
Regulatory and Hearings Committee (Draft Special Housing Areas Policy (SHA))

OPEN MINUTES

Minutes of a meeting of the Regulatory and Hearings Committee held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 3 August 2017 at 9.30am.

PRESENT

Chairperson: Cr Angela O’Leary

Deputy Chairperson: Cr Leo Tooman

Membership: Mayor Andrew King
Cr Mark Bunting
Cr Martin Gallagher
Cr Siggie Henry
Cr Dave Macpherson
Cr Garry Mallett
Cr Rob Pascoe
Cr Paula Southgate
Cr Geoff Taylor

In Attendance: Paul Bowman, Team Leader, Economic Growth & Urban Policy
Keith Hornby, Senior Strategic Policy Analyst

Governance Advisors: Claire Guthrie – Committee Advisor
Amy Viggers – Committee Advisor

1. Apologies (Cr O’Leary/Mayor King)

That the apologies for Crs Casson, Yeung, Taylor (for lateness), Bunting (for early departure) and Deputy Mayor Gallagher (for lateness as he attended the funeral of a Hamilton City Council staff member) be received and accepted.

2. Confirmation of Agenda

Resolved: (Crs O'Leary/Henry)

That the agenda is confirmed.

3. Declarations of Interest

No members of the Council declared a Conflict of Interest.

4. Regulatory and Hearings Committee Open Minutes 22 June 2017

Resolved: (Cr O'Leary/Tooman)

That the Regulatory and Hearings Committee confirms the Open Minutes of the Regulatory and Hearings Committee Meeting held on 22 June 2017 as a true and correct record.

The following people spoke to, and answered questions on their submissions:

Brad White (Submission 13)

Mr White spoke to his presentation on the advantages of co-housing developments. He stated the SHA provided an opportunity for the Council to do something ground-breaking, to change the mold of urban development, and to treat community as the asset not the property.

He outlined the advantages with the co-housing model which included sustainability and the sharing of rarely used resources. Co-housing or intentional communities were multi-generational, multi-cultural and multi-economic neighbourhoods with houses built around a central shared area and garages and traffic kept to the outside perimeter creating safe, social spaces for residents.

Peter H Bos (Submission 15)

Mr Bos said he supported section A6 of the SHA policy and spoke to his presentation. He provided a comparison of section size, availability of land, population density between the 1963 District Scheme and current provisions and showed that there were more restrictions in place today. Mr Bos showed photos of international examples of low cost housing with shipping containers and areas where city councils allowed businesses and residential housing to be built side by side.

Cr Taylor arrived at 9.55am.

Bryan Bang (Submission 32)

Mr Bang supported the policy on Special Housing Areas and wanted the following to be considered: that any housing projects resulted in a pleasant environment and section and house size given consideration; that the character and amenity values be taken into consideration before consent was given; and when infill development was approved it was important that existing infrastructure was assessed to ensure it would not be overloaded.

Cr Mallett arrived at 10.00am.

Alison Ringer (Submission 34)

Ms Ringer said she believed it was important for a range of options house sizes were allowed. She did not agree with that two bedrooms should be the smallest option as one bedroom homes could be more affordable and the desired option for some people. She said high density housing needed good design, good quality materials and to be well sound proofed for privacy. She spoke in support of co-housing and

pocket neighbourhoods and said these types of developments provided shared social areas and gardens which encouraged socialising and cohesiveness.

Roderick Aldridge (Submission 39)

Mr Aldridge said the council had a rare opportunity to enable the development of thriving communities that people would want to live in and pointed out that it was not just the houses people needed but also amenities and resources. He asked the council to consider how to encourage developments with integrated functions and sharing resources. He said the land could be owned by the council, a trust, a non-governmental organisation (NGO) and the owners of the houses could be involved in the design of the neighbourhood from the beginning of the development such as happened with intentional communities.

Linda Weijers (Submission 40)

Ms Weijers asked the Council to take the opportunity to take a broader view of how to build communities by giving citizens a voice and a significant role in building their own houses. She said there was a greater international move to focus on sustainability and social connection in communities by using innovative and different ways to use space and resources. She spoke to her presentation and focused on the advantages of co-housing as being affordable, sharing resources, a safe environment with shared social spaces that were car-free, sustainable shared waste systems, encouraged cooperative and communal investment in resources. She said participation and consultation was vital when developments were considered to ensure all parties were fully involved in decision making.

Samantha Rose (Submission 14)

Ms Rose said she worked in neighbourhood and community development and wanted to encourage intentional sustainable neighbourhoods – that meant developments that were principle and ethic-driven, not just building houses. She spoke to her presentation and outlined three key principles – *people-care*: it was important to have community-led, wide-stakeholder involvement and holistic neighbourhood design – *fair-share*; where housing is a community asset not a commodity – *earth care*; with ecological design, food producing areas and integrated zoning which could allow light economic activity and food production in residential areas. She presented information on a range of design options such as co-housing, pocket neighbourhoods and ecological land cooperatives. She encouraged the council to support the development of not-for-profit enterprise in Hamilton to support, promote and advocate for high-quality housing that is ecologically, socially and financially sustainable.

The meeting adjourned from 10.50am – 11.10am.

Foster Develop Ltd - Tony McLauchlan (Submission 22)

Mr McLauchlan spoke on behalf of Foster Develop Ltd and said that developers should be able to put in a proposal for a SHA when economically feasible not when called for by the Council. Foster Develop Ltd did not support the proposed sections on affordable housing and stated that the primary purpose of SHAs should increase supply not price because the market would dictate affordability.

He also said that SHA proposals could be appropriate for the following categories of industrial land:

- when it was adjoining existing residential areas and reverse sensitivity controls were already in place;
- where the land was constrained for industrial use through issues such as poor access or access needing prohibitive cost upgrades;
- when located in close proximity to significant social infrastructure such as healthcare or educational facilities, or close the CBD or parts of the city where land is in short supply; and
- lower order business land such as business 6 zoned land could be suitable for housing in some circumstances.

Lynn Hutchinson and Dean Marshall (Submission 28)

Ms Hutchinson spoke to her joint submission with Mr Marshall. She said they owned property adjoining Fonterra and Perry in Te Rapa which was zoned as industrial. She said they would be interested in a SHA application for this land. Ms Hutchinson made the following points:

- the policy must be consistent with the Act, and not misinterpret it;
- the policy should be straightforward without rigid criteria;
- recommended that the Tauranga process be adopted;
- concerned that the selection criteria were biased and limited to residential zoning as this would not create additional residential land, which was the goal of the Act, nor encourage landowners and developers to prepare land more quickly for housing;
- each proposal should be evaluated on its merits to encourage fast track development;
- the draft policy overemphasises the Partly Operative District Plan – the Act and the SHA were established because current planning processes fall short;
- it was restrictive that Council would call for proposals and that developers could not actively seek the establishment of SHAs; and
- SHAs should be developed within one kilometre of existing schools, neighbourhood centre and public transport routes.

Nic Greene (Habitat for Humanity) (Submission 31)

Mr Greene spoke in support of SHAs as affordable housing was very important to Habitat for Humanity and there was evidence of the need for SHAs. He said housing was a right, that housing was in the top 10 goals for New Zealanders and that it was Hamilton City Council's role to represent the community. He said that planning restrictions led to higher prices and that the current policies were too restrictive and slow. He said sections could be 130sq metres and the houses should not have a limit on room number. Habitat for Humanity was willing to be involved in providing affordable housing under a SHA as it owned several sites that could be developed if the zoning changed. He said Habitat for Humanity was ready to work with Council, developers and expert planners to provide affordable housing that was well designed and would last a long time.

Perry Group (Submission 35)

Mr Richard Coventry and Mr Lale Iremia from Perry Group spoke to their presentation. Perry Group had analysed the Housing Report and noted that approximately 1500 new houses would be required in the next 1-3 years and that the SHA would be good mechanism to deliver this outcome. Mr Iremia said that the average section price had doubled between 2011 and 2016 and that competition from other development areas would help to stabilise land prices.

Mr Iremia said the Perry Group was currently undertaking a residential development through a private plan change which was a complex process and noted that there would still be significant resource and building consent processes to manage under the SHA policy and that these involved major costs even before the houses could be built.

Mr Iremia said the Perry Group has a development opportunity at Te Awa Lakes which would provide 1000-1200 new dwellings. He said the infrastructure was already in place and they would fund additional resources if needed. Mr Coventry pointed out that this development was at the gateway to the city and was a transformational development with some unique tourism opportunities. It was suggested that areas with integrated development plans and standardized construction would be suitable for group consents as the same types of development and building were involved and this would simplify the resource and building consents process.

Perry Group was supportive of affordability and pointed out that it was important to clarify how to provide for this in the policy. It was pointed out that Perry Group has a second development at Ngaruawahia with land and house packages for under \$500, 000 and the Te Awa Lakes development had room to provide an affordable housing area. The developments focused on good urban design with well-coordinated and integrated design with a mix of price ranges which would permit some affordable housing options.

Mayor King and Cr Gallagher rejoined the meeting at 12.30pm during the above submission.

The meeting adjourned from 12.45pm - 2.00pm.

Thomas Gibbons, Property Council New Zealand (Submission 42)

Mr Gibbons said that the Property Council believed the SHA policy was a good mechanism to encourage growth in Hamilton. He said their written submission outlined specific suggestions to enable more growth and growth opportunities within Hamilton and stated it was important to have clear guidelines that all understand that were open, clear, positive and forward looking. Mr Gibbons said that their written submission had not commented on affordability but he had had a range of views expressed to him in his on this matter. He said that 150 square metres was not a small house and that smaller houses could be built that would be adequate and more affordable. He agreed that tagging a percentage of development to a certain house price would support more affordable houses being available.

Lindsay Cumberpatch, DV Bryant Trust (Submission 26)

Mr Cumberpatch spoke as an individual but said that the Trust would support his views. He pointed out that the Trust had been involved in the provision of affordable housing in Hamilton over a long period and felt that the Council could be doing much more in this area. He suggested the Council could develop a plan such as the Housing Taskforce report from Wellington City Council and that the goals and visions from the Taskforce report could be included in the SHA policy. He invited the Council to convene a meeting with people from all areas interested in this problem as there were good examples of collaborative projects in the city and there were groups willing to work with Council.

Mr Cumberpatch said Hamilton had the second highest number of people living in motels in the country and at 31 March 2017 there were 219 people on the emergency housing list and there was a need for achievable solutions.

Fonterra (Submission 47)

Mr Ian Johnston and Mr Scott Nelson from Fonterra Te Rapa spoke to their presentation. Mr Nelson outlined the development of the site on a map and said their current investment had been possible because of the zoning and security of the land and the safe and secure transport corridors that were essential for their operations. He said the rural location of the site was a deliberate choice as it was a 24 hour operation with continuous noise and lights.

Mr Johnston spoke to the changes Fonterra would like to see in the policy. They were supportive overall of the proposed policy and supported affordable housing options. He showed on a map of Hamilton that there were substantial amounts of land around the city already available for developments and Fonterra did not believe that the shortage of land was driving the need for SHAs.

Fonterra supported a SHA policy that guided the assessment of appropriate and inappropriate locations for SHAs which included all new residential dwellings within one kilometre of existing amenities and facilities, that future development needs of the area were taken into consideration, to include noise and air discharge boundaries as areas unsuitable for development and for consideration to be given to transportation impacts as occurred with passenger cars on roads principally used by milk tankers and other large trucks.

Sara Brown, WEL Networks Ltd (Submission 51)

Ms Brown said WEL Networks Ltd was generally supportive of the proposed SHA policy as it would ensure a greater supply of affordable housing and supported Schedule 1 which required adequate existing infrastructure to be in place for the development. However, WEL Networks requested an amendment to Schedule 3 to include the requirement that all applications have approval from providers that sufficient non-Council infrastructure existed or that additional capacity was planned to service the needs of the

development. This would ensure that new developments were able to encompass infrastructure such as new transformers or other such requirements.

The meeting adjourned from 2.55pm – 3.30pm.

Cr Bunting retired from the meeting during the adjournment.

Anna Casey-Cox, Poverty Action Waikato (Submission 17)

Ms Casey-Cox stated that a lack of housing options affected the vulnerable members of the community and asked the Council to consider what sort of community it wanted to create in Hamilton. Poverty Action Waikato had always campaigned for publicly owned housing and poverty was a major issue in New Zealand. She noted the importance of a comprehensive approach to housing such as has been achieved by Wellington.

Ms Casey-Cox stated there was a high need for emergency and social housing in the city as shown in Women's Refuge statistics, where a third of the women seeking refuge were forced back into their violent homes because of a lack of affordable housing options.

Poverty Action strongly encouraged the SHA policy to have a goal for affordable housing, and would encourage private developers to work with the social housing sector which understood the needs of the community.

Ms Casey-Cox stated that housing affordability needed to be considered holistically such as building environmentally friendly houses which would have lower costs long term and having the developments close to public transport. Poverty Action would support a legal mechanism to retain the affordable housing, and asked Council what rule or mechanisms would be in place to provide for that. It was suggested that SHAs could be set up through a trust or community group and if a property was sold in the future, it went back to the managing body to re-sell and retain the properties as affordable housing options.

Poverty Action also suggested that Council developed monitoring mechanisms to keep the community informed on how the policy was working and how it was meeting the needs of the community.

The meeting adjourned 3.55pm – 4.00pm

Mayor King rejoined the meeting after the adjournment.

5. Hearings Report and Submission Analysis - Special Housing Areas Policy

Staff took their report as read and noted they would cover the following points in the deliberations reports.

Describe why a policy was needed and how this would support innovative thinking.

Clarify Council's role - is it one of the parties to the SHA as the enabler such as assisting with making land available and discuss if there was a role for partnership with providers.

Analysis of the issues raised in the report from Ms Hutchinson (submission 28).

To include information on the concerns raised by the Property Council around the management of urban design.

That commentary be provided on the Fonterra submission on the impact and risk of their activities on industrial land that might be converted around them.

The policy must state clearly that any additional infrastructure, such as electricity network provision, must be provided for within the SHA development area.

Clarification why the policy does not permit developers to put forward a proposal at any time but was limited to the Council calling for proposals.

Discuss options for co-housing.

Outline the timelines for consent processes and how fast tracking would be implemented.

A comparison to be made of the key points with Tauranga's SHA policy and how Council could incorporate experiences from other councils to avoid their mistakes.

Discuss the impediments were there to utilising non-residential areas and removing the zoning hierarchy.

To provide information on the yield or potential in the business and industrial zoned land in Hamilton.

Discuss how the Council can be permissive but ensure the outcomes were those required by the Act.

Describe the impact of the halo effect from Auckland and the needs for Hamilton citizens who were currently unable to afford housing.

Ideas on how to obtain targeted feedback from social housing providers, Ministry of Social Development and so on on how they could support SHA policy and meeting housing needs.

Provide a definition of affordable housing in the policy.

Identify if there was any money from the sale of social housing available for use.

Clarify the requirements for ten houses.

Identify the best levers for ensuring that affordable housing was included in developments.

Report on the number of social housing providers in the city.

Describe the process to ensure Elected Members viewed and approved all SHA proposed developments and how staff would review and filter proposals.

That a specified response time for SHA applications was included in the policy.

If development was allowed in the Fonterra area what buffers were there in the DP for that particular area and what additional protective requirements could be prescribed for houses such as triple glazing.

Report on how the identified areas put aside for Future Proof requirements could be swapped and still retain the necessary industrial and strategic purposes.

Report on whether the quantity of affordable housing could be assessed over a year and not as a percentage within each proposal.

The policy to include that the Act and the policy override the RPS and DP.

Provide ideas on how to progress a coordinated approach with social housing groups as suggested by Habitat for Humanity and DV Bryant Trust.

Resolved: (Crs Pascoe/Tooman)

That the Regulatory and Hearings Committee:

- a) receives the report; and
- b) a deliberations report be considered at the 24 August 2017 Council meeting.

The meeting was declared closed at 16.32pm.