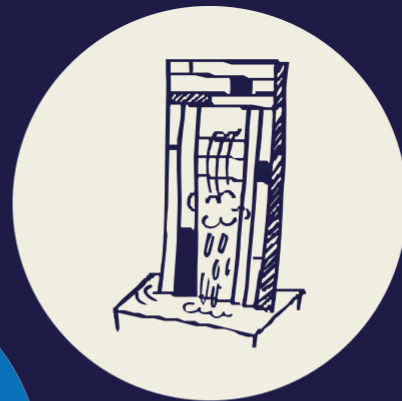


HAMILTON CITY COUNCIL SUBMISSION

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.

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