

17 August 2018

Planning Standards  
c/- Ministry for the Environment,  
PO Box 10362,  
Wellington 6143

**By Email:** [planningstandards@mfe.govt.nz](mailto:planningstandards@mfe.govt.nz)

Dear Sir/Madam,

Please find **enclosed** a submission on the Draft National Planning Standards on behalf of Clarke Group Management Limited.

Please do not hesitate to contact the undersigned if you have any questions.

Yours faithfully,

**Haines Planning Consultants Limited**



Craig Moriarty | Principal

2164 CLARKE GROUP DNPS SUB CVR LTR



## CLARKEGROUP

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### SUBMISSION BY CLARKE GROUP MANAGEMENT LIMITED

### ON THE DRAFT NATIONAL PLANNING STANDARDS

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#### Introduction

1. Clarke Group Management Limited (Clarke Group), c/o Haines Planning Consultants Limited at the address for service below, makes this submission on the Draft National Planning Standards ("DNPS").
2. Clarke Group Management Limited (Clarke Group) presently develops quality affordable fully-furnished residential accommodation in strategic areas of Auckland that is close to infrastructure such as airports, train stations, bus stops as well as town centres, local shops and other amenities. Currently, Clarke Group own and manage four of its developments located throughout Auckland.
3. The 'Clarke Group Residential Development Model' consists of multi-bedroom (typically five bedroom) dwellings established as independent household units with each bedroom having its own ensuite and tea making facilities. Each multi-bedroom dwelling consists of a communal kitchen, living room and laundry room areas.
4. Although the Clarke Group's developments are presently all located within Auckland, opportunities to provide affordable fully-furnished residential accommodation in other New Zealand centres with housing shortages is currently being explored.
5. It is noted that endorsement of the Clarke Group Residential Development Model has been received from central government, with Housing New Zealand purchasing four Clarke Group developments in Auckland in 2017. The Clarke Group Model therefore fulfils an important "social housing" function by offering comfortable living environments that clearly have a place within the spectrum of accommodation types, particularly in high growth centres.

## Scope of Submission

6. This submission relates only to Section CM-1: Draft Definitions Standard of the Draft National Planning Standards as the draft definitions relate to the Clarke Group Residential Development Model.

## Submission

7. Acknowledging the drafting principle that the definitions should not be de-facto rules and that councils can add inclusions or exclusions that are deemed necessary in its rules and/or performance standards, the submitter supports in part the New Zealand Government's Draft National Planning Standards, as identified in the attached Schedule (**Annexure A**) and for the reasons set out therein.
8. The submitter requests the Ministry for the Environment to adopt the decisions set out in the "Decision Requested" column of Annexure A, together with any additional or consequential changes needed to substantively address the submission points.
9. If there is any opportunity to do so, Clarke Group wishes to be heard in support of this submission.
10. Clarke Group would be pleased to discuss the content of this submission with the relevant staff at the Ministry for the Environment.



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Craig Moriarty - Haines Planning Consultants Limited

On behalf of Clarke Group Management Limited

**Date:** 17 August 2018

**Address for Service:** Clarke Group Management Limited

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Attention: [REDACTED]

Telephone: [REDACTED]

Email: [REDACTED]

2164 CLARKE GROUP DNPS SUB

■ **Annexure A**

Clarke Group Management  
Limited Submission Table



**CLARKE GROUP MANAGEMENT LIMITED: Submission on National Planning Standards**

Additions are shown in **bold**, *italics* and underlined and deletions are shown with a ~~strike through~~. Existing plan text is shown in *italics*.

	<b>Draft Term</b>	<b>Draft Definition</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Decision Requested</b>
	<b>Part: TEXT</b>				
1.	Allotment	<p>Has the same meaning as in section 218 of the RMA (as set out below).</p> <p><i>“Means—</i>  <i>(a) any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—</i></p> <p><i>(i) the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or</i></p> <p><i>(ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</i></p>	Support	Ensures consistency between the RMA and Regional and District Plans.	Adopt the draft term and definition as part of the NPS.

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<b>Part: TEXT</b>				
	<p><i>(b) any parcel of land or building or part of a building that is shown or identified separately—</i></p> <p><i>(i) on a survey plan; or</i></p> <p><i>(ii) on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or</i></p> <p><i>(c) any unit on a unit plan; or</i></p> <p><i>(d) any parcel of land not subject to the Land Transfer Act 1952."</i></p>			

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	<b>Part: TEXT</b>				
2.	Amenity Values	<p>Has the same meaning as in section 2 of the RMA (as set out below).</p> <p><i>"Means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes."</i></p>	Support	Ensures consistency between the RMA and Regional and District Plans.	Adopt the draft term and definition as part of the NPS.

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3.	Habitable room	<i>Means any room in a residential unit, visitor accommodation, educational facility, commercial activity or healthcare facility used for the purposes of teaching or respite care or used as a living room, dining room, sitting room, bedroom, or similarly occupied room.</i>	Support	Clear definition.	Adopt the draft term and definition as part of the NPS.



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4.	Net site area	<p><i>Means the total area of the site, but does not include:</i></p> <p><i>a) any area of land that legally provides access to another site:</i></p> <p><i>b) any area of land used primarily for legal access to a rear site:</i></p> <p><i>c) any area of land subject to a designation that is intended to be taken or acquired under the Public Works Act 1981.</i></p>	Support	Clear definition.	Adopt the draft term and definition as part of the NPS.

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5.	Outdoor living space	<i>Means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.</i>	Support in part	Support the clear definition. However, with reference to this submission further below, if accepted, the definition requires the inclusion of the new term "non-permanent residential unit".	Adopt the draft term and definition as part of the NPS but if accepted, the definition requires the inclusion of the new term "non-permanent residential unit" as defined below:  "Means an area of open space for the use of the occupants of the residential unit, <b><i>non-permanent residential unit</i></b> or units to which the space is allocated."
6.	Residential activity	<i>Means the use of land and buildings by people for the primary purpose of living accommodation.</i>	Support	Support the clear comprehensive definition providing for a diverse range of residential activities that have similar environmental effects.	Adopt the draft term and definition as part of the NPS.

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	<b>Part: TEXT</b>				
7.	Residential unit	<i>Means a building or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.</i>	Support / Oppose	<p>Support comprehensive definition providing for a diverse range of residential accommodation scenarios that have similar environmental effects.</p> <p>Oppose the omission of “boarding house” from the definition standards of the National Planning Standards.</p> <p>For clarity, “boarding house”, a common place residential type that has distinct effects, needs to be distinguished from other forms of residential accommodation such as “residential unit”, “non-permanent residential unit” and “visitor accommodation” defined under the National Planning Standards.</p>	<p>Adopt the proposed definition of “residential unit” and include a new additional definition for “<b><u>non-permanent residential unit</u></b>” as below:</p> <p><b><i>“Means a building or part of a building that is used for the primary purpose of living accommodation for a period of 6 to 12 months and must include shared kitchen, living and dining facilities.”</i></b></p> <p>Alternatively, to capture the ordinary meaning of “household”, it is requested that the definition of “residential unit” be amended to read:</p> <p><i>“Means a building or part of a building that is used for a residential activity exclusively by one household, and must include <b><u>a living room or living space and</u></b> sleeping, cooking, bathing</i></p>

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				<p><i>and toilet facilities.”</i></p> <p>Notwithstanding a council’s ability to include minimum “residential unit” size standards, the requested amended definition will ensure a “residential unit” is functional and able to provide for the day to day needs of its occupants.</p> <p>Furthermore, adopt the proposed definition of “boarding house” as below:</p> <p><b><u>Has the same meaning as section 66B of the Residential Tenancies Act 1986.</u></b></p>

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8.	Reverse sensitivity	<i>Means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an existing activity.</i>	Support	Clear definition.	Adopt the draft term and definition as part of the NPS.
9.	Visitor accommodation	<i>Means the use of land and/or buildings primarily for accommodating non-residents, where a tariff is paid.</i>	Support	Clear definition.	Adopt the draft term and definition as part of the NPS.