

BEFORE THE HEARINGS PANEL

IN THE MATTER OF the Resource Management Act 1991

AND

IN THE MATTER OF A Primary Submission on Urban and Services Plan Changes for Whangarei District Council.

BY The General Trust Board of the Diocese of Auckland ('GTB').

Submission number: 269/1-9

IN RESPECT OF Plan Changes 88A, 88B, 88C, 88D, 88E, 88F, 88G, 88H, 88I and 115: Urban and Services

**TABLED STATEMENT OF THE POSITION OF THE GENERAL TRUST BOARD OF THE
DIOCESE OF AUCKLAND**

7 November 2019

1. My name is Emily Grace Hill Reid. I hold a Bachelor of Environmental Planning from the University of Waikato. I am a graduate member of the New Zealand Planning Institute and a Planner with Harrison Grierson.
2. I have one year of experience in district and regional planning. I prepare this tabled statement on behalf of the General Trust Board of the Diocese of Auckland ('the Diocese') who made a primary submission (reference: 269/1-9) on Plan Changes 88A, 88B, 88C, 88D, 88E, 88F, 88G, 88H, 88I and 115: Urban and Services Plan Changes in relation to their sites at 51 and 2B Kamo Road,

Submissions 269/1, 269/2 and 269/3

3. These submissions sought to support some of the proposed provisions under the plan change. The submissions have been accepted by the planner; therefore, we acknowledge the conclusion reached and consider the matters relating to these submissions resolved.

However, we would like to add further comment on the following submissions:

Submissions 269/4-269/8

4. The Diocese owns the site at 1 Mill Road, Whangarei which is currently occupied by the Anglican Care Centre. This submission was made as the proposed provisions under HDR-19 relating to retail activity, commercial services, food and beverage activity, care centres and visitor accommodation are considered too restrictive, with respect to care centres. This is particularly the case when two or more standards are infringed as the activity becomes non-complying and the rules state that they must be publicly notified.
5. It is likely that most care centres will not comply with more than two relevant standards as they are less likely to be ancillary to a residential unit with the principal operator being a permanent resident on the site. In my opinion, care centres are an appropriate activity in the residential zones being a necessary community facility. This is reflected in the overview of the HDR Zone, which states "*some opportunities are provided for non-residential activities such as community activities, visitor accommodation, supported residential care and home occupations, while ensuring that residential amenity and character are not compromised and that the activity is sympathetic to the surrounding residential context*".
6. In my opinion, care centres should not be considered alongside retail activities, commercial services and food and beverage activities as they are far more compatible with residential uses than these more commercial activities. Also, care centres under the current Living 1, 2 and 3 Environment rules are a permitted activity; therefore, the proposed activity status change is unreasonable and not justified.
7. I consider that the Diocese concerns would be best addressed by creating a separate activity section for Care Centres to provide for them as a Permitted Activity with more relevant standards that ensure that care centres over a certain intensity level would become a Discretionary activity. This is discussed further below.

Submission 269/9

8. The Diocese owns various churches throughout Whangarei, which are considered 'places of assembly' under the current and proposed district plans. Places of assembly are classified as permitted activities under the current plan for Living 1, 2 and 3 Environments. MDR-R21 and HDR-22 of the proposed plan will result in places of assembly requiring consent as a discretionary activity, along with emergency services. In my opinion, small-scale places of assembly in the same way as care centres are appropriate in a residential setting as they provide an important service to the community.

9. In relation to changing the activity status for places of assembly within the MDR and HDR Zones, the planner provided the following comments:

“I support amending the activity status of place of assembly to permitted where it complies with the standards in MDR-R15-R19.1 – 11. In my opinion a place of assembly is closer in nature to the activities listed in MDR-R15 – R19, particularly if the standards managing scale, nature and intensity are applied.”

“I support amending the activity status of place of assembly to permitted where it complies with the standards in HDR-R16-R20.1 – 11. In my opinion a place of assembly is closer in nature to the activities listed in HDR-R16 – R20, particularly if the standards managing scale, nature and intensity are applied.”

This amendment would be more restrictive than the currently proposed plan provisions. This is because many places of assembly would infringe more than two standards under MDR-R15-19 or HDR-R16-20 and would therefore be considered non-complying and require public notification. As such, I do not support this recommendation.

Proposed Amendments

10. In my opinion, care centres and places of assembly should be considered in a category of their own as a permitted activity, subject to standards which limit their scale and intensity. The standards recommended below in addition to existing building control standards could be applied to ensure that these activities are of a scale which is appropriate within a residential setting. Such activities which do not comply with two or more standards could be considered as a restricted discretionary activity. This approach will not unnecessarily restrict activities which benefit the community from being located within residential areas, while at the same time ensuring Council has the discretion to limit larger-scale developments which may adversely affect residential amenity. This will also allow the MDR and HDR activities and standards to better reflect their objectives and policies.

11. I therefore request the Commissioners make the following changes:

MDR-R __	Care Centre
MDR-R __	Place of Assembly
<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity does not include, before 8am or after 6pm on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles. 2. The activity generates less than 50 traffic movements per day, per site. 3. In addition to the principal operator, the activity has no more than five other persons engaged in providing the activity. 4. The total area of signage is less than 0.25m², per site. 	<p>Activity Status when compliance with more than two of the rules is not achieved or when compliance with rules MDR-R__ – R__ is not achieved: RD</p>

5. There is no illuminated or moving signage.	
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HDR-R __	Care Centre
HDR-R __	Place of Assembly
<p>Activity Status: P</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity does not include, before 8am or after 6pm on any day, the operation of machinery, receiving customers or the loading or unloading of vehicles. 2. The activity generates less than 50 traffic movements per day, per site. 3. In addition to the principal operator, the activity has no more than five other persons engaged in providing the activity. 4. The total area of signage is less than 0.25m², per site. 5. There is no illuminated or moving signage. 	<p>Activity Status when compliance with more than two of the rules is not achieved or when compliance with rules HDR-R__ – R__ is not achieved: RD</p>

Emily Reid

7 November 2019

