

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO
TAMAKI MAKAURAU ROHE**

ENV-2024-AKL-

IN THE MATTER of the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 to the
RMA

BETWEEN **HAMILTON CITY COUNCIL**

Appellant

AND **WAIKATO REGIONAL COUNCIL**

Respondent

**NOTICE OF APPEAL BY HAMILTON CITY COUNCIL AGAINST THE DECISION ON
PROPOSED CHANGE 1 TO THE WAIKATO REGIONAL POLICY STATEMENT**

Dated 18 January 2024

LACHLAN MULDOWNEY

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To: **The Registrar
Environment Court
Auckland**

1. Hamilton City Council (**HCC**) appeals against parts of the decision (**Decision**) of Waikato Regional Council (**WRC**) on Proposed Change 1 (**PC1**) to the Waikato Regional Policy Statement (**WRPS**) (National Policy Statement on Urban Development and Future Proof Strategy Update).
2. HCC made a submission on PC1 on 16 December 2022 and a further submission on 15 February 2023.
3. HCC is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**RMA**).
4. HCC received notice of the Decision on PC1 on 15 December 2023.
5. The Decision subject to appeal was made by WRC.
6. HCC appeals the parts of the Decision to:
 - a) Decline to amend the definition of 'Inclusionary zoning' as sought in HCC's submission and to delete the definition in its entirety;
 - b) Amend UFD-M63 – Housing Affordability; and
 - c) Amend UFD-M71 – Housing Affordability.

REASONS FOR APPEAL

7. PC1, in its present form:
 - a) Will not promote the sustainable management of the natural and physical resources in the Waikato Region, and is contrary to or inconsistent with Part 2 and other provisions of the RMA;

- b) Does not achieve the functions of WRC as required under s 30 of the RMA;
 - c) Fails to assist HCC in achieving its functions as required under s 31 of the RMA;
 - d) Fails to provide ‘higher order’ planning directives in relation to inclusionary zoning which HCC would be required to give effect to pursuant to s 73(4) and s 75(3) of the RMA;
 - e) Undermines HCC’s ability to rely on the WRPS to introduce inclusionary zoning in its Operative District Plan (**ODP**) thereby exacerbating housing unaffordability in Hamilton City;
 - f) Will not meet the reasonably foreseeable needs of future generations;
 - g) Will not enable the social, economic and cultural wellbeing of the community.
8. In addition to the general reasons outlined above, HCC appeals the Decision for the specific reasons set out below.
9. HCC’s submission sought to amend the definition of ‘Inclusionary zoning’ as follows (additions shown in underline):

Inclusionary zoning	A type of district plan provision which requires a certain proportion of new residential development <u>(either in the form of land and or financial contribution)</u> to be provided as affordable housing and retained as affordable for future generations.
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10. HCC's further submission opposed the relief sought in the submissions of the following submitters relating to inclusionary zoning:

Submitter	Relief sought
Thames-Coromandel District Council	<ul style="list-style-type: none"> • Include a definition for affordable housing. • Amend the definition of inclusionary zoning to include the proportion of affordable housing to be required and delete retention for future generations. • Delete UFD-M71 – Housing Affordability.
Ohinewai Lands Limited	<ul style="list-style-type: none"> • Delete the definition of inclusionary zoning. • Amending UFD-M63 – Housing Affordability by deleting “and investigating inclusionary zoning”.
Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	<ul style="list-style-type: none"> • Delete the definition of inclusionary zoning. • Amending UFD-M63 – Housing Affordability by deleting “and investigating inclusionary zoning”.
The Adare Company Limited	<ul style="list-style-type: none"> • Delete the definition of inclusionary zoning. • Amending UFD-M63 – Housing Affordability by deleting “and investigating inclusionary zoning”.
Kainga Ora - Homes and Communities	<ul style="list-style-type: none"> • Delete the definition of inclusionary zoning. • Amending UFD-M63 – Housing Affordability by deleting “and investigating inclusionary zoning”. • Amending UFD-M71 by deleting “including investigating inclusionary zoning”.

11. The Decision:

- a) Rejected HCC's submission seeking amendments to the definition of inclusionary zoning and deleted the definition in its entirety;
- b) Amended UFD-M63 to remove reference to ‘and investigating inclusionary zoning’; and
- c) Amended UFD-M71 to remove reference to ‘including investigating inclusionary zoning’.

12. Section 30(ba) of the RMA specifies that a function of WRC for the purpose of giving effect to the RMA in the Waikato Region is:

The establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the region.

13. The same function applies to HCC under s 31(aa) in respect of Hamilton City.

14. The National Policy Statement on Urban Development (**NPS-UD**) provides further direction that development capacity must be across types of houses and price points.

15. The inclusionary zoning provisions in the notified version of PC1 supported by HCC in its submission and further submission:

- a) Are necessary and appropriate to:

- i. Ensure that HCC and WRC fulfil their statutory functions and responsibilities as required by the RMA;
- ii. Give effect to the NPS-UD; and

- b) Are consistent with Part 2 of the RMA and, in particular, provide a net benefit in terms of sustainable management of natural and physical resources in a way and at a rate that contributes to the social, economic and environmental wellbeing of the City and the wider Region.

16. Inclusionary zoning should be sufficiently flexible to enable a financial contribution model whereby the main form of contribution is a land or monetary contribution.

RELIEF SOUGHT

17. HCC seeks the following relief:

- a) That the appeal be allowed;
- b) Amendments to the Decisions Version (**DV**) of PC1 to address the issues raised in this notice, including:
 - i. Reinsert the definition of 'Inclusionary zoning' with the amendments set out in HCC's submission and in paragraph 9 above;
 - ii. Replace the DV of UFD-M63 – Housing Affordability with the wording in the notified version of PC1;
 - iii. Replace the DV of UFD-M71 – Housing Affordability with the wording in the notified version of PC1;
- c) Such further orders, relief, consequential amendments or other amendments as are considered appropriate and necessary to address HCC's concerns set out above and achieve a "higher order" policy basis for inclusionary zoning within the HCC ODP; and
- d) Costs of and incidental to this appeal.

ATTACHMENTS

18. The following documents are attached to this notice:

- a) Attachment 1: Copies of HCC's submission and further submission;

- b) Attachment 2: Copies of the submissions opposed by HCC's further submission relevant to the appeal.
- c) Attachment 3: A copy of the Decision.
- d) Attachment 4: A list of persons to be served with a copy of this notice.

Dated 18 January 2024



L F Muldowney / S K Thomas
Counsel for Hamilton City Council

Address for service of the Council:

C/- Lachlan Muldowney
Barrister
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PO Box 9169
Waikato Mail Centre
Hamilton 3240

Telephone: 07 834 4336/021 471 490

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Contact person: Lachlan Muldowney/Shaye Thomas
Documents for service on the Council may be:

- (a) Left at the address for service; or
- (b) Posted to the solicitor at PO Box 9169, Waikato Mail Centre, Hamilton 3240.

Advice to recipients of copy of notice of appeal*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

Advice

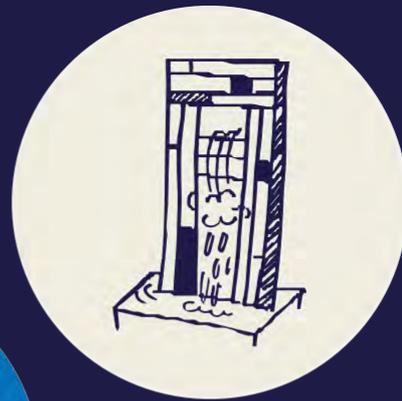
If you have any questions about this notice, contact the Environment Court in Auckland.

ATTACHMENT 1

HAMILTON CITY COUNCIL SUBMISSION

Waikato Regional Policy Statement Change 1 – NPS-UD 2020 and Future Proof Strategy Update

Waikato Regional Council



16 December 2022



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this submission impacts all five priorities.

A key focus within these priorities is to become a sustainable city by challenging the way we grow our city and how we live within our city.

Council Approval and Reference

This submission was approved under delegated authority by Hamilton City Council's Chief Executive on 16 December 2022.

Hamilton City Council Reference D-4517304 - Submission # 714

Key Messages and Recommendations

1. Subject to the provisions being made in accordance with the relief and or amendments sought in this submission as set out in Appendix 1, Hamilton City Council supports **Waikato Regional Policy Statement – Proposed Change 1 – NPS-UD 2020 and Future Proof Strategy Update**.
2. We support the collaborative approach among Future Proof Partners in updating the RPS to take into consideration the recently adopted Future Proof Strategy and statutory amendments required under the NPS-UD.
3. We support updates to reflect - Te Ture Whaimana o te Awa o Waikato, the Vision and Strategy for the Waikato River (Te Ture Whaimana), which has the effect of a National Policy Statement and sets out clear requirements for achieving objectives for the Waikato and Waipā rivers.
4. In particular we support the inclusion and recognition in the RPS of the growth principles within the Hamilton to Auckland Corridor Plan and the Hamilton-Waikato Metropolitan Spatial Plan (MSP) now endorsed in the wider Future Proof Strategy. These changes reflect the updated Housing and Business Assessments (HBA) 2021.
5. We support the revision of the RPS, particularly the Urban Form and Development chapter (previously chapter 6 - Built Environment) amendments, which ensure that the WRPS gives effect to the NPS-UD.
6. We believe the recently notified and consulted Hamilton Urban Growth Strategy (HUGS) reflects the key principles and approach of the RPS, however HUGS notably emphasises an increased focus on further residential intensification in the central city and move toward greater levels of growth within the City's brownfield areas with a proposed 70/30 ratio for brownfield/greenfield residential development.
7. This strategy of supporting growth up and out from the central city, as enabled by Council's notified Plan Change 12 (**PC12**) will importantly also achieve the compact urban form required to support the mode shift objectives of the Future Proof Hamilton-Waikato Metropolitan Spatial Plan Transport Programme Business (**MSP Transport PBC**) which relies on 70% of growth within Hamilton and 30% in the regional towns.
8. We seek that the target density ranges for Hamilton, under UFD-PC12 are reflective of the PC12 direction for increased intensification and infill and Policy 3 NPS-UD focus on central city intensification and removal of all building heights. Similarly, the infill target in UFD-M52 should aim for at least 70 per cent of growth to be through infill and intensification of existing urban areas as per the proposed Hamilton Urban Growth Strategy (**HUGS**)
9. We consider the plan change as notified now needs to provide a framework for changes to the Regional Policy Statement and District Plans to implement the NPS-UD and newly gazetted NPS-HPL to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.
10. We propose additional amendments to the Definitions section to acknowledge that Inclusionary Zoning can be a subject of both land and financial contributions. In addition, this section should now reflect definitions set out in the NPS-HPL, including the broader remit of the Highly Productive Land definition.
11. We support the proposed Out-of-sequence and unanticipated development criteria in APP13 but now consider that amendments should reflect the new criteria from the higher order NPS-HPL including Clause 3.10 of the NPS-HPL exemptions to highly productive land criteria.

12. We support the current industrial land allocation figures set out in Table 35 for the Future Proof partnership region until such time as updated industrial land supply work is completed to inform both amendments to the Future Proof strategy and RPS.

Introduction

13. Hamilton City Council appreciate the opportunity to make a submission to the **Waikato Regional Policy Statement – Proposed Change 1 – NPS-UD 2020 and Future Proof Strategy Update**.
14. Hamilton City Council support the inclusion and recognition in the RPS of the identified growth principles from the Hamilton to Auckland Corridor Plan and the Hamilton-Waikato Metropolitan Spatial Plan (MSP), which have now been included in the wider Future Proof Strategy alongside:
 - The Housing and Business Development Capacity Assessments (HBA) in the Future Proof Strategy.
 - Amendments to include the policy direction set within the National Policy Statement on Urban Development 2020 (NPS-UD) requirements, and in particular the requirements for flexibility and responsiveness.
 - Acknowledgement that amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
 - The framework for changes to the Regional Policy Statement and District Plans to implement the NPS-UD and National Policy Statement on Highly Productive Land 2022 (NPS-HPL).
15. It is acknowledged at the time of developing the Proposed Waikato Regional Policy Statement – Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update, the National Policy Statement on Highly Productive Land (NPS-HPL) had not been released.
16. Now that the NPS-HPL is in place Hamilton City Council considers the notified RPS now needs to better align its out of sequence policies to better recognise the content (Policies 1-9 especially) of the NPS-HPL, its policies regarding LUC 1-3 high class soils and Sections 3-4-3.10 with regard to the notified out-of-sequence Policy APP13. We believe Policy APP13 should be bolstered in terms of its precautionary approach.
17. It is important to note that the NPS-HPL defines all Class I, II and III as being highly productive, and includes all Class III soils. In this regard the definition within the RPS should now be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.
18. We support a ‘precautionary’ approach to decision-making relating to out of sequence/ unanticipated developments, assessing whether there is an identified need (as set out in the HBA) in the short or medium term for the land. Alongside assessing the identified ‘need’, we seek specific tests of out-of-sequence development to against the objectives of the MSP so that there is alignment with the focus of intensification of the central city. Where there is no identified need in that timeframe, the land should not be identified at this time for urban development in the Strategy.

Te Ture Whaimana o te Awa o Waikato

19. Hamilton City Council support updates to reflect - Te Ture Whaimana o te Awa o Waikato, the Vision and Strategy for the Waikato River (Te Ture Whaimana), which has the effect of a National Policy Statement and sets out clear requirements for achieving objectives for the Waikato and Waipā rivers. These provisions prevail over other parts of the RPS (for the Waikato and Waipā catchments only) where there is any inconsistency.

20. We support updates to Section 1.9 RPS that embeds Te Ture Whaimana in the RPS to reflect the pre-eminence of Te Ture Whaimana, and its subsequent methods outline how the Waikato Regional Council will respond. This includes by directing regional and district plans to recognise Te Ture Whaimana as the primary direction-setting document for the Waikato River and its catchment, and ensuring activities are controlled with respect to any adverse effects on the health and wellbeing of the Waikato River.

Future Proof Strategy 2022

21. The Future Proof Strategy will be updated again by 2024 to address the requirements of the NPS-UD to satisfy the requirements of a Future Development Strategy (FDS). This update will now require additional consideration of those already identified out of sequence greenfield sites against the new criteria contained within the NPS-HPL and may result in changes that would require a further RPS change at that time.
22. The adopted Future Proof Strategy incorporates seven key transformational moves for change which we support:
- Iwi aspirations: enhancing the health and wellbeing of the Waikato River in accordance with Te Ture Whaimana, the Vision and Strategy, and iwi place-based aspirations;
 - Putting the Waikato River at the heart of planning;
 - A radical transport shift to a multi-modal transport network shaped around where and how communities will grow;
 - A vibrant metro core and lively metropolitan centres;
 - A strong and productive economic corridor at the heart of the metro area;
 - Thriving communities and neighbourhoods including quality, denser housing options that allow natural and built environments to co-exist and increase housing choice;
 - Growing and fostering water-wise communities through a radical shift in urban water planning, ensuring urban water management is sensitive to natural hydrological and ecological processes.
23. The updated Strategy continues to support a compact urban form and also includes provisions to meet the NPS-UD requirement to be responsive to out-of-sequence or unanticipated development.
24. We acknowledge and support the RPS direction that continues to provide opportunities for responsiveness and flexibility in providing for out-of-sequence site considerations and assessment against out-of-sequence criteria set out in APP13 and APP14.
25. We seek a stronger emphasis under APP13 and APP14 regarding how an out-of-sequence or unanticipated development contributes to and does not undermine the seven key transformation moves for change noted under paragraph 22 above.

Urban Form and Density: HUGS, PC12 & MSP Transport PBC

26. We believe the recently notified and consulted draft HUGS reflects the key principles and approach of the RPS, which importantly proposes to focus residential growth and intensification within the City's brownfield areas and proposes a shift toward a 70/30 ratio for brownfield/greenfield residential intensification over the longer term.
27. Council's notified Plan Change 12 – Hamilton City Council's response to the Resource Management (Enabling Housing Supply and Other Matters) Act (HSAA), will enable significant further capacity for residential growth within the central city and existing brownfield areas of the city.

28. The endorsed Future Proof MSP Transport PBC requires 'city shaping intensification that will help to achieve the compact urban form and incentivise best use of land for climate change response and mode.
29. Delivery of the desired objectives of the MSP Transport PBC requires the concentration of 70% of the growth within the study area within Hamilton and 30% in the regional towns. Specifically, within Hamilton the land use required by the MSP Transport PBC includes the intensification of 75% of growth within the existing brownfield areas of the city with 25% of growth within the identified greenfield growth areas.
30. We seek greater policy emphasis and alignment to the MSP Transport PBC growth allocations within the RPS particularly where sub-regional growth allocations between Hamilton and the regional towns and where land release may be stipulated.
31. Additionally, we seek stronger emphasis under APP13 and APP14 regarding how an out-of-sequence or unanticipated development does not undermine the policies which seek to focus growth in these key areas.

UFD-M52 – Infill Target

32. The current RPS infill target for Hamilton reflects the position of the previous 2010 HUGS and consequently should be updated to reflect the recent policy and planning, as outlined above, regarding appropriate urban form and growth intensification targets for city.
33. We propose an amendment that Hamilton City Council should aim for at least 70 % of growth to be through infill and intensification of existing urban areas aligned to the endorsed **MSP Transport PBC**.

UFD-PR12 – Density Targets for Hamilton City

34. A number of RPS policies and density standards reflect previous historical thinking for densities in the City and the central city. Such thinking was prior to the Policy 3 direction set within the NPS-UD, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and subsequent MDRS policies applied to Tier 1 high growth councils.
35. The NPS-UD signals maximum available capacity for the central city and removes all height limits. Hamilton's PC12 further proposes a 'Stage 1' prioritisation for the central city and identified walkable catchment which signals greater levels of densities than the notified minimum 50dph in the RPS.
36. A density of 50dph is now otherwise proposed to be enabled within the walkable catchment of outer suburban centres and as such, higher minimum densities are considered more appropriate for the central city.
37. We propose an amendment to the central city density of 100-200dph in the table in UFD-P12 as outlined in accompanying Appendix 1.
38. We also seek the ability to propose further amendments to both the definition and specified densities of any Hamilton specific locations listed under UFD-PC12 to ensure that these WRPS density targets are consistent with the densities that are proposed to be enabled by HCC PC12.

APP11-Development Principles

39. The proposed strategy and planning changes, as outlined above, place a greater level of focus on directing and enabling the intensification of the Hamilton City center and along future rapid transit routes.

40. We propose an amendment to the general development principles to strengthen this policy focus on making use of opportunities for intensification and redevelopment particularly within the central city, urban centres and along future rapid transit routes. The short to medium-term priority is the central city.

NPS-HPL

41. We support the Waikato Regional Council submission that the RPS definition of highly productive land should be inserted and references to high class soils be replaced with highly productive land.
42. We consider that RPS out-of-sequence policies especially APP13 and APP14 will need to better reflect the content for special circumstances outlined in the NPS-HPL.
43. The National Policy Statement states that the rezoning and development of highly productive land for rural lifestyle is to be avoided except as provided for in the policy statement. The Rural - Residential Policy should be updated to reflect this. On this basis, we believe strengthening of APP11 is required.
44. We are happy to work with the Waikato Regional Council and Future Proof partners as we have done in drafting of updates to this Plan Change to better align with the NPS-HPL.

Future Development Strategy

45. The Future Proof Strategy 2022 was adopted by the Future Proof Implementation Committee at its 16 June 2022 meeting and subsequently, each of the partner local authorities have also adopted the Strategy.
46. NPS-UD requires the Future Proof partners to have a Future Development Strategy (FDS) in place in time to inform the 2024 Long Term Plans.
47. The FDS Update to the Future Proof Strategy will also include/address the following matters as requested by the partners following the adoption of the Future Proof Strategy:
 - a. *Rebase and revise population and employment projections and specifically include scenarios which test more rapid growth, and more rapid outwards migration from Auckland than has previously been considered.*
 - b. *Update and refine the HBA to reflect the revised population and employment scenarios and the re-zoning proposed through the introduction of the Medium Density Residential Standards (MDRS) as part of Hamilton's Plan Change 12.*
 - c. *Incorporate the recommendations of the Transport Programme Business Case, emissions reduction pathway and GPS on Transport with respect to expected areas of intensification and development and the sequencing and timing of public investment.*
 - d. *Incorporate the recommendations of the Northern and Southern Wastewater DBCs with respect to expected areas of intensification and development and the sequencing and timing of public investment.*
 - e. *Incorporate any response that is necessary to reflect an NPS on Highly Productive Land.*
 - f. *Specifically investigate the potential for greenfields development to the south of Hamilton including the proposed SL1 area, with key inputs being the revised growth scenarios, the Wastewater DBCs, the Transport PBC and the Southern Links form and function review and the matters required to be addressed by the criteria for considering future growth areas in the Strategy, and in particular Te Ture Whaimana.*

48. Hamilton City Council, at its Strategic Growth Committee meeting on 26 July 2022, also indicated that further greenfield investigations would be needed for sites historically identified as R2, WA and SL1. R2 and WA are already identified in the Strategy and Map 43 of the RPS as notified and further investigation of these areas will be tied to the existing Strategic Land Agreement between Waikato District Council and Hamilton City Council on Future Urban Boundaries noting the Strategic Land Agreement now in place with Waipa District Council regarding the Future Urban Boundaries of SL1.
49. Now the NPS-HPL is in place, this will further inform the development growth timing, including how out of sequence growth cells identified above may be prioritised and sequenced with regards to committed greenfield areas and land already zoned future urban set against the signalled government policy shift for greater levels of intensification, modal shift and reduced greenhouse gas emissions.
50. Updated industrial land supply and availability work currently underway for the Future Proof Partnership will further inform the drafting of next year's FDS, which may result in further changes to the Future Proof approach and subsequent updates to industrial land allocation and timing tables in the RPS Table 35 – Future Proof industrial land allocation.
51. Similarly, the finalisation and formal adoption of HUGS in 2023 will also inform the HCC's input and position on the FDS which may result in subsequent updates to the WRPS infill and density targets for Hamilton City.
52. Until such time as this work has been done and approved, we support the industrial land allocation tables set out in Future Proof and the notified RPS.

Further Information and Hearings

53. We support and broadly align with the Waikato Regional Council own submission to its Plan Change 1 and have sought to further align our own submission to that effect in Appendix 1 except where otherwise stated.
54. In the spirit of ongoing partnership, Hamilton City Council will continue to work with the Region and Future Proof partners in updating any drafting required to give effect to the NPS-HPL, updates Housing and Business Assessment and Industrial land Supply findings.
55. Should the Waikato Regional Council require clarification of this submission from Hamilton City Council, or additional information, please contact **Mark Davey** (City Planning Unit Manager) on 07 838 6995 or email mark.davey@hcc.govt.nz in the first instance.
56. Hamilton City Council representatives **do wish to speak** at the Waikato Regional Council hearings in support of this submission.

Yours faithfully



Lance Vervoort
CHIEF EXECUTIVE

PROPOSED WAIKATO REGIONAL POLICY STATEMENT CHANGE 1 – NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 AND FUTURE PROOF STRATEGY UPDATE - Submission Form



Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We must receive your submission by 5.00 pm, 16 December 2022

MANDATORY INFORMATION

Name of submitter (individual or organisation): _____

Contact person (if applicable): _____

Agent (if applicable): _____

Email address for service: _____

Postal address: _____

Phone number(s): _____

TRADE COMPETITION AND ADVERSE EFFECTS (select appropriate)

- I/we could not gain an advantage in trade competition through this submission; or
- I/we could gain an advantage in trade competition through this submission but I/we are entitled to make a submission on the basis that I/we are directly affected by an effect of the subject matter of the submission that:
- (a) adversely effects the environment, and
 - (b) does not relate to the trade competition or the effects of trade competition.

ATTACHMENTS TO THIS SUBMISSION (select appropriate)

- Yes, I/we have attached _____ extra sheets; or, No, I/we have not attached extra sheets.

Note: Please use the attached table to make your submission to indicate the parts of Proposed Change 1 your submission relates to and the relief sought.

APPEARANCE AT A HEARING

- I wish to be heard in support of my submission; or, I do not wish to be heard in support of my submission.
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

SIGNATURE

Signature: _____ 

Date: 16 December 2022 _____

MAILING DETAILS

Mailed to: Chief Executive, 160 Ward Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240

Delivered to: Waikato Regional Council, 160 Ward Street, Hamilton

Emailed to: strategicandspatialplanning@waikatoregion.govt.nz (Submissions received by email must contain full contact details)

PLEASE CHECK that you have provided all of the information requested or if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

Waikato Regional Policy Statement Proposed Change 1 - National Policy Statement on Urban Development 2020 and Future Proof Strategy Update

(Table: Hamilton City Council Submission)

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
1.6 Definitions		✓		There is an opportunity to expand the definition for Inclusionary zoning in this section which should look at monetary as well a land contributions, depending on threshold or trigger determined.	A type of district plan provision which requires a certain proportion of new residential development (either in the form of land and or financial contribution) to be provided as affordable housing and retained as affordable for future generations.
1.6 Definition		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. The definition of highly productive land should be inserted and references to high class soils be replaced with highly productive land (see points below).	Highly productive land means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land).
1.6 Definition		✓		Add new definition for LUC ,2, or 3 Land.	LUC 1, 2, or 3 land means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification.
1.2 Proposed changes to '1.9 Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River' section	✓				As notified.

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
1.3 Proposed changes to '1.10 National policy statements and New Zealand Coastal Policy Statement' section		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This should be listed as a National Policy Statement in the table.	Include reference to the National Policy Statement for Highly Productive Land 2022.
SRMR-I2 – Effects of climate change	✓				As notified.
SRMR-I4 – Managing the built environment	✓				As notified.
SRMR-PR2 – Effects of climate change	✓				As notified.
SRMR-PR4 – Managing the built environment	✓				As notified.
IM-O5 – Adapting to Climate change	✓				As notified.
IM-O9 – Amenity	✓				As notified.
Methods EIT-M4 – Regional Land Transport Plan	✓				As notified.
UFD-O1 – Built environment	✓				As notified.
UFD-P10 – Governance collaboration in the Future Proof area	✓				As notified.
UFD-P11 – Adopting Future Proof land use pattern		✓		Point 7 should also refer to FDS development for alignment with out-of-sequence or unanticipated development.	7.and particular regard shall be had to the proposed development capacity only where the local authority determines that the urban development proposal is significant, by assessing the proposal for consistency with the relevant adopted FDS and responsive planning criteria in APP13; and

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
UFD-P12 – Density targets for Future Proof area		✓		NPS-UD Policy 3 encourages Central City to deliver as much building capacity as possible. 50dph has been in place for 10 years and given Plan Change 12 and MDRS requirements is low for central city. Furthermore, Stage 1 area now prioritises central city for infrastructure delivery. Propose changes to 100-200 dph for central city to better give effect to sub point 5. enable building heights and density of urban form to realise as much development capacity as possible to maximise benefits of intensification within city centre zones unless modified to accommodate a qualifying matter;	Hamilton Central City Area 100-200 (Net target densities (dwellings per hectare) to be achieved in defined locations)
UFD-P13 – Commercial development in the Future Proof area	✓				As notified.
UFD-P14 – Rural-residential in the Future Proof area		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. Policy 6 of the National Policy Statement states that the rezoning and development of highly productive land for rural lifestyle is to be avoided except as provided for in the policy statement. This policy should be updated to reflect this.	Insert new provision as follows and renumber subsequent provisions: <u>Avoid rezoning or developing highly productive land for rural lifestyle except as provided for in the National Policy Statement for Highly Productive Land 2022.</u>
UFD-P15 – Monitoring and review development in the Future Proof area	✓				As notified.
UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document.	Amend as follows: 8. recognises environmental attributes or constraints to development and addresses how they will be avoided or managed including those specifically identified in UFD-M8, <u>highly productive land as required by the National Policy Statement on Highly Productive Land 2022 as identified in LF-M41</u> , and planning in the coastal environment as set out in CE-M1;

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments	✓				As notified.
UFD-M7 – Urban development planning	✓				As notified.
UFD-M8 – Information to support new urban development and subdivision		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.	Amend as follows: 4. how existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, <u>highly productive land</u> high class soils and significant view catchments) will be managed;
UFD-M33 – Keeping records on development and infrastructure trends	✓				As notified.
UFD-M44 – Resourcing implementation in the Future Proof area	✓				As notified.
UFD-M45 – Consultation between governance agencies in the Future Proof area	✓				As notified.
UFD-M46 – Implementation protocols in the Future Proof area	✓				As notified.
UFD-M61 – Interim arrangements for tier 3 local authorities	✓				As notified.

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
UFD-M47 – District plan provisions to implement the Future Proof land use pattern	✓				As notified.
UFD-M48 – Land release in the Future Proof area	✓				As notified.
UFD-M49 – Criteria for alternative land release in the Future Proof area out-of-sequence or unanticipated urban development		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document to ensure that it is appropriately considered in applications for out-of-sequence or unanticipated urban development.	<p>Insert new provision as follows and renumber subsequent provisions:</p> <p><u>1. The land is not highly productive land, or if it is highly productive land:</u></p> <p><u>a. The urban zoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Planning Statement on Urban Development 2020; and</u></p> <p><u>b. There are no other reasonably practical and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and</u></p> <p><u>c. The environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.</u></p>
UFD-M62 – Future Proof governance process for out-of-sequence or	✓				As notified.

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
unanticipated urban development					
UFD-M63 – Housing Affordability	✓				As notified.
UFD-M64 – Public transport	✓				As notified.
UFD-M65 – Blue-Green network	✓				As notified.
UFD-M50 – District plan provisions and other mechanisms implementing density targets in the Future Proof area	✓				As notified.
UFD-M51 – Advocacy for density targets in the Future Proof area	✓				As notified.
UFD-M52 – Hamilton Infill targets			✓✓	The draft of the Hamilton Urban Growth Strategy and Plan Change 12 now proposed that 70 per cent growth to be through infill and intensification of existing urban areas. This also better aligns with strategic direction set through NPS-UD, MSP, HCC PC12 and NPS-HPL.	Hamilton City Council should aim for at least 50 70 per cent of growth to be through infill and intensification of existing urban areas.
UFD-M66 – Changing amenity values within urban environments	✓				
UFD-M67 – Metropolitan centres		✓		Propose better define Point 7. – the centre has a strong emphasis on employment to better include and reflect the definition in National Planning standards. The standards define a ‘metropolitan centre’ to be “areas used predominantly for a broad range of commercial, community, recreational and residential activities.	7. <u>The centre provides for employment in a broad range of commercial, community and recreational activities.</u>

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
UFD-M58 – Reporting on development in the Future Proof area	✓				As notified.
UFD-M68 – Review of provisions	✓				As notified.
UFD-M69 – Council-approved growth strategy or equivalent in tier 3 local authority areas	✓				As notified.
UFD-M70 – District Plans	✓				As notified.
UFD-M71 – Housing Affordability	✓				As notified.
UFD-M72 – Interim arrangements	✓				As notified.
UFD-M74 – Tier 3 out-of-sequence or unanticipated developments		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document to ensure that it is appropriately considered in applications for out-of-sequence or unanticipated urban development.	<p>Insert new provision as follows and renumber subsequent provisions:</p> <ol style="list-style-type: none"> 1. <u>The land is not highly productive land, or if it is highly productive land:</u> <ol style="list-style-type: none"> a. <u>The urban zoning is required to provide sufficient development capacity to meet expected demand for housing and business land in the district; and</u> b. <u>There are no other reasonably practical and feasible options for providing the required development capacity; and</u> c. <u>The environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.</u>

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
UFD-PR1 – Planned and co-ordinated subdivision, use and development		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.	Amend paragraph 6: UFD-M5 provides direction for managing rural-residential development. Rural-residential development in some cases has created effects such as reducing options for use of high class soils <u>highly productive land</u> , increasing pressure on roading systems, increasing potential for natural hazards and creating tensions between existing rural land uses [...]
UFD-PR3 – Marae and papakāinga	✓				As notified.
UFD-PR11 – Adopting Future Proof land use pattern	✓				As notified.
UFD-PR12 – Density targets for Future Proof area	✓				As notified.
UFD-PR13 – Commercial development in the Future Proof area	✓				As notified.
UFD-PR1 Planned and co-ordinated subdivision, use and development		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.	Amend paragraph 6: UFD-M5 provides direction for managing rural-residential development. Rural-residential development in some cases has created effects such as reducing options for use of high class soils <u>highly productive land</u> , increasing pressure on roading systems, increasing potential for natural hazards and creating tensions between existing rural land uses [...]
UFD-PR19 – Being responsive to significant unintended and out-of-sequence	✓				As notified.

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
growth within tier 3 local environments					
UFD-AER8 - Anticipated environmental results		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.	Amend: Fragmentation of high class soils <u>highly productive land</u> is reduced.
APP11 – Development Principles		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. This provision should be amended to reflect this higher order document and to recognise that the highly productive land definition is wider in scope than the WRPS definition of high-class soils.	Amend: be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry , high class soils <u>highly productive land</u> , and primary production activities on these high class soils <u>highly productive land</u>
APP11 – Development Principles Principle c)		✓		The proposed strategy and planning changes (HUGS, PC12 and the MSP-PBC objectives, place a greater level of focus on directing and enabling the intensification of the Hamilton city center and along future rapid transit routes as per the direction of Policy 3 of the NPs-UD.	Amend principle c): c) make use of opportunities for intensification and redevelopment, particularly within urban centres and along future rapid transit routes , to minimise the need for urban development in greenfield areas;
APP11 – Development Principles Principles specific to rural-residential development		✓		The National Policy Statement for Highly Productive Land commenced on 17 October 2022. Policy 6 states that the rezoning and development of highly productive land for rural lifestyle is to be avoided except as provided for in the policy statement. The development principles for rural residential development should be amended to reflect this higher order document.	Insert new provision as follows and renumber subsequent provisions: a) <u>highly productive land is avoided except where a territorial authority has identified a permanent or long-term constraint on the land as set out in the National Policy Statement for Highly Productive Land 2022;</u>

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
APP12 – Future Proof tables	✓				As notified.
APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)		✓		APP13 needs to be reviewed by Future Proof Partners and legal review to take into consideration the newly released NPS-HPL criteria for LU-1-3 High Class soils.	APP13 needs to be reviewed by Future Proof Partners and legal review to take into consideration the newly released NPS-HPL criteria for LU-1-3 High Class soils.
APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)		✓		APP13 Criteria A.C needs to reference consistently all of the relevant Strategy Sections containing growth management directives as there is currently no reference to Sections B5 and B10. This omission is an oversight as there is no clear rational for the exclusion of the references to Sections B5 and B10. Sections B1 and B4 do not contain any specified growth management directives and can therefore logical be excluded.	Amend Criteria A.C as follows: ... growth management directives (as set out in Sections B2, B3, B5 , B6, B7, B8, B9, B10 and B11 of the strategy.
APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)		✓		The word ‘us’ is incorrect and should be amended to ‘use’	Amend: F. In cases where the development is proposing to replace a planned land use with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a shortfall in residential, commercial or industrial land, with robust data and evidence underpinning this analysis.
APP14 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Non-Future Proof tier 3 local authorities)		✓		APP14 needs to be reviewed by Future Proof Partners and legal review to take into consideration the newly released NPS-HPL criteria for LU-1-3 High Class soils.	APP14 needs to be reviewed by Future Proof Partners and legal review to take into consideration the newly released NPS-HPL criteria for LU-1-3 High Class soils.

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
Map 26:		✓		Map should correctly identify all of the TA area.	Colour the Te Rapa North Area grey like the rest of Hamilton.
Map 43: Future Proof indicative urban limits and village enablement areas		✓		NOTE - Additional mapping should be held here as a <i>placeholder</i> to meet requirements of NPS-HPL, Part 3 - Implementation Clause 3.4 Mapping highly productive land.	NOTE -Additional mapping should be held here as a <i>placeholder</i> to meet requirements of NPS-HPL, Part 3 - Implementation Clause 3.4 Mapping highly productive land
Map 43: Future Proof indicative urban and village enablement areas		✓		Map and key appear misaligned. There are strategic industrial node numbers (1-13) on the map that do not correspond to anything in the WRPS change.	Remove numbers 1 -13 from the map or update key to properly identify numbered areas.
Map 44: Future Proof wāhi toitū and wāhi toiora areas		✓		<p>The National Policy Statement for Highly Productive Land commenced on 17 October 2022. It introduces a definition of highly productive land which is broader in scope than the current WRPS definition of high-class soils. The wāhi toitū and wāhi toiora maps, which the out-of-sequence and unanticipated development criteria rely on, use the high-class soils definition. To avoid any inconsistency with the National Policy Statement for Highly Productive Land, the high-class soils should be removed from Map 44: Future Proof wāhi toitū and wāhi toiora areas. The National Policy Statement for Highly Productive Land, as the higher order document, will need to be satisfied for the out-of-sequence and unanticipated development to then be assessed against the out-of-sequence and unanticipated development criteria.</p> <p>Peat soils were included as wāhi toitū and wāhi toiora as their physical qualities pose challenges to development rather than based on their quality for productive uses and should therefore be retained on the map.</p>	<p>Amend map to remove high class soils (LUC 1, 2 and 3(allophanic)).</p> <p>Retain peat layers.</p>

Notified Provisions as Track changed	Support	Support in Part	Oppose	Reason	I/We seek the following decision(s) from the Council:
Maps -General		✓		These maps have been adapted from the maps in the Future Proof Strategy. The numbers in the legend on each map still have the Future Proof map numbers. These should be removed.	Amend maps to correct map number in each legend.

Hamilton City Council
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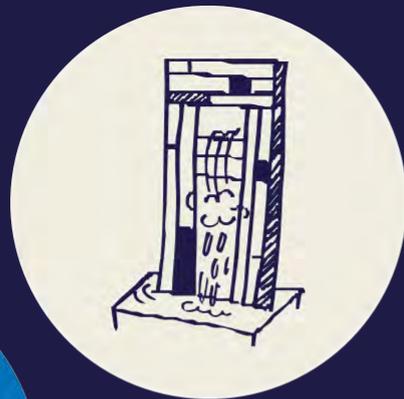
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HAMILTON CITY COUNCIL – STAFF SUBMISSION

Waikato Regional Policy Statement Change 1 – NPS on UD 2020 and Future Proof Strategy Update - Further Submissions

Waikato Regional Council



15 February 2023



**Hamilton
City Council**
Te kaunihera o Kirikiriroa

Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this submission is aligned to with the five priorities.

Council Approval and Reference

This staff submission was approved by Hamilton City Council's Chief Executive on 15 February 2023.

Hamilton City Council Reference D-4599884 - Submission # 720.

Introduction

1. Hamilton City Council would like to thank the Waikato Regional Council for the opportunity to make a further submission to the **Waikato Regional Policy Statement Change 1 – NPS on UD 2020 and Future Proof Strategy Update**.
2. The detail of Hamilton City Council's further submissions and decisions we are seeking are outlined in the Waikato Regional Council's official submission form - copy attached.

Further Information and Hearings

3. In the spirit of ongoing partnership, Hamilton City Council will continue to work with the Region and Future Proof partners in updating any drafting required to give effect to the NPS-HPL, updates Housing and Business Assessment and Industrial land Supply findings.
4. Should the Waikato Regional Council require clarification of this further submission from Hamilton City Council, or additional information, please contact **Mark Davey** (City Planning Unit Manager) on 07 838 6995 or email mark.davey@hcc.govt.nz in the first instance.
5. Hamilton City Council representatives **do wish to speak** at the Waikato Regional Council hearings in support of this submission.

Yours faithfully



Lance Vervoort
CHIEF EXECUTIVE

FURTHER SUBMISSION FORM: PROPOSED WAIKATO REGIONAL POLICY STATEMENT CHANGE 1 – NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 AND FUTURE PROOF STRATEGY UPDATE



Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We must receive your further submission by 5.00 pm, 15 February 2023

MANDATORY INFORMATION

Name of submitter (individual or organisation): _____

Contact person (if applicable): _____

Agent (if applicable): _____

Email address for service: _____

Postal address: _____

Phone number(s): _____

REASON FOR FURTHER SUBMISSION(select appropriate)

- I/we represent a relevant aspect of the public interest; or
- I/we have an interest in the proposal that is greater than the interest of the general public; or
- I/we represent the Waikato Regional Council

Please specify the grounds for your selection above:

APPEARANCE AT A HEARING

- I wish to be heard in support of my submission; or
- I do not wish to be heard in support of my submission.
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

SIGNATURE

Signature:  _____ Date: _____

MAILING DETAILS

Mailed to: Chief Executive, 160 Ward Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240

Delivered to: Waikato Regional Council, 160 Ward Street, Hamilton

Emailed to: strategicandspatialplanning@waikatoregion.govt.nz (*Submissions received by email must contain full contact details*)

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Please use the attached table to make your submission to indicate the parts of Proposed Change 1 your submission relates to and the relief sought.

Personal information is used for the administration of the further submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 6 Clause 8 of First Schedule, Resource Management Act 1991

**Hamilton City Council Further Submission on
Waikato Regional Policy Statement Proposed Change 1 - National Policy Statement on Urban Development 2020 and Future
Proof Strategy Update**

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Submitter 1: WEL Networks Limited	1.1	UFD-O1 - Built environment	Support	HCC supports the further clarification regarding infrastructure that the submitter seeks.	Accept submission
Submitter 1: WEL Networks Limited	1.4	APP13 - Responsive Planning Criteria - Out of sequence and Unanticipated Developments (Future Proof local authorities)	Support	HCC supports the further clarification regarding infrastructure that the submitter seeks.	Accept submission
Submitter 4: South Waikato DC	8	UFD-O1 - Built Environment	Oppose	The NPS-UD defines 'well-functioning urban environments' that those with a population of at least 10,000 people. The smaller towns of the South Waikato will not meet this definition and the Objective will not apply.	Reject submission
Submitter 6: Thames-Coromandel District Council	6.1	1.6 Definitions	Oppose	A locally appropriate definition of "Affordable housing" should be determined at the TA level. HCC supports the notified definition of "Inclusionary zoning"	Reject submission
Submitter 6: Thames-Coromandel District Council	6.2	1.6 Definitions	Oppose	The locally required proportion of 'affordable housing' can be determined and set within local policy. Retained affordability is required to ensure the initial purchasers do not benefit from the value differential.	Reject submission
Submitter 6: Thames-Coromandel District Council	6.24	UFD-M71 - Housing Affordability	Oppose	HCC supports the notified wording which includes provision for investigating inclusionary zoning.	Reject submission

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.9	UFD-P12 - Density targets for Future Proof area	Support in part	As indicated in HCC's original submission, the proposed walkable catchments of the city may require a higher minimum density target. HCC seek clarification of the spatial extents of these areas and that the targets are evidentially based	Subject to hearing deliberations
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.14	UFD-M49 - Out-of-sequence or unanticipated urban development	Oppose	There is no inconsistency between UDF-M49 and UFD-P11.	Reject submission
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.27	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	There is no need to distinguish between matters which are relevant to determining significance from other matters that are relevant to alternative land release.	Reject submission
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.26	APP12 - Future Proof tables	Support	HCC supports in principle the indication of an extension to the Northern Precinct within the Hamilton Airport/Southern Links Strategic Industrial Node.	Accept submission
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.28	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	Evidence prepared by an applicant does not have equivalence with the HBA.	Reject submission
Submitter 8: Titanium Park Limited & Rukuhia Properties Limited	8.30	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	To ensure prudent local authority debt management, clear discussion of infrastructure cost funding is required upfront.	Reject submission
Submitter 9: Ohinewai Lands Limited	9.1	1.6 Definitions	Support	HCC support the inclusion of the Future Proof Strategy definition of 'net density' in the WRPS.	Accept submission

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Submitter 9: Ohinewai Lands Limited	9.2	1.6 Definitions	Support	HCC supports the inclusion of the Future Proof Strategy definition of 'Blue-green network' in the WRPS.	Accept submission
Submitter 9: Ohinewai Lands Limited	9.3	1.6 Definitions	Oppose	HCC supports the notified definition of "Inclusionary zoning"	Reject submission
Submitter 9: Ohinewai Lands Limited	9.6	UFD-M49 - Out-of-sequence or unanticipated urban development	Oppose	There is no inconsistency between UDF-M49 and UFD-P11.	Reject submission
Submitter 9: Ohinewai Lands Limited	9.7	UFD-M63 - Housing Affordability	Oppose	HCC supports the inclusion of the Housing Affordability method in the RPS.	Reject submission
Submitter 9: Ohinewai Lands Limited	9.10	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	There is no need to distinguish between matters which are relevant to determining significance from other matters that are relevant to alternative land release.	Reject submission
Submitter 9: Ohinewai Lands Limited	9.11	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	Evidence prepared by an applicant does not have equivalence with the HBA.	Reject submission
Submitter 9: Ohinewai Lands Limited	9.13	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	To ensure prudent local authority debt management, clear discussion of infrastructure cost funding is required upfront.	Reject submission
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and	10.1	1.6 Definitions	Support	HCC support the inclusion of the Future Proof Strategy definition of 'net density' in the WRPS.	Accept submission

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Raglan Land Company Limited					
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.3	1.6 Definitions	Oppose	HCC supports the definition of "Inclusionary zoning"	Reject submission
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.6	UFD-M49 - Out-of-sequence or unanticipated urban development	Oppose	There is no inconsistency between UDF-M49 and UFD-P11.	Reject submission
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.7	UFD-M71 - Housing Affordability	Oppose	HCC supports the notified wording which includes provision for investigating inclusionary zoning.	Reject submission
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.10	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	There is no need to distinguish between matters which are relevant to determining significance from other matters that are relevant to alternative land release.	Reject submission
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.11	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	Evidence prepared by an applicant does not have equivalence with the HBA.	Reject submission

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Submitter 10: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited	10.13	APP13 - Responsive Planning Criteria - Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Oppose	To ensure prudent local authority debt management, clear discussion of infrastructure cost funding is required upfront.	Reject submission
Submitter 11: Waka Kotahi	11.22	UFD-M52 - Infill targets	Oppose	HCC proposes a long-term target of at least 70% of residential growth to be through infill and intensification of existing urban areas.	Reject submission Subject to hearing deliberations
Submitter 11: Waka Kotahi	11.23	UFD-M67 - Metropolitan centres	Support	HCC supports the promotion of active modes.	Accept submission
Submitter 12: The Adare Company	12.1	1.6 Definitions	Support	HCC support the inclusion of the Future Proof Strategy definition of 'net density' in the WRPS.	Accept submission
Submitter 12: The Adare Company	12.3	1.6 Definitions	Oppose	HCC supports the notified definition of "Inclusionary zoning"	Reject submission
Submitter 12: The Adare Company	12.4	UFD-P12 – Density targets for Future Proof Area	Support in part	As indicated in HCC's original submission, the proposed walkable catchments of the city may require a higher minimum density target. HCC seek clarification of the spatial extents of these areas and that the targets are evidentially based.	Subject to hearing deliberations
Submitter 12: The Adare Company	12.5	UFD-M63 - Housing Affordability	Oppose	HCC supports the inclusion of the Housing Affordability method in the RPS.	Reject submission
Submitter 15: Waikato District Council (Officer level)	15.1	UFD-P12 – Density targets for Future Proof Area	Support in part	As indicated in HCC's original submission, the proposed walkable catchments of the city may require a higher minimum density target. HCC seek clarification of the spatial extents of these areas the evidential base and timing of this targets.	Subject to hearing deliberations
Submitter 17: Kāinga Ora	17.3	1.6 Definitions	Oppose	HCC supports the notified definition of "Inclusionary zoning"	Reject submission
Submitter 17: Kāinga Ora	17.12	UFD-M63 - Housing Affordability	Oppose	HCC supports the inclusion of the Housing Affordability method in the RPS.	Reject submission

Submitter	Sub#	Plan Provision	Support/ Oppose	Reason	Decision sought
Submitter 17: Kāinga Ora	17.14	UFD-M52 - Infill targets	Support in part	HCC proposes a long-term target of at least 70% of residential growth to be through infill and intensification of existing urban areas.	Accept submission Subject to hearing deliberations
Submitter 17: Kāinga Ora	17.17	UFD-M71 - Housing Affordability	Oppose	HCC supports the notified wording which includes provision for investigating inclusionary zoning.	Reject submission
Submitter 20: Taupo District Council	20.5	UFD-O1 - Managing the Urban Environment	Support	HCC supports the further clarification that the submitter's objective would provide regarding the establishment of papakāinga.	Accept submission
Submitter 21: Ministry of Education	21.1	UFD-O1 - Built Environment	Support	HCC supports the clarification regarding additional infrastructure in this Objective.	Accept submission

Hamilton City Council
Garden Place, Private Bag 3010, Hamilton

 /HamiltonCityCouncil

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ATTACHMENT 2

14 December 2022

Waikato Regional Council
Private Bag 3038
Waikato Mail Centre
Hamilton 3204

Attention: Miffy Foley

Dear Miffy

Submission on Waikato Regional Policy Statement – Change 1

Thames-Coromandel District Council appreciates an opportunity to lodge a submission on the Waikato Regional Policy Statement – Change 1 – National Policy Statement Urban Development and Future Proof Update.

Council staff have reviewed the documents on Change 1 on the WRC website.

Council considered this matter at its 13 December 2022 meeting and resolved as follows:

“That the Thames-Coromandel District Council:

- 1. Receives the 'Change 1 to the Waikato Regional Policy Statement' report dated 15 November 2022.*
- 2. Approves lodgement of a Council submission on Proposed Plan Change 1 to the Waikato Regional Policy Statement, with the Waikato Regional Council.*
- 3. Delegates authority to the Mayor and Chief Executive to approve any changes to the draft submission prior to its lodgement with the Waikato Regional Council.*

Moved/seconded by: Connell/Revell”

The submission from Thames-Coromandel District Council is in the attached table. I have delegated authority from Council to lodge this submission.

Staff are available to discuss any matter where you may need further clarification.

Please contact Leslie Vyfhuis, Strategy and Policy Manager, on (07) 8680388 or by email at leslie.vyfhuis@tcdc.govt.nz if you have any questions.

Yours faithfully



Leslie Vyfhuis
Strategy and Policy Manager
GOVERNANCE AND STRATEGY GROUP

**PROPOSED WAIKATO REGIONAL POLICY STATEMENT CHANGE 1
- NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020
AND FUTURE PROOF STRATEGY UPDATE - Submission Form**



Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We must receive your submission by 5.00 pm, 16 December 2022

MANDATORY INFORMATION

Name of submitter (individual or organisation): Thames-Coromandel District Council

Contact person (if applicable): Leslie Vyfhuis

Agent (if applicable): _____

Email address for service: leslie.vyfhuis@tcdc.govt.nz

Postal address: Private Bag 1001, Thames 3540

Phone number(s): 07 868 0200

TRADE COMPETITION AND ADVERSE EFFECTS (select appropriate)

- I/we could not gain an advantage in trade competition through this submission; or
- I/we could gain an advantage in trade competition through this submission but I/we are entitled to make a submission on the basis that I/we are directly affected by an effect of the subject matter of the submission that:
- (a) adversely affects the environment, and
- (b) does not relate to the trade competition or the effects of trade competition.

ATTACHMENTS TO THIS SUBMISSION (select appropriate)

- Yes, I/we have attached five extra sheets; or, No, I/we have not attached extra sheets.
- Note: Please use the attached table to make your submission to indicate the parts of Proposed Change 1 your submission relates to and the relief sought.

APPEARANCE AT A HEARING

- I wish to be heard in support of my submission; or, I do not wish to be heard in support of my submission.
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

SIGNATURE

Signature: Leslie Vyfhuis Date: 14 December 2022

MAILING DETAILS

Mailed to: Chief Executive, 160 Ward Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
Delivered to: Waikato Regional Council, 160 Ward Street, Hamilton
Emailed to: strategicandspatialplanning@waikatoregion.govt.nz (Submissions received by email must contain full contact details)

PLEASE CHECK that you have provided all of the information requested or if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

Waikato Regional Policy Statement – Change 1
‘National Policy Statement Urban Development 2020 and Future Proof Strategy
Update’

Submission by Thames-Coromandel District Council

Provision in Change 1	Support or Oppose	Decision sought	Reason for decision sought
Part 1 – Introduction and General Provisions			
1.6 Definitions	Oppose	Include a definition for “Affordable housing”.	This definition is required to be able to provide for ‘Inclusionary zoning’.
	Oppose	Amend the definition of “Inclusionary zoning” to include the proportion of ‘affordable housing’ to be required and delete retention for future generations.	This definition does not provide a definitive statement of this concept. Words such as “ <i>a certain proportion</i> ” are open to wide interpretation. The zone is required to be “ <i>retained ... for future generations</i> ” does not have regard to future plan changes. Future plan changes for ‘Inclusionary zoning’ will provide land for affordable housing.
Part 2 – Resource Management Overview			
2.1 SRMR – Significant resource management issues for the region			
SRMR-14 - Managing the built environment	Support	Retain matter 13.	Sufficient development capacity for housing and business land is necessary for an urban environment to function well.
	Support	Retain this provision.	The provision references the National Policy Statement on Urban Development 2020 which shall be put into effect in the WRPS.
2.2 IM – Integrated management			
IM-O5 Climate change	Support	Retain this provision.	Urban environments need to have regard to the effects of climate change.
IM-O9 Amenity	Support	Retain this provision.	Amenity values do change over time but may not have an adverse effect on the environment.
Part 4 Topics			
4.2 UFD - Urban form and development			
UFD-01 - Built environment	Support	Retain matters 12. a. to f.	Supports strategic planning for growth and develop for urban environments which also supports climate change, housing choice, including homes supporting Māori cultural tradition. Supports infrastructure and business needs in the short to long term and transport connectivity. Also takes into account the values of hapu and iwi for urban development.

Provision in Change 1	Support or Oppose	Decision sought	Reason for decision sought
UFD-P2 – Co-ordinating growth and infrastructure	Support	Retain the amendment to matter 2 of tier 3 local authorities as set out in UPD-P18.	Ensures that tier 3 local authorities have guidance on co-ordination of growth and infrastructure as set out in UPD-P18.
UFD-P7 – Implementing the Coromandel Peninsula Blueprint	Support	Delete this provision.	The existing policy is out of date. Thames-Coromandel District Council is outside of the Future Proof subregion and the generic provision will guide preparation of, and give effect to, growth strategies or equivalent.
UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy	Oppose	First sentence - Delete “shall” for this sentence to read as “New urban development in Tier 3 local authority areas should be managed in a way that:”	The inclusion of “shall” is a very directive requirement for a tier 3 local authority with settlements that do not meet the “urban environment” definition in the NPS-UD 2020.
	Oppose	Clarification on the date when a local authority falls within tier 3.	Determining whether a territorial authority is a tier 3 local authority may be done via a resolution of council as noted in UFD-PR18. Tier 3 local authority status – there appears to be no direction on the date when a local authority becomes a tier 3 local authority, except via the definition of “urban development” and resolution of council. This requires further direction in the Regional Policy Statement. Is a local authority a tier 3 when a growth strategy plan is either notified or approved by Council or is it when a plan change is notified or when it becomes operative.
	Support	Support this provision except for the submission points noted.	Provides for a broad generic policy for growth, infrastructure, environment, and climate change when a local authority becomes a tier 3 local authority.
UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments	Oppose	Amend the title to this clause to remove “local environments” and insert “urban environments”.	The NPS-UD does not define a “local environment”.
	Support	Retain this provision.	Provides direction when there is significant unintended and out of sequence growth in tier 3 local environments – an assessment of the development principles in APP11 and the criteria APP14 to be included.
Methods			
UFD-M6 – Growth strategies	Oppose	Oppose the inclusion of “shall” for tier 3 territorial authorities.	The use of “should” for territorial authorities and then “shall” for tier 1 and 3 territorial authorities shows inconsistency.

Provision in Change 1	Support or Oppose	Decision sought	Reason for decision sought
		Use the word “should” as noted for territorial authorities.	The word 'shall' is used to show strong intention/assertion about an action that will happen in the future. The word 'should' is used to give suggestions/advice. It's also used when talking about probable situations.
UFD-M7 – Urban development planning	Support	Retain this provision.	Before land is rezoned for urban development – structure plans and town plans are a useful means of planning for urban development and should give effect to any council-approved growth strategy and/or plans.
UFD-M8 - Information to support new urban development and subdivision	Support	Retain the inclusion of matter 15.	Adds the recognition of council-approved growth strategies and plans and development planning mechanisms to support new urban development and subdivision.
UFD-M9 – Other party involvement	Support	Retain the inclusion of “growth strategies”.	Allows third party involvement in development planning of growth strategies
UFD-M33 – Keeping records on development and infrastructure trends	Support	Retain matter 5.	Will allow local authorities to collect relevant information to keep records, track and explain demand and supply of dwellings etc.
UFD-M36 - District plan provisions to implement the Coromandel Peninsula Blueprint; and UFD-M37 – Spatial planning maps of district plan and regional plans	Support	Delete these provisions.	UFD-P7 has been deleted which these sections give effect to, so these methods should also be deleted.
UFD-M69 – Council-approved growth strategy or equivalent in tier 3 local authority areas	Support	Support inclusion of this method.	Gives clear time frames for updating or preparing a new council-approved growth strategy and what it should address when a local authority becomes a tier 3 local authority.
UFD-M70 – District Plans	Support	Retain this provision.	Gives effect to UFD-P18 in District Plans for Tier 3 local authorities.

Provision in Change 1	Support or Oppose	Decision sought	Reason for decision sought
UFD-M71 – Housing Affordability	Oppose	Oppose insertion of this provision.	Councils have limited tools to influence housing affordability – affordable housing is not defined – this would be required to be able to provide for ‘Inclusionary zoning’.
UFD-M72 – Interim arrangements	Support	Retain this provision.	Allows urban growth to be managed by the Regional Policy Statement and maintains the status quo until such a time as a local authority has prepared or updated its council-approved growth strategy.
UFD-M74 – Tier 3 out-of-sequence or unanticipated developments	Support	Retain this provision.	Guides when District and structure plans can consider alternative urban land release or timing of that release than that set out in the council-approved growth strategy.
Principal Reasons			
UFD-PR7 - Implementing the Coromandel Peninsula Blueprint	Support	Delete this provision.	UFD-P7 has been deleted which this provision refers to.
UFD-PR18 – Tier 3 local authority areas outside the Future Proof Strategy	Support	Support inclusion of reasons.	Gives reasons and explanations as to Tier 3 local authority areas outside the Future Proof Strategy.
UFD-PR19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments	Support in part	Amend the title to “tier 3 urban environments”; and Support inclusion of reasons.	The title refers to “tier 3 local environments”, a term which is not defined in the NPS-UD 2020. The reasons explain being responsive to significant unintended and out-of-sequence growth within tier 3 local environments.
Anticipated environmental results			
UFD-AER10	Support	Retain this provision.	Th provision notes that amenity values will change over time.
UFD-AER18	Support	Delete this provision.	UFD-P7 has been deleted which this provision relates to.
UFD-AER22	Support	Retain this provision.	The anticipated result is consistent with the policies for tier 3 local authorities.
Part 5 - Appendices and maps			
APP11 - Development principles	Support in part	The title can be one sentence - <i>“General development principles for new development are:”</i>	Reworded title provides improved clarity.
	Oppose	General development principles	The words are not necessary.

Provision in Change 1	Support or Oppose	Decision sought	Reason for decision sought
		Delete "... <i>current and projected future ...</i> " from clause p)	
	Support	Principles specific to rural-residential development Agree with amended wording.	The amended wording provides better direction to planners.
APP14 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Non-Future proof tier 3 local authorities)	Oppose	Delete this section or alternatively rewrite it to be consistent with APP11 - Development principles.	The reports required in this section for an application for a plan change will contribute to significant increased costs and additional delays in a decision issued by a territorial authority.
	Oppose	In 'A', delete the requirement for a Housing and Business Development Capability Assessment or council monitoring.	The National Policy Statement on Urban Development 2020 does not require this assessment for a Tier 3 local authority.
General comments			
Climate change	Oppose	Amend provisions referring to climate change where the words "current and future" are used. Delete the words "current and future" in provisions in the plan change so the relevant provision reads as follows: "... the effects of climate change."	Urban environments need to have regard to the effects of climate change. However, the inclusion of "current and future" in the provisions relating to climate change are unnecessary as there is no change to the effect of the provision with these words deleted.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR
CHANGE 1 TO THE WAIKATO REGIONAL POLICY STATEMENT**

under clause 6 of Schedule 1, Resource Management Act 1991 (RMA)

To: Waikato Regional Council
160 Ward Street
Hamilton Central
Hamilton 3204
(by email: strategicandspatialplanning@waikatoregion.govt.nz)

Name of submitter: Ohinewai Lands Limited

1. This joint submission is made by Ohinewai Lands Limited (**OLL**) on Change 1 to the Waikato Regional Policy Statement (**WRPS Change 1**). This submission relates to aspects of WRPS Change 1 concerning urban form and development, housing affordability, criteria for determining plan changes that will be treated as adding significantly to development capacity and criteria for alternative land release and the sub-regional blue-green network strategy.

Background

2. OLL is the owner of rural properties which, together with land owned by Waikare Lands Ltd, comprise in excess of 1300 hectares in the wider Ohinewai area. The properties have frontages to Tahuna Road, Balemi Road, Frost Road and Spencer Road. OLL's property is controlled by the same parent entity as that of Waikare Lands Ltd and the properties are farmed together. The farm includes dairy, beef, chicken and cropping operations.
3. The Directors of OLL are members of the Peacocke family whose other business interests include considerable farming and land development interests in the wider Waikato region. The Directors' land development interests include the Rangitahi subdivision in Raglan (www.rangitahi.co.nz) and the Amberfield subdivision in Hamilton (www.amberfield.co.nz). Both the Rangitahi and Amberfield projects involve development within new growth areas which have required significant collaboration and investment in infrastructure. The Directors of OLL therefore have a very good understanding of the land development process and have a successful track record of developing large scale urban development projects in the Waikato region.
4. OLL has been actively involved with growth planning processes for Ohinewai since 2018, including as a submitter to Future proof and the Waikato 2070 Growth and Economic Development Strategy (**Waikato 2070**), through engagement with Watercare regarding the Mid-Waikato Servicing Strategy and as a submitter and appeal party to the Proposed Waikato District Plan (**PWDP**).
5. OLL's land at Ohinewai includes approximately 39 hectares of land zoned Future Urban under the PWDP. The purpose of the Future Urban zoning is to enable development of the land for residential activities in future.
6. OLL's submission on WRPS Change 1 is informed by the knowledge it has gained through those various planning processes.

Submission

7. OLL supports the intent of WRPS Change 1 to give effect to the National Policy Statement on Urban Development (**NPS-UD**) and reflect the updated Future Proof Strategy. OLL's submission seeks to ensure that the provisions of WRPS Change 1 are clear and workable in practice.
8. OLL's detailed submissions, including reasons and relief, are provided in the table in **Appendix A** to this submission. In summary, OLL's submission seeks:
 - a. additional definitions for terms used in WRPS Change 1, to reflect the definitions used in Future Proof;
 - b. that the net density targets for Ohinewai are retained;
 - c. that provisions relating to housing supply and housing affordability are amended to remove reference to tools that may not be appropriate so should be addressed at a national level, such as inclusionary zoning;
 - d. that amendments are made to provide better clarity as to the criteria for determining plan changes that will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) and the criteria for consideration of whether out-of-sequence or unanticipated urban development should be allowed;
 - e. that provisions relating to the sub-regional blue-green network strategy are retained, but refined to clarify that there will be community, affected landowner and stakeholder involvement in forming that strategy;
 - f. that the Urban Enablement Area for Ohinewai shown on Map 43 is retained; and
 - g. that Map 44 is amended to show all Urban Enablement Areas identified on Map 43 as Urban Areas.
9. OLL submits that the relief it seeks is necessary to:
 - a. promote sustainable management of resources, achieve the purpose of the RMA and to give effect to Part 2 and other provisions of the RMA;
 - b. enable the integrated management of resources throughout the Waikato Region;
 - c. sustain the potential of the natural and physical resources of the Waikato Region (including Ohinewai), to meet the reasonably foreseeable needs of future generations;
 - d. enable the efficient use and development of the natural and physical resources;
 - e. give effect to the objectives and policies of the National Policy Statement for Urban Development 2020; and
 - f. ensure that the provisions of WRPS Change 1 are the most appropriate way to achieve the objectives of WRPS Change 1 and the wider WRPS, which are in turn the most appropriate way to achieve the purpose of the RMA.

Decision sought

10. OLL seeks the decisions from the Council as set out in the column in Appendix A headed "Decision Sought", as well as any consequential, alternative or further

amendments necessary to the provisions of WRPS Change 1 to give effect to the relief sought and reasons given.

11. OLL could not gain an advantage in trade competition from this submission.
12. OLL wishes to be heard in support of this submission.

Signed for and on behalf of OLL by:



Tony McLauchlan
Development Manager

Date: 16 December 2022

Address for service: Monocle
Panama Square
14 Garden Place
HAMILTON 3204

Telephone: 027 836 6507
Email: ben@monocle.net.nz
Contact person: Ben Inger

Appendix A – Detailed reasons and decisions sought

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought		
1. Section 1.6 Definitions	Oppose in Part	Provisions in WRPS Change 1 refer to 'net target densities' that are to be achieved in defined locations (e.g. Policy UFD-P12). The term 'net density' is defined in Future Proof but not in either WRPS Change 1 or in the operative WRPS. It is important that 'net density' is defined to assist with interpreting the net density targets in Policy UFD-P12.	<p>Insert the following new definition for 'net density' (from Future Proof):</p> <table border="1" data-bbox="379 1458 528 1930"> <tr> <td data-bbox="379 1458 411 1637"><u>"Net density</u></td> <td data-bbox="379 1637 528 1930"><u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u></td> </tr> </table>	<u>"Net density</u>	<u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u>
<u>"Net density</u>	<u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u>				
2. Section 1.6 Definitions	Oppose in Part	WRPS Change 1 similarly introduces provisions that refer to developing a sub-regional blue-green network strategy (e.g. UFD-M65). The term 'blue-green network' is defined in Future Proof but not in either WRPS Change 1 or in the operative WRPS. The clarity and administration of the plan would be improved by defining 'blue-green network' because it is not a commonly understood term.	<p>Insert the following new definition for 'blue-green network' (from Future Proof):</p> <table border="1" data-bbox="528 1458 660 1930"> <tr> <td data-bbox="528 1458 560 1637"><u>"Blue-green network</u></td> <td data-bbox="528 1637 660 1930"><u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u></td> </tr> </table>	<u>"Blue-green network</u>	<u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u>
<u>"Blue-green network</u>	<u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u>				
3. Section 1.6 Definitions	Oppose in Part	Refer to reasons in submission 7.	Delete the definition for "Inclusionary zoning".		

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
	Topic – UFD – Urban Form and Development			
4.	Policy UFD-P11 – Adopting Future Proof land use pattern	Support	<p>The alternative land release requirements in clause (7) of the policy are clear that justification must be provided for out-of-sequence or unanticipated development by demonstrating consistency with the principles of the Future Proof land use pattern (which are contained in APP11). Clause (7) also refers to the responsive planning criteria in APP13 but only in terms of determining whether an urban development proposal is 'significant'. This is consistent with the clause 3.8 and Policy 8 of the NPS-UD. However, other provisions in WRPS Change 1 are inconsistent with Policy UFD-P11(7). Refer to submissions 6 and 9-13.</p> <p>The net target density that the policy seeks to achieve for Ohinewai's greenfield areas (20-25 dwellings per hectare) is consistent with Future Proof.</p>	Retain Policy UFD-P11.
5.	Policy UFD-P12 – Density targets for Future Proof area	Support	<p>The net target density that the policy seeks to achieve for Ohinewai's greenfield areas (20-25 dwellings per hectare) is consistent with Future Proof.</p>	Retain UFD-P12.
6.	Method UFD-M49 – Out-of-sequence or unanticipated urban development	Oppose in Part	<ol style="list-style-type: none"> 1. While clause (7) of UFD-P11 is clear that justification must be provided for out-of-sequence or unanticipated development by demonstrating consistency with the principles of the Future Proof land use pattern (APP11), the policy only refers to APP13 being relevant to determining whether an urban development proposal is 'significant'. Method UFD-M49 introduces additional requirements for out-of-sequence or unanticipated urban development by requiring assessments against APP13 as part of the determination of whether alternative land release should be allowed at all. The approach set out in UFD-M49 is therefore inconsistent with UFD-P11. 2. The approach in UFD-M49 conflates the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are 	Amend UFD-M49 to make it consistent with UFD-P11.

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
7.	Method UFD-M63 – Housing affordability Oppose in Part	<p>proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release.</p> <ol style="list-style-type: none"> 1. The scope of WRPS Change 1 is limited to changes to implement the NPS-UD and to update the Future Proof components in the WRPS. Neither the NPS-UD nor Future Proof refer to inclusionary zoning. 2. The NPS-UD requires housing affordability to be improved by supporting competitive land and development markets. If it were Government's intention to require RMA planning documents to incorporate inclusionary zoning then the NPS-UD would have explicitly stated this. 3. Inclusionary zoning imposes additional costs on developers which would make housing less affordable for some people (i.e. to subsidise the affordable housing aspect of the development). In the current economic environment, this is likely to make development less viable and reduce housing supply which would be contrary to the NPS-UD. 4. Other matters which are addressed in UFD-M63 are relevant for achieving housing affordability and should be retained, including increasing housing supply, greater housing choice, more diverse dwelling typologies and alternative delivery partners. Referring to inclusionary zoning as a specific example is likely to elevate that mechanism above other available tools. 5. The section 32 report for WRPS Change 1 concludes that mechanisms like inclusionary zoning are within the scope of RMA plans. While that may be the case, the section 32 report does not assess the costs or benefits of identifying inclusionary zoning as a method to be investigated. 	Amend UFD-M63 by deleting "and investigating inclusionary zoning".

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
8. Method UFD-M65 – Blue-Green network	Support in Part	<ol style="list-style-type: none"> The submitter agrees that a sub-regional blue-green network strategy should be prepared by the Future Proof partners in a holistic and co-ordinated way and that its purpose should be in accordance with items 1 to 6 in UFD-M65. Given the importance of the sub-regional blue-green network strategy for influencing regulatory and non-regulatory methods, it should be prepared with input from the community and stakeholders, including affected landowners. That approach would be consistent with UFD-M9 which recognises the importance of 'other party involvement' in the preparation of development planning mechanisms and with principles of natural justice. 	<p>Amend UFD-M65 as follows:</p> <p>"The Future Proof partners should <u>shall</u> work together to develop a sub-regional blue-green network strategy, <u>with input from the community, affected landowners and other stakeholders</u>. The strategy will assist in determining a sub-regional regulatory and non-regulatory framework for the establishment of a multi-functional blue-green network throughout the sub-region. The strategy will consider how the following aspects can be addressed holistically through the network:</p> <ol style="list-style-type: none"> 1. ..."
9. Principal reason UFD-PR11 – Adopting Future Proof land use pattern	Support in Part	<ol style="list-style-type: none"> The references to APP13 conflate the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release. Subject to submission 7 above, it is appropriate to identify that housing affordability is a complex issue and that there are a range of tools, some of which require further investigation. The submitter generally supports the explanation of the reasons for UFD-M65 in the final paragraph in UFD-PR11 and the directive for the Future Proof partners to develop a cross-boundary blue-green network. However, the explanation should also refer to the importance of preparing the strategy with input 	<ol style="list-style-type: none"> Amend UFD-PR11 to make it consistent with UFD-P11. Retain reference to the criteria in APP13 needing to be weighted. Amend the final paragraph of UFD-PR11 as follows, or similar wording to achieve the outcome sought by the submitter: <p>"UFD-M65 sets out how the Future Proof partners will collaborate <u>with one another with community, affected landowner and stakeholder involvement</u> to develop a multi-functional, cross-boundary blue-green network which will be a defining spatial concept that aims to restore, enhance, connect and improve the natural environment within the Future Proof sub-region in a way that can integrate with new urban development and improve the liveability of urban areas."</p>

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
Appendices		from the community and stakeholders, including affected landowners.	
10. APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities) General	Oppose in Part	APP13 conflates the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release.	Review and amend the criteria in APP13 so that they distinguish matters which are relevant to determining significance in terms of clause 3.8(3) of the NPS-UD from other matters that are relevant to alternative land release.
11. APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities) Clause A, Criteria A	Oppose in Part	<p>1. It would be appropriate to enable demonstrated need or shortfall for housing or business floor space to be demonstrated through a Housing and Business Development Capacity Assessment (HBA) or council monitoring or evidence presented by an applicant. There may be important factors known to an applicant that are unable to be foreseen in a HBA or through council monitoring.</p> <p>2. Although clause A is relevant for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD), it should not be a mandatory requirement for alternative land release. There may be some situations where alternative land release is appropriate to achieve consistency with the development principles in APP11 and to create a well-functioning urban environment despite a short or medium-term need or shortfall not existing.</p>	<p>Amend clause A in criteria A as follows, or similar wording to achieve the outcome sought by the submitter:</p> <p><u>"That the development would add significantly to meeting a demonstrated need or shortfall for housing or business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring or in evidence prepared by an applicant"</u>.</p>
12. APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated	Oppose in Part	1. Wahi toitu and wahi toiora are extensive and are mapped at a high level in WRPS Change 1 (Map 44). The use of the directive term 'avoid' in clause O means not allowing and there cannot be any	1. Amend the criteria related to wahi toitu and wahi toiora in clauses O, P and Q in criteria A to state that they do not apply to

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
	Developments (Future Proof local authorities) Clauses O, P and Q, Criteria A		<p>exceptions (<i>Environmental Defence Society Inc v New Zealand King Salmon Company Ltd</i> [2014] NZSC 38). This creates a conflict between the WRPS provisions as some of the wahi toitu areas appear to be identified within Urban Enablement Areas where urban development is planned to occur.</p> <p>2. Clauses O, P and Q may be relevant for determining alternative land release but they are not relevant to determining whether additional development capacity is significant (clause 3.8(3) of the NPS-UD).</p>	<p>development proposals outside of Urban Enablement Areas; <u>or</u></p> <p>2. Amend the criteria related to wahi toitu and wahi toiora in clauses O, P and Q in criteria A to require that proposals for urban development must consider the values that make the area wahi toitu or wahi toiora and demonstrate that associated effects can be avoided, remedied or mitigated; <u>or</u></p> <p>3. Amend Map 44 to remove wahi toitu and wahi toiora from Urban Enablement Areas by showing them as Urban Areas (see submission 15).</p>
13.	APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities) Clause K, Criteria A and Clause B, Criteria B	Oppose in Part	<p>1. It is unclear what is meant by the extent to which cost neutrality for public finance can be achieved. It is also unclear how this would be readily demonstrated by plan change proponents.</p> <p>2. If infrastructure is required to enable an identified need for growth then councils are obliged to proactively plan for and fund the infrastructure. Growth infrastructure is typically funded from a range of sources, including council rates, development contributions and Government subsidies, and the costs are often shared where there are wider benefits. It would be inappropriate to require the funding to achieve cost neutrality for public finances in all circumstances.</p>	<p>Delete references to cost neutrality for public finance in clause K (criteria A) and clause B (criteria B).</p>
	Maps Map 43: Future Proof indicative urban and village enablement areas	Support in Part	<p>OLL supports the Urban Enablement Area shown in Map 43 for Ohinewai, which is consistent with Future Proof and includes the Future Urban zoned land within OLL's landholding.</p>	<p>Retain the Urban Enablement Area for Ohinewai shown on Map 43.</p>
14.				

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
15.	Map 44: Future Proof wahi toitu and wahi toiora areas	Oppose in Part	<p>1. It appears that some of the Urban Enablement Areas (existing and future urban areas) have been shown as Urban Areas on Map 44 and some have not (such as Ohinewai). All Urban Enablement Areas should be shown as Urban Areas. Otherwise, there would be a conflict between the WRPS provisions as some of the wahi toitu and wahi toiora areas appear to be identified within Urban Enablement Areas where urban development is planned to occur.</p> <p>2. The map would be easier to interpret if the names of towns were added to it.</p>	Amend Map 44 to show all Urban Enablement Areas as Urban Areas and to add the names of towns.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR
CHANGE 1 TO THE WAIKATO REGIONAL POLICY STATEMENT**

under clause 6 of Schedule 1, Resource Management Act 1991 (RMA)

To: Waikato Regional Council
160 Ward Street
Hamilton Central
Hamilton 3204
(by email: strategicandspatialplanning@waikatoregion.govt.nz)

Name of submitter: Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited

1. This joint submission is made by Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited (collectively referred to as **Rangitahi**) on Change 1 to the Waikato Regional Policy Statement (**WRPS Change 1**). This submission relates to aspects of WRPS Change 1 concerning urban form and development, housing affordability, criteria for determining plan changes that will be treated as adding significantly to development capacity and criteria for alternative land release and the sub-regional blue-green network strategy.

Background

2. Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited are part of a group of companies associated with members of the Peacocke family, who have lived and farmed in Raglan for over 30 years and whose other business interests include considerable farming and land development interests in the wider Waikato region. The Directors' land development interests include the Rangitahi (www.rangitahi.co.nz) and Te Ahiawa subdivisions in Raglan, the Amberfield subdivision in Hamilton (www.amberfield.co.nz) and a future residential growth area in Ohinewai.
3. The Rangitahi and Amberfield projects are well advanced and have involved development within new growth areas which have required significant collaboration and investment in infrastructure. The Directors of Rangitahi therefore have a very good understanding of the land development process and have a successful track record of developing large scale urban development projects in the Waikato region.
4. In addition to the Rangitahi development site, Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited all own additional land in the Rangitahi South / Raglan West area which is suitable for future urban development to accommodate Raglan's medium to long-term growth.
5. Rangitahi has participated in submissions, hearings and appeals on the Proposed Waikato District Plan (**PWDP**). Rangitahi also made submissions on Waikato 2070 and on the Future Proof Strategy Consultation Draft.
6. Rangitahi's submission on WRPS Change 1 is informed by the knowledge it has gained through those various planning processes.

Submission

7. Rangitahi supports the intent of WRPS Change 1 to give effect to the National Policy Statement on Urban Development (**NPS-UD**) and reflect the updated Future Proof

Strategy. Rangitahi's submission seeks to ensure that the provisions of WRPS Change 1 are clear and workable in practice.

8. Rangitahi's detailed submissions, including reasons and relief, are provided in the table in **Appendix A** to this submission. In summary, Rangitahi's submission seeks:
 - a. additional definitions for terms used in WRPS Change 1, to reflect the definitions used in Future Proof;
 - b. that the net density targets for Raglan are retained, recognising however that flexibility is important to determine appropriate density responses through future structure planning processes;
 - c. that provisions relating to housing supply and housing affordability are amended to remove reference to tools that may not be appropriate so should be addressed at a national level, such as inclusionary zoning;
 - d. that amendments are made to provide better clarity as to the criteria for determining plan changes that will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) and the criteria for consideration of whether out-of-sequence or unanticipated urban development should be allowed;
 - e. that provisions relating to the sub-regional blue-green network strategy are retained, but refined to clarify that there will be community, affected landowner and stakeholder involvement in forming that strategy;
 - f. that the Urban Enablement Area for Raglan shown on Map 43 is retained; and
 - g. that Map 44 is amended to show all Urban Enablement Areas identified on Map 43 as Urban Areas.
9. Rangitahi submits that the relief it seeks is necessary to:
 - a. promote sustainable management of resources, achieve the purpose of the RMA and to give effect to Part 2 and other provisions of the RMA;
 - b. enable the integrated management of resources throughout the Waikato Region;
 - c. sustain the potential of the natural and physical resources of the Waikato Region (including Raglan), to meet the reasonably foreseeable needs of future generations;
 - d. enable the efficient use and development of the natural and physical resources;
 - e. give effect to the objectives and policies of the National Policy Statement for Urban Development 2020; and
 - f. ensure that the provisions of WRPS Change 1 are the most appropriate way to achieve the objectives of WRPS Change 1 and the wider WRPS, which are in turn the most appropriate way to achieve the purpose of the RMA.

Decision sought

10. Rangitahi seeks the decisions from the Council as set out in the column in Appendix A headed "Decision Sought", as well as any consequential, alternative or further amendments necessary to the provisions of WRPS Change 1 to give effect to the relief sought and reasons given.

11. Rangitahi could not gain an advantage in trade competition from this submission.
12. Rangitahi wishes to be heard in support of this submission.

Signed for and on behalf of Rangitahi by:



.....
Tony McLauchlan
Development Manager

Date: 16 December 2022

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HAMILTON 3204

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Contact person: Ben Inger

Appendix A – Detailed reasons and decisions sought

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought		
1.	Section 1.6 Definitions	Oppose in Part	Provisions in WRPS Change 1 refer to 'net target densities' that are to be achieved in defined locations (e.g. Policy UFD-P12). The term 'net density' is defined in Future Proof but not in either WRPS Change 1 or in the operative WRPS. It is important that 'net density' is defined to assist with interpreting the net density targets in Policy UFD-P12.	<p>Insert the following new definition for 'net density' (from Future Proof):</p> <table border="1" data-bbox="384 159 571 745"> <tr> <td data-bbox="384 577 571 745"><u>"Net density</u></td> <td data-bbox="384 159 571 577">The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</td> </tr> </table>	<u>"Net density</u>	The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."
<u>"Net density</u>	The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."					
2.	Section 1.6 Definitions	Oppose in Part	WRPS Change 1 similarly introduces provisions that refer to developing a sub-regional blue-green network strategy (e.g. UFD-M65). The term 'blue-green network' is defined in Future Proof but not in either WRPS Change 1 or in the operative WRPS. The clarity and administration of the plan would be improved by defining 'blue-green network' because it is not a commonly understood term.	<p>Insert the following new definition for 'blue-green network' (from Future Proof):</p> <table border="1" data-bbox="667 159 1257 745"> <tr> <td data-bbox="667 577 1034 745"><u>"Blue-green network</u></td> <td data-bbox="667 159 1257 577">An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafis, and other key elements such as buffer zones as relevant."</td> </tr> </table>	<u>"Blue-green network</u>	An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafis, and other key elements such as buffer zones as relevant."
<u>"Blue-green network</u>	An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafis, and other key elements such as buffer zones as relevant."					
3.	Section 1.6 Definitions	Oppose in Part	Refer to reasons in submission 7.	Delete the definition for "Inclusionary zoning".		

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
Topic – UFD – Urban Form and Development				
4.	Policy UFD-P11 – Adopting Future Proof land use pattern	Support	<p>The alternative land release requirements in clause (7) of the policy are clear that justification must be provided for out-of-sequence or unanticipated development by demonstrating consistency with the principles of the Future Proof land use pattern (which are contained in APP11). Clause (7) also refers to the responsive planning criteria in APP13 but only in terms of determining whether an urban development proposal is 'significant'. This is consistent with the clause 3.8 and Policy 8 of the NPS-UD. However, other provisions in WRPS Change 1 are inconsistent with Policy UFD-P11(7). Refer to submissions 6 and 9-13.</p>	Retain Policy UFD-P11.
5.	Policy UFD-P12 – Density targets for Future Proof area	Support in Part	<ol style="list-style-type: none"> The net target density that the policy seeks to achieve for Raglan's greenfield areas (20-25 dwellings per hectare) is consistent with Future Proof. Rangitahi's experience is that while the net target density may be achievable in specific places within Raglan's greenfield areas, there are unique topographical and environmental considerations that will mean that it will be difficult to achieve everywhere. There needs to be flexibility to determine appropriate density responses through future structure planning processes. 	Retain UFD-P12 except to the extent that changes may be necessary to the policy or associated methods to address the matters under reason (2).
6.	Method UFD-M49 – Out-of-sequence or unanticipated urban development	Oppose in Part	<ol style="list-style-type: none"> While clause (7) of UFD-P11 is clear that justification must be provided for out-of-sequence or unanticipated development by demonstrating consistency with the principles of the Future Proof land use pattern (APP11), the policy only refers to APP13 being relevant to determining whether an urban development proposal is 'significant'. Method UFD-M49 introduces additional requirements for out-of-sequence or unanticipated urban development by requiring assessments against APP13 as part of the determination of whether alternative land release 	Amend UFD-M49 to make it consistent with UFD-P11.

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
			<p>should be allowed at all. The approach set out in UFD-M49 is therefore inconsistent with UFD-P11.</p> <p>2. The approach in UFD-M49 conflates the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release.</p>	
7.	Method UFD-M63 – Housing affordability	Oppose in Part	<ol style="list-style-type: none"> 1. The scope of WRPS Change 1 is limited to changes to implement the NPS-UD and to update the Future Proof components in the WRPS. Neither the NPS-UD nor Future Proof refer to inclusionary zoning. 2. The NPS-UD requires housing affordability to be improved by supporting competitive land and development markets. If it were Government's intention to require RMA planning documents to incorporate inclusionary zoning then the NPS-UD would have explicitly stated this. 3. Inclusionary zoning imposes additional costs on developers which would make housing less affordable for some people (i.e. to subsidise the affordable housing aspect of the development). In the current economic environment, this is likely to make development less viable and reduce housing supply which would be contrary to the NPS-UD. 4. Other matters which are addressed in UFD-M63 are relevant for achieving housing affordability and should be retained, including increasing housing supply, greater housing choice, more diverse dwelling typologies and alternative delivery partners. Referring to inclusionary zoning as a specific example is likely 	Amend UFD-M63 by deleting "and investigating inclusionary zoning".

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
8.	Method UFD-M65 – Blue-Green network	Support in Part	<p>to elevate that mechanism above other available tools.</p> <p>5. The section 32 report for WRPS Change 1 concludes that mechanisms like inclusionary zoning are within the scope of RMA plans. While that may be the case, the section 32 report does not assess the costs or benefits of identifying inclusionary zoning as a method to be investigated.</p> <p>1. The submitter agrees that a sub-regional blue-green network strategy should be prepared by the Future Proof partners in a holistic and co-ordinated way and that its purpose should be in accordance with items 1 to 6 in UFD-M65.</p> <p>2. Given the importance of the sub-regional blue-green network strategy for influencing regulatory and non-regulatory methods, it should be prepared with input from the community and stakeholders, including affected landowners. That approach would be consistent with UFD-M9 which recognises the importance of 'other party involvement' in the preparation of development planning mechanisms and with principles of natural justice.</p>	<p>Amend UFD-M65 as follows:</p> <p>"The Future Proof partners should shall work together to develop a sub-regional blue-green network strategy, with input from the community, affected landowners and other stakeholders. The strategy will assist in determining a sub-regional regulatory and non-regulatory framework for the establishment of a multi-functional blue-green network throughout the sub-region. The strategy will consider how the following aspects can be addressed holistically through the network:</p> <p>1."</p>
9.	Principal reason UFD-PR11 – Adopting Future Proof land use pattern	Support in Part	<p>1. The references to APP13 conflate the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release.</p> <p>2. Subject to submission 7 above, it is appropriate to identify that housing affordability is a complex issue</p>	<p>1. Amend UFD-PR11 to make it consistent with UFD-P11. Retain reference to the criteria in APP13 needing to be weighted.</p> <p>2. Amend the final paragraph of UFD-PR11 as follows, or similar wording to achieve the outcome sought by the submitter:</p> <p>"UFD-M65 sets out how the Future Proof partners will collaborate with one another with community, affected landowner and stakeholder involvement to develop a multi-functional, cross-boundary blue-green network which will be a defining spatial concept that aims to restore.</p>

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
		<p>and that there are a range of tools, some of which require further investigation.</p> <p>3. The submitter generally supports the explanation of the reasons for UFD-M65 in the final paragraph in UFD-PR11 and the directive for the Future Proof partners to develop a cross-boundary blue-green network. However, the explanation should also refer to the importance of preparing the strategy with input from the community and stakeholders, including affected landowners.</p>	<p>enhance, connect and improve the natural environment within the Future Proof sub-region in a way that can integrate with new urban development and improve the liveability of urban areas."</p>
<p>10.</p> <p>Appendices</p> <p>APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)</p> <p>General</p>	<p>Oppose in Part</p>	<p>APP13 conflates the requirement for regional policy statements to include criteria for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD) with consideration of whether out-of-sequence or unanticipated urban development should be allowed at all. The same criteria are proposed to be applied to both matters. However, some of the criteria in APP13 are not relevant to determining whether additional development capacity is significant and some of the criteria are not relevant to alternative land release.</p>	<p>Review and amend the criteria in APP13 so that they distinguish matters which are relevant to determining significance in terms of clause 3.8(3) of the NPS-UD from other matters that are relevant to alternative land release.</p>
<p>11.</p> <p>APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)</p> <p>Clause A, Criteria A</p>	<p>Oppose in Part</p>	<p>1. It would be appropriate to enable demonstrated need or shortfall for housing or business floor space to be demonstrated through a Housing and Business Development Capacity Assessment (HBA) or council monitoring or evidence presented by an applicant. There may be important factors known to an applicant that are unable to be foreseen in a HBA or through council monitoring.</p> <p>2. Although clause A is relevant for determining what plan changes will be treated as adding significantly to development capacity (clause 3.8(3) of the NPS-UD), it should not be a mandatory requirement for alternative land release. There may be some situations where alternative land release is</p>	<p>Amend clause A in criteria A as follows, or similar wording to achieve the outcome sought by the submitter:</p> <p>"That the development would add significantly to meeting a demonstrated need or shortfall for housing or business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring or in evidence prepared by an applicant".</p>

Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
12. APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities) Clauses O, P and Q, Criteria A	Oppose in Part	<p>appropriate to achieve consistency with the development principles in APP11 and to create a well-functioning urban environment despite a short or medium-term need or shortfall not existing.</p> <p>1. Wahi toitu and wahi toiora are extensive and are mapped at a high level in WRPS Change 1 (Map 44). The use of the directive term 'avoid' in clause O means not allowing and there cannot be any exceptions (<i>Environmental Defence Society Inc v New Zealand King Salmon Company Ltd</i> [2014] NZSC 38). This creates a conflict between the WRPS provisions as some of the wahi toitu areas appear to be identified within Urban Enablement Areas where urban development is planned to occur.</p> <p>2. Clauses O, P and Q may be relevant for determining alternative land release but they are not relevant to determining whether additional development capacity is significant (clause 3.8(3) of the NPS-UD).</p>	<p>1. Amend the criteria related to wahi toitu and wahi toiora in clauses O, P and Q in criteria A to state that they do not apply to development proposals outside of Urban Enablement Areas; <u>or</u></p> <p>2. Amend the criteria related to wahi toitu and wahi toiora in clauses O, P and Q in criteria A to require that proposals for urban development must consider the values that make the area wahi toitu or wahi toiora and demonstrate that associated effects can be avoided, remedied or mitigated; <u>or</u></p> <p>3. Amend Map 44 to remove wahi toitu and wahi toiora from Urban Enablement Areas by showing them as Urban Areas (see submission 15).</p>
13. APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities) Clause K, Criteria A and Clause B, Criteria B	Oppose in Part	<p>1. It is unclear what is meant by the extent to which cost neutrality for public finance can be achieved. It is also unclear how this would be readily demonstrated by plan change proponents.</p> <p>2. If infrastructure is required to enable an identified need for growth then councils are obliged to proactively plan for and fund the infrastructure. Growth infrastructure is typically funded from a range of sources, including council rates, development contributions and Government subsidies, and the costs are often shared where there are wider benefits. It would be inappropriate to require the funding to achieve cost neutrality for public finances in all circumstances.</p>	Delete references to cost neutrality for public finance in clause K (criteria A) and clause B (criteria B).

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
14.	<p>Map 43: Future Proof indicative urban and village enablement areas</p> <p>Maps</p>	Support in Part	<p>Rangitahi supports the Urban Enablement Area shown in Map 43 for Raglan, which includes the Rangitahi Limited, Scenic Properties 2006 Limited and Raglan Land Company Limited landholdings in Rangitahi South and Raglan West. These areas are the most appropriate locations for Raglan's future growth because of:</p> <ol style="list-style-type: none"> a. Proximity to water and wastewater infrastructure, including the water treatment plant, water reservoir and wastewater treatment plant; b. Proximity to the town's beaches; c. The potential for link roads to be constructed from SH23 and between Wainui Road, Te Hutewai Road and the Rangitahi Peninsula to connect the growth areas with other parts of the township and the beaches; and d. Their consistency with the Urban Enablement Area for Raglan in Future Proof and with the Raglan Development Plan in Waikato 2070. 	Retain the Urban Enablement Area for Raglan shown on Map 43.
15.	Map 44: Future Proof wahi toitu and wahi toiora areas	Oppose in Part	<ol style="list-style-type: none"> 1. It appears that some of the Urban Enablement Areas (existing and future urban areas) have been shown as Urban Areas on Map 44 and some have not (such as Raglan). All Urban Enablement Areas should be shown as Urban Areas. Otherwise, there would be a conflict between the WRPS provisions as some of the wahi toitu and wahi toiora areas appear to be identified within Urban Enablement Areas where urban development is planned to occur. 2. The map would be easier to interpret if the names of towns were added to it. 	Amend Map 44 to show all Urban Enablement Areas as Urban Areas and to add the names of towns.

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR
CHANGE 1 TO THE WAIKATO REGIONAL POLICY STATEMENT**

under clause 6 of Schedule 1, Resource Management Act 1991 (RMA)

To: Waikato Regional Council
160 Ward Street
Hamilton Central
Hamilton 3204
(by email: strategicandspatialplanning@waikatoregion.govt.nz)

Name of submitter: The Adare Company Limited

1. The Adare Company Limited (**Adare**) makes this submission on Change 1 to the Waikato Regional Policy Statement (**WRPS Change 1**). This submission relates to aspects of WRPS Change 1 concerning urban form and development, housing affordability and the sub-regional blue-green network strategy.

Background

2. Adare is a family-owned company, held by the Peacocke family. The family has had ties to land in Peacocke, Hamilton since the 1880s.
3. Through Adare and other companies, the Peacocke family retains significant landholdings in the Peacocke Structure Plan area, a greenfields area that is in the process of being urbanised through infrastructure delivery, resource consents and plan changes.
4. Adare has participated in a range of planning processes designed to implement the National Policy Statement for Urban Development (**NPS-UD**) and Medium Density Residential Standards, including Plan Changes 5 and 12 to the Hamilton City District Plan.
5. In November 2021, Adare made a submission on the Future Proof Strategy Consultation Draft, including the net density targets for Peacocke.
6. Adare's submission on WRPS Change 1 is informed by the knowledge it has gained through those various planning processes.

Submission

7. Adare supports the intent of WRPS Change 1 to give effect to the NPS-UD and reflect the updated Future Proof Strategy. Adare's submission seeks to ensure that the provisions of WRPS Change 1 are clear and workable in practice.
8. Adare's detailed submissions, including reasons and relief, are provided in the table in **Appendix A** to this submission. In summary, Adare's submission seeks:
 - a. additional definitions for terms used in WRPS Change 1, to reflect the definitions used in Future Proof;
 - b. that the net density targets for Peacocke are retained as notified;
 - c. that provisions relating to housing supply and housing affordability are amended to remove reference to tools that may not be appropriate and should be addressed at a national level, such as inclusionary zoning;

- d. that provisions relating to the sub-regional blue-green network strategy are retained, but refined to clarify that there will be community and stakeholder involvement in forming that strategy; and
 - e. that maps introduced through WRPS Change 1 are clarified.
9. Adare submits that the relief it seeks is necessary to:
- a. promote sustainable management of resources, achieve the purpose of the RMA and give effect to Part 2 and other provisions of the RMA;
 - b. enable the integrated management of resources throughout the Waikato Region;
 - c. sustain the potential of the natural and physical resources of the Waikato Region (including Peacocke, Hamilton), to meet the reasonably foreseeable needs of future generations;
 - d. enable the efficient use and development of natural and physical resources;
 - e. give effect to the objectives and policies of the NPS-UD; and
 - f. ensure that the provisions of WRPS Change 1 are the most appropriate way to achieve the objectives of WRPS Change 1 and the wider WRPS, which are in turn the most appropriate way to achieve the purpose of the RMA.

Decision sought

- 10. Adare seeks the decisions from the Council as set out in the column in Appendix A headed "Decision Sought", as well as any consequential, alternative or further amendments necessary to the provisions of WRPS Change 1 to give effect to the relief sought and reasons given.
- 11. Adare could not gain an advantage in trade competition from this submission.
- 12. Adare wishes to be heard in support of this submission.

Signed for and on behalf of Adare by:



.....
Mike Doesburg

Solicitor for **The Adare Company Limited**

Date: 16 December 2022

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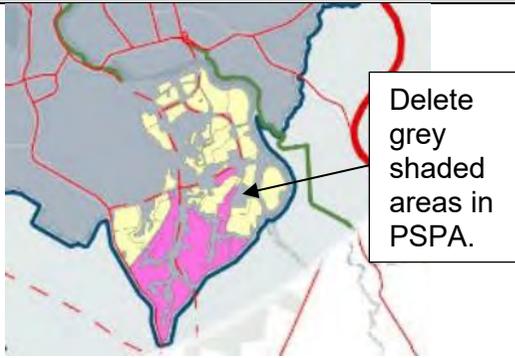
Telephone: 09 300 5755

Appendix A – Detailed reasons and decisions sought

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought		
Definitions						
1.	Section 1.6 Definitions	Oppose in Part	Provisions in WRPS Change 1 refer to 'net target densities' that are to be achieved in defined locations (e.g. Policy UFD-P12). The net target densities proposed reflect the outcome of Future Proof. The term 'net density' is defined in Future Proof but is not defined in either WRPS Change 1 or in the operative WRPS. It is important that 'net density' is defined to assist with interpreting the net density targets in Policy UFD-P12.	<p>Insert the following new definition for 'net density' (from Future Proof):</p> <table border="1"> <tr> <td><u>"Net density</u></td> <td><u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u></td> </tr> </table>	<u>"Net density</u>	<u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u>
<u>"Net density</u>	<u>The total number of dwelling units per hectare of land developed for residential or mixed use (excludes streets, open space and non-residential uses)."</u>					
2.	Section 1.6 Definitions	Oppose in Part	WRPS Change 1 similarly introduces provisions that refer to developing a sub-regional blue-green network strategy (e.g. UFD-M65). The term 'blue-green network' is defined in Future Proof but not in either WRPS Change 1 or in the operative WRPS. The clarity and administration of the plan would be improved by defining 'blue-green network' because it is not a commonly understood term.	<p>Insert the following new definition for 'blue-green network' (from Future Proof):</p> <table border="1"> <tr> <td><u>"Blue-green network</u></td> <td><u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with a high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u></td> </tr> </table>	<u>"Blue-green network</u>	<u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with a high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u>
<u>"Blue-green network</u>	<u>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with a high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant."</u>					

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
3.	Section 1.6 Definitions	Oppose in Part	Refer to reasons in submission 4.	Delete the definition for “Inclusionary zoning”.
Topic – UFD – Urban Form and Development				
4.	Policy UFD-P12 – Density targets for Future Proof area	Support	The density targets for Peacocke are consistent with Future Proof and PC5.	Retain UFD-P12 as notified.
5.	Method UFD-M63 – Housing affordability	Oppose in Part	<ol style="list-style-type: none"> 1. The scope of WRPS Change 1 is limited to changes to implement the NPS-UD and to update the Future Proof components in the WRPS. Neither the NPS-UD nor Future Proof refer to inclusionary zoning. 2. The NPS-UD requires housing affordability to be improved by supporting competitive land and development markets. If it were Government’s intention to require RMA planning documents to incorporate inclusionary zoning, then the NPS-UD would have explicitly stated this. 3. Inclusionary zoning imposes additional costs on developers which would make housing less affordable for some people (i.e. to subsidise the affordable housing aspect of the development). In the current economic environment, this is likely to make development less viable and reduce housing supply which would be contrary to the NPS-UD. 4. Other matters which are addressed in UFD-M63 are relevant for achieving housing affordability and should be retained, including increasing housing supply, greater housing choice, more diverse dwelling typologies and alternative delivery partners. Referring to inclusionary zoning as a specific example is likely to elevate that mechanism above other available tools. 5. The section 32 report for WRPS Change 1 concludes that mechanisms like inclusionary zoning are within the scope of RMA plans. While that may be the case, the section 32 report does not assess the costs or benefits of identifying inclusionary zoning as a method to be investigated. 	Amend UFD-M63 by deleting “and investigating inclusionary zoning”.
6.	Method UFD-M65 – Blue-Green network	Support in Part	<ol style="list-style-type: none"> 1. Adare agrees that a sub-regional blue-green network strategy should be prepared by the Future Proof partners and that its purpose should be in accordance with items 1 to 6 in UFD-M65. Recent plan change and consent processes, including PC5 and Amberfield (<i>Weston Lea</i> 	Amend UFD-M65 as follows:

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
			<p><i>Limited v Hamilton City Council</i> [2020] NZEnvC 189), have confirmed the importance of a holistic co-ordinated strategy for indigenous biodiversity, particularly in relation to the long-tailed bat.</p> <p>2. Given the importance of the sub-regional blue-green network strategy for influencing regulatory and non-regulatory methods, it should be prepared with input from the community and stakeholders, including affected landowners. Amendments should be made to UFD-M65 to reflect this. That approach would be consistent with UFD-M9 which recognises the importance of 'other party involvement' in the preparation of development planning mechanisms and with principles of natural justice.</p>	<p>"The Future Proof partners should <u>shall</u> work together to develop a sub-regional blue-green network strategy, <u>with input from the community, affected landowners and other stakeholders</u>. The strategy will assist in determining a sub-regional regulatory and non-regulatory framework for the establishment of a multi-functional blue-green network throughout the sub-region. The strategy will consider how the following aspects can be addressed holistically through the network:</p> <p>1. ..."</p>
7.	Principal reason UFD-PR11 – Adopting Future Proof land use pattern	Support in Part	<p>1. Subject to submission 4 above, it is appropriate to identify that housing affordability is a complex issue and that there are a range of tools, some of which require further investigation.</p> <p>2. Adare generally supports the explanation of the reasons for UFD-M65 and the directive for the Future Proof partners to develop a cross-boundary blue-green network. However, the explanation should also refer to the importance of preparing the strategy with input from the community and stakeholders, including affected landowners.</p>	<p>Amend UFD-PR11 as follows:</p> <p>"...</p> <p>UFD-M65 sets out how the Future Proof partners will collaborate <u>with one another with community, affected landowner and stakeholder involvement</u> to develop a multi-functional, cross-boundary blue-green network which will be a defining spatial concept that aims to restore, enhance, connect and improve the natural environment within the Future Proof sub-region in a way that can integrate with new urban development and improve the liveability of urban areas."</p>
	Map			
8.	Map 43: Future Proof indicative urban and village enablement areas	Support in Part	<p>While grey shading appears to be used on Map 43 to identify existing urban areas, it is unclear what the grey shaded areas shown within the Peacocke Structure Plan Area in Hamilton City mean. The grey shading should be removed from the map where it does not identify an existing urban area to avoid uncertainty and confusion.</p>	<p>Amend the map to delete the innominate grey areas shown within the Peacocke Structure Plan Area in Hamilton City.</p>

	Section of Plan and Provision Reference	Support / Oppose	Reasons	Decision Sought
				 <p>Delete grey shaded areas in PSPA.</p>

16 December 2022

Attn: Strategic and Spatial Planning
Waikato Regional Council
Private Bag 3038
Waikato Mail Centre
Hamilton 3240

Submission lodged via email: strategicspatialplanning@waikatoregion.govt.nz

**KĀINGA ORA – HOMES AND COMMUNITIES SUBMISSION ON A NOTIFIED
PROPOSAL FOR PROPOSED CHANGE 1 TO THE REGIONAL POLICY
STATEMENT FOR THE WAIKATO REGION UNDER CLAUSE 6 OF SCHEDULE 1
OF THE RESOURCE MANAGEMENT ACT 1991**

This is a submission on Proposed Change 1 (“PC1”) on the Regional Policy Statement for the Waikato Region (“the Plan” or “RPS”) from Waikato Regional Council (“the Council” or “WRC”):

Kāinga Ora does not consider it can gain an advantage in trade competition through this submission. In any event, Kāinga Ora is directly affected by an effect of the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that this submission relates to:

PC1 in its entirety.

This document and the appendices attached is Kāinga Ora submission on PC1.

The Kāinga Ora submission is:

1. Kāinga Ora Homes and Communities (“**Kāinga Ora**”) is a Crown Entity and is required to give effect to Government policies. Kāinga Ora has a statutory objective that requires it to contribute to sustainable, inclusive, and thriving communities that:
 - a) Provide people with good quality, affordable housing choices that meet diverse needs; and
 - b) Support good access to jobs, amenities and services; and
 - c) Otherwise sustain or enhance the overall economic, social, environmental and cultural well-being of current and future generations.
2. Because of these statutory objectives, Kāinga Ora has interests beyond its role as a public housing provider. This includes a role as a landowner and developer of residential housing and as an enabler of quality urban developments through increasing the availability of build-ready land across the Waikato Region (“**the region**”).
3. Kāinga Ora therefore has an interest in PC1 and how it:
 - a) Gives effect to the National Policy Statement on Urban Development (“**NPS-UD**”) and The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (“**the Housing Supply Act**”);
 - b) Minimises barriers that constrain the ability to deliver housing development across public housing, affordable housing, affordable rental, and market housing; and
 - c) Provides for the provision of services and infrastructure and how this may impact on the existing and planned communities, including Kāinga Ora housing developments.
4. The Kāinga Ora submission is supportive of the approach taken within PC1 in relation to the following topic areas:
 - a) Incorporates the NPS-UD requirements to provide for growth in the region, but most importantly, promoting compact and concentrated urban form and densification in the region.

- b) Reflects the recent changes to the Future Proof Strategy, including the outcomes of the Hamilton to Auckland Corridor Plan, the Hamilton-Waikato Metro Spatial Plan (MSP), the MSP Transport Programme Business Case, and the Three Waters Sub-Regional Study.
- c) Inclusion of strong objectives, policies and methods to recognise and implement regulatory and non-regulatory methods to improve housing affordability. Kāinga Ora in particular supports the inclusion of examples of how housing affordability can be improved through increasing housing supply, greater housing choice, more diverse dwelling typologies and alternative delivery partners.
- d) Promotes for well-functioning and quality urban environments, based around transit-oriented development and connected centres, and a centres hierarchy;
- e) Includes clear criteria to assist local authorities in responding to district plan or structure plan proposals when they are either out of sequence or unanticipated; and
- f) Includes additions to strengthen policies associated with marae and papakāinga, including to acknowledge that papakāinga can be located within both urban and rural areas and including the enablement of papakāinga and supporting services within district plans.

5. The Kāinga Ora submission seeks amendments to PC1 in the following:

- i. **Giving effect to higher order documents** – Kāinga Ora notes that PC1 includes provisions to give effect to the NPS-UD, but notes that the National Policy Statement for Highly Productive Land (NPS-HPL) has not been included. Kāinga Ora acknowledges that the timing of gazetting the NPS-HPL and notification of PC1 were not aligned, but considers that the NPS-HPL could be included through the PC1 process.
- ii. **Inclusionary Zoning** - Kāinga Ora acknowledges that housing affordability is an issue and it is of particular concern for Kāinga Ora given the lack of housing opportunities and choice available for lower-income families in the Waikato region. However, under the current legislation, inclusionary zoning is unlawful. Kāinga Ora do however support exploring more options to enhance affordability across the entire housing spectrum, outside of the Resource Management legislative

framework, through managing the cost of land and the cost of building infrastructure.

- iii. **Blue Green Networks** - Kāinga Ora supports the introduction of blue-green corridors, but seeks that PC1 recognises the competing interests of increased density within existing urban areas and such networks, and that in turn, higher density living can co-locate with these corridors. Open space benefits higher density living by providing outlook and amenity.

6. The changes sought by Kāinga Ora are made to:

- i. Ensure that Kāinga Ora can carry out its statutory obligations;
- ii. Ensures that the proposed provisions are the most appropriate way to achieve the purpose of the Resource Management Act 1991;
- iii. Reduce interpretation and processing complications for decision makers so as to provide for plan enabled development;
- iv. Provide clarity for all plan users; and
- v. Allow Kāinga Ora to fulfil its urban development functions as required under the Kāinga Ora–Homes and Communities Act 2019.

7. The Kāinga Ora submission points and changes sought can be found within Table 1 of **Appendix 1** which forms the bulk of the submission.

Kāinga Ora seeks the following decision from the Waikato Regional Council:

That the specific amendments, additions or retentions which are sought as specifically outlined in this document and **Appendix 1**, are accepted and adopted into PC1, including such further, alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

Kāinga Ora wishes to be heard in support of their submission.

Kāinga Ora seeks to work collaboratively with the Council and wishes to discuss its submission on PC1 to address the matters raised in its submission.

If others make a similar submission, Kāinga Ora are happy to consider presenting a joint case at a hearing.



.....
Brendon Liggett
Manager – Development Planning
Kāinga Ora – Homes and Communities

ADDRESS FOR SERVICE: *Kāinga Ora – Homes and Communities, PO Box 74598,
Greenlane, Auckland 1051. Email: developmentplanning@kaingaora.govt.nz*

Appendix 1: Decisions sought on PC1

The following table sets out the amendments sought from Kāinga Ora to PC1 and also identifies those provisions that Kāinga Ora supports.

Proposed changes are shown as ~~strike~~through for deletion and underlined for proposed additional text.

Table 1

ID	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Proposed changes are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.</i>
1.	1.6 Definitions	Support with addition	The National Policy Statement for Highly Productive Land was gazetted on 17 October 2022. The definition of highly productive land should be inserted and references to high-class soils be replaced with highly productive land.	Insert new definition as follows: Highly productive land Has the same meaning as in Part 1 of the National Policy Statement for Highly Productive Land 2022.
2.	1.6 Definitions	Oppose	Kāinga Ora acknowledges that housing affordability is an issue and it is of particular concern for Kāinga Ora given the lack of housing opportunities and choice available for lower-income families in the Waikato region. However, under the current legislation, inclusionary zoning is unlawful. Kāinga Ora do however support exploring more options to enhance affordability across the entire housing spectrum, outside of the Resource Management legislative framework, through managing the cost of land and the cost of building infrastructure.	Delete the definition for inclusionary zoning in its entirety.
3.	Whole of plan	Support with amendments	The National Policy Statement for Highly Productive Land (NPS-HPL) was gazetted on 17 October 2022. Kāinga Ora seeks that reference to the NPS-HPL should be incorporated within the Regional Policy Statement where applicable.	Include reference to the NPS-HPL should be incorporated within the Regional Policy Statement where applicable.
4.	SSMR-12 – Effects of climate change	Support	Kāinga Ora supports the directive nature of the addition of sub-point 3.	Retain as notified.
5.	IM-09 - Amenity	Support	Kāinga Ora supports the addition of clause 2. In particular, that intensification and built development occurs whilst “recognising that amenity values change over time in response to the changing needs of people, communities and future generations, and such changes are not, of themselves, an adverse effect.”	Retain as notified.
6.	UFD-01 – Built Environment	Support	Kāinga Ora supports the addition of clause 12. In particular, points (b) to (f): <i>b) improve housing choice, quality, and affordability;</i> <i>c) enable a variety of homes that enable Māori to express their cultural traditions and norms;</i> <i>d) ensure sufficient development capacity, supported by integrated infrastructure provision, for identified housing and business needs in the short, medium and long term;</i> <i>e) improves connectivity within urban areas, particularly by active transport and public transport;</i> <i>f) take into account the values and aspirations of hapū and iwi for urban development</i>	Retain as notified.

ID	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Proposed changes are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.</i>						
7.	UFD-P1 - Planned and co-ordinated subdivision, use and development	Support in Part	Kāinga Ora seeks that sub point 4 is amended to recognise the planned built environment.	1. Amend policy UFD-P1 as follows: Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which: <ol style="list-style-type: none"> 1. has regard to the principles in APP11; 2. recognises and addresses potential cumulative effects of subdivision, use and development; 3. is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and 4. has regard to the existing <u>planned</u> built environment. 						
8.	UFD-P2 - Co-ordinating growth and infrastructure	Support in Part	Kāinga Ora notes that clause (1)(d) of the policy does not align with NPS-UD and is overly restrictive and seeks that it is amended to align with the NPS-UD.	Amend UFD-P2 (1)(d): (d) ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place <u>is appropriately serviced</u> .						
9.	UFD-P12 - Density targets for Future Proof area	Support in Part	Kāinga Ora supports the additions of sub-points 2 and 4-9, in particular implementing the policies of the NPS-UD. Whilst Kāinga Ora would prefer the density targets to only include minimum targets, and not a range which includes maximum targets (which in turn become an ultimate target), Kāinga Ora notes that the density targets have been extracted from the Future Proof Strategy. Kāinga Ora therefore strongly supports the addition of the supplementary wording: “To the extent that requirements in UFD-P12 above may result in a higher density for certain areas than the density identified in the table below, those higher densities shall prevail.” Kāinga Ora do however seek that the policy heading and the table should also carry through the wording from the policy text and be labelled ‘Minimum Density targets for Future Proof area’ and ‘minimum net target densities’.	1. Amend the Policy heading as follows: UFD-P12 – <u>Minimum</u> Density targets for Future Proof area 2. Amend the table as follows: <table border="1" data-bbox="1822 1157 2739 1467"> <thead> <tr> <th data-bbox="1822 1157 2282 1262">Location</th> <th data-bbox="2282 1157 2739 1262"><u>Minimum</u> Net target densities (dwellings per hectare) to be achieved in defined locations</th> </tr> </thead> <tbody> <tr> <td data-bbox="1822 1262 2282 1360">Pōkeno</td> <td data-bbox="2282 1262 2739 1360">25-35 in defined intensification areas 20-25 in greenfield locations</td> </tr> <tr> <td data-bbox="1822 1360 2282 1467">Tuakau</td> <td data-bbox="2282 1360 2739 1467">25-35 in defined intensification areas 20-25 in greenfield locations...</td> </tr> </tbody> </table>	Location	<u>Minimum</u> Net target densities (dwellings per hectare) to be achieved in defined locations	Pōkeno	25-35 in defined intensification areas 20-25 in greenfield locations	Tuakau	25-35 in defined intensification areas 20-25 in greenfield locations...
Location	<u>Minimum</u> Net target densities (dwellings per hectare) to be achieved in defined locations									
Pōkeno	25-35 in defined intensification areas 20-25 in greenfield locations									
Tuakau	25-35 in defined intensification areas 20-25 in greenfield locations...									
10.	UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy	Support in part	Kāinga Ora supports the inclusion of guidance for new urban development for tier 3 local authorities outside of the Future Proof Strategy, however considers clause 1 is unnecessary in directing how urban development is managed given those matters outlined in clauses 2-9 should be directing any future growth strategy adopted by the council. Noting UFD-M69 provides the necessary guidance for such a growth strategy.	Amend the policy as follows: ...New urban development in tier 3 local authority areas shall be managed in a way that: 1. recognises and provides for the intended urban development pattern as set out in any agreed council approved growth strategy or equivalent council approved strategies and plans; 2. contributes towards sufficient development capacity required to meet expected demand for housing and for business land over the short term,						

ID	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Proposed changes are shown as strikethrough for deletion and <u>underlined</u> for proposed additional text.</i>
				medium term, and long term as set out in the National Policy Statement on Urban Development;...
11.	UFD-M49 – Out of sequence or unanticipated development	Support	Kāinga Ora supports the clear directive of UFD-M49.	Retain as notified.
12.	UFD-M63 – Housing Affordability	Support in part	<p>Kāinga Ora supports UFD-M63. In particular the inclusion of examples of how housing affordability can be improved.</p> <p>Kāinga Ora acknowledges that housing affordability is an issue and it is of particular concern for Kāinga Ora given the lack of housing opportunities and choice available for lower-income families in the Waikato region. However, under the current legislation, inclusionary zoning is unlawful. Kāinga Ora do however support exploring more options to enhance affordability across the entire housing spectrum, outside of the Resource Management legislative framework, through managing the cost of land and the cost of building infrastructure</p>	<p>Amend UFD-M63 as follows:</p> <p>Future Proof partners should consider regulatory and non-regulatory methods to improve housing affordability such as increasing housing supply, greater housing choice, more diverse dwelling typologies, <u>and</u> alternative delivery partners and <u>investigating inclusionary zoning.</u></p>
13.	UFD-M65 – Blue-Green network	Support in part	Kāinga Ora supports the development of a sub-regional blue-green network strategy, but seeks that the method reflects that higher densities are considered along these networks within urban environments to offset the loss of land to these networks, but in turn recognising open space benefits higher density living by providing outlook and amenity.	<p>Amend UFD-M65 as follows:</p> <p><u>7. Recognise that higher density residential development should co-locate adjacent to these networks within urban environments to realise the benefits open space has on higher density living by providing outlook and amenity.</u></p>
14.	UFD-M52 –Infill targets	Support in part	Kāinga Ora considers that a minimum target of 50% of growth to be through infill and intensification within the Hamilton existing urban areas is too low. Kāinga Ora seeks that brownfield intensification is prioritised in line with the NPS-UD and seeks this minimum is increased to 70%.	<p>Amend UFD-M52 as follows:</p> <p>Hamilton City Council should aim for at least 50 <u>70</u> per cent of growth to be through infill and intensification of existing urban areas. Waikato and Waipā District Councils should aim for 90 per cent of growth to be within identified urban enablement areas and village enablement areas and at least 20 per cent of growth within urban environments to be within existing parts of the townships, preferably in areas close to centres and current and future public transport stops.</p>
15.	UFD-M66 – Changing amenity values within urban environments	Support	Kāinga Ora supports that this methodology recognises that amenity values within development locations change over time.	Retain as notified.
16.	UFD-M69 – Council-approved growth strategy or equivalent in tier 3 local authority areas.	Support	Kāinga Ora supports this methodology consistent with submission point 10.	Retain as notified.
17.	UFD-M71 – Housing Affordability	Support in part	Kāinga Ora supports UFD-M71 in part. Kāinga Ora acknowledges that housing affordability is an issue and it is of particular concern for Kāinga Ora given the lack of housing opportunities and choice available for lower-income families in	Amend UFD-M71 as follows:

ID	Specific Provision	Support/ Support in Part/ Oppose	Reasons	Relief Sought <i>Proposed changes are shown as struckthrough for deletion and <u>underlined</u> for proposed additional text.</i>
			the Waikato region. However, under the current legislation, inclusionary zoning is unlawful. Kāinga Ora do however support exploring more options to enhance affordability across the entire housing spectrum, outside of the Resource Management legislative framework, through managing the cost of land and the cost of building infrastructure.	Where there is evidence that there is a housing affordability issue in the local authority area, tier 3 local authorities should consider regulatory and non-regulatory methods to improve housing affordability, including investigating inclusionary zoning.
18.	UFD-M74 – Tier 3 out-of-sequence or unanticipated development	Support	Consistent with this submission, Kāinga Ora supports the direct and clear methodology provided to tier 3 out-of-sequence or unanticipated development	Retain as notified.
19.	UFD-PR3 – Marae and papakāinga	Support	Kāinga Ora supports the additions to this principal reason which acknowledges that papakāinga can be located within both urban and rural areas and including the enablement of papakāinga and supporting services within district plans.	Retain as notified.
20.	APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)	Support	Kāinga Ora supports the directive and clear requirements for out of sequence and unanticipated developments for Future Proof local authorities.	Retain as notified.
21.	APP14 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Non-Future Proof tier 3 local Authorities)	Support	Kāinga Ora supports the directive and clear requirements for out of sequence and unanticipated developments for non-Future Proof tier 3 local authorities.	Retain as notified.



ATTACHMENT 3

Proposed Waikato Regional Policy Statement Change 1 (National Policy Statement on Urban Development and Future Proof Strategy Update)

Decisions version

For:
Waikato Regional Council
Private Bag 3038
Waikato Mail Centre
HAMILTON 3240

26 October 2023

Document #: 27617388

Explanatory note

At a meeting of Council on 26 October 2023, the recommendations made by the Hearings Panel were adopted as the Council's decision on Proposed Waikato Regional Policy Statement Change 1 (National Policy Statement on Urban Development 2020 and Future Proof Strategy Update).

This document contains the adopted recommended provisions as the Decisions version of the Proposed Waikato Regional Policy Statement Change 1 (National Policy Statement on Urban Development 2020 and Future Proof Strategy Update).

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1 Proposed changes to ‘Part 1 – Introduction and General Provisions’ section

1.1 Proposed changes to ‘1.6 Definitions’ section

1.6 Definitions

<p>Additional infrastructure</p>	<p>Has the same meaning as in Part 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Means:</p> <ul style="list-style-type: none"> a. public open space b. community infrastructure as defined in section 197 of the Local Government Act 2002 c. land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities d. social infrastructure, such as schools and healthcare facilities e. a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001) f. a network operated for the purpose of transmitting or distributing electricity or gas </div>
<p>Blue-green network</p>	<p>An overlay of the current and envisioned blue-green spatial framework that incorporates and integrates key elements such as wetlands, riverbeds, riparian corridors, significant biodiversity sites, habitat corridors, reserves, Department of Conservation land, parks, significant gardens, playgrounds, urban areas with high degree of tree cover, walking tracks and routes, cycling tracks, cycleways, bridal tracks, protected landscapes and viewshafts, and other key elements such as buffer zones as relevant.</p>
<p>Development area</p>	<p>A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development</p>

	plans, master plans or growth area plans apply to determine future land use or development.
Highly productive land	<p>Has the same meaning as in Part 1 of the National Policy Statement for Highly Productive Land 2022 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Means land that has been mapped in accordance with clause 3.4 and is included in a regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceased to be highly productive land).</p> </div>
Qualifying matter	Has the same meaning as in section 77I or 77O Resource Management Act 1991.
Rural-residential development	Residential development in rural areas which is predominantly for residential activity and is not ancillary to a rural or agricultural use. This includes rural lifestyle zone developments.
Rural settlement	A cluster of residential, commercial, light industrial and/or community activities that are located in a rural area.
Tier 1 local authority	<p>Has the same meaning as in Part 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Means each local authority listed in column 2 of table 1 in the Appendix, and tier 1 regional council and tier 1 territorial authority have corresponding meanings.</p> </div>
Tier 3 local authority	<p>Has the same meaning as in Part 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>Tier 3 local authority means a local authority that has all or part of an urban environment within its region or district, but is not a tier 1 or 2 local authority, and tier 3 regional council and tier 3 territorial authority have corresponding meanings.</p> </div>

<p>Urban environment</p>	<p>Has the same meaning as in Part 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:</p> <ul style="list-style-type: none"> a) is, or is intended to be, predominantly urban in character; and b) is, or is intended to be, part of a housing and labour market of at least 10,000 people </div>
<p>Well-functioning urban environments</p>	<p>Has the same meaning as in Policy 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>urban environments that, as a minimum:</p> <ul style="list-style-type: none"> a) have or enable a variety of homes that: <ul style="list-style-type: none"> i) meet the needs, in terms of type, price, and location, of different households; and ii) enable Māori to express their cultural traditions and norms; and b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and e) support reductions in greenhouse gas emissions; and f) are resilient to the likely current and future effects of climate change. </div>

1.2 Proposed changes to ‘1.9 Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River’ section

1.9.4 Waikato Regional Policy Statement

...

Sections 771 and 770 of the Resource Management Act 1991 as introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 specify that giving effect to Te Ture Whaimana o te Awa o Waikato – the Vision and Strategy for the Waikato River is a qualifying matter in relation to applying the medium density residential standards and Policy 3 of the National Policy Statement on Urban Development 2020 (as amended May 2022). This means that plan provisions can be less enabling of urban development than required under the Act or the National Policy Statement on Urban Development 2020 where necessary to accommodate a matter to give effect to Te Ture Whaimana.

1.3 Proposed changes to ‘1.10 National policy statements and New Zealand Coastal Policy Statement’ section

1.10 National policy statements and New Zealand Coastal Policy Statement

National policy statements and New Zealand Coastal Policy Statement	
National Policy Statement for Highly Productive Land 2022	The policy statement was reviewed under Change 1 to the Waikato Regional Policy Statement in April 2023. Amendments to provisions were made to recognise the policy statement within the scope of Change 1, of which the primary purpose was to give effect to the National Policy Statement on Urban Development 2020 and reflect the updated Future Proof Strategy. A further change to the Waikato Regional Policy Statement will be prepared to more fully review the policy statement and give full effect to it.
National Policy Statement on Urban Development 2020	The policy statement was reviewed in March 2022 to update Objective UFD-O2. Amendments to incorporate the national policy statement were notified in October 2022.

2 Proposed changes to ‘Part 2 – Resource Management Overview’ section

2.1 Proposed changes to ‘SRMR – Significant resource management issues for the region’ section

SRMR – Significant resource management issues for the region

SRMR-I1 – State of resources

SRMR-I1 is addressed by the following objectives:

...

IM-O5 – Climate change

...

SRMR-I2 – Effects of climate change

The effects of climate change (including climate variability) may impact our ability to provide for our wellbeing, including health and safety.

While addressing this issue generally, specific focus should be directed to the following matters:

1. increased potential for storm damage and weather-related natural hazards;
2. long-term risks of sea level rise to settlements and infrastructure such as through increased coastal flooding and erosion; and
3. ability for urban environments to support a reduction in greenhouse gas emissions and to be resilient to the current and future effects of climate change.

SRMR-I2 is addressed by the following objectives:

...

IM-O5 – Climate change

...

SRMR-I4 – Managing the built environment

Development of the built environment including infrastructure has the potential to positively or negatively impact on our ability to sustainably manage natural and physical resources and provide for our wellbeing.

While addressing this issue generally, specific focus should be directed to the following matters:

...

6. the effect of development on access to mineral resources (particularly aggregates), high class soils, and future energy development sites;

...

11. increased need for the future provision of infrastructure to respond to resource demands from within and outside the region and the need to enable efficient installation of that infrastructure;
12. the availability of water to meet existing, and reasonably justifiable and foreseeable domestic or municipal supply requirements to support planned urban growth, including promoting the integration of land use and water planning; and
13. the need to strategically manage urban growth to ensure there is sufficient development capacity for residential and business land whilst contributing to well-functioning urban environments.

SRMR-14 is addressed by the following objectives:

...
IM-05 – Climate change

...

SRMR-PR2 – Effects of climate change

Under the Resource Management Act, Waikato Regional Council is required to have particular regard to the effects of climate change. The council should ensure that we prepare for and adapt to these changes so that their impacts on us and on resources is minimised, and within New Zealand's urban environments that urban form supports reductions in greenhouse gas emissions and resilience to the current and future effects of climate change. New Zealand's response in terms of actions to reduce climate change is primarily a central government rather than a local government role.

...

SRMR-PR4 – Managing the built environment

...

The National Policy Statement on Urban Development 2020 sets out requirements for well-functioning urban environments and sufficient development capacity. Objectives of the National Policy Statement on Urban Development 2020 require local authorities to make planning decisions to improve housing affordability, that are strategic, responsive, are integrated with infrastructure planning and funding, and enable additional residential and business development in centre zones, areas of employment and areas serviced by public transport.

...

Regionally significant industry and primary production play an important role in providing for the economic, social and cultural wellbeing of people and communities. The sustainable management of natural and physical resources needs to consider the ability and need for regionally significant industry and primary production to have appropriate access to resources in order for them to continue to successfully operate and develop, having regard to catchment specific situations.

2.2 Proposed changes to ‘IM – Integrated management’ section

IM – Integrated management

Objectives

IM-01 – Integrated management

IM-01 is achieved by the following policies:

...

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

IM-02 – Resource use and development

IM-02 is achieved by the following policies:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

IM-03 – Decision making

IM-03 is achieved by the following policies:

...

UFD-P15 – Monitoring and review in the Future Proof area

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

...

IM-05 – Climate change

Land use is managed to:

1. avoid the potential adverse effects of climate change induced weather variability and sea level rise on:
 - a. amenity;
 - b. the built environment, including infrastructure;
 - c. indigenous biodiversity;

- d. natural character;
 - e. public health and safety; and
 - f. public access.
2. support reductions in greenhouse gas emissions within urban environments and ensure urban environments are resilient to the current and future effects of climate change.

IM-05 is achieved by the following policies:

...

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

IM-08 – Sustainable and efficient use of resources

IM-08 is achieved by the following policies:

...

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

IM-09 – Amenity

1. The qualities and characteristics of areas and features, valued for their contribution to amenity, are maintained or enhanced; and
2. Where intensification occurs in urban environments, built development results in attractive, healthy, safe and high-quality urban form which responds positively to local context whilst recognising that amenity values change over time in response to the changing needs of people, communities and future generations, and such changes are not, of themselves, an adverse effect.

IM-09 is achieved by the following policies:

...

UFD-P12 – Density targets for Future Proof area

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

Policies

IM-P1 – Integrated approach

The relevant objectives are:

...

IM-05 – Climate change

...

IM-P2 – Collaborative approach

The relevant objectives are:

...

IM-O5 – Climate change

...

IM-P3 – Tangata whenua

The relevant objectives are:

...

IM-O5 – Climate change

...

IM-P6 – Maintain and enhance public access

The relevant objectives are:

...

IM-O5 – Climate change

...

3 Proposed changes to 'Domains' section

3.1 Proposed changes 'LF – Land and freshwater' section

LF – Land and freshwater

Objectives

LF-O5 – High class soils

Other relevant objectives are:

...

IM-O5 – Climate change

...

LF-P3 – All fresh water bodies

The relevant objectives are:

...

UFD-O1 – Built environment

LF-P5 – Waikato River catchment

The relevant objectives are:

...

UFD-O1 – Built environment

LF-P6 – Allocating fresh water

The relevant objectives are:

...

IM-O5 – Climate change

...

LF-P7 – Efficient use of fresh water

The relevant objectives are:

...

IM-O5 – Climate change

...

4 Proposed changes to ‘Topics’ section

4.1 Proposed changes to ‘EIT – Energy, infrastructure and transport’ section

EIT – Energy, infrastructure and transport

Objectives

EIT-O1 – Energy

EIT-O1 is achieved by the following policies:

...

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

...

Methods

EIT-M4 – Regional Land Transport Plan

Waikato Regional Council will, subject to the requirements of the Land Transport Management Act 2003, through the Regional Land Transport Plan, includes provisions to support the protection of the function of significant transport corridors including through strategic corridor policy which provides a consistent regional approach for Road Controlling Authorities, including territorial authorities for their district plans.

Principal reasons

EIT-PR1 – Significant infrastructure and energy resources

Regionally significant infrastructure and energy resources support the wellbeing of the regional community. Much of this infrastructure and energy is also very important for New Zealand as a whole, such as energy and transport infrastructure that connects areas to the north, east and south of the Waikato Region. It is therefore very important that development of the built environment does not compromise the functioning of this infrastructure. EIT-M1, EIT-M3, EIT-M4 and EIT-M5 are provided for this purpose. EIT-P1(1) is intended to ensure the ongoing efficiency and effectiveness of regionally significant infrastructure, but does not imply that all adverse effects on that infrastructure must be avoided in all cases. If the adverse effects of a built environment proposal cannot practicably be avoided, then EIT-M1(1), (2), (3) and (4) do not imply that the selected site should always be considered unsuitable as it may be possible to remedy or mitigate the adverse effects of concern. EIT-M6 also seeks to protect regionally significant infrastructure from natural hazards.

The way in which the term ‘planned’ is to be applied is explained in the explanation to EIT-P1.

The significant transport corridors identified in Maps 25 and 26 reflect the key strategic transport corridors identified in Maps 2 and 3 of the operative Regional Land Transport Plan 2021-2051, which classifies them as current and future arterial, regional, national and national high volume road corridors, and regional and national rail corridors. Significant transport corridors are equivalent to strategically important inter- and intra-regional road and rail corridors identified in the Regional Land Transport Plan.

New Zealand and the region will benefit from further development of infrastructure and energy resources. Methods are provided to support such development in a way that appropriately manages potential adverse effects. Many effects of new electricity transmission, for example, could be avoided by appropriate siting of this infrastructure. This can be achieved through developing a transmission corridor management approach as described in EIT-M2.

There is an increasing need for renewable energy, and renewable energy developments such as hydro-electric dams can be regionally significant. The potential for development of renewable energy resources can be reduced due to development of the built environment. The methods ensure this is recognised in district and regional plans. Decisions about the future location of some developments (such as rural-residential development) should take into account the potential for locations to be used for future renewable energy developments.

4.2 Proposed changes to ‘UFD – Urban form and development’ section

UFD – Urban form and development Objectives

UFD-O1 – Built environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

1. promoting positive indigenous biodiversity outcomes;
2. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;
3. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
4. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
5. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
6. protecting access to identified significant mineral resources;
7. minimising land use conflicts, including minimising potential for reverse sensitivity;
8. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;
9. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission, distribution, and renewable electricity generation activities including small and community scale generation;
10. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres;

11. providing for a range of commercial development to support the social and economic wellbeing of the region; and
12. strategically planning for growth and development to create responsive and well-functioning urban environments, that:
 - a. support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change;
 - b. improve housing choice, quality, and affordability;
 - c. enable a variety of homes that enable Māori to express their cultural traditions and norms;
 - d. ensure sufficient development capacity, supported by integrated infrastructure provision, including **additional infrastructure**, for community, and identified housing and business needs in the short, medium and long term;
 - e. improves connectivity within urban areas, particularly by active transport and public transport;
 - f. take into account the values and aspirations of hapū and iwi for urban development.

UFD-O1 addresses the following issues:

SRMR-11 – State of resources
 SRMR-12 – Effects of climate change
 SRMR-13 – Providing for energy demand
 SRMR-14 – Managing the built environment
 SRMR-15 – Relationship of tangata whenua with the environment (te taiao)
 SRMR-16 – Health and wellbeing of the Waikato River catchment

UFD-O1 is achieved by the following policies:

IM-P1 – Integrated approach	UFD-P1 – Planned and co-ordinated subdivision, use and development
IM-P2 – Collaborative approach	UFD-P2 – Co-ordinating growth and infrastructure
IM-P3 – Tangata whenua	UFD-P3 – Marae and papakāinga
IM-P4 – Regionally significant industry and primary production	UFD-P4 – Energy demand management
IM-P5 – Maintain and enhance areas of amenity value	UFD-P5 – Access to minerals
CE-P1 – Planning for development in the coastal environment	UFD-P6 – Information collection
CE-CMA-P3 – Interests in the coastal marine area	UFD-P10 – Governance collaboration in the Future Proof area
GEO-P1 – Sustainable management of the Regional Geothermal Resource	UFD-P11 – Adopting Future Proof land use pattern
GEO-P3 – Development Geothermal Systems	UFD-P12 – Density targets for Future Proof area
GEO-P4 – Limited Development Geothermal Systems	UFD-P13 – Commercial development in the Future Proof area
LF-P3 – All fresh water bodies	UFD-P14 – Rural-residential development in Future Proof area
LF-P5 – Waikato River catchment	UFD-P15 – Monitoring and review in the Future Proof area
LF-P10 – Peat soils	UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy
ECO-P1 – Maintain or enhance indigenous biodiversity	UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments
EIT-P1 – Significant infrastructure and energy resources	
HAZ-P1 – Natural hazard risk management approach	
NATC-P1 – Preserve natural character	

Policies

UFD-P1 – Planned and co-ordinated subdivision, use and development

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

1. has regard to the principles in APP11;
2. recognises and addresses potential cumulative effects of subdivision, use and development;
3. is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and
4. has regard to the existing and planned built environment.

The relevant objectives are:

*IM-01 – Integrated management
IM-02 – Resource use and development
IM-03 – Decision making
IM-04 – Health and wellbeing of the Waikato River
IM-05 – Climate change
IM-06 – Ecosystem services
IM-07 – Relationship of tangata whenua with the environment
IM-08 – Sustainable and efficient use of resources
IM-09 – Amenity
IM-010 – Public access
AIR-01 – Air quality
LF-01 – Mauri and values of fresh water bodies
LF-03 – Riparian areas and wetlands
LF-04 – Values of soil
LF-05 – High class soils
ECO-01 – Ecological integrity and indigenous biodiversity
EIT-01 – Energy
HAZ-01 – Natural hazards
HCV-01 – Historic and cultural heritage
NATC-01 – Natural character
UFD-01 – Built environment*

UFD-P2 – Co-ordinating growth and infrastructure

Management of the built environment ensures:

1. the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, including additional infrastructure, in order to:
 - a. optimise the efficient and affordable provision of both the development and the infrastructure;
 - b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
 - c. protect investment in existing infrastructure; and

- d. ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;
2. the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated or as required for tier 3 local authorities as set out in UFD-P18 and its associated methods;
3. the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and
4. a co-ordinated and integrated approach across regional and district boundaries and between agencies; and
5. that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.

The relevant objectives are:

IM-O2 – Resource use and development
IM-O3 – Decision making
IM-O8 – Sustainable and efficient use of resources
CE-O1 – Coastal environment
EIT-O1 – Energy
UFD-O1 – Built environment

UFD-P3 – Marae and papakāinga

To recognise the historical, cultural and social importance of marae and papakāinga and to provide for their ongoing use and development.

The relevant objectives are:

IM-O2 – Resource use and development
IM-O7 – Relationship of tangata whenua with the environment
UFD-O1 – Built environment

...

UFD-P6 – Information collection

Information will be collected on development and infrastructure trends and pressures in the Waikato region, so that these trends and pressures can be responded to appropriately and in a timely manner, through management of the built environment.

The relevant objectives are:

IM-O3 – Decision making
UFD-O1 – Built environment

UFD-P10 – Governance collaboration in the Future Proof area

Central government, tangata whenua, and Future Proof local authorities will work collaboratively with respect to growth management in the Future Proof area.

The relevant objectives are:

IM-O1 – Integrated management
IM-O2 – Resource use and development

UFD-P11 – Adopting Future Proof land use pattern

Within the Future Proof area:

1. new urban development shall occur within the Urban and Village Enablement Areas indicated on Map 43 (5.2.10 Future Proof map (indicative only));
2. new residential (including rural-residential) development shall be managed in accordance with the timing indicated on Map 43 (5.2.10 Future Proof map (indicative only)) or in accordance with the timing provided for within an operative Future Development Strategy for the Future Proof sub-region in accordance with the National Policy Statement on Urban Development 2020;
3. new industrial development should predominantly be located in the strategic industrial nodes in Table 35 (APP12) and in accordance with the indicative timings in that table except as set out in clause (7) below;
4. other industrial development should only occur within the Urban Enablement Areas indicated on Map 43 (5.2.10 Future Proof map (indicative only)), unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 35 (APP12) shall be provided for as appropriate in district plans;
5. new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 35 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 35;
6. new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the transport system and on other infrastructure;
7. where alternative urban land release patterns are promoted, either out-of-sequence or unanticipated on Map 43 or in Table 35, including proposals outside of the urban or village enablement areas indicated on Map 43, through district plan and **development area** processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern and particular regard shall be had to the proposed development capacity only where the local authority determines that the urban development proposal is significant, by assessing the proposal for consistency with the operative Future Development Strategy for the Future Proof sub-region and responsive planning criteria in APP13; and
8. where land is required for activities that require direct access to Hamilton Airport runways and where these activities cannot be accommodated within the industrial land allocation in Table 35, such activities may be provided for within other land adjacent to the runways, providing adverse effects on the transport network and other infrastructure are avoided, remedied or mitigated.

The relevant objectives are:

IM-02 – Resource use and development
IM-03 – Decision making
IM-05 – Climate change
UFD-01 – Built environment

UFD-P12 – Density targets for Future Proof area

Future Proof territorial authorities shall seek to achieve compact urban environments that:

1. support existing commercial centres;
2. support multi-modal transport options, including active transport and rapid and frequent public transport;
3. -allow people to live, work and play within their local area;
4. support the delivery of a range of housing options;
5. enable building heights and density of urban form to realise as much development capacity as possible to maximise benefits of intensification within city centre zones unless modified to accommodate a qualifying matter;
6. enable building heights and density of urban form to reflect demand for housing and business use in metropolitan centre zones, and in all cases building heights of at least 6 storeys unless modified to accommodate a qualifying matter;
7. enable building heights of at least 6 storeys within at least a walkable catchment of existing and planned rapid transit stops, the edge of city centre zones and the edge of metropolitan centre zones unless modified to accommodate a qualifying matter;
8. within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and density of urban form should be enabled, commensurate with the level of commercial activities and community services unless modified to accommodate a qualifying matter; and
9. provide for high-quality urban environments that respond positively to local context, recognising that amenity values of the urban and built form in areas planned for intensification will develop and change over time and such change is not, in and of itself, an adverse effect.

In doing so, development provisions shall seek to achieve the following minimum net target densities (dwellings per hectare) in defined locations- To the extent that requirements in UFD-P12 above may result in a higher density for certain areas than the density identified in the table below, those higher densities shall prevail.

Location	Net target densities (dwellings per hectare) to be achieved in defined locations¹
Pōkeno	25-35 in defined intensification areas 20-25 in greenfield locations
Tuakau	25-35 in defined intensification areas 20-25 in greenfield locations
Te Kauwhata	25-35 in defined intensification areas 20-25 in greenfield locations
Ohinewai	20-25 in greenfield locations
Huntly	25-35 in defined intensification areas 20-25 in greenfield locations
Taupiri	25-35 in defined intensification areas 20-25 in greenfield locations
Ngāruawāhia	30-50 in defined intensification areas 20-25 in greenfield locations
Horotiu	25-35 in defined intensification areas 20-25 in greenfield locations
Raglan	25-35 in defined intensification areas 20-25 in greenfield locations

¹ Areas/locations are indicative and will be defined through individual Future Proof partners' plan making processes.

Hamilton	Te Rapa	20-65
	Rotokauri	20-40
	Frankton	50-70
	Hamilton Central City Area	100-200
	Hospital	40-65
	Ruakura	35-55
	University	30-45
	Chartwell	30-50
	Fairfield	30-50
	Peacocke	30-45
	Hamilton north-eastern future growth cell Horsham Downs- HT1	30-50
	Hamilton north-eastern future growth cell R2	30-50
	Hamilton western future growth cell WA	TBC
	Hamilton southern future growth cell S1 (Southern Links)	TBC
Other brownfield areas	30 in defined intensification areas	
Te Awamutu/Kihikihi	25-35 in defined intensification areas 20-35 in greenfield locations	
Pirongia	20-35 in greenfield locations	
Cambridge/Hautapu	25-35 in defined intensification areas 20-25 in greenfield locations	
Village enablement areas	Net target densities (dwellings per hectare) to be achieved	
Meremere Te Kowhai Rukuhia	12-15 where reticulated services exist	

Ōhaupō Ngāhinapōuri Karapiro	
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<p><i>The relevant objectives are:</i></p> <p><i>IM-02 – Resource use and development</i></p> <p><i>IM-03 – Decision making</i></p> <p><i>IM-05 – Climate change</i></p> <p><i>IM-08 – Sustainable and efficient use of resources</i></p> <p><i>IM-09 – Amenity</i></p> <p><i>UFD-01 – Built environment</i></p>

UFD-P13 – Commercial development in the Future Proof area

Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 37 (APP12).

Commercial development is to be managed to:

1. support and sustain the vitality and viability of existing commercial centres identified in Table 37 (APP12);
2. support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities;
3. recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by:
 - a. encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District;
 - b. managing development within areas outside the Central Business District to avoid adverse effects on the function, vitality or amenity of the Central Business District beyond those effects ordinarily associated with trade competition on trade competitors; and
 - c. encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.
4. recognise that in addition to retail activity, the Hamilton Central Business District and town centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;
5. recognise, maintain and enhance the function of sub-regional commercial centres by:
 - a. maintaining and enhancing their role as centres primarily for retail activity; and
 - b. recognising that the sub-regional centres have limited non-retail economic and social activities;
6. maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and
7. ensure new commercial centres are only developed where they are consistent with (1) to (6) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:

- a. the distribution, function and infrastructure associated with those centres identified in Table 37 (APP12);
 - b. people and communities who rely on those centres identified in Table 37 (APP12) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;
 - c. the efficiency, safety and function of the transportation network; and
 - d. the extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.
8. recognise that in the long term, the function of sub-regional and town centres listed in Table 37 may change.

The relevant objectives are:

IM-O2 – Resource use and development
IM-O3 – Decision making
IM-O8 – Sustainable and efficient use of resources
UFD-O1 – Built environment

UFD-P14 – Rural-residential development in Future Proof area

Management of rural-residential development in the Future Proof area will recognise the particular pressure from, and address the adverse effects of, rural-residential development in parts of the sub-region, and particularly in areas within easy commuting distance of Hamilton and:

1. avoid rezoning or developing highly productive land for rural lifestyle except as provided for in the National Policy Statement for Highly Productive Land 2022;
2. the potential adverse effects (including cumulative effects) from the high demand for rural-residential development;
3. the high potential for conflicts between rural-residential development and existing and planned infrastructure, including additional infrastructure, and land use activities;
4. the additional demand for community facilities, servicing and infrastructure created by rural-residential development;
5. the potential for cross-territorial boundary effects with respect to rural-residential development; and
6. has regard to the principles in APP11.

The relevant objectives are:

IM-O2 – Resource use and development
IM-O3 – Decision making
UFD-O1 – Built environment

UFD-P15 – Monitoring and review in the Future Proof area

Waikato Regional Council will consider the need to review UFD-P11, including the extent, location and release of land for development as identified in the map and tables in 5.2.10 Future Proof map (indicative only) and APP12, in consultation with Hamilton City Council, Waipā District Council, Waikato District Council, tangata whenua and the NZ Transport Agency, if any of the following situations occur:

1. the reporting required by UFD-P6 and by the National Policy Statement on Urban Development recommends that a review is needed;
2. household and population growth varies by more than 10% over 5 consecutive years from the household and population predictions in the Future Proof Strategy;

3. the Future Proof partners agree that insufficient land exists within the Urban and Village Enablement Areas shown in Map 43 to cater for sufficient development capacity in the short, medium or long term;
4. the Future Proof partners agree that exceptional circumstances have arisen such that a review is necessary to achieve UFD-O1 in the Future Proof area; or
5. there is new or amended national direction from Government.

The relevant objectives are:

IM-O3 – Decision making

UFD-O1 – Built environment

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UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

New urban development in tier 3 local authority areas shall be managed in a way that:

1. recognises and provides for the intended urban development pattern as set out in any agreed council-approved growth strategy or equivalent council-approved strategies and plans;
2. contributes towards sufficient development capacity required to meet expected demand for housing and for business land over the short term, medium term, and long term as set out in the National Policy Statement on Urban Development;
3. focuses new urban development in and around existing settlements;
4. prevents a dispersed pattern of settlement and the resulting inefficiencies in managing resources that would arise from urban and rural residential development being located in the rural environment outside of identified urban growth areas;
5. avoids the cumulative effect that subdivision and consequent fragmented land ownership can have on the role of identified urban growth areas in providing a supply of land for urban development;
6. ensures that any development is efficient, consistent with, and supported by, appropriate infrastructure, including additional infrastructure, necessary to service the area;
7. has particular regard to the principles in APP11;
8. recognises environmental attributes or constraints to development and addresses how they will be avoided or managed including those specifically identified in UFD-M8, highly productive land and planning in the coastal environment as set out in CE-M1;
9. in relation to urban environments:
 - a. concentrates urban development through enabling heights and density in those areas of an urban environment with accessibility by active or public transport to a range of commercial activities, housing and community services, and where there is demand for housing and business use;
 - b. provides for high-quality urban design which responds positively to local context whilst recognising and allowing for amenity values of the urban and built form in areas planned for intensification to develop and change over time, and such change is not, in and of itself, an adverse effect;
 - c. enables a diverse range of dwelling types and sizes to meet the housing needs of people and communities, including for:
 - i. households on low to moderate incomes; and
 - ii. Māori to express cultural traditions and norms;
 - d. enables a variety of site sizes and locations in urban environments suitable for different business sectors;

- e. supports reductions in greenhouse gas emissions including through providing for an increasingly compact urban form that supports less carbon intensive transport modes such as active and public transport.

The relevant objectives are:

IM-01 – Integrated management

IM-02 – Resource use and development

IM-03 – Decision making

IM-05 – Climate change

IM-08 – Sustainable and efficient use of resources

IM-09 – Amenity

EIT-01 – Energy

UFD-01 – Built environment

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local authority areas

Where alternative urban land release patterns are promoted through district plan and development area processes either out-of-sequence or unanticipated by a council-approved growth strategy or equivalent council strategies and plans, justification shall be provided to demonstrate consistency with the principles in APP11, and particular regard shall be had to the proposed development capacity only where the local authority determines that the urban development proposal is significant, by assessing the proposal for consistency with the criteria in APP14.

The relevant objectives are:

IM-01 – Integrated management

IM-02 – Resource use and development

IM-03 – Decision making

IM-05 – Climate change

IM-08 – Sustainable and efficient use of resources

IM-09 – Amenity

EIT-01 – Energy

UFD-01 – Built environment

Methods

...

UFD-M6 – Growth strategies

In areas where significant growth is occurring or anticipated, territorial authorities should, and tier 1 and 3 territorial authorities shall, develop and maintain growth strategies or equivalent which identify a spatial pattern of land use and infrastructure development and staging for at least a 30-year period. The use of integrated spatial planning tools, such as the Waikato Integrated Scenarios Explorer, should be considered to explore future development options and to integrate land use planning with infrastructure.

The relevant policy is:

UFD-P1 – Planned and co-ordinated subdivision, use and development

UFD-M7 – Urban development planning

Territorial authorities should ensure that before land is rezoned for **urban** development, urban development planning mechanisms such as development area plans are produced, which facilitate proactive decisions about the future location of urban development, give effect to any council-approved growth strategy or equivalent council-approved strategies and plans, and allow the information in UFD-M8 to be considered.

The relevant policy is:

UFD-P1 – Planned and co-ordinated subdivision, use and development

UFD-M8 – Information to support new urban development and subdivision

District plan zoning for new urban development (and redevelopment where applicable), and subdivision and consent decisions for urban development, shall be supported by information which identifies, as appropriate to the scale and potential effects of development, the following:

1. the type and location of land uses (including residential, industrial, commercial and recreational land uses, and community facilities where these can be anticipated) that will be permitted or provided for, and the density, staging and trigger requirements;
2. the location, type, scale, funding and staging of infrastructure required to service the area;
3. multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced;
4. how existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, high class soils, highly productive land and significant view catchments) will be managed;
5. potential natural hazards and how the related risks will be managed;
6. potential issues arising from the storage, use, disposal and transport of hazardous substances in the area and any contaminated sites and describes how related risks will be managed;
7. how stormwater will be managed having regard to a total catchment management approach and low impact design methods;
8. any significant mineral resources (as identified through UFD-M29) in the area and any provisions (such as development staging) to allow their extraction where appropriate;
9. how the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has been recognised and provided for;
10. anticipated water requirements necessary to support development and ensure the availability of volumes required, which may include identifying the available sources of water for water supply;
11. how the design will achieve the efficient use of water;
12. how any locations identified as likely renewable energy generation sites will be managed;
13. the location of existing and planned renewable energy generation and consider how these areas and existing and planned urban development will be managed in relation to one another;
14. the location of any existing or planned electricity transmission network or national grid corridor and how development will be managed in relation to that network or corridor, including how sensitive activities will be avoided in the national grid corridor; and
1. how the proposal recognises and provides for any council-approved growth strategy or equivalent council-approved strategies and plans, and any development planning mechanisms such as development area plans.

The relevant policy is:

UFD-P1 – Planned and co-ordinated subdivision, use and development

UFD-M9 – Other party involvement

Where development planning mechanisms, such as development area plans and growth strategies are being produced, territorial authorities should ensure that Waikato Regional Council, neighbouring regional and territorial authorities, infrastructure providers, health authorities, tangata whenua, industry organisations and affected land owners are provided the opportunity to have meaningful involvement in development planning.

The relevant policy is:

UFD-P1 – Planned and co-ordinated subdivision, use and development

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UFD-M20 – Provision for marae and papakāinga

District plans shall make appropriate provision for development of marae and papakāinga.

The relevant policy is:

UFD-P3 – Marae and papakāinga

UFD-M21 – Sustainability of marae and papakāinga

Territorial authorities should support the sustainable development, restoration or enhancement of marae and papakāinga, including by taking into account the need to address the following when preparing district plans:

1. infrastructure and utilities requirements;
2. social services, such as kōhanga, kura and wānanga, urupā and health services;
3. associated customary activities; and
4. the relationship of marae and papakāinga to the wider environment, wāhi tapu and sites of significance to Māori, including by management of important view shafts.

The relevant policy is:

UFD-P3 – Marae and papakāinga

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UFD-M33 – Keeping records on development and infrastructure trends

Local authorities should keep records that will help to track and explain development and infrastructure trends. As a minimum, territorial authorities should keep, and make available to Waikato Regional Council, records on:

1. locations, lot numbers and lot sizes of subdivision consents granted, categorised according to district plan zones;
2. locations of building consents granted, categorised as residential and non-residential, and categorised according to district plan zones;
3. locations of vacant residential (including rural-residential) and industrial allotments;
4. major infrastructure changes and upgrades, including with respect to water supply, wastewater and local roading; and
1. demand and supply of dwellings, prices of dwellings, rents of dwellings, housing affordability, development capacity realised, and available data on business land for tier 1 and 3 local authorities.

The relevant policy is:
UFD-P6 – Information collection

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UFD-M44 – Resourcing implementation in the Future Proof area

Central government and Future Proof local authorities should ensure governance structures are in place, and adequate resources provided, to facilitate the implementation of the actions in the Future Proof Strategy (2022).

The relevant policy is:
UFD-P10 – Governance collaboration in the Future Proof area

UFD-M45 – Consultation between governance agencies in the Future Proof area

Consultation should occur between central government, Future Proof local authorities, tangata whenua, the NZ Transport Agency and other infrastructure providers, with respect to initiatives that could affect the interests of these parties.

The relevant policy is:
UFD-P10 – Governance collaboration in the Future Proof area

UFD-M46 – Implementation protocols in the Future Proof area

Central government, Future Proof local authorities, and tangata whenua should agree to protocols which document how the Future Proof Strategy (2022) is to be implemented.

The relevant policy is:
UFD-P10 – Governance collaboration in the Future Proof area

UFD-M61 – Interim arrangements for tier 3 local authorities

For any tier 3 territorial authority which is part of the Future Proof partnership, UFD-P18 and UFD-P19 and associated methods shall apply in the interim until Future Proof policies are updated to include that territorial authority.

The relevant policy is:
UFD-P10 – Governance collaboration in the Future Proof area

UFD-M47 – District plan provisions to implement the Future Proof land use pattern

Hamilton City Council, Waipā District Council and Waikato District Council shall, in consultation with Waikato Regional Council, tangata whenua and the NZ Transport Agency, review or prepare changes to their district plans and development area plans to identify enablement areas for future urban development, including future areas of major commercial and industrial development. The district plans shall ensure that urban development is located and managed in accordance with UFD-P11.

The relevant policy is:

UFD-M48 – Land release in the Future Proof area

Hamilton City Council, Waipā District Council and Waikato District Council shall ensure land is zoned and Hamilton City Council, Waipā District Council, Waikato District Council, Waikato Regional Council, the New Zealand Transport Agency and other relevant government agencies should ensure that land is appropriately serviced, in accordance with UFD-P11, Map 43 (or in accordance with any revised timing as set out in UFD-P11 (2)), and Table 35 in APP12.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M49 – Out-of-sequence or unanticipated urban development

District plans and development area plans can only consider an alternative urban land release, or an alternative timing of that land release, than that indicated on Map 43 (or in accordance with any revised timing as set out in UFD-P11 (2)), and Table 35 in APP12 provided that:

1. The land is not highly productive land, or if it is highly productive land:
 - a. The urban zoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Planning Statement on Urban Development 2020; and
 - b. There are no other reasonably practical and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and
 - c. The environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.
2. development proposals shall only be considered to be ‘significant’ for the purposes of UFD-P11 (7) where the local authority determines that the proposal is consistent with the relevant criteria A and B in APP13;
3. the timing of land release within urban and village enablement areas may only be amended where it is demonstrated that the proposal is consistent with criteria A in APP13 except where timing is being brought forward from beyond the long term as shown on Map 43, in which case criteria A and B in APP13 must be met;
4. when identifying additional urban or village enablement areas not shown on Map 43 it must be demonstrated that the proposal is consistent with criteria A and B in APP13;
5. when seeking to change a planned land use within urban or village enablement areas it must be demonstrated that the proposal is consistent with criteria A in APP13;
6. the effects of the change are consistent with the development principles set out in APP11;
7. in relation to Table 35, the land area allocated in a particular stage for a Strategic Industrial Node may be increased by bringing forward a future allocation from a later stage in that node where it is demonstrated that this would be consistent with criteria A in APP13. The total allocation for any one node, across all stages, may only be increased where it is demonstrated that this would be consistent with criteria A and B in APP13.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M62 – Future Proof governance process for out-of-sequence or unanticipated urban development

The Future Proof partners shall develop a protocol to agree how to involve each of the partners in decision-making relating to out-of-sequence or unanticipated development.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M63 – Housing Affordability

Future Proof partners should consider regulatory and non-regulatory methods to improve housing affordability such as increasing housing supply, greater housing choice, more diverse dwelling typologies, and alternative delivery partners.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M64 – Public transport

The Future Proof partners shall investigate and confirm a preferred rapid and frequent public transport network including the location of corridors and services to support the Future Proof settlement pattern as set out in UFD-P11 and UFD-P12. Once a preferred rapid and frequent public transport network has been confirmed by the Future Proof Implementation Committee, Waikato District Council, Hamilton City Council and Waipā District Council shall undertake notice of requirement or other processes if necessary to ensure corridors are protected, and Waikato Regional Council will, through its Regional Public Transport Plan and Regional Land Transport Plan, investigate opportunities to support the Future Proof preferred public transport network.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M65 – Blue-Green network

The Future Proof partners should work together to develop a sub-regional **blue-green network** strategy, with input from the community, affected landowners and other stakeholders. The strategy will assist in determining a sub-regional regulatory and non-regulatory framework for the establishment of a multi-functional blue-green network throughout the sub-region. The strategy will consider how the following aspects can be addressed holistically through the network:

1. opportunities and priorities for the connection, protection, enhancement and integration of the natural environment in new and intensified areas of urban development to promote positive biodiversity outcomes;
2. opportunities for the blue-green network to contribute to the restoration and enhancement of the health and wellbeing of the Waikato and Waipā rivers in accordance with Te Ture Whaimana/the Vision and Strategy;
3. sustainable design techniques and principles for the blue-green network, including water-sensitive urban design, low-impact urban design and development (LIUDD) methods for stormwater management, water demand management and reuse and integrated catchment planning;
4. opportunities to support active transport in blue-green corridors and the maintenance and enhancement of public access to regional and local open space assets;

5. opportunities to reintroduce biodiversity into urban areas through an urban forest programme; and
6. opportunities to maintain or enhance ecosystem services.
7. Recognise that higher density residential development should co-locate adjacent to these networks within urban environments to realise the benefits open space has on higher density living by providing outlook and amenity.

The blue-green strategy should build on and integrate with the objectives of local indigenous biodiversity strategies produced under ECO-M11, reserve management plans, active transport plans, and other relevant strategies and plans already developed by Future Proof local authorities.

Future Proof local authorities should have regard to the blue-green strategy when considering the most appropriate combination of regulatory and non-regulatory methods for implementing a blue-green network for each district. In the interim, when undertaking urban zoning and development area planning under UFD-M8, Future Proof local authorities should consider opportunities to develop blue-green networks.

The relevant policy is:

UFD-P11 – Adopting Future Proof land use pattern

UFD-M50 – District plan provisions and other mechanisms implementing density targets in the Future Proof area

Hamilton City Council, Waipā District Council and Waikato District Council shall include provisions in their district plans and other mechanisms that seek to implement UFD-P12. Areas and locations for intensification shown in UFD-P12 are indicative and will be further defined through individual Future Proof partners' plan making processes.

The relevant policy is:

UFD-P12 – Density targets for Future Proof area

UFD-M51 – Advocacy for density targets in the Future Proof area

Future Proof local authorities should advocate for the matters in UFD-P12 with respect to development proposals in the Future Proof area.

The relevant policy is:

UFD-P12 – Density targets for Future Proof area

UFD-M52 –Infill targets

Hamilton City Council should aim for at least 50 per cent of growth to be through infill and intensification of existing urban areas. Waikato and Waipā District Councils should aim for 90 per cent of growth to be within identified urban enablement areas and village enablement areas and at least 20 per cent of growth within urban environments to be within existing parts of the townships, preferably in areas close to centres and current and future public transport stops.

The relevant policy is:

UFD-P12 – Density targets for Future Proof area

UFD-M66 – Changing amenity values within urban environments

Waikato District Council, Hamilton City Council and Waipā District Council shall include provisions in their district plans and other mechanisms that identify anticipated future amenity outcomes in areas planned for intensification within urban environments, and recognise and allow for amenity values within these locations to develop and change over time.

The relevant policy is:

UFD-P12 – Density targets for Future Proof area

UFD-M53 – District plan provisions on commercial development in the Future Proof area

Hamilton City Council, Waipā District Council and Waikato District Council district plans shall manage new commercial development in accordance with UFD-P13.

The relevant policy is:

UFD-P13 – Commercial development in the Future Proof area

UFD-M54 – Advocacy for commercial development in the Future Proof area

Waikato Regional Council, Hamilton City Council, Waipā District Council and Waikato District Council should advocate for the directions in UFD-P13 with respect to development proposals in the Future Proof area.

The relevant policy is:

UFD-P13 – Commercial development in the Future Proof area

UFD-M67 – Metropolitan centres

Centres identified in Table 37 as future metropolitan centres may be re-classified in district plans as metropolitan centres where it can be demonstrated that the following features are met:

1. the centre generally contains/enables medium-high density development;
2. the centre performs a sub-regional rather than local role;
3. the centre supports active modes and high-quality public transport with high trip generation;
4. the centre serves an important economic function;
5. the centre has/enables an evening and night economy;
6. the centre provides high quality, destination public spaces;
7. the centre provides for employment in a broad range of commercial, community and recreational activities;
8. the change in the centre's role and function in the sub-regional hierarchy does not undermine the vitality and viability of existing centres and does not undermine the role of the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area; and
9. the centre contributes to a well-functioning urban environment.

The relevant policy is:

UFD-P13 – Commercial development in the Future Proof area

UFD-M55 – District plan provisions and growth strategies managing rural residential development in the Future Proof area

Waipā District Council and Waikato District Council shall include provisions in district plans and growth strategies to give effect to UFD-P14. This will include avoiding rezoning or developing highly productive land for rural lifestyle except as provided for in the National Policy Statement for Highly Productive Land 2022 and strictly limiting rural-residential development in the vicinity of Hamilton City.

The relevant policy is:

UFD-P14 – Rural-residential development in Future Proof area

UFD-M56 – Rural-residential development around Hamilton

Waipā District Council and Waikato District Council shall work with Hamilton City Council, and in association with Waikato Regional Council, tangata whenua, the NZ Transport Agency and other infrastructure providers, to develop agreements about the nature of rural-residential development in the vicinity of Hamilton City, and ways to prevent adverse impacts on infrastructure that services Hamilton City and future city development.

The relevant policy is:

UFD-P14 – Rural-residential development in Future Proof area

UFD-M57 – Directing development to rural-residential zones in the Future Proof area

Waipā District Council and Waikato District Council should investigate, and shall consider adopting through district plans, provisions such as transferable development rights which will allow development to be directed to rural-residential zones identified in district plans.

The relevant policy is:

UFD-P14 – Rural-residential development in Future Proof area

UFD-M58 – Reporting on development in the Future Proof area

Waikato Regional Council, Hamilton City Council, Waipā District Council and Waikato District Council should, in association with tangata whenua and the NZ Transport Agency, prepare a report at least at yearly intervals, which:

1. summarises monitoring results in accordance with UFD-P6;
2. summarises monitoring results as required under the National Policy Statement on Urban Development 2020; and
3. assesses contributions towards achieving Future Proof's key performance indicators.

The relevant policy is:

UFD-P15 – Monitoring and review in the Future Proof area

UFD-M68 – Review of provisions

Waikato Regional Council, in conjunction with Hamilton City Council, Waipā District Council and Waikato District Council, and in consultation with tangata whenua and central government will assess the need for a review of UFD-P11 at a minimum of five-yearly intervals.

The relevant policy is:

UFD-M69 – Council-approved growth strategy or equivalent in tier 3 local authority areas

Tier 3 local authorities shall prepare a new or updated council-approved growth strategy, or equivalent council-approved plans and strategies, to manage growth in accordance with UFD-P18.

The growth strategy or equivalent council-approved plans and strategies must be notified by a date agreed to between the local authority and the Regional Council, and must address:

1. how the local authority will provide sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term as set out in the National Policy Statement on Urban Development 2020;
2. the values and aspirations of hapū and iwi for urban development;
3. the location and extent of urban settlements meeting the definition of a tier 3 urban environment;
4. the location, land use types, staging, density and trigger requirements of future urban growth areas;
5. identification of any areas within urban environments where greater heights and density of urban form are to be enabled;
6. the type, scale and staging of infrastructure required to support or service development capacity, including three waters infrastructure, along with the general location of the corridors and other sites required to provide it;
7. the multi-modal transport links and infrastructure required to service urban development and urban environments, both within an area of new development and connecting to neighbouring areas and existing transport infrastructure, in a way that provides good accessibility between housing, jobs, community services, natural spaces and open spaces; and
8. the development principles in APP11.

The council-approved growth strategy or equivalent council-approved strategies and plans must be developed through a non-Resource Management Act special consultative procedure or a Schedule 1 Resource Management Act process.

The relevant policy is:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-M70 – District Plans

Tier 3 local authorities shall include provisions in district plans to give effect to UFD-P18.

The relevant policy is:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-M71 – Housing Affordability

Where there is evidence that there is a housing affordability issue in the local authority area, tier 3 local authorities should consider regulatory and non-regulatory methods to improve housing affordability-such as increasing housing supply, greater housing choice, more diverse dwelling typologies, and alternative delivery partners.

The relevant policy is:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-M72 – Interim arrangements

Until such time as a local authority has prepared or updated its council-approved growth strategy, or equivalent council-approved strategies and plans, in accordance with UFD-M69, urban growth shall be managed in accordance with the Regional Policy Statement, the council’s district plan, existing adopted council-approved growth strategies for the district, and the council’s current infrastructure strategy.

The relevant policy is:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-M73 – Interim arrangements for Future Proof tier 3 territorial authorities

For any tier 3 territorial authority which is part of the Future Proof partnership, UFD-P18 and UFD-P19 and associated methods shall apply in the interim until Future Proof policies UFD-P11, UFD-P12, UFD-P14 and UFD-P15 are updated to include that territorial authority.

The relevant policy is:

UFD-P18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-M74 – Tier 3 out-of-sequence or unanticipated developments

District plans (including plan changes) and development area plans can only consider an alternative urban land release, or an alternative timing of that release, than that set out in the council-approved growth strategy or equivalent council strategies and plans provided that:

1. The land is not highly productive land, or if it is highly productive land:
 - a. The urban zoning is required to provide sufficient development capacity to meet expected demand for housing and business land in the district; and
 - b. There are no other reasonably practical and feasible options for providing the required development capacity; and
 - c. The environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.
2. development proposals shall only be considered to be ‘significant’ for the purposes of UFD-P19 where the local authority determines that the proposal is consistent with the criteria in APP14;
3. sufficient evidence is provided to allow the council to assess the development against the principles set out in APP11 and APP14; and
4. where a council-approved growth strategy or equivalent council strategies and plans are not yet adopted, the district plan or development area plan proposal shall provide sufficient evidence, as far as practicable, to allow the local authority to determine the degree of consistency with the relevant criteria in APP14.

The relevant policy is:

UFD-P19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local environments

Principal reasons

UFD-PR1 – Planned and co-ordinated subdivision, use and development

To effectively address SRMR-I4 and to achieve UFD-O1 it is very important that there is a planned and co-ordinated approach to developing the built environment which anticipates and addresses cumulative effects over the long term.

APP11 includes a set of principles to guide future development of the built environment within the Waikato region. These principles are not absolutes and it is recognised that some developments will be able to support certain principles more than others. In some cases, certain principles may need to be traded off against others. It is important, however, that all principles are appropriately considered when councils are managing the built environment. The principles are supported by UFD-M1, UFD-M2, UFD-M3 and UFD-M4.

Notwithstanding the above, the policies and methods in UFD-P18 set out an expectation that when tier 3 local authorities are developing new Council approved growth strategies, or equivalent council strategies and plans that have been developed in accordance with Regional Policy Statement policies, they shall give particular regard to applying the development principles in APP11.

When assessing out-of-sequence development proposals outside of the planned growth pattern in tier 1 and 3 local authorities, the policies and methods also set this expectation and require that proposals should provide sufficient evidence to allow the council to assess and have particular regard to how the development addresses the principles set out in APP11. Whilst it may not be possible that all principles are given effect to in their entirety for every proposal, there is an expectation that they shall all be addressed with good reasons given if some principles are unable to be fully met.

UFD-M2 provides direction for managing reverse sensitivity. Reverse sensitivity is the vulnerability of a lawfully established activity to a new activity or land use. It arises when an established activity causes potential, actual or perceived adverse environmental effects on the new activity, to a point where action may be taken to restrict the operation or mitigate effects of the established activity.

UFD-M5 provides direction for managing rural-residential development. Rural-residential development in some cases has created effects such as reducing options for use of high class soils, increasing pressure on roading systems, increasing potential for natural hazards and creating tensions between existing rural land uses. In some areas, due to the extent of subdivision and the nature of the landscape, these effects are greater than in others. Demand for rural-residential development is particularly high near Hamilton, between Hamilton and Auckland, and many high amenity areas such as coastal areas, river margins and lake margins. There need to be stronger controls on rural-residential development in such areas. Where there is less demand, there are still potential effects of rural-residential development that should be managed, but a more flexible management regime may be appropriate.

Growth strategies are a recognised method to strategically plan for development, particularly in areas of high population growth (UFD-M6). They can be used to effectively plan for the integrated management of infrastructure with land use, and are a key tool for tier 1 and 3 local authorities to demonstrate how the intended pattern of urban development gives effect to the

National Policy Statement on Urban Development 2020. At a smaller scale, methods such as development area plans and town plans are useful means of planning for urban development (UFD-M7).

Whether through such development planning mechanisms or through consent processes, it is important that decisions about new urban development are made on the basis of information that allows an assessment of the full effects of the development (UFD-M8). The information requirements will therefore vary greatly for different developments. Other methods under this policy also support a planned and comprehensive approach to development.

It is recognised that it is not appropriate to apply the same definition of 'planned' in all instances. For example, in the case of a specific subdivision proposal, it would be appropriate to apply a restricted definition incorporating only consented or designated infrastructure. However, where district plan changes, growth strategies or development area plans are being considered the term 'planned' covers infrastructure where funding has been allocated to provide for the infrastructure project and where such infrastructure is subject to consenting or designation processes.

UFD-PR2 – Co-ordinating growth and infrastructure

UFD-P2 is to ensure co-ordination between land use and infrastructure planning and development so that development can be appropriately serviced by infrastructure in a cost-effective manner, and so that land use change does not result in unplanned effects on the functioning of it. The way in which the term 'planned' is to be applied is explained in UFD-PR1.

The policy and its methods aim to ensure that the future spatial land use pattern is understood sufficiently to inform future investment in transport infrastructure. To do this, growth strategies will be needed in areas of strong population growth or as required in UFD-P18 and its associated methods for tier 3 local authorities. Where there is no growth strategy (where population growth is not so strong), urban development should be directed to existing urban areas so that there is reasonable certainty that the settlement pattern will not significantly change over the 30-year period (UFD-M13).

The requirement in UFD-M11 for a long-term strategic approach recognises that councils need to think ahead and plan proactively for future land use change and infrastructure requirements. The method also identifies transport related outcomes that will help to ensure good integration between transport and development.

A range of other methods are identified for implementing the policy. The methods recognise that there are a range of planning mechanisms that can help to integrate land use with infrastructure (UFD-M14 and UFD-M18). UFD-M12, UFD-M15, UFD-M16 and UFD-M17 recognise that a range of agencies across different jurisdictions need to be involved to ensure integration.

Just as development area planning is needed for intensive development on land, there is a growing need for better planning and management of infrastructure in the coastal marine area. While territorial authorities develop land-based development area plans, Waikato Regional Council is responsible for the integrated management of infrastructure in the coastal marine area as signalled in UFD-M19.

UFD-PR3 – Marae and papakāinga

Enabling people and communities to provide for their social, economic and cultural wellbeing is part of the purpose of the Resource Management Act; and recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga is a matter of national importance. Marae are integral to Māori culture and traditions, as are papakāinga and other associated facilities. Tangata whenua expect demand on marae and papakāinga around the region to increase as, for example, people increasingly look to return to their roots. District plans should enable papakāinga and supporting services.

Marae can also provide services to the wider, non-Māori, community, for example as meeting places or civil defence bases. They are characteristic of the Waikato region, which is a reflection of historic settlement patterns and the significance of the region to Māori. Papakāinga need not be contiguous with the marae it supports, may be located on general land title and can be located in both urban and rural areas.

It is important to the wellbeing of tangata whenua to ensure the long-term sustainability of marae. This can be achieved by ensuring marae are supported by the necessary physical, social, cultural and environmental services.

UFD-PR10 – Governance collaboration in the Future Proof area

UFD-P10 recognises that there needs to be a continued collaborative effort by the Future Proof partners (central government, partner councils and tangata whenua) in order to implement the Future Proof Strategy. The Strategy lists a range of implementation actions. These need to be supported by appropriate resources such as staff and financial allocations, and appropriate structures such as governance arrangements.

UFD-M44 is to ensure these matters are provided for. UFD-M45 anticipates that the partners may become involved in specific growth management matters which could affect the interests of one or more of the partners. In this case, consultation with the partners would seek to ensure partner interests are taken into account. UFD-M46 recognises that from time to time agreements between the partners may be appropriate to ensure growth management is consistent with the intentions of the Future Proof Strategy.

UFD-PR11 – Adopting Future Proof land use pattern

UFD-P11 enables urban development consistent with the land use pattern and sequencing that has been established through the Future Proof process. Clauses (3) to (8), along with Table 35, provide clear guidance on where industrial development should occur in the Future Proof area. This is very important to ensure integrated planning of industrial land use and infrastructure. Future industrial development should focus on the support and protection of identified industrial nodes.

UFD-M47 recognises that although the Strategy has determined a settlement pattern for the Future Proof area, the detail of urban and village enablement areas and future commercial and industrial development locations down to property level need to be determined through district plan processes. The method also recognises that district plan provisions, such as rules, need to ensure development is managed in accordance with UFD-P11.

UFD-M48 recognises that to achieve the Future Proof land use pattern, sufficient land needs to be zoned for development and that appropriate provisions need to be made for servicing this development. Councils and other infrastructure providers, such as New Zealand Transport Agency, will have a role in the timely provision of infrastructure.

UFD-M49 provides for some responsiveness in the staged release of urban land while ensuring that the relevant growth management principles established in the Future Proof Strategy are not compromised. The importance of the settlement pattern set out in Map 43 and in Table 35 to the efficient integration of land use and infrastructure in the Future Proof sub-region is such that alternative land release is only expected to occur where comprehensive and robust evidence has been provided to satisfy the criteria in UFD-M49.

Future Proof has developed two sets of criteria in APP13 to assist local authorities in responding to district plan or development area plan proposals when they are either out of sequence or unanticipated by the Future Proof settlement pattern. Developments are only considered to be significant where they meet the criteria in APP13 and particular regard is given to the proposed development capacity only where a development is significant. This pathway does not apply to resource consents. This is in accordance with policy 8 of the National Policy Statement on Urban Development 2020.

Where a proposal for urban development is out of sequence, but within an urban or village enablement area (for example, bringing forward development), Criteria A will apply. Where a proposal for urban development is bringing forward development from beyond long term as shown on Map 43, into an earlier timeframe, Criteria A and B will apply. Where a proposal for urban development is within an urban or village enablement area but proposes an unanticipated land use, Criteria A will apply. Where a proposal for urban development is outside of an urban or village enablement area and is unanticipated by the Future Proof settlement pattern, Criteria A and B will apply. The matters listed in Criteria A and Criteria B are not ranked. However, collectively these criteria are intended to assist territorial authorities to determine whether a proposed plan change would create significant development capacity. It will be at the discretion of the relevant territorial authority to undertake a comprehensive assessment and give the appropriate weighting to the criteria, depending on the particular circumstance.

The timing of growth cells R2, HT1 and WA on the periphery of Hamilton which are subject to the Strategic Boundary Agreement 2020 between Waikato District Council and Hamilton City Council, will be subject to timing under that agreement. A proposal to bring forward development in those cells outside of that agreement will be subject to assessment under Criteria A and B in APP13 to determine if the development is significant and whether particular regard should be given to it.

UFD-M62 recognises that Future Proof councils will need to work together in some circumstances to best give effect to the Future Proof principles when considering out-of-sequence or unanticipated development proposals.

Map 43 provides an overview of urban and village enablement areas in order to guide implementation of the settlement pattern at a district level. It is expected that district level planning mechanisms such as development area planning and district plan zoning will establish the urban and village enablement areas at a property scale. The timing shown on Map 43 may be updated by a Future Development Strategy where adopted in accordance with the National Policy Statement on Urban Development 2020. This will provide for alignment of land use and

infrastructure staging to meet the development capacity required under the National Policy Statement on Urban Development 2020, within the urban and village enablement areas.

UFD-P11 and UFD-P12 set out a pattern of urban enablement which will provide for a range of housing and business locations and types, and for sufficient development capacity to meet demand for housing and business land, including a margin to enable competitive land markets. UFD-M63 recognises that the affordability of housing is a complex issue for which councils have limited tools. Enabling housing supply and a variety of housing typologies may assist with housing affordability. Other regulatory or non-regulatory tools available to councils to assist in addressing housing affordability should be investigated, acknowledging that there will also need to be a range of central government, private sector, and community sector interventions.

UFD-M64 recognises that the successful implementation of the Future Proof settlement pattern will rely upon good quality public transport provision. The progression of a programme business case will provide an evidential base for further decision-making on a future rapid and frequent public transport network.

UFD-M65 sets out how the Future Proof partners will collaborate with one another, with community, affected landowners, and other stakeholders to develop a multi-functional, cross-boundary blue-green network which will be a defining spatial concept that aims to restore, enhance, connect and improve the natural environment within the Future Proof sub-region in a way that can integrate with new urban development and improve the liveability of urban areas.

UFD-PR12 – Density targets for Future Proof area

UFD-P12 seeks to ensure that over time, urban development will become more compact through the promotion of development density targets. This is to improve housing choice and affordability, walking and cycling, and the viability of public transport, including rapid and frequent public transport, thereby reducing energy demand and reducing the need for future transport infrastructure development. Other benefits of this approach include reducing transport impacts on air quality, reducing greenhouse gas emissions, improving efficient use of water infrastructure, reducing urban sprawl onto high quality farm land and reducing other adverse effects of urban development, such as reverse sensitivity impacts on existing land uses and limitations on access to mineral resources. To achieve more compact development there is an expectation that amenity in these areas will change over time with a need for planning instruments to identify the anticipated future amenity outcomes for these areas. The methods are to ensure this policy is implemented through provisions in district plans and through advocacy with respect to development proposals. Areas and locations for intensification listed in the table in UFD-P12 are indicative and will be defined through individual Future Proof partners' plan making processes.

UFD-PR13 – Commercial development in the Future Proof area

The Future Proof Strategy contains a number of principles that are relevant in terms of future commercial development, such as:

- support for existing commercial centres,
- encouragement of development to support existing infrastructure, and
- ensuring thriving town centres where people can “live, work, play and visit”.

UFD-P13 supports these principles and assists with ensuring integrated planning of commercial land use and infrastructure for the sub-region. It is important that commercial development does not occur in locations where it will have unacceptable impacts on transport systems, on the functioning of existing commercial centres, and on areas specifically provided for industrial development. The policy supports the location of commercial development where it will be needed to service anticipated future population growth. The methods are to ensure the directions of UFD-P13 are supported through district plans and advocacy.

Table 37 describes a commercial hierarchy for the Future Proof area. It identifies key centres where future commercial development is to be focused. The Hamilton Central Business District, sub regional centres and town centres generally provide a focus for community activity and social interaction, enabling convenient access to a range of goods and services by a variety of transport modes. The city centre and towns are also centres of administration, office and civic activity and it is intended that they will remain so rather than having those activities dispersed. Accordingly, these activities will not occur to any significant extent in the sub-regional centres as these centres are to remain predominantly as retail centres.

UFD-P13 requires the region's district and city councils to determine an appropriate range, location and scale of commercial development within their district in order to maintain and enhance the vitality and viability of relevant centres including the role of the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area. In doing so, councils will need to consider the potential for new development to result in adverse effects on the function, vitality and amenity of the Hamilton Central Business District.

UFD-P13 recognises that the function of centres may change over time. UFD-M67 sets out features which will act as pre-conditions prior to re-classifying sub-regional or town centres in Table 37 as metropolitan centres. This will ensure the centres are able to perform the functions as set out in the National Policy Statement on Urban Development 2020 for metropolitan centre zones without undermining the role of existing centres in the hierarchy. Table 37 sets out an indicative timeframe for when it is expected that these centres may transition to metropolitan centres, dependent upon the pre-conditions being met.

UFD-PR14 – Rural-residential development in Future Proof area

UFD-P14 establishes a policy framework for managing development in the Waikato region, including the Future Proof area. UFD-P14 recognises that there are particular pressures for rural-residential development in parts of the Future Proof area, particularly near Hamilton City. UFD-M55 and UFD-M57 recognise that these pressures need to be managed through district plan provisions. UFD-M56 recognises that an individual agency's decisions about rural-residential development and infrastructure can impact on the interests of other agencies, and that a collaborative approach is needed to minimise conflicts. Not managing rural-residential development would undermine the objectives of Future Proof.

UFD-PR15 – Monitoring and review in the Future Proof area

UFD-P6 establishes the need to collect and report information on development trends and pressures, which also applies to the Future Proof area, alongside requirements under the National Policy Statement on Urban Development 2020. UFD-P15 and UFD-M58 state further information requirements for the Future Proof area that are needed to help inform future revisions of the Future Proof Strategy.

The map and tables in 5.2.10 Future Proof maps (indicative only) and APP12 are based on assumptions about likely future development trends and requirements in the Future Proof area. UFD-P15 and method UFD-M68 recognise that conditions could change such that the matters in UFD-P11 need to be reviewed in order to ensure ongoing management of development in the Future Proof area remains appropriate.

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UFD-PR18 – Tier 3 local authority areas outside the Future Proof Strategy

UFD-P18 provides direction on how to manage urban development within tier 3 local authorities in a way that is consistent across the region and gives effect to the National Policy Statement on Urban Development 2020. It includes specific direction for managing development within tier 3 urban environments. The purpose of this policy is to guide district-wide planning for new urban development. Determining whether a territorial authority is a tier 3 local authority may be done via a resolution of the council.

Clauses (1) to (8) set out how growth is to be managed at a district-wide scale and the requirement for a council-approved growth strategy or equivalent council-approved strategies and plans, that will set out the intended urban development pattern to meet expected demand for housing and business land. Equivalent council approved strategies or plans might include district plans, long term plans, infrastructure strategies or other council strategies or plans as determined by local authorities. In developing a growth strategy (or equivalent) there is an expectation that councils will have particular regard to the principles in APP11. Whilst it may not be possible that all APP11 principles are given effect to in their entirety for every proposal, it is anticipated that they shall all be addressed, with good reasons given if some principles are unable to be fully met. Once a growth strategy has been adopted in accordance with these provisions, there is an expectation that new urban development will continue to be managed to have regard to APP11 principles.

Clause (9) provides specific direction for urban environments. It sets out that new urban development in appropriate locations within urban environments will become more compact and higher over time. This is to support improvements to housing choice and affordability, and the viability of public transport, walking and cycling, thereby reducing energy demand and greenhouse gas emissions. Other benefits of this approach include reducing the need for future transport infrastructure development, improving efficient use of waters infrastructure, and reducing urban sprawl onto highly productive land. To achieve more compact development there is an expectation that high quality urban design will be achieved so as to maintain or enhance amenity, whilst recognising that amenity in these areas will change over time, and such change is not, in and of itself, an adverse effect. Compact urban form and intensified urban development will only be appropriate in areas free from hazard risks and other constraints as set out in other policies and methods in the Regional Policy Statement, including UFD-M8.

UFD-M69 sets out a framework for tier 3 local authorities to develop council-approved growth strategies (or equivalent) to determine the intended pattern of land development within the local authority area. Growth strategies are a recognised method to strategically plan for development. They can be used to effectively plan for the integrated management of infrastructure with land use and are a key tool for tier 3 local authorities to identify the location and extent of any tier 3 urban environment and to demonstrate how the intended pattern of urban development gives effect to the National Policy Statement on Urban

Development 2020. The list of matters to address in council-approved growth strategies (or equivalent) also includes environmental attributes and constraints to development as required by other objectives and policies in the Regional Policy Statement, and the development principles set out in APP11. The method provides flexibility for councils to address matters in UFD-P18 through other council plans and strategies rather than through a separate growth strategy document.

UFD-M70 recognises that district plan processes will be required to give effect to UFD-P18. Changes to district plans intended to implement a growth strategy (or equivalent) will need to be considered on their own merits under the Resource Management Act. UFD-M8 addresses the information requirements to support district plan zoning changes.

UFD-M71 recognises that the affordability of housing is a complex issue for which councils have limited tools. Enabling housing supply and a variety of housing typologies may assist with housing affordability. Where an affordability issue has been identified, other regulatory or non-regulatory tools available to councils to assist in addressing housing affordability should be investigated, acknowledging that there will also need to be a range of central government, private sector, and community sector interventions.

UFD-M72 clarifies how new urban development is to be managed until such time as a council-approved growth strategy or equivalent strategies and plans have been notified, in order to ensure that the requirements of the National Policy Statement on Urban Development 2020 are given effect to as far as practicable in the interim and to provide a baseline against which out-of-sequence/unanticipated proposals can be compared.

UFD-M73 clarifies that if a tier 3 territorial authority becomes part of the Future Proof partnership, UFD-P18 and UFD-P19 will continue to apply until such time as the Future Proof Regional Policy Statement policies are updated to include that territorial authority. This is because the Future Proof policies do not currently contain reference to territorial authorities outside of Waikato District Council, Hamilton City Council and Waipā District Council.

UFD-PR19 – Being responsive to significant unintended and out-of-sequence growth within tier 3 local authority areas

There is an expectation that urban development will be consistent with the council-approved growth strategy or equivalent council strategies and plans as required by UFD-P18. UFD-P19 and UFD-M73, however, set out a framework for tier 3 local authorities to be responsive to significant out-of-sequence or unanticipated growth proposals through district plan or development area processes around tier 3 urban environments. This pathway does not apply to resource consents. This is in accordance with policy 8 of the National Policy Statement on Urban Development 2020.

There is an expectation that an assessment against APP11 development principles is included in all proposals as these guide all future development of the built environment, including urban environments, within the region.

A set of criteria is included in APP14 to assist local authorities in responding to proposals when they are either out-of-sequence or unanticipated by a council-approved growth strategy or equivalent council-approved strategies and plans. Developments are only considered to be

significant where they meet the criteria in APP14 and particular regard is only given to the proposed development capacity where a development is significant.

The matters listed in APP14 are not ranked, and are intended to assist territorial authorities to determine whether a proposal would create significant development capacity. It will be at the discretion of the relevant territorial authority to undertake a comprehensive assessment and give the appropriate weighting to the criteria, depending on the particular circumstance.

In tier 3 urban environments where there is no, or limited, public transport there is an expectation that new development and redevelopment occurs in way that can accommodate public transport in the future and that densities are increased where this would make the provision of public transport more feasible.

Anticipated environmental results

- UFD-AER1** New development is not subject to intolerable levels of risk from natural hazards.
- UFD-AER2** There is greater use of walking, cycling and public transport in urban areas.
- UFD-AER3** Vehicle kilometres travelled per capita are reduced.
- UFD-AER4** Solid waste entering landfill is reduced.
- UFD-AER5** Indigenous biodiversity in urban (including rural-residential) areas is improved.
- UFD-AER6** Most rural-residential development occurs in identified areas.
- UFD-AER7** Rural-residential development does not inhibit ability to allow for expected urban expansion needs.
- UFD-AER8** Fragmentation of highly productive land is reduced.
- UFD-AER9** New development does not impact on the efficiency and effectiveness of existing infrastructure.
- UFD-AER10** Development of the built environment does not result in a reduction in valued natural environments, landscapes, heritage sites, or amenity values, recognising however that amenity values will change over time within tier 1 and 3 urban environments.
- UFD-AER11** New urban developments are more compact.
- UFD-AER12** Development of the built environment does not prevent extraction of minerals from identified significant mineral resources.
- UFD-AER13** Development does not reduce access to water bodies and the coast.
- UFD-AER14** There is increased adoption of low-impact stormwater design.
- UFD-AER15** There are increased examples of green/sustainable technologies in the Waikato region.

UFD-AER16	Development in the Future Proof area is consistent with the Future Proof Guiding Principles (Section A3 of Future Proof Strategy).
UFD-AER17	District plans provide for the development of marae and papakāinga.
UFD-AER21	Regionally significant industry is retained and provided for.
UFD-AER22	Development in tier 3 local authorities is consistent with a council-approved growth strategy or equivalent council strategies and plans that have been developed in accordance with Regional Policy Statement policies.
UFD-AER23	Reduced greenhouse gas emissions in tier 1 and 3 urban environments.

5 Proposed changes to ‘Part 5 – Appendices and maps’ section

5.1 Proposed changes to ‘5.1 Appendices’ section

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APP11 – Development principles

General development principles

The general development principles for new development are:

- a) support existing urban areas in preference to creating new ones;
- b) occur in a manner that provides clear delineation between urban areas and rural areas;
- c) make use of opportunities for urban intensification and redevelopment, particularly within urban centres and along future rapid transit routes, to minimise the need for urban development in greenfield areas;
- d) not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;
- e) connect well with existing and planned development and infrastructure;
- f) identify water requirements necessary to support development and ensure the availability of the volumes required;
- g) be planned and designed to achieve the efficient use of water;
- h) be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, **regionally significant industry**, highly productive land, and primary production activities on highly productive land except in accordance with the National Policy Statement for Highly Productive Land 2022.;
- i) promote compact urban form, design and location to:
 - i) minimise energy and carbon use;
 - ii) minimise the need for private motor vehicle use;

- iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;
- iv) encourage walking, cycling and multi-modal transport connections; and
- v) maximise opportunities for people to live, work and play within their local area;
- j) maintain or enhance landscape values and provide for the protection of historic and cultural heritage;
- k) promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;
- l) maintain and enhance public access to and along the coastal marine area, lakes, and rivers;
- m) avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);
- n) adopt sustainable design technologies, such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;
- o) not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;
- p) be appropriate with respect to current and projected future effects of climate change and be designed to allow adaptation to these changes and to support reductions in greenhouse gas emissions within urban environments;
- q) consider effects on the unique tangata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tangata whenua connections within an area should be considered;
- r) support the Vision and Strategy for the Waikato River in the Waikato River catchment;
- s) encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and
- t) recognise and maintain or enhance ecosystem services.

Principles specific to rural-residential development

As well as being subject to the general development principles, principles for new rural-residential development are:

- a) be more strongly controlled where demand is high;
- b) not conflict with foreseeable long-term needs for expansion of existing urban centres;
- c) avoid open landscapes largely free of urban and rural-residential development;
- d) avoid ribbon development and, where practicable, the need for additional access points and upgrades, along significant transport corridors and other arterial routes;
- e) recognise the advantages of reducing fuel consumption by locating near employment centres or near current or likely future public transport routes;
- f) minimise visual effects and effects on rural character such as through locating development within appropriate topography and through landscaping;
- g) be capable of being serviced by onsite water and wastewater services unless services are to be reticulated; and
- h) be recognised as a potential method for protecting sensitive areas such as small water bodies, gully-systems and areas of indigenous biodiversity.

APP12 – Future Proof tables

Strategic Industrial Nodes (based on gross developable area) ¹	Industrial Land allocation and staging (ha)		Total allocation to 2050 (ha)
	2020-2030	2031-2050	
Pōkeno	5	23	53
Tuakau	26	77	103
Huntly/Rotowaro/Ohinewai	77	-	77
Horotiu/Te Rapa North/Rotokauri	189	50	239
Ruakura/Ruakura East WEX	172	245	417
Hamilton Airport/Southern Links	94	46	140
Hautapu	67	160	227
Totals	630	626	1,256

1. Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

Explanation

The strategic nodes identified in Table 35 include a mixture of existing zoned land and land identified as future industrial land, subject to district planning processes.

The land identified in Table 35 is based on expected demand, including a margin above demand, as set out in the Housing and Business Land Assessments 2021 for the Future Proof sub-region, in accordance with the National Policy Statement on Urban Development 2020.

Pōkeno

The staging and timing of land for the 2020-2030 period in Pōkeno is based on the expected demand from the Housing and Business Land Assessment 2021. Beyond this, the land identified in Table 35 is based on the residual capacity in Pōkeno which is above expected demand for that period.

Tuakau

The staging and timing of land for the 2020-2030 period in Tuakau is based on the expected demand from the Housing and Business Land Assessment 2021. Beyond this, the land identified in Table 35 is based on the residual capacity in Tuakau which is above expected demand for that period.

Huntly/Rotowaro/Ohinewai

The land identified in Table 35 includes 67ha at Ohinewai. Some of this demand may be met in Huntly/Rotowaro. The table also includes 10 ha of land in Huntly. Rotowaro is a longer-term industrial option within the Huntly/Rotowaro/Ohinewai strategic industrial node.

Horotiu/Te Rapa North/Rotokauri

The staging and timing of land associated with Horotiu, Te Rapa North and Rotokauri is based on the expected demand from the Housing and Business Land Assessment 2021

Hamilton Airport/Southern Links

The land identified in Table 35 for the Airport Node/Southern Links is based on the amount of land currently provided for in the Waipā District Plan and the Waipā growth strategy, Waipā 2050 as well as an additional 60 ha beyond this.

The node is currently affected by infrastructure constraints, particularly in the surrounding transport network. The Southern Links project will address some of the transport capacity issues but is currently a long term solution. Infrastructure solutions which are consistent with, and work towards a long term infrastructure pattern will be required to enable development in advance of the construction of Southern Links.

Ruakura/Ruakura East WEX

The land identified in Table 35 is based on the amount of land provided for industrial use at Ruakura, excluding the residential master-planned area at Tuumata and the Agricultural Research Campus.

Hautapu

The land identified for the Hautapu Industrial Node is the land specified in the Waipa 2050 Growth Strategy and the Future Proof Strategy 2022.

Functional type	Location	Function description	Long-term future function
Regional and city centre	Hamilton central business district	The primary centre in the region for commercial, civic and social activity.	Regional and city centre
Primary sub-regional centre	Te Rapa north commercial centre+	A significant integrated retail centre in the region, with relatively limited provision of non-retail economic and social activity.	Metro centre (subject to the features in UFD-M67 being met, which will act as pre-conditions)
Secondary sub-regional centre	Chartwell	An integrated retail centre in the sub-region, with limited provision of non-retail economic and social activity.	Metro centre (subject to the features in UFD-M67 being met, which will act as pre-conditions)
Town centres	Cambridge Te Awamutu Ngāruawāhia	Retail, administration, office and civic centres providing most commercial and servicing needs, together with non-retail economic and social activity, to their urban and rural hinterland.	Metro centre (subject to the features in UFD-M67 being met, which will act as pre-conditions)

Town centres	Huntly Raglan Te Kauwhata Pōkeno* Tuakau*	Retail, administration, office and civic centres providing most commercial and servicing needs, together with non-retail economic and social activity, to their urban and rural hinterland.	Town centre *The future role of Pōkeno and Tuakau will be defined in consultation with Auckland Council and other stakeholders. Note: The future role and function of Hamilton's town centres and future town centres will be defined through <i>Hamilton Urban Growth Strategy</i> and district plan updates in future.
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+being the centre focused on and incorporating The Base shopping centre and generally comprising the block bordered by Te Rapa Road, Avalon Drive, Te Kowhai Road East and the Railway.

APP13 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Future Proof local authorities)

Criteria A

- A. That the development would add significantly to meeting a demonstrated need or shortfall for housing or business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring.
- B. That the development contributes to a well-functioning urban environment. Proposals are considered to contribute to a well-functioning urban environment if they:
 - i. have or enable a variety of homes that: meet the needs, in terms of type, price, and location, of different households; and/or enable Māori to express their cultural traditions and norms; and/or have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
 - ii. support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- C. That the development is consistent with the Future Proof Strategy guiding principles, and growth management directives (as set out in Sections B2, B3, B5, B6, B7, B8, B9, B10 and B11 of the strategy).
- D. That the development has good accessibility for all people between housing, jobs, educational facilities, community services, natural spaces, and open spaces, including by way of public or active transport.

- E. In cases where development is being brought forward, whether it can be demonstrated that there is commitment to and capacity available for delivering the development within the advanced timeframe.
- F. In cases where the development is proposing to replace a planned land use with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a shortfall in residential, commercial or industrial land, with robust data and evidence underpinning this analysis.
- G. That the development protects and provides for human health.
- H. That the development would contribute to the affordable housing stock within the sub-region, with robust data and evidence underpinning this analysis.
- I. That the development does not compromise the efficiency, affordability or benefits of existing and/or proposed infrastructure, including additional infrastructure, in the sub-region.
- J. That the development can be serviced without undermining committed infrastructure investments made by network utility operators, local authorities or central government (including NZ Transport Agency). Development must be shown to be adequately serviced without undermining committed infrastructure investments made by network utility operators, local authorities or central government to support other growth areas.
- K. That the development demonstrates efficient use of local authority and central government financial resources, including prudent local authority debt management. This includes demonstration of the extent to which cost neutrality for public finances can be achieved.
- L. The compatibility of any proposed land use with adjacent land uses including planned land uses.
- M. That the development would contribute to mode-shift that supports the medium and long-term transport vision for the sub-region being the creation of a rapid and frequent multi-modal transport network and active mode network.
- N. That the development would support reductions in greenhouse gas emissions and would be resilient to the likely current and future effects of climate change, with robust evidence underpinning this assessment.
- O. That the development provides for the values that make the area wāhi toitū and can avoid or mitigate any adverse effects arising in respect of those values as a result of the proposed development.
- P. During a review of the Future Proof strategy (including the development of a Future Development Strategy under the National Policy Statement on Urban Development 2020 and its subsequent 3-yearly review), or a comprehensive district plan review, consideration may be given to urban development on areas identified as wāhi toitū. A strong precautionary approach will be taken such that if the land is not needed to fill an identified shortfall of development capacity in the short-medium term, it should

not be considered for urban development. Preference will be given to urban development proposals which are not located on areas identified as wāhi toitū.

- Q. That a precautionary approach be taken when considering development on areas identified as wāhi toiora, such that if the land is not needed in the short-medium term it should not be considered for urban development.

Criteria B

- A. That the development demonstrates that it would not affect the feasibility, affordability and deliverability of planned growth within urban enablement areas and/or village enablement areas over the short, medium and long term. In the interest of clarity, proposals in areas currently identified for development beyond long term on Map 43 and which are proposed to be brought forward into an earlier timeframe must demonstrate that they do not affect the feasibility, affordability and deliverability of planned growth in the earlier time periods.
- B. That the development demonstrates that value capture can be implemented and that cost neutrality for public finance can be achieved.
- C. That the proposed development would not adversely affect the function and vitality of existing **rural settlements** and/or urban areas.
- D. That the development would address an identified housing type/tenure/price point need.

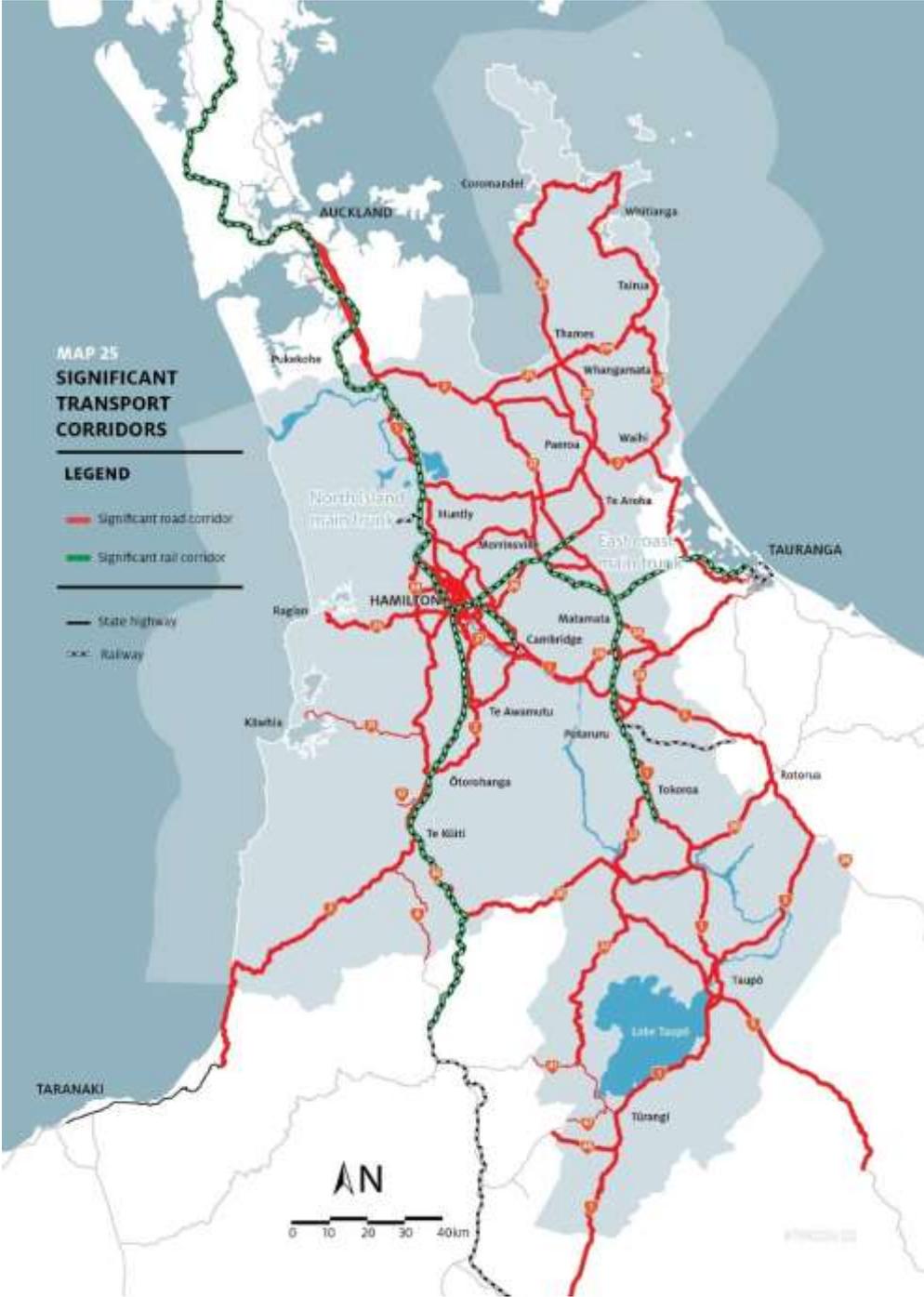
APP14 – Responsive Planning Criteria – Out-of-sequence and Unanticipated Developments (Non-Future Proof tier 3 local authorities)

- A. That the development makes a significant contribution to meeting a demonstrated need or shortfall for housing or business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring.
- B. That the development contributes to a well-functioning urban environment. Proposals are considered to contribute to a well-functioning urban environment if they:
- i. have or enable a variety of homes that: meet the needs, in terms of type, price, and location, of different households; and/or enable Māori to express their cultural traditions and norms; and/or have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
 - ii. support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- C. That the development has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.

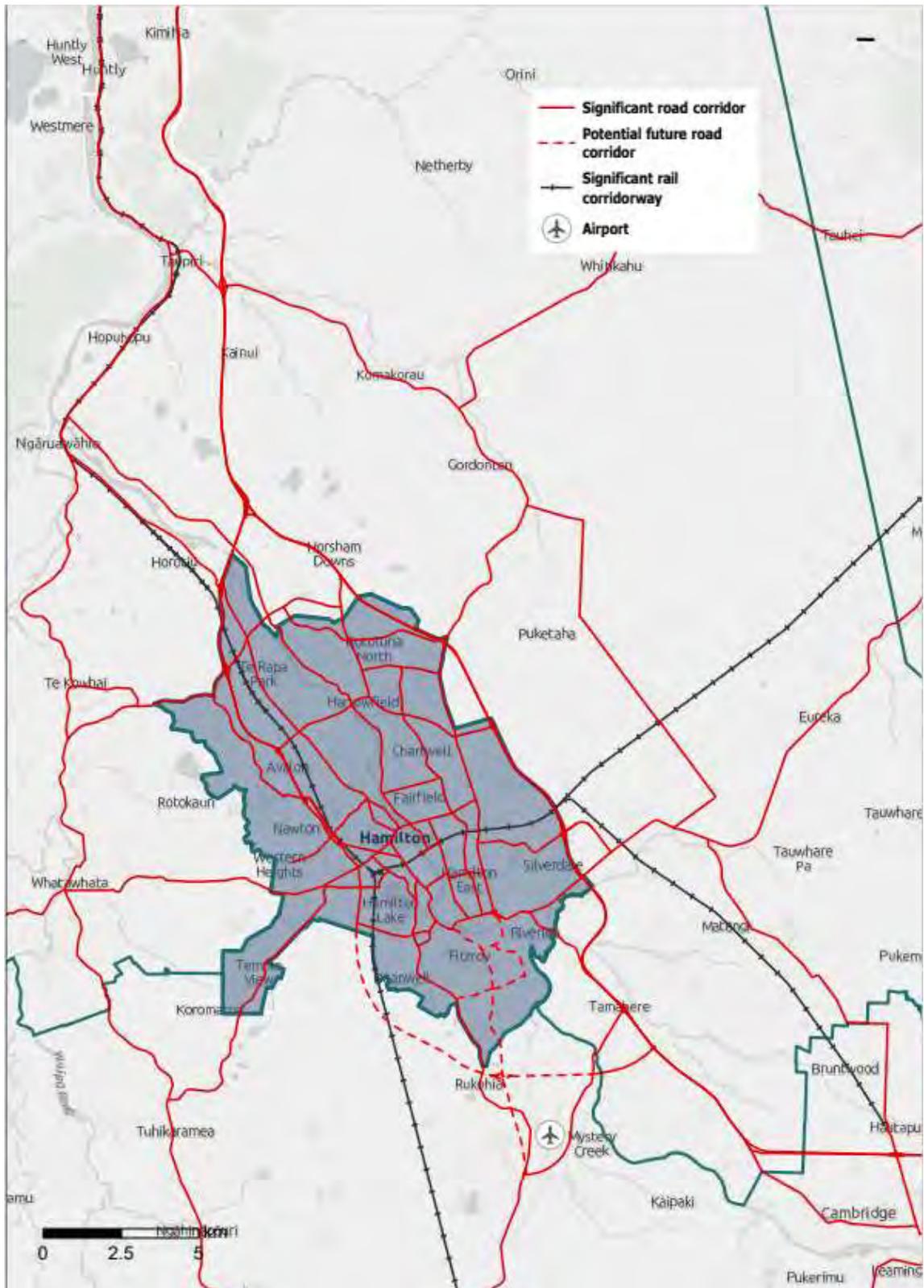
- D. Whether it can be demonstrated that there is commitment to and capacity available for delivering the development so that it is completed and available for occupancy within the short to medium term.
- E. In cases where the development is proposing to replace a planned land use as set out in a council-approved growth strategy or equivalent council strategies and plans with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a short-, medium- or long-term (as defined in the National Policy Statement on Urban Development 2020) shortfall in residential, commercial or industrial land, with robust data and evidence underpinning this analysis.
- F. That the development protects and provides for human health.
- G. That the development would contribute to the affordable housing stock within the district, addressing an identified housing type/tenure/price point need, with robust data and evidence underpinning this analysis.
- H. That the development does not compromise the efficiency, affordability or benefits of existing and/or proposed infrastructure, including additional infrastructure, in the district.
- I. That the development can be serviced without undermining committed infrastructure investments made by local authorities or central government (including NZ Transport Agency).
- J. That the development demonstrates efficient use of local authority and central government financial resources, including prudent local authority debt management. This includes demonstration of the extent to which cost neutrality for public finances can be achieved.
- K. The compatibility of any proposed land use with adjacent land uses including planned land uses.
- L. That the development would contribute to mode-shift towards public and active transport.
- M. That the development would support reductions in greenhouse gas emissions and would be resilient to the likely current and future effects of climate change, with robust evidence underpinning this assessment.
- N. That the development avoids areas identified in district plans, regional plans or the Regional Policy Statement as having constraints to development.
- O. That the proposed development would not adversely affect the function and vitality of existing rural settlements and/or urban areas.

5.2 Proposed changes to '5.2 Maps' section

5.2.8 Significant transport infrastructure maps

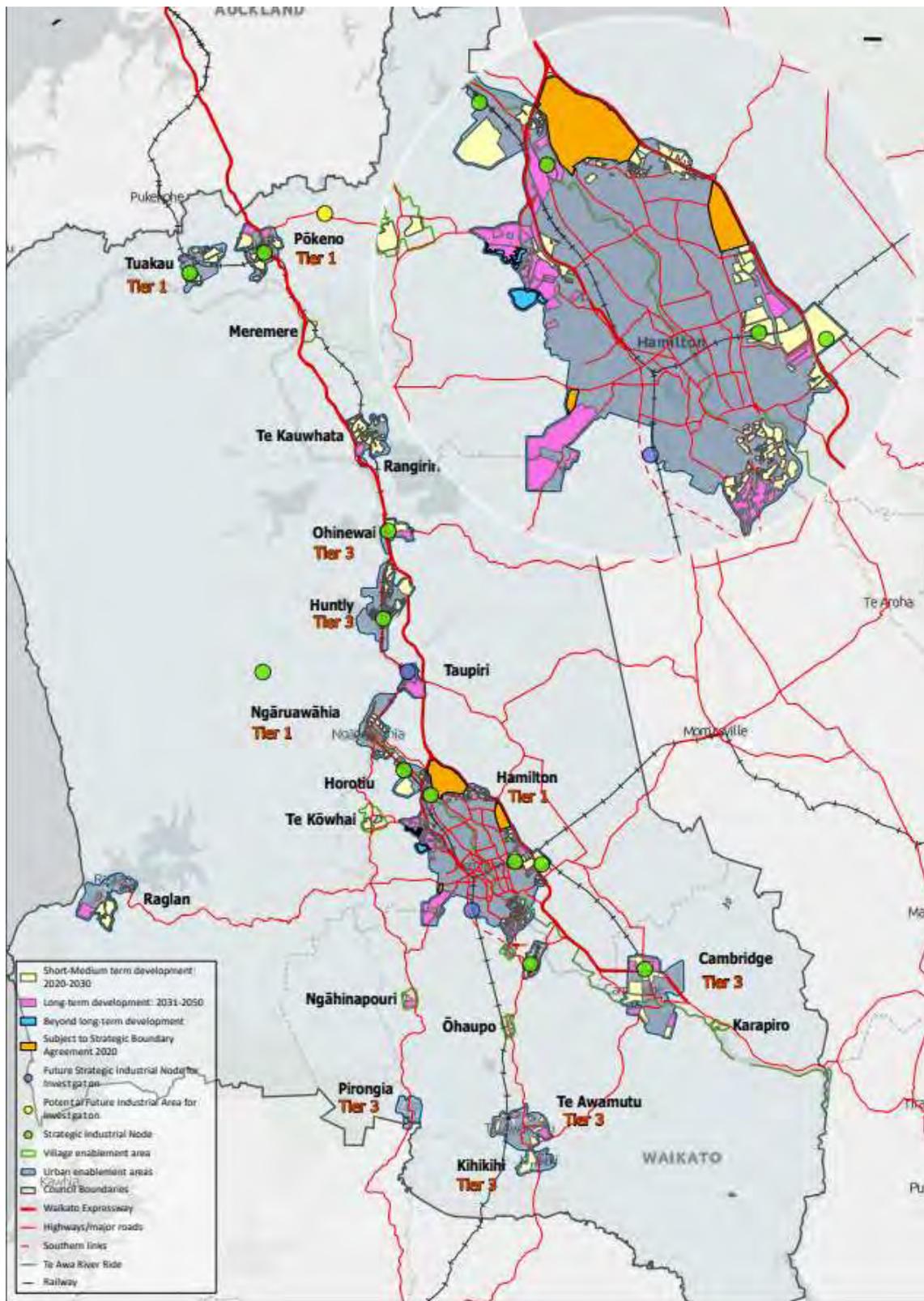


Map 25: Significant transport corridors

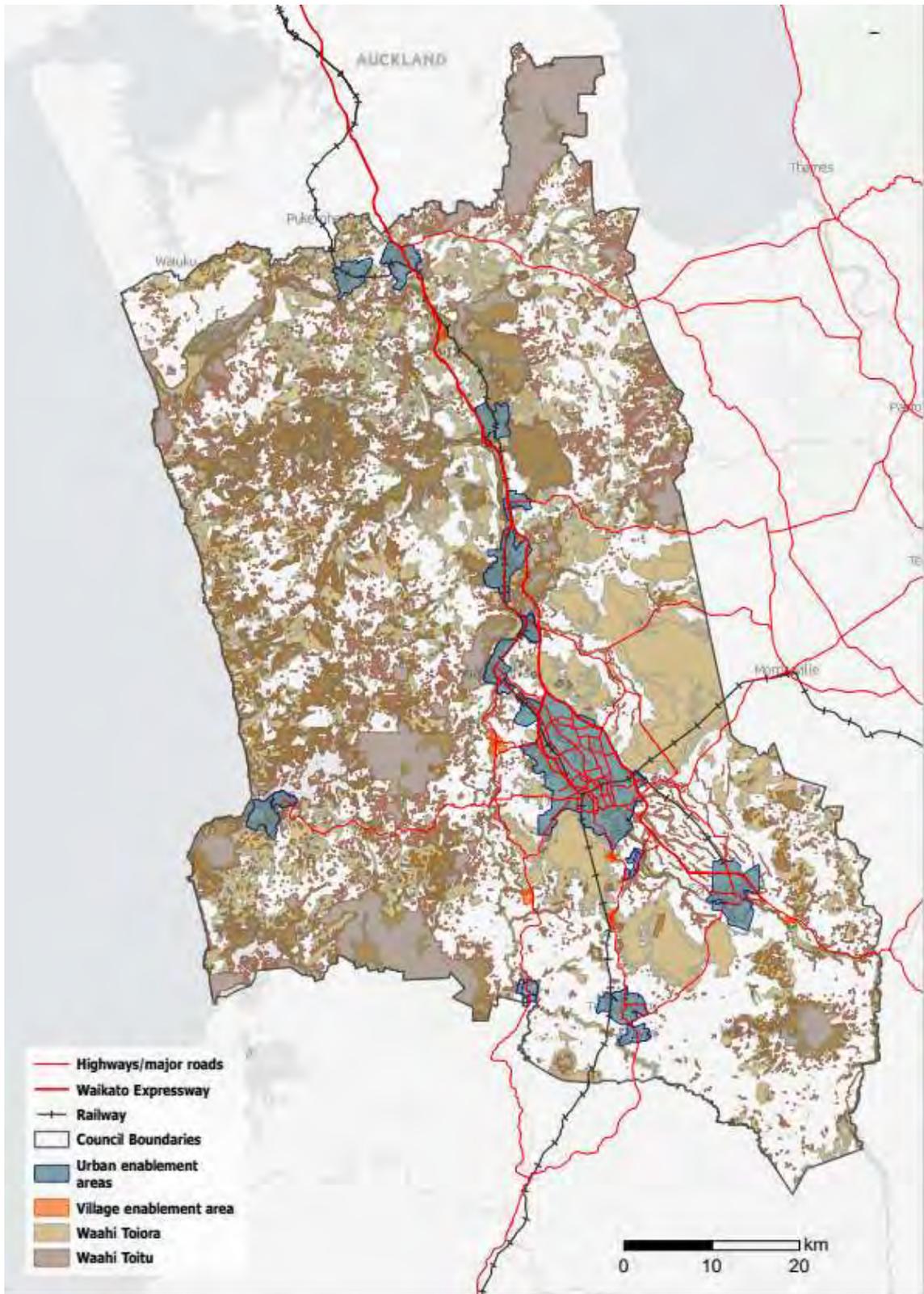


Map 26: Significant transport corridors (Greater Hamilton)

5.2.10 Future Proof maps (indicative only)



Map 43: Future Proof indicative urban and village enablement areas



Map 44: Future Proof wāhi toitū and wāhi toiora areas

6 Consequential amendments

6.1 Consequential amendments to 'CE – Coastal environment' section

Objectives

CE-O1 – Coastal environment

CE-O1 is achieved by the following policies:

...
...

Policies

CE-P1 – Planning for development in the coastal environment

The relevant objectives are:

...
IM-O5 – Climate change
...

6.2 Consequential amendments to 'CE – CMA – Coastal marine area' section

Policies

CE-CMA-P3 – Interests in the coastal marine area

The relevant objectives are:

...
IM-O5 – Climate change
...

6.3 Consequential amendments to 'ECO – Ecosystems and indigenous biodiversity' section

Objectives

ECO-O1 – Ecological integrity and indigenous biodiversity

ECO-O1 is achieved by the following policies:

...

6.4 Consequential amendments to ‘HAZ – Hazards and risks’ section

Objectives

HAZ-O1 – Natural hazards

HAZ-O1 is achieved by the following policies:

...
...

6.5 Consequential amendments to ‘HCV – Historical and cultural values’ section

Objectives

HCV-O1 – Historic and cultural heritage

HCV-O1 is achieved by the following policies:

...
...

6.6 Consequential amendments to ‘NATC – Natural character’ section

Objectives

NATC-O1 – Natural character

NATC-O1 is achieved by the following policies:

...
...

ATTACHMENT 4

Submitter contact details – Waikato Regional Policy Statement Proposed Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update

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