

## Notice of Meeting:

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

**Date:** Tuesday 25 September 2018  
**Time:** 2.00pm  
**Meeting Room:** Council Chamber  
**Venue:** Municipal Building, Garden Place, Hamilton

Richard Briggs  
Chief Executive

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## Extraordinary Council OPEN LATE AGENDA

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### Membership

Chairperson	Mayor A King
Deputy Chairperson	Deputy Mayor M Gallagher
Members	Cr M Bunting
	Cr J R Casson
	Cr S Henry
	Cr D Macpherson
	Cr G Mallett
	Cr A O'Leary
	Cr R Pascoe
	Cr P Southgate
	Cr G Taylor
	Cr L Tooman
	Cr R Hamilton

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

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

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Governance Manager

**21 September 2018**

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# Council Report

Item 7

**Committee:** Council  
**Author:** Alice Morris  
**Position:** City Planning Policy Team Leader  
**Date:** 25 September 2018  
**Authoriser:** Jen Baird  
**Position:** General Manager City Growth Leader  
**Report Name:** Hamilton City Council's Draft 1 Submission to Waikato District Council's Proposed District Plan

<b>Report Status</b>	<i>Open</i>
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## Purpose

1. To seek approval from Council on Hamilton City Council's (HCC's) **Draft 1** submission to Waikato District Council's Proposed District Plan.
2. **Draft 1** comprises three attachments:
  - A covering letter, which outlines the broad context of HCC's draft submission (**Attachment 1**).
  - A map showing the areas of interest to Hamilton pertaining to Waikato District Council's Proposed District Plan (**Attachment 2**).
  - A table of specific submission points (**Attachment 3**).

## Staff Recommendation

3. That the Council:
  - a) receives the report;
  - b) approves HCC's **Draft 1** submission to Waikato District Council's Proposed District Plan; subject to any amendments agreed by the Council being incorporated into the final submission;
  - c) notes the final submission be approved by the Chief Executive and submitted to Waikato District Council by the 9 October 2018;
  - d) notes the approved submission will be uploaded to Hamilton City Council's website; and
  - e) notes that Council will speak in support of its written submission at the hearings for Waikato District Council's Proposed District Plan.

## Background

4. On 27 June 2018, Waikato District Council adopted its Proposed Waikato District Plan. The submission period for the proposed plan opened on 18 July 2018 and closes on 9 October 2018.

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5. An article advising Elected Members of the adoption and release of the Proposed Waikato District Plan and the intention to make a Council submission (under the Chief Executive's delegated authority for RMA submissions) was included as part of the 10 July 2018 Executive Update.
6. A Council Briefing was held on 13 September 2018 to outline the key components and changes of the proposed plan and their potential implications for Hamilton.
7. HCC staff have reviewed the Proposed Waikato District Plan and developed a draft submission (**Draft 1**), which incorporates Elected Member feedback from the 13 September 2018 Council Briefing.
8. HCC's final submission will be lodged with Waikato District Council by the 9 October 2018 submission closing date using the Chief Executive's delegated authority for RMA submissions.
9. HCC will speak in support of its written submission at the hearings for Waikato District Council's Proposed District Plan.

### **Attachments**

Attachment 1 - Waikato District Council District Plan Review - HCC submission - October 2018

Attachment 2 - Area of Interest pertaining to HCC submission to Waikato District Council District Plan Review - October 2018

Attachment 3 - Waikato District Plan District Plan Review - HCC Submission - Table 20180830

## Submission by Hamilton City Council

### PROPOSED WAIKATO DISTRICT PLAN

9 OCTOBER 2018

#### 1.0 INTRODUCTION

- 1.1 Hamilton City Council (HCC) welcomes the opportunity to make a submission to the Proposed Waikato District Plan (WPDP). HCC's submission comprises this cover letter and the **attached** table and associated map.

#### RELIEF SOUGHT

- 1.2 The **attached** table outlines our submissions in relation to the WPDP, which refers to specific provisions within the WPDP. As per any planning making process, these submissions outline our Council's view on the detail of the WPDP and sets out the relief sought in respect of those provisions. In addition to the amendments sought as set out in the content of the **attached** table, HCC also seeks amendments to the WPDP to enable HCC to have an enhanced level of control and input into strategic land use planning and resource consenting of land uses within a defined area adjacent to the HCC City boundary with Waikato District. That defined area is set out in the **attached** map entitled "Area of Interest Map". The defined area is highlighted in light green and is noted in the map legend as "HCC Area of Interest" (Area of Interest).
- 1.3 This Area of Interest has been determined to be a rough indicator of the area of the City's economic and social influence, and represents its various communities of interest. It encompasses areas of potential for an extended urban footprint of Hamilton City in the future. It is critical to the sustainable use of this land resource that development within the Area of Interest be carefully controlled to ensure the transition to the long term urban form is not compromised or undermined.
- 1.4 A finer grained, data driven and evidence based analysis of the economic and social boundaries of Hamilton City and the possible extended urban boundary is currently underway within HCC, but this work will take some time to complete. In the meantime, this submission is required to be lodged within a 9 October 2018 deadline. Accordingly, the extent of the Area of Interest will be finetuned as the WPDP process moves forward.
- 1.5 Within the WPDP, HCC seeks that this Area of Interest be subject to separate and additional objectives and policies which seek to avoid urban development and subdivision in rural zones, and provide only for rural land uses in that zone. Objectives and policies are sought which ensure that land use within the Area of Interest is controlled and enabled at a rate

which is consistent with and prioritises HCC's strategic land use plans and urban growth strategies. HCC seeks a supporting set of rules and methods to achieve these objectives and policies, including deploying prohibited activity status for certain non- rural land uses and subdivision.

- 1.6 For other zones within the Area of Interest, HCC seeks that the extent of the zones not be extended beyond the existing zone boundaries, nor that the rural zone be decreased from the existing zone boundaries.
- 1.7 More broadly, HCC seeks objectives and policies which control the nature, extent and rate of development so that a consolidated urban form within the existing HCC boundary is prioritised and achieved, and that urban sprawl is avoided, and that the inefficient use of land and infrastructure is avoided. HCC seeks rules and methods to achieve these outcomes.
- 1.8 These objectives, policies, rules and methods may vary within the Area of Interest. For example, HCC seeks a high level of planning control over development adjacent to the existing City boundaries, and within existing development nodes within the Area of Interest, but may seek less control at the outer extremities of the Area of Interest.
- 1.9 One practical mechanism for delivering these outcomes may be an "overlay" technique which corresponds to the geographic extent of the Area of interest, which replaces and /or adds to zone provisions with a separate set of objectives, policies, and rules.
- 1.10 Finally, HCC seeks any further or consequential changes to the WPDP necessary to give effect to the strategic land use outcomes sought by HCC in respect of the Area of Interest as set out above.

## 2.0 ONGOING COLLABORATION

- 2.1 HCC acknowledges that this submission presents some strategic, practical and even political challenges to both HCC and Waikato District Council (WDC). HCC is committed to working collaboratively with WDC to resolve these issues in an integrated manner, reflecting the fact that our mutual boundaries will be the subject of ongoing change in response to population growth over time. Lessons learned from the past show that if we are to achieve the purpose of the Resource Management Act 1991, being the sustainable management of our land and resources, we are required to take this kind of integrated, cross-boundary approach. This issue is recognised by WDC at section 1.5.3 of the WPDP. HCC endorses this as a significant sub-regional issue to be addressed and supports WDC seeking to address it in the WPDP.
- 2.2 HCC seeks a collaborative approach with WDC and other partners on a Greater Hamilton Growth Strategy. This work aligns with the emerging approach to the Hamilton to Auckland Corridor and the consideration of the future purpose of the Future Proof partnership.
- 2.3 HCC seeks an integrated planning approach to development within the Area of Interest across all local government processes and will make its officers available to work with WDC for that purpose.

## 3.0 FURTHER INFORMATION AND HEARINGS

- 3.1. Should Waikato District Council require clarification of the points raised in this submission, or further information, please contact Laura Galt on 07 838 6636 , email [laura.galt@hcc.govt.nz](mailto:laura.galt@hcc.govt.nz) in the first instance.

3.2. Hamilton City Council **does wish to speak** to Waikato District Council at the hearings in support of this submission.

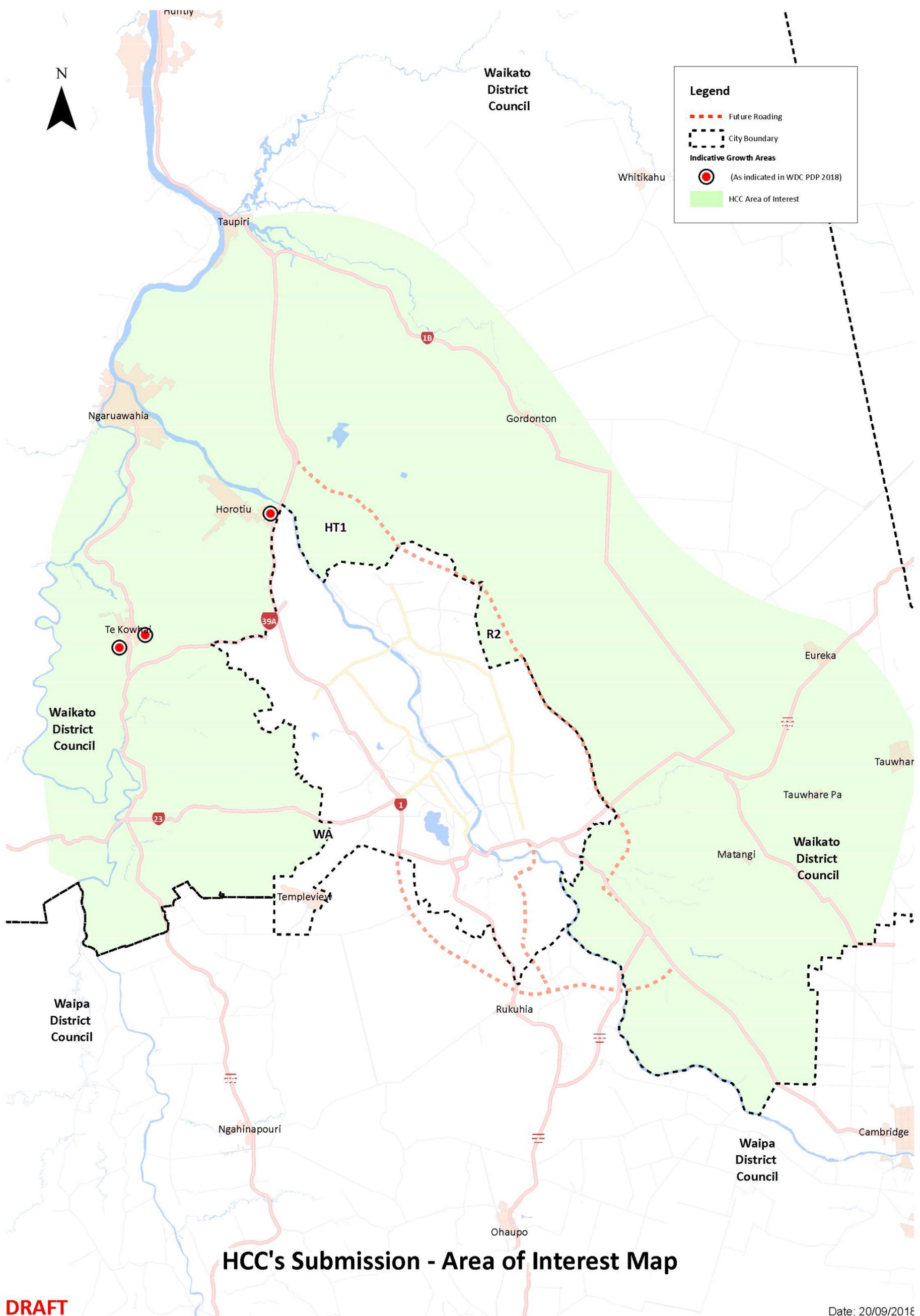
Yours faithfully

**Richard Briggs**  
**CHIEF EXECUTIVE**

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**Attachment 1**





### HCC's Submission - Area of Interest Map

**DRAFT**

Date: 20/09/2018

HAMILTON CITY COUNCIL SUBMISSION POINTS TABLE – WAIKATO DISTRICT PROPOSED DISTRICT PLAN 2018					
	Plan reference	Section Heading	Support/ Oppose/ Neutral	Decision Requested	Reason for decision
<b>General Plan comments</b>					
	Entire Plan - Structure		Support in part	Simplify the structure of the plan and include a usable cross-referencing system to allow easier use for the reader.	HCC welcomes the opportunity to submit on the Proposed Plan. HCC supports in general the layout of the plan; however, we believe there are further opportunities to refine and amend the layout through further cross-referencing between the objectives, policies and rules.
	Entire Plan – Growth management		Support in part	Amend the Plan to reflect and relate to sub-regional growth data including the National Policy Statement on Urban Development Capacity (NPS-UDC).	Work by Future Proof (FP) on the Housing and Business Development Capacity Assessment (HBA), as required by the NPS-UDC, is being undertaken presently. HCC believes that there is an opportunity to amend the Proposed Plan to include the recent work on growth projections that has resulted from the HBA and the growth management of the District is articulated in the Proposed Plan
<b>Section A – Plan Overview and Strategic Directions</b>					
Chapter 1: Introduction	1.2 (c)	What is the purpose of the Waikato District Plan	Oppose	Request that the figure for Hamilton’s population is updated to over 165,000 (estimation as at 2017).	The figure of 110,000 is out of date and should be updated to reflect the current population figures for Hamilton City, which is now approximately 55,000 higher.
	1.4.3.1 (b)	Rural activities	Support in part	Retain issue in the Proposed Plan and amend to include fragmentation of rural land.	Issue 1.4.3.1 (b) identifies that excessive rural lifestyle development can have adverse effects which should be avoided. Hamilton City Council (HCC) agrees with this approach but as ad-hoc development on the city boundary can also have an adverse effect, requests that fragmentation of future urban areas is also included as an effect.
	1.4.3.2 (b)	Protecting the Rural Environment	Support	Retain issue in the Proposed Plan.	Issue 1.4.3.2 (b) outlines the need to protect land from subdivision and inappropriate land use. HCC supports this approach, particularly the level of control on subdivision in the Rural and Country Living zones within the ‘Area of interest’ as identified by the attached map.  HCC supports the issue outlining the need to prevent fragmentation of rural land near HCC’s boundary. HCC also supports limiting the extent of non-rural activities within the Rural Zone and requiring the establishment of these activities within existing towns and villages where this growth is anticipated. Ad-hoc development on HCC’s boundary impacts on existing infrastructure and creates demand for unplanned and unfunded infrastructure, which has the potential to compromise efficient use of land through future planned urbanisation.
	1.5.1	Compact urban development	Oppose	Amend to refer to growth in the Waikato District to provide greater clarity on where growth is anticipated.	HCC considers the existing text of 1.5.1 a) should be amended to explain where growth is anticipated in the Waikato District rather than referencing Hamilton’s growth. E.g. 80% of growth in towns and percentage of growth in villages near Hamilton’s periphery. It would also be helpful to either list or include a map of those towns and villages.
	1.5.3	Cross boundary issues	Support	Retain issue.	Working collaboratively is a significant sub regional issue. HCC endorses the approach of 1.5.3 by WDC on this matter.
	1.5.4 (c)	Urban growth	Support	Retain issue in the Proposed Plan.	Support the districts settlement pattern as it is consistent with FP and the Waikato Regional Policy Statement (RPS).
	1.5.5	Services and general infrastructure	Oppose	Clarify what the core services that are anticipated to be shared. Actively work together to discuss intentions and their implications on HCC.	This issue states in 1.5.5 (a) <i>“Development patterns that promote the efficient use of new and existing infrastructure and services across boundaries can contribute significantly to improved cost effectiveness.”</i> And again in 1.5.5 (b) <i>“It is important that the district share the provision of core services with neighbouring council service providers, particularly in the north and south.”</i>  HCC is concerned about what is implied by both these sentences. Separate service agreements and funding mechanisms agreed with HCC would need to be secured if services are to be shared, there should be no assumption that this will occur.
	1.5.5 (c) and (d)	Services and general infrastructure	Support	Retain the issue in the Proposed Plan.	HCC supports the paragraphs 1.5.5 (c) and (d) as they identify that there is a need for consistency for infrastructure and the effects of it across territorial boundaries.

	1.5.7 (a)	Natural environment	Support in part	Amend to provide clarification by deleting “adjoining authorities” and replace it with “Territorial Authorities”.	The paragraph refers to ‘adjoining authorities’ which is ambiguous, and it is not clear who this would involve. The term “adjoining territorial authorities” might provide more clarity.
	1.12.1	Strategic directions and objectives for the district	Oppose	Amend section to provide an understanding of the location and forms of development that are sought and how the district will accommodate the growth projected in the NPS-UDC	This section of the Proposed Plan is one of the key opportunities for WDC to signal how it wishes to manage and grow the District. While there are some general references to the FP Growth Strategy, the need for master planning, and the need to consider the NPS-UDC, this section could be strengthened to help the reader better understand any particular geographical focus and what forms of development the Council wish to foster. In particular, how WDC intends on prioritising growth in its towns and villages; how it intends to accommodate the growth projected in the NPS – UDC work; and in what way it is building in commitments to a compact urban form.
	1.12.3	Built Environment	Oppose	Seek amendment to clarify if these are directives or objectives.  Amend by identifying the growth areas and articulate the variety and location of housing types.	The following three matters are included in this policy: <i>(a) “A district which provides a wide variety of housing forms which reflect the demands of its ageing population and increases the accessibility to employment and community facilities, while offering a range of affordable options.</i> <i>(b) A district that encourages and celebrates quality design that enhances and reflects local character and the cultural and social needs of the community.</i> <i>(c) A district that has compact urban environment that is focussed in defined growth areas, and offers ease of movement, community wellbeing and economic growth.”</i>  These three matters are all welcomed and provide a good starting point for a set of objectives relating to a quality, planned built environment. However, given the formatting of the plan, it is unclear if these matters are objectives or merely directions. If these are objectives, they should be strengthened and expanded to better articulate, for example, what variety of housing is sought, where and why. Additionally, to strengthen (c) ‘defined growth areas’, these growth areas could be identified. At present there is the perception that a large variety of villages and towns are all earmarked for growth, which may prove difficult to manage to avoid an ‘anything, everywhere’ built environment.
<b>Section B – Objectives and Policies</b>					
Chapter 3: Natural Environment	3.2.4	3.2.4 Policy – Biodiversity Offsetting	Support in part	Retain policy and add rules within Rural and Country Living Zones.	HCC is very supportive of the concept and use of a biodiversity offsetting tool. However, as flora and fauna are not constrained by District boundaries we consider it appropriate to enable correct placement of offsets and consideration is needed to apply method to address this situation. HCC would welcome dialogue to investigate opportunities between the District, Region and themselves on future potential to consider situations within Hamilton City whereby offsets might be more appropriate to be put in place within the Waikato District rather than within the City.  The Rural and Country Living Zone rules need to be amended to include rules for the subdivision of land to provide specifically for offsets, with no minimum lot sizes, access provided, and that any areas subdivided under such a framework are to be restored and protected in perpetuity.
	3.2.6 (a) (iv)	3.2.6 Policy - Providing for vegetation clearance	Oppose	Remove the reference to vegetation removal for domestic firewood.	We do not consider any vegetation clearance is appropriate within Significant Natural Areas (SNA). SNA’s are an area of “significance” and the protection of significant vegetation and significant habitats or indigenous fauna are a matter of national importance and should not be eroded through a harvesting activity.
Chapter 4: Urban Environment	4.1	Strategic Direction	Oppose	Amend to create a separate strategic direction for towns, and for villages.	The Objective and Policy framework within this section does not adequately differentiate between towns and villages. While later in chapter 4 there are some specific objectives and policies for various places, the overall strategic direction for the two different entities (of villages and towns) appear interchangeable and both are the primary focus for growth.  It is noted that the proposed Village zoning, despite being included within the ‘urban’ objectives and policies, would result in densities and characteristics more in accordance with a rural setting. The RPS and the FP Strategy are both strong on the need to limit rural residential development in sensitive locations such as the Hamilton periphery. The Village zoning, particularly in Te Kowhai, is essentially creating a greatly enlarged pocket of rural residential development near Hamilton’s boundary and the potential for there to be pressure placed on the City’s infrastructure and services. HCC considers it would be more appropriate to provide better differentiate between the purposes of both zones and create separate objectives and policies, on the basis the form of development created is very different, with a different range of effects.
	4.1.1b	Strategic Direction	Support in part	Amend 4.1.1 b) to align with NPS-UDC Medium and Long-Term housing targets with NPS-UDC demand plus buffer during the 2018-2046 period.	HCC supports the intent, however considers that this strategic objective should be amended to meet the requirements of the NPS-UDC. There should also be an objective that sets out the district’s minimum targets for sufficient, feasible development capacity for housing for the medium and long term. The dwelling targets should accommodate the demand

					plus buffer required for the NPS-UDC.
4.1.2	4.1.2 Objective – Urban growth and development	Support in part	Amend by the inclusion of a table/map which identifies growth areas.		At present, the plan appears relatively permissive to growth in and around all existing towns and villages in the District. HCC considers that the objective 4.1.2 could be further clarified and strengthened by the inclusion of a map or table which provides some parameters as to where the growth locations are.
4.1.3(a)	Policy – Location of development	Support in part	Amend 4.1.3 (a) by providing clarification that growth must be coordinated.  Amend 4.1.3. (a) by adding ‘and’ to the of (a).		Expanding policy 4.1.3 (a) will also ensure that the Plan recognises that, even if infrastructure can be provided, this should be in the context of all other existing and planned infrastructure investment to ensure that growth is co-ordinated.  Both subsections of the policy must be achieved when considering the location of development.
4.1.3(b)		Support in part	Amend 4.1.3 (b) by including a table/map identifying the growth areas.		The reference to FP is welcomed however, for ease of use, clarification could be provided as to what the urban growth locations areas are.
4.1.5	Policy – Density	Support in part	Amend the policy by including a greater range of densities, canvas growth in both greenfield and infill areas, and add subsequent changes to subdivision rules.		One of the key principles of the RPS and FP, is the need to accommodate residential growth in existing towns. HCC is very supportive of opportunities to grow the existing towns rather than additional greenfield areas. The inclusion of density targets that align with the RPS is supported. It is also appreciated that the densities listed are a minimum to meet growth projections and housing needs. However, the policy should be amended to respond to the specific residential growth needs of the District, as identified in the HBA, by including a greater range of densities. The proposed densities should reflect not only greenfield growth, but to create infill opportunities within existing towns, including higher density housing in existing centres.  This policy, could then lead into subdivision rules and multi-unit standards later in the Proposed Plan.
4.1.16	Policy - Horotiu	Oppose	Amend the policy to ensure cross boundary impacts are included, particularly infrastructure, and physical and social impacts on Hamilton.  Amend the relevant objectives and policies to ensure that land around existing industrial nodes is safeguarded for future industrial uses.		The proposed zoning changes within this village to accommodate additional residential development is opposed because the policy does not recognise Horotiu’s location directly on the boundary with Hamilton, instead the focus is on connections with the existing village, avoiding impacts on the existing road networks and minimising or avoiding reverse sensitivity effects from strategic transport infrastructure does not impact on the existing local road network.  The impacts of changing from the existing Country Living to Residential zone in Horotiu as part of this Proposed Plan.  Horotiu is one of the Strategic Industrial nodes identified in the RPS and FP and the proposed plan does not appear to provide for any additional industrial land supply. Recent work to satisfy the requirements of the NPS-UDC would suggest that in the longer term additional industrial land will be needed in the Waikato, therefore it may be prudent to safeguard land for future industrial uses around these industrial nodes.  <i>Note: The effects of the zoning change will be covered in our submission on Map 26.1.</i>
4.1.17	Policy – Te Kowhai	Oppose	Amend policy to ensure the type and quantum of growth at Te Kowhai is in accordance with the WRPS and FP and avoids effects on Hamilton.		HCC is concerned that the type and quantum of growth proposed for Te Kowhai is not in accordance with either WRPS or FP requirements. The impact of growth in this area has also not been considered with regards to potential impact on Hamilton’s infrastructure, or how such effects would be mitigated. The policy is referring to residential development in the Village zoning, being with lower density (3000m <sup>2</sup> sections) serviced by on site non-reticulated wastewater, water and stormwater networks, or higher density (1000m <sup>2</sup> sections) serviced by public reticulated networks. The policy also refers to the need to maintain open space character and rural landscape, while the village is still a key area of ‘residential growth’.  This policy is not supported. In the first instance the policy, with its size requirements, reads more like a rule or implementation method. Secondly, the quantum of potential development increases significantly from the existing plan and introduces a range of new areas including an Air Park subdivision, which were previously either zoned Rural or Country Living. However, we were not able to locate, within either in the Proposed Plan or the accompanying supporting information, what this quantum of new development could be. It would be helpful if WDC could supply data and its understanding as to how much growth will be provided for in this area, which would help us to better understand the

					<p>impacts of the proposals.</p> <p>The mixed message created by the term ‘residential growth’, when in reality, the proposals appear to create a much bigger Country Living enclave on the outskirts of Hamilton is of concern to HCC. Such large section sizes do not create the densities required for efficient, affordable and practical infrastructure such as reticulated networks or public transport. The lot sizes, even with the desire to control the location of future dwellings, will also not avoid issues with land fragmentation, should the area ever be fully urbanised in the future. The large increase in housing, has not been matched with a policy setting focused on place-making.</p> <p>Similarly, to the comments on Horotiu, the policy framework does not include mention of the need to consider cross-boundary effects, even though the village is very near the boundary with Hamilton.</p> <p>There is a significant difference between the subdivision rules, based on whether sites can or cannot be serviced with public infrastructure. It would therefore be helpful to understand what work the Council has done in terms of providing servicing solutions for 3-waters and what modelling and/or assessment has been undertaken to understand transport/traffic impacts of the two subdivision options. Such an analysis would provide better information as to how much subdivision can be expected in the area.</p>
4.2	Residential Zone	Oppose	Amend 4.2.16 and 4.2.17 by introducing a suite of policies, including those on other housing type and high design quality. Subsequent amendments in the wider zone provisions.	<p>As significant growth is identified for the District, HCC seeks to better understand how and where such growth will be accommodated as FP and the RPS settlement patterns seek compact development within the existing towns and villages. The objective and the associated policies are very focused on maintaining the character of the Residential Zone. We understand the need to do this, however there is an opportunity with the Proposed Plan to better facilitate a wider range of housing types such as duplexes or multi-unit development, which although residential in character, may not necessarily maintain the existing status quo.</p> <p>Additional policies would allow the focus on positive changes in terms of affordability, choice and options for the District.</p>	
4.3	Village Zone - entirety	Oppose	Amend Proposed Plan to better define the purpose of the Village Zone, which has more alignment with the objectives and policies relating to rural amenity. The Village Zone also needs to better consider cross-boundary impacts of growth.	<p>HCC is concerned that the overall strategic direction of the Proposed Plan directs growth similarly to towns and villages. Preferably there would be a strong objective and policy framework to direct growth opportunities to existing towns, rather than comparatively large lots within the villages which would weaken sub-regional infrastructure planning for public transport and 3-waters. Furthermore, it would create densities that may make accommodating future growth projections difficult.</p> <p>Additionally, policies (e.g. 4.3.2– Character) in Section 4.3 are very similar to the those of section 5.6 Country Living Zone. In many ways, the purpose of these two separate zones are very similar and both, if occurring in the outskirts of Hamilton, cause some concern for HCC. In the past, development within the Country Living Zone has caused cross-boundary issues within Hamilton, including the road networks, provided little impetus to improve passenger transport patronage and placed strain on existing facilities. The new Village Zone, particularly when located in the outskirts of Hamilton, has the potential to have the same cross-boundary issues. Although, given the Village Zone (1000 - 3000m<sup>2</sup>) accommodates smaller lot sizes than the Country Living Zone (5,000m<sup>2</sup>), the cross-boundary impacts are arguably exacerbated.</p>	
4.3.3	Policy – Future development – Tuakau and Te Kowhai	Oppose	Oppose the further growth proposed in Te Kowhai.	The policy encourages future development in Te Kowhai when services are available, however HCC questions if further future growth as identified, is appropriate in Te Kowhai. Growth is not opposed per se, just the type and amount included in the current proposal.	
4.6.3	Industrial and Heavy Industrial Zones – Policy 4.6.3 – Maintain a sufficient supply of industrial land	Support	Retain policy.	As signalled in the FP Strategy, industrial land supply for employment and economic benefit should be maintained to support the wider sub-regional needs. Furthermore, the NPS-UDC identifies the potential, in the longer term, that additional industrial land will be needed in the Waikato, therefore it may be prudent to safeguard land for future industrial uses around these industrial nodes.	
4.6.4	Policy 4.6.4 – Maintain	Support	Retain policy.	HCC seeks the retention of this policy as it supports the sub-regional need for industrial land to be managed and maintained, and not lost to other non-industrial purposes, such as large format retail.	

		industrial land for industrial purposes			
Chapter 5: Rural Environment	5.1.1	Objective – The rural environment	Support in part	Retain policy.	HCC supports the intent of this objective to protect rural land
	5.3.8(e)	Policy – Effects on rural character and amenity from rural subdivision	Support in part	Amend policy to also include the words ‘avoidance of ad-hoc subdivision and fragmentation of land’.	HCC seeks amendment of this policy to include the wording ‘avoidance of ad-hoc subdivision and fragmentation of land’ as these effects, particularly on HCC’s boundary and the potential to impact on future urban development, are to be avoided.
	5.5	Hamilton’s Urban Expansion Area	Support	Retain the objective.	HCC supports this objective as it sets out is a key mechanism to ensure the future urban development potential of the land in these identified areas is not compromised.
	5.5.2 (a)	Hamilton’s Urban Expansion Area	Oppose	Amend the policy by deleting the word “Manage” and replacing it with “Avoid”.	The current wording of the objective and policy does not provide adequate direction and ability to protect land in the Urban Expansion Area from inappropriate subdivision, development and use which can compromise future urban use. The Urban Expansion Area, with its objectives, policies and activity controls, are key to ensuring a greater development potential in the future to occur in an integrated and functional manner.
Chapter 6: Infrastructure	6.5.5 (a)	Policy – Road safety	Oppose	Amend policy 6.5.5 (a) by inserting the words “and maintained” “Ensure that structures, lighting, signage and vegetation are location, designed <i>and maintained</i> as to not compromise the safe...”.	Amending the policy to include maintenance allows for vegetation that is not static, therefore better reflects the reference to vegetation for which maintenance is critical to ensuring the policy can be achieved.
Chapter 9 Specific Zones	9.2	Te Kowhai Airpark	Oppose	Oppose the objectives and policies for the Te Kowhai Airpark	HCC does not believe the range of activities proposed will provide an appropriate level of development in such an uncertain servicing setting. The range of activities proposed are not adequately justified or controlled by the associated rules.
<b>Section C - Rules</b>					
Chapter 14: Infrastructure and Energy	P1 14.11.1.1 (a) (ii)	Water, wastewater and stormwater – Permitted Activities	Oppose	Amend stormwater systems for new development or subdivision rule to include a higher standard that are aligned with HCC’s requirements.	HCC considers that the attenuation standard (10% Annual Exceedance Probability (AEP)) set out in the Proposed Plan is inadequate. Attenuation to at least 1% AEP of pre-development rates should be used when discharging upstream of a catchment shared with HCC. If there are existing downstream flooding / erosion issues, then further mitigation should be required so as not to compromise HCC’s requirements (e.g. compliance with its Comprehensive Stormwater Discharge Consent).
	P1 14.11.1.1 (a) (iv)	Water, wastewater and stormwater – Permitted Activities	Oppose	Provide clarification and/or definitions to clarify the intention of the terminology “specific to the area”.	HCC seeks clarification as presently written it is unclear whether the terminology “specific to the area” creates a requirement to undertake local rainfall gauging where existing data is not “specific” enough, or whether the intent is to allow for the use of the “most relevant existing rainfall data”.
	P1 14.11.1.1 (a) (v)	Water, wastewater and stormwater – Permitted Activities	Oppose	Clarify how the hierarchical permitted condition will be implemented e.g. what and who determines how the choice of stormwater measures moves down the hierarchy.	Given the use of permitted conditions, HCC questions how WDC will ensure that the stormwater treatment measures being used are appropriate to the particular catchment and its values (e.g. what types of contaminants are an issue and will the treatment measures address them). The policy also needs to allow for the ability to require measures which ensure the protection and enhancement of the Waikato and Waipa Rivers.
	P3 14.11.1.3	Water, wastewater and stormwater – Permitted	Oppose	Amend P3 to clarify that the options are a hierarchy and (ii) and (iii) are not allowed if (i) is available.	Amend rule to ensure that if a reticulated network is available then it should be connected before the other options are permitted.  Also, if the development exceeds the capacity of the existing system then upgrades should be required before other options are used.

		Activities		Insert an equivalent rule for water servicing	An equivalent rule for water servicing should also be added to the Proposed Plan to ensure clear guidance on water management at the time of subdivision.
	P8 14.11.1.8	Water, wastewater and stormwater – Permitted Activities	Oppose	Amend the rule so it is relevant to the stormwater infrastructure it is trying to control.	The sizing/design of such infrastructure is in response to the need to manage stormwater quantity and quality and should not be constrained by building coverage rules of a zone which have not been developed with infrastructure in mind. It should be clarified how the area is to be calculated. For example, should the surface area of standing water be during normal flow, up to a design level (e.g. 10% AEP), including all slopes/batters etc.
	P8 14.12.1.8 (a) (i)	Transportation – Permitted Activities	Oppose	<ul style="list-style-type: none"> <li>Amend rule to provide for instances where the minimum 2m width is not appropriate.</li> <li>Define or clarify what ‘off-road pedestrian and cycling facilities’ means.</li> </ul>	<p>In some circumstances, off-road pedestrian and cycling facilities should be wider than 2m (e.g. along arterial corridors or when forming, or connecting to, part of a wider network with a wider standard). Shared facilities should be at least 2.5m wide.</p> <p>It is unclear what effect this rule is trying to manage, as off-road pedestrian and cycling facilities could mean only those outside the road corridor or it could also include off-carriageway facilities that are still part of the road corridor.</p>
	P8 14.12.1.8 (a) (iii)		Oppose	Clarification is required as to what are the actual the effects the proposed rule is managing.	HCC considers that as pedestrian and cycling facilities do not generate bulk or dominance related effects. Having to comply with a zone setback (particularly if off-road facilities includes those within the road corridor) is an inefficient use of land.
	Table 14.12.5.1 and 14.12.5.3	Separation distances; minimum sight distances	Oppose	Amend separation distances and minimum site distances to require compliance with the more onerous provisions of an adjoining District Plan.	The amendment will improve consistency and avoid potential cross-boundary related effects, such as new vehicle accesses in the vicinity of an adjoining local authority.
	Table 14.12.5.6	Road Hierarchy list	Oppose	<ul style="list-style-type: none"> <li>Clarify whether the “Gordonton Road” length identified as a regional arterial is different to or a duplicate of the “Gordonton Road” length identified as an arterial.</li> <li>Various roads form the boundary of HCC and WDC. The hierarchy for these roads should align with that of HCC’s District Plan. The following amendments are needed: <ul style="list-style-type: none"> <li>Add as Arterials: <ul style="list-style-type: none"> <li>Kay Road (River Road to Borman Road (west))</li> <li>Horsham Downs Road (Kay Road to Waikato Expressway/ HCC boundary)</li> </ul> </li> <li>Add as Collectors: <ul style="list-style-type: none"> <li>Exelby Road (SH39 to HCC boundary)</li> <li>Rotokauri Road (Bagurst Rd to HCC boundary)</li> <li>Kay Road (Borman Rd (west) to Horsham Downs Rd)</li> <li>Brymer Rd (Rotokauri Rd to HCC boundary).</li> </ul> </li> </ul> </li> </ul>	Amending the table will ensure consistency with the road hierarchy in Hamilton City.
Chapter 20: Industrial Zone	20.1.2 D6 and D7	Land Use – Activities - Discretionary activities	Oppose	Amend the activity status of D6 – An office and D7 - A retail activity, to Non-Complying in the Industrial Zone.	<p>The relevant objective and policy contained in Chapter 4: Urban Environment are relatively directive that industrial land should not be lost to non-industrial activities, therefore it is more appropriate to match this with a non-complying status in the rules. Commercial activity should be directed to the town centres and business zones.</p> <p>The Hamilton City District Plan has a strong emphasis on keeping Industrial zones for industrial purposes. While it is not</p>

					the expectation that adjoining districts have matching rules, in this instance, it would be preferable for a similar zoning approach be taken by Waikato District. It would seem appropriate there be some policy alignment to deliver on the RPS and FP principles, by ensuring Hamilton remains the primary commercial hub of the sub-region. In industrial areas in Hamilton, industrial and office activities are non-complying activities to support the 'centres based' approach to business areas within the City are not impacted.
Chapter 22: Rural Zone	22.1.5	Land Use - Activities - Discretionary Activities	Oppose	Amend the activity status for non-rural activities within the Urban Expansion Area to have a Prohibited Activity status.	<p>Land within the Urban Expansion Area needs to be protected from incompatible land uses (not just subdivision) that will compromise the future urban development of land.</p> <p>The 2005 Strategic Agreement on Future Urban Boundaries between HCC and WDC sets out the need for the land, and the need to prevent any further fragmentation of the land and non-rural activity use of the land to ensure future urban development can be facilitated in the future.</p> <p>Under the Operative Waikato District Plan, the Urban Expansion Policy Area has a number of prohibited activities to ensure that the future development of the areas is not compromised. During the consultation of the draft district plan, the prohibited activity list was reviewed and amended in consultation with HCC staff, increasing the activity status of some activities to a stricter prohibited activity status within the area. The notified Proposed Plan has not retained the prohibited activity status with the exception of subdivision, where an extra lot is created, with all non-rural activities now either non-complying or discretionary activities.</p> <p>The section 32 offers no sound reasoning as to why the activity status has been changed. HCC strongly disagrees with approach and the assumption for how the different non-rural activities were 'allocated' either non-complying or discretionary status. Non-complying activities were because of adverse effects, reverse sensitivity and incompatibility with urban uses in the future. Discretionary activities were applied where the use would be compatible with future urban use. HCC does not consider this approach satisfactory at all because such activities have the potential to impact on the future ability to comprehensively plan for the area as a whole.</p>
	22.4.1.1	Subdivision – Prohibited subdivision	Oppose	Amend rule 22.4.1.1 PR1 by adding (b) (a) "Any subdivision within the Urban Expansion Area involving the creation of any additional lot; (b) <i>Any boundary relocation or rural hamlet subdivision</i> "	HCC supports prohibiting subdivision which results in the creation of any additional lots as this ensures future urban development of the land is not compromised. However, allowing for boundary relocation and Rural Hamlet Subdivision, while it does not create additional lots, still results in land fragmentation in a way that will impede comprehensive future urban development.
	22.4.1.2	Subdivision – General subdivision	Oppose	Amend rule to increase parent lot to 40ha.	Further fragmentation of land particularly near HCC's boundary, is inappropriate and subdivision can impact on Hamilton's infrastructure and result in unplanned services. HCC estimates that within the identified 'Area of Interest' for Hamilton, using the 20ha parent lot baseline, approximately 349 properties could be further subdivided. If the parent lot was increased to 40ha (as is the case in Waipa) within the same 'Area of Interest' the potential number of properties that could be further subdivided would be reduce to approximately 182 properties. HCC considers that increasing the parent lot area to 40ha, and so reducing the extent of additional fragmentation within the Area of Interest would ensure the sustainable management of this area for future urban growth.
Chapter 23: Country Living Zone	23.1.2 D3	Land Use – Activities – Discretionary Activities	Oppose	Amend rule (and consequential changes to relevant policies) to ensure existing commercial centres are maintained.	Commercial activities are provided for as a discretionary activity within this zone. Given that almost all of the Country Living Zone is located near Hamilton or other main towns, to ensure the primacy of these existing commercial centres is maintained, either amend the rules restricting commercial activities in the Country Living Zone or include additional policies/objectives to better direct commercial uses to the appropriate zones.
	23.3.2	Land Use – Building - Minor dwelling	Oppose	Amend the provision to include a minimum lot size and that housing should be attached to the main house.	HCC supports that there is no additional Country Living Zone proposed around Hamilton. In principle, HCC is opposed to the provision of minor dwellings in the Country Living Zone, however it is considered that as this already occurs the ability for such residential accommodation in the Country Living Zone should be strongly controlled. P1 (b) allows for a 70m <sup>2</sup> minor dwelling providing it is accessed via the same driveway as the main house and is within 20m of the house. Given the large amount of Country Living Zone on the outskirts of Hamilton, this rule has the potential to enable more dense development on our boundaries than currently exists. These 'minor dwellings' are not limited to sites of particular sizes and do not have to be attached to the main house. Requiring minor dwelling to be attached to the main dwelling would at least avoid the creation of a denser urban feel within the zone. It could also lessen the appeal of building a minor

					dwelling, and accordingly reduce strain on road networks and other infrastructure in the area and beyond.
Chapter 24 Village Zone	23.4.2	Subdivision – Te Kowhai and Tuakau	Oppose	Oppose the subdivision provisions in relation to Te Kowhai	<p>The uncertainty about the servicing of these areas, makes quantifying and understanding the effects of the proposals on Hamilton’s own infrastructure and the sub-regional land use pattern, difficult. The proposed low densities of the area, may make meeting the District’s growth projections difficult.</p> <p>New areas have been included within the Village Zone which were previously zoned Rural or Country Living, without sufficient justification or comfort that the impacts of such development can be managed; or that the built form will deliver best results for delivering sustainable growth with a compact built urban form. Issues have been created in the past for Hamilton City, by the creation of rural residential enclaves on the City boundary - while this particular zone has a different name (i.e. Village Zone), it will still have the same, if not greater impacts across the boundary.</p>
Chapter 27: Te Kowhai Airpark Zone		Te Kowhai Airpark Zone	Oppose	Oppose the rules for the Te Kowhai Airpark	HCC does not believe the range of activities proposed will provide an appropriate level of development in such an uncertain servicing setting. The range of activities proposed are not adequately justified or controlled by the associate rules. (Also refer to the submission point on Chapter 9, page 5)
	27.1.1 P31 and P32	Land Use – Activities – Activity Status Table	Oppose	Clarification would be required on how the commercial zoning at the airpark does not impact on established commercial centres.	<p>Cafes and Restaurants, and Retail (up to 300m<sup>2</sup> within the four precincts), are provided for as a permitted activity in this zone on the outskirts of Hamilton. HCC questions how this commercial hub fits within Waikato District’s own aspirations for the main village of Te Kowhai and how well integrated these will be with the existing community.</p> <p>Furthermore, HCC has concerns about the impact the Commercial zoning at the airpark will have on the nearby established commercial centres, particularly in relation to the permitted activity status of retail in the Airpark. It is also not immediately clear whether this is 300m<sup>2</sup> in total spread between the 4 precincts, or whether it is 1200m<sup>2</sup> of retail. Nevertheless, both of the quantum are questioned, but most particularly the larger one. Te Kowhai is not a major commercial centre, and any commercial activities proposed should be of a scale to serve the community within which it is located.</p>
	27.3.12	Land Use - Building - Minor dwellings	Oppose	Amend the rules to require that such housing should be attached to the main house.	In principle, HCC is opposed to the provision of minor dwellings, however it is considered that as this already occurs the ability for such residential accommodation in the Country Living Zone should be strongly controlled. Further rules to strengthen the provisions relating to minor dwellings should be added. Minor dwellings are permitted activities provided they are less than 70m <sup>2</sup> , it is accessed via the same driveway as the main house, and within 20m of the house. Given the proximity to Hamilton’s boundary, such provisions are opposed as this has the potential to promote more dense development on our boundaries than currently exists. Requiring these dwellings to be attached to the main house, rather than allowing another separate building in the rural setting, will better maintain the existing character of the area. However, arguably given the seemingly complex nature of the infrastructure servicing of the development and the highly planned nature of the Air Park, it is questioned whether minor dwellings should be permitted at all, given the uncertainty it creates on yield.
	27.4.2	Subdivision allotment size	Oppose	The proposed subdivision framework should be simplified to provide more certainty as to what the infrastructure implications, what quantum of development occurs, and what the effects would be for subdivision to occur in this zone.	As this area is located very close to the boundary of Hamilton any subdivision increasing the number of urban lots has a strong potential for cross boundary impacts, particularly to Hamilton’s roading, waters and community infrastructures. The proposal to allow a range of allotment sizes, ranging in size from 450m <sup>2</sup> , to 1000m <sup>2</sup> to 2500m <sup>2</sup> and 800m <sup>2</sup> (depending on the reticulation available, and the location within the precincts) indicates an intensity that may prove unacceptable when there is difficulty in providing all necessary services to the future intended residential of the area. In addition, the proposed subdivision provisions appear overly complicated and no clear way to determine either overall maximum allotment number or what infrastructure would be provided.
<b>Section D</b>					
Chapter 29: Appendices	Appendix 9	Te Kowhai Airfield precincts zoning	Oppose	Delete Appendix 9 for the Te Kowhai Airpark	<p>The proposal does not appear well connected to the Te Kowhai Village. The s32 mentions that the design has been altered to ensure better connectivity, but this is not immediately obvious from the plans contained within Appendix 9.</p> <p>It would be helpful for the development to better define itself in terms of integration and connectivity with Te Kowhai, particularly from an infrastructure and community services perspective. For example, at present the location of the access to the development potentially lends itself more to connectivity to Hamilton than it does to Te Kowhai.</p>
Chapter 30: Schedules	30.1	Historic Heritage Items		Amend the schedule to include St Paul’s Methodist Church	St Paul’s currently listed in Hamilton City District Plan as a Heritage item (H61), is presently located at London Street Hamilton. A resource consent has been granted for its relocation from Hamilton and HCC’s jurisdiction to Te Kowhai and under WDC jurisdiction. Due to the heritage significance of the building and to align with the resource consent decision HCC seeks the inclusion of this building, once it is reinstated onto its new location at Te Kowhai, in the Proposed Plan’s Historic Heritage Items (Schedule 30.1) as it has regional heritage significance:

					<p><i>St Pauls Methodist Church “was built in 1904 as a simple gabled church with a modest bell tower” in the gothic revival style. In 1914 following the amalgamation of the Primitive Methodist and Wesleyan Methodist church congregations, additions and alterations were made to the church. These were designed by Architects Daniell and Cray, in the Arts and Crafts style. St Paul’s Church is significant as an example of work by Frederick Charles Daniell, who was a key architect in Hamilton and the Waikato region in the early 20<sup>th</sup> century. Daniell was the architect for several other scheduled buildings in Hamilton, including other churches, residences and commercial premises for example. The additions and alterations designed by Daniell are also a reflection of the organisation of the Methodist Church in Hamilton and New Zealand. “Lead-light windows in the porch and church form part of the 1914 alterations”. The building remains largely intact, incorporating alterations made over its time. (HCC Built Heritage Inventory Record Form)</i></p>
<b>Maps</b>					
	Maps - general		Support	Retain the Country Living zoning as proposed.	HCC supports the amount of land zoned Country Living remaining static.
	Map 26.1	Horotiu	Oppose	HCC wishes to actively engage in this area, and better understand the infrastructure implications, the effects on Hamilton of the proposed zoning changes and how future industrial growth needs in the southern areas of the Waikato District will be met.	<p>The ‘live’ Residential zoning at Horotiu is of concern to HCC. It is not clear how the new growth will be serviced, and we wish to understand more about the intentions here. The proposed zoning change is directly adjacent to the City boundary and we feel it is appropriate to understand how the area will be serviced with wastewater and water supply, and how stormwater will be managed. The quantum of people living in the town could significantly increase, and given the proximity to the City, could place pressures on the City’s physical and social infrastructure. Additionally, we note that Horotiu is one of the Strategic Employment Nodes in the sub-region, yet there are no plans to include any industrial growth in this location.</p> <p>We acknowledge that the somewhat uncertain planning situation in the adjoining part of Hamilton, being Te Awa Lakes, is probably contributing to some uncertainty for the future planning of Horotiu. While the City has signalled it supports a Special Housing Area at Te Awa Lakes, this has yet to be formally gazetted and a Plan Change process is currently on hold. It is not yet clear how these proposals will progress and over what timeframe.</p>
	Map 26.2	Te Kowhai	Oppose	Oppose the new zoning provisions.	<p>As raised elsewhere in this submission, HCC opposes both the Airpark and Village zoning. The uncertainty about the servicing of these areas, makes quantifying and understanding the effects of the proposals on Hamilton’s own infrastructure and the sub-regional land use pattern, difficult. The proposed low densities of the area, may make meeting the District’s growth projections difficult. The Airpark does not appear well connected to the Village and would relate more to Hamilton than Te Kowhai due to ease of accessibility and connection.</p> <p>New areas have been included within the Village Zone which were previously zoned Rural or Country Living, without sufficient justification or comfort that the impacts of such development can be managed; nor that the built form will deliver best results for delivering sustainable growth with a compact built urban form. Issues have been created in the past for Hamilton City, by the creation of rural residential enclaves on the City boundary - while this particular zone has a different name (i.e. Village Zone), it will still have the same, if not greater impacts across the boundary.</p>
	Map 26	Hamilton Surrounds / Ngaruawahia	Neutral	Neutral but with no further growth along the former State Highway.	HCC supports new residential growth within Ngaruawahia, being one of the major towns within the District. However, the town has been gradually stretching and growing along the former State Highway. This has created a situation whereby Ngaruawahia is nearly contiguous with Horotiu, which over time will become contiguous with Hamilton as it grows to its Urban Limit. While not opposing the current Proposed Plan, it is requested that in accordance with the RPS and the FP Strategy, which seek to avoid ribbon development along the road network; and plan for obvious gaps between towns. No further growth along former State Highway 1 should be enabled.