

## HAURAKI DISTRICT COUNCIL

### DISTRICT PLAN HEARINGS COMMITTEE (Under Council delegation)

MINUTES OF THE HEARING OF THE DISTRICT PLAN HEARINGS COMMITTEE ON PROPOSED PLAN CHANGE 1: RULE PLAN CHANGE HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY, 9 MAY 2019 COMMENCING AT 9.00 AM

#### **PRESENT**

Cr P A Milner (Chairperson), Cr D A Adams (Deputy Mayor),  
Cr G R Leonard and Cr A Rattray

#### **IN ATTENDANCE**

Messrs P Thom (Group Manager - Planning & Environmental Services), M Rademeyer (Planning Consultant/Advisor), Ms W Harris, Regulatory Services Manager and C Hubbard (Planning Administrator)

#### **APOLOGIES**

There were no apologies.

#### **LATE ITEMS**

There were no late items.

#### **DECLARATIONS OF INTEREST**

There were no declarations.

#### **SECTION 42A HEARING REPORT AND SECTION 32AA FURTHER EVALUATION REPORT – PROPOSED PLAN CHANGE 1: RULE PLAN CHANGE (DOC#2568187)**

#### **RESOLVED**

THAT the report be received.

DPHC19/01

Adams/Leonard

**CARRIED**

#### **RESOLVED**

THAT the Hearings Committee receives and considers any additional information or evidence tabled at the hearing by submitters.

DPHC19/02

Adams/Leonard

**CARRIED**

#### **REQUEST FOR LATE SUBMISSION – PROPOSED PLAN CHANGE 1 (DOC# 2568058)**

#### **RESOLVED**

THAT the report be received.

DPHC19/03

Milner/Rattray

**CARRIED**

**RESOLVED**

THAT the request by Annette Arundel for her email dated 26 April 2019 to be treated as a "submission" on Proposed Plan Change 1 be declined, and

THAT staff write back to Ms Arundel informing her of the Hearings Committee decision in relation to this matter.

DPHC19/04

Milner/Rattray

**CARRIED**

**LATE SUBMISSIONS (P1.1)**

**RESOLVED**

THAT the late submissions received on Proposed Plan Change 1: Rule Plan Change (PC1) from Lawrence Olsen (submission # 32) and Lindsay Allpress (submission #34) and the late further submission by Heritage New Zealand Pouhere Taonga (further submission #F2) be accepted based on the following reasons:

- a) The late submissions do not raise any new matters not already referenced in other submissions.
- b) Acceptance of the late submissions will enable the relief sought to be considered. Therefore the interests of the community will be better served by accepting the submissions.
- c) Accepting the late submissions will not result in a delay in the processing of PC1.

DPHC19/05

Rattray/Milner

**CARRIED**

Note:

The Transpower tabled correspondence was received and it was noted that they did not wish to be heard.

Submissions were heard from:

9.35am J2 Homes NZ – Jason Duckworth (by phone link)  
9.40am W M Bowman  
9.45am B M Kotkin-Smith

The hearing adjourned at 10.00am for morning tea and reconvened at 10.15am.

Submission was heard from:

10.15am Hauraki District Council – Leigh Robcke

The hearing adjourned at 11.10am and reconvened at 11.18am.

**RESOLVED**

THAT the Hearings Committee move into deliberations.

DPHC19/06

Leonard/Rattray

**CARRIED**

Deliberations commenced at 11.20am.

## **OUT OF SCOPE" SUBMISSIONS (P1.2)**

### **RESOLVED**

THAT the submission points as shown in the table below be rejected as they are "out of scope" based on the following relative reason(s):

- a) The Council has no jurisdiction to consider submissions that are "out of scope" (i.e. that are not "on" PC1).
- b) Submissions seeking amendments to the Operative District Plan's objectives and policies and that do not identify conflict between the proposed standards and rules and the operative objectives and policies are "out of scope".
- c) Submissions seeking zoning changes are "out of scope".
- d) Submissions seeking rule changes outside of the broad summary of changes listed in the section 32 Report and public notice are "out of scope".
- e) Submissions seeking changes that could not reasonably have been envisaged and that significantly affect the interests of other parties that have not made submissions (i.e. the "fairness test") are "out of scope".

<b>Point #</b>	<b>Submitter</b>	<b>Accept/Reject</b>	<b>Recommendation</b>	<b>Reason/s</b>
33.1	Mark Pennington	Reject	P1.2	a), b), e)
33.2	Mark Pennington	Reject	P1.2	a), b), e)
33.4	Mark Pennington	Reject	P1.2	a), b), e)
33.8	Mark Pennington	Reject	P1.2	a), b), e)
33.9	Mark Pennington	Reject	P1.2	a), b), e)
33.10	Mark Pennington	Reject	P1.2	a), b), e)
33.11	Mark Pennington	Reject	P1.2	a), d)
4.1	Linzee & Shauna Bickley	Reject	P1.2	a), c), d), e)
25.1	Thomas Gothorp	Reject	P1.2	a), c), d), e)
12.1	Beverley Mavis Kotkin-Smith	Reject	P1.2	a), c), d), e)
28.1	Terese Maud	Reject	P1.2	a), d), e)
F1.1	NZ Transport Agency	Reject	P1.2	a), d), e)
34.1	Lindsay Allpress	Reject	P1.2	a), d), e)
F1.2	NZ Transport Agency	Reject	P1.2	a), d), e)
7.2	J2 Homes NZ	Reject	P1.2	a), d), e)
21.2	Brent Trail	Reject	P1.2	a), d), e)
21.3	Brent Trail	Reject	P1.2	a), d), e)
21.4	Brent Trail	Reject	P1.2	a), d), e)

DPHC19/07

Leonard/ Adams

**CARRIED**

## **ADDITIONAL DWELLINGS – LOW DENSITY RESIDENTIAL ZONE (R2.1)**

### **RESOLVED**

THAT the 'additional dwelling' provisions of Plan Change 1 in relation to the Low Density Residential Zone be retained, with amendments as shown in Appendix 2, and

THAT the submission points shown in the table below be accepted based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The suggested amendments will reduce duplication and improve consistency.
- c) Adequate safeguards exist to properly manage any increased stormwater resulting from the proposed 'additional dwelling' provisions.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
2.3	Veda Winsley	Accept	R 2.1	a)
15.2	Hauraki District Council	Accept	R 2.1	a), b)
16.3	New Zealand Transport Agency	Accept	R 2.1	c)
23.4	Dawn Sinclair	Accept	R 2.1	a)
26.1	Stephen & Elizabeth Lye	Accept	R 2.1	a)

DPHC19/08

Ratray/ Adams

**CARRIED**

### **ADDITIONAL DWELLINGS –RESIDENTIAL ZONE (R2.2)**

#### **RESOLVED**

THAT the 'additional dwelling' provisions of Plan Change 1 in relation to the Residential Zone be retained, with amendments as shown in Appendix 2, and

THAT the submission points shown in the table below be accepted based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The suggested amendments will reduce duplication and improve consistency.
- c) Adequate safeguards exist to properly manage any increased stormwater resulting from the proposed 'additional dwelling' provisions.
- d) The issues raised in the submission are adequately addressed in the Operative District Plan including the changes proposed by PC1 as shown in Appendix 2

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
3.1	Frederick Tapp	Accept	R 2.2	a)
15.1	Hauraki District Council	Accept	R 2.2	b)
16.2	New Zealand Transport Agency	Accept	R 2.2	c)
23.3	Dawn Sinclair	Accept	R 2.2	a)
24.1	Gary Gothorp	Accept	R 2.2	a)
33.3	Mark Pennington	Accept	R 2.3	d)

DPHC19/09

Adams/ Milner

**CARRIED**

### **ADDITIONAL DWELLINGS –RESIDENTIAL ZONE (R2.3)**

#### **RESOLVED**

THAT the neutral submission be noted but that no changes be made to Plan Change 1 in response to the submission from Mark Pennington (#33.3) and the issues raised in the submission are adequately addressed in the Operative District Plan including the changes proposed by Plan Change 1 as shown in Appendix 2.

DPHC19/10

Milner/ Leonard

**CARRIED**

### **DEVELOPMENT STANDARDS – OTHER (R3.1)**

#### **RESOLVED**

THAT the 'development standards' of Plan Change 1 be retained, with amendments as shown in Appendix 2.

THAT the submission points shown in the table below be accepted or rejected based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The suggested amendments will improve clarity.
- c) Adequate safeguards exist to ensure that potential effects and unintended consequences from the proposed changes will be able to be managed.
- d) A "blanket" reduction in the 'Front Yard' requirement could in some instances result in adverse traffic noise and vibration effects.
- e) A "blanket" reduction in the 'Front Yard' requirement could in some instances result in reverse sensitivity effects on the District's road network.
- f) A "blanket" reduction in the 'Front Yard' requirement could in some instances result in adverse effects on the amenity and quality of the neighbourhood.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
3.4	Frederick Tapp	Accept	R 3.1	a), c)
15.10	Hauraki District Council	Accept	R 3.1	a), b)
19.1	Ian William Verrall	Reject	R 3.1	d), e), f)
26.6	Stephen & Elizabeth Lye	Reject	R 3.1	d), e), f)
33.6	Mark Pennington	Accept	R 3.1	a)

DPHC19/11

Leonard/ Rattray

**CARRIED**

**DEVELOPMENT STANDARDS – OUTDOOR LIVING AREA (R3.2)**

**RESOLVED**

THAT the 'outdoor living area' standards of Plan Change 1 for the Residential and Low Density Residential Zones be retained as notified, and

THAT the submission points shown in the table below be accepted based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The reduction in outdoor living area requirements as notified will provide more flexibility for residential development while still retaining amenity values and adequate space for outdoor recreation.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
7.3	J2 Homes NZ	Accept	R 3.2	a), b)
21.14	Brent Trail	Accept	R 3.2	a), b)
21.15	Brent Trail	Accept	R 3.2	a), b)
23.2	Dawn Sinclair	Accept	R 3.2	a), b)

DPHC19/12

Leonard/ Rattray

**CARRIED**

**DEVELOPMENT STANDARDS – PRIVACY AND SEPARATION (R3.3)**

**RESOLVED**

THAT the 'privacy and separation' standards of Plan Change1 be retained as notified, and

THAT the submission point shown in the table below be accepted based on the following reason(s):

- a) Support for the proposed provision is acknowledged.
- b) The 'privacy and separation' provisions as notified will provide more flexibility for residential development while still retaining amenity values and adequate separation from boundaries.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
23.7	Dawn Sinclair	Accept	R 3.3	a), b)

DPHC19/13

Milner/ Adams

**CARRIED**

**DEVELOPMENT STANDARDS – YARD (R 3.4)**

**RESOLVED**

THAT the 'other yards' standards of Plan Change 1 for the Residential and Low Density Residential Zones be retained as notified, and

THAT the submission points shown in the table below be accepted based on the following relative reason(s):

- a) Support for the proposed provision is acknowledged.
- b) The 'other yard' requirements as notified will provide more flexibility for residential development while still retaining amenity values and adequate separation from boundaries.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
7.4	J2 Homes NZ	Accept	R 3.4	a), b)
21.12	Brent Trail	Accept	R 3.4	a), b)
21.13	Brent Trail	Accept	R 3.4	a), b)
23.8	Dawn Sinclair	Accept	R 3.4	a), b)
26.4	Stephen & Elizabeth Lye	Accept	R 3.4	a), b)

DPHC19/14

Adams/ Rattray

**CARRIED**

**EARTHWORKS– (R 4.1, R 4.2 & R 4.3)**

**RESOLVED**

THAT the submission points in support of the 'earthworks' standards of Plan Change 1 for the Residential, Low Density Residential, Marae Development, Township, Town Centre and Industrial Zones be accepted (recommendation R4.1) but that amendments as shown in Appendix 2 be made in response to other submissions, and

THAT the neutral submission in to the 'earthworks' standards of PC1 for the Residential, Low Density Residential, Marae Development, Township, Town Centre and Industrial Zones be accepted (recommendation R4.2) but that amendments as shown in Appendix 2 be made in response to other submissions, and

THAT the submission to the 'earthworks' standards of PC1 for the Residential, Low Density Residential, Marae Development, Township, Town Centre and Industrial Zones be accepted in part (recommendation R4.3) and that amendments as shown in Appendix 2 be made in response to the submission, and

THAT the submission points shown in the table below be either accepted or accepted in part based on the following relative reason(s) provided for each submission point:

- a) Support for the proposed provisions is acknowledged.
- b) The amended permitted activity standards as shown in Appendix 2 will ensure that the adverse effects from earthworks including privacy, stormwater, sedimentation and dust can be adequately addressed without requiring standard residential development (with limited earthworks) to obtain resource consent.
- c) The amended permitted activity standards as shown in Appendix 2 will enable earthworks to be managed so that stormwater run-off will not have adverse effects on the state highway network.
- d) The amended permitted activity standards as shown in Appendix 2 read with the conservation and heritage provisions in Section 6 of the Operative District Plan will mitigate the risk that earthworks could affect archaeological heritage.
- e) The amended permitted activity standards as shown in Appendix 2 will mitigate the risk that earthworks could affect infrastructure.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
7.5	J2 Homes NZ	Accept	R 4.1	a)
15.3	Hauraki District Council	Accept in part	R 4.3	b)
16.6	New Zealand Transport Agency	Accept in part	R 4.3	c)
26.5	Stephen & Elizabeth Lye	Accept	R 4.1	a)
30.1	NZ Archaeological Association	Accept in part	R 4.3	d)
F2.1	<i>Pouhere Taonga - support</i>	<i>Accept in part</i>	<i>R 4.3</i>	<i>d)</i>
31.2	Powerco Ltd	Accept	R 4.2	e)

DPHC19/15

Leonard/ Milner

**CARRIED**

### **MINOR DWELLING UNITS – LOW DENSITY RESIDENTIAL ZONES (R 5.1)**

#### **RESOLVED**

THAT the 'minor dwelling unit' provisions of Plan Change 1 in relation to the Low Density Residential Zone be retained, with amendments as shown in Appendix 2.

THAT the submission points shown in the table below be either accepted or rejected based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The suggested amendments will improve the overall liveability of minor dwelling units without undermining the intent of the provisions.
- c) The suggested 'note' would assist Plan users and would provide a link to which further information could be sourced.
- d) Adequate safeguards exist to properly manage any increased stormwater resulting from the proposed 'minor dwelling unit' provisions.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
2.4	Veda Winsley	Accept	R 5.1	a)
15.6	Hauraki District Council	Accept	R 5.1	b)
15.9	Hauraki District Council	Accept	R 5.1	c)
15.14	Hauraki District Council	Accept	R 5.1	b)
16.5	New Zealand Transport Agency	Accept	R 5.1	d)
21.9	Brent Trail	Reject	R 5.1	b)
23.6	Dawn Sinclair	Accept	R 5.1	a)
26.2	Stephen & Elizabeth Lye	Accept	R 5.1	a)

**MINOR DWELLING UNITS –RESIDENTIAL ZONE (R 5.2)****RESOLVED**

THAT the 'minor dwelling unit' provisions of Plan Change 1 in relation to the Residential Zone be retained, with amendments as shown in Appendix 2, and

THAT the submission points shown in the table below be either accepted or rejected based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) The suggested amendments will improve the overall liveability of minor dwelling units without undermining the intent of the provisions.
- c) The suggested 'note' would assist Plan users and would provide a link to which further information could be sourced.
- d) Adequate safeguards exist to properly manage any increased stormwater resulting from the proposed 'minor dwelling unit' provisions.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
3.2	Frederick Tapp	Accept	R 5.2	a)
6.1	Maree Hudson	Accept	R 5.2	a)
15.5	Hauraki District Council	Accept	R 5.2	b)
15.8	Hauraki District Council	Accept	R 5.2	c)
15.15	Hauraki District Council	Accept	R 5.2	b)
16.4	New Zealand Transport Agency	Accept	R 5.2	d)
21.10	Brent Trail	Reject	R 5.2	b)
23.5	Dawn Sinclair	Accept	R 5.2	a)
24.2	Gary Gothorp	Accept	R 5.2	a)

**MINOR DWELLING UNITS –RURAL ZONE (R 5.3)****RESOLVED**

THAT the 'minor dwelling unit' provisions of Plan Change 1 in relation to the Rural Zone be retained as notified, with amendments as shown in Appendix 2 to provide as a restricted-discretionary activity for up to a maximum of two minor dwelling units associated with permitted dwellings on rural titles of more than 40 ha with the following amendments, and

THAT the submission points shown in the table below be either accepted, accepted in part or rejected based on the following relative reason(s):

- a) Support for the proposed provisions is acknowledged.
- b) Increasing the maximum distance that a minor dwelling unit can be from the principal dwelling in the Rural Zone from 10 metres to 20 metres will provide for increased privacy and greater ability to work around topographical or other site constraints.
- c) The suggested amendments will improve the overall liveability of minor dwelling units without undermining the intent of the provisions.
- d) The suggested 'note' would assist Plan users and would provide a link to which further information could be sourced.



- e) For titles of more than 40ha it is considered appropriate that provision be made for minor dwelling units.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
1.1	Wendy Margaret Bowman	Accept	R 5.3	a)
5.1	Rory Davis	Accept in part	R 5.3	a), b)
15.4	Hauraki District Council	Accept	R 5.3	c)
15.7	Hauraki District Council	Accept	R 5.3	d)
15.16	Hauraki District Council	Accept	R 5.3	c)
21.11	Brent Trail	Reject	R 5.3	c)
22.1	Raymond John Ridings & Jennifer Jane Ridings	Accept in part	R 5.3	a), e)

DPHC19/18

Leonard / Rattray

**CARRIED**

**OTHER –CONSEQUENTIAL AMENDMENTS (R 6.1)**

**RESOLVED**

THAT the amendments as shown in Appendix 2 be made in response to submission, and

THAT the submission points shown in the table below be accepted, based on the following reason:

- a) The amendments sought are for clarification only and do not change the intent of the provisions as notified.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
15.11	Hauraki District Council	Accept	R 6.1	a)
15.12	Hauraki District Council	Accept	R 6.1	a)
15.13	Hauraki District Council	Accept	R 6.1	a)

DPHC19/19

Milner / Leonard

**CARRIED**

**OTHER –OTHER (R 6.2)**

**RESOLVED**

THAT the neutral submission from Powerco (submission point 31.1) that “does not seek any relief or alternative wording” be noted and that no changes be made to Plan Change 1 in response to the submission, as the matters raised in the submission are already dealt with adequately in other sections of the Operative Hauraki District Plan.

DPHC19/20

Rattray / Adams

**CARRIED**

**OTHER –WHOLE PLAN CHANGE (R6.3, R6.4 & R6.5)**

**RESOLVED**

THAT support for the plan change as notified is noted, but that amendments as shown in Appendix 2 are made in response to other submissions (recommendation R6.3), and

THAT the submission requesting that the plan change be declined be rejected (recommendation R6.4), and

That the submission requesting that the plan change be modified to enable case-by-case assessment be rejected (recommendation R6.5), and

THAT the submission points shown in the table below be accepted or rejected, based on the following reason(s):

- a) Support for the plan change as notified is noted.
- b) The matters raised in the submission are already dealt with adequately in other sections of the Operative Hauraki District Plan.
- c) The submission is not supported by the section 32 evaluation.
- d) The matters raised in the submission are already dealt with adequately within the provisions of PC1 including the modifications shown in Appendix 2.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
8.2	Paul Sleep & Susan Sleep	Accept	R 6.3	a)
27.1	Marc Bonney	Reject	R 6.4	c)
29.1	Transpower New Zealand Ltd	Accept	R 6.4	a), b)
32.1	Lawrence Olsen	Reject	R 6.5	d)

DPHC19/21

Adams/ Milner

**CARRIED**

**RESIDENTIAL ZONES –OTHER – STORAGE BUILDINGS (R 7.1)**

**RESOLVED**

THAT the submission points shown in the table below that support the plan change be accepted, based on the following reason(s):

- a) Support for the plan change as notified is noted.
- b) The matters raised in the submission are already dealt with adequately within the provisions of PC1 including the modifications shown in Appendix 2.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
2.2	Veda Winsley	Accept	R 7.1	a)
3.3	Frederick Tapp	Accept	R 7.1	a), b)
8.1	Paul Sleep & Susan Sleep	Accept	R 7.1	a)
26.3	Stephen and Elisabeth Lye	Accept	R 7.1	a)

DPHC19/22

Leonard / Rattray

**CARRIED**

**SUBDIVISION – OTHER (R8.1, R8.2 and R8.3)**

**RESOLVED**

THAT the submission in support of the plan change be accepted (Recommendation 8.1), and

THAT the neutral submissions on the plan change be accepted (Recommendation 8.2), and

THAT the submission in opposition of on the plan change be rejected (Recommendation 8.3), and

THAT the submission points shown in the table below be accepted or rejected, based on the following reason(s):

- a) Support for the plan change as notified is noted.
- b) The matters raised in the submission are already dealt with adequately within the Operative District Plan and the provisions of PC1 including the modifications shown in Appendix 2.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
33.13	Mark Pennington	Accept	R 8.1	a)
33.14	Mark Pennington	Accept	R 8.2	a)
33.15	Mark Pennington	Reject	R 8.3	b)
33.16	Mark Pennington	Accept	R 8.2	a)

DPHC19/23

Adams / Rattray

**CARRIED**

**SUBDIVISION – RESIDENTIAL ZONE (R8.4, R8.5, R8.6 & R8.7)**

**RESOLVED**

THAT the submission in support of the plan change be accepted as per Recommendation R8.4., and

THAT the submission be accepted but that amendments to PC1 not be made in response to the submission as per Recommendation R8.5., and

THAT the submission requesting that the minimum lot size be further reduced, be rejected as per Recommendation R8.6., and

THAT the neutral submission be accepted but that amendments to PC1 not be made in response to the submission as per Recommendation 8.7., and

THAT the submission points shown in the table below be accepted or rejected, based on the following reason(s):

- a) Support for the plan change as notified is noted.
- b) The section 32 evaluation does not support further reduction in lot size.
- c) The matters raised in the submission are already dealt with adequately within the Operative District Plan and the provisions of PC1 including the modifications shown in Appendix 2.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
2.1	Veda Winsley	Accept	R 8.4	a)
6.2	Maree Hudson	Accept	R 8.4	a)
7.1	J2 Homes NZ	Accept	R 8.4	a)
9.1	Andrew Wharry	Accept	R 8.4	a)
9.2	Andrew Wharry	Accept	R 8.4	a)
9.3	Andrew Wharry	Accept	R 8.4	a)
16.1	New Zealand Transport Agency	Accept	R 8.5	a), c)
20.1	Joan Kerr McIntyre	Reject	R 8.6	b)
21.1	Brent Trail	Reject	R 8.6	b)
21.5	Brent Trail	Accept	R 8.4	a)
21.6	Brent Trail	Accept	R 8.4	a)
21.7	Brent Trail	Accept	R 8.4	a)
21.8	Brent Trail	Accept	R 8.4	a)
23.1	Dawn Sinclair	Accept	R 8.4	a)
24.3	Gary Gothorp	Accept	R 8.4	a)
33.12	Mark Pennington	Accept	R 8.7	c)

**WHIRITOA TOWNSHIP – ADDITIONAL DWELLINGS – RESIDENTIAL ZONE (R9.1 & R9.2)****RESOLVED**

THAT the submissions in opposition to Rule 5.7.4.2 (C5) be rejected as per Recommendation R9.1., and

THAT the neutral submission be accepted but that that amendments to PC1 not be made in response to the submission as per Recommendation R9.2., and

THAT the submission points shown in the table below be accepted in part or rejected, based on the following reason(s):

- a) Rule 5.7.4.2 (C5) does not provide for additional development opportunities.
- b) Adopting Rule 7.5.4.2 (C5) will result in the same development opportunities that currently exist under the subdivision provisions. The only effect is that additional dwellings that meet the subdivision standards are not required to be subdivided but can be held in the same title as the primary dwelling.
- c) Adopting Rule 7.5.4.2 (C5) will not result in any adverse effects on infrastructure, amenity values or the quality of the environment, over and above the effects already implied in the subdivision standards of the Operative District Plan.
- d) The matters raised in the submission are already dealt with adequately within the Operative District Plan and the provisions of PC1 including the modifications shown in Appendix 2.
- e) Management of groundwater takes is not a function of territorial authorities. Therefore there is no jurisdiction for Council to impose control over groundwater takes in the District Plan.

<b>Point #</b>	<b>Submitter</b>	<b>Accept/Reject</b>	<b>Recommendation</b>	<b>Reason/s</b>
10.2	Tracy Ransfield	Reject	R 9.1	a), b), c)
11.1	Allen Barry Christiansen	Reject	R 9.1	a), b), c)
13.2	Lynn Green	Reject	R 9.1	a), b), c)
14.2	Anne George & Robert Lloyd	Reject	R 9.1	a), b), c)
33.3	Mark Pennington	Accept in part	R 9.2	d), e)

DPHC19/25

Milner/ Adams

**CARRIED****WHIRITOA TOWNSHIP - DEVELOPMENT STANDARDS – OTHER (R 9.3)****RESOLVED**

THAT the provision be retained for the “maximum site development” standard for the Residential Zone (Rule 5.7.5) as it relates to Whiritoa, and

THAT the submission of Mark Pennington (#33.6) be noted and accepted as it supports Rule 5.7.5.

DPHC19/26

Milner/ Adams

**CARRIED****WHIRITOA TOWNSHIP - MINOR DWELLING UNITS – RESIDENTIAL ZONE (R 9.4 & R9.5)**

## RESOLVED

THAT the submissions in opposition to Rule 5.7.4.3 (RD3) be rejected and that the minor dwelling unit provisions for Whiritoa be retained, and

THAT the neutral submission be accepted but that amendments to Plan Change 1 not be made in response to the submission as per Recommendation R9.5., and

THAT the submission points shown in the table below be rejected, based on the following reason(s):

- a) Even though Whiritoa is a holiday destination, there are employment opportunities nearby within commuting distance. Therefore, there is motivation for creating affordable housing opportunities, such as minor dwelling units, for permanent occupation in Whiritoa.
- b) Providing for minor dwelling units in Whiritoa is consistent with the purpose of PC1 that seeks to remove impediments to residential development.
- c) Minor dwelling units could benefit the supply of supplementary holiday accommodation thereby providing an additional source of income that will enable retirees on a fixed income the opportunity to remain longer in their current homes.
- d) Minor dwelling units are unlikely to result in adverse amenity effects for current residents because the units will likely replace temporary holiday accommodation such as tents with more potential for noise nuisance and adverse visual amenity effects.
- e) The Section 32 Report predicts a relatively small uptake of minor dwelling units, unlikely to be of a scale that will result in significant adverse effects.
- f) The District Plan standards will continue to apply to minor dwelling unit development and will ensure that the amenity of current residents is retained and that the infrastructure and parking needs for minor dwelling units are provided for.
- g) Management of groundwater takes is not a function of territorial authorities. Therefore there is no jurisdiction for Council to impose control over groundwater takes in the District Plan.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
10.3	Tracy Ransfield	Reject	R 9.4	a)- e)
13.3	Lynn Green	Reject	R 9.4	a)-e)
14.3	Anne George & Robert Lloyd	Reject	R 9.4	a)- e)
17.2	Allison Keehan	Reject	R 9.4	a)- e)
18.2	Steven Wiles	Reject	R 9.4	a)- e)
33.3	Mark Pennington	Accept in part	R 9.5	g)

DPHC19/27

Ratray/ Milner

**CARRIED**

## **WHIRITOA TOWNSHIP - RESIDENTIAL ZONES – OTHER (R 9.6)**

### RESOLVED

THAT the neutral submission from Mark Pennington (#33.6) be accepted but that the amendments to Plan Change 1 not be made in response to the submission as the management of groundwater takes is not a function of territorial authorities. Therefore there is no jurisdiction for Council to impose control over groundwater takes in the District Plan.

DPHC19/28

Adams/Ratray

**CARRIED**

**WHIRITOA TOWNSHIP - SUBDIVISION – OTHER (R9.7, R9.8 and R9.9)**

**RESOLVED**

THAT the submission in support of the plan change be accepted as per recommendation R9.7), and

THAT the neutral submissions be accepted but that no changes be made to PC1 in response to the submission as per Recommendation R9., and

THAT the submission in opposition be rejected as per recommendation R9.9, and

THAT the submission points shown in the table below be accepted in part or accepted, based on the following reason(s):

- a) Support for the plan change as notified is noted.
- b) The matters raised in the submission are already dealt with adequately within the Operative District Plan and the provisions of PC1 including the modifications shown in Appendix 2.

<b>Point #</b>	<b>Submitter</b>	<b>Accept/Reject</b>	<b>Recommendation</b>	<b>Reason/s</b>
33.13	Mark Pennington	Accept	R 9.7	a)
33.14	Mark Pennington	Accept in part	R 9.8	a)
33.15	Mark Pennington	Reject	R 9.9	b)
33.16	Mark Pennington	Accept in part	R 9.8	a)

DPHC19/29

Rattray/ Leonard

**CARRIED**

**WHIRITOA TOWNSHIP – RESIDENTIAL ZONE – (R9.10 & R9.11)**

**RESOLVED**

THAT the submissions in opposition to the reduction in minimum lot size for infill subdivision in Whiritoa Township be rejected and that the provisions for Whiritoa be retained as set out in Appendix 2, and

THAT the neutral submission be accepted but that amendments to Plan Change 1 not be made in response to the submission as per Recommendation R9.11., and

THAT the submission points shown in the table below be accepted in part or accepted, based on the following reason(s):

- a) Even though Whiritoa is a holiday destination, there are employment opportunities nearby within commuting distance. Therefore, there is motivation for creating affordable housing opportunities, such as through a reduction in the minimum lot size for infill subdivision, for permanent occupation in Whiritoa.
- b) Providing for a reduction in minimum lot size for infill subdivision in Whiritoa is consistent with the purpose of PC1 that seeks to remove impediments to residential development.
- c) A reduction in the minimum lot size for infill subdivision could benefit the supply of supplementary holiday accommodation thereby providing an additional source of income that will enable retirees on a fixed income the opportunity to remain longer in their current homes.
- d) A reduction in the minimum lot size for infill subdivision is unlikely to result in adverse amenity effects for current residents because the resulting development will likely replace

temporary holiday accommodation such as tents with more potential for noise nuisance and adverse visual amenity effects.

- e) The Section 32 Report predicts a relatively small uptake of development using the reduction in minimum lot size, unlikely to be of a scale that will result in significant adverse effects.
- f) The District Plan standards will continue to apply to development using the reduction in minimum lot size and will ensure that the amenity of current residents is retained and that the infrastructure and parking needs for minor dwelling units are provided for.
- g) Management of groundwater takes is not a function of territorial authorities. Therefore there is no jurisdiction for Council to impose control over groundwater takes in the District Plan.

Point #	Submitter	Accept/Reject	Recommendation	Reason/s
10.1	Tracy Ransfield	Reject	R 9.10	a)- f)
13.1	Lynn Green	Reject	R 9.10	a)-f)
14.1	Anne George & Robert Lloyd	Reject	R 9.10	a)-f)
17.1	Allison Keehan	Reject	R 9.10	a)-f)
18.1	Steven Wiles	Reject	R 9.10	a)-f)
33.12	Mark Pennington	Accept in part	R 9.11	g)

DPHC19/30

Adams/ Leonard

**CARRIED**

SECTION 42A HEARING REPORT AND SECTION 32AA FURTHER EVALUATION REPORT – PROPOSED PLAN CHANGE 1: RULE PLAN CHANGE

**RESOLVED**

THAT the report be received.

DPHC19/31

Ratray/ Adams

**CARRIED**

**RESOLVED**

THAT the Hearings Committee confirms it has considered all submissions and further submissions made to Proposed Plan Change 1;Rule Change, and

THAT the Hearings Committee makes recommended decisions on all relief sought in the submissions and further submissions received, and notes its reasons for the decisions, and

THAT the Hearings Committee instructs staff to make any changes from the recommended decisions to Proposed Plan Change 1: Rule Plan Change and take a Recommended Decisions version of the Proposed Plan Change 1: Rule Plan Change to Council as soon as Practicable, and

THAT any consequential grammatical/numerical changes resulting from the decisions be made.

DPHC19/32

Ratray/ Adams

**CARRIED**

Adjournment of Hearing

**RESOLVED**

THAT the hearing adjourn to be reconvened for confirmation of minutes, confirmation of recommendations and closure on 18 June 2019.

DPHC19/33

Leonard/ Adams

**CARRIED**

The hearing adjourned at 2.42pm on Wednesday, 9 May 2019.

**THE HEARING RECONVENED AT 12.12PM ON TUESDAY, 18 JUNE 2019 IN THE HAURAKI ROOM, COUNCIL OFFICE, WILLIAM STREET, PAEROA**

**PRESENT**

Cr P A Milner (Chairperson), Cr D A Adams (Deputy Mayor) and Cr G R Leonard

**IN ATTENDANCE**

Messrs P Thom (Group Manager - Planning & Environmental Services), Ms W Harris (Regulatory Services Manager)

**APOLOGIES**

**RESOLVED**

THAT the apology of Cr Rattray be received and sustained.

DPHC19/34

Milner/Leonard

**CARRIED**

**CONFIRMATION OF MINUTES (TO ADJOURNMENT) (09-05-19) (2594904)**

**RESOLVED**

THAT the Hearings Committee minutes (to adjournment) on Proposed Plan Change 1: Rule Plan Change held on Wednesday, 9 May 2019 be confirmed and are a true and correct record.

DPHC19/35

Milner/Leonard

**CARRIED**

**RESOLVED**

THAT the decision report and appendices be received, and

THAT the Report and Recommendations of the Hearings Committee be confirmed, and

THAT the Report and Recommendations of the Hearings Committee be submitted to Council for its consideration and adoption.

DPHC19/36

Milner/Leonard

**CARRIED**

The hearing closed at 12.45pm.

CONFIRMED

Cr P Milner  
Chairperson – District Plan Review Committee

18 June 2019