

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Joint Opening Hearing for Proposed Plan Change 12 to the Operative Hamilton City District Plan, Proposed Plan Change 26 to the Operative Waipā District Plan and Proposed Variation 3 to the Proposed Waikato District Plan (the Waikato Intensification Planning Instruments)

STATEMENT OF EVIDENCE OF KATRINA ROSE ANDREWS
For the Waikato Regional Council
DATED 31 JANUARY 2023

Introduction

1. My name is Katrina Rose Andrews. I am a Policy Advisor in the Strategic and Spatial Planning Team at the Waikato Regional Council (WRC). I have been in this role since August 2022.
2. I hold a Bachelor of Environmental Planning from the University of Waikato and am an Intermediate Member of the New Zealand Planning Institute. I have over four years' experience in resource management planning within the Waikato region.
3. As a member of the Strategic and Spatial Planning Team for WRC I am involved in implementing the Waikato Regional Policy Statement (WRPS) and working with the territorial authorities of the Waikato region and with neighbouring regional councils to assist in the development of consistent integrated regional policy.
4. I am also part of the project team for Proposed Change 1 to the Waikato Regional Policy Statement – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update (Proposed Change 1), which updates the WRPS to give effect to the National Policy Statement on Urban Development 2020.
5. Previous to my role at WRC, I was a resource consents planner at the Waikato District Council. This role involved processing a range of land use and subdivision consent applications under the Resource Management Act 1991 and providing planning guidance to customers on development proposals.
6. I confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2023. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my statement is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

7. My statement of evidence is given on behalf of WRC. WRC staff made a submission and a further submission to each of the three Intensification Planning Instruments (IPIs); separately referred to as Plan Change 12 for Hamilton City Council, Plan Change 26 for Waipā District Council and Variation 3 for Waikato District Council.
8. The submissions addressed alignment of the IPIs with the policy direction within the WRPS, with a focus on the relationships between urban intensification, transport and infrastructure planning, climate change and ecological outcomes.
9. My statement reinforces the WRC staff submissions and reflects my professional opinions as a resource management policy advisor.

10. The purpose of this evidence is to provide the context for WRC's staff submissions on the IPIs, including the relationship to regional policy direction, and to outline WRC's key areas of interest in relation to these instruments. This evidence will provide a high-level overview and will not refer to specific provisions within any of the IPIs. Further statements of evidence will be presented in relation to specific plan provisions and section 42A report recommendations at the substantive hearings for each of the three councils.

11. My evidence will begin by outlining the regional policy context, including key components of the WRPS and WRPS Proposed Change 1. It will then address topics of particular interest to WRC with reference to the Themes and Issues report for the Joint Opening Hearing prepared by the three territorial authorities. These include:
 - Overall approach to intensification
 - Qualifying matters
 - Te Ture Whaimana
 - Significant Natural Areas
 - Transport
 - Potentially out of scope matters
 - Rezoning requests
 - Climate change policy.

Summary of Evidence

12. WRC's primary interest in the IPIs is in relation to the WRPS. Districts plans are required to 'give effect to' the WRPS under section 75(3)(c) of the Resource Management Act 1991 (RMA).

13. WRC has also recently prepared a change to the WRPS to give effect to the National Policy Statement on Urban Development 2020 (NPS-UD) and reflect the updated Future Proof Strategy, which provides direction for growth across the sub-region of Hamilton city and Waikato and Waipā districts.

14. In this instance, the key topics of interest to WRC in the IPIs include:
 - Alignment with regional policy direction for urban growth.
 - Matters required to give effect to Te Ture Whaimana and effects on freshwater bodies.
 - Significant Natural Areas (SNAs) and the protection of indigenous biodiversity.
 - Integration between land use, infrastructure, and transport planning, including impacts for climate change outcomes.

15. In summary, the WRC staff submissions lodged to the IPIs were supportive of the changes; each identified specific provisions which align with the regional policy direction of the WRPS and others which could be amended or strengthened to better give effect to the WRPS.

16. This evidence will be supported by further statements of evidence which address specific provisions of the proposed IPIs, to be presented at the substantive hearings.

The Waikato Regional Council

17. WRC has the typical ambit of powers, functions, and duties of a regional council under the RMA. Of particular relevance are the following functions under section 30:

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:

(b) the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:

(ba) the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in relation to housing and business land to meet the expected demands of the region:

...

(ga) the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity:

(gb) the strategic integration of infrastructure with land use through objectives, policies, and methods:

...

18. WRC's jurisdiction covers the entire areas of Hamilton city and Waikato and Waipā districts.

Waikato Regional Policy Statement

19. In accordance with section 60 of the RMA, WRC has prepared the WRPS. The current WRPS is a second-generation regional policy statement, which became operative in 2016.

20. The purpose of a regional policy statement is to achieve the purpose of the RMA by "providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region" (RMA, s59). A regional policy statement must also enable a regional council to achieve its functions as set out in section 30 of the RMA.

21. As regional policy statements must not contain rules,¹ regional and district plans are the key implementing documents of the WRPS. Districts plans are required to 'give effect to' a regional policy statement under RMA section 75(3)(c).

22. Rather than providing a detailed synopsis of the WRPS in its entirety, the remainder of this evidence will provide reference to key sections as they relate to the IPIs.

Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River

23. The Waikato Raupatu Claims (Waikato River) Settlement Act 2010 gave effect to the 2009 Deed of Settlement in respect of the claims of Waikato-Tainui over the Waikato River. This Act gives force to Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato

¹ Resource Management Act 1991 section 62(1)(e)

River (TTW), which has unique legislative status as the primary direction setting document for the Waikato River and its catchment.

24. The scope of TTW was extended by the Nga Wai o Maniapoto (Waipā River) Act 2012 to also apply to the entire Waipā River, which is a principal tributary of the Waikato River.
25. The statement of evidence of Julian Williams of Te Huia Natural Resources Limited for Hamilton City Council² provided a detailed overview of TTW, including the full list of objectives for the restoration and protection of the Waikato River and its catchment.
26. TTW has a unique legislative position in that it is deemed in its entirety to be part of any WRPS.³ The WRPS cannot be inconsistent with TTW, and in the event of any inconsistency, TTW prevails over that part of the WRPS. Furthermore, Parliament has directed that TTW prevails over any inconsistent RMA planning instrument, including any National Policy Statement.
27. TTW is embedded within Section 1.9 of the WRPS. This is supported by other objectives, policies, and methods throughout the WRPS which seek to manage effects of activities on freshwater bodies.
28. Policy LF-P5 recognises TTW as the primary direction setting document for the Waikato River and its catchment, and the need to develop an integrated, holistic, and coordinated approach to implementation.
29. Implementation method LF-M26 relates to implementation of TTW within regional and districts plans, and directs that these documents shall:
 1. *recognise the Vision and Strategy for the Waikato River as the primary direction-setting document for the Waikato River and its catchment; and*
 2. *ensure activities within the Waikato River catchment (refer to Map 23) are controlled with respect to any adverse effects on the health and wellbeing of the Waikato River, including activities which:*
 - a. *result in the destabilisation of the beds and banks of waterbodies;*
 - b. *result in discharges of contaminants to water bodies;*
 - c. *result in adverse effects on significant sites, fisheries, flora and fauna;*
 - d. *result in a loss of public access; and*
 - e. *adversely affect the cultural association of Waikato-Tainui, Ngāti Tūwharetoa, Te Arawa River Iwi, Maniapoto and Raukawa with the Waikato River.*
30. Taking the relevant provisions of the WRPS in conjunction with TTW itself, the Waikato IPIs are required to implement TTW by ensuring that provisions relating to land use control adverse effects on the health and wellbeing of the river and its catchment such that the health and wellbeing of the river is restored and protected.

² [Statement-of-evidence-of-Julian-Williams-Final.pdf \(storage.googleapis.com\)](#)

³ Waikato Raupatu Claims (Waikato River) Settlement Act 2010 section 11

Topic: Urban Form and Development

31. The WRPS promotes that development, including transport and other infrastructure, and associated land use, occurs in a planned and coordinated manner. The objectives, policies, and implementation methods within the Urban Form and Development (UFD) chapter set out how this issue should be managed throughout the region.
32. Two important themes that run through the urban form and development provisions of the WRPS are:
 - The need to assess developments against an agreed set of development principles; and
 - The need to more proactively and strategically plan for development to reduce the ad hoc nature that has been a characteristic of previous development.
33. The WRPS sets out a largely regulatory approach to planning for urban growth, by directing district plans to manage development in accordance with WRPS policies and methods.
34. For the Future Proof sub-region of Hamilton city and Waikato and Waipā districts, the WRPS provides a particularly clear and detailed framework for achieving the integration of land use and infrastructure planning. Objectives and policies anchor the settlement pattern for the sub-region developed through the Future Proof Strategy into the WRPS and, together with implementation methods, address the various significant growth management issues that the Strategy has identified.

Future Proof Growth Strategy Update

35. The Future Proof Strategy is a 30-year growth management and implementation plan which sets out how growth is to be managed in a coordinated manner across the sub-region. The Statement of Evidence of Dr Mark Davey of Hamilton City Council⁴ provided a detailed description of the purpose and background of the Strategy.
36. The Future Proof Strategy has been updated in two phases since the WRPS became operative in 2016. The first was completed in 2017 and incorporated elements of the National Policy Statement on Urban Development Capacity 2016; the second was completed and adopted by the Future Proof local authorities in July 2022.
37. Key elements of the phase 2 update included:
 - Translating the Hamilton to Auckland Corridor Plan and the Hamilton-Waikato Metropolitan Spatial Plan into the wider Future Proof Strategy.
 - Updating the Strategy to reflect:
 - The results of Housing and Business Development Capacity Assessments undertaken for the sub-region.
 - The requirements of the NPS-UD, including requirements to be responsive to out-of-sequence or unanticipated development.

⁴ [Statement-of-evidence-of-Mark-Davey-Final.pdf \(storage.googleapis.com\)](#)

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

38. Along with Hamilton City and Waikato and Waipā District Councils, WRC is identified as a tier 1 local authority under the NPS-UD. Therefore, as with district plans, the WRPS needs to be updated to give effect to the requirements of the NPS-UD, including the changes made through the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
39. Accordingly, WRC has recently prepared Proposed Change 1 to the WRPS - National Policy Statement on Urban Development 2020 and Future Proof Strategy Update (Proposed Change 1).
40. As well as incorporating the requirements of the NPS-UD, Proposed Change 1 also amends the WRPS to reflect the updated Future Proof Strategy, within the scope of the WRPS as defined under the RMA.
41. As a result, Proposed Change 1 involves three main components, with the first two being relevant to the Future Proof territorial authorities:
- Revising the WRPS, particularly the Urban Form and Development chapter, to ensure the WRPS gives effect to the NPS-UD.
 - Updating the provisions in the WRPS that relate to the Future Proof sub-region to reflect the updated Future Proof Strategy.
 - Replacing specific provisions relating to growth strategies prepared by territorial authorities outside of the Future Proof sub-region with generic provisions to guide preparation of, and give weight to, growth strategies or equivalent.
42. In summary, Proposed Change 1 involves the following key amendments of relevance to the tier 1 territorial authorities of Hamilton City and Waikato and Waipā District Councils:
- Inserting a new paragraph to recognise matters required to give effect to Te Ture Whaimana as a qualifying matter in relation to applying the Medium Density Residential Standards (MDRS) and Policy 3 of the NPS-UD.
 - Amending issues and objectives relating to climate change to include specific direction for urban environments, in line with the NPS-UD.
 - Amending provisions to recognise that amenity may change over time in urban environments in response to the changing needs of people, communities, and future generations (in accordance with NPS-UD Policy 6(b)).
 - Amending the Objective UFD-O1 for the built environment to align with the specific direction in the NPS-UD to strategically plan for growth to create responsive and well-functioning urban environments.
 - Updating policies, methods, and maps to reflect the updated Future Proof settlement pattern.
 - Introducing a new approach to alternative urban land release patterns, either out-of-sequence or unanticipated, including new responsive planning criteria. This reflects the

updated Future Proof Strategy as well as NPS-UD requirements in relation to out-of-sequence/unanticipated developments.

- Updating provisions relating to density targets to reflect the updated Future Proof Strategy, including the approach within the Hamilton-Waikato Metropolitan Spatial Plan and to align with Policy 3 of the NPS-UD.
 - Adding infill targets for Waikato and Waipā districts to reflect the updated Future Proof Strategy.
 - Updating provisions relating to monitoring and review in the Future Proof area, including updating the requirement for local authorities to keep records of demand, supply and affordability of dwellings and available data on business land, to fulfil the requirements of the NPS-UD.
 - Introducing new methods relating to housing affordability, public transport, the Future Proof blue-green network and metropolitan centres.
 - Subsequent amendments to general provisions relating to the built environment and cross-referencing between other sections of the WRPS.
43. Proposed Change 1 was publicly notified on 18 October 2022, with submissions closing on 16 December 2022. The summary of decisions requested and right to lodge further submissions was publicly notified on 31 January 2023.
44. Section 74(2)(a) of the RMA requires that when changing a district plan, a territorial authority shall have regard to any proposed regional policy statement. Therefore, the provisions of Proposed Change 1 are relevant for the Panel to consider when making decisions on the IPIs.
45. WRC is also in the early stages of preparing a second change to the WRPS to give effect to the National Policy Statement for Highly Productive Land 2022 (NPS-HPL), which came into force in October 2022.

Overall Approach to Intensification within the IPIs

46. The following paragraphs address some of the topics of key interest to WRC identified in the Themes and Issues report prepared by the three territorial authorities, dated 15 December 2022.⁵ However, I will first comment on the general approach to intensification of the three IPIs.
47. WRC, through the WRPS, supports a growth model that:
- Supports and connects to existing and planned urban areas.
 - Provides for urban intensification and redevelopment to minimise the need for greenfield development.
 - Integrates land use and infrastructure planning and ensures the safe, efficient and effective operation of existing and future infrastructure.
 - Promotes compact urban form and maximises opportunities for people to live, work and play in their local area.

⁵ [Waikato-IPIs-Opening-Hearing-Themes-and-Issues-Report.pdf \(storage.googleapis.com\)](#)

48. A general development principle within the WRPS is to promote compact urban form, design, and location to support climate change and transport outcomes.
49. The WRC staff submissions were supportive of the IPIs and recognised that the changes are directed by central government requirements. Each of submissions identified specific provisions which align with the regional policy direction of the WRPS and others which could be amended or strengthened to better give effect to the WRPS.
50. The finer-grain application of the MDRS and NPS-UD Policy 3 within the urban environments of the three territorial authorities generally represents a greater level of detail than is addressed within the WRPS. Thus, the WRC staff submissions predominantly relate to the strategic integration of urban development and land use, transport, climate change and stormwater objectives.
51. The WRPS has an important function in providing guidance on how competing considerations and demands on resources are to be managed across the region. The WRC staff submissions reflect this and advocate for district plan provisions which enable intensification (and therefore support the efficient use of existing urban land) while also promoting coordination with transport and infrastructure planning and ensuring appropriate management of adverse effects on the natural environment.
52. I note the NPS-HPL is now an additional consideration when planning for the future growth of urban areas, as this directs that urban development avoids highly productive land, except in circumstances where strict exemptions are met.⁶ This is particularly relevant for the Future Proof area as it contains a significant amount of highly productive land as defined in the NPS-HPL.

Qualifying Matters

Te Ture Whaimana and Betterment of the Waikato Awa

53. The Themes and Issues report identified the application of qualifying matters as a common theme across submissions on the three IPIs, with the approach to TTW in particular being a key issue. Proposed methods of applying this qualifying matter, such as infrastructure capacity overlays, were also identified as specific themes for each of the three territorial authorities.
54. I defer to Waikato-Tainui and other river iwi as being best placed to determine the extent to which the proposed IPIs give effect to TTW. I will however comment on this from the perspective of the WRPS and regional council functions under section 30 of the RMA. As these functions include the control of the use of land for the purpose of maintaining and enhancing water quality,⁷ effects of urban intensification on water bodies is a key point of WRC interest in the IPIs.

⁶ [National Policy Statement For Highly Productive Land 2022 \(environment.govt.nz\)](https://www.environment.govt.nz/national-policy-statement-for-highly-productive-land-2022)

⁷ Resource Management Act 1991 section 30(1)(c)(ii)

55. As mentioned in Paragraph 42 of this statement of evidence, Proposed Change 1 to the WRPS recognises the status of matters required to give effect to TTW as a qualifying matter under section 77I of the RMA. Proposed Change 1 also introduces additional cross-referencing of provisions to establish a clearer link between the water policies relating to the Waikato River catchment and TTW, and the built environment provisions within the Urban Form and Development chapter. This emphasises the interconnectedness of decisions relating to urban development and effects on water bodies and their catchments.
56. Method LF-M20 of the WRPS directs that territorial authorities should manage the effects of subdivision, use and development on freshwater bodies, including through district plans. This includes considering:
1. *the availability of water, including by encouraging water conservation measures;*
 - ...
 3. *development and design that minimises the potential for contaminants to enter fresh water bodies and coastal water;*
 4. *managing flows into stormwater networks including through the adoption of low impact design;*
 - ...
 6. *the promotion of best practice stormwater management for urban areas, including the need for stormwater catchment plans for greenfield urban development; and*
 7. *managing contaminant loadings (including sediment) entering stormwater networks.*
57. WRC staff submitted on aspects of the three IPIs relating to matters required to give effect to TTW. The common points raised in the submissions included:
- Support for provisions which reflect the requirement for urban development and intensification to achieve betterment in accordance with TTW.
 - Support or seek recognition within the IPIs of the potential adverse effects that can result from intensification and the associated increase in impermeable surfaces, including erosion and bank instability, increased flood risk, and effects on aquatic ecosystems and stream health.
 - Support the use of infrastructure capacity overlays and other measures where necessary to ensure that development can be adequately serviced to avoid adverse effects on the Waikato and Waipā Rivers.
 - Support or seek provisions which encourage the use of low-impact technologies or green infrastructure to help mitigate adverse stormwater effects associated with intensification.
 - Support inclusion of minimum permeable surface standards to reduce adverse effects of additional stormwater run off associated with intensification and oppose any reduction in the minimum standards notified within the IPIs.
58. I also note WRC's role as a consenting authority in relation to three waters infrastructure across the three territorial authority areas. In addition to giving effect to TTW, other national direction on freshwater and the WRPS, it is important that territorial authorities plan for growth in a way that achieves compliance with regional resource consents for water takes and discharges.

Significant Natural Areas

59. The Themes and Issues report identified the approach to Significant Natural Areas (SNAs) as another key issue raised by submitters under the 'Qualifying matters' common theme.
60. In accordance with section 30(1)(ga) of the RMA, the WRPS sets out objectives, policies and implementation methods relating to the protection, maintenance, and enhancement of indigenous biodiversity within the Waikato region.
61. Policy ECO-P2 of the WRPS promotes the protection of significant indigenous vegetation and significant habitats of indigenous fauna. This is achieved through implementation of, among other methods, Method ECO-M13, which directs that regional and district plans shall, as first priorities:
1. *protect areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
 2. *require that activities avoid the loss or degradation of areas of significant indigenous vegetation and significant habitats of indigenous fauna in preference to remediation or mitigation;*
 3. *require that any unavoidable adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are remedied or mitigated;*
- ...
62. This is a strong directive to protect SNAs and ensure that activities avoid their loss or degradation in the first instance.
63. WRC has been actively involved in the Waikato District Plan review as it relates to identification and protection of SNAs across the Waikato district, and is currently involved in appeals relating to this subject. WRC also submitted on proposed SNA provisions within the Hamilton City District Plan through Hamilton City Council's Proposed Plan Change 9 – Historic Heritage and Natural Environment, which is currently at pre-hearing stage.
64. Given WRC's support for SNA provisions through these concurrent processes in Hamilton city and Waikato district, WRC staff did not include matters relating to protection of SNAs within the submissions to the IPIs of these councils. The WRC staff further submission to Plan Change 26 did however support the provisions proposed by the Waipā District Council to provide for protection and enhancement of SNAs during development, in accordance with section 6(c) of the RMA.

Transport

65. The Themes and Issues report identified transport/car parking as a common theme across submissions on the three IPIs.
66. Integration between land use and transport planning is a key area of interest for WRC under the WRPS, as well as under the Waikato Regional Land Transport Plan and the Waikato Regional Public Transport Plan, for which WRC is also responsible. Intensification is likely to

have an impact on the transport networks of the urban environments subject to the IPIs, and the design of urban environments in turn impacts significantly upon travel behaviour, as well as the operation of public transport.

67. Objective 6 of the NPS-UD promotes integration of local authority decisions on urban development with infrastructure planning and funding decisions. Policy 1 meanwhile defines well-functioning urban environments as those that, among other features:

...

(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

...

(e) support reductions in greenhouse gas emissions.

68. At the regional level, WRPS Objective UFD-O1 promotes that:

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:

...

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.

69. UFD-O1 is supported by Policy UFD-P1 which directs that, among other factors:

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;

...

Within APP11, General development principle i. for new development is to:

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.

70. I consider these provisions of the WRPS to be highly relevant to the IPIs given the direction to intensify development within the urban environments of the three territorial authorities.

71. The Future Proof Strategy also contains directives for transport planning, including ensuring that neighbourhoods are planned and designed to make public transport use, walking, and cycling easy and attractive.⁸
72. The WRC staff submissions identified specific provisions within the IPIs that are supported and recommended other provisions or chapters that could be amended to better give effect to national, regional, or sub-regional policy direction for transport. In summary, the submissions supported, or sought further, provisions that:
- Achieve integration between land use and transport planning.
 - Encourage walking, cycling and public transport use and support multi-modal transport connections as urban areas intensify.
 - Reduce reliance on private motor vehicles for most daily needs, and therefore contribute to transport emissions reduction. This included seeking increased provision for mixed-use areas.
 - Promote safety outcomes and reduce conflicts between transport modes.
 - Mitigate adverse effects of increased intensification on the safe and efficient operation of the transport network.

Potentially Out of Scope Matters

Rezoning Requests

73. I note that a number of requests by submitters for additional rezoning were identified in the Themes and Issues report as potentially out of scope of the IPIs, and that the Panel will release decisions on this in due course.
74. WRC staff opposed several of these rezoning requests within the further submissions lodged to the IPIs; namely those submissions which seek rezoning of rural land not identified for future urban development in the Future Proof Strategy; which was prepared through a consultative process and has been endorsed by the Future Proof partners.
75. If additional rezoning was to be considered, the WRC staff submissions note there would need to be an assessment undertaken against the out-of-sequence and unanticipated development criteria in Proposed Change 1 to the WRPS and, for rurally zoned land meeting the definition of 'highly productive land', an assessment against the NPS-HPL.
76. If the Panel determines rezoning requests to be within scope of the IPIs, WRC will present further evidence in relation to specific requests at the substantive hearings.

Climate Change Policy

77. Paragraph 4.36 of the Themes and Issues report identified WRC staff submission points relating to climate change as potentially out of scope of the IPIs.

⁸ [External Sharing - FPS-full-document.pdf - All Documents \(sharepoint.com\)](#)

78. Subsequent paragraphs set out the mechanisms available through the intensification streamlined planning process to include provisions/amendments relating to climate change objectives. As climate change is not a listed qualifying matter in RMA section 77I, the tests for 'other matters' under section 77L are identified as being relevant.
79. In my view, rather than being less enabling of development, several of the amendments sought within the WRC staff submissions directly support the policy direction for increased density in the MDRS and NPS-UD. Certain changes sought to objectives, policies, or associated explanations for example, relate to recognising the emissions reduction benefits of compact urban form. These would provide additional support for developments which achieve higher densities within existing urban areas.
80. The WRC staff submissions do not seek amendments to directly reduce any of the MDRS or proposed height or density rules within the IPIs. Most changes sought relate to wording of objectives and policies to strengthen the integration between land use and infrastructure planning in a way that promotes emissions reduction and community resilience, within the context of housing intensification. Supporting reductions in greenhouse gas emissions and resilience to the likely current and future effects of climate change are essential aspects of well-functioning urban environments as defined in the NPS-UD (Policy 1).
81. In regard to RMA section 77L, I consider there is strong support within higher order planning documents for the inclusion of provisions to give effect to national and regional climate change priorities within the IPIs, when also considering the national significance of urban development and the objectives of the NPS-UD.
82. Section 7(i) of the RMA requires that, in achieving the purpose of the Act all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to the effects of climate change.
83. Objective 1 of the NPS-UD seeks that "New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future".
84. Given the significant potential for adverse effects of climate change on the wellbeing, health and safety of people and communities in the future, I consider this objective to be relevant when planning for urban environments that are resilient to the impacts of climate change.
85. As mentioned in paragraph 80 above, emissions reduction and climate adaptation goals are also explicitly referenced in other objectives and policies of the NPS-UD. Relevant sections of provisions are listed below.

Objective 8: New Zealand's urban environments:

(a) support reductions in greenhouse gas emissions; and

(b) are resilient to the current and future effects of climate change.

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

...

(e) support reductions in greenhouse gas emissions; and

(f) are resilient to the likely current and future effects of climate change.

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

...

(e) the likely current and future effects of climate change.

86. The National Adaptation Plan and Emissions Reduction Plan are also relevant considerations for district plan changes under section 74(2) of the RMA which requires, among other actions:

When preparing or changing a district plan, a territorial authority shall have regard to –

...

(b) any -

(i) management plans and strategies prepared under other Acts; and

...

(d) Any emissions reduction plan made in accordance with section 5ZI of the Climate Change Response Act 2022; and

(e) Any national adaptation plan made in accordance with section 5ZS of the Climate Change Response Act 2022.

87. At the regional level, WRPS Objective IM-O5 directs that:

Land use is managed to avoid the potential adverse effects of climate change induced weather variability and sea level rise on:

1. amenity;

2. the built environment, including infrastructure;

...

5. public health and safety.

88. This objective is proposed to be amended through WRPS Proposed Change 1⁹ to additionally require that land use is managed to “support reductions in greenhouse gas emissions within urban environments and ensure urban environments are resilient to the current and future effects of climate change”, to give effect to the NPS-UD.

89. Considering the above, it is my view that this national and regional direction on emissions reduction and climate change adaptation is an important consideration in the development of district plan provisions which promote the creation of well-functioning urban environments.

⁹ [WRPS-CHANGE-1-strikethrough.pdf \(waikatoregion.govt.nz\)](#)

90. Further evidence on this matter will be presented in relation to specific provisions of the IPIs at the substantive hearings.

Conclusion

91. The WRC staff submissions were supportive of the IPIs and recognised that the changes are directed by central government requirements. Many of the provisions within the proposed IPIs align with direction in the WRPS relating to integrated and coordinated planning. Through the hearing process for each IPI, WRC will focus on those provisions that could be amended or strengthened to better give effect to the WRPS and other national, regional, or sub-regional policy direction.



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Waikato Regional Council

31 January 2023