District Plan provisions took many years to compile at great cost to rate payers.
- 2.2 As discussed in Section 5 of the Introductory report 'Background to Medium Density Development in Hastings', while the specific requirements to undertake PC5 have come through the need to give effect to the objectives and policies of the NPS-UD, there has been strategic direction to provide for greater levels of intensification within Hastings for some time, primarily through the Heretaunga Plains Urban Development Strategy (HPUDS) and the Medium Density Strategy. Intensification has been at the forefront of urban development for Hastings for some time due to the broader desire to reduce development onto our fertile soils.
- 2.3 Hastings District Council therefore broadly supports the direction of the NPS-UD. HDC have not investigated the implications of not achieving the purpose of the NPS, as the NPS aligns with the strategic direction that the Region and District have had in place for at least the past 14 years (that is, to protect the productive soils that surround the urban areas of Hastings). It is also considered that Hastings should be considered as a growth area. The current demand modelling for Hastings has a predicted growth of 9,620 dwellings over the next 30 years.¹ Providing for 30 years of demand is considered appropriate for determining the supply requirements of Plan Change 5, given that supply will be built over the longer term. While 9,620 is less than the growth of the major centres, it still needs to be provided for. If this were to be provided solely within greenfields land, there would need to be significant land released over the next 30 years (approx. 460 hectares at 20 dwelling per hectare rate). As such, it is considered preferable to provide for a mix of greenfield and intensification rather than provide for solely greenfields growth.

¹ For completeness, it is noted that the figure in the Housing Development Capacity Assessment refers to a higher number. This is due to the HCA including a competitiveness margin, as required by cl 3.22 of the NPS-UD.

- 2.4 For the above reasons, and the rationale provided in both the S42A introductory report and the Section 32 analysis, it is considered appropriate that intent of PC5 to provide more housing within existing urban areas be adopted and therefore that the submission of Stuart Angus should be rejected.

RECOMMENDATIONS

- 2.5 That the submission point **004.1 S Angus** opposing Plan Change 5 in its entirety as Hastings should not be considered a growth area be rejected.
- 2.6 Reasons:
- a. That provision for medium density development and intensification has been part of the strategic direction for Hastings District Council since at least 2010. The requirements of the NPS-UD necessitated a plan change, that was broadly in the same strategic direction as previously envisioned by HPUDS the region's strategy for managing urban growth.
 - b. That Hastings still needs to provide for growth of over 9600 dwellings over 30 years, and it is considered that intensification should form a strong part of this growth in line with the objectives of HPUDS, the HDC Medium Density Strategy and the NPS-UD.
 - c. That intensification forms a core component of protecting the versatile soils within the district which is a central tenant of the District Plan and is therefore supported through PC5.

3. SUBMISSION POINTS 025.1, 025.2, 025.3, 025.4 (DEVELOPMENT NOUS), and FURTHER SUBMISSION POINTS FS08.1, FS08.2, FS08.3, FS08.4 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS19.1, FS19.2, FS19.3 (RESIDENTS OF KAIAPO ROAD ETC)

- 3.1 The submission of Phil Stickney, Development Nous has raised a number of issues, which are headlined under the following four submission points:
- 3.2 Submission 025.1 that PC5 as notified fails to give meaningful and timely effect to the NPS-UD and RMA 1991
- 3.3 Submission 025.2 that PC5 as notified fails to:
- provide a zoning framework that is coherent and sets the direction for medium density development giving certainty to the community as to areas where medium density housing is planned to be progressively developed;
 - PC5 fails to Minimise barriers to deliver medium density housing typologies at a rate, scale and in locations that maximise the accessibility of housing to a full range of social, commercial and recreational facilities.
- 3.4 Submission 025.3 that PC5 as notified fails to:
- Ensure the provisions of PC5 are based on current economic analysis, an economic assessment of feasible development vs plan enabled development capacity; projected uptake and that the capacity provided through PC5 achieves the requirements of the NPS-UD and the intensification targets set out

in the RPS and HPU DS as well as quantifiable evidence that the HBA is being meaningfully addressed.

- Ensure that PC5 gives meaningful and timely effect to the intensification vs greenfield targets contained within the RPS and HPU DS.
- 3.5 Submission point 025.4 that PC5 as notified fails to:
- Ensure the provisions include a clear and concise suite of Objectives, Policies, Rules, and Standards (including definitions) which avoid duplication with existing zone provisions and avoid overly restrictive, complex, multi-layered assessments and that are supported by a robust section 32 analysis.
- 3.6 Some of the issues outlined by the submitter have been discussed throughout the S42A introductory report, and broadly align with the recommended approach discussed under preferred approach under Section 5 of the report. However, the specific submission points are broken down and addressed further below.
- 3.7 *Submission point 025.1 that PC5 fails to give meaningful and timely effect to the NPS-UD and RMA 1991.***
- 3.8 The submitter has raised concerns that PC5 as notified, does not provide sufficient scale and approach to realise a substantial contribution to feasible housing supply and capacity, nor has appropriate levels of engagement been undertaken to ensure the most appropriate methodology has been undertaken for the plan change. As a consequence the submitter requests that PC5 be withdrawn or alternatively that further assessment, analysis and amendments to the provisions and maps be made in order to give full effect to the NPS-UD and the matters raised in the submission.
- 3.9 Section 4 of the introductory report has provided a detailed progression as to the documentation and discussions that led to the need to undertake PC5. While the NPS-UD was the national strategic document which led to the introduction of the plan change, there had been a number of strategies which promote intensification within existing urban areas of the district. Primarily, HPU DS and the Medium Density Strategy (and their associated reviews) promoted the need to provide for increased intensification within the district. These strategies detail the need to undertake medium density development in a comprehensive manner.
- 3.10 The Housing Development Capacity Assessment (HCA) provided additional details as to the level of shortfall over the short, medium, and long-term. This assessment showed that there was likely to be a shortfall of 1204 dwellings in supply over the medium term, even before taking into account an existing backlog present under the existing market.
- 3.11 Further to this, there were a number of consultation and engagement sessions undertaken as part of PC5. This has been outlined under within the introductory report. This involved multiple sessions with the public and key stakeholders, and it is considered this was undertaken in a comprehensive and cohesive manner which helped inform the development of the plan change.
- 3.12 Finally, a demand and supply assessment has been undertaken by Market Economics (who also undertook the HCA) which aimed to understand whether the spatial extent of Plan Change 5 could meet demand for intensification. Of the 4 scenarios assessed, it was found that Plan Change 5 as notified would provide enough feasible capacity to meet demand. Both PC5 as notified and as

recommended to be amended in response to submissions through the 42A reports would provide sufficient capacity to meet demand, and as such is considered to meet the requirements of the NPS-UD and RMA 1991 in providing for sufficient supply of greater density.

3.13 Submission point 025.2 (Development Nous) is concerned that:

3.14 PC5 as notified fails to set a coherent and long-term zoning framework for the delivery of medium density housing to provide direction and certainty for the community as to areas where medium density housing is planned to be progressively developed.

3.15 PC5 as notified fails to give meaningful effect to minimising barriers that constrain the ability to deliver medium density housing typologies at a rate, scale and in locations that maximise the accessibility of housing to a full range of social, commercial and recreational facilities.

3.16 As explained above, a demand and supply assessment was undertaken for a number of different spatial scenarios, which found that a narrowing of the extent of the Medium Density Residential Zone, will not have significant effect on the level of feasible capacity that can be provided through Plan Change 5. This provides a level of flexibility in refining the zoning to more accessible areas as required under Policy 5 of the NPS-UD.

3.17 The submitter has stated that the proposed MDRZ under PC5 as notified is erratic in its location, and largely involves rezoning existing areas where CRD could already occur. Furthermore, there are areas within 400m of the CBD that have been excluded. Finally, the submission comments that continued provision for CRD in the General Residential Zones may lead to a fragmented approach and undermines the outcomes of a dedicated MDR Zone.

3.18 It is accepted that the notified approach to PC5 has led to levels of ambiguity and an inconsistent approach to achieving the objectives of NPS-UD. Firstly, there was an inconsistent approach to the distribution of the MDR Zoning, in that, while some areas were rezoned, other parts of the General Residential Zone had a 'pseudo' rezoning, where it provided for Medium Density Development with 400m of commercial zones, parks and bus routes. This in effect, was a medium density rezoning without showing it as such on maps, resulting in a lack of transparency as to where medium density residential development could occur and where it couldn't.

3.19 It is accepted that a more deliberate approach as discussed in the Introductory Report and methodology report appendix 4 will provide greater clarity for landowners, as well as aligning better with Policy 5 of the NPS-UD. The recommended spatial extent of the MDR zoning has been shown under appendix 7 of this report. This is similar to the approach suggested and mapped by the submitter. While the recommended extent of zoning is slightly amended to that of the submitter, a similar methodology of a 400m catchment area from commercial centres has been applied.

3.20 The second aspect of ambiguity related to the provision for comprehensive residential development within the remainder of the General Residential Zones as a RDNN activity. While having a stricter activity status than that of the MDR zone, it did provide a pathway for Medium Density Residential development, provided design

requirements of the NPS-UD and the intensification targets set out in the RPS and HPUDS as well as quantifiable evidence that the HBA is being meaningfully addressed.

- 3.24 **PC5 as notified is not capable of giving meaningful and timely effect to the intensification vs greenfield targets contained within the RPS and HPUDS.**
- 3.25 As mentioned previously, an assessment was undertaken by Market Economics as to whether multiple spatial scenarios for MDR Zoning would meet feasible capacity. The report concluded the following summary of results:

Table 5-1: Summary of Results

		Scenario 1	Scenario 2A	Scenario 2B	Scenario 3			
Demand (incl margin)	HASTINGS URBAN	9,620	9,620	9,620	9,620			
	GREENFIELD	5,780	5,780	5,780	5,780			
	INTENSIFICATION	3,840	3,840	3,840	3,840			
Plan Enabled Capacity	Redevelopment (net)	Detached	18,585	14,580	14,130	24,300		
		Attached	75,200	51,390	49,960	102,275		
	Infill	Detached	3,230	2,665	2,600	3,860		
		Attached	8,705	5,935	5,790	10,980		
	Vacant	Detached	385	335	335	445		
		Attached	840	640	625	1,020		
Feasible Capacity	Detached	8,185	4,805	4,235	14,855			
	Attached	22,820	25,225	26,210	12,125			
	Total	31,005	30,030	30,445	26,980			
POTENTIAL DEVELOPMENT CAPACITY	Detached	2,595	2,555	2,535	2,545			
	Attached	710	805	845	750			
	Total	3,305	3,360	3,380	3,295			
Intensification (shortfall/surplus)	-	535	-	480	-	460	-	545
Retirement Villages		350		350		350		350
Non-market housing		270		270		270		270
Shortfall/Surplus		85	140	160	75			

- 3.26 The methodology behind calculating plan enabled, feasible and potential development capacity is discussed within the report (attached as Appendix 6). The important points to note are that while scenario 3 (widest spatial extent for MDRZ) provides additional plan-enabled capacity (PEC), the different scenarios result in similar feasible capacity across the board, and most importantly, sufficient feasible capacity to meet demand and projected uptake. As concluded within the report:

The modelling results suggest, despite Scenario 3 delivering much greater levels of plan enabled capacity, under a maximum profit approach, the greatest number of feasible dwellings could be delivered under Scenario 1 settings [PC5 as notified]. The difference is largely driven by the feasible capacity for attached dwellings, in Hastings. Under a different approach, the development pattern might differ. While plan enabled capacity is useful, feasible capacity provides a more refined indication (than PEC) of how much choice is provided for/enabled in the market, under different growth options. The modelling suggests similar levels of feasible capacity under Scenario 1, 2A and 2B (~30,000-31,000 dwellings) and slightly less (~27,000 dwellings) under Scenario 3. However, Scenario 3 delivers nearly double the number of feasible standalone homes when compared to Scenario 1. Feasible capacity expected under Scenario 2A and 2B, like under Scenario 1, is also

heavily weighted towards attached dwellings. This is important when matching demand with supply. While demand for attached dwellings in the district, has increased marginally over time, the preference shift has been relatively slow. Potential development capacity is also presented, but is considered one of many possible futures, and should be treated as indicative at best.

- 3.27 It is considered this economic assessment provides sufficient analysis to show PC5 can meet the projected demand for intensification under multiple scenarios, including as notified and the preferred scenario 2B, and can assist in achieving greater intensification outlined in strategic documents by enabling greater plan enabled and feasible capacity for urban development. As such it is considered this submission point should be accepted.
- 3.28 **Submission 025.4 (Development Nous) is concerned that:**
- 3.29 ***PC5 as notified does not set out a clear and concise suite of Objectives, Policies, Rules, and Standards (including definitions) which avoid duplication with existing zone provisions and avoid overly restrictive, complex, multi-layered assessments.***
- 3.30 ***PC5 as notified does not demonstrate the matters above are achieved through a robust Section 32 assessment and associated supporting analysis and documentation.***
- 3.31 The submission points by Development Nous, are similar to what was discussed above in that they consider there is ambiguity between the Objectives, Policies, Rules and Standards of the MDR zone and the general residential zones. This leads to a lack of understanding of the desired outcomes between the zones. Furthermore, the notified approach leads to a lack of transparency as to the ability to provide infrastructure under MRZ-S14, which puts the onus on the developer to assess an application's ability to service a development, leading to additional uncertainty and cost to the applicant.
- 3.32 The concerns raised by the submitter are valid, and it is accepted that there is a lack of transparency in the approach as notified. Furthermore, the ability to allow for medium density residential development within the General Residential Zone, has led to the inability to direct servicing capacity to the specific areas identified for medium density development within the urban area. As such it is accepted that the notified approach could be undertaken in a more effective and efficient manner, as discussed by the submitter.
- 3.33 A recommended approach has been outlined under Section 5 of the introductory report, where both the infrastructure capacity and ability to undertake CRD in the General Residential Zone have been discussed. Under the preferred scenario, it is recommended that the spatial extent of the Medium Density Residential Zone be amended to a general 400m catchment from the main commercial areas of Hastings, Flaxmere and Havelock North. The exact spatial extent has been further discussed through the methodology report (Appendix 4) and spatial extent Topic 1, Key Issue 3. This refinement of the zone has been undertaken partially in response to infrastructure constraints, and partly to ensure more certainty for landowners within both the MDRZ and GRZ. The infrastructure restraints are discussed below:

Plan Change 5 was therefore drafted in the knowledge that there are some significant infrastructure constraints especially in relation to

wastewater and that until the Essential Services Development Reports were completed limitations must be placed on the extent of intensification. A strategic approach was therefore adopted to ensure that we could meet intensification goals.

That infrastructure assessment work has been completed. This greater level of knowledge of the existing network, along with funding from the Infrastructure Acceleration Fund that will provide for the construction of a new wastewater link to free up internal capacity, allows for the medium density zone to be extended beyond what was proposed at the time of notification of Plan Change 5.

- 3.34 Furthermore, following the economics assessment discussed above, it has been found that the boundaries of the MDR zone can be refined to a more specific catchment and still meet demand for housing through intensification. The economic assessment further addressed the reduction of CRD provisions from the General Residential Zone, where again it found that demand could be met with the removal of these provisions. As discussed in the introductory report:

Given the modelling by Market Economics demonstrates that scenario 2B provides sufficient development capacity, changes to the provisions of the General Residential Zones can be made to retain the suburban nature of these areas which are located further away from the main commercial centres. This would ensure a more transparent approach to providing for medium density development. It would provide certainty to the community and property developers by directing medium density development to the medium density residential zone and leaving the general residential zones to provide for more suburban development at the current existing density of one residential unit per 350m² net site area.

There were a number of submissions that sought to retain the status quo albeit without any medium density development provided for. To implement this approach the provisions of the general residential zone would need to revert to their operative rule frameworks with some exceptions, including the removal of rules enabling comprehensive residential development on identified sites outside the Medium Density Residential Zone (i.e. those identified in Appendix 27, 28 and 29 that fall outside the 400m catchment area). Proposed rules providing for comprehensive residential development in new greenfield urban development areas would be retained (for example in the Howard Street and Brookvale Structure Plan areas)

- 3.35 As such, it is considered that the recommended approach provides greater transparency, allows for more targeted provision of infrastructure and ensures greater certainty for landowners, relating to a more efficient and effective method of achieving the objectives of the NPS-UD and the new and existing objectives and policies of the District Plan. This proposed approach has been further discussed through the Section 32AA report, which has analysed the appropriateness of the preferred scenario. Given that the recommended approach generally aligns with the relief sought by the submitter, it is considered this submission point can be accepted.

RECOMMENDATIONS

- 3.36 That the submission point **025.1 (Development Nous, Phil Stickney)** that PC5 be withdrawn unless further assessment and analysis are undertaken and amendments to provisions and associated maps are made to give effect to the NPS-UD and matters raised in this submission **be accepted in part.**
- 3.37 That the further submission point **FS08.1 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission of Development Nous, Phil Stickney (025.1) **be accepted in part.**
- 3.38 That the further submission point **FS19.1 (Residents of Kaiapo Road etc)** supporting the submission of Development Nous, Phil Stickney (025.1) **be accepted in part.**
- 3.39 That the submission point **025.2 (Development Nous, Phil Stickney)** that PC5 sets a coherent and long-term zoning framework for the delivery of medium density housing to provide direction and certainty for the community **be accepted in part.**
- 3.40 That the further submission point **FS08.2 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission of Development Nous, Phil Stickney (025.2) **be accepted in part.**
- 3.41 That the further submission point **FS19.2 (Residents of Kaiapo Road etc)** supporting the submission of Development Nous, Phil Stickney (025.2) **be accepted in part.**
- 3.42 That the submission point **025.3 (Development Nous, Phil Stickney)** that PC5 is based upon current economic analysis, and an economic assessment of feasible development vs plan enabled development capacity **be accepted.**
- 3.43 That the further submission point **FS08.3 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission of Development Nous, Phil Stickney (025.3) **be accepted.**
- 3.44 That the further submission point **FS19.3 (Residents of Kaiapo Road etc)** supporting the submission of Development Nous, Phil Stickney (025.3) **be accepted.**
- 3.45 That the submission point **025.4 (Development Nous, Phil Stickney)** that PC5 sets out a clear and concise suite of Objectives, Policies, Rules, and Standards (including definitions) which avoid duplication with existing zone provisions and demonstrates the matters above are achieved through a robust Section 32 assessment and associated supporting analysis and documentation **be accepted.**
- 3.46 That the further submission point **FS08.4 (Waka Kotahi, New Zealand Transport Agency)** supporting the submission of Development Nous, Phil Stickney (025.4) **be accepted.**
- 3.47 Reasons:
- a. In that an economics assessment was undertaken which showed that PC5 as notified could provide sufficient feasible capacity to meet demand.
 - b. That it is considered that significant consultation and engagement was undertaken to a satisfactory level as required under the RMA 1991, as outlined in Section 7.0 of the introductory report.

- c. That PC5 as notified provided a lack of clarity through not rezoning all areas where Medium Density Residential Developments could occur, relying on the rule framework of the General Residential Zone in some instances, and that zoning all of the areas suitable for Medium Density Residential Development is considered a more effective approach.
- d. That a 400m catchment from the core commercial areas and main transportation routes is considered the most effective and efficient method of achieving the NPS-UD, specifically Policy 5. However, while the methodology aligns with the submitter's request, the recommended extent of the Medium Density Residential Zone differs slightly to the relief sought by the submitter.
- e. Economic analysis was undertaken that showed a more refined zone based on the 400m catchment can still supply enough feasible capacity to meet demand.
- f. That allowing for CRD within the general residential zones undermines the MDRZ and lacks transparency for landowners as to the types of developments that are anticipated to occur around them. It is considered more efficient to provide a defined area where Medium Density Residential development can occur focused around the main commercial centres which provide sufficient commercial services, access to recreational opportunities and active and public transport links to support this type of housing.
- g. That limiting medium density residential development to the MDRZ, and removing rules enabling CRD developments from the General Residential Zones, allows for infrastructure provision to be planned and coordinated, alleviating concerns around capacity within the MDRZ.
- h. The recommended approach provides greater transparency for landowners and developers as to where increased housing densities can occur.
- i. That an additional Section 32AA (see appendix 3) report has been prepared detailing the efficiency, effectiveness, and appropriateness of the recommended approach as a result of submissions.

4. SUBMISSION POINT 033.1 (R GADDUM, SAVE THE PLAINS GROUP)

ANALYSIS

- 4.1 The submission point 033.1 from Richard Gaddum of Save the Plains Group has supported Plan Change 5, insofar as it aligns with the objectives of the NPS-UD, particularly the aspects of the document that discuss going up, rather than out, which can be loosely aligned to Objective 3:

***Objective 3:** Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*

(c) *there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

- 4.2 As has been discussed as part of the Section 5 of the introductory report, it is considered that the overall direction of the plan change meets the objectives of the NPS-UD by providing for sufficient Medium Density Residential Zoning to meet long term demand in highly accessible areas of Hastings. As such given it is recommended that Plan Change 5 to proceed in line with the NPS-UD Objectives, the submission point of Richard Gaddum (033.1) should be accepted.
- 4.3 Furthermore, Mr Gaddum's submission has supported any policy direction that supports restricting development of the LUC 1 – 3 soils. It is considered that even with the recommended amendments to PC5 as notified, that the plan change is still efficient and effective at accommodating additional medium density within the existing urban area. Analysis undertaken by Market Economics, has shown that the recommended revised approach through submissions can provide enough feasible capacity to meet the demand over the next 30 years. It is considered that Plan Change 5 will provide sufficient alternatives to Greenfields development within the district. The exact levels of greenfields to brownfields development will be ultimately considered through the Future Development Strategy, but it is considered that the recommended approach to Plan Change 5 will support the strategic directions of the FDS through the NPS-UD.

RECOMMENDATIONS

- 4.4 That the submission point **033.1 (R Gaddum)** supporting Plan Change 5 where it relates to providing for intensification and reducing impact on Highly Productive land be accepted.
- 4.5 Reasons:
- a. That the recommended overall philosophy of the plan change is considered an efficient and effective method for achieving the Objectives of the NPS-UD.
 - b. That the Market Economics analysis has shown that the recommended approach to Plan Change 5 will provide sufficient supply to meet demand over the next 30 years, thus reducing the need to develop greenfields land.

5. SUBMISSION POINT 045.4 (L HOCQUARD)

ANALYSIS

- 5.1 The submission point 045.4 (L Hocquard) has suggested that although arable land needs to be protected, we could still develop some of the land between Hastings and Havelock and other areas on the outskirts of Hastings.
- 5.2 As previously mentioned in this report, the objectives of Plan Change 5 are largely related to the need to provide for greater intensification of dwellings in areas that are highly accessible to commercial centres such as near the CBD, as directed through the Objectives of the NPS-UD. This does not however, negate the need for there to be a wider strategy for the provision of land for houses. Such requirements are directed through the Future Development Strategy (FDS), which is also required through the NPS-UD. The FDS provides the direction for the next 30 years of housing supply within the Napier-Hastings urban area. This strategy will determine how much and where the greenfields land may be provided for the next 30 years.

- 5.3 In short, the consideration of additional greenfields land will be considered through the FDS, but is a separate process from PC5, and as such it is recommended that the submission be rejected.

RECOMMENDATIONS

- 5.4 That the submission point **045.4 (L Hocquard)** requesting the greenfields land be looked at as opposed to the increase of densities proposed by Plan Change 5 be rejected.
- 5.5 Reasons:
- a. That the distribution and location of greenfields land will be considered through the FDS, which considers land supply for residential and business land for the next 30 years.
 - b. That the scope of Plan Change 5 relates to the intensification of residential land in highly accessible areas, rather than the consideration of greenfields land.

6. SUBMISSION POINTS 050.5, 050.6 (KĀINGA ORA), FS11.5, FS11.12 (DEVELOPMENT NOUS), AND FS19.31, FS19.32 (RESIDENTS OF KAIAPO ROAD ETC)

ANALYSIS

- 6.1 The submission of Kāinga Ora has requested a future assessment into the commercial land zoning to compliment Plan Change 5 by introducing mixed-use and high-density options into specific areas. This submission point has further been addressed in Topic 1, Key Issue 4, Section 2.16. It is agreed that there should be a review of both the Commercial Zones and Commercial Strategy into the future. This will most likely happen in time as part of the rolling review of the District Plan. Any review would take into account all relevant aspects, such as consistency with surrounding zones.
- 6.2 It should also be noted that HDC have previously undertaken Variation 5 in 2018/19 which enabled inner city living in the upper floors of buildings in the Hasting Central Commercial Zone. This was undertaken to provide a greater range of land use options within the CBD. Any review of Commercial Zones and Strategies may expand on this, including determining the size and extent of the Commercial Zones. Finally, the Business Capacity Assessment has investigated demand for commercial land and found there is no general need for additional commercial land over the next 30-year period.
- 6.3 It is accepted that further reviews of the commercial zones are appropriate at a future date and as such this submission point is to be noted.

RECOMMENDATIONS

- 6.4 That the submission points **050.5 & 50.6 (Kāinga Ora)** requesting a future review of the Commercial Zone be noted.
- 6.5 That the further submission points **FS11.5 & FS11.12 (Development Nous)** supporting in part the submission of Kāinga Ora be noted.

6.6 That the further submission points **FS19.31 & FS19.32 (Residents of Kaiapo Road etc)** opposing the submission of Kāinga Ora **be noted**.

6.7 Reasons:

- a. That it is agreed that the Commercial Zones of the Hastings District Plan should be reviewed in the future, likely as part of the rolling review.
- b. That any review would be required to cover a broad range of issues, such as bulk and location and consistency with other zones.
- c. A review of the zoning or strategy may determine the appropriate level of commercial land zoning, and whether this should be expanded, reduced, or developed with a greater level of mixed-use opportunities.
- d. The Business Capacity Assessment has reviewed the demand and supply of commercial land and there is no general need for additional land over the next 30-year period.

7. SUBMISSION POINTS 101.1, 101.2 (TE TUĀPAPA KURA KĀINGA, MINISTRY OF HOUSING AND DEVELOPMENT), FS08.5 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS11.184, FS11.185 (DEVELOPMENT NOUS)

ANALYSIS

- 7.1 Te Tuāpapa Kura Kāinga – Ministry of Housing and Urban Development has submitted that they are concerned that Plan Change 5 as notified will not enable sufficient development capacity for Medium Density Residential Development and that demand and accessibility assessments be undertaken to demonstrate how PC5 will give effect to Policy 5 of the NPS-UD.
- 7.2 This topic has been largely covered under the recommended approach discussed in Section 5 of the introductory report. This was in response to the recommended spatial extent of the MDRZ through submissions, in which a number of options have been considered. As part of these considerations, an additional assessment was undertaken by Market Economics (Appendix 6) to understand the development capacity for each option.
- 7.3 The modelling looked at four separate scenarios. The scenarios are summarised as follows:
- Scenario 1 relates to the proposed planning provisions and spatial extent as notified for the initial public consultation.
 - Scenario 2A includes changes to the spatial extent of the MDRZ proposed under Scenario 1, and a smaller 400m walkable catchment around the commercial centres of Hastings, Havelock North and Flaxmere.
 - Scenario 2B is broadly consistent with Scenario 2A with regards to the planning provisions but there are differences in terms of the spatial extent where they apply.
 - Scenario 3 reflects Kāinga Ora (KO)'s submission with respect to the spatial extent of the MDRZ.

- 7.4 The report concludes that while extending the Medium Density Residential Zone wider (as specifically submitted by Kāinga Ora) provides more Plan Enabled Capacity, the options of narrowing the zoning to a more refined area, will provide greater levels of feasible capacity. This is explained below:

The modelling results suggest, despite Scenario 3 delivering much greater levels of plan enabled capacity, under a maximum profit approach, the greatest number of feasible dwellings could be delivered under Scenario 1 settings. The difference is largely driven by the feasible capacity for attached dwellings, in Hastings. Under a different approach, the development pattern might differ. While plan enabled capacity is useful, feasible capacity provides a more refined indication (than PEC) of how much choice is provided for/enabled in the market, under different growth options. The modelling suggests similar levels of feasible capacity under Scenario 1, 2A and 2B (~30,000-31,000 dwellings) and slightly less (~27,000 dwellings) under Scenario 3. However, Scenario 3 delivers nearly double the number of feasible standalone homes when compared to Scenario 1. Feasible capacity expected under Scenario 2A and 2B, like under Scenario 1, is also heavily weighted towards attached dwellings. This is important when matching demand with supply. While demand for attached dwellings in the district, has increased marginally over time, the preference shift has been relatively slow.

- 7.5 The report has concluded that similar levels of feasible capacity can be achieved within a smaller more refined area. This is shown by Table 5-1: Summary of Results. This is important, as it shows that we can achieve the requirements of the NPS-UD by providing for increased height and density, in a relatively refined area, close to highly accessible transportation routes and the CBD and other main commercial centres. In this case, it is recommended that the MDR Zone is largely consolidated into a 400m walkable catchment. It is considered that this approach achieves the direction of Policy 5 in a more efficient and effective way than providing for medium density across larger tracts of Hastings, Flaxmere and Havelock North. This is further reinforced through the M.E report below:

To conclude, while the benefits of intensification are well-documented, for these to be realised, both concentration and location need to be considered. Scenario 1 and 2 (A and B) proposes a centre-based approach, enabling intensification around areas of high amenity. Scenario 3 proposes enabling intensification across all of Hastings. We note, if intensification provisions are too widespread, it would dilute positive effects associated with compact urban form effects.

- 7.6 Finally, as outlined through Introductory Report, it is important to understand that Plan Change 5 is only the first step in providing for residential capacity for urban development. It is not considered that Plan Change 5 should be providing for the entire shortfall identified through the Housing Capacity Assessment. These decisions need to be considered through the wider Future Development Strategy, which can determine the level of intensification and greenfields development which informs growth for the district. The decisions for PC5 will inform the FDS, without necessarily providing for all future housing supply.

RECOMMENDATIONS

- 7.7 That the submission point **101.1 (Te Tuāpapa Kura Kāinga, Ministry of Housing and Development)** requesting that PC5 enables sufficient capacity to address the

supply gaps of the Housing and Business Capacity Assessment **be accepted in part.**

- 7.8 That the further submission point **FS11.184 (Development Nous)** supporting submission of Te Tuāpapa Kura Kāinga, Ministry of Housing and Development (101.1) **be accepted in part.**
- 7.9 That the further submission point **FS08.5 (Waka Kotahi, New Zealand Transport Agency)** supporting in part the submission of Te Tuāpapa Kura Kāinga, Ministry of Housing and Development (101.1) **be accepted in part.**
- 7.10 That the submission point **101.2 (Te Tuāpapa Kura Kāinga, Ministry of Housing and Development)** requesting that we undertake a demand and accessibility assessment to inform PC5 **be accepted in part.**
- 7.11 That the further submission point **FS11.185 (Development Nous)** supporting submission of Te Tuāpapa Kura Kāinga, Ministry of Housing and Development (101.2) **be accepted in part.**
- 7.12 Reasons:
- a. That an economic assessment has been undertaken that concludes that the supply provided under the recommended revised approach to PC5 will supply sufficient feasible capacity for intensification to meet future demand, but this may not necessarily cover the shortfall in supply concluded through the Housing Capacity Assessment.
 - b. A demand/supply assessment has been undertaken, which has determined that rezoning for Medium Density Residential within a 400m catchment of the CBD and main arterials provides sufficient supply to meet demand.
 - c. In determining the boundaries of the MDR zone, accessibility was considered as part of the methodology in defining an appropriate catchment area around the CBD and main commercial centres / transport routes.

8. SUBMISSION POINT 106.1 (TUMU DEVELOPMENT, P COOKE)

ANALYSIS

- 8.1 The submission of **Tumu Development, Peter Cooke (106.1)** has supported Plan Change 5, particularly in relation to the introduction of the NPS-HPL which puts significant constraints on the ability to develop greenfields land in Hawke's Bay. As has been previously discussed, it is considered that the plan change broadly aligns with the direction of the NPS-HPL through the provision of greater housing supply within the existing urban footprint. The overall levels and locations required for future greenfields land, will ultimately be determined through the FDS.
- 8.2 The suggested changes mentioned within this submission point are generally to standards and terms and will be dealt with specifically throughout the S42 report. As such it is recommended this submission point **is accepted.**

RECOMMENDATIONS

8.3 That the submission point **106.1 (Tumu Development)** supporting Plan Change 5 on the basis that it provides more residential availability given the constraints of developing greenfields land due to NPS-HPL **be accepted.**

8.4 Reason:

- a. While Plan Change 5 is not specifically directed by the NPS-HPL, it is considered consistent with the Objectives due to the provision of additional dwellings within the existing urban area, thus reducing pressures on the development of highly productive land for housing.

9. **SUBMISSION POINTS 107.1 (WAKA KOTAHI, NEW ZEALAND TRANSPORT AGENCY), FS11.188 (DEVELOPMENT NOUS), FS13.2 (KĀINGA ORA)**

ANALYSIS

- 9.1 The submission of Waka Kotahi, New Zealand Transport Agency has raised concerns that the inability to provide infrastructure limitations may lead to a hybrid approach to future residential housing opportunities, which will not meet the objectives of the NPS-UD in an efficient and effective manner.
- 9.2 Much of the response to this submission can be found in Section 5 of the introductory report, 'The Preferred Scenario for the Medium Density Residential Zone', where the recommended approach following consideration of submissions has been detailed. However, the specific aspects of the submission point have been covered off below.
- 9.3 In terms of the infrastructure, it is accepted that providing for increased density across both the rezoned MDRZ, and the General Residential Zones of Hastings, Flaxmere and Havelock North, would be inefficient and unaffordable to service all at once, leading to constraints on network capacity. This, therefore, would limit the ability to achieve greater density in some areas. The recommended approach as discussed under introductory report, removes the ability to achieve greater densities within the General Residential Zones, and limits the Medium Density Residential Zone to a catchment relating largely to a 400m distance from the CBD and main transport routes.
- 9.4 The recommended approach benefits the distribution of infrastructure capacity through limiting the level of development outside of the MDRZ. By having greater certainty around the level of additional development able to occur in General Residential Zone, HDC can plan for, and focus on, increasing infrastructure capacity within the recommended MDRZ, ensuring that the zone can be developed to a density envisaged by the District Plan provisions. This is considered a more effective and efficient measure of meeting Objective 6 of the NPS-UD:

Objective 6: *Local authority decisions on urban development that affect urban environments are:*

- (a) *integrated with infrastructure planning and funding decisions; and*
- (b) *strategic over the medium term and long term; and*
- (c) *responsive, particularly in relation to proposals that would supply significant development capacity.*

- 9.5 On that basis, the recommended amendments to Plan Change 5 provide a more integrated response to infrastructure by ensuring capacity in areas which are highly accessible.
- 9.6 The second key aspect to the recommended approach under the introductory report is that it provides greater certainty for those residents of each zone. By directing higher density development to the Medium Density Residential Zone and limiting density (to 1 residential building per 350m²) in Hastings and Havelock North (and to 1 residential building per 500m²) and in Flaxmere, it ensures a clear and transparent delineation as to where medium density developments can occur. This provides greater certainty to landowners within the General Residential Zone of the development outcomes sought and that amenity values will be maintained in accordance with the planned urban built form environment allowed by the bulk and location standards of the particular zone. Within the Medium Density Residential Zone, landowners can expect a change in amenity values as anticipated under Policy 6(b)(i)

may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types;

- 9.7 While PC5 as notified provided for medium density within 400-600m of commercial zones, public parks and a public bus stop in the rules of the General Residential Zone, it was not transparent or as evident as rezoning land. It is considered that the approach as recommended gives landowners much greater certainty and understanding of the plan provisions and is considered a more efficient and effective method of achieving a well-functioning urban environment that provides for increased density in highly accessible areas, and achieves Objective 1, Policy 1 and Policy 6 of the NPS-UD.
- 9.8 Finally, the submitter has concerns that Plan Change 5 will not provide sufficient capacity to meet anticipated demand. As has been discussed previously in this report, Market Economics undertook a demand and supply review, which looked at multiple scenarios for the spatial extent of rezoning for medium density under Plan Change 5 and found that the approach recommended under Section 5 of the introductory report can provide sufficient plan enabled and feasible capacity to meet demand. The efficiency and effectiveness of the options are considered in the Market Economics report will also be discussed further through the Section 32AA report attached as Appendix 3.
- 9.9 It is considered that the points raised by the submitter have been addressed through the recommended approach to Plan Change 5 as discussed under the introductory report, which ensures that the Objectives and Policies of the NPS-UD can be achieved in a more effective and efficient manner. As such the submission point of Waka Kotahi, New Zealand Transport Agency should be accepted in part.

RECOMMENDATIONS

- 9.10 That the submission point **107.1 (Waka Kotahi, New Zealand Transport Agency)** requesting additional analysis be undertaken to assess the efficiency and effectiveness of PC5 in achieving the objectives of the NPS-UD be accepted in part.

- 9.11 That the further submission point **FS11.188 (Development Nous)** supporting submission of Waka Kotahi, New Zealand Transport Agency (107.1) **be accepted in part.**
- 9.12 That the further submission point **FS13.2 (Kāinga Ora)** supporting submission of Waka Kotahi, New Zealand Transport Agency (107.1) **be accepted in part.**
- 9.13 Reasons:
- a. That the refined location of the Medium Density Residential Zone, and the removal of CRD provisions from the general residential zones, ensures that infrastructure capacity can be specifically directed to locations where higher density is proposed, rather than spread across the city, aligning with Objective 6 of the NPS-UD.
 - b. The recommended Medium Density Residential Zone will be located within approximately 400m of the CBD of Hastings, the commercial centres of Havelock North and Flaxmere, and key transport corridors, aligning with Policy 5 of the NPS-UD.
 - c. The recommended approach will align with Policy 6(b)(i) of the NPS-UD by better defining the areas in which Medium Density Residential development can occur, thus allowing residents greater choice and understanding as to the future amenity values of their location.
 - d. Additional assessment has been undertaken by Market Economics which has determined that the recommended approach can achieve sufficient supply to meet demand.

10. SUBMISSION POINTS 140.1 (SAVE OUR FERTILE SOILS) and FS28.12 (KĀINGA ORA)

ANALYSIS

- 10.1 The submission of Save our Fertile Soils relates to the NPS-HPL and that it does not go far enough to address restriction of urban development of highly productive land and that moving forward the Council needs to focus on new residential communities within existing town and city boundaries and on unproductive land. Kāinga Ora support this submission in so far as it is consistent with their primary submission – that HDC need to focus on residential development and intensification within the existing urban environment to avoid further urban sprawl onto productive land.
- 10.2 Plan Change 5 has no ability to address the specific provisions of the NPS-HPL, nor does this national policy statement provide specific policy direction for PC5. It is therefore considered that this part of the submission is out of scope and should **be rejected.** With respect to the statement that '*Council needs to focus on new residential communities within the existing urban boundaries*', the objectives of PC5 seek to reduce growth pressures on productive land through enabling intensification within existing urban boundaries. Therefore, it is considered this submission is in support of the plan change. On that basis overall, the submission is recommended to be accepted in part, where it relates to providing for intensification and reducing impact on highly productive land.

- 10.3 The support in the submission for the NPS-UD direction is noted and has been assessed previously under submission point 033.1 (R Gaddum, Save the Plains Group).

RECOMMENDATIONS

- 10.4 That the submission point **140.1 (Save our Fertile Soils)** **be accepted in part** where it relates to providing for intensification and reducing impact on highly productive land.
- 10.5 That the further submission point **FS28.12 (Kāinga Ora)** supporting in part the submission from Save our Fertile Soils (140.1) **be accepted in part.**
- 10.6 **Reasons:**
- a. Plan Change 5 cannot amend the provisions of the NPS-HPL and therefore this part of the submission point is out of scope.
 - b. The provisions of PC5 seek to enable additional residential housing and communities within the urban boundaries of the district and through these provisions seek to reduce growth pressures on highly productive land.