

**Notice of Meeting:**

I hereby give notice that an ordinary Meeting of the Council will be held on:

**Date:** Thursday 31 July 2025  
**Time:** 9:30 am  
**Meeting Room:** Council Chamber  
**Venue:** Municipal Building, Garden Place,  
Hamilton

Lance Vervoort  
Chief Executive

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## **Council *Kaunihera* OPEN AGENDA**

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**Membership**

**Chairperson** Mayor Paula Southgate  
*Heamana*

**Deputy Chairperson** Deputy Mayor Angela O’Leary  
*Heamana Tuarua*

<b>Members</b>	Cr Maxine van Oosten	Cr Geoff Taylor
	Cr Moko Tauariki	Cr Sarah Thomson
	Cr Ewan Wilson	Cr Emma Pike
	Cr Tim Macindoe	Cr Maria Huata
	Cr Louise Hutt	Cr Anna Casey-Cox
	Cr Andrew Bydder	Cr Kesh Naidoo-Rauf
	Vacancy	

**Quorum:** A majority of members (including vacancies)

**Meeting Frequency:** Monthly – or as required

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Amy Viggers  
*Mana Whakahaere*  
Governance Lead

**22 July 2025**

Telephone: 07 838 6699  
Governance@hcc.govt.nz  
www.hamilton.govt.nz

## Purpose

The Council is responsible for:

1. Providing leadership to, and advocacy on behalf of, the people of Hamilton.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

## Terms of Reference

1. To exercise those powers and responsibilities which cannot legally be delegated by Council<sup>1</sup>:
  - a) The power to make a rate.
  - b) The power to make a bylaw.
  - c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
  - d) The power to adopt a Long Term Plan or Annual Plan, or Annual Report.
  - e) The power to appoint a Chief Executive.
  - f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Council's Governance Statement.
  - g) The power to adopt a remuneration and employment policy.
  - h) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
  - i) The power to approve or amend the Council's Standing Orders.
  - j) The power to approve or amend the Code of Conduct for Elected Members.
  - k) The power to appoint and discharge members of committees.
  - l) The power to establish a joint committee with another local authority or other public body.
  - m) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council does not accept the recommendation.
  - n) The power to amend or replace the delegations in Council's *Delegations to Positions Policy*.
2. To exercise the following powers and responsibilities of Council, which the Council chooses to retain:
  - a) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
  - b) Approval of any changes to Council's vision, and oversight of that vision by providing direction on strategic priorities and receiving regular reports on its overall achievement.
  - c) Approval of any changes to city boundaries under the Resource Management Act 1991.
  - d) Adoption of governance level strategies plans and policies which advance Council's vision and strategic goals.

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<sup>1</sup> [Clause 32, Schedule 7, Local Government Act 2002](#)

- e) Approval of the Triennial Agreement.
- f) Approval of the local governance statement required under the Local Government Act 2002.
- g) Approval of a proposal to the Remuneration Authority for the remuneration of Elected Members.
- h) Approval of any changes to the nature and delegations of the Committees.
- i) Approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO, CCTO or CO.
- j) Approval of city boundary changes, including in respect of Strategic Boundary Land Use Agreements.
- k) Approval of Activity Management Plans.
- l) Sister City relationships.

**Oversight of Strategies, Plans and Reports:**

- Long Term Plan
- Annual Plan
- Annual Report
- Shaping Hamilton Kirikiriroa Together
- Our Climate Future
- He Pou Manawa Ora

**Oversight of Policies and Bylaws:**

- *Corporate Hospitality and Entertainment Policy*
- *Delegations to officers specific to the Resource Management Act 1991*
- *Delegations to Positions Policy*
- *Elected Members Support Policy*
- *Significance and Engagement Policy*
- *Climate Change Policy*
- *Any Community Engagement Policies*

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**1 Apologies – *Tono aroha***

**2 Confirmation of Agenda – *Whakatau raarangi take***

The Council to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipanga***

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

**4 Public Forum – *Aatea koorero***

As per Hamilton City Council's Standing Orders, a period of up to 30 minutes has been set aside for a public forum. Each speaker during the public forum section of this meeting may speak for five minutes or longer at the discretion of the Mayor.

Please note that the public forum is to be confined to those items falling within the terms of the reference of this meeting.

Speakers will be put on a Public Forum speaking list on a first come first served basis in the Council Chamber prior to the start of the Meeting. A member of the Governance Team will be available to co-ordinate this. As many speakers as possible will be heard within the allocated time.

If you have any questions regarding Public Forum please contact Governance by telephoning 07 838 6699.

# Council Report

Item 5

**Committee:** Council

**Date:** 31 July 2025

**Author:** Amy Viggers

**Authoriser:** Michelle Hawthorne

**Position:** Governance Lead

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Council Open Minutes 26 June 2025

<b>Report Status</b>	<i>Open</i>
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## Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Council confirms the Open Minutes of the Council Meeting held on 26 June 2025 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Council Open Unconfirmed Minutes - 26 June 2025

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## Council *Kaunihera* OPEN MINUTES

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Minutes of a meeting of the Council held in Council Chamber, Municipal Building, Garden Place, Hamilton on Thursday 26 June 2025 at 9:32 am.

### PRESENT

<b>Chairperson</b> <i>Heamana</i>	Mayor Paula Southgate
<b>Deputy Chairperson</b> <i>Heamana Tuarua</i>	Deputy Mayor Angela O’Leary (Via Audio-Visual)
<b>Members</b>	Cr Maxine van Oosten Cr Ewan Wilson Cr Tim Macindoe (Via Audio-Visual) Cr Louise Hutt (Via Audio-Visual) Cr Andrew Bydder Cr Geoff Taylor Cr Sarah Thomson Cr Emma Pike Cr Maria Huata (Via Audio-Visual) Cr Anna Casey-Cox Cr Kesh Naidoo-Rauf
<b>In Attendance</b>	Fraser Campbell, independent reviewer Lachlan Muldowney, legal counsel Peter Winder, consultant

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*The meeting was opened with a karakia from the Council Kaumatua Tame Pokaia.*

### 1. Apologies – *Tono aroha*

**Resolved:** (Cr Casey-Cox/Cr van Oosten)

That the Council accepts the apologies for full absence from Cr Tauariki and early departure from Cr Macindoe.

### 2. Confirmation of Agenda – *Whakatau raarangi take*

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)

That the Council confirms the agenda noting that:

- a) Attachment 7 to Item 15 (Adoption of the 2025/26 Annual Plan) be accepted as a late addition. It was circulated to Elected Members under separate cover;
- b) Attachment 1 to Item 16 (Rates resolution to set and assess rates for 2025/26) to be tabled at the meeting;

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- c) Attachment 7 to Item 18 (Wastewater Capacity - State of the Nation Part 2) be accepted as a late addition. It was circulated to Elected Members under separate cover; and
  - d) the order of the agenda will be flexible to accommodate availability.
- 3. **Declarations of Interest – *Tauaakii whaipanga***  
No members of the Council declared a Conflict of Interest.
- 4. **Public Forum – *Aatea koorero***  
**Richard Swainson** spoke to Item 10 (Notice of Motion) and provided a history of the former ATC Cadet building from when it was built in World War 2 as a munitions factory and the need to preserve the building to still be used by the community.  
**Barry O'Donnell** spoke to Item 10 (Notice of Motion) report in 2021 noting the deterioration of the building over time and how a grant from Council would be used to improve it.  
**Kevin Macdonald** and **Grant Taylor** (Waikato Guild of Woodworkers) spoke to Item 10 (Notice of Motion) and spoke about the membership and purpose of the woodworkers guild and the want to preserve the building as well as the crafts.
- 5. **Confirmation of the Council Open Minutes 29 May 2025**  
**Resolved:** (Mayor Southgate/Cr van Oosten)  
That the Council confirms the Open Minutes of the Council Meetings held on 29 May 2025 as a true and correct record.
- 6. **Confirmation of the Elected Member Open Briefing Notes 7 May 2025**  
**Resolved:** (Mayor Southgate/Deputy Mayor O'Leary)  
That the Council confirms the Open Notes of the Elected Member Briefing held on 7 May 2025 as a true and correct record.
- 7. **Confirmation of the Elected Member Open Briefing Notes 28 May 2025**  
**Resolved:** (Mayor Southgate/Deputy Mayor O'Leary)  
That the Council confirms the Open Notes of the Elected Member Briefing held on 28 May 2025 as a true and correct record.
- 8. **Confirmation of the Elected Member Open Briefing Notes 4 June 2025**  
**Resolved:** (Mayor Southgate/Deputy Mayor O'Leary)  
That the Council confirms the Open Notes of the Elected Member Briefing held on 4 June 2025 as a true and correct record.
- 9. **Chair's report**  
Mayor Southgate spoke to the report highlighting the process of selecting the interim waters Council Controlled Organisation, the reemergence of the Upper North Island Strategic Alliance, the Local Government New Zealand Metro Sector advocating for the growth areas of the country, the value of Sister Cities to Hamilton and partnerships obtained from her attendance at a conference in Korea.  
**Resolved:** (Cr Wilson/Mayor Southgate)  
That the Council receives the report.

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**10. Notice of Motion - Former ATC Cadet Hall**

Councillor Bydder spoke to Notice of Motion and explained that there were some changes to the published Notice of Motion to accommodate clarity on the allocation of the proposed grant and a request from Elected Members. He responded to questions from Elected Members concerning sharing the building with other community groups, moving the building, clarity on budget, number and diversity of users.

**Resolved:** (Cr Bydder/Cr Macindoe)

That the Council:

- a) approves the sale of the building known as the former ATC Cadet Hall situated on the Hamilton East Town Belt to The Waikato Guild of Woodworkers Incorporated for \$1.00, to be executed within one month of this decision;
- b) approves a grant of \$200,000 to The Waikato Guild of Woodworkers Incorporated for the renovation of the former ATC Cadet Hall;
- c) delegates the Chief Executive to agree a land lease at a community rate for the building known as the former ATC Cadet Hall comprised on the Hamilton East Town Belt and provide staff assistance to ensure the successful and timely operation of The Guild in the building; and
- d) notes that it is the Council's expectation that The Waikato Guild of Woodworkers Incorporated will be responsible for all associated costs (particularly the costs of transfer, any consents, and the refurbishment of the building) and that there will be no cost to council.

**11. Cobham Drive Speed Limit Change**

The Network and Systems Operations Manager spoke to the report noting that the New Zealand Transport Agency had recently decided to maintain the 60km per hour speed limit for the rest of Cobham Drive.

**Motion:** (Mayor Southgate/Deputy Mayor O'Leary)

That the Council:

- a) receives the report;
- b) notes the feedback from public submissions received as a result of the consultation procedure including the hearing held at the 21 May 2025 Traffic, Speed Limits and Road Closure Hearings Panel, completed in accordance with Section 83 of the Local Government Act 2002 and the Speed Limits Rule 2024 on the proposal to retain the 60km/h speed limit on Cobham Drive between Normandy Avenue and Tristram Street;
- c) approves **Option 1**: keep the existing 60km/h speed limit on Cobham Drive between Normandy Avenue and Tristram Street; and
- d) notes that Council must submit the 'Alternative Method Proposal' to the New Zealand Transport Agency Director (using the template document) for approval to retain the existing 60km/h speed limit.

**Amendment:** (Cr Taylor/Cr Bydder)

That the Council:

- a) receives the report;
- b) notes the feedback from public submissions received as a result of the consultation procedure including the hearing held at the 21 May 2025 Traffic, Speed Limits and Road Closure Hearings Panel, completed in accordance with Section 83 of the Local Government Act 2002 and the Speed Limits Rule 2024 on the proposal to retain the 60km/h speed limit on Cobham Drive

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between Normandy Avenue and Tristram Street; and

- c) approves **Option 2**: lift the speed limit back up to 80km/h on Cobham Drive between Normandy Avenue and Tristram Street.

**Those for the Amendment:** Councillors Bydder and Taylor  
**Those against the Amendment:** Mayor Southgate, Deputy Mayor O'Leary,  
 Councillors Hutt, Pike, Casey-Cox, Naidoo-  
 Rauf, van Oosten, Thomson, Wilson,  
 Macindoe and Huata

**The Amendment was declared lost.**

**Resolved:** (Mayor Southgate/Deputy Mayor O'Leary)  
 That the Council:

- a) receives the report;
- b) notes the feedback from public submissions received as a result of the consultation procedure including the hearing held at the 21 May 2025 Traffic, Speed Limits and Road Closure Hearings Panel, completed in accordance with Section 83 of the Local Government Act 2002 and the Speed Limits Rule 2024 on the proposal to retain the 60km/h speed limit on Cobham Drive between Normandy Avenue and Tristram Street;
- c) approves **Option 1**: keep the existing 60km/h speed limit on Cobham Drive between Normandy Avenue and Tristram Street; and
- d) notes that Council must submit the 'Alternative Method Proposal' to the New Zealand Transport Agency Director (using the template document) for approval to retain the existing 60km/h speed limit.

**Crs Taylor and Bydder dissenting**

**The meeting was adjourned from 10.49am to 11.08am.**

## 12. Alcohol Fees Bylaw - Deliberations and Adoption

The Strategy and Police Advisor spoke to the report explaining the process if the Bylaw is approved.

**Resolved:** (Cr Wilson/Mayor Southgate)  
 That the Council:

- a) receives the report,
- b) adopts the Draft Alcohol Fees Bylaw 2025 effective from 1 July 2025; and
- c) notes that Alcohol Licensing Fees will increase 34% in 2025/26, 20% in 2026/27, and 3% for the following years, as detailed in the fees table of the Draft Bylaw.

**Cr Taylor dissenting.**

## 13. 2025 LGNZ Remits for Consideration

The Governance Lead took the report as read. The Mayor and staff responded to questions from Elected Members concerning amalgamation of local government, and monitoring and costs of home security.

**Resolved:** (Mayor Southgate/Deputy Mayor O'Leary)  
 That the Council:

- a) receives the report;

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b) notes that the Council has indicated to support/not support the following remits, to be voted on by the presiding Hamilton City Council Delegate at the 2025 Local Government New Zealand Annual General Meeting, and that the delegate may duly take into consideration additional information received on the day to inform the final vote on behalf of the Council:

- i. security system payments;
- ii. improving Joint Management Agreements;
- iii. alcohol licensing fees;
- iv. aligning public and school bus services; and
- v. review of local government arrangements to achieve a better balance.

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council indicates support for the proposed security systems remit.

**Crs Wilson and Taylor Dissenting.**

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council indicates support for the Joint Management Agreements remit.

**Crs Taylor, Bydder and Macindoe dissenting.**

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council indicates support for the alcohol licensing fees remit.

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council indicates support for aligning public and school bus services.

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council indicates support for a review of local government arrangement to achieve a better balance.

#### 14. Recommendations to the Council from Open Committee Meetings

##### Business Improvement District Policy Review

**Resolved:** (Cr Huata/Cr Wilson)  
That the Council approves the revised Business Improvement District Policy (**Attachment 2** of the staff report), to be effective from 1 July 2025.

##### Health & Safety Report – 1 February 2025 to 30 April 2025

**Resolved:** (Cr Thomson/Cr Taylor)  
That the Council receives the report.

##### Audit New Zealand Update

**Resolved:** (Cr Thomson/Cr Taylor)  
That the Council approves the managements recommendation on the discontinuation of the presentation of Consolidated Financial Statements subject to confirmation of the treatment by Audit New Zealand.

**Financial Performance & Strategy Report to 31 April 2025****Resolved:** (Cr van Oosten/Mayor Southgate)

That the Council:

- a) approves the forecast adjustments as set out in paragraph 53 of the staff report including capital movements as identified in the Capital Portfolio Monitoring Report on the agenda; and
- b) notes the revised Financial Strategy position for Debt to Revenue, Net Debt and Balancing the Books as set out in paragraphs 55 to 57 of this staff report.

**New Zealand Local Government Funding Agency - Bespoke Net Debt to Revenue Covenant****Resolved:** (Cr van Oosten/Mayor Southgate)

That the Council does not apply for the bespoke Net Debt/Total Revenue covenant for Hamilton City Council at this time.

**Ratepayer Assistance Scheme****Resolved:** (Cr van Oosten/Mayor Southgate)

That the Council:

- a) approves a loan funded investment of \$500,000 to support further development of the Ratepayer Assistance Scheme, subject to total development funding of \$2.5 million is committed from Local Authorities (including Hamilton City Council) and/or Central Government;
- b) approves an indication of additional investment at the establishment of the Ratepayer Assistance Scheme, with the maximum investment likely to be capped at no more than 20% for any one entity to ensure off-balance treatment; and
- c) approves an indication of the Council's willingness to use the Ratepayer Assistance Scheme once it is established.

**15. Wastewater Capacity - 'State of the Nation - Part 2'**

The Technical Director Strategic Waters took the report as read. Staff responded to questions from Elected Members concerning compliance issues from Waikato Regional Council, Taumata Arowai wastewater standards, constrained areas, reactive funding, and cost benefit analysis. The independent reviewer explained that report and the recommendations. He responded to questions from Elected Members concerning constraints in peak wet weather, capacity for large developments, availability of funding, alternative solutions, Resource Management Act reform, and overflow risks.

**Resolved:** (Cr Thomson/Cr Taylor)

That the Council:

- a) receives the report;
- b) approves **Option 3** 'Benefits Analysis' for prioritisation of the reactive wastewater network upgrade fund (paragraph 79);
- c) Requests staff hold an information session to:
  - i. explore the potential evaluation and prioritisation criteria of the reactive wastewater network upgrade (paragraph 94);
  - ii. Explore the implications of a more receptive risk appetite in the areas identified in the 10 June 2025 information session, with a focus on enabling interim onsite storage solutions (off-peak pumping systems) for developments that meet certain characteristics (including



- being of reasonable scale and meeting defined characteristics (to be determined)) and are located in areas with programmed and funded upgrades in the next 3 – 10 years; and
- iii. Discuss policy provisions for the Three Waters Connection Policy (paragraph 85)
- d) notes that the following information will be reported to the 12 August Strategic Growth and District Plan Committee:
- i. the full analysis and summary of the feedback from the 10 June 2025 information session (paragraph 65); and
- ii. further information on the utilisation of capacity in the network for future growth to enable feasible developments (paragraph 76); and
- e) notes that following the information session to discuss c) iii. that staff will undertake more detailed analysis to ensure a full understanding of the implications and benefits of adopting higher risk settings in those areas (paragraph 99).

*Deputy Mayor O’Leary left the meeting (12.06pm) during the discussion of the above item. She was not present when the matter was voted on.*

*Cr Macindoe retired from the meeting (12.32pm) during the discussion of the above item. He was not presented when the matter was voted on.*

**16. Resolution to Exclude the Public**

**Section 48, Local Government Official Information and Meetings Act 1987**

**Resolved:** (Cr Wilson/Mayor Southgate)

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Public Excluded Minutes 29 May	) Good reason to withhold ) information exists under ) Section 7 Local Government	Section 48(1)(a)
C2. Confirmation of the Elected Member Closed Briefing Notes 7 May 2025	) Official Information and ) Meetings Act 1987	
C3. Confirmation of the Elected Member Closed Briefing Notes 14 May 2025		
C4. Confirmation of the Elected Member Closed Briefing Notes 22 May 2025		
C5. Confirmation of the Elected Member Closed Briefing Notes 28 May		

- 
- 2025
- C6. Artificial Turf Funding - Application to The Lion Foundation
  - C7. Recommendations to the Council from Public Excluded Committee Meetings
  - C1. Confirmation of the CE Review Committee Public Excluded Minutes
  - C2. Recommendation from the CE Review Committee meeting 9 June 2025

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C5.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C6.	to enable Council to carry out commercial activities without disadvantage	Section 7 (2) (h) Section 7 (2) (i)
Item C7.	to enable Council to carry out negotiations to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to protect the privacy of natural persons to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (a) Section 7 (2) (j)

**The meeting moved into Public Excluded session at 12.49pm.**

*Cr Taylor retired from the meeting during the above session.*

**The meeting returned to the open session at 2.19pm**

**17. Adoption of the 2025/26 Annual Plan**

The Corporate Planning Lead spoke to the report providing an overview of the process to finalise the Annual Plan.

**Resolved:** (Mayor Southgate/Deputy Mayor O’Leary)  
That the Council:

- a) receives the report;
- b) adopts the 2025/26 Annual Plan (including **appendix 2** include the Funding Impact Statement and Rates sample of the minutes of this meeting) and the related updated Policies; and
- c) notes the 2025/26 Annual Plan document contains a disclosure on pages 66 - 68 relating to the revaluation of water network assets and the implications of the decision not to include the draft results of the revaluation in the Annual Plan.

**18. Rates resolution to set and assess rates for 2025/26**

The Financial Support Services Manager took the report as read.

**Resolved:** (Mayor Southgate/Cr Wilson)  
That the Council:

- a) receives the report;
- b) approves setting and assessing the rates for the 2025/26 financial year (1 July 2025 to 30 June 2026) in accordance with the **Rates resolution for the 2025/26 financial year** (as required by the Local Government (Rating) Act 2002) as set out in paragraphs 2 - 54 of the below report; and
- c) approves the due dates for payments and authorises penalties to be added to unpaid rates, as set out in paragraphs 55 - 58 of the staff report below.

**GENERAL RATE**

- 2. A general rate is set and assessed on the capital value of all rateable land.
- 2. A general rate is set and assessed on the capital value of all rateable land.
- 3. General rates are set on a differential basis. The rating categories are defined in the Funding Impact Statement.
- 4. The differential bases are:
  - i. the use to which the land is put; and
  - ii. the activities that are permitted, controlled, or discretionary for the area in which the land is situated, and the rules to which the land is subject under the operative district plan; and
  - iii. the location of the land.
- 5. The total revenue sought from the general rate is \$222,405,270.
- 6. The general rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL GENERAL RATES	RATE IN THE DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
General Rate	Commercial	2.9877	39.52%	0.00707738	\$87,901,714
	BID Commercial	2.9877	7.15%	0.00707738	\$15,895,736

	Residential	1.0000	53.33%	0.00236887	\$118,607,820
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7. Land described in Part 2 Schedule 1 of the Local Government (Rating) Act 2002 (broadly speaking, land owned or used by societies for arts or sports) will be assessed at 50% of the residential rate (General rate, UAGC and Citywide stormwater rate) that applies to the land. This general rate revenue is included within the Residential category shown in the table above and within the targeted rates revenue where applicable.

#### **UNIFORM ANNUAL GENERAL CHARGE**

8. A Uniform Annual General Charge (UAGC) of \$865 per Separately Used or Inhabited Part of a Rating Unit (SUIP) is set and assessed on all rating units.
9. The total revenue sought from the UAGC is \$63,979,725.

#### **TARGETED RATES**

##### Metered water

10. The rate is set and assessed for metered and restricted flow water supply to all metered rating units (as defined by Hamilton City Council's Water Supply Bylaw 2013).
11. The rate is:
- a fixed amount based on the nature of the connection as follows:
    - \$544 for all metered rating units (except those receiving a restricted flow supply);
    - \$544 for those rating units receiving a restricted flow supply.
  - a charge per unit of water consumed or supplied on every metered connection in accordance with the following scale:
    - All metered rating units (except those receiving a restricted supply) - \$2.27 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter;
    - those rating units receiving a restricted flow supply - \$2.27 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter.
12. The rate provides funding to the Water Supply activity.
13. The total revenue sought is \$12,823,642.

##### Commercial non-metered water

14. The rate is set and assessed on all rating units used for commercial purposes (defined as Commercial or BID Commercial for the general rate) and connected to Council's water supply system without a metered connection.
15. The rate is a fixed amount of \$544 per rating unit.
16. The rate provides funding to the Water Supply activity.
17. The total revenue sought is \$316,608.

##### Water

18. The rate is set and assessed on the capital value of all rating units used for residential purposes (as defined for the general rate) and to which the Council's water supply system is available or connected.
19. The rate is \$0.00066789 per dollar of capital value.
20. The rate provides funding to the Water Supply activity.
21. The total revenue sought is \$31,799,868.

22. Land described in Schedule 1 of the Local Government (Rating) Act 2002 will be subject to the Water rate.

#### Wastewater

23. The rate is set and assessed on the capital value of all rating units to which Council's wastewater system is available or connected.
24. The rate is set on a differential basis. The rating categories are defined in the Funding Impact Statement.
25. The differential bases are:
- the use to which the land is put; and
  - the activities that are permitted, controlled, or discretionary for the area in which the land is situated, and the rules to which the land is subject under the operative district plan.
26. The rate provides funding to the Wastewater activity.
27. The total revenue sought is \$56,808,686.
28. The rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL WASTEWATER RATES	RATE IN THE DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
Wastewater rate	Commercial	2.9877	41.74%	0.00190388	\$23,710,124
	Residential	1.0000	58.26%	0.00063724	\$33,098,562

29. Land described in Schedule 1 of the Local Government (Rating) Act 2002 will be subject to the Wastewater rate.

#### Citywide stormwater

30. The rate is set and assessed on the capital value of all rating units.
31. The rate is set on a differential basis. The rating categories are defined in the Funding Impact Statement.
32. The differential bases are:
- the use to which the land is put; and
  - the activities that are permitted, controlled, or discretionary for the area in which the land is situated, and the rules to which the land is subject under the operative district plan.
33. The rate provides funding to the Stormwater activity.
34. The total revenue sought is \$35,049,611.
35. The rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL CITYWIDE STORMWATER RATES	RATE IN THE DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
Citywide stormwater rate	Commercial	2.9877	46.66%	0.00111516	\$16,355,036
	Residential	1.0000	53.34%	0.00037325	\$18,694,576

36. Land described in Part 2 Schedule 1 of the Local Government (Rating) Act 2002 (broadly speaking, land owned or used by societies for arts or sports) will be assessed at 50% of the residential rate that applies to the land. This Citywide stormwater rate revenue for these rating units is included within the Residential category shown in the table above.

Business Improvement District (BID)

37. The rate is set and assessed on all rating units defined as BID Commercial for the general rate.
38. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy.
39. The rate is:
- i. a fixed amount of \$265 per SUIP; and
  - ii. a rate per dollar of capital value set at \$0.00003556.
40. The rate provides funding to the Growth activity.
41. The total revenue sought is \$442,808.

Central city

42. The rate is set and assessed on all rating units defined as BID Commercial for the general rate.
43. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy.
44. The rate is a fixed amount of \$125 per SUIP.
45. The rate provides funding to the Transport activity.
46. The total revenue sought is \$166,750.

Pool safety inspection

47. The rate is set and assessed on all rating units on Council’s pool monitoring register where a Council inspection is required.
48. The rate is a fixed amount of \$82 per rating unit.
49. The rate provides funding to the Regulatory and Safety activity.
50. The total revenue sought is \$223,767.

Service use rubbish & recycling

51. The rate is set and assessed on properties defined as Service Use Category (see Funding Impact Statement) and which are provided with rubbish & recycling services.
52. The rate is a fixed amount of \$253 per SUIP.
53. The rate provides funding to the Rubbish and Recycling activity.
54. The total revenue sought is \$45,287.

**DUE DATES FOR PAYMENT OF RATES**

55. Rates (other than for metered water) are payable in four equal instalments.
56. The due dates for rates for the period 1 July 2025 to 30 June 2026 are as follows:

Instalment 1	Instalment 2	Instalment 3	Instalment 4
4 September 2025	27 November 2025	26 February 2026	21 May 2026

DUE DATES FOR PAYMENT OF METERED WATER RATES

57. The due dates for metered water rates for the period 1 July 2025 to 30 June 2026 are as follows:

Month of Invoice	Invoice Due Date
<b>July 2025</b>	20 August 2025
<b>August 2025</b>	20 September 2025
<b>September 2025</b>	20 October 2025
<b>October 2025</b>	20 November 2025
<b>November 2025</b>	20 December 2025
<b>December 2025</b>	20 January 2026

Month of Invoice	Invoice Due Date
<b>January 2026</b>	20 February 2026
<b>February 2026</b>	20 March 2026
<b>March 2026</b>	20 April 2026
<b>April 2026</b>	20 May 2026
<b>May 2026</b>	20 June 2026
<b>June 2026</b>	20 July 2026

**PENALTIES**

58. Pursuant to Section 57 and 58 of the Local Government (Rating) Act 2002, the Council authorises the following penalties:
- A penalty of 10% of the amount due and unpaid on the due date to be added on the day after the due date.  
The dates on which penalties will be added are 5 September 2025, 28 November 2025, 27 February 2026, and 22 May 2026.
  - A penalty of 10% of the amount of any rates assessed in any previous year which remain unpaid on 7 July 2025 to be added on 8 July 2025.
  - A penalty of 10% of the amount of any rates assessed in any previous year for which a penalty has been added under paragraph (b) and which remain unpaid on 8 January 2026 to be added on 9 January 2026.
  - A penalty of 10% of the amount unpaid for water-by-meter rates charged to be added on the day after the due date.
  - These dates are 21 July 2025, 21 August 2025, 21 September 2025, 21 October 2025, 21 November 2025, 21 December 2025, 21 January 2026, 21 February 2026, 21 March 2026, 21 April 2026, 21 May 2026, and 21 June 2026.

**END OF 2025/26 RATES RESOLUTION**

**19. Local Water Done Well: Setting up the Joint Water Services Council Controlled Organisation (CCO)**

The consultant spoke to the report noting that it was a joint plan with Waikato District Council that was reviewed to ensure it was consistent with legislation and the Long-Term Plan. Staff responded to questions from Elected Members concerning succession planning for future councils.

**Resolved:** (Mayor Southgate/Cr Wilson)

That the Council

- receives the report;
- approves the Water Services Delivery Plan (**Attachment 1**), subject to any minor stylistic edits, correction of errors, changes to address any minor comments from the Department of Internal Affairs, and subject to approval from Waikato District Council;

- c) directs staff to review and realign its allocation of revenue between stormwater and other Council activities to more appropriately reflect the costs of delivering each activity by 30 June 2028 and ensure financial sustainability;
- d) approves the company Constitution (**Attachment 2**), delegating the Chief Executive delegation to sign on Council's behalf;
- e) approves the Shareholders' Agreement (**Attachment 3**), and requests the Chief Executive put in place the processes necessary to ensure that the Council meets the commitments and undertakings set out in this agreement;
- f) approves Hamilton City Council members of the Establishment Board Appointments Panel (Mayor Southgate, Cr van Oosten, and Cr Wilson) be transferred to the IAWAI – Flowing Waters Forum from 1 July 2025;
- g) approves the Chief Executive to take all necessary steps to complete and execute the Establishment Plan, including all establishment activity set out in the Shareholders' Agreement and Statement of Expectations and the Establishment Loan;
- h) delegates to the Chief Executive the authority to sign a relationship agreement to cover the delivery of shared services between the Council and the Council Controlled Organisation from 1 July 2025; and
- i) approves the Chief Executive to execute a contract with the Waters Council Controlled Organisation Ltd appointing it as Council's agent for programmes and projects set out in **Table 1** of this report (**the transferred projects**) which provides for the following in relation to the transferred projects:
  - i. the term of the contract will be 1 July 2025 to 30 June 2026;
  - ii. all decisions that currently require Council approval will continue to need Council approval;
  - iii. in making decisions the Council Controlled Organisation must act within the budgets provided for the **transferred projects** in the approved 2024-34 Long-Term Plan as modified by the 2025/26 Annual Plan;
  - iv. there will be no change to the roles of Council staff working on the **transferred projects** other than with respect to them requiring some decisions and direction from Council Controlled Organisation management and/or Board;
  - v. the Council Controlled Organisation Chief Executive / Executive Chair to exercise financial decision-making relating to expenditure and the purchase / sale of land at the existing level of delegations provided to the Council Chief Executive as set out in the Council Financial Delegations to Positions Policy;
  - vi. the Council Controlled Organisation Chief Strategy and Planning to exercise financial decision-making relating to expenditure and the purchase / sale of land at the existing level of delegations provided to Council General Managers as set out in the Council Financial Delegations to Positions Policy;
  - vii. the Council Controlled Organisation Board and management to make all decisions relating to project scope, design, consenting, re-consenting, designations, land acquisition, procurement of physical works, and procurement of all related professional services that would normally be made by the Council Chief Executive or responsible General Manager;
  - viii. the Council Controlled Organisation Board and management to make decisions relating to the Council as a resource consent applicant that are currently delegated the Chief Executive or responsible General Manager as **set out on pages 41-51** of the



- Council Policy: Delegations to Officers Specific to the Resource Management Act 1991;
- ix. the Council Controlled Organisation Board and management to make decisions relating to the Council as a requiring authority that are currently delegated to the Chief Executive or responsible General Manager as ***set out on pages 62-69*** of the Council Policy: Delegations to Officers Specific to the Resource Management Act 1991;
  - x. the Council Controlled Organisation Board and management will regularly report to Council on the decisions made, progress against milestones, financial performance, and the nature of the benefits achieved; and
  - xi. in recognition of the role of the Council Controlled Organisation the Council will pay to the Council Controlled Organisation an agency fee.

**The meeting was declared closed at 3.06pm.**

Council 26 JUNE 2025 - OPEN

Appendix 1



COUNCIL 26 JUNE 2025 -OPEN

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# ATC Building Redevelopment

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## Background

We propose the redevelopment and repurposing of the historic **Air Training Corps Cadet Hall (ATC Building)** on Wairere Drive into a vibrant, multi-functional Community Woodcraft and Arts Hub.

Constructed during WWII, the ATC Building served as part of New Zealand's only domestic ammunition manufacturing facility. Later repurposed for cadet training, it has quietly stood as a witness to Hamilton's social and military history. Its preservation and reuse would honour that legacy while embedding it in the city's future as a creative, community-focused space.

## Contribution to Community Wellbeing

This project seeks to establish a sustainable, inclusive, and impactful creative space for the Hamilton community. Anticipated outcomes include:

- Establishing a **multi-purpose woodcraft workshop** accessible to all ages and skill levels, including schools and community groups.
- Promoting **physical and social wellbeing** through creative engagement, skill-sharing, and inclusion across diverse craft disciplines.
- Preserving and repurposing the building's **unique wartime heritage** as a highly visible and tangible link to Hamilton's history.
- Engaging local communities through **charitable outreach**, such as the annual gifting of over 350 timber wig stands to the Cancer Society and the crafting of timber tulips supporting Parkinson's fundraising efforts.
- Promoting **environmental wellbeing and sustainability** by showcasing sustainably sourced timber and renewable materials, while fostering community engagement with environmental stewardship through craft-based education and practices.
- Revitalising the surrounding precinct and showcasing Hamilton's rich artistic and historic heritage through its **prominent, culturally significant location**.
- Addressing the confirmed **shortfall of 5,800m<sup>2</sup> in community facility space**, as identified by the Tauranga Property Group in 2023 and reaffirmed in the 2025 Hamilton City Council agenda.
- Delivering a **sustainable, cost-effective, multi-functional solution** to meet growing community demand.
- Supporting the **statutory "four wellbeings" mandate** of the 2019 Local Government Act by advancing social, economic, environmental, and cultural wellbeing.

## Financing

We have undertaken our own financial assessment of the project, **estimating total costs at \$731,000** — significantly lower than the \$1,100,000 figure presented in the HCC report to councillors. We anticipate covering these costs through approximately \$500,000 in confirmed and prospective funding, alongside a **\$200,000 contribution from Council**. Our pro forma Profit and Loss analysis indicates the **ongoing financial viability** and the **potential for future expansion** of the club's activities.

Project Costs	
<b>External Works</b>	<b>\$255,000</b>
Roofing, Walls, Windows, Ramps, Doors, Foundations, Borer, Cladding, Site Setup	
<b>Internal Works</b>	<b>\$131,000</b>
Walls, Partitions, Flooring, Kitchen, Tea Room, and Toilet	
Electrical, Heating, Fire, Security Systems	<b>\$112,000</b>
Contractor Overheads	<b>\$50,000</b>
<b>Engineering Reports, Compliance, and Legal Provisions</b>	<b>\$78,000</b>
Asbestos, Seismic, Noise, Contaminants, Consents, Fire Report	
<b>Fitout, Contingencies and Provisions – Dust Extraction, Moving Costs</b>	<b>\$110,000</b>
<b>Total Costs</b>	<b>\$731,000</b>

Project Funding	
Club Funds	<b>\$40,000</b>
Sale of Current Premises	<b>\$60,000</b>
New Zealand Lotteries Commission Funding (Application in Progress)	<b>\$150,000</b>
WEL Energy Trust Funding	<b>\$100,000</b>
Trust Waikato Funding	<b>\$50,000</b>
Philanthropic Contributions and Volunteer Value	<b>\$100,000</b>
<b>HCC Funding</b>	<b>\$200,000</b>
<b>Targeted Capital</b>	<b>\$700,000</b>

Pro Forma Profit and Loss			
	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Membership</b>	95	120	150
Donations, Sponsorships, Grants	\$5,500	\$8,000	\$10,500
Subscriptions and Fees	\$8,164	\$9,800	\$13,250
Hall Hire	\$6,222	\$0	\$0
Sales, Fares, Fundraising, Sundry Income	\$2,194	\$6,200	\$8,500
Interest Received	\$2,000	\$1,200	\$600
<b>Total Income</b>	<b>\$24,080</b>	<b>\$25,200</b>	<b>\$32,850</b>
HCC Rent and Rates	\$2,927	\$3,627	\$3,627
Utilities and Site Upkeep	\$4,700	\$4,800	\$5,500
NAW Association Fee	\$792	\$1,008	\$1,260
Accounting and Insurance	\$7,839	\$7,989	\$8,620
CAPEX and Maintenance	\$4,950	\$6,000	\$6,750
General Operations, Marketing, Other	\$1,260	\$880	\$1,950
<b>Total Operating Expenses</b>	<b>\$22,468</b>	<b>\$24,304</b>	<b>\$27,707</b>
<b>Net Profit</b>	<b>\$1,612</b>	<b>\$896</b>	<b>\$5,143</b>

Waikato Guild of Woodworkers | 2025

### Your Support

We request your active support to:

- Endorse this project as a practical, people-first alternative to demolition.
- Champion the **reallocation of the \$200,000 demolition budget** toward redevelopment.
- Streamline processes and provide **assistance with regulatory compliance**.
- Facilitate the **provision of essential utilities and services** to the site.
- Support a **favourable lease arrangement** to enable sustainable, long-term community use.

### A Win for All

This project is cost-effective, community-rooted, and an ideal candidate for civic partnership. It offers **a visible win for Hamilton's heritage, wellbeing, creative communities, and Local Government**. With your support, we can preserve a unique part of the city's history and turn it into a living, inclusive centre of learning, creativity and connection for generations to come.

We look forward to discussing how you can help make this vision a reality.

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**Kevin Macdonald**

President, Waikato Guild of Woodworkers

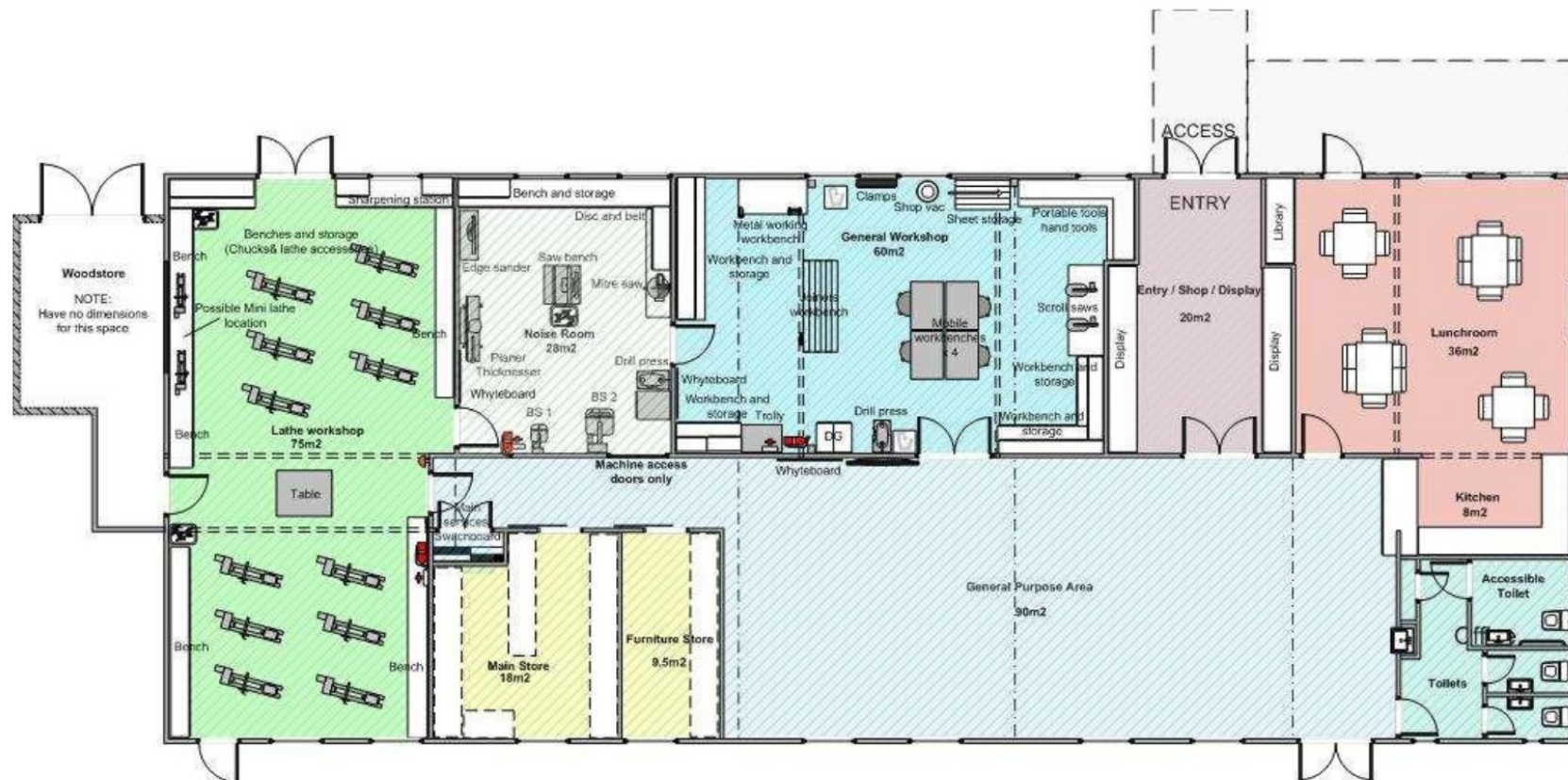
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**Grant Taylor**

ATC Redevelopment Working Group







#### POTENTIAL USES FOR GENERAL WORKSHOP

Joinery	Scroll saw work
Carving	Coffin making
Maori carving	Cabinet making
Wood art	Community projects
Antarsia	Furniture making / repair / refinishing
Marquetry	OSH familiarity workshop practice

Scale: 8mm:1.00m

Waikato Guild of Woodworkers | 2025

## Appendix 2

## Rates Samples for 2025/26

Not all properties of a given 2024 capital value were valued at the same 2021 capital value. The 2021 capital value shown represents a typical change for a property of that type. Including GST

			2025/26 RATES							2024/25 RATES								
General rate differential category	Separate parts (SUPs)	2024 capital value	Uniform Annual General Charge	General rate	Other rates	Water rate	Wastewater rate	Citywide stormwater rate	Total rates	2021 capital value	Uniform Annual General Charge	General rate	Other rates	Government compliance rate	Total rates	Total rates change (\$)	Total rates change (%)	
Residential - water available - wastewater available																		
Residential (median)	1	720,000	865	1,706	0	481	459	269	3,779	820,000	749	2,396	0	130	3,275	504	15.4%	
Residential (5th percentile)	1	410,000	865	971	0	274	261	153	2,524	465,000	749	1,359	0	74	2,181	343	15.7%	
Residential (95th percentile)	1	1,275,000	865	3,020	0	852	812	476	6,025	1,450,000	749	4,237	0	230	5,216	809	15.5%	
Residential	1	2,000,000	865	4,738	0	1,336	1,274	747	8,960	2,200,000	749	6,429	0	348	7,526	1,433	19.0%	
Residential (with pool)	1	1,000,000	865	2,369	82	668	637	373	4,994	1,100,000	749	3,214	79	174	4,217	778	18.4%	
Residential	4	1,100,000	3,460	2,606	0	735	701	411	7,912	1,200,000	2,996	3,507	0	190	6,693	1,219	18.2%	
Residential	12	2,400,000	10,380	5,685	0	1,603	1,529	896	20,093	2,950,000	8,988	8,621	0	467	18,076	2,018	11.2%	
Residential - water by meter or unavailable - wastewater unavailable																		
Residential	1	720,000	865	1,706	0	0	0	269	2,839	820,000	749	1,773	0	96	2,618	221	8.4%	
Residential (with pool)	1	1,000,000	865	2,369	82	0	0	373	3,689	1,100,000	749	2,379	79	129	3,336	354	10.6%	
Residential	1	2,000,000	865	4,738	0	0	0	747	6,349	2,500,000	749	5,406	0	293	6,448	-99	-1.5%	
Residential	1	11,000,000	865	26,058	0	0	0	4,106	31,028	12,000,000	749	25,950	0	1,406	28,104	2,924	10.4%	
Commercial - water by meter or not connected - wastewater available																		
Commercial (median)	1	1,050,000	865	7,431	0	0	1,999	1,171	11,466	1,000,000	749	8,698	0	471	9,918	1,548	15.6%	
Commercial (5th percentile)	1	410,000	865	2,902	0	0	781	457	5,005	425,000	749	3,697	0	200	4,646	359	7.7%	
Commercial (95th percentile)	1	9,740,000	865	68,934	0	0	18,544	10,862	99,204	8,978,000	749	78,090	0	4,231	83,070	16,134	19.4%	
Commercial	1	720,000	865	5,096	0	0	1,371	803	8,134	730,000	749	6,350	0	344	7,443	692	9.3%	
Commercial	4	4,000,000	3,460	28,310	0	0	7,616	4,461	43,846	3,650,000	2,996	31,748	0	1,720	36,464	7,382	20.2%	
Commercial	10	11,500,000	8,650	81,390	0	0	21,895	12,824	124,759	9,100,000	7,490	79,152	0	4,288	90,930	33,829	37.2%	
BID Commercial (median)	1	1,050,000	865	7,431	427	0	1,999	1,171	11,894	1,000,000	749	8,698	410	471	10,329	1,565	15.2%	
BID Commercial	1	720,000	865	5,096	416	0	1,371	803	8,550	730,000	749	6,350	401	344	7,844	706	9.0%	
BID Commercial	10	11,500,000	8,650	81,390	4,309	0	21,895	12,824	129,068	9,100,000	7,490	79,152	4,073	4,288	95,003	34,065	35.9%	
Commercial - water connected but no water meter - wastewater available																		
Commercial	1	1,050,000	865	7,431	544	0	1,999	1,171	12,010	1,000,000	749	8,698	518	471	10,437	1,574	15.1%	
BID Commercial	1	1,050,000	865	7,431	971	0	1,999	1,171	12,438	1,000,000	749	8,698	929	471	10,847	1,591	14.7%	



## Council Funding Impact Statement

- The Funding Impact Statement is made up of three parts:
  - Rating Information for 2025/26
  - Rates Samples for 2025/26
  - The Whole of Council Funding Impact Statement.
- The Funding Impact Statement should be read in conjunction with our Revenue and Financing Policy and Rating Policy. These can be found on our website.

Figures in this statement include GST unless otherwise stated.

### Rating information for 2025/26

- We set and assess these rates under the Local Government (Rating) Act 2002:
  - General rate
  - Uniform Annual General Charge (UAGC)
  - Targeted rates include:
    - Metered water
    - Commercial non-metered water
    - Water
    - Wastewater
    - Citywide stormwater
    - Business Improvement District (BID)
    - Central city
    - Pool safety inspection
    - Service use rubbish & recycling
- Details of the rates revenue to be collected and the rating categories that will pay these rates are in this funding impact statement.

### General rate

- A general rate is set and assessed on the capital value of all rateable land.
- General rates are set on a differential basis on the categories of land identified below. The differential bases are the use to which the land is put, the activities permitted, controlled, or discretionary for the area in which the land is situated and the rules to which the land is subject under the operative district plan, and the location of the land.
- The objective of including differentials in the general rate is to achieve an appropriate distribution of the general rate, considering all factors we believe are relevant.
- The total revenue sought is \$222,405,270.
- The general rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL GENERAL RATES	RATE PER DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
General rate	Commercial	2.9877	39.52%	0.00707738	\$87,901,714
	BID Commercial	2.9877	7.15%	0.00707738	\$15,895,736
	Residential	1.0000	53.33%	0.00236887	\$118,607,820

**General rate categories**

GENERAL CATEGORY	RATE	DESCRIPTION
<b>Commercial</b>		<p>All rating units:</p> <ul style="list-style-type: none"> <li>i. used solely or principally for commercial or industrial purposes; or</li> <li>ii. used solely or principally for commercial residential purposes, including, but not limited to, hotels, boarding houses, rest homes, motels, residential clubs, hospital care facilities, hostels, visitor accommodation. Commercial residential purposes are where a property is being provided for residential accommodation at a fee with the average length of stay not exceeding three months; or</li> <li>iii. used as a chartered club, for any area used for restaurant, bar, or gaming machines; or</li> <li>iv. used as a mixed-use development, for any area used commercially; or</li> <li>v. where land is developed or under development for a commercial use; or</li> <li>vi. where a commercial development is marketed for sale or lease, but where works have not yet commenced; or</li> <li>vii. where vacant land is within any District Plan zone that is predominantly used for commercial or industrial purposes; or</li> <li>viii. used as show homes; or</li> <li>ix. where resource consents require the rating units can only be used for a commercial purpose; or</li> <li>x. used as utility networks.</li> </ul> <p>Rating Units that meet the definition above but are located in the Business Improvement District will be categorised as BID Commercial.</p>
<b>BID Commercial</b>		All rating units that meet the definition of Commercial above and are located within the Business Improvement District as shown on the 'Business Improvement District (BID) and Central City areas map' in Schedule one of the Rating Policy.
<b>Residential</b>		All rating units that do not meet the definition of Commercial or BID Commercial rating categories.

10. Land described in Part 2 Schedule 1 of the Local Government (Rating) Act 2002 (broadly speaking, land owned or used by societies for arts or sports) will be assessed at 50% of the residential rate (general rate, UAGC, and citywide stormwater rate) that applies to the land. This general rate revenue is included within the Residential category, and within the targeted rates revenue where applicable.

**Uniform Annual General Charge**

11. A Uniform Annual General Charge (UAGC) is set and assessed on all rating units.
12. The UAGC is set at \$865 per Separately Used or Inhabited Part of a rating unit (SUIP).
13. The total revenue sought from the UAGC is \$63,979,725.

**Separately Used or Inhabited Part of a Rating Unit (SUIP)**

14. An SUIP is every rating unit and, without limitation, every additional dwelling, commercial or community activity. This includes:
- a. any part or parts of a rating unit used or occupied by the ratepayer for more than one single use
  - b. any parts, whether or not actually occupied at any particular time, which are used for rental (or other form of occupation) on an occasional or long-term basis
  - c. vacant land and vacant premises offered or intended for use or habitation and usually used as such are defined as 'used'.
15. For the purposes of clarity, every rating unit has a minimum of one SUIP.

16. As part of this definition, the list below sets out our intent in the application of SUIPs to rating units used for residential purposes:

- the second and each additional SUIP must have a separate bathroom, bedroom or living area and separate sink
- any part of a rating unit as described in a - c above that is inhabited by virtue of a tenancy, lease, license or other agreement on an occasional or long-term basis
- single dwelling with flat attached
- two or more houses, flats or apartments on one rating unit
- ancillary flat or detached dwellings (as defined in the District Plan)
- individually surveyed lots of vacant land on one Certificate of Title offered for sale separately or in groups; and
- residential accommodation rented individually per room. For a residential property to be classified as having additional SUIPs, each part must have a separate bathroom, bedroom or living area and separate sink.

17. As part of this definition, the list below sets out our intent in the application of SUIPs to rating units used for commercial activities:

- a commercial activity is any activity involving the exchange of goods or services for reward (whether for profit or not)
- any part of a rating unit as described in a – c above that is inhabited through a tenancy, lease, license or other agreement on an occasional or long-term basis
- commercial building where there are clearly defined vacant parts, advertised for lease or tenancy
- business premise with separate permitted residential activity
- home-based business (as defined in the District Plan)
- each use within a single rating unit involving a different activity conducted by a person, company, or organisation different to the ratepayer (i.e. a large store which has a café operating within it, where the café is a separate business entity)
- commercial building leased, or sub-leased, to multiple tenants
- a separate dwelling used for short-term accommodation
- commercial accommodation provided on a single rating unit for short-term stays (where average occupancy is limited as prescribed within the District Plan) will be one SUIP.

18. In addition to the primary use, the list below defines our intent in the application of SUIPs to rating units used as community activities:

- a community activity is any activity operated by an organisation (including clubs and societies)
- any activity meeting the definition of Schedule 1 of the Local Government Rating Act 2002.

### Targeted rates

19. We are not seeking or inviting lump sum contributions for targeted rates.

### Metered water

20. The rate is set and assessed for metered and restricted flow water supply to all rating units that are metered (as defined by Hamilton City Council's Water Supply Bylaw 2013).

21. The rate is:

- a fixed amount per connected meter, based on the nature of the connection, as follows:

- i. \$544 for all metered rating units (except rating units receiving a restricted flow supply); and
    - ii. \$544 for rating units receiving a restricted flow supply.
  - a charge per unit of water consumed or supplied on every metered connection in accordance with the following scale:
    - i. all metered rating units (except rating units receiving a restricted supply) - \$2.27 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter; and
    - ii. rating units receiving a restricted flow supply - \$2.27 per kilolitre of water supplied after the first 60 kilolitres of consumption or supply per quarter.
22. The rate provides funding to the Water Supply activity.
23. The total revenue sought is \$12,823,642.

**Commercial non-metered water**

24. The rate is set and assessed on all rating units used for commercial purposes (defined as Commercial or BID Commercial for the general rate) and connected to Council’s water supply system without a metered connection.
25. The rate is a fixed amount of \$544 per rating unit.
26. The rate provides funding to the Water Supply activity.
27. The total revenue sought is \$316,608.

**Water**

28. The rate is set and assessed on the capital value of all rating units used for residential purposes (as defined for the general rate) and to which the Council’s water supply system is available or connected.
29. The rate is \$0.00066789 per dollar of capital value.
30. The rate provides funding to the Water Supply activity.
31. The total revenue sought is \$31,799,868.

**Wastewater**

32. The rate is set and assessed on the capital value of all rating units to which Council’s wastewater system is available or connected.
33. The rate is set on a differential basis on the categories of land identified below. The differential bases are the use to which the land is put, the activities permitted, controlled, or discretionary for the area in which the land is situated and the rules to which the land is subject under the operative district plan.
34. The rate provides funding to the Wastewater activity.
35. The total revenue sought is \$56,808,686.
36. The rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL WASETATER RATES	RATE PER DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
Wastewater rate	Commercial	2.9877	41.74%	0.00190388	\$23,710,124
	Residential	1.0000	58.26%	0.00063724	\$33,098,562

**Wastewater rate categories**

WASTEWATER RATE CATEGORY	DESCRIPTION
Commercial	All rating units:
	i. used solely or principally for commercial or industrial purposes; or
	ii. used solely or principally for commercial residential purposes, including, but not

	limited to, hotels, boarding houses, rest homes, motels, residential clubs, hospital care facilities, hostels, visitor accommodation. Commercial residential purposes are where a property is being provided for residential accommodation at a fee with the average length of stay not exceeding three months; or
iii.	used as a chartered club, for any area used for restaurant, bar, or gaming machines; or
iv.	used as a mixed-use development, for any area used commercially; or
v.	where land is developed or under development for a commercial use; or
vi.	where a commercial development is marketed for sale or lease, but where works have not yet commenced; or
vii.	where vacant land is within any District Plan zone that is predominantly used for commercial or industrial purposes; or
viii.	used as show homes; or
ix.	where resource consents require the rating units can only be used for a commercial purpose.
<b>Residential</b>	All rating units that do not meet the definition of the Commercial rate category.

### Citywide stormwater

37. The rate is set and assessed on the capital value of all rating units.
38. The rate is set on a differential basis on the categories of land identified below. The differential bases are the use to which the land is put, the activities permitted, controlled, or discretionary for the area in which the land is situated and the rules to which the land is subject under the operative district plan.
39. The rate provides funding to the Stormwater activity.
40. The total revenue sought is \$35,049,611.
41. The rate is set and assessed on a differential basis as follows:

SOURCE	DIFFERENTIAL CATEGORIES	DIFFERENTIAL FACTOR	PERCENTAGE OF TOTAL CITYWIDE STORMWATER RATES	RATE PER DOLLAR OF CAPITAL VALUE (GST INCL)	RATES REVENUE (GST INCL)
Citywide stormwater rate	Commercial	2.9877	46.66%	0.00111516	\$16,355,036
	Residential	1.0000	53.34%	0.00037325	\$18,694,576

### Citywide stormwater rate categories

CITYWIDE STORMWATER RATE CATEGORY	DESCRIPTION
<b>Commercial</b>	<p>All rating units:</p> <ul style="list-style-type: none"> <li>i. used solely or principally for commercial or industrial purposes; or</li> <li>ii. used solely or principally for commercial residential purposes, including, but not limited to, hotels, boarding houses, rest homes, motels, residential clubs, hospital care facilities, hostels, visitor accommodation. Commercial residential purposes are where a property is being provided for residential accommodation at a fee with the average length of stay not exceeding three months; or</li> <li>iii. used as a chartered club, for any area used for restaurant, bar, or gaming machines; or</li> <li>iv. used as a mixed-use development, for any area used commercially; or</li> <li>v. where land is developed or under development for a commercial use; or</li> <li>vi. where a commercial development is marketed for sale or lease, but where works have not yet commenced; or</li> <li>vii. where vacant land is within any District Plan zone that is predominantly used for commercial or industrial purposes; or</li> <li>viii. used as show homes; or</li> <li>ix. where resource consents require the rating units can only be used for a commercial purpose; or</li> </ul>

	x. used as utility networks.
Residential	All rating units that do not meet the definition of the Commercial rate category.

42. Land described in Schedule 1 of the Local Government (Rating) Act 2002 will be subject to the water, wastewater and citywide stormwater rates.

**Business Improvement District (BID)**

43. The rate is set and assessed on all rating units defined as BID Commercial for the general rate and comprises both a fixed amount per SUIP and a rate in the dollar based on capital value.

44. The Business Improvement District (BID) and Central City rating areas map is shown in Schedule 1 of the Rating Policy.

45. The rate is:

- i. a fixed amount of \$265 per SUIP; and
- ii. a rate per dollar of capital value set at \$0.00003556.

46. The rate provides funding to the Growth activity.

47. The total revenue sought is \$442,808.

**Central city**

48. The rate is set and assessed on all rating units defined as BID Commercial for the general rate.

49. The Business Improvement District (BID) and Central City rating areas map is shown on Schedule 1 of the Rating Policy.

50. The rate is a fixed amount of \$125 per SUIP.

51. The rate provides funding to the Transport activity.

52. The total revenue sought is \$166,750.

**Pool safety inspection**

53. The rate is set and assessed on all rating units on Council’s pool monitoring register where a Council inspection is required .

54. The rate is a fixed amount of \$82 per rating unit.

55. The rate provides funding to the Regulatory and Safety activity.

56. The total revenue sought is \$223,767.

**Service use category**

57. Service Use Category means rating units that are defined by the use of the land, for the purpose of charging water, wastewater and rubbish & recycling services, set and assessed as targeted rates.

58. Service Use Category rating units are provided with one or more of these services and are used:



- i. as a reserve under the Reserves Act 1977
- ii. for conservation, wildlife management or preservation purposes and not for private pecuniary profit and accessible to the public
- iii. by us for:
  - public garden, reserve, or children playground
  - games and sports
  - public hall, athenaeum, museum, gallery or similar institution
  - public baths, swimming baths and sanitary convenience.
  - cemeteries or crematorium
- iv. by the Queen Elizabeth the Second National Trust
- v. by the Royal Foundation of the Blind, except as an endowment
- vi. by or for an education establishment, special school or other institution under s159(1) of the Education Act 1989
- vii. by a district health board for health and health related services
- viii. solely and principally as a place of religious worship, Sunday or Sabbath school or other form of religious worship and not for private pecuniary profit
- ix. as Maaori meeting house that is Maaori freehold land not exceeding 2ha
- x. as railway or for the loading and unloading of goods or passengers from trains
- xi. for the free maintenance or relief of persons in need, not exceeding 1.5 hectares.

59. Where there is a community, sporting or cultural activity on Council reserve land, and the activity is subject to a lease agreement as defined within our Community Occupancy Policy, these targeted rates will apply.
60. Upon application, we extend the rating treatment of the Service Use Category to rating units which are operated by not for profit organisations, whom provide benefits to the wider community and where there is no private pecuniary gain. Refer to the Rates Remissions and Postponements Policy for criteria.

#### Service use rubbish & recycling

61. The rate is set and assessed on properties defined as Service Use Category and which are provided with rubbish & recycling services.
62. The rate is a fixed amount of \$253 per SUIP.
63. The rate provides funding to the Rubbish and Recycling activity.
64. The total revenue sought is \$45,287.

#### Inspection of Rating Information Database

65. In accordance with the Local Government (Rating) Act 2002, the District Valuation Roll and Rates Records are available for public inspection at the Council Offices, 260 Anglesea Street, Hamilton, between the hours of 7:45 am and 5.00 pm on all business days of the week.

#### Rating base

66. The projected total land value for 2025/26 is \$36,433,499,000.
67. The projected total capital value for 2025/26 is \$68,954,149,000.
68. The projected number of rating units for each year of the long-term plan are:

2025/26	66,023
2026/27	66,941
2027/28	67,840
2028/29	68,807
2029/30	69,764
2030/31	70,733
2031/32	71,718
2032/33	72,682
2033/34	73,693

# Council Report

**Committee:** Council

**Date:** 31 July 2025

**Author:** Stephanie Goss

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance  
Manager

**Report Name:** Confirmation of the Elected Member Open Briefing Notes 18 June 2025

<b>Report Status</b>	<i>Open</i>
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## **Staff Recommendation - *Tuutohu-aa-kaimahi***

That the Council confirms the Open Notes of the Elected Member Briefing held on 18 June 2025 as a true and correct record.

## **Attachments - *Ngaa taapirihanga***

Attachment 1 - Elected Member Open Briefing Notes 18 June 2025



## Elected Member Briefing Notes – 18 June 2025 – Open

<b>Time and date:</b>	9.30am, 18 June 2025
<b>Venue:</b>	Committee Room 1, Hamilton City Council
<b>In Attendance for all of the below sessions:</b>	Cr Bydder, Cr Casey-Cox, Cr van Oosten, Cr Macindoe, Cr Hutt, Cr Pike, Cr Taylor and Cr Thomson
<b>In Attendance for part of the below sessions:</b>	Mayor Southgate, Cr Wilson and Maangai Te Ua

### Minor Transport Improvement Programme – Macroscopic Approvals

Staff explained the purpose of this session was to present the 7 project reports that were a part of the Minor Transport Improvement Programme. Members asked questions in relation to the following matters:

- Bus routes and delays;
- Engagement with residents;
- Emergency services input;
- Legislation;
- Driver awareness;
- Flush kerbing;
- Impact on business;
- Intersection upgrades; and
- Maintenance.

### Cycling Safety Update

Staff explained the purpose of the session was to present information to Members on cycling safety following recent incidents involving cyclists. Members asked questions in relation to the following matters:

- Retrofitting fleet trucks;
- Alternative routes;
- Truck approved routes/ restrictions;
- Costs;
- Monitoring;
- Bylaws and Legislation; and
- Local Government New Zealand /Waka Kotahi advocacy appetite /status on advocating for change in cycling safety.

# Council Report

**Committee:** Council **Date:** 31 July 2025  
**Author:** Mark Davey **Authoriser:** Blair Bowcott  
**Position:** Unit Director Urban & Spatial Planning **Position:** General Manager Strategy, Growth and Planning  
**Report Name:** Council Submission to Packages 1, 2 and 3 of RMA National Direction

<b>Report Status</b>	<i>Open</i>
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## Purpose - *Take*

1. To seek Council's approval of the submission to Packages 1, 2 and 3 of RMA National Direction.

## Staff Recommendation - *Tuutohu-aa-kaimahi*

2. That the Council:
  - a) receives the report;
  - b) approves the **Draft 1** submission (**Attachment 1**) to the three Packages of RMA National Direction:
    - i. Package 1: Infrastructure and Development
    - ii. Package 2: Primary Sector
    - iii. Package 3: Freshwater
  - c) approves that the Mayor or Chief Executive has authority to sign and submit Council's final submission, incorporating any feedback from this meeting; and
  - d) notes that staff will lodge a draft submission with the Ministry for the Environment by the official 27 July 2025 closing date; however, staff have been given an extension until Monday 4 August 2025 to allow the submission to be finalised after this meeting.

## Executive Summary - *Whakaraapopototanga matua*

3. The Government is seeking feedback on proposals to change and inform the development of national direction under the resource management system. Submissions are being sought on proposals to update national direction for infrastructure, development, and the primary sector and on options to amend freshwater national direction, and test how housing proposals could fit into the new resource management system.
4. The Ministry for the Environment (MFE) released three Packages of the Resource Management Act (RMA) National Direction for consultation on 29 May 2025:
  - i. [\*\*Package 1: Infrastructure and development – Discussion document\*\*](#): The Government is aiming to make it easier for councils to plan and deliver infrastructure by making four new national direction instruments and amending four existing national direction instruments.

- ii. [Package 2: Primary sector – Discussion document](#): The Government is aiming to enable growth in the primary sector by making changes to eight existing national direction instruments.
  - iii. [Package 3: Freshwater – Discussion document](#): This discussion document seeks feedback on options to amend existing national direction instruments for freshwater to better reflect the interests of all water users, and on whether changes should be implemented under the existing RMA or under new resource management legislation. Further consultation will be undertaken later this year, through a more detailed exposure draft of the proposed freshwater national direction.
- 5. Consultation on [Package 4 – Going for Housing Growth](#) opened on 18 June 2025 and closes on 17 August 2025. This submission will be presented to the 12 August Strategic Growth and District Plan Committee meeting for approval.
- 6. Staff have developed a draft submission on the first three packages (**Attachment 1**) to reflect the views of Council.
- 7. In summary, Council supports:
  - i. national direction that enables well-planned and resilient infrastructure, including provisions that align with spatial planning and long-term asset management;
  - ii. amendments that support renewable electricity generation and electricity network development, particularly where they improve integration with urban environments;
  - iii. proposals that simplify and clarify freshwater regulations, including wetland and fish passage provisions, and support for mapping source water protection areas;
  - iv. changes to the National Policy Statement for Highly Productive Land that remove restrictions on LUC 3 (Land Use Capability) land for urban development, while retaining protections for rural lifestyle areas;
  - v. nationally consistent approaches to enabling papakāinga and minor residential units, where they support housing choice and community wellbeing.
- 8. Council does not support:
  - i. the removal of Te Mana o te Wai from the National Policy Statement for Freshwater Management, as it conflicts with Council's statutory obligations under the Waikato River Settlement Act and the Local Government Act;
  - ii. permitting minor residential units in medium and high-density zones. This change is contrary to the government direction (MDRS and NPS-UD) and may undermine planned intensification and compromise urban form;
  - iii. excluding Medium Density Residential Standards (MDRS) standards (e.g. sunlight, privacy, outdoor space) for minor residential units, which risks poor living environments and future subdivision challenges;
  - iv. provisions that lack clarity or consistency across national instruments, particularly where they may lead to unintended operational or consenting consequences.
- 9. The submission closing date for feedback on the three packages is 27 July 2025; however, staff have arranged an extension until Monday 4 August 2025, to allow for any changes to the submission after this meeting.
- 10. Staff consider the decisions in this report are of medium significance and no known risk, and that the recommendations comply with the Council's legal requirements.

## Background - *Koorero whaimaarama*

11. Hamilton City Council has provided feedback on the reform of the Resource Management system at multiple points over the last few years, since the Government appointed an expert panel led by the Hon Tony Randerson KC to review the Resource Management Act in 2019.
12. Council has consistently engaged with national resource management reforms to ensure local priorities and operational realities are reflected in national direction. This includes submissions on the Natural and Built Environment Bill, the Spatial Planning Bill, and various national policy statements and environmental standards.
13. These submissions have focused on advocating for integrated infrastructure planning, recognition of urban development needs, protection of freshwater and source water, and alignment with Treaty obligations—particularly in relation to the Waikato River Settlement.
14. The current submission continues this approach, providing targeted feedback on the three packages most relevant to Hamilton’s urban context.

## Discussion - *Matapaki*

### PACKAGE 1: INFRASTRUCTURE AND DEVELOPMENT

#### New National Policy Statement for Infrastructure (NPS-I)

##### Summary

15. Council generally supports the proposed National Policy Statement for Infrastructure (NPS-I), which aims to improve how infrastructure is planned, consented, and delivered across New Zealand. The NPS-I seeks to address perceived inefficiencies and inconsistencies in the current Resource Management system by providing clear national direction, enabling better infrastructure outcomes, and supporting community wellbeing and environmental resilience.
16. Council welcomes the national direction to enable better infrastructure outcomes, support community wellbeing, and enhance environmental resilience.
17. Key Concerns
  - i. The proposed objective should be strengthened by explicitly referencing integration with land use planning.
  - ii. The proposed NPS-I definitions and policies should be aligned with other national planning (e.g., National Policy Statements for Urban Development, Freshwater Management, and Highly Productive Land) to ensure consistency.
  - iii. Key terms such as “infrastructure supporting activities” should be clarified to ensure stormwater networks are not misclassified.
  - iv. Use of the NPS-I should be limited to infrastructure providers or those with formal approval to avoid ad hoc developments.
  - v. Social infrastructure (e.g., parks, libraries) should be included within the scope of the NPS-I.
  - vi. Greater clarity is required for certain terms used in the provisions.
  - vii. The definition of “infrastructure” should be expanded to explicitly include green infrastructure, recognising its role in climate resilience, biodiversity, and urban amenity.

## National Policy Statement for Renewable Electricity Generation (NPS-REG)

### Summary

18. The NPS-REG seeks to enable the sustainable management of renewable electricity generation (REG). The key proposed changes to the NPS-REG include:
  - i. a strengthened objective that better reflects the critical role of REG in achieving climate emissions reductions and supporting societal and economic wellbeing;
  - ii. new enabling and directive policies to support the development and protection of REG assets;
  - iii. recognition and provision for Maaori interests;
  - iv. policies to better enable REG while managing environmental effects, particularly in urban settings.
19. Council supports the proposed amendments and note that the District Plan already allows for renewable energy generation, with appropriate limits for a fully urban environment.
20. Key Concerns
  - i. A clearer definition of REG size is needed to distinguish between urban and rural contexts.
  - ii. Consideration of how renewable energy infrastructure may impact the urban environment is essential to ensure compatibility with existing land use and amenity values.

## National Policy Statement on Electricity Transmission (to be renamed National Policy Statement for Electricity Networks (NPS-EN))

### Summary

21. The proposed NPS-EN (formerly Electricity Transmission) expands its scope to include electricity distribution, reflecting the growing importance of electrification and integrated infrastructure planning. The amendments aim to better enable electricity network development, support climate resilience, and ensure nationally consistent decision-making.
22. The key proposed changes to the NPS-EN include:
  - i. amended objective to recognise the national significance and benefits of electricity networks;
  - ii. new objective and policies to support electricity distribution networks;
  - iii. policies to guide route selection and manage environmental effects;
  - iv. recognition and provision for tangata whenua interests;
  - v. greater protection for electricity networks and updated references to international guidelines;
  - vi. alignment with the proposed National Environmental Standards for Electricity Network Activities (NES-ENA).
23. Council supports the proposed changes and highlights the importance of strategic planning, integrated infrastructure delivery, and collaboration with landowners and road controlling authorities.

24. Key Concerns

- i. The impacts of electricity networks on the urban environment must be carefully managed, including visual amenity and land use compatibility.
- ii. Clear distinctions are needed between appropriate electricity network and distribution activities in urban versus rural environments.

**National Environmental Standards for Electricity Transmission Activities (to be renamed National Environmental Standards for Electricity Network Activities (NESENA))**

Summary

25. The NESENA seeks to provide more enabling standards for electricity transmission activities and to amend the extent of its application to include electricity distribution and Electric Vehicle (EV) charging infrastructure. The proposed amendments are intended to:

- i. enable more routine work on the electricity transmission network in all environments;
- ii. introduce new rules to protect the electricity transmission network based on the National Grid Corridor provisions introduce new provisions for the electricity distribution network (i.e., protection and routine works for the existing networks, and construction of new distribution network assets);
- iii. introduce new permitted activity standards for EV charging infrastructure.

26. Key Concerns

- i. Clarity is needed on protections for archaeological and waahi tapu sites, which were previously covered under the Heritage New Zealand Pouhere Taonga Act.
- ii. EV charging should be a permitted activity, but Councils must retain flexibility to tailor planning rules to suit local urban environments.

**National Environmental Standards for Telecommunication Facilities (NESTF)**

Summary

27. The NESTF aims to modernise telecommunication infrastructure standards to reflect increased urban density and building heights. Proposed amendments include:

- i. updated permitted activity standards for poles, cabinets, antennas, and headframes;
- ii. expanded scope to allow new poles in more zones and remove road reserve restrictions;
- iii. enabling renewable electricity generation and temporary facilities;
- iv. allowing customer connection lines to heritage buildings;
- v. minor technical updates to improve clarity and functionality.

28. Two options are proposed for pole height limits:

**Option 1:** A consistent 20m cap across residential zones

**Option 2:** Height limit based on building height plus 5m, allowing taller poles in high-density zones.

29. Key Concerns

- i. Hamilton City Council supports **Option 1** for its alignment with “human scale” planning and better visual amenity.

- ii. Hamilton City Council encourages the Government to consider feedback from telecommunication agencies to ensure operational needs are met.

### **National Environmental Standards for Granny Flats (Minor Residential Units)**

#### Summary

- 30. The National Environmental Standards for Granny Flats (NES-GF) proposes to allow – without resource consent – one Minor Residential Unit (MRU) up to 70m<sup>2</sup> internal floor area per site in residential, rural, mixed use, and Maaori purpose zones, subject to:
  - i. common ownership with a principal dwelling on the same site;
  - ii. 50% maximum building coverage (excluding rural zones that has no maximum);
  - iii. 2m setbacks from all boundaries and the principal unit (larger setbacks in rural zones).
- 31. Councils cannot apply standards for outdoor space, privacy, sunlight, glazing, parking, or access.

#### 32. Key Concerns

- i. Permitting MRUs in medium and high-density zones may undermine intended intensification, as these zones are intended for more intensive housing forms and supported by significant infrastructure investment.
- ii. The 70m<sup>2</sup> limit lacks clarity on whether it includes external elements like walls or eaves.
- iii. Setbacks from arterial roads remain too small at 2m.
- iv. Excluding amenity standards could lead to poor living environments and complicate future subdivision.
- v. It is unclear whether MRUs that reduce the amenity of the principal dwelling would trigger consent.
- vi. The National Environmental Standard for Granny Flats risks establishing a new permitted baseline that undermines implementation of existing District Plan and MDRS standards. This may hinder assessments for other activities in the same zone.

### **National Environmental Standards for Papakainga (NES-P)**

#### Summary

- 33. The proposed NES-P seeks to introduce nationally consistent rules for enabling papakainga on certain types of land throughout the country. Up to 10 homes would be permitted, while 11-30 homes would be restricted discretionary, and larger papakainga with over 30 homes would be discretionary.
- 34. Eligible land types include Maaori freehold land, customary land, reservations, land compulsorily converted under the Maaori Affairs Amendment Act 1967, and returned public works land.

#### 35. Key Concerns

- i. Clear consenting pathways are lacking for papakainga not on Maaori ancestral land or Treaty settlement land. Hamilton has limited land that would meet the criteria of the National Environment Standard. This may limit our ability to enable papakainga.

- ii. Provisions specific to papakaainga in urban areas are lacking. The National Environmental Standard has provisions to manage potential issues for papakaainga in rural areas. However, it lacks specific provisions to promote good outcomes for papakaainga in urban areas.

### **National Policy Statement for Natural Hazards (NPS-NH)**

#### Summary

- 36. The NPS-NH proposes a high-level framework to guide councils in assessing and managing natural hazard risks. The National Policy Statement includes policies relating to minimum components for risk assessments, provisions for climate change timeframes and proportionate management, requirements to use best available information, ensuring significant risk from natural hazards is not exacerbated on other sites and continuing with risk assessment where information is limited or unclear. The NPS-NH also provides a definition of ‘new development’ and a risk matrix for identifying significant natural hazards.
- 37. Key Concerns
  - i. Implementation guidance is lacking – it is unclear how the National Policy Statement will influence consenting decisions.
  - ii. The risk matrix is difficult to apply when multiple low-risk hazards overlap.
  - iii. Policy 4 requires Councils to use the best information available and Policy 6 states local authorities must continue with a risk assessment where information is uncertain or incomplete. Council agrees with using the best available information and this aligns with our current approach. However, proceeding with a risk assessment where information is uncertain could prove difficult and end up with unfair restrictions.
  - iv. The definition of “new development” needs clarification, especially regarding internal alterations or changes in use.

### **PACKAGE 2: PRIMARY SECTOR**

### **National Policy Statement for Highly Productive Land (NPS-HPL)**

#### Summary

- 38. Introduced in 2022, the NPS-HPL aims to protect New Zealand’s most productive rural land for current and future land-based primary production. It restricts rezoning, subdivision, and non-primary use of land classified as Land Use Capability (LUC) Classes 1, 2, and 3.
  - i. LUC 1: The most versatile and productive land with minimal limitations.
  - ii. LUC 2: Highly versatile land with slight limitations, suitable for cropping, horticulture, viticulture, pastoral farming, and forestry.
  - iii. LUC 3: Moderately productive land with some limitations, but still suitable for cropping, horticulture, and grazing.
- 39. LUC 3 makes up the majority (64%) of land currently protected under the NPS-HPL, but concerns have been raised that its inclusion overly restricts urban development, particularly greenfield housing.
- 40. Proposed changes include:
  - i. removing LUC 3 land from protection to increase housing supply;
  - ii. maintaining the existing restrictions on LUC 1 and 2 land;



- iii. introducing Special Agricultural Areas (SAAs) to protect key horticultural zones like Pukekohe and Horowhenua. It recognises that areas important for food and fibre production may be compromised by the removal of LUC 3, and that these areas should be subject to the NPS-HPL;
  - iv. extending mapping deadlines to 2027–2028;
  - v. a further proposal for mining and quarrying on Highly Productive Land part 2.5 of the phase two RMA reforms.
41. Key Concerns
- i. Council supports removing LUC 3 from urban development restrictions but recommends it still applies to rural lifestyle areas to prevent premature development.
  - ii. If LUC 3 is retained for rural lifestyle areas, it should continue to be mapped regionally.
  - iii. Mapping responsibilities should remain a regional function.
  - iv. Special Agricultural Areas (SAA) should be implemented through District Plans, with mandatory consultation across local authority boundaries to avoid conflicts with future urban growth areas.

### **PACKAGE 3: FRESHWATER**

#### **National Policy Statement for Freshwater Management 2020 (NPS-FM)**

##### Summary

42. The proposed amendments to the NPS-FM aim to revise the freshwater management objectives, including:
- i. replacing the current objective with one that safeguards the life-supporting capacity of freshwater while enabling wellbeing and economic productivity;
  - ii. reconsidering the role of Te Mana o te Wai in consenting decisions, with three options ranging from full removal to reinstatement of the 2017 provisions;
  - iii. introducing flexibility in timeframes and cost considerations for achieving freshwater outcomes;
  - iv. adjusting compulsory values and attributes within the National Objectives Framework.
43. Council supports the overarching goal of improving water quality and maintaining alignment with Te Ture Whaimana o Te Awa o Waikato, which guides long-term restoration of the Waikato River.
44. Key Concerns
- i. The term “safeguard” may imply maintaining degraded conditions. Clarification is needed to ensure it supports improvement and biodiversity restoration.
  - ii. Removing Te Mana o te Wai from the National Policy Statement for Freshwater Management – whether entirely (Option 3) or from consenting decisions (Option 1) – would conflict with Council’s statutory obligations under the Waikato River Settlement Act and the Local Government Act. Council opposes these options and instead supports Option 2, which reinstates the 2017 provisions, particularly when paired with staged infrastructure upgrades that promote affordability and intergenerational equity.

- iii. Greater flexibility in timeframes is supported, but guidance is needed on legacy contaminants and practical implementation to avoid delays in water quality improvements.
- iv. Cost considerations must not be used to justify poor water outcomes. It is recommended to include intangible and intergenerational benefits in cost assessments.
- v. Drinking water supply should be added as a compulsory value in the National Objectives Framework.
- vi. Catchment-level management should prioritise allocation to avoid first-come-first-serve approaches.

### **National Environmental Standards for Freshwater (NES-F)**

#### Summary

- 45. The proposed changes to the NES-F aim to simplify and enable freshwater-related activities, including:
  - i. permitting commercial vegetable production under national standards;
  - ii. clarifying and simplifying wetland provisions, including definitions for constructed and induced wetlands;
  - iii. simplifying fish passage regulations to reduce compliance burden;
  - iv. introducing mapping requirements for source water protection;
  - v. providing national direction for activities in high-risk areas.
- 46. Council supports these changes where they enable urban development and infrastructure upgrades while protecting water quality and public health.

#### 47. Key Concerns

- i. Council supports permitting commercial vegetable production in principle, but nutrient impacts must be effectively managed to protect municipal water sources.
- ii. Wetland provisions need clearer definitions, especially for constructed and induced wetlands. Council supports excluding induced wetlands from regulation to enable infrastructure upgrades.
- iii. The definition of “specified infrastructure” should be expanded to include infrastructure necessary to support plan-enabled urban development.
- iv. Wetland mapping is essential for spatial planning. Council recommends retaining the requirement but extending the 2030 deadline.
- v. Fish passage regulations should be evidence-based. Council supports exemptions where fish are not present to reduce unnecessary compliance.
- vi. Council supports mapping of source water risk areas. Council recommends bespoke delineation and alignment with the Water Services Act.
- vii. Activities in high-risk areas must consider infrastructure needs and climate adaptation. Council recommends recognising three waters infrastructure as nationally significant.

## CONCLUSION

48. In summary, the Council submission largely supports the intent of the proposals outlined in Packages 1, 2, and 3 of the Resource Management Act National Direction. The submission reflects Council's commitment to enabling well-planned infrastructure, protecting environmental values, supporting primary sector resilience, and improving freshwater outcomes.
49. While Council generally supports the direction proposed, the submission identifies areas where further clarity, consistency, and flexibility are needed to ensure the national direction aligns with Council's statutory obligations, strategic priorities, and operational realities.

### Financial Considerations - *Whaiwhakaaro Puutea*

50. There will be no extra costs incurred to develop and prepare the submission. All work will be business as usual for all Hamilton City Council staff involved.

### Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

Staff confirm that the decisions in this report comply with the Council's legal and policy requirements. No legal advice on the submission has been sought.

### Risks - *Tuuraru*

51. There are no known risks associated with the decisions required for this matter other than if the submissions are not submitted then the views of Hamilton City Council will not be considered.

### Strategic Considerations - *Whaiwhakaaro-aa- rautaki*

52. Everything we do is aimed at improving the wellbeing of Hamiltonians. Council has been working alongside our community to understand what people in our city want the future of Hamilton Kiriikirōa to look like as represented by our five priorities.
53. The promotion of the social, economic, environmental, and cultural wellbeing of communities in the present and for the future is expressed through Council's key strategies.
54. The proposed recommendation will align with Council key documents, as identified in the Governance Structure, in the following ways:

<a href="#">Significance and Engagement Policy</a>	Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the matter(s) in this report has/have a low level of significance.  Given the low level of significance determined, the engagement level is low. No engagement is required.
<a href="#">He Pou Manawa Ora - Pillars of Wellbeing</a>	The feedback on the critical role of renewable electricity generation in achieving climate emissions reductions and supporting climate resilience, managing natural hazard risks, and safeguarding and improving freshwater outcomes address:  POU FOUR: He Pou Manawa Taiao   Pillar of Restoration
<a href="#">Our Climate Future Te Pae Tawhiti o Kiriikirōa</a>	The submission provides feedback on the critical role of renewable electricity generation in achieving climate emissions reductions and supporting climate resilience.

[Disability Action Plan](#)

Staff have considered the Disability Action Plan and determined that there are no specific or relevant goals applicable to this report.

### **Attachments - *Ngaa taapirihanga***

Attachment 1 - Draft 1 submission to Packages 1, 2 and 3 of RMA National Direction

## Hamilton City Council – Draft 1 Submission

### Packages 1–3 of the Resource Management Act National Direction

Package 1: Infrastructure and Development

Package 2: Primary Sector

Package 3: Freshwater

Ministry for the Environment

4 August 2025

## 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 Council submission is aligned with all of Hamilton City Council's five priorities.

## Council Approval and Reference

This submission was approved by Hamilton City Council at its meeting held on 31 July 2025.

Submission # 809

## Key Messages and Recommendations

### 1. **Package 1: Infrastructure and Development**

2. We support the intent of the proposed national direction to streamline infrastructure delivery and align it with land use planning.
3. We emphasise the importance of integrating infrastructure planning with spatial and strategic planning frameworks.
4. We support enabling renewable energy and electricity networks, while highlighting the need to manage impacts within urban environments.
5. We support national consistency in standards for telecommunications, EV infrastructure, and minor residential units, while calling for flexibility to address local urban contexts.
6. Funding is a key constraint; flexible, fit-for-purpose tools are vital for strategic, viable, and resilient infrastructure delivery.

### 7. **Recommendations**

#### 8. **NPS for Infrastructure (NPS-I)**

9. We recommend limiting the use of the NPS-I to infrastructure providers or those with formal approval.
10. We seek clarification of definitions, particularly for 'infrastructure supporting activities' and 'additional infrastructure'.
11. We recommend including social infrastructure (e.g., parks, libraries) within the scope.
12. We support aligning definitions and policies with other national policy statements (e.g., NPS-UD, NPS-FM, NPS-HPL).
13. We request implementation guidance for Policy 4 to ensure timely and efficient delivery.
14. We recommend expanding the definition of infrastructure to include green infrastructure, beyond its current limited reference within the definition of 'stormwater network'.

#### 15. **NPS for Renewable Electricity Generation (NPS-REG)**

16. We support the strengthened objective and enabling policies.
17. We recommend clarifying size thresholds for renewable generation in urban versus rural contexts.

#### 18. **NPS for Electricity Networks (NPS-EN)**

19. We support the inclusion of electricity distribution within the scope.
20. We emphasise the importance of collaboration with landowners and road controlling authorities.
21. We recommend managing urban impacts and distinguishing between urban and rural contexts.

#### 22. **NES for Electricity Network Activities (NES-ENA)**

23. We support the inclusion of EV charging as a permitted activity.
24. We recommend retaining flexibility for councils to tailor EV infrastructure rules.
25. We seek clarification on protections for archaeological and waahi tapu sites.
26. We support controlled activity status for non-compliant or heritage-area activities.

#### 27. **NES for Telecommunication Facilities**

28. We support Option 1 (20m height cap) for improved visual amenity.

29. We recommend recognising non-telco infrastructure providers (e.g., councils) in definitions.
30. We support enabling co-location while balancing functionality with visual amenity.
31. **NES for Granny Flats (Minor Residential Units)**
32. We recommend renaming the standard to NES for Minor Residential Units (NES-MRU).
33. We recommend excluding MRUs from medium and high-density zones, as these zones are intended for more intensive housing forms and supported by significant infrastructure investment. Allowing MRUs in medium and high-density zones will compromise our ability to achieve the outcomes sort by the NPS-UD and government policy directives.
34. We seek clarification on floor area definitions and setbacks (e.g., 5m from arterial roads).
35. The NES for Granny Flats risks establishing a new permitted baseline for other activities within the same zone. This will undermine the implementation of the MDRS standards reducing their effectiveness. The consequences of this have not been adequately acknowledged or addressed in the discussion document.
36. We submit that the NES be amended to allow councils the ability to apply MDRS standards to MRUs. This will ensure quality and consistency of housing outcomes as sought by MDRS and government direction.
37. **NES for Papakāinga**
38. We support providing consenting pathways for papakāinga on general land.
39. We recommend including urban-specific provisions and allowing ancillary community uses.
40. We support limiting subdivision to preserve community integrity.
41. We recommend aligning definitions with Building Act reforms for consistency.
42. **NPS for Natural Hazards**
43. We support the high-level framework but request clearer implementation guidance.
44. We seek clarification on how the NPS interacts with existing district plan rules.
45. We support proportionate risk management and the use of best available information.
46. **Package 2: Primary Sector**
47. We support enabling growth in the primary sector, provided it does not unduly constrain urban development.
48. We emphasise the importance of protecting municipal water sources and infrastructure from upstream impacts.
49. **Recommendations**
50. **NPS for Highly Productive Land (NPS-HPL)**
51. We support the removal of LUC 3 land from urban development restrictions, while recommending its retention for rural lifestyle areas.
52. We recommend that mapping responsibilities for Highly Productive Land remain with regional authorities.
53. We support the implementation of Special Agricultural Areas (SAAs) through District Plans, with mandatory cross-boundary consultation to avoid conflicts with future urban growth areas.
54. **NES for Commercial Forestry**
55. We support stricter controls on slash management to protect infrastructure and water quality.
56. We recommend a risk-averse approach to slash management, particularly in light of climate change and its potential impacts on critical infrastructure.



### 57. **Package 3: Freshwater**

- 58. We support the overarching goal of improving freshwater quality and aligning with Te Ture Whaimana o Te Awa o Waikato.
- 59. We strongly oppose the removal of Te Mana o te Wai (TMotW) and advocate for its retention in resource management decision-making.
- 60. We support flexibility in implementation timeframes and staged infrastructure upgrades to promote affordability and intergenerational equity.

### 61. **Recommendations**

#### 62. **NPS for Freshwater Management (NPS-FM)**

- 63. We recommend clarifying that the term “safeguard” implies improvement of water quality, rather than maintaining degraded conditions.
- 64. We support Option 2, which reinstates the 2017 TMotW provisions, particularly when paired with staged infrastructure upgrades.
- 65. We oppose Option 3, which proposes the complete removal of TMotW, as this conflicts with statutory obligations and long-term environmental stewardship.
- 66. We recommend adding drinking water supply as a compulsory value within the National Objectives Framework.
- 67. We support prioritising allocation at the catchment level to avoid first-come-first-served approaches.

#### 68. **NES for Freshwater (NES-F)**

- 69. We support permitting commercial vegetable production, provided nutrient impacts are effectively managed to protect municipal water sources.
- 70. We recommend clearer definitions for wetlands and support excluding induced wetlands from regulation to enable infrastructure upgrades.
- 71. We support expanding the definition of “specified infrastructure” to include infrastructure necessary for plan-enabled urban development.
- 72. We recommend retaining the wetland mapping requirement but extending the deadline to allow for practical implementation.
- 73. We support evidence-based fish passage regulations and exemptions where fish are not present.
- 74. We support mapping of source water risk areas and recommend alignment with the Water Services Act.
- 75. We recommend recognising three waters infrastructure as nationally significant, particularly in high-risk areas, and ensuring it is appropriately prioritised in planning and consenting decisions.

## Introduction

76. Hamilton City Council welcomes the opportunity to make a submission to the Ministry for the Environment on Packages 1-3 of the Resource Management Act National Direction as outlined in the three May 2025 discussion documents i.e.:
- **Package 1: Infrastructure and Development**
  - **Package 2: Primary Sector**
  - **Package 3: Freshwater**
77. Hamilton City Council takes an active interest in the resource management space, as evidenced by our recent submissions to the:
- **Resource Management (Consenting and Other System Changes) Amendment Bill (10 February 2025)** – [Weblink](#)
  - **Application to have Projects Listed in Schedule 2 of the Fast Track Approvals Bill (3 May 2024)**
  - **Fast Track Approvals Bill (19 April 2024)** – [Weblink](#)
  - **Engagement Draft of the Transitional National Planning Framework Proposal (13 December 2023)** – [Weblink](#)
  - **Proposed National Policy Statement for Natural Hazard Decision-Making Discussion Document – September 2023 (16 November 2023)** – [Weblink](#)
  - **Managing the Use and Development of Highly Productive Land – Discussion Document – September 2023 (7 November 2023)** – [Weblink](#)
  - **Natural and Built Environment Bill (17 February 2023)** – [Weblink](#)
  - **Spatial Planning Bill (17 February 2023)** – [Weblink](#)
78. This submission focuses on responding to the key questions that are likely to impact on Hamilton City Council. Therefore, not all questions in the Ministry for the Environment's May 2025 discussion documents are addressed.

## Package 1: Infrastructure and Development

79. Package 1 overlooks a fundamental constraint to infrastructure delivery: funding. While the policy aims to streamline planning and consenting processes, these are not the primary barriers to timely infrastructure provision. Infrastructure is often planned decades in advance (typically 10 to 30+ years through structure plans and master plans) but financial planning and funding mechanisms consistently lag behind. This disconnect creates a persistent gap between what is envisioned and what can realistically be delivered.
80. Even in an unconstrained funding environment, deliverability remains a challenge. Infrastructure cannot be built everywhere, all at once. Prioritisation is necessary not only due to funding limitations but also because of practical constraints such as workforce capacity, material availability, and lead-in times for securing land, consenting and authorisations. In many cases, infrastructure requires land that is not council-owned, and securing access or ownership is a prerequisite before delivery can proceed. These realities must be acknowledged in any national direction aiming to enable infrastructure.
81. These constraints highlight the urgent need for flexible funding and financing tools that are fit-for-purpose with regard to the emerging growth and legislative environment, in order to facilitate infrastructure delivery.

82. Crucially, development cannot happen successfully without the infrastructure to support it. Housing, commercial, and industrial growth all rely on timely provision of water, wastewater, stormwater, transport, and other essential services. Without these, development is either delayed, compromised in quality, or results in long-term operational and environmental (whole of life) costs and issues.
83. Hamilton's 2024–2034 Long-Term Plan and 2024–2054 Infrastructure Strategy illustrate the severity of this issue. Despite clear infrastructure needs, financial constraints have forced the deferral of essential projects, including:
- \$150 million in unfunded stormwater infrastructure.
  - \$500 million in water supply upgrades.
  - \$1 billion+ for roads and intersection improvements.
  - \$1 billion+ for public transport infrastructure.
84. These figures do not reflect the increasing expectations to release more development-ready land, which further compounds the pressure on infrastructure systems.
85. We recommend that Package 1 explicitly acknowledges the critical role of infrastructure funding and deliverability in enabling timely provision of infrastructure and development. Without this recognition, the policy risks setting expectations that cannot be met within current planning and financial frameworks.

## New National Policy Statement for Infrastructure

86. Hamilton City Council is supportive of the proposed National Policy Statement for Infrastructure (NPS-I). Although specifically not mentioned in the submission points below, we particularly endorse the policy direction relating to:
- Managing reverse sensitivity.
  - Aligning spatial planning with deliverable infrastructure provision.
  - The overarching objective of the NPS-I to enable timely, efficient, and resilient infrastructure delivery.
  - Enabling the maintenance and upgrading of existing infrastructure.
  - Recognising and providing for Māori rights and interests.
87. These elements reflect longstanding priorities for Hamilton City Council, are consistent with our strategic planning and operational experience, and reflect some of the feedback of our previous submissions.

### Is the scope of the proposed NPS-I adequate?

88. We have concerns regarding the scope of who can utilise the NPS-I. Hamilton City Council consider the scope should be limited to infrastructure providers, or parties who have received formal approval from infrastructure providers responsible for the ongoing operation and maintenance and upkeep of the infrastructure proposed. This is consistent with the approach taken in the original National Policy Statement for Electricity Transmission Activities and the National Environmental Standards for Telecommunication Facilities.
89. Our concern is to avoid the proliferation of ad hoc infrastructure solutions that are not well integrated into long-term infrastructure planning or operational frameworks. These types of developments often result in significant operational expenditure implications for councils and infrastructure providers. For example, [in the case of Christobel Circle](#), private infrastructure was consented under the RMA as private infrastructure. Following the collapse of those responsible for the private infrastructure, Hamilton City Council (following community pressure) assumed ownership of that infrastructure. The infrastructure's ad hoc nature often leads to increased costs for Council and its ratepayers.

90. To mitigate the risk of ad hoc infrastructure development, we recommend that the NPS-I include a clear definition of “infrastructure provider.” This definition should be limited to entities responsible for the long-term operation, maintenance, and funding of infrastructure, or those who have formally obtained approval to develop infrastructure on behalf of such entities. It would help ensure that only qualified and accountable parties are able to initiate infrastructure projects under the NPS-I.
91. This would ensure that infrastructure delivered under the NPS-I is strategically planned, operationally viable, and aligned with long-term asset management and funding frameworks.
92. We recommend the following changes:
  - Define “infrastructure provider” within its scope and provisions.
  - Include policy direction requiring any non-infrastructure provider proposing infrastructure to obtain written approval from the relevant infrastructure provider prior to proceeding.
93. We also recommend that the definition of “infrastructure” be expanded to explicitly include green infrastructure, beyond its current limited reference within the definition of “stormwater network.”
94. Green infrastructure plays a critical role in supporting well-functioning urban environments, improving resilience to climate change, enhancing biodiversity, and delivering co-benefits such as amenity, health, and water quality. Recognising green infrastructure within the NPS-I would align with national climate and environmental goals and provide clearer direction for councils to plan and deliver integrated infrastructure solutions.
95. The broader role of Green Infrastructure in delivering environmental, social, and climate resilience outcomes is not currently reflected in the general definition of infrastructure or infrastructure activities.
96. We recommend the following amendments to the definitions, objectives and policies:
  - **Definition D1 – Additional Infrastructure.** Add: “Infrastructure includes green infrastructure where it provides essential services or functions such as climate resilience, ecological connectivity, or urban cooling”.
  - **Definition D7 – Infrastructure.** Add: “Infrastructure includes green infrastructure where it provides essential services or functions such as climate resilience, ecological connectivity, or urban cooling”.
  - **Definition D8 – Infrastructure activities.** Add: “Includes natural and constructed green infrastructure assets that contribute to infrastructure outcomes”.
  - **Objective OB1(f).** Add: “...while managing adverse effects on the environment and enhancing environmental outcomes through the integration of green infrastructure”.
  - **Policy P1(1)(e).** Add: “...helping to protect and restore the natural environment, including through the use of green infrastructure”.

**Do you agree with the definition of ‘infrastructure’, ‘infrastructure activities’ and ‘infrastructure supporting activities’ in the NPS-I?**

97. Council supports the broad scope of infrastructure activities proposed by the NPS-I. As an organisation, Hamilton City Council provides and manages a wide range of infrastructure services, including three waters, transport networks, community facilities, parks, crematoriums and resource recovery. We also host renewable energy and telecommunications infrastructure associated with our core functions. We support the broad scope of activities included within the NPS-I, especially where it creates more enabling pathways for infrastructure-related activities.
98. However, we seek clarification and refinement in three key areas:



- **Alignment with the National Policy Statement on Urban Development (NPS-UD):** Both the NPS-UD and the proposed NPS-I include definitions for “additional infrastructure.” Given that these two national policy statements are likely to interact—whether through plan change processes or resource consenting—it is important to ensure consistency between their definitions. We consider it prudent to align the terminology used in both instruments to avoid confusion and ensure coherent application across the planning system. If alignment is not intended, we recommend that the NPS-I adopt an alternative term to distinguish its scope and intent.

We seek alignment between the definitions of “additional infrastructure” in the NPS-I and NPS-UD, or adopt a distinct term in the NPS-I if alignment is not intended.

- **Stormwater Infrastructure Classification:** The inclusion of stormwater networks under “additional infrastructure” may unintentionally imply that stormwater is not covered under the original RMA definition of “infrastructure” (defined as “a drainage or sewage system”). Hamilton City Council has consistently treated stormwater infrastructure as part of this original definition. We are concerned that this reclassification could lead to inconsistent treatment in future RMA decisions.

We recommend reconsidering terminology with respect to stormwater network activities (which includes conveyance and treatment) versus “additional infrastructure” and “drainage systems” under the RMA to ensure clarity and consistency.

- **Social Infrastructure Inclusion:** Council has one designated park, and acknowledges the growing importance of social infrastructure (such as parks, libraries, and community facilities) in supporting community wellbeing. These assets play a vital role in urban environments. Recognising them within the NPS-I would provide greater clarity and consistency in planning and consenting processes, should councils choose to designate them in the future.

We recommend including social infrastructure within the definition of “additional infrastructure” to support consistent recognition and enable future flexibility in planning frameworks. Parks, libraries, and other community facilities are increasingly being designated.

99. With regard to infrastructure supporting activities, Hamilton City Council notes a potential omission in the proposed definition. While quarrying is included, other critical activities (discharges from wastewater treatment plants, water abstraction, noise emissions from ports, crematorium) are not.
100. While the NPS-I provides strong enabling provisions for the construction of infrastructure, we are concerned that the absence of these supporting activities from the definition may result in barriers to their operation. If consents for these ancillary activities are not granted, there is a risk that newly constructed infrastructure may not be usable or effective. To ensure infrastructure can function as intended, these enabling activities must be clearly provided for within the policy framework.
101. We recommend redrafting the definition of “infrastructure supporting activities” to include critical enabling activities such as discharges, water takes, and emissions necessary for infrastructure operation.
102. We suggest clarifying that access-related activities are included within the scope of infrastructure supporting activities.

#### **Does the proposed objective reflect the outcomes sought for infrastructure?**

103. Council supports the intent of the proposed objective in the NPS-I, particularly its focus on delivering infrastructure that supports wellbeing, resilience, and environmental management.
104. O1(f) makes reference to New Zealand’s infrastructure being “delivered in a timely, efficient, and ongoing manner while managing adverse effects on the environment’.” In our view, timely and efficient delivery of infrastructure depends on well-functioning planning processes and funding certainty. Long-term infrastructure planning (including consideration of Capital and Operational whole of life costs) requires clear land use direction, and successful delivery relies on integration across infrastructure, planning, and funding systems.

105. We consider that the proposed objective could be strengthened by referencing integration with land use planning where possible to do so. The funding aspect relating to infrastructure is previous discussed within paragraphs 38 to 42.

106. We recommend adding a reference to the integration between the provision infrastructure and land use planning (where it is possible to do so).

**Does the proposed policy adequately reflect the benefits that infrastructure provides?**

107. Yes, the policy is further strengthened by allowing decision makers to consider any localised adverse effects on the environment.<sup>1</sup>

**Does the proposed policy sufficiently provide for the operational and functional needs for infrastructure to be located in particular environments?**

108. Noting our previous submissions points on the topic, yes, the proposed policy does sufficiently provide for the operational and function needs for infrastructure to be located in particular environments.

109. The proposed policy covers infrastructure activities not already covered in other national policy statements and also includes infrastructure supporting activities which are critical for effective and efficient functioning of core infrastructure. The policy also supports infrastructure critical to community wellbeing and contains implementation measures and timeframes to ensure policy is actionable and effective.

**Do you support the proposed requirement for decision-makers to have regard to spatial plans and strategic plans for infrastructure?**

110. Hamilton City Council supports this requirement, noting its alignment with the NPS-UD requirements for local authorities to implement Future Development Strategies which are informed by spatial plans and master planning. The NPS-I proposes that decision-makers must consider spatial plans and Future Development Strategies when enabling infrastructure to meet changing community needs.<sup>2</sup>

**Would the proposed policy help improve the efficient and timely delivery of infrastructure?**

111. Hamilton City Council supports the intent of this policy direction. However, we emphasise that the primary barrier to the efficient and timely delivery of infrastructure remains the availability and certainty of funding. While consenting processes play a role, they are secondary to the broader issue of financial resourcing.

**Does the proposed policy adequately provide for the consideration of Māori interests in infrastructure?**

112. Hamilton City Council supports the inclusion of policies which seek to capture Maaori interest in infrastructure, especially where policy seeks to uplift and support the aspirations of Mana Whenua. Hamilton City Council wish to ensure that, like any private infrastructure owner, the interaction between owners and operators of infrastructure needs to be "seamless". As such, we would prefer to see clear guidance on the need for cooperation and collaboration between Maaori and non Maaori infrastructure providers.

**Do the proposed policies sufficiently provide for the interface between infrastructure and other activities including sensitive activities?**

113. Hamilton City Council is generally supportive of the intent of the proposed policies, particularly the direction provided on managing reverse sensitivity. This is a critical issue in urban environments, where

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<sup>1</sup> Mfe. (2025). Attachment 1.1: Proposed provisions – New National Policy Statement for Infrastructure. Policy 1 (2), p7.

<sup>2</sup> Mfe. (2025). Package 1: Infrastructure and development - Discussion document. p15.

new development can impact the operation of existing infrastructure through complaints or restrictions on activities such as noise, odour, or vibration.

- 114. However, we consider that further clarity is needed to fully understand the interrelationship between infrastructure and other land uses. The policies would benefit from more explicit guidance on how to manage these interfaces in practice, especially in areas of mixed use or high growth.
- 115. One area that remains unaddressed is the interaction between infrastructure providers themselves. In urban areas, where land is already constrained, multiple providers often need to operate within the same corridor or footprint. Coordinating these activities is essential to avoid conflict, duplication, or inefficiencies in delivery and maintenance.
- 116. We recommend that the NPS-I include policy direction to support coordination between infrastructure providers, particularly in shared spaces. This would help ensure infrastructure is planned and delivered in a way that is integrated, efficient, and responsive to the realities of urban land use.

## Amendments to National Policy Statement for Renewable Electricity Generation 2011

**Do you support the proposed amendments to the objective of the NPS-REG?**

- 117. We support the proposed amendments to the National Policy Statement for Renewable Electricity Generation (NPS-REG), particularly its emphasis on improving resilience and planning for future climate conditions.
- 118. Hamilton City's District Plan already enables renewable energy generation, with appropriate limits on scale and output to reflect the city's fully urban environment. We are generally supportive of the proposed amendments to the NPS-REG objective.
- 119. A key concern is the need for a clearer definition of renewable electricity generation size, particularly to distinguish between what is appropriate in urban versus rural contexts.

**Are the additional benefits of renewable electricity generation helpful considerations for decision-makers? Why or why not?**

- 120. We consider the additional benefits are helpful for decision-makers, however it is important to be considerate of how renewable energy could impact the urban environment.

**Do you support the proposed policy to enable renewable electricity generation development in areas not protected by section 6 of the RMA, or covered by other national direction?**

- 121. We are generally supportive of the proposed policy. Hamilton City's District Plan already allows for renewable energy generation, however as Hamilton is fully urbanised it is important to consider how renewable energy could impact the urban environment.

## Amendments to National Policy Statement on Electricity Transmission 2008 (proposed to be renamed National Policy Statement for Electricity Networks)

- 122. Hamilton City Council generally supports the proposed updates to the National Policy Statement for Electricity Networks (NPS-EN), which are considered this essential to strengthening infrastructure resilience, enabling urban growth, and supporting the transition to renewable energy.
- 123. Hamilton City Council has consistently supported strategic electricity planning through initiatives like Future Proof. The proposed NPS-EN is as a valuable mechanism to better integrate electricity

infrastructure into future development strategies, ensuring it is delivered in the right locations and avoids future land use conflicts.

124. While Hamilton City Council does not manage electricity transmission networks, we have a vested interest in their operation and development. Transmission infrastructure traverses urban environments, including key transport corridors, and its presence has implications for land use decisions and future development.
125. The inclusion of lower voltage distribution lines within the scope of the NPS-EN is particularly relevant for Hamilton, where integrated planning across transport, energy, and other infrastructure (e.g. three waters, gas, telecommunications) is critical to achieving well-functioning urban environments.
126. We advocate for electricity infrastructure within transport corridors to be safe, efficient, and well-integrated. Collaborating with providers, Hamilton City Council promotes solutions such as undergrounding overhead lines to minimise conflict and enhance reliability across networks.
127. Hamilton City Council recommends greater direction for electricity network operators to collaborate with landowners, including road controlling authorities or requiring authorities. This is particularly necessary if central government intends to rely more heavily on private infrastructure solutions to meet national objectives.

**Do you support the proposed definitions in the NPS-EN?**

128. Yes. Several new definitions are proposed in the NPS-EN, for example 'routine activities' and 'non-routine activities' are proposed to be redefined to separate regular activities that are part of the lifecycle of electricity networks.
129. Hamilton City's District Plan includes objectives and policies that seek the efficient operation, maintenance and upgrade of the existing electricity transmission network and requires network utilities to be designed, located, installed, operated and maintained to minimise adverse effects.
130. We support definition D17 as it recognises the need to deliver the service in a new or different way.

**Do you support the proposed objective? Why or why not?**

131. We are generally supportive of the proposed objective. Hamilton City's District Plan already recognises the importance of network utilities in supporting the city's development and functioning. Key concerns include:
  - The need to consider the impacts of the electricity network on the urban environment.
  - The importance of distinguish between appropriate electricity network and distribution activities in urban versus rural contexts.

132. Objective OB1 b) helps to provide for a resilient electricity network for the future climate, aligning with the Climate Change Response Act 2002 and the National Adaptation Plan.

**Do you support Transpower and electricity distribution businesses selecting the preferred route or sites for development of electricity networks?**

133. Yes. Transpower and electricity distribution businesses are best placed to select preferred routes or sites, given their understanding of the operational and functional needs of their networks. We support the proposed policy to ensure resource management decisions recognise their role.

**Are there any other route or site selection considerations that have not been identified?**

134. We support electricity distribution businesses in identifying and sharing preferred sites for infrastructure development. However, where road corridors are involved, final site selection and route confirmation must be carried out in strategic partnership with the Road Controlling Authority. This collaborative process ensures that the primary function of the corridor (being the safe and efficient movement of



people and goods) is upheld, and that any infrastructure introduced does not compromise network integrity, public safety, or transport performance.

135. This collaborative approach is essential to managing the increasing complexity of shared corridors, where transport, three waters, utilities, and power infrastructure often overlap. Early coordination between infrastructure providers and the Road Controlling Authority helps reduce conflicts, streamline delivery, and ensure adverse effects are mitigated in a way that supports long-term network efficiency and safety.

**Do you support the proposed policy to enable development of electricity networks in areas not protected by section 6 of the RMA, or covered by other national direction?**

136. P7 of the proposed NPS-EN requires in rural environments, planning and development of the EN should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character, and areas of high recreation value and amenity.

137. We support the proposed policy to enable development of electricity networks in areas not protected by section 6 of the RMA or covered by other national direction. Hamilton City's District Plan includes policies requiring network utilities to be designed, located, installed, operated and maintained to minimise effects on surrounding land uses, and avoid areas of high amenity values listed in the District Plan where possible.

**Should developers be required to consult with electricity distribution providers before a resource consent for land development is granted? If not, what type or scale of works would merit such consultation?**

138. We agree that for sites where electricity infrastructure is located developers should be required to consult with electricity distribution providers before a resource consent is granted.

## **Amendments to Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (proposed to be renamed National Environmental Standards for Network Activities)**

139. Hamilton City Council generally supports the changes to the National Environmental Standards for Electricity Network Activities (NES-ENA) to ensure more enabling standards for electricity transmission activities and the amendment to include EV charging infrastructure with permitted activity standards.

140. Our key points are:

- Council supports routine electricity network maintenance activities like earthworks being permitted, but seeks clarity on how the NES-ENA will protect archaeological and wāhi tapu sites, which were previously safeguarded under the Heritage New Zealand Pouhere Taonga Act 2014.
- Council supports strategic placement of EV charging infrastructure, but recommends that any permitted activity for EV chargers in these corridors be subject to RCA approval to ensure safety and efficiency. Council also seeks clarification on the scale and traffic thresholds for standalone EV charging stations proposed under Regulation 16.

141. These are each discussed throughout our responses to the consultation questions below.

**What activity status is appropriate for electricity transmission network activities when these:**

**a. do not comply with permitted activity standards?**

**b. are located within a natural area or a historic heritage place or area?**

142. A restricted activity status is appropriate for both activities that do not comply with permitted activity standards and activities that are located within a natural area or a historic heritage place or area. It is unclear as to how the NES-ENA ensures the protection of archaeological sites or waahi tapu sites. Under the previous NES, earthworks could be carried out on archaeological sites if in accordance with the Heritage New Zealand Pouhere Taonga Act 2014. It is unclear if this is still retained under the new NES-ENA. There may be scope to consider the protection of archaeological sites or waahi tapu sites as matters of discretion.

**Do you support the proposed scope of activities and changes to the permitted activity conditions for electricity transmission network activities?**

143. Hamilton City Council supports EV charging infrastructure being included in the NES-ENA and has already included some provisions for EV charging points for new developments. Hamilton City Council generally supports the NES-ENA becoming more permissive for routine electricity activities, such as relocation, replacements and ancillary activities like vegetation clearance and earthworks – noting the point previously stated around archaeological sites.

**Do you support the proposed matters of control and discretion for all relevant matters to be considered and managed through consent conditions?**

144. Generally, yes noting the previous point around archaeological sites.

**Do you support adding any or all of the five categories of regional activities to the NES-ENA as permitted activities?**

145. This is not relevant to Hamilton City Council as we are not a regional council or Transpower. We encourage the New Zealand Government to consider both regional councils and Transpower in their approach.

**Do you support the proposed permitted activity conditions and the activity classes if these conditions are not met?**

146. We encourage the New Zealand Government to consider the feedback from regional councils on the permitted activity conditions regarding the “regional rules” and the associated activity classes if these conditions are not met.

**Do you support management plans being used to manage environmental impacts from blasting, vegetation management and earthworks?**

147. Yes, this is best practice.

**What is an appropriate activity status for electricity distribution activities when the permitted activity conditions are not met, and should this be different for existing versus new assets?**

148. Generally, Hamilton City Council agrees with the existing distribution assets being a controlled activity status when the standards are not met, and new distribution assets being restricted discretionary when the standards are not met.

**What is your feedback on the scope and scale of the electricity distribution activities to be covered by the proposed NES-ENA?**

149. It appears to be of appropriate scope and scale.

**Do you support the proposed inclusion of safe distance requirements and compliance with some or all of the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001?**

150. Yes – with all. Our District Plan already includes compliance with NZECP 34:2001.

**Is the proposed NES-ENA the best vehicle to drive compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distance 34:2001? If not, what other mechanisms would be better?**

151. District Plans should consider the NZCEP 34:2001 and ratifying this through a national environmental standard is appropriate.

**Should the NES-ENA allow plan rules to be more lenient for electricity distribution activities proposed to be regulated?**

152. Yes, Council supports allowing plan rules to be more lenient for electricity distribution activities, particularly in relation to EV charging infrastructure.
153. Our current planning framework already includes provisions for EV charging. The intent of our Operative District Plan (ODP) is not to restrict EV infrastructure, but to encourage its uptake in areas where it may not otherwise be considered.
154. Leniency in plan rules makes sense, provided it enables appropriate placement of infrastructure while maintaining flexibility to respond to local context. EV chargers must be strategically located to serve demand effectively, and local planning rules should support this. However, they must not be so permissive that they compromise adjacent land uses or create reverse sensitivity issues.
155. Overly permissive rules risk enabling infrastructure that generates complaints or constraints on established activities. A balanced approach is needed—one that enables innovation and supports electrification goals, while safeguarding the integrity of surrounding land uses.

**Should the NES-ENA allow plan rules to be more stringent in relation to electricity distribution activities in specific environments? (e.g., when located in a 'natural area').**

156. No, national consistency should be applied regarding the protection of natural areas.

**Do you support the proposed provisions to make private electric vehicle charging and associated infrastructure a permitted activity at home or at work?**

157. Generally, yes but EV provisions in District Plans should allow for some flexibility for Councils to develop bespoke planning provisions unique to their urban environment. Councils should have the authority to require the inclusion of EV charging points in new developments through their District Plans. This ensures that EV charging infrastructure is integrated into new developments, addressing a gap that might exist without such provisions.
158. Additionally, Hamilton City Council notes that under 4)d) of Regulation 16, stand-alone EV charging vehicles are a permitted activity if they do not generate more than 10 vehicles per hour (averaged across 24 hours). The Regulatory Impact Statement does not provide specific details in this regard. Hamilton City Council would like to ensure that the right scale of charges is being developed in strategic locations. It is unclear as to what the size of these stations are and why the restriction is necessary.
159. Hamilton City Council notes that the proposed threshold of 10 vehicle movements per hour averaged over 24 hours does not adequately reflect the varying pressures across different parts of the transport network. While such a threshold may be appropriate in low-traffic areas, it could significantly worsen congestion and safety risks in already constrained or high-demand locations. Council recommends that thresholds be context-sensitive, taking into account both the scale of the EV charging proposal and the characteristics of the surrounding transport environment.

**Have private or at work electric vehicle users been required to obtain a resource consent for the installation, maintenance and use of electric vehicle charging infrastructure?**

160. New residential unit developments that met the standards in 25.14.4.2b are built with existing charging points. If they do not want to provide an EV charging point, they will require a resource consent as an infringement. Existing residential units that wish to install EV charging points may do so without a resource consent. The Hamilton City Council Operative District Plan does not have any rules on EV charging relating to non-residential sites.

**Should the construction, operation and maintenance of electric vehicle charging infrastructure be a permitted activity, if it is located in a land transport corridor?**

161. We support EV charging infrastructure being a permitted activity, removing the need for resource consent and avoiding unnecessary approvals and costs. However, any infrastructure or activity proposed within the transport corridor must receive approval from the Road Controlling Authority. The Road Controlling Authority must retain the ability to set appropriate standards, conditions, and requirements based on the scale and context of each proposal.
162. Council does not agree that the effects of EV charging infrastructure can be reasonably managed solely by the Road Controlling Authority. The design and implementation of such infrastructure must be managed in partnership with the EV charging provider to ensure all potential impacts are appropriately addressed. While telecommunications infrastructure is cited as a comparable example, telecommunications infrastructure does not generate the same level of traffic movements that EV charging infrastructure does.
163. While the NES currently permits EV charging infrastructure in land transport corridors “without constraints on scale or other variables”, this approach risks overlooking critical considerations. The primary function of the corridor (cited earlier as the safe and efficient movement of people and goods) must not be compromised. Therefore, factors such as the corridor’s ONF classification, planned upgrades, traffic impacts and user safety must be assessed by the RCA to ensure proposals are appropriately integrated and do not undermine the corridor’s core purpose.
164. *Relief sought: addition of performance standards within Regulation 16, requiring that any new permitted activity rule for EV charging infrastructure in transport corridors be explicitly tied to RCA approval.*

**Should the construction, operation and maintenance of electric vehicle charging infrastructure become a permitted activity, if it is ancillary to the primary activity or outside residential areas?**

165. Yes, but with planning provisions and standards.
166. For large-scale developments, vehicle movements will typically be assessed through the resource consent process. This allows any potential traffic impacts to be identified and managed as part of the broader development assessment.
167. However, an issue arises when EV charging infrastructure replaces existing on-site parking without adequate provision for overflow. This can unintentionally reduce the availability of general parking for the primary activity. This issue is exacerbated when taking into account previous direction to remove minimum on-site parking from district plans.
168. In such cases, it is likely that overflow parking demand will spill into the surrounding road corridor. This can lead to undesirable outcomes such as vehicles parking on berms, obstructing footpaths, or creating safety issues for pedestrians and cyclists.
169. *Relief sought: ensure provisions are included which ensures the retention of conventional parking.*

**Do you support the proposed provisions for electric vehicle charging for all types of EVs, or are additional requirements needed for heavy vehicles such as large trucks, ferries or aircraft?**

170. Additional requirements are needed for heavy vehicles such as large trucks, ferries, or aircrafts.



## Amendments to Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016

**171.** Hamilton City Council supports the amendment to the National Environmental Standards for Telecommunication Facilities (NES-TF) to ensure that telecommunication infrastructure keeps up with the growing height and density of New Zealand town and cities.

**172.** At a high level, Hamilton City Council supports Option 1 over Option 2 as it is more in-keeping with the “of a human scale” urban design philosophy and would result in better visual amenity outcomes. However, Hamilton City Council also encourages the New Zealand Government to consider the feedback from the telecommunication agencies.

**Do the proposed provisions sufficiently enable the roll-out or upgrade of telecommunication facilities to meet the connectivity needs of New Zealanders?**

**173.** Hamilton City Council acknowledges the importance of enabling the roll-out and upgrade of telecommunication infrastructure to meet the connectivity needs of New Zealanders. However, we encourage central government to recognise that telecommunication infrastructure is not solely delivered by telecommunication operators. For example, Hamilton City Council’s wastewater network relies on a closed telecommunication system. Every pump station is connected via whip antennas, receivers, and dish antennas that transmit supervisory control and data acquisition (SCADA) data to inform us of network performance. This infrastructure is functionally equivalent (if not identical) to that used by telco operators, yet infrastructure providers like councils are often subject to more stringent plan rules.

**174.** Additionally, the establishment of telecommunication infrastructure by non-telco infrastructure providers is critical for real-time monitoring and operational resilience. This includes day-to-day asset performance tracking, as well as emergency response, such as during natural disasters when SCADA systems help identify failures in the three waters network.

**175.** We recommend that the NES-TF be amended to:

- Recognise the role of non-telco infrastructure providers in delivering and operating telecommunication infrastructure.
- Amend the definition of “facility operators” to enable consenting pathways for infrastructure delivered by or in partnership with public infrastructure providers.

**176.** This broader scope would better reflect the realities of infrastructure delivery in urban environments.

**Which option for proposed amendments to permitted activity standards for telecommunication facilities do you support?**

**177.** Out of Options 1 or 2 Hamilton City Council supports Option 1 offering certainty for zones across the country and reducing negative visual amenity outcomes.

**Do the proposed provisions appropriately manage any adverse effects (such as environmental, visual or cultural effects)?**

**178.** Hamilton City Council acknowledges the need for critical infrastructure, such as telecommunication poles and the problem with poles being insufficient in height for certain zones (e.g., high density residential zone). Hamilton City Council believes that selecting for Option 1 is more in-keeping with the of “human scale” planning philosophy than Option 2. Option 1 also allows telecommunication infrastructure to still remain functional for lower density residential zones if the density of the area increases to a medium density zone, for example.

**Do the proposed provisions place adequate limits on the size of telecommunication facilities in different zones?**

179. Option 1 proposes adequate limits on the size of telecommunication facilities.

**Should a more permissive approach be taken to enabling telecommunication facilities to be inside rather than outside the road reserve?**

180. The NES-TF should balance function and visual amenity. Ensuring that the telecommunication poles are functional for the height of the building, but not unnecessarily tall that they have an adverse effect on visual amenity – adopting the planning principle of to a “human scale.”

**Do you support the installation and operation of fewer larger telecommunication facilities to support co-location of multiple facility operators?**

181. Yes, as long as they are located in suitable areas and make sense for the height and density of the zone.

## **New National Environmental Standards for Granny Flats (Minor Residential Units)**

182. Overall, we support establishing a National Environmental Standard for Granny Flats (NES-GF) and its intention to achieve national consistency. However, we note an NPS is our preferred instrument. We consider the Hamilton City Council’s Operative District Plan to be enabling to allow for ‘Granny Flats’. While the discussion document claims many district plans permit minor residential units between 60–100m<sup>2</sup>, staff could only identify two councils allowing 70m<sup>2</sup>, and none between 71–100m<sup>2</sup>.

183. The use of the term ‘Granny Flat’ is informal and not used to describe minor residential units in the NES-GF. We recommend renaming the NES-GF to the National Environmental Standard for Minor Residential Units. We also note that the naming of the NES-GF is inconsistent with the terminology used in the Building and Construction (Small Stand-alone Dwellings) Amendment Act, which refers to “small stand-alone dwellings.” To ensure alignment across legislation, we recommend (although out of scope) amending the Act to adopt consistent terminology, such as “minor residential units”.

184. A key risk with the approach taken by the NES is the establishment of a permitted baseline of effects for other activities within the same zone which differs from established permitted baseline. The MDRS has been developed to enable intensification within residential zone’s while also maintaining a quality urban environment. The NES as proposed will undermine the implementation of the MDRS standards reducing its effectiveness and ability to achieve government direction for residential intensification. The consequences of this have not been adequately acknowledged or addressed in the discussion document which currently concludes that the proposed NES is consistent with the purpose of the RMA as it will ‘ensure development has no more than minor adverse effects on the environment...and ensure effects would be similar to what could occur resulting from a permitted single dwelling on the site’. We disagree with this assessment.

185. We submit that the NES be amended to allow councils the ability to apply MDRS standards to MRUs and that the NES limits its scope to requiring that one MRU be permitted per site and setting a maximum size (PAS 1 and PAS 2) to avoid undermining District Plan provisions. This will ensure quality and consistency of housing outcomes as sought by MDRS and government direction.

186. We consider that minor residential units should be limited to general residential zones and excluded from medium and high-density zones. These higher-density zones are intended for more intensive housing forms such as apartments and terrace houses, supported by significant investment in three waters and transport infrastructure. Allowing minor residential units in these zones risks delaying the realisation of that investment and undermining the intended urban form. Therefore, the definition of residential zones should be restricted to large lot, low density, and general residential areas.

- 187.** While the rule allowing one MRU per site in common ownership with the principal dwelling aligns with the Operative District Plan and is supported, we note that subdivision is not permitted under the National Environmental Standard (NES) unless the MRU is reassessed as a standard residential unit. This reflects the current approach under the Operative District Plan and provides some assurance that subdivision will not occur without appropriate reclassification. However, we remain concerned about the potential for future reclassification and subdivision, which could result in additional residential units on subdivided lots. This may impact network capacity, levels of service, and environmental outcomes.
- 188.** To mitigate this risk, there should be a requirement to establish infrastructure capacity prior to development, potentially through performance standards. Similarly, the increase in maximum internal floor area from 60m<sup>2</sup> to 70m<sup>2</sup> may enable larger households than originally intended, further stressing infrastructure systems over time.
- 189.** The proposed regulations (E1 & G13) in the Building and Construction (Small Stand-alone Dwellings) Amendment Act requires an “approved outfall” to be provided to allow for waste and storm water disposal. This implies that if there is no available network capacity, the development would not meet the regulatory requirements.
- 190.** While the NES does not appear to restrict the ability of District Plans to impose standards related to three waters infrastructure for minor residential units, it would be beneficial for the NES to explicitly confirm this. This clarity would ensure that existing District Plan provisions addressing infrastructure capacity and serviceability continue to apply to minor residential units.
- 191.** To support alignment between the NES and the Building Act, and to safeguard infrastructure performance, we recommend that the NES explicitly acknowledge the role of local infrastructure standards and require confirmation of network capacity prior to development. This could be achieved through performance standards or other mechanisms that ensure developments are appropriately serviced.
- 192.** Are the proposed provisions in the NES-GF the best way to make it easier to build granny flats (minor residential units) in the resource management system?
- 193.** We consider the Hamilton City Council’s Operative District Plan to be enabling to allow for ‘Granny Flats’ and are not opposed to a national consistency.
- 194.** The NES-GF could be a good way to manage minor residential units with amendments to key provisions listed below.
- Medium and High-Density Residential Areas are not appropriate for this kind of minor development.
  - Specification of net size of the minor residential unit, not just the internal floor area.
  - Setbacks to Major Arterial roads need to be considered/increased.
  - Include considerations of individual outdoor space, privacy, sunlight, glazing, parking and access for minor residential units in line with the Medium Density Residential Standards (MDRS).
- Do you support the proposed permitted activity standards for minor residential units?**
- 195.** The NES-GF proposes to allow for minor residential units in residential, rural, mixed use and Māori purpose zones. Not all residential zones are appropriate, allowing minor residential units as a permitted activity in medium and high-density residential zones may see less development with developers opting to choose the ‘consent free’ option for quicker, lower-cost builds rather than higher-density housing forms.
- 196.** Minor residential units being constructed on lots with the potential for duplex and terrace could significantly reduce the number of dwellings delivered in key growth areas, undermining urban intensification goals and limiting long-term housing capacity.

197. We recommend excluding medium and high-density residential zones from the permitted activity provisions for minor residential units under the NES-GF to ensure alignment with urban form objectives and infrastructure investment.
198. The NES specifies that only one minor residential unit is permitted per site and the unit must be ancillary to a principal dwelling on site. We support retaining this provision allowing for only one minor residential unit per site and the requirement for the unit to be ancillary to a principal dwelling on the same site.
199. The proposed maximum internal floor area of 70m<sup>2</sup> is consistent with the Building and Construction (Small Stand-alone Dwellings) Amendment Act. However, from a planning perspective, it is important to clarify whether this includes garages or non-habitable areas. We recommend specifying the net internal floor area to ensure consistency and clarity in implementation.
200. The proposed maximum building coverage of 50% raises concerns. In zones such as the General Residential Zone (GRZ), where the District Plan sets a 45% site coverage limit, the NES-GF would effectively establish a new permitted baseline. This creates challenges for assessing other activities in the zone that must comply with the more stringent District Plan standards. For example, it is unclear how compliance would be assessed when the principal dwelling is subject to a 45% coverage rule and the MRU is allowed 50%. We strongly recommend that the NES-GF limit permitted activity standards to internal floor area and number of MRUs per site (PAS 1 and PAS 2), and defer to District Plan standards for all other bulk and location controls.
201. The proposed 2m setback from all boundaries and the principal dwelling generally aligns with our approach. However, a 2m setback is insufficient for properties fronting arterial roads. We recommend increasing the setback to 5m from any arterial transport corridor to maintain safety, amenity, and noise mitigation.
202. While some proposed standards are appropriate, we reiterate our earlier feedback on the “Granny Flats” discussion document (June 2024), which raised concerns about infrastructure capacity, environmental impacts, legislative compliance, and ad hoc growth. We also emphasised the importance of sustainability, transit access, privacy, and service areas. These considerations remain critical and should be reflected in the final NES-GF.
203. **Do you support district plans being able to have more lenient standards for minor residential units?**
204. Yes, if councils wish to be more enabling than the NES-GF then we don’t see an issue with this. It should be noted that we did not support an NES instrument and instead promoted the use of a National Policy Statement to manage local issues, and acknowledged matters that are addressed in our Operative District Plan.
205. **Should the proposed NES-GF align, where appropriate, with the complementary building consent exemption proposal?**
206. The Building Act amendments define ‘Granny Flats’ as ‘small stand-alone dwellings and the NES-GF refers to ‘Granny Flats’ and ‘Minor Residential Units’. This is confusing and the language should be consistent between the Building Act and the NES-GF.
207. Hamilton City staff also submitted on the building act amendment bill to have the language consistent across the various documents.
- Do you support the proposed list of matters that local authorities may not regulate in relation to minor residential units? Should any additional matters be included?**
208. The NES-GF proposes that councils cannot apply standards requiring individual outdoor space, privacy, sunlight, glazing, parking and access to minor residential units. It is unclear why these amenity-related standards should be excluded, especially when they are routinely applied to all other residential units. Minor Residential Units often accommodate the same number of people as smaller dwellings found in duplex or terrace housing developments and therefore should be afforded the same level of amenity.



- 209.** Hamilton City Council propose that the MDRS should also apply to minor residential units. Excluding amenity standards such as outdoor space, glazing, and sunlight risks creating poor living environments for Minor Residential Units occupants, the principal dwelling, and neighbouring properties. If property owners later seek to subdivide the Minor Residential Units, the absence of these standards will complicate the process due to insufficient setbacks, lack of outdoor living space, and inadequate access and parking.
- 210.** We recommend that the NES-GF not restrict councils from applying amenity-related standards to Minor Residential Units. Instead, councils should be empowered to apply MDRS or equivalent standards in a way that is appropriate to the scale and function of Minor Residential Units. This would ensure consistency in baseline effects assessments and maintain the integrity of planning frameworks.
- 211.** It is also unclear whether the NES-GF provisions account for situations where a Minor Residential Unit causes non-compliance for the principal dwelling. For example, if the minor residential unit was to be built within the outdoor living space of existing dwelling on site or if the minor residential unit is placed in front of the dwelling and decreases the existing glazing percentage of the front façade?
- 212.** **Do you support existing district plan rules applying when one or more of the proposed permitted activity standards are not met?**
- 213.** Yes, Hamilton City Council agrees with the district plan rules applying when the permitted activity standards are not met.
- 214.** We suggest making it clearer that when one or more of the permitted activity standards are not met, then the minor residential unit will be considered a residential unit and needs to comply with the associated district plan rules.

## New National Environmental Standards for Papakāinga

- 215.** Overall, we are supportive of the proposed National Environmental Standards for Papakāinga (NES-P). Papakāinga are an important tool for supporting tino rangatiratanga for Māori in housing. We support a nationally consistent approach to enabling papakāinga developments, with the option for Councils to go beyond the NES-P in their approach to enable papakāinga if they choose to do so. Our key concerns with the proposed NES-P are:
- The lack of clear consenting pathways for papakāinga not on Māori ancestral land or Treaty settlement land; and
  - The lack of provisions specific to papakāinga in urban areas.
- Do you support the proposal to permit papakāinga (subject to various conditions) on the types of land described above?**
- 216.** There is no clear consenting pathway for the development of papakāinga not on Māori ancestral land or Treaty settlement land, as defined in the NES-P. The current definition limits papakāinga development to those land types, whereas Hamilton City Council currently takes a more enabling approach which includes other land.
- 217.** While the NES-P makes provision for local authorities to apply a more lenient approach to papakāinga developments, this could be limited by the prescriptive definition of 'Papakāinga development' in the NES-P which could override local plan definitions.
- 218.** This could potentially limit the ability of mana whenua and whānau to develop papakāinga where their land does not meet the definition. With only two parcels of Māori freehold land and one post-settlement governance entity (Waikato-Tainui) with treaty settlement land in Hamilton, the current criteria would severely limit development—despite Māori making up approximately 25% of the population.

219. We would like to see changes to the NES-P which would enable a consent pathway for papakaainga development on land that is not on Maaori ancestral land or Treaty settlement land.

**Which, if any, rules from the underlying zone should apply to papakaainga developments?**

220. We support the proposed list of rules to be included from the underlying zone. However, we seek the addition of building coverage to the rule, where the building coverage enabled in the underlying zone is greater than 50%. This will create a national approach which is more enabling of papakaainga developments in urban centres where higher densities are expected. It will also promote consistent landform for papakaainga with other buildings expected in the zone.

221. We also propose including public interface rules from the underlying zone, to encourage visual and physical connection between the papakaainga development and the surrounding community.

222. We also propose matter of discretion to assess the potential effects on three waters infrastructure (RDM2).

**What alternative approaches might help ensure that rules to enable papakaainga on general land are not misused (for private/commercial use or sale)?**

223. We share the concerns that there is potential for the NES-P rules to be misused for private or commercial benefit. We suggest that where papakaainga developments are planned on general land, the following options could be explored to ensure the rules are not misused:

- Only allowing papakaainga development where a Maaori organisation with a charitable/social enterprise purpose is involved.
- Using a residents' society or body corporate to ensure the long-term retention of the development as papakaainga and subdivision does not occur.

224. We would also encourage papakaainga to include ancillary activities which have a social or community function, such as medical or community facilities or shared mara kai or outdoor living areas. This will ensure developers are providing more than simply housing units, and will promote a sense of community for the papakaainga residents.

**Should the NES-P specify that the land containing papakaainga on general land cannot be subdivided in future?**

225. We agree that subdivision should be limited for sites which have been developed as papakaainga. Papakaainga are about more than just homes; they are a community with associated non-residential activities.

226. It would be inappropriate to allow the community to be divided through subdivision of parts of the development. Subdivision may also be difficult where papakaainga have been designed as an intentional shared residential development. The design may make it difficult for any subdivision to comply with district plan rules related to side setbacks and outdoor living areas. There may also be challenges where shared infrastructure services are provided and, similar to issues raised for Minor Residential Units, network capacity is also a strong consideration.

#### **Other matters**

##### *Provisions for Urban Areas*

227. We are concerned that the proposed NES-P does not adequately recognise the possibility that papakaainga will be developed in urban areas. While the majority of Maaori ancestral land and treaty settlement land is in rural areas, the majority of Maaori live in urban areas. The proposed NES-P is weighted towards rural areas, with specific policies for managing reverse sensitivity for intensive indoor primary production, mining, quarrying, or rural industry. However, the NES-P is silent on issues which may

occur in urban areas, for example urban design standards to ensure the papakaainga integrates well with the surrounding neighbourhood, or on-site amenity standards to ensure good outcomes in higher density developments.

228. We recommend additional provisions be added to the plan to provide clarity for decision makers in urban areas.

*Relationship to Building and Construction (Small Stand-alone Dwellings) Amendment Bill*

229. We recommend that further consideration be given to the Building and Construction (Small Stand-alone Dwellings) Amendment Bill in the context of papakaainga development. The proposed exemption allowing multiple small stand-alone dwellings on a single site without building consent may have unintended consequences for papakaainga. For example, a development comprising fewer than 10 units—each under 70m<sup>2</sup> in internal floor area—could potentially qualify as papakaainga under local district plans and be exempt from building consent requirements if the Bill is enacted. We do not believe this outcome aligns with the intent of the reforms, and we suggest that this issue be addressed explicitly.
230. We maintain that rules and standards from the underlying zone should continue to apply to papakaainga developments to protect the natural environment and ensure public health and safety.
231. While Council supports multiple units in principle, this must be balanced with infrastructure capacity and service level considerations.
232. Additionally, Te Tiriti o Waitangi principles and mechanisms for Maaori land should be developed by iwi within their tribal regions, acknowledging that a one-size-fits-all approach may not be suitable.

## New National Policy Statement for Natural Hazards

233. Overall, we are supportive of the National Policy Statement for Natural Hazards.

**Should the NPS-NH apply to all new subdivision, land use and development, and not to infrastructure and primary production?**

234. We accept excluding infrastructure and primary production however, the NPS-NH is not clear if Council can manage infrastructure in its own District Plan or whether the NPS overrides its ability to do so. For example, if a Councils Operative Plan includes rules managing infrastructure in flood zones, will a plan change be required once the NPS comes in or can Council proceed as normal?

**Would the proposed NPS-NH improve natural hazard risk management in New Zealand?**

235. The NPS has potential to improve natural hazard risk management. The NPS may be too high level to make a significant improvement. Information for implementation will need to be provided as it is unclear at this stage how Councils are expected to implement it. It is also unclear if the policy accounts for cumulative effects in terms of risk assessment. For example, it is unclear how to use the risk matrix if a piece of land is overlapped by several low-risk areas.

**Do you support the proposed policy to direct minimum components that a risk assessment must consider but allow local authorities to take a more comprehensive risk assessment process if they so wish?**

236. Yes, the NPS-NH provides a high-level framework, so some Councils may choose to adopt a more comprehensive approach. Each region faces unique natural hazard risks, which means a one-size-fits-all strategy may not be effective. Councils need robust policy support to justify decisions to decline consents, especially if those decisions are challenged in the Environment Court.

**How would the proposed provisions impact decision-making?**

237. The proposed provisions under the NPS-NH, particularly the shift toward a risk-based approach, have the potential to positively impact decision-making by introducing clearer criteria and expectations. This clarity

can support more consistent and transparent assessments, which is especially valuable in complex or contested environments.

238. However, we recommend that the emphasis of risk-based assessments be placed on the policy development stage rather than left to be determined through individual resource consent processes. Embedding these assessments early in the planning framework would help avoid a proliferation of case-by-case evaluations, which could lead to increased delays, higher costs for applicants, and inconsistent outcomes.

**Should the risks of natural hazards to new subdivision, land use and development be managed proportionately to the level of natural hazard risk?**

239. Yes, although due to the high-level language of the policy and differing interpretations of what constitutes a proportionate response to various natural hazards, inconsistencies in approach are still likely across the country.

**How will the proposed proportionate management approach make a difference in terms of existing practice?**

240. Multiple councils are already applying a proportionate approach in practice. Including a clear policy in the NPS could strengthen their position, particularly in cases where developers fail to provide adequate mitigation measures.

**Should the proposed NPS-NH direct local authorities to use the best available information in planning and resource consent decision-making?**

241. Policy 4 requires Councils to use the best information available, while Policy 6 directs local authorities to continue with a risk assessment even when information is uncertain or incomplete. Hamilton City Council supports the use of best available information, as this aligns with our current approach. However, conducting risk assessment where information is limited may be challenging and could lead to overly restrictive outcomes.

**What challenges, if any, would this approach generate? What additional support or guidance is needed to implement the proposed NPS-NH?**

242. We would likely require assistance on the following:

- Budget allocation to address data gaps.
- Access to accurate and reliable data for assessing potential risks.
- Standardised terminology and phrasing across the country.
- Consistent methodologies for hazard mapping.

**General Comments:**

243. The current definition of 'new development' includes the extension or replacement of existing buildings. However, it is unclear whether this also applies to internal alterations that do not change the existing building footprint or a change in use. For example, converting an existing office or commercial building into residential use through internal renovations.

244. We recommend amending the definition to explicitly include changes in use.



## Package 2: Primary Sector

### General Comments:

245. Any changes to mining and quarrying provisions must consider potential for negative downstream impacts on catchments that serve municipals water and wastewater needs.

## Amendments to Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020

246. We do not wish to comment on this matter.

## Amendments to Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017

247. The proposal seeks to limit regional councils' broad discretion to impose stricter rules on low-intensity forestry harvesting, instead specifying when stricter conditions—such as slash mobilisation risk assessments or targeted slash removal—can be applied under permitted activity status.

248. Given the unpredictable and severe impacts of climate change on infrastructure and communities, staff consider a 'risk-averse' approach to slash management is essential. Accumulated slash over a large catchment area can damage critical assets like bridges (carrying water and wastewater), stop banks, treatment plants, and outfall structures—leading to emergency responses, high operational costs and complex recovery efforts.

249. Additionally, any upstream commercial forestry in the Waikato River catchment must be carefully managed to prevent increased raw water treatment needs due to nitrogen and other contaminants.

## Amendments to New Zealand Coastal Policy Statement 2010

250. We do not wish to comment on this matter.

## Amendments to National Policy Statement for Highly Productive Land 2022

251. Hamilton City Council generally supports the changes proposed to the NPS-HPL, such as the exclusion of LUC 3 class soils as highly productive land, the inclusion of special agricultural areas, and maintaining the restrictions on LUC 1 and 2 soils. Hamilton City Council supports the idea of LUC 3 still applying to rural lifestyle areas to ensure that greenfield land that is to be bought into the city boundary and urbanised is easier to develop when rural-residential development has not already occurred. Our key points are:

- If the If LUC 3 is still highly productive land for rural lifestyle areas, then LUC 3 should still be mapped regionally.
- Mapping of highly productive land should remain as a regional function.

- If special agricultural areas are implemented, this should be through the District Plan of local authorities. Additionally, local authorities should be required to consult with the relevant local authorities, ensuring that special agricultural areas are not implemented in out-of-boundary areas that are expected to be brought into the boundary and urbanised in the future.

**Should LUC 3 land be exempt from NPS-HPL restrictions on urban development (leaving LUC 3 land still protected from rural lifestyle development) or, should the restrictions be removed for both urban development and rural lifestyle development?**

252. As an urban area, Hamilton City contains little rural or rural-residential land. From Hamilton City Council's perspective greenfield outside of the city boundaries that is expected to come into the City is easier to develop when rural-residential development has not already occurred. Therefore, leaving LUC 3 land still protected from rural lifestyle development may make sense in the context of providing for future greenfield.

**If the proposal was to exempt LUC 3 land from NPS-HPL restrictions for urban development only, would it be better for this to be for local authority led urban rezoning only, or should restrictions also be removed for private plan changes to rezone LUC 3 land for urban development?**

253. Restrictions on LUC 3 should be removed for both local authorities led urban rezoning and private plan changes. This provides a more consistent framework for planners to operate in.

**If LUC 3 land were to be removed from the criteria for mapping HPL, what, other consequential amendments will be needed?**

254. Hamilton City Council is not a regional authority, and therefore is not required to map highly productive land (Clause 3.4 (1) of the previous NPS-HPL). However, if a decision is made to maintain LUC 3 restriction on rural-residential development, then LUC 3 should still be required to be mapped. Mapping of NPS-HPL should remain as a regional function and not be required by local authorities.

**Given some areas important for foods and fibre production such as Pukekohe and Horowhenua may be compromised by the removal of LUC land, should additional criteria for mapping HPL be considered as part of these amendments?**

255. This is not directly relevant to Hamilton City Council. However, it aligns with the purpose and function of the NPS-HPL to protect highly productive land use in land-based primary production.

**If so, what additional criteria could be used to ensure areas important for food and fibre production are still protected by NPS-HPL?**

256. The special agricultural areas should be implemented through local authorities' district plans, allowing the local authorities to self-determine and adapt to the changing demands of their areas. Additionally, local authorities that implement special agricultural areas should be required to consult with relevant authorities, such as neighbouring Councils, to ensure that special agricultural areas are not implemented in out-of-boundary areas that are expected to be urbanised in the future.

**What is the appropriate process for identifying special agricultural areas? Should this process be led by local government or central government?**

257. Determined by local governments.

**Should timeframes for local authorities to map highly productive land in regional policy statements be extended based on revised criteria? Alternatively, should the mapping of HPL under the RMA be suspended to provide time for a longer-term solution to managing highly productive land to be developed in the replacement resource management system?**

258. The timeframes for local authorities should be extended based on the revised criteria.

## Amendments to Resource Management (Stock Exclusion) Regulations 2020

259. We do not wish to comment on this matter.

## Amendments to mining and quarrying provisions in: National Policy Statement for Indigenous Biodiversity 2023

260. We do not wish to comment on this matter.

## Package 3: Freshwater

261. Package 3 focuses on potential amendments to the National Policy Statement on Freshwater Management 2020 (NPS-FM), the National Environmental Standards for Freshwater 2020 (NES-F), and the National Environmental Standards for Drinking Water (NES-DW). Hamilton City Council notes that permitted activities will be defined in an exposure draft expected later this year. We continue to advocate for recognition of three waters infrastructure as nationally significant and deserving prioritisation. We recommend that three waters infrastructure be explicitly reflected in RMA objectives, policies, and rules, with provisions for progressive improvement.
262. Part 2.1 introduces an objective to maintain or improve water quality, although limited detail is provided. We support the direction set by Te Ture Whaimana o Te Awa o Waikato, which outlines a long-term vision for restoring and protecting the river. This aligns with community expectations for swimming, kai collection, drinking water safety, and upholding Te Tiriti obligations. It is important that where water quality is poor, that improvement is promoted over maintenance of current water quality.
263. Section 3 of the freshwater proposals highlights Treaty considerations. Feedback is still being sought on impacts to Māori rights, Treaty settlements, and sites of significance. Staff maintain a strong relationship with Waikato Tainui, grounded in the Waikato River Settlement and its Vision and Strategy. National policies must balance housing, economic growth, financial management, long-term protection of freshwater, sites of significance and cultural relationships. We strongly support ongoing and genuine collaboration with tangata whenua in shaping new or amended national direction.
264. We have no specific comments on changes to primary sector policy and regulations that seek to enable mining and quarrying. However, we note that any changes to mining and quarrying provisions must consider potential for negative downstream impacts on catchments that serve municipal water and wastewater needs.

## Amendments to National Policy Statement for Freshwater Management 2020

265. Part 2.1 – Freshwater Management Objective proposes a new objective to replace the 2020 version, aiming to safeguard the life-supporting capacity of freshwater while enabling wellbeing and economic productivity (abridged). We are concerned that the term “safeguard” may imply maintaining the status quo, which could allow degraded water bodies—dominated by pollution-tolerant or invasive species—to persist. This puts long-term ecological integrity and biodiversity at risk. We recommend either explicitly including freshwater biodiversity in the objective or clarifying the intent behind the term “safeguard” to ensure it supports improvement over time, leading to positive intergenerational outcomes.
266. Part 2.1 also proposes a new objective to consider the pace and cost of change. In principle, we strongly support this objective. We have previously advocated for staged upgrades to ensure intergenerational

equity in previous submissions to central government and regional council. We will consider the detail more closely when it is released to understand the effects on municipal activities and water service providers.

267. Part 2.2 – Te Mana o te Wai and Consenting presents several options relating to Te Mana o Te Wai. None of the proposed options offer an optimal solution. As noted in the Regulatory Impact Statement for this discussion, there is currently limited evidence regarding the impact of the hierarchy of obligations on resource consent applications nationwide. The two declined resource consent examples in the Regulatory Impact Statement, where inconsistency with the hierarchy featured as a reason, would have likely been declined irrespective of the inconsistency due to adverse environmental impacts. All other mentions of the hierarchy of obligations in consent decisions demonstrated that the proposed activity adhered to the hierarchy and a consent was granted, or the inconsistency with the hierarchy of obligations was balanced with wider considerations, resulting in consent being granted regardless. We question the necessity of the proposed options when the application of the hierarchy of obligations does not appear to significantly restrict consent approvals, and the status quo serves its purpose.
268. Option 1 proposes removing the hierarchy of obligations and the application of Te Mana o te Wai from consenting decisions while retaining progressive improvement. We do not support this if it weakens regional objectives, policies, and rules. Strong direction is essential for planning certainty and managing upstream discharges that affect water takes, assimilation capacity, and treatment operations. If Option 1 was altered to continue to require Te Mana o te Wai to be applied to consenting decisions, we would support it. We note that the balance of the NPS-FM will continue to be a relevant consideration for resource consent applications and decisions, which includes, to some degree, the obligations within Te Mana o te Wai, however, we will need to verify the adequacy of relevant policies to fill the possible gaps when the exposure draft is released.
269. Option 2 reinstates the 2017 provisions, requiring recognition of Te Mana o te Wai in freshwater management. Council supports this 2017 objective, alongside provisions for staged infrastructure improvements to ensure affordability and intergenerational equity discussed in Option 1. We previously submitted on a Waikato Regional Plan Change (Healthy Rivers) stating that progressive improvement is necessary and that mixing zones for treated wastewater must continue to be provided for, with reductions achieved over time through technological upgrades.
270. Option 3 proposes removing Te Mana o te Wai entirely. We strongly oppose this, as Te Mana o te Wai and Te Ture Whaimana o Te Awa o Waikato (Waikato River Settlement Act 2010) guide council decision-making and support long-term environmental stewardship. Removing Te Mana o te Wai would conflict with obligations under the Local Government Act 2002 (s14(h)) and the Resource Management Act 1991 (s5(2)), and undermine efforts to protect water quality for communities, biodiversity, and infrastructure resilience.

**Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community? How can the NPS-FM ensure freshwater management objectives match community aspirations?**

271. We support flexibility in objectives, provided they ensure water bodies are improved over time.

**What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?**

272. We suggest that guidance on legacy groundwater contaminants and practical case studies would help clarify timeframes. Timeframes must reflect best practicable options to meet quality standards over appropriate timeframes and allow for infrastructure staging.



**Should there be more emphasis on considering costs involved, when determining what freshwater outcomes councils and communities want to set? Do you have any examples of costs associated with achieving community aspirations for freshwater?**

273. We are neutral on the emphasis on costs, noting that consent applicants already consider costs when determining best practicable options. It is important that cost is not used as a shield to improving water quality over time. Cost assessment should also account for intangible benefits of water quality improvements for future generations and consider that future taxpayers should not pick up the bill for expensive remedial measures as a result of decisions today.

**What will a change in NPS-FM objectives mean for your region and regional plan process?**

274. Any change in objectives must recognise the Waikato River Settlement Act 2010 and Te Ture Whaimana o Te Awa o Waikato, which require restoration and protection of the river. Hamilton City Council is obligated to uphold these principles and supports the broader benefits of doing so.

**Do you think Te Mana o Te Wai should sit within, separate or outside the NPS-FM's objectives, or outside the NPS-FM altogether – and why?**

275. We support Te Mana o te Wai being embedded within the NPS-FM objectives to ensure clarity around expectations, investment, and long-term water quality outcomes. All communities benefit from high water quality in receiving environments, and Te Mana o te Wai embodies this, ensuring that communities are safe when interacting with water. Progressive improvement is consistent with the intent of Te Mana o te Wai.

**Which values, if any, should be compulsory? Why?**

276. We support the current proposed compulsory values, but also suggest that (drinking) water supply should also become a compulsory value within The National Objectives Framework.

**Which attributes, if any, should be compulsory to manage? Which should be optional?**

277. If the attributes are to be managed at a catchment level, allocation should be prioritised so the default first-come-first-serve approach is not used.

## **Amendments to Resource Management (National Environmental Standards for Freshwater) Regulations 2020**

**What are the pros and cons of making commercial production a permitted activity?**

278. Part 2.4 outlines two options to enable commercial vegetable growing: introducing a new objective or developing national standards that permit the activity. Hamilton City Council strongly supports food security and considers this favorably in its municipal water allocation criteria (subject to no impacts on consent compliance and impacts on levels of service and network capacity).
279. We welcome the recognition of resource allocation and nutrient impacts in the discussion document. Hamilton City Council is investing in infrastructure to better manage nutrient discharges, contributing to the restoration and protection of the Waikato River. Many farmers are also making efforts to reduce nutrient inputs. However, we are concerned about potential water quality degradation from uncontrolled upstream and downstream activities. While we do not have a specific recommendation on the form of control, we emphasise the need for effective safeguards to protect water quality and infrastructure operations and investment. Conditions should consider effective controls to manage cumulative impacts on the environment and ensure that any requirements do not negatively impact our ability to abstract water for drinking water purposes.

### **Simplifying Wetland Provisions**

280. We support more clarification about constructed wetlands and support consistency. Hamilton's geographic setting with the Waikato River and its associated tributary gully system traversing the city, means that waterways and potential wetlands are found throughout the city boundaries. These wetlands may be difficult to completely avoid within areas already identified for urban development. We support the proposal to simplify wetland provisions where this will streamline urban development; operations, maintenance and upgrading of existing infrastructure; and will align with NPS-UD. This will prevent the need for Hamilton City Council to gain numerous resource consents for urban development and supporting infrastructure.
281. Given the importance of urban infrastructure (such as three waters infrastructure) to assist with achieving other policies, we strongly recommend that the definition of "specified infrastructure" be amended to include "infrastructure necessary to support plan enabled urban development". This will enable the construction or upgrade of the latter infrastructure to be undertaken, provided effects are managed.
282. On the matter of defining induced wetlands and excluding these from wetland provisions in the NPS-FM and NES-F, Council supports this to enable important upgrade and maintenance works on three waters infrastructure without consent requirements.
283. On the matter of defining wetland construction as an area that is artificially engineered to mimic functions of a wetland. We support this on the basis that construction of wetlands is important to greenfield urban stormwater management.
284. A new permitted activity standard for activities related to that construction as well as a consenting pathway is proposed. This is also supported, provided it will assist Council to manage stormwater or offset effects of other activities. The new permitted activity status must address matters relating to dam safety regulations i.e. that dam safety is managed or referenced in the standard. This will ensure that Councils or their service providers do not inherit a constructed wetland that does not meet important regulations.

### **What will be the impact of removing the requirement to map wetlands by 2030**

285. We believe this mapping is important for spatial and master planning for future urban development, and determination of how to avoid and protect special areas. In acknowledgement of the difficulty, we recommend that the requirement is retained, and the timeframe extended.
286. If all natural wetlands will not be mapped, we need and support clearer definitions around what they are so it can be easily determined if it's a natural wetland or not when undertaking work.
287. The level of detail required for wetland mapping should be tailored to its intended purpose. For spatial and structure planning, detailed surveys to determine the exact extent of wetlands may not be necessary. However, for subsequent consenting processes—including offsetting or compensation calculations—a more precise survey may be required. This is particularly relevant in environments where wetland boundaries are subject to seasonal variation, which can quickly render earlier mapping outdated.

### **Simplifying Fish Passage Regulations**

288. Part 2.7 seeks to simplify fish passage regulations in several ways. We would support provisions that reduce information requirements that are onerous or not relevant to fish passage design when managing roading and stormwater conveyance. However, we would like to see more evidence-based requirements, so that a fish passage is not required when there are no fish.

### **Mapping Source Water**

289. Part 2.9 proposes a new requirement for mapping of source water risk management areas. We support this in principle due to the need to protect community drinking water sources. Hamilton City Council has previously submitted on protection of drinking water sources and requested that:

- 'Bespoke' delineation could be provided for environmental and cultural conditions (where appropriate).
- Definitions are needed for river and lake edge, and provision for setbacks that align with technical guidance and allow for operations and maintenance (Exposure Draft of Proposed changes to the National Policy Statement on Freshwater Management (NPS-FM) and the National Environmental Standards for Freshwater (NES-F) including Wetland Regulations, 2022).

**290.** Hamilton City Council considers that aligning application of the NES-DW with the Water Services Act is also the best approach for regulating activities and protecting source water.

#### **Activities in High-risk Areas**

- 291.** We also support national direction for activities in high-risk areas. However, we note that further thought needs to be given to the responsibilities of territorial authorities under the National Policy Statement for Urban Development (NPS-UD) and central government direction on matters relating to infrastructure and transport strategies, carbon reduction emissions and climate change adaptation.
- 292.** This means that services and infrastructure must be provided for forecasted growth, and in appropriate areas. Water takes, and wastewater and stormwater management may ultimately be needed in areas that are regulated by the NES-DW and Regional Plans. Importantly, Hamilton City Council has also previously sought that those three waters networks are recognised as significant infrastructure and acknowledged as being necessary for the health and wellbeing of people.
- 293.** It would be helpful if regulations could recognise the significance of three waters networks in regulations and provide for land designations that have gone through due diligence in assessment impacts on ground and surface water, including source water impacts. This may mean putting restraints on bores for individual house supply.

## **Further Information and Opportunity to Discuss our Submission**

- 294.** Should the Ministry for the Environment require clarification of the submission from Hamilton City Council, or additional information, please contact **Mark Davey** (Unit Director Urban and Spatial Planning) on **021 242 8024**, or email [Mark.Davey@hcc.govt.nz](mailto:Mark.Davey@hcc.govt.nz) in the first instance.
- 295.** Hamilton City Council representatives would welcome the opportunity to discuss the content of this submission in more detail with the Ministry for the Environment.
- 296.** We also welcome the opportunity to have ongoing discussions around the key areas of this submission with the Ministry for the Environment.

Yours faithfully

**Lance Vervoort**  
**CHIEF EXECUTIVE**

**FURTHER INFORMATION**

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## Resolution to Exclude the Public

### Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the Council Public Excluded Minutes 26 June 2025	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Confirmation of the Elected Member Closed Briefing Notes 10 June 2025		
C3. Confirmation of the Elected Member Closed Briefing Notes 18 June 2025		
C4. Local Water Done Well: Contract Arrangements		

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C3.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C4.	to enable Council to carry out negotiations	Section 7 (2) (i)