

Addendum to s42 Officers Report
LUC22/48356, 51 Barrett Street, Westown, New Plymouth.

Statutory Planning Context.

1. At paragraphs 30-33 of my report, I discussed the appeals to the Proposed District Plan and how these affected the relevant triggers for landuse consent under both the Operative District Plan and the Proposed District Plan.
2. Specifically, in paragraph 31 I outlined that *"No appeals were received in relation to either the decisions on the underlying change to MDRZ zoning or the provisions of the MDRZ Chapter itself including the Objectives, Policies or Rules. No appeals were received in relation to the Churchill Heights Viewshaft."*
3. Since submitting my s42A report I have continued to liaise with the policy team to monitor and understand the implications of the appeals received. This is dynamic situation which has made decision making on resource consents challenging.
4. The policy team has further clarified that an appeal from Ara Poutama Aotearoa - Department of Corrections has requested amendments to a policy within the Medium Density Residential Zone (MDRZ) Chapter (refer ENV-2023-AKL-000085). The appeal relates to Policy MRZ-P2 and requests that the policy be amended to list "Community Correction Activities" as a potentially compatible activity. No further changes are requested.
5. Whilst there is an appeal on Policy MRZ-P2, I have outlined in paragraph 123 of my report that I don't consider that policy to be relevant to the consideration of this proposal. This is on the basis on my discussion at paragraph 122 that "Maori Purpose Activities" and by extension "Papakāinga" are generally consistent with the role and function of the MDRZ under Policy MRZ-P1.
6. Despite an appeal received on MRZ-P2, I maintain my view that an assessment of the Objectives and Policies under the Operative District Plan under s104(1)(b) is not relevant in this instance.
7. In any event, even if an assessment was required and I had found that the development was inconsistent with the Objectives and Policies of the Operative District Plan, I would have I would have applied more weighting to the provisions of the Proposed District Plan given.
 - The Proposed District Plan has been exposed to rigorous testing and independent decision making through the submissions, further submissions, and hearings process The Proposed District Plan has progressed significantly through the Schedule 1 process, with Decisions notified under clause 10 and 11 of Schedule 1 on 13 May 2023.
 - There are no appeals on the Rules of the Medium Density Residential Zone chapter contained within the decisions version of the PDP.
 - There are no relevant circumstances of injustice in placing weight on the provisions of the Proposed Plan.
 - The Proposed District Plan provisions represent a significant shift in Council policy. Specifically, the PDP provides a greater level of policy direction on how urban development including is to be undertaken across the district. This direction is

multi-faceted and includes the need to provide for the district's short, medium and long terms housing needs. The direction includes:

- Zoning more land for medium density housing;
- Encouraging a greater diversity on housing choice;
- Encouraging development which provides for well-designed and livable communities;
- Providing for more enabling Objectives, Policies, Rules and Effects Standards when compared to the Operative District Plan; and
- Providing a policy context which allows for urban environments to change and develop over time.



Campbell Robinson
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New Plymouth District Council
15th August 2023