

**Notice of Meeting:**

I hereby give notice that an ordinary Meeting of the Strategic Growth Committee will be held on:

**Date:** Thursday 7 November 2024  
**Time:** 9:30 am  
**Meeting Room:** Council Chamber and Audio-Visual Link  
**Venue:** Municipal Building, Garden Place, Hamilton

Lance Vervoort  
Chief Executive

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## **Strategic Growth and District Plan Committee *Te Komiti* *Rautaki Tipu me te Maahere Rautaki aa Rohe* OPEN AGENDA**

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**Membership**

**Chairperson** Cr Sarah Thomson

***Heamana***

**Deputy Chairperson** Cr Geoff Taylor

***Heamana Tuarua*****Members**

Mayor Paula Southgate	Cr Mark Donovan
Deputy Mayor Angela O'Leary	Cr Louise Hutt
Cr Kesh Naidoo-Rauf	Cr Andrew Bydder
Cr Anna Casey-Cox	Cr Ewan Wilson
Cr Maxine van Oosten	Cr Emma Pike
Cr Moko Tauariki	Cr Tim Macindoe
Maangai Jaydene Kana	Cr Maria Huata

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

**Meeting Frequency:** Two Monthly

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Amy Viggers  
*Mana Whakahaere*  
Governance Lead

**30 October 2024**

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

## Purpose

The Strategic Growth and District Plan Committee is responsible for:

1. Guiding sustainable physical development and growth of Hamilton to meet current and future needs, including oversight of strategic land-use planning, boundary alignment, and existing and alternative planning, funding and financing models for growth-related projects.
2. Driving collaboration with neighboring Councils, Iwi, private sector, and central government to meet Hamilton's growth ambitions.
3. Providing Governance leadership and direction to staff to develop amendments to the Hamilton City Operative District Plan 2017.

***In addition to the common delegations on page 10, the Strategic Growth and District Plan Committee is delegated the following Terms of Reference and powers:***

### Terms of Reference:

4. To monitor and provide advice on the overall development and implementation of urban growth and development strategies, strategic land use, and spatial plans (e.g. Hamilton to Auckland Corridor and Hamilton-Waikato Metropolitan Spatial Plan), and long-term network infrastructure planning in line with national policy requirements.
5. To provide direction and monitor Council's approach to the levying and use of rates for growth, as well as development contributions.
6. To provide direction on and assess proposals for seeking alternative funding models, such as special purpose vehicles and infrastructure funding and financing.
7. To provide direction on strategic priorities for network infrastructure aligned to city development, and oversight of strategic projects associated with those activities.
8. To provide advice on the development and implementation of the Long Term Infrastructure Strategy.
9. To assess proposals for Private Developer Agreements that exceed the Chief Executive's delegations for Unfunded Growth Projects<sup>1</sup> and, if appropriate for Unfunded Growth Projects<sup>1</sup>, to recommend such agreements to the Council for approval.
10. To provide direction regarding Council's involvement in and with Urban Development Authorities, regional alliances, plans, initiatives, and forums for spatial planning (for example, Future Proof, strategic boundary land use agreements and joint council growth related discussions).
11. To consider the impacts of land use and urban development on the environment.
12. To provide clear direction on Council's strategic priorities to organisations and groups, for which Council facilitates funding, aligned with these Terms of Reference, and to oversee those funding arrangements and receive their strategic and business plans and annual performance reports.
13. To provide and approve broad strategic direction to inform and guide the development of the District Plan amendments programme of work.
14. To prepare and approve a draft set of District Plan amendments for the purpose of obtaining initial feedback and comment from the community, stakeholder, and tangata whenua groups.
15. To recommend any proposed District Plan amendments to the Council for adoption and release for formal notification.
16. To provide regular updates to the Council on the progress of the District Plan amendments programme of work.
17. To appoint representation to relevant regional strategy groups as required.

### The Committee is delegated the following powers to act:

- Approval of purchase or disposal of land for network infrastructure, or parks and reserves for works and other purposes within this Committee's area of responsibility that exceeds the Chief Executive's delegation and is in accordance with the Annual plan or Long Term Plan.
- Approval of matters determined by the Committee within its Terms of Reference.

**The Committee is delegated the following recommendatory powers:**

- Adoption of the Long Term Infrastructure Strategy to the Council.
- Approval of additional borrowing to the Finance and Monitoring Committee.
- Approval of city boundary changes to the Council, including in respect of Strategic Boundary Land Use Agreements.
- The Committee may make recommendations to Council and other Committees.

**Recommendatory Oversight of Strategies and Plans:**

- Hamilton Urban Growth Strategy
- Central City Transformation and River Plan(s)

**Recommendatory Oversight of Policies and Bylaws:**

- Development Contributions Policy
- Growth Funding Policy
- Sale and Disposal of Council Land Policy

<sup>1</sup> Unfunded Growth Projects are defined in the Growth Funding Policy as:

- a) Not funded projects
- b) Funded projects but which are proposed to commence earlier than the sequencing and timing established in the Long Term Plan; and/or
- c) Funded projects but which are now proposed to occur beyond the scale, scope and cost prescribed or anticipated for those projects in the Long Term Plan.

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**1 Apologies – *Tono aroha***

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

The Committee to confirm the agenda.

**3 Declaration of Interest – *Tauaakii whaipaaanga***

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 Chair.

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 Committee Room prior to the start of the Meeting. A member of the Council 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

**Committee:** Strategic Growth and District Plan Committee

**Date:** 07 November 2024

**Author:** Keryn Phillips

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance Manager

**Report Name:** Confirmation of the Strategic Growth and District Plan Committee Open Minutes 27 August 2024

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

That the Strategic Growth and District Plan Committee confirms the Open Minutes of the Strategic Growth and District Plan Committee Meeting held on 27 August 2024 as a true and correct record.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Unconfirmed Open Minutes of the Strategic Growth & District Plan Committee - 27 August 2024

## Strategic Growth and District Plan Committee

### *Te Komiti Rautaki Tipu me te Maahere Rautaki aa Rohe*

### OPEN MINUTES

Minutes of a meeting of the Strategic Growth and District Plan Committee held in Council Chamber and Audio-Visual Link , Municipal Building, Garden Place, Hamilton on Tuesday 27 August 2024 at 9:30am.

#### PRESENT

**Chairperson** Cr Sarah Thomson

**Heamana**

**Deputy Chairperson** Cr Geoff Taylor

**Heamana Tuarua**

**Members**

- Mayor Paula Southgate
- Deputy Mayor Angela O’Leary
- Cr Andrew Bydder
- Cr Anna Casey-Cox (via Audio-Visual)
- Cr Mark Donovan
- Cr Louise Hutt
- Cr Maxine van Oosten
- Cr Tim Macindoe
- Cr Emma Pike
- Cr Kesh Naidoo-Rauf
- Cr Moko Tauariki
- Cr Ewan Wilson
- Maangai Jaydene Kana

*The Chair opened the meeting with a karakia.*

1. **Apologies – Tono aroha**  
**Resolved:** (Cr Wilson/Cr Macindoe)  
 That the apologies for lateness from Mayor Southgate and Cr Tauariki and partial attendance from Deputy Mayor O’Leary and Cr Casey-Cox are accepted.
  
2. **Confirmation of Agenda – Whakatau raarangi take**  
**Resolved:** (Cr Thomson/Cr Taylor )  
 That the Strategic Growth & District Plan Committee confirms the agenda.
  
3. **Declarations of Interest – Tauaakii whaipanga**  
 No members of the committee declared a Conflict of Interest.
  
4. **Public Forum – Aatea koorero**  
**Julia Hamon** spoke to Item 6 (*Chair’s Report*) and proposed ideas to improve the Garden Place space including a permanent City Safe staff patrolling the area, fixing the brick work, beautify the gravel area, removal of the checkers board and general improvement of natural amenities.

**Aksel Bech** spoke to Items 7 (*Strategic Issues*) and Item 9 (*District Plan Update*) in relation to Plan Change 16 and inclusionary zoning and the findings at Queenstown Lakes..

**Hamilton Roller Skating Club** provided a written submission to Item 7 (*Strategic Issues*) that was circulated to Members and attached to the open minutes of the meeting as **Appendix 1**.

*Cr Tauariki joined the meeting (9.35am) during the discussion of the above item.*

*Deputy Mayor O'Leary joined the meeting (9.36am) during the discussion of the above item.*

**5. Confirmation of the Strategic Growth and District Plan Committee Open Minutes 25 June 2024**

**Resolved:** (Cr Taylor/Cr Kesh-Naidoo)

That the Strategic Growth and District Plan Committee confirms the Open Minutes of the Strategic Growth and District Plan Committee Meeting held on 25 June 2024 as a true and correct record.

**6. Chair's Report**

The report was taken as read. The Chair and Deputy Chair responded to questions from Members concerning the issues raised in the Public Forum regarding Garden Place as part of the Central City upgrade, tangible results focus for the Central City Upgrade, risks and opportunities for partnership.

**Staff Action:** *Staff undertook to circulate the following to Members ahead of information session in on the matter of the Central City transformation plan:*

- *information about City Safe permanent location in or near Garden Place; and*
- *high-level concept plan of the central city upgrade.*

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

That the Strategic Growth and District Plan Committee:

- a) receives the report;
- b) requests staff work with TGH on solutions to leverage and realise greater returns from the existing infrastructure investment in Ruakura, in particular unlocking industrial and logistics development within the Ruakura Superhub area south of the East Coast Main Trunkline, and report back with high level information on options and potential risks and trade-offs to the 26 September Infrastructure and Transport Committee as part of the planned report on the Eastern Transport Corridor; and
- c) requests staff actively work with TGH to explore solutions for enabling Ruakura East and report back to the Strategic Growth and District Plan Committee.

*Mayor Southgate joined the meeting (10.03am) during the discussion of the above item. She was present when the matter was voted on.*

**7. Strategic Issues**

The General Manager of Strategy, Growth & Planning provided an update on the report on the fast-track approvals bill, Waikato Housing Infrastructure (WHI), housing growth policy, regional deals, and development contributions for small scale projects. Staff responded to questions from Members concerning plans through WHI of accessibility in the city, the housing growth policy, costs of new growth, regional deals, risks to Council, and development contributions grant for small-scale community projects.

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

That the Strategic Growth and District Plan Committee requests staff to investigate and report back with options regarding quantum and policy direction for a potential community grant fund to support the payment of development contributions for small-scale developments by community organisations where there is negligible impact on infrastructure, and reports back to the 31 October 2024 Council meeting, noting that no budget is available for this purpose in 2024/25.

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

That the Strategic Growth and District Plan Committee:

- a) receives the report; and
- b) notes that:
  - i. for the Fast-Track Approvals Bill applications and ahead of any final Government legislative decisions, staff will prioritise resources into working with the Schedule 2A applicants and Tainui Group Holdings for Ruakura East ahead of Schedule 2B applicants to enable Council to make informed decisions around fast track proposals;
  - ii. schedule 2A projects are referred to an expert panel without requiring referral by the joint Ministers while Schedule 2B projects are to be considered for referral to an expert panel thus giving Schedule 2A projects greater status and priority under the proposed legislation;
  - iii. discussions around Ruakura East are prioritised as it is recognised in the Regional Policy Statement and Future Proof Growth Strategy as a future growth area, and in recognition of the Memorandum of Understanding between Council and Tainui Group Holdings; and
  - iv. a comprehensive update on proposed fast track developments will be reported to the 7 November 2024 Committee meeting.

**Cr Bydder Dissenting.**

*Cr Huata joined the meeting (10.22am) during the discussion of the above item. She was present when the matter was voted on.*

**The meeting was adjourned 10.52am to 11.08am during the discussion of the above item**

*Deputy Mayor O'Leary left the meeting during the above adjournment.*

*Cr Casey-Cox retired from the meeting during the above adjournment.*

#### **8. General Updates**

The report was taken as read.

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

That the Strategic Growth and District Plan Committee receives the report.

#### **9. District Plan Update - August 2024 (Information Only)**

The report was taken as read.

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

That the Strategic Growth and District Plan Committee receives the report.

#### **10. Ruakura Eastern Transport Corridor- Strategic Case**

The Executive Director Commercial and Advisory spoke to the report and outlined the updated staff recommendation.

**Resolved:** (Cr Wilson/Cr Pike)

That the Strategic Growth and District Plan Committee:

- a) receives the report;
- b) requests staff to update the Strategic Case to reflect emerging policy changes and other emerging technical matters as the detailed business case is finalised and to report back to the Council with a final Detailed Business Case for approval prior to agreeing to any funding plan;
- c) approves, subject to b) above, the June 2023 Strategic Case for the Ruakura Eastern Transport Corridor for the purposes of progressing detailed design and for exploring funding options for its delivery; and
- d) notes that a report will go to the 26 September 2024 Infrastructure and Transport Committee seeking approval for the macroscope of the Ruakura Eastern Transport Corridor project.

*Deputy Mayor O'Leary rejoined the meeting (11.31am) during the discussion of the above item. She was present when the matter was voted on.*

#### 11. Resolution to Exclude the Public

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

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

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 Strategic Growth and District Plan Committee Public Excluded Minutes 25 June 2024	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Strategic Issues (PX)		

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 maintain legal professional privilege 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) (g) Section 7 (2) (i) Section 7 (2) (j)

**The meeting moved into Public Excluded at 11.39am**

**The meeting was declared closed at 11.57am.**

## Appendix 1

21 August 2024

HAMILTON ROLLER SKATING CLUB

To Hamilton City Council

This was the response to my submission, to be honest I thought it was totally irrelevant as I do not believe we should have been charged DC charges. As the DC Policy details I have highlighted below clearly show if you are not impacting the infrastructure you should not be charged.

These clauses are not talking about floor area they are talking about whether you impact and if you don't you shouldn't be charged.

In response to the below, as far as the legislation and DC Policy is concerned any increase in floor area does have an impact on Councils infrastructure/services. The greater the increase in floor area, the greater the assumed demand on Council services, and the greater the corresponding DC charge. The legislation provides for Council to establish a policy where averaging and grouping (such as the commercial activity definition) is used to balance practical and administrative efficiencies.

The legislation does not require councils to provide for remissions in their DC policies, nor does the existing DC Policy provide discretion to complete assessments on a case-by-case basis outside of policy provisions. There is no proposal to change this at present. HCC has elected to include a limited number of remission categories in the operative and proposed DC Policies, none of which cover developments of this nature. The development is not of the scale required to be considered for an actual demand remission and Council considered a community-based remission but elected not to proceed at this time.

I wrote to Council after receiving this reply on 7 June requesting why we were being charged Developmental Charges as I had previously pointed out we had no impact on the infrastructure of the City as we were building a storage shed. We have not required new infrastructure to be built or caused any increased capacity as a consequence of our building.

I have asked Council as per their policy to demonstrate where we have created extra demand. I have not received a reply to this request.

These are the clauses taken from Councils Developmental Policy which in our view clearly eliminate us from being charged.

5.3 A development contribution may be required in relation to developments if the effect of the developments is to require new or additional assets or assets of increased capacity, and as a consequence, Council incurs capital expenditure to provide appropriately for community infrastructure, reserves or network infrastructure. Developments are considered in this context to be cumulative with other developments.

5.5 Before any development contribution can be levied in respect of development, it must be demonstrated that the development, which can be any subdivision or other development, by itself or in combination with other developments, generates a demand for community infrastructure,

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reserves or network infrastructure. Network infrastructure means the provisions of roads and other transport, water, wastewater, and stormwater collection and management. Council can require a development contribution to be made to it upon the granting of resource consent under the Resource Management Act 1991, the granting of a building consent or certificate of acceptance under the Building Act (2004), or upon authorisation of service connection being granted.

13. LIMITATIONS AND CALCULATION OF CREDITS AND EXEMPTIONS (S199, S200(1), S197AB LGA)

13.1 A development contribution will only be required if the effects or cumulative effects of developments will create or have created a requirement for Council to provide or to have provided new or additional assets or assets of increased capacity.

Regards

Kathy Moody  
Treasurer/Trustee on behalf of  
Hamilton Roller Skating Club

# Council Report

Item 6

**Committee:** Strategic Growth and District Plan Committee

**Date:** 07 November 2024

**Author:** Keryn Phillips

**Authoriser:** Michelle Hawthorne

**Position:** Governance Advisor

**Position:** Governance and Assurance Manager

**Report Name:** Chair's Report

Report Status	Open
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## Recommendation - *Tuutohu*

That the Strategic Growth and District Plan Committee receives the report.

## Attachments - *Ngaa taapirihanga*

Attachment 1 - Chair's Report - 7 November 2024

# Chair's Report

7 November 2024



Welcome to last committee meeting of the year.

A huge amount of thinking and work has gone on behind the scenes to prepare the reports for today, with planning and infrastructure teams coming together to work through some incredibly difficult issues. Thank you to everyone who has worked hard to bring us the best possible advice today - we have some big decisions ahead of us.

## Growth paying for growth

Through the Long-Term Plan we requested an evaluation of the costs and benefits of bringing new greenfield areas into the city boundary vs. taking a hands-off approach. This has been a valuable exercise which will help us understand the 'whole of life' cost of new greenfield developments. This goes beyond understanding the upfront cost of capital investment, but also the ongoing costs over the life of a growth cell (servicing, maintenance, depreciation etc) and to what level rates would need to be set to ensure growth pays for growth in the long run.

Something else I'm particularly excited about is the paper on value capture **attached** to this report which has been prepared by Greg Carstens and Dr Mark Davey and peer reviewed by Andrew Parsons and Professor Arthur Grimes from the Victoria University of Wellington.

The paper highlights the need for better value capture tools to enable value capture at the very early stages of urban development. The red and green graph is particularly striking. We know that re-zoning and boundary changes increase the value of land, but it's compelling to see this quantified and illustrated in a graph.

It illustrates why the spatial planning process needs to be turned on its head - as we did with the emerging areas process - to lock in commitments to infrastructure funding before any recognition is given to a potential new areas. It also shows why squeezing the majority of value capture in at the end through tools like development contributions is problematic.

To avoid future generations of ratepayers picking up the tab for growth in new areas (for example, through DC remissions) it's important we get this right. There is also a huge opportunity to harness early value uplift to drive housing affordability outcomes if the tools are there.

The paper provides a great starting point for discussions with central government. My hope is that HCC can help inform the work currently happening in Wellington to develop new value capture tools.

Value capture is also very relevant to our Fast Track response because a number of applicants sit on the periphery of the city and boundary changes are currently the best lever available to council to ensure value uplift is channelled into infrastructure and outcomes like affordable housing. This requires agreeing on commercial terms including a range of significant financial and non financial infrastructure matters, before any decision is made in regard to potential boundary changes. It's important to be clear that the starting point is that these areas sit outside of the city in the jurisdiction and responsibility of other councils and any boundary change is far from a given. Subject to direction from elected members, Hamilton City Staff will need to work closely with our Future Proof Partners (especially Waikato District

Council and Waipā District Council staff) to proactively engage with the successful Fast Track applicants and be aligned in our approach and any responses with a “boundaryless outcomes” focus.

#### **Plan Change 12 (PC12) Stage One**

Since the last committee meeting, Cr Geoff and I went with staff for a ‘walkabout’ in the Central City North part of the PC12 Stage One area to better understand infrastructure priorities.

What stood out was the opportunity the West Town Belt and Waitawhiriwhiri gully present to create a green, multi-modal corridor to connect people to both the central city and river. Some infrastructure improvements would be required to make this happen, including an underpass under Ulster St which is already flagged in the West Town Belt Master Plan. There’s also a fantastic opportunity at Edgecumbe park for future play and community facilities. Staff are working on preparing further information regarding infrastructure priorities for the Stage One growth cell for the next Long-Term Plan.

#### **Central City Transformation Plan**

I’d like to extend a warm welcome to Matt Mills who has recently joined us as the new Central City Transformation Manager. A big thank you also to Karen, Maria and Gordon who have been going the extra mile to improve the look and feel of the CBD. There’s a lot that has either happened or is in the pipeline including removing broken and bent things, fixing lights, decluttering street signage, steam cleaning the footpaths, cleaning the light poles, putting a garden into the ‘gravel pit’ in Garden Place, refreshing directional signage and more. While relatively low cost, collectively all of these actions are going to come together to make a tangible difference.

We have a briefing on central city matters on 6 Nov and I will invite Cr Geoff to provide a further verbal update at the committee meeting.

#### **Chair’s Recommendation**

That the Strategic Growth and District Plan Committee receives the report.

#### **Cr Sarah Thomson**

Chair

Strategic Growth and District Plan Committee

**Title: White Paper on New Value Capture Mechanisms in New Greenfield Areas: insights from Hamilton**

Authors: Greg Carstens, Mark Davey

Reviewed by: Andrew Parsons, Professor Arthur Grimes, VUW

October 2024

**Disclaimer**

The ideas and recommendations in this paper are the views of the authors and do not represent Hamilton City Council policy.

**Purpose**

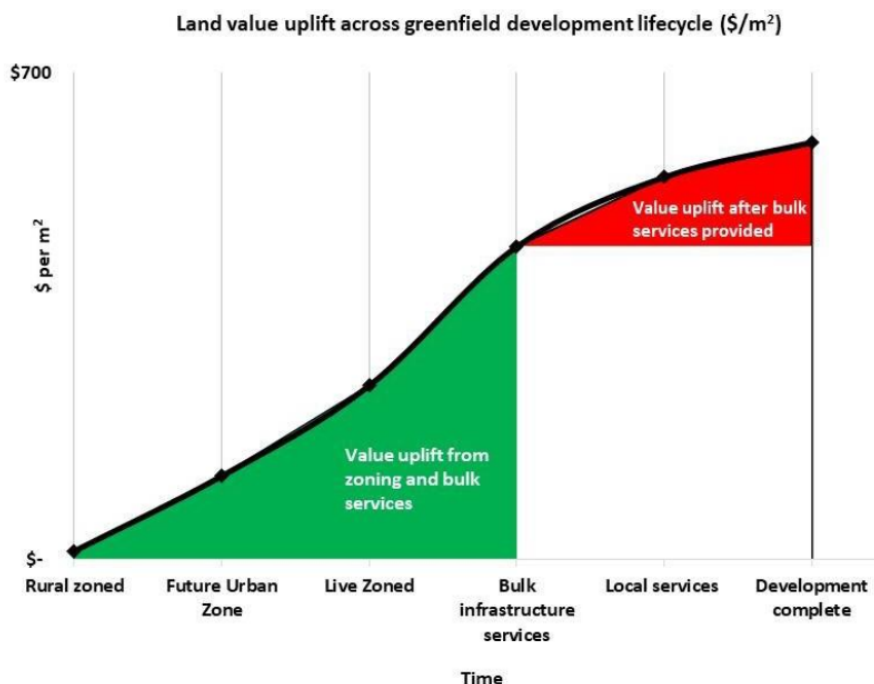
1. We have drafted this short paper to offer some insights and recommendations as the Government looks to develop and implement a value capture policy.

**Introduction**

2. As growth cities grow, the up-zoning and infrastructure servicing of greenfield land leads to substantial increases in land value for landowners, and access to future wealth conferred via development rights. Value capture is achieved using statutory powers, policy, or negotiation to extract from landowners a share of the value uplift over time where that value is largely results from the zoning or infrastructure investment decision of the Crown or local authorities. The proceeds of value capture should be directed to financing infrastructure and public amenity for the benefit of current and future communities.
3. Often it is during the early stages of land development where much of the value uplift occurs, but also where the owner invests little, if anything, in enabling the land for urban development. In New Zealand, effective value capture mechanisms in those early stages are lacking.
4. At the time of writing, the Crown is considering new value capture mechanisms and optimising existing ones to help deliver more serviced housing and employment land particularly in growth areas.

**Our recommendation**

5. New value capture mechanisms in our view, will be most successful if enabled at the front-end of the land development process when rural land is being identified for urbanisation and prior to the provision of bulk infrastructure services, when the greatest value is conferred with the lowest level of capital investment being made by the developer/landowner. Implementing value capture at these early stages has a lesser impact on feasibility and affordability of the end product as compared to value capture implemented closer to development completion (refer **Figure 1**).
6. There are fewer tools available to councils in the early development stages (green shaded area) when much of the value uplift is occurring and where councils invest heavily in bulk infrastructure, and where there is minimal investment by landowners. There are a range of tools available to councils in the latter development stages but less value uplift left to capture (red shaded area).



**Figure 1: Land value curve**

7. Currently, councils do not have the necessary tools to deploy in the early development stages where value uplift is high (around 10x) to capture and redirect that value to the public good. This largely caused due to a significant policy gap in the Resource Management Act (RMA) which largely does not allow for value capture. Established mechanisms to capture value (such as DCs) are available in the latter stages of the development lifecycle, but by then landowners have banked much of the value uplift.
8. The following table provides a general summary of land development milestones in the development of a generic greenfield growth cell.

<i>Land development milestones</i>	<i>Value of land (\$/m<sup>2</sup>)*</i>	<i>Potential VC mechanisms**</i>	<i>Trigger for VC mechanism</i>
1. Rural zoned	\$12	Land purchase by Council	Council decision
2. Future Urban Zone	\$120	<ul style="list-style-type: none"> <li>Targeted rate</li> <li>other levy/tax</li> </ul>	<ul style="list-style-type: none"> <li>Council decision; or</li> <li>Land transaction</li> <li>TA boundary change</li> </ul>
3. Live Zoned	\$250	<ul style="list-style-type: none"> <li>Targeted rate</li> <li>Betterment (Public Works Act, land acquisition)</li> <li>Private Developer Agreement (PDA)</li> </ul>	<ul style="list-style-type: none"> <li>Council decision</li> <li>Statutory process</li> <li>Negotiation</li> </ul>
4. Bulk infrastructure services in place	\$450		
5. Local services in place	\$550	FCs/DCs	Title (224c) or building completion (CCC)
6. Development completed	\$600	General rates	Building completion (CCC)

\* Average estimates for illustrative purposes drawing from HCC data, and TPG land value report 08/05/2024

\*\*These are expanded on in Appendix 1.

### Value capture triggers

9. Effective value capture in our view needs to occur at a “trigger” event at which point value can be extracted in exchange for development rights and/or infrastructure connection. This trigger event should be based on a milestone, for example the time of zoning or identification of land for urbanisation, but may be extracted at a later time. The value capture trigger could be in the form of a contractual commitment (e.g. private development agreement), a legal instrument on a property title, or gifting of land. Successful implementation of a value capture tool relies on the local authority being able to leverage the milestone to either withhold benefits from accruing to the landholder, or recover costs through a cost recovery tool or negotiated outcome.
10. If a value capture mechanism is well constructed and planned, it may still fail to recover appropriate value if the trigger is bypassed, allowing the value uplift is banked by the landholder and the commercial leverage lost.
11. For example, upzoning goes live for political and process reasons (an RMA decision is made) before the value capture tool is fully developed or deployed. Even if the mechanism can be implemented at the point of upzoning, expectations signalled to landowners in the preceding period can dilute the capture or value at the time of the trigger.
12. If the sale/purchase of land is available as the extraction point to capture value, we recommend using it and applying the following principles:
  - i) The compensation is extracted at time of property transaction (e.g. farmer selling to developer or developer on-selling to another developer prior to any enabling works being undertaken);
  - ii) the compensation provided to the Crown or Council can be monetised. It does not need to be a direct financial “tax”, it can be in the form of a legal instrument such as encumbrance which requires certain investments to be made by the owner and/or a portion of land is gifted;
  - iii) the sell price of the land (whether driven down by a direct tax or some form of encumbrance) should reflect the capital investment is still required to realise the development potential;
  - iv) the compensation is fair and reasonable, and proportional to compensation paid by other developers/landowners.

### Can/do developers fully fund infrastructure in new greenfield areas?

13. The answer to this question rests on how we interpret to ‘fully fund’ infrastructure. Our experience in and around Hamilton is that developers are willing to, and are expected to, finance the infrastructure within their development (“within site”). This generally includes local and collector roads, neighbourhood parks, local wastewater pumpstations, stormwater devices, and water and wastewater local mains. This can represent a substantial investment – for example a developer in a large emerging development proposal on the edge of Hamilton city expects to fund around \$200M of such infrastructure.
14. Financing the within-site infrastructure does not include financing all the required network infrastructure, it simply sets the development up to connect to Hamilton’s network and draw from its existing and future network and capacity (referred to as “plug and play”).
15. There is often a similar level of investment required beyond the development site (“beyond-site”) to enable the development such as water and wastewater headworks, truck mains, arterial road networks, and sports parks. These costs under existing policy tools are very hard to recover the costs on. Development contributions attempt to collect some of this but fall short for several reasons:
  - i) the projects need to be in the capital works schedule in order cost recovery to occur;
  - ii) assets that have already been paid for no longer appear on the capital works schedule;
  - iii) the level of service vs growth portion of a major capital work means that development only pays through DCs a portion of this at best;

- iv) capital works schedules and limited to Councils ability to borrow and their level of revenue (rates) – so while there might be important strategic assets required to support growth, these can sometimes be left out of capital works schedules, meaning development proceeds without contributing any more to these.
  - v) Sometimes the capital invest costs beyond site are hard to quantify and therefore not fully understood, often resulting in “sweating the asset” instead of accounting for what is needed.
16. Funding and financing these wider costs is zero sum, if not from the development area, will be at the expense of other developers in the city or the general ratepayer.
17. We recommend that the value capture tool is targeted at this beyond-site infrastructure. Recouping these costs will become more challenging going forward, with the Governments Going for Housing Growth policies.

### Conclusion

18. We see merit in the development of a value capture policy which can be applied at an early stage in the land development process. Based on our research, some of the most significant value-uplift arises at the early stages of the development process yet a) little of this value uplift is invested into enabling the land for urban development and b) there are no financial instruments or otherwise that require a commensurate level of investment to occur.
19. There are multiple benefits from a value-capture policy approach that targets the front-end of the development cycle. In our view the market has little ability to absorb more charges at this latter end of the development process.
20. For value capture to be implemented in the early stages of the land development lifecycle, the following will be required:
- i) Value capture frameworks and triggers need to be built into the existing legal and regulatory frameworks, including strategic planning documents. We see this most effectively being done under the Purpose and Principles of the RMA, with changes being made to the National Policy Statement: Urban Development (NPS:UD) to provide further policy clarity and direction. If the government sought to expand value capture beyond just urban development then we would recommend a standalone national policy statement;
  - ii) Value capture frameworks and triggers need to be built into Crown investment decision-making too. For example, if we invest in Road X, what are the commitments (value capture) that are being contributed by private developers who stand to benefit the most. This has in part been articulated in the Government Policy Statement: Land Transport but will require legal and process support to drive implementation.
21. For such value capture to be workable, the following will be required:
- i) transparency, and Stakeholder Engagement – sign-posting clearly and simply how this new policy is being implemented in law and Government (local and central) decision-making;
  - ii) open book costings on both sides – developers and Crown / local government (this will in turn help to determine to is best suited to most cost-effectively deliver infrastructure)
  - iii) controls will be required to ensure contributions are proportional to the benefits received by the developers, landowners and public at large (public good)
  - iv) incentivizing Development in a way that encourages development in desired areas,
22. Councils ability to recover revenue to pay for those growth costs that will be incurred by people other than the developer is likely to be more challenging going forward particularly in light of Nationals Going for Housing Growth policies and the extension of zoning and development rights. This tool would assist in funding infrastructure beyond the development site itself. We consider this a transfer of ‘public-good’.

## Appendix 1: value capture tool comparisons

### 1. Early Public Land Acquisition and Sale

**Mechanism:** Local authorities can purchase greenfield land at pre-rezoning values and sell it post-rezoning, capturing the value uplift.

*Pros:*

- Direct Control: Local authorities can control the pace and nature of development.
- Revenue Generation: Significant potential for revenue if land is bought at lower values and sold at higher post-rezoning values.
- Strategic Planning: Enables better coordination of land use planning and infrastructure provision.

*Cons:*

- Financial Risk: Requires significant upfront capital and carries financial risk if market conditions change.
- Operational Complexity: Requires effective management and expertise in land acquisition and sales.

### 2. Land Value Rates

**Mechanism:** Land value taxation involves rating land based on its unimproved value. Rezoning would increase land values, leading to higher tax revenues. This is the common practice of New Zealand councils as land is upzoned.

*Pros:*

- Encourages Efficient Land Use: LVT encourages landowners to develop or sell underutilized land to avoid high taxes.
- Revenue Stability: Provides a steady revenue stream that is less susceptible to economic cycles.
- Fairness: Taxes landowners based on the value increase they receive from public decisions and investments.

*Cons:*

- Implementation Complexity: Requires regular and accurate land valuations.
- Political Resistance: Landowners may resist increases in land taxes.
- Impact on Landowners: Can place a financial burden on landowners who are asset-rich but cash-poor.

### 3. Public Works Act 1981 (Betterment)

**Mechanism:** A betterment is a calculation made based on the difference between the value of that land as unserviced (undevelopable) and serviced (developable) by publicly funded infrastructure. The betterment value is offset against the price a Council pays for that private land when it is compulsorily acquired under the Public Works Act within an infrastructure designation,

*Pros:*

- Has a specific trigger point being the time the land is compulsorily acquired
- Captures Public Value: Ensures that the community benefits from public investments and decisions.
- Targeted: Specifically targets the beneficiaries of public actions.
- Revenue for Public Goods: Provides funds for public infrastructure and services.

*Cons:*

- Implementation Difficulty: Determining the value increase attributable to public actions can be challenging and litigious.
- Land adjacent (or nearby) may accrue similar benefits to those whose land is acquired, but not 'pay' the betterment cost.
- Developer Opposition: May face resistance from developers who see it as an additional cost.

### 4. Private Developer Agreement (PDA)

**Mechanism:** A Council and developer(s) agree to terms covering any aspects of development of the land, but typically land transfer, financial payments, development contributions and remissions, and commercial terms of private infrastructure delivery.

*Pros:*

- Path forward is agreed and provides certainty
- Sharing of benefits
- Certainty of process, rights and obligations

*Cons:*

- Requires willing parties and mutual agreement
- Multiple landowners with different objectives may create incentives not to enter into an agreement
- Time consuming and costly to negotiate/develop

## 5. Targeted Rate

**Mechanism:** A territorial Authority imposes a targeted rate across land that benefits from publicly funded infrastructure but cannot otherwise be recovered from those beneficiaries based on the uplift in land value resulting from rezoning or public investment in infrastructure.

*Pros:*

- Captures Windfall Gains: Targets the unearned increase in land value due to rezoning.
- Equitable: Ensures that the broader community shares in the benefits of rezoning decisions.
- Funds Infrastructure: Can generate significant funds for necessary infrastructure.
- Incentivises development by discouraging landbanking

*Cons:*

- Complexity: Calculating the exact uplift attributable to rezoning can be complex, and development and implementation lengthy.
- Market Impact: May discourage development if levies are perceived as too high.
- Legal Challenges: Potential for legal disputes over the calculation and implementation of levies.

## 6. Development Contributions (DCs)

**Mechanism:** Development contributions are charges imposed on developers to fund infrastructure necessitated by new development. This includes water supply, wastewater, stormwater, roads, and community infrastructure and reserves.

*Pros:*

- Direct Link to Development: DCs directly link the cost of infrastructure to the developments that necessitate it.
- Predictable Revenue: Provides a predictable stream of revenue for local authorities.
- Cost Recovery: Ensures that the costs of growth-related infrastructure are borne by those who benefit from it.

*Cons:*

- Cost to Developers: Increases the cost of development, which may be passed on to homebuyers, potentially affecting housing affordability.
- DCs are imposed late in the development cycle and therefore have a greater effect on feasibility and housing affordability.

## 7. Financial Contributions (FCs)

**Mechanism:** Similar to DCs, except less structured in the RMA than DCs is in the LGA..

*Pros:*

- Flexibility: FCs have a wider potential application than DCs.

*Cons:*

- Lower revenue: FCs typically recover substantially less revenue than DCs
- Contestable: lack of legislative structure may open Council to legal challenge.
- Timing Issues: Revenue from DCs is dependent on the timing and pace of development.

# Council Report

**Committee:** Strategic Growth and District Plan Committee

**Date:** 07 November 2024

**Author:** Blair Bowcott

**Authoriser:** Blair Bowcott

**Position:** General Manager Strategy, Growth and Planning

**Position:** General Manager Strategy, Growth and Planning

**Report Name:** Strategic Issues

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

- To inform the Strategic Growth and District Plan Committee issues of high significance and areas of concern that need to be brought to Members' attention, but do not warrant a separate report.

## Staff Recommendations - *Tuutohu-aa-kaimahi*

- That the Strategic Growth and District Plan Committee:
  - receives the report; and
  - notes that staff are not resourced to undertake further planning and infrastructure modelling for Fairfield/Enderley in accordance with funding decisions made in the 2024-34 Long-Term Plan.

## Executive Summary - *Whakaraapopototanga matua*

- This report provides information to the Strategic Growth and District Plan Committee on the following key matters:

<b>Land Use Planning</b>	<ul style="list-style-type: none"> <li>Fast-track Approvals Bill applications</li> <li>Fairfield / Enderley</li> </ul>
<b>Funding / Financing</b>	<ul style="list-style-type: none"> <li>Update on city/regional deals</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>Climate change considerations for growth.</li> </ul>

- Extensive work and collaboration have been undertaken over the last few years on the Fairfield/Enderley masterplan. The report summarises that work and looks at the proposed next steps.
- The report also considers climate change considerations for growth. It focuses on challenges and opportunities for both greenfield development and intensification and highlights the key stages to consider climate change when making decisions on both types of development.
- Staff consider the decisions in the report are of low significance and that the recommendations comply with Council's legal requirements.

## Discussion – Matapaki

### Fast-track Approvals Bill applications

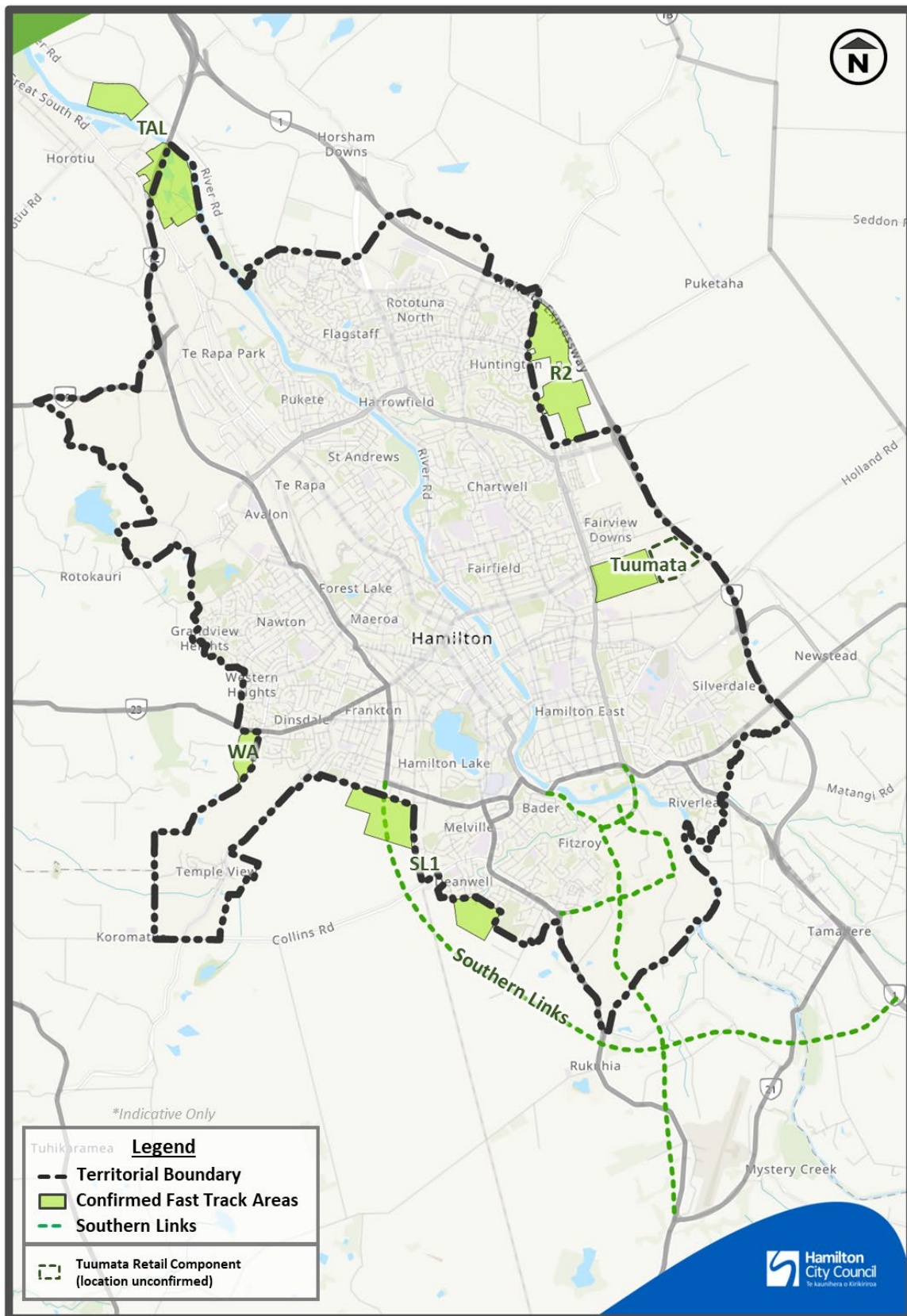
7. The Government announced the successful Fast-track applicants on 6 October 2024. Council is now mobilising to respond to the applications and ensure the best outcomes for Council are achieved and its interests – including financial – are best protected.
8. A separate report in the Public Excluded section of this agenda sets out in detail how Council proposes to respond, including a recommendation on how we should engage with successful applicants and those that applied but were not successful in gaining scheduling.
9. Fast-track represents a major shift in the way Council will operate and carry out planning and servicing for the development of large new areas within and outside its territorial boundary. Council no longer ‘holds the pen’ in that it is not the decision-making authority.
10. Staff stress that fast-track presents a range of very significant risks to Hamilton City Council, that Council must carefully navigate. Council does not at this point have sufficient capacity to service its existing committed areas inside the boundary, let alone the new scheduled areas. That forces a confrontation of the network capacity issues much earlier than anticipated before the advent of Fast-track.
11. On 18 October 2024 a report was released from the Environment Committee on the Fast-track Consenting Bill responding to submissions. Some notable points and aspects of change from the original are listed below:
  - i. Panels, not Ministers, to decide on applications and conditions
  - ii. No discussion in report about service connections, boundary reorganisations
  - iii. Written comments window is extended from 10 to 20 working days
  - iv. Panel can specify consent lapse date, default 5 years (was 2 years)
  - v. Once granted, variations to Fast-track approvals determined through standard processes subject to tests and considerations of the bill (assumed to mimic the s.127 process from the Resource Management Act)
  - vi. Provision made for (new) unlisted projects to apply for Fast-track Consenting
  - vii. Cost recovery remains an ability:
    - a. Enables cost recovery by local authority or responsible agency.
    - b. Complex, legal advice required.
    - c. Costs are to be estimated in advance, may be required to be paid in advance, can be challenged by applicant.
12. The Fast-track applications scheduled as notified in the 6 October 2024 announcement are listed out in Table 1 and map below.
13. As many of the Fast-track Applications lie just outside the Hamilton City Council territorial boundary and within the boundary of Waipā and Waikato District Councils, Hamilton City Council may not be determined to be the “relevant local authority.” However, given that the location of most Fast-track Areas are on the periphery of Hamilton, most effects (e.g. traffic generation) will fall on this Council, and many of these developers will look to Hamilton City Council for the provision of reticulated services – water and wastewater as the municipal supplier. However, given the nature of the Fast-track Approvals Bill these developers now have greater flexibility in terms of alternative infrastructure solutions.

14. Staff are in the process of establishing a joint FutureProof team for the Fast-track Areas on the edge of Hamilton to ensure a joined-up, cross-organisational approach is taken, similar to the Emerging Areas process, which Council led. This is discussed in detail in the separate Public Excluded report.

**Table 1.** Fast-track application scheduled as notified

Applicant	Project Name	Sector	Project Description
Tainui Group Holdings Limited	Ruakura Tuumata Residential and Commercial	Housing and Land Development	To develop a new master-planned residential neighbourhood over 68 hectares of between 1100-1300 homes, including a Neighbourhood Centre, and on a separate but nearby 14hectare site, a large format retail centre.
CDL Land New Zealand Limited	CDL - Ruakura 2 (R2) Growth Cell	Housing and Land Development	The Ruakura 2 (R2) Growth Cell Project is to subdivide and develop 211 hectares of land for residential housing (1350 residential units) and 35 hectares of industrial at Puketaha, on the Waikato District side of its territorial boundary with Hamilton City.
Malcolm's Rest Limited, Lloyd Seeney and Kathryn Seeney	Wallace Road Stage 1A and 1B subdivision and land use consent with associated roading and infrastructure.	Housing and Land Development	The project comprises 115 hectares of greenfield land for 230 residential housing.
Te Awa Lakes Unincorporated Joint Venture	Te Awa Lakes	Housing and Land Development	The Te Awa Lakes Project is a 90-hectare mixed use, 2,500 dwelling medium density development on land at Horotiu on the northern edge of Hamilton City.
Colliers Project Leader is the client representative for the SL1 Consortium	Southern Links 1	Housing and Land Development	The project will comprise of 48 hectares of residential development delivering 1035 units in a range of typologies and 66 hectares of land with industrial activities.
New Zealand Transport Agency Waka Kotahi	Hamilton Southern Links	Infrastructure	To develop an effective network of state highway and urban arterial routes to support Hamilton's planned southern growth. It will link SH1 from Kahikatea Drive to the Waikato Expressway at Tamahere, and State Highway 3 from Hamilton Airport to central and east Hamilton. There are 11km of local arterials and 21km of state highway along with associated infrastructure, activities and works.

These are identified on the Map below.



Item 7

## Fairfield/Enderley Masterplanning

### Introduction

15. Since the 27 August 2024 update, staff have engaged further with Kāinga Ora on the masterplan for the area, particularly sharing information regarding water and wastewater constraints, existing and required network capacity. While collaboration with Kāinga Ora is ongoing, currently limited progress has been made on advancing the masterplan concept.
16. Key factors impacting progress on this work include:
  - i. The recent completion of the 2024-34 Long-Term Plan and Plan Change 12 (PC12), both of which have a direct bearing on the area;
  - ii. The ongoing National Government review of Kāinga Ora and the uncertainty that this is causing;
  - iii. The lack of funding for infrastructure to enable growth in the area; and
  - iv. The lack of funding (on both sides) to support any further modelling or detailed work to quantify the infrastructure servicing needs.
17. Table 2 is a summary of the work that has already been undertaken (by Council and Kāinga Ora). This work will inform and shape the future thinking, planning and decision-making for the area.
18. The study area (formally referred to as the Enderley-Porritt Redevelopment Area) is shown in **Attachment 1**. The boundaries are Crosby Road and Porritt Stadium (north), Wairere Drive (east), Fifth Avenue (south) and Peachgrove and Hukanui Roads (west).
19. According to proposed PC12, most of the area falls within the general residential zone, with a band of medium density residential zone along Peachgrove and Hukanui Roads. Additionally, the area includes Historic Heritage Area No. 7 (Chamberlain Place) proposed through Plan Change 9 (PC9).
20. The area is also subject to the proposed Three Waters Infrastructure Capacity Overlay. However, through PC12, a rule is proposed that where an Integrated Catchment Management Plan (ICMP) (applying to the Enderley-Porritt Redevelopment Area) has been approved by Council, development and redevelopment within the area, undertaken in accordance with this ICMP, will not be considered against the requirements of the overlay.
21. Further, through Future Proof, the Ruakura – Fairfield/Enderley area is identified as a Priority Development Area (PDA), but with the understanding that “It is anticipated that the PDA locations, sequencing and timing will change across time depending on the priorities of the sub-region and current trends and influences.”<sup>1</sup>

### Previous Information and Studies

22. The table below summarises the key work undertaken to date.

**Table 2.** Summary of work undertaken by Hamilton City Council and Kāinga Ora

Study	Synopsis	Takeaways
Housing Acceleration Fund Application (2021)	Led by HCC (through Future Proof) - An Expression of Interest (EOI) submitted for the Ruakura-Enderley/Fairfield Area, to access Central Government IAF funding aimed at infrastructure investment	<ol style="list-style-type: none"> <li>i. The Expression of Interest combined Tainui Group Holdings greenfield Ruakura development with the significant brownfield intensification opportunities across the adjacent Fairfield and Enderley communities.</li> <li>ii. Development costs arise from meeting the</li> </ol>

<sup>1</sup> Future Development Strategy Update\_2024\_part D pg. 111

Study	Synopsis	Takeaways
	to support new housing supply.	<p>stormwater challenges in the area. The stormwater bid funding included estimates for purchasing land to develop modern stormwater solutions.</p> <p>iii. Infrastructure Acceleration Fund funding sought (inflated) over \$600m and this was ultimately not secured.</p>
Area Plans (2022)	Led by HCC - four non-statutory area plans completed to help inform future changes to the District Plan. The areas covered were Chartwell, Five-Crossroads, Hamilton East, and City Centre North. These plans are part of the response to the National Policy Statement – Urban Development.	<p>i. Plans explore accommodating required intensification with an integrated land use, infrastructure, and placemaking approach.</p> <p>ii. They provided direction to PC12 and contributed to infrastructure strategies and investment decisions for the Long-Term Plan.</p> <p>iii. The work showed that existing infrastructure networks are not designed to support proposed levels of intensification. Further, that insufficient funding tools are available.</p>
Enderley Neighbourhood Framework Plan (2023)	A draft framework plan completed by Kāinga Ora to inform further work and investment by Kāinga Ora and Hamilton City Council. The plan focused on existing Kāinga Ora land holdings and was not intended for public engagement.	<p>i. Kāinga Ora owns and manages over 870 homes in the area, many needing upgrades.</p> <p>ii. Report highlighted that further investment is needed to unlock potential community benefits, particularly: quality and affordable homes, sustainable communities, environmental wellbeing, partnerships with iwi and mana whenua.</p>
Enderley-Porritt Redevelopment Strategy (2023)	Kāinga Ora led - The purpose was to explore potential redevelopment scenarios for Kāinga Ora owned properties, assessing the quality of existing stock and potential yield uplift. The study did not consider integration with, or the impact on privately owned properties.	<p>i. The strategy focused on providing a holistic and integrated development approach for the area.</p> <p>ii. The objective was to establish a high-level yield target that could be used as a baseline for future redevelopment in the area and to inform future demand for infrastructure.</p> <p>iii. Substantial funding for infrastructure upgrades is required, which has not been secured.</p>
Kāinga Ora Submission on the 2024-34 Long-Term Plan	Submission and presentation to the Strategic Growth and District Plan Committee April 2024, articulating the goals for the area - to increase the supply of housing (social and affordable); to increase community connectedness and to improve the wellbeing of current and future Kāinga Ora customers and the community.	<p>i. Acknowledged that the following key infrastructure projects are unfunded:</p> <ol style="list-style-type: none"> <li>The Enderley/5th Ave Wastewater Trunk Main Diversion, and</li> <li>The Enderley Trunk Main Upgrade.</li> </ol> <p>ii. Request that Council consider re-prioritising Long-Term Plan funding to enable a comprehensive redevelopment programme to occur in area over the next 5-year period.</p> <p>iii. Subject to infrastructure, showed an estimate of the total yield (in partnership with private sector) of around 2,100 additional homes - Kāinga Ora responsible for 700.</p>
Plan Change 12 (current)	Hearings into PC12 have recently concluded, with recommendations from the independent hearings	<p>i. Proposed objectives, policies, and standards aim to control the built form within the General Residential Zone while allowing</p>

Study	Synopsis	Takeaways
	panel expected in December 2024.	<p>higher densities within the Medium Density Residential Zone.</p> <p>ii. The plan change introduces an 'Infrastructure Capacity Overlay' to manage density, considering the current lack of infrastructure capacity.</p> <p>iii. Evidence provided that significant investment is needed to support intensification enabled in the District Plan and National Policy Statement – Urban Development.</p> <p>iv. A targeted approach prioritises investment in the 2024-34 Long-Term Plan for Stage 1 development areas.</p> <p>v. Proposes using the Three Waters Connections Policy to control development where constraints exist, including a new Network Capacity Assessment Tool.</p>

### Long-Term Plan Deliberations

23. The recent 2024-34 Long-Term Plan deliberations included an update on the strategic waters' infrastructure for the Fairfield Enderley area.
24. The water and wastewater master planning utilised 2023 growth projections (in terms of increases in population and dwelling numbers), which were modest in comparison to Kāinga Ora aspirations for the area as outlined in their submission to PC12 (circa 2,000 additional homes).
25. The stormwater master planning prioritised investment across its programmes based on a range of factors including existing network capacity issues, flood hazard, resource consent compliance and development priorities and aspirations.
26. Key messaging from this work includes:

**Table 3.** Key Waters Messaging for the Fairfield Enderley Master Plan

<b>Stormwater</b>	<ol style="list-style-type: none"> <li>i. The Fairfield and Enderley areas have existing drainage and flood hazard challenges.</li> <li>ii. The stormwater network was built to meet standards of that time (e.g. piping streams/gullies/overland flow paths; no stormwater treatment) and as a result the existing piped network effectively has no capacity for additional development.</li> <li>iii. The stormwater master plan recommends the development of a blue-green corridor in the Enderley area. A brownfield stormwater management programme is included in the Long-Term Plan (Years 5 onward).</li> </ol>
<b>Wastewater</b>	<ol style="list-style-type: none"> <li>i. The Enderley catchment is predominately serviced by the recently upgraded Snell 3 Sewer Pump Station and (subject to several assumptions) has capacity to cater for projected 2041 demands.</li> <li>ii. Several projects (such as the Enderley Trunk Main Upgrade) are unfunded, which impacts the provision of any blue green Stormwater solution.</li> <li>iii. Indicative cost estimates to upgrade the local wastewater network to provide for increased development densities, were developed as part of the 2021 Housing Acceleration Fund application.</li> </ol>

<b>Water Supply</b>	<ul style="list-style-type: none"> <li>i. The Fairfield and Ruakura reservoir zones have recently been created and these are responsible for providing LOS service to the Fairfield and Enderley suburbs.</li> <li>ii. Two water supply projects are included in the proposed 2024-34 Long-Term Plan to maintain levels of service and improve system resilience based on existing growth projections: Fairfield Water Supply Pump Station Upgrades (\$3.3m in Years 2 and 3), and Additional Reservoir Storage in the Ruakura Zone (over \$80m) to come online in 2031.</li> <li>iii. A programme to upgrade the local network for this area was not recommended for inclusion in the 2024-34 Long-Term Plan as it is not considered a priority growth area (as opposed to the central “Stage 1 development area” which has been identified as a priority growth area.</li> </ul>
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### Long-Term Plan Amendment

27. The following commentary has been provided by the Strategic Planning and Advocacy Unit and is relevant for the area in terms of where Council’s priorities lie moving forward.
28. In terms of staff resourcing and the Long-Term Plan Amendment process, the following can be highlighted:
  - i. Council is currently undertaking an extremely complex Long-Term Plan Amendment to deliver on the Government’s Local Waters Done Well legislation.
  - ii. This involves separating out waters’ costs from other Council costs, and looking at whether a Council-Controlled Organisation model is appropriate for delivering waters functions in the future.
  - iii. At the same time, New Zealand Transport Agency Waka Kotahi has also significantly reduced the subsidy that Council receives for investment in the local transport network.
  - iv. These significant changes have meant that staff are looking to minimise any other potential changes or amendments to work programmes and budgets (except in exceptional circumstances) to allow us to deliver to the required legislative timeframes for both waters and the Long-Term Plan Amendment /Annual Plan.
  - v. Staff have limited clarity of the overall impacts on the Council’s financial strategy at this stage and consider that it would be imprudent to recommend additional large-scale investment before the impacts of these other changes on the City’s finances is known.

### Summary and Next Steps

29. To summarise, a substantial amount of work, forward planning and collaboration has been undertaken over the past few years. This work remains current and will be used to inform decisions moving forward.
30. The key challenge for the project remains funding - particularly as it relates to infrastructure. The message remains that:
  - i. Hamilton City Council’s existing three waters systems have performance challenges (to varying degrees) across the city.
  - ii. To deliver the intensification already enabled in the District Plan, and contemplated through the National Policy Statement – Urban Development, without significant investment, would lead to system failures. To help address the above, a targeted approach to increased densities has been adopted to enable the development of deliberate and deliverable infrastructure plans, to ensure the investment needed is in place.

31. The 2024-34 Long-Term Plan prioritises three waters network investment to support growth in the Stage 1 Development Area, over other brownfield areas. Due to the constrained financial situation, Council has made the decision to not prioritise further investment for Fairfield/Enderley.
32. This is not to say that the area can't be signalled as a Council priority as part of a larger Stage 2 (behind the Central City), but to be enabled, further work and investment needs to be made to understand the infrastructure requirements and costs to inform future Long-Term Plan processes/amendments.
33. Given the current funding constraints and the extensive work already undertaken, staff will continue to work with Kāinga Ora with a view of compiling a Development Plan that integrates the findings and recommendations from the existing studies but noting staff will not undertake any new work for Fairfield/Enderley as we are not resourced to do so. This would include aspects such as:
  - i. A review of the planning work to confirm the overall yield opportunities;
  - ii. A review of the infrastructure work to identify potential requirements and gaps that need addressing;
  - iii. Validation of the high-level assumptions, including ballpark costs against the projected yield to ensure feasibility. At the same time, Kāinga Ora will conduct feasibility modelling to refine and validate the development approach.

### **City/Regional Deals**

34. The Future Proof Chief Executive Advisory sub-group investigating Regional Deals continues to meet to discuss how the sub-region can progress conversations with the government.
35. The Government has signalled its interest in working with regions who have aligned their thinking on deals, and the group is progressing with this in mind. The Government has indicated that it will be inviting five regions to put forward proposals to be part of the first Regional Deal, with one deal being committed to this parliamentary term.
36. There has not yet been clarity on the regions that will be invited to participate in the process, with invitations expected in November 2024.
37. In early October 2024, the Future Proof Mayors and Chair had a valuable meeting with Minister Chris Bishop, who noted that the government looked favourably on the Future Proof Partnership, and is seeking to engage more frequently into the future.
38. The partnership, through the Future Proof Implementation Advisor, will be following up to ensure that this increased engagement is progressed.

### **Climate change considerations for growth**

39. Hamilton is a fast-growing city within a fast-growing sub-region, which brings both challenges and opportunities in relation to climate change. It is important to understand these to be able to plan for the long-term sustainability of the city and ensure our current and future communities are resilient and thriving as our climate changes.
40. The information in this section of the report is integrated into many aspects of Council's work and is already reflected in reports this Committee receives, especially on District Plan changes and updates on priority growth areas. The aim of this update is to provide climate change information in one concise update to support governance in making intergenerational decisions that realise the opportunities and address the challenges of climate change.

41. The climate change key considerations are focused on two key aspects:

**Table 4:** Key Climate Change Considerations for Growth

i. Enabling a smooth transition to a low carbon future	The low carbon transition is about how we shift our economy and lifestyles over time to have less of a climate change impact. This includes increasing energy efficiency, electrifying our homes, businesses, and industry, changing the way we move in, out and around the city and keeping resources circulating with the economy. It also includes consideration of the embodied emissions associated with the renewal and construction of infrastructure and buildings.
ii. Building resilience to the physical changes in climate.	Building resilience to climate change is about how we future proof our city to the changes that we are likely to experience in both the extreme weather events and the sustained changes in climate like temperature, rainfall patterns and wind patterns. It includes planning for an uncertain future as well as integrating both infrastructure and nature-based solutions to reduce the impact on assets and services and the health of our community.

42. “Our population growth is not a tap we can simply turn off”<sup>2</sup> – we must look at what we can influence around where and how we meet this increased demand for homes, businesses, and industry. The decisions Council makes has a significant impact on whether Hamilton Kirikiriroa will be a resilient and thriving place for the community to live, play and work for years to come.
43. Both greenfield growth and intensification of existing neighbourhoods must consider climate change. Whilst they have some different challenges and opportunities, a combination of both will be required to meet the needs of our growing city. At a high level:

**Table 5.** Climate Change considerations for Intensification and Greenfield Development

Type of growth	What is it?	Low carbon transition	Building resilience
<b>Intensification</b>	Increasing the density of existing suburbs and creating more opportunities for people to work and live in select areas.	Significant opportunity to reduce emissions from homes and travel. Retrofitting infrastructure will result in embodied emissions.	Risks of increasing the impact of urban heat, flooding and drought on people and infrastructure. Opportunity to integrate nature-based solutions.
<b>Greenfield development</b>	Creating new communities, commercial and industrial areas on undeveloped land either within or outside of the city boundaries.	Significant opportunity to reduce emissions from homes and travel. Retrofitting infrastructure will result in embodied emissions.	Risks of increasing the impact of urban heat, flooding and drought on people and infrastructure. Opportunity to integrate nature-based solutions.

### Intensification

44. In the right places, intensification offers significant opportunity for homes to have lower operational emissions, for infrastructure to be used more efficiently and to avoid or delay the requirement for new infrastructure. Hamilton Urban Growth Strategy – Te Rautaki Tupu Taaone o Kirikiriroa responds to this with *Outcome one - grow up and out from the central city*, and *Outcome two – grow along transport corridors*. These priority areas for intensification are key to enabling the transition to low carbon living for the community as they are focused on providing the right mix of housing and jobs at the right densities to improve travel choices and promote the use of public and active transport.

<sup>2</sup> Hamilton Urban Growth Strategy – Te Rautaki Tupu Taaone o Kirikiriroa, April 2023

45. Table 6 below highlights the key stages to consider climate change when making decisions on intensification.

**Table 6. Key Stages of Climate Change Considerations - Intensification**

Key stages	Key climate change considerations
<b>Zoning</b> - <b>Identifying where to grow</b>	<p><i>Connection to employment, retail, community amenities</i>            Opportunity to provide multiple transport choices, including active and public transport for higher population densities, making it easier for residents, visitors, and workers to access what they need by different transport modes.</p> <p><i>Strategic infrastructure capacity</i>            Understand what capacity there is for water supply and wastewater removal and treatment and if additional infrastructure will be required, which will result in an increase in embodied emissions.</p> <p><i>Flood hazards</i>            Understand existing risks and areas suitable for intensification and potential for increased risk from further development.</p>
<b>Planning requirements</b>	<p><i>Density requirements</i>            The increase in density and type of housing, the connection to jobs and amenities can have a significant impact on travel needs and mode choice.</p> <p><i>Integration of nature-based solutions into requirements</i>            Opportunities to integrate nature-based solutions to support climate change resilience, including flooding and heat and protect existing trees and green spaces.</p> <p><i>Building to reduce energy demand of homes</i>            The positioning and design of homes and buildings can have significant impact on ongoing energy use.</p>
<b>Upgrades</b> - <b>Strategic infrastructure</b> - <b>Community infrastructure and amenity</b>	<p><i>Upgrading existing infrastructure</i>            Opportunity to scale to the appropriate size to manage future growth and changes in climate. Consideration of embodied emissions during upgrades and the recovery of any waste.</p> <p><i>Introduce green infrastructure</i>            Add in green walls, roofs, trees and plants to reduce urban heat and flood risks.</p> <p><i>Upgrade community infrastructure</i>            Opportunity to enhance existing community spaces, including improved shading in playgrounds and communal outdoor spaces.</p>

46. **Attachment 2** highlights how some of these climate change considerations are already integrated into the vision and changes being implemented within the Central City.

### Greenfield development

47. In the Hamilton Urban Growth Strategy – Te Rautaki Tupu Taaone o Kirikiriroa, outcome three and also the out of boundary development principles, are focused on the development of quality greenfield neighbourhoods.
48. While changes in government policy mean there will likely be a greater portion of greenfield growth happening it is still important to consider the long-term climate change impacts for those that will be living and working in these new neighbourhoods and developments.
49. **Attachment 3** shows the key stages of greenfield growth development and how at the beginning there is the most opportunity to consider emissions and that as the stages progress the opportunity to influence decreases significantly.

50. Table 7 highlights the key climate change considerations related to greenfield growth.

**Table 7. Key Stages of Climate Change Considerations – Greenfield Growth**

Key considerations	Key climate change considerations
<b>Strategic land-use</b> – identifying where and how to grow	<p><i>Understanding the history, previous uses, and type of land</i> Helps to understand potential future climate change risks and cultural connections. For example, potential flood risks and biodiversity impacts. The presence of peat soils is another important consideration because of potential subsidence but also as a source of carbon.</p> <p><i>Choosing where to grow</i> The connectivity between residential, employment, recreation, and retail. Emissions associated with potential travel by residents, employees, and visitors. Consider areas of significant biodiversity, opportunity to preserve areas of native biodiversity to support resilience of species.</p> <p><i>Understanding the environmental limits</i> Understand what capacity there is for water supply and wastewater removal and treatment and the potential impact on the river and environment. All new infrastructure will result in an increase in embodied emissions. Areas will have different stormwater requirements and should be considered early in decision making.</p> <p><i>How the land is going to be used</i> The decisions on the mix of housing, industry and commercial will have a direct impact on the future emissions of the residents, workers, and visitors. The opportunity to secure green spaces to provide nature-based solutions and to support biodiversity resilience.</p> <p><i>Structure planning – what is going where</i> Opportunity to design and outline what is required to create compact, connected and healthy neighbourhoods. Identifying appropriate density and typology of housing, where neighbourhood centres should be and integrating and protecting active and public transport. Also, the opportunity to outline where green spaces will be and to ensure that appropriate protections for gullies and streams and potential flooding.</p>
<b>Strategic infrastructure</b> – understanding and planning for the water, wastewater, stormwater, and transport infrastructure	<p><i>Strategic infrastructure requirements</i> Opportunity to design efficient and resilient infrastructure that is built to meet the needs of planned development. Integration of multiple transport modes where appropriate, designing for what is needed within the new growth area and how it will connect to existing networks.</p> <p><i>Consenting, design and construction</i> Opportunity to reduce embodied carbon through the design and construction of the infrastructure and to design energy efficient infrastructure. Important to consider the whole of life of all infrastructure, including operating and maintenance to minimise emissions and ensure resilience.</p>
<b>Subdivision and housing</b> - Housing and business construction	<p><i>Consenting of subdivision and housing</i> By this stage there is limited opportunity to influence as the focus is on meeting compliance with existing rules.</p>
<b>Local community infrastructure and amenity</b>	<p><i>Consenting, design and construction of new community infrastructure</i> Opportunity to design efficient and resilient infrastructure that meets the community's needs including the addition of appropriate shading in</p>

	playgrounds. Influence the embodied carbon of new infrastructure through the design and procurement stages.
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51. **Attachment 4** highlights how the unlocking of the Peacocke growth area and decisions that have been made support the development of a low carbon, resilient suburb.

### **Financial Considerations – *Whaiwhakaaro Puutea***

52. Fast-track potentially imposes significant financial burdens onto Hamilton City Council, in the form of infrastructure upgrades, staff resourcing for negotiation on Fast-track consent conditions, and boundary adjustment. A principle Council has maintained from the Emerging Areas process and continued through Fast-track discussion is users pays, growth pays for growth and Hamilton City Council should be left in a cost-neutral position.
53. While that is the aspiration, Council is going into the process with eyes fully open and from past experience, on smaller but similar issues, there is always some residue, sometimes significant, that ends up being left to Council. With infrastructure this could be where Hamilton City Council determines that upgrades should be extended beyond that triggered by a Fast-track development to allow for strategic anticipation of further growth, or with staff time for engaging on Fast-track. Other but significant costs include boundary adjustments, capital expenditure to upgrade infrastructure, future operational expenditure to maintain that new infrastructure, staff costs, environmental and political costs.
54. Staff will work with developers and the Government regarding alternate forms of funding. The Minister is already signalling that 'development should pay for growth' and pointing to alternate funding options such as Infrastructure Finance and Funding options being actively promoted by Crown Infrastructure Partners. Council's early and proactive engagement with Fast-track applicants described above is, in part, intended to fully explore these emerging funding opportunities.
55. In terms of the next steps identified for the Enderley – Porritt Masterplan (see paragraph 24), staff from the Urban and Spatial Planning Unit will continue to progress the matters, in conjunction with other relevant Council units and Kāinga Ora. Note that there is no budget to progress this work further regarding infrastructure, planning and delivery.

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

56. Staff confirm that these matters comply with Council's legal and policy requirements.
57. Staff have assessed this option and determined that no adaptation assessment is required for the matters in this report.
58. When the Fast-track legislation is enacted, staff will advise on what additional legal obligations this will place on Council.

### **Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga***

59. The purpose of Local Government Act changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').
60. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report. The recommendations set out in this report are consistent with that purpose.

## Social

61. As more people live and work in the city, we need to make sure the benefits of living in Hamilton Kirikiriroa grow alongside the new homes and businesses. While we don't determine how much growth occurs in Hamilton, we can determine what kind of city Hamilton Kirikiriroa aspires to be. We want to create a liveable low carbon city, an attractive lifestyle and improve the wellbeing of current and future residents.
62. This means creating accessible, equitable quality spaces and places for our communities such as parks, green space, playgrounds, education, health, libraries, pools and other community facilities. It also means expanding opportunities for people to engage in arts, culture and creativity in diverse and meaningful ways.
63. A key consideration for growth and reducing emissions is ensuring that growth is planned close to places where people can access their daily needs, with genuine travel choices.
64. An example of this may be the long-term aspirations for and regeneration of the Enderley / Porritt area, to ensure that residents are provided with good quality homes that provide an acceptable standard of living.

## Economic

65. As part of delivering economic growth outcomes, Council proactively works with existing and prospective businesses to expand or establish operations creating investment and employment opportunities.
66. As our city grows, so too do opportunities for expanding and attracting tourism and economic growth while continuing to raise the city's reputation and profile as a great place to live and visit. We are well positioned within the region to benefit from the transition to circular and low carbon industries.
67. In order to attract more jobs to our city, more industrial land is required. Studies are underway to determine the needs, best locations and actions required.
68. Delivery of key growth areas contributes to economic wellbeing through delivery of major infrastructure and residential and commercial construction activities.

## Environmental

69. As we grow, it's important that we balance the need for housing alongside the need to protect and enhance our biodiversity. It's also important that we make the best use of our limited natural resources such as water.
70. The Nature in the City strategy outcomes is a key consideration for growth. Access to nature, parks and open spaces and protection and restoration of significant natural areas key outcomes alongside delivering new homes and jobs.
71. The Waikato River is at the heart of Hamilton Kirikiriroa. It supports life throughout the city and region, it is central to our culture and has shaped the form of our city. As we continue to grow, we must put the health and wellbeing of the River at the heart of everything we do.
72. As the city grows, this means we need to promote investment that protects and restores the Waikato River and delivers on our obligation under Te Ture Whaimana o Te Awa o Waikato and targeting growth areas services by, or planned to be serviced by, high quality three waters infrastructure. A potential example of this is stream daylighting, which is seen as the preferred approach to achieving capacity for future development and reducing existing drainage issues and flood hazards.
73. Our approach to growth needs to enable our city to reduce carbon emissions while adapting to the changing climate to improve our resilience. This means enabling growth of homes and jobs in areas that can easily access public and/or active transport modes. It also means guiding

growth that builds our resilience to climate change impacts, such as avoiding areas where there are flooding and other natural hazards.

### Cultural

74. Effective partnership with iwi is integral to the success of the growth programmes. We respect the special status of tangata whenua, are committed to the principles of Te Tiriti O Waitangi and further Maaori aspirations through building mana-enhancing partnerships.
75. Our iwi partners, Waikato-Tainui, are engaged under the Joint Management Agreement (JMA), with a shared responsibility to achieve the vision and strategy for the Waikato River.
76. Staff place a high level of importance on the Vision and Strategy for the Waikato River when planning projects that impact the river and tributaries and staff consider relevant sections of the Waikato-Tainui Environmental Plan when planning growth projects.
77. The Council continues to meet its legislative responsibilities under the Resource Management Act by providing opportunities for iwi and hapuu to contribute to local government decision-making processes and exercise of kaitiakitanga over the natural and physical aspects within growth programmes areas.

### Risks - *Tuuraru*

78. The funding challenges attached to the Enderley – Porritt masterplan work, introduces the risk that the benefits of a more holistic, integrated approach to the future planning and regeneration of the area, will not be able to be realised.
79. Climate change presents risks and opportunities for our city and the way we grow. As outlined in the section on climate change considerations for growth, climate change is a risk that needs to be integrated into decision making to mitigate the future impacts on community wellbeing and the cost of responding to extreme weather events and adapting in the future. Some of the changes in government policy and funding, like the Fast Track legislation, impact on Council's ability to make climate change informed decisions, and require us to look at alternative ways to influence outcomes.
80. Strategic risk 9 (SR9) – Failure to respond to climate change outlines the potential impacts on Council and the community if we are unable to effectively address climate change in decision making. We report on how we are addressing SR9 to the Strategic Risk and Assurance Committee quarterly and have commenced annual disclosure reporting of our climate change risks and opportunities.
81. There are significant risks and opportunities posed by Fast-track:
  - i. **Up-front financial costs:** Council's funding capacity is significantly constrained as evidenced through the 2024-34 Long-Term Plan cycle. Council does not have the funding identified in the Long-Term Plan to contribute to upsizing networks to support these new growth areas. Capital investment to support growth in existing areas within the City boundary were significantly reduced.
  - ii. **Long-run financial costs:** as identified through the 2024-34 Long-Term Plan, long-run operating and maintenance costs of servicing new growth areas need to be better understood and reflected in how Council's charging models are applied in these new growth areas to ensure costs are being equitably distributed.
  - iii. **Three waters servicing:** HCC does not have the capacity to integrate all FTs currently. Additional funding, upgrades and consents are needed. For example, the City will need additional water-take consents.
  - iv. **Climate change:** allowing development to proceed without HCC input risks poor long-term urban form outcomes which are costly to manage, lock in high emission growth and are not climate resilient.

- v. **Affordable housing:** affordable housing is a critical matter for Council, through proactive engagement now, before the leverage point dissipates later in the process there.
- vi. **Infrastructure delivery:** the question of who delivers infrastructure will need to be considered.
- vii. **Resource allocation:** There is insufficient staff resourcing to focus on Fast-track Areas along with existing committed work programmes. The consequence of pausing existing work programmes (due to their nature) would cause significant legal risk. Funding for additional capacity is required.
- viii. **Cannibalising growth:** Addition of new FT Areas may divert market interest away from committed areas, affecting HCC's sunk investment in those areas.
- ix. **Legislative changes:** If the Fast-track Areas is not appropriately revised, HCC may possibly retain refusal to connect under Local Government Act and use this to frustrate Fast-track consents.
- x. **Cross-boundary:** while agreements are in place to transfer some of these areas into Hamilton's jurisdictional control and positive conversations have been held between mayors and senior staff, there will still remain some political and process risk with concluding these transfers.
- xi. **3-waters reform:** the advent of a Council-Controlled Organisation for waters may render territorial boundaries moot, as the Council-Controlled Organisation will likely operate in a 'boundaryless' manner extending past territorial boundaries. This potentially renders the leverage of withholding territorial boundary change until an acceptable agreement is concluded with applicants, temporary.

### **Significance & Engagement Policy - *Kaupapa here whakahira/anganui***

- 82. 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.
- 83. Given the low level of significance determined, the engagement level is low. No engagement is required.

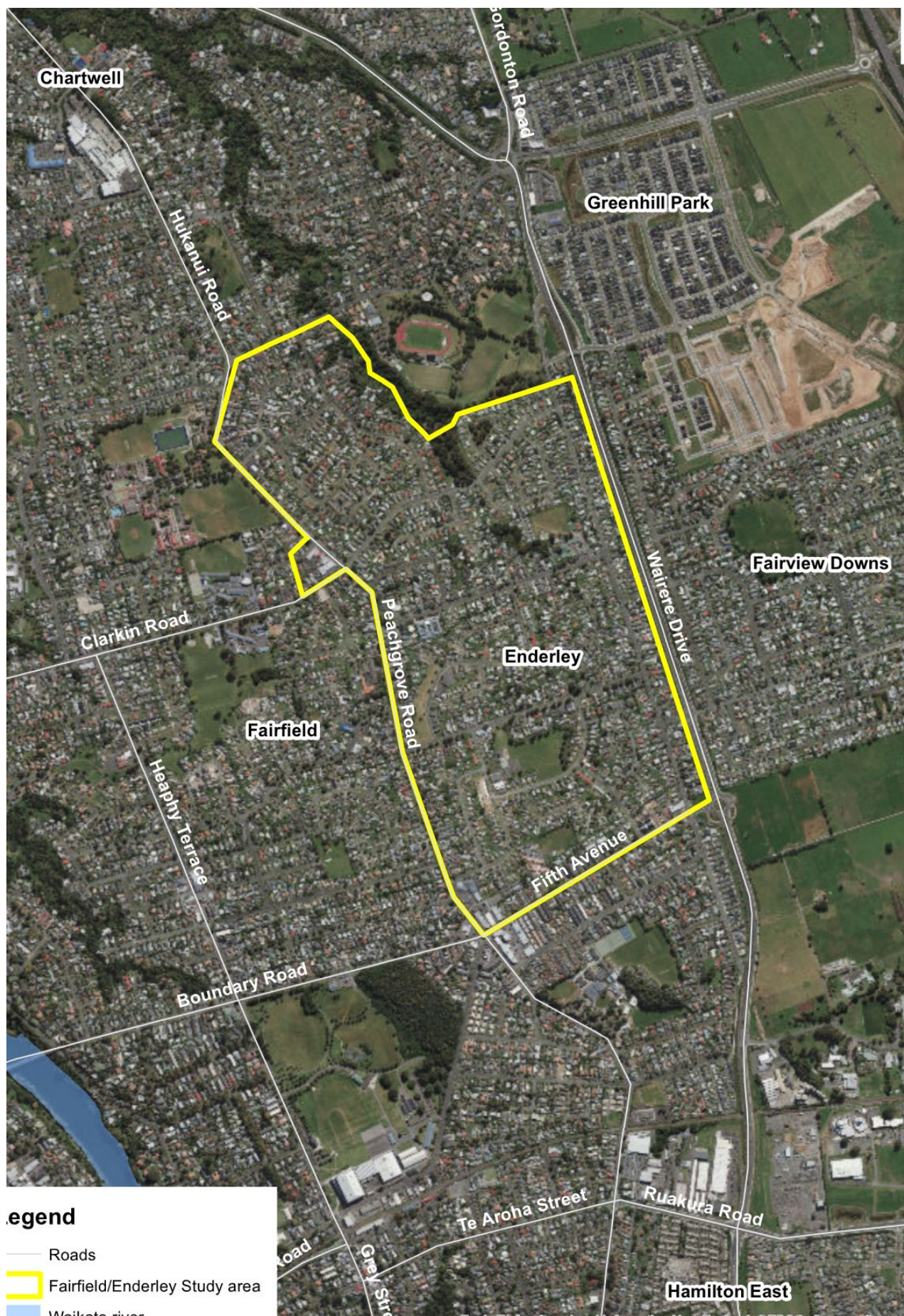
### **Attachments - *Ngaa taapirihanga***

Attachment 1 - Study Area

Attachment 2 - Climate change considerations - Central City

Attachment 3 - Climate change considerations - Opportunity to impact emissions

Attachment 4 - Climate change considerations - Peacocke Case Study






Attachment 2 - Climate Change Considerations Case study – Central City

The Central City Transformation Plan sets out Council’s vision for the central city:

Shaping a central city where people love to be

Designed around people, culture, and the natural environment

All seven outcomes will contribute to and enable a low-carbon future, but the following three are key:

	Outcome	Future state
	<b>A well-connected central city</b> Improving access and mobility within and to Hamilton central city and fringe suburbs, encouraging the use of active and public transport and shifting away from private vehicle dominance.	Multimodal choices across public transport, micro-mobility and walking and cycling leading to more pedestrian friendly environments
	<b>A place to call home</b> Encouraging and enabling residential growth in the central city, enabling high-density living and ensuring safety is integrated with the urban realm that supports the activation of the central city day and night.	Compact, liveable, mixed-use and residential neighbourhoods increasing the number of people living in the central city
	<b>Blue-green central city</b> Enhancing and increasing quality of and access to Hamilton central city's blue-green network, enhancing resilience, ecology and biodiversity and improving the health and well-being of residents.	A network streets and spaces in the central city implementing water sensitive urban design and indigenous biodiversity

Key actions supporting these outcomes

Making it easier to grow up and out from the central city

The Hamilton Urban Growth Strategy sets a key outcome of growing up and out from the central city. This is supported through incentivising and enabling development of higher densities in the Stage 1 Central City area through the district plan changes and other levers like development contribution remissions.

Currently there are 12,000 people living in the central city and surrounding areas. The Infrastructure Acceleration Fund (IAF) \$150.6m crown funding to deliver strategic waters infrastructure and strategic transport investigations will also support the development of up to 4000 homes for an additional 10,000 people in the central city by 2035.

Protecting our Waikato River

The IAF Programme includes the development of the Integrated Stormwater Catchment Management Plan which will guide stormwater requirements for the central city and protect the river from run off from the urban environment.



Future proofing key transport corridors

The IAF strategic transport investigations are consistent with the directions of the Metro Spatial Plan Transport Programme Business Case and focus on future-proofing for the infrastructure and operations to deliver a longer-term bus rapid transit system.



### 224-266 Victoria Street Development

This 2000m<sup>2</sup> site sits directly next to the thriving Victoria on the River precinct and is a key connection between the central city and the Waikato River. It will include:

- high-quality, vibrant, multi-storey, mixed-use development connected to the riverside
- hospitality and retail spaces that enable businesses to thrive
- residences that offer modern apartment living with river and city outlooks
- public space extending the footprint of Victoria on the River.



### Founders Theatre/Boyes Park redevelopment

The Founder's Theatre site is being transformed into a park and community performance space, providing a green space for the inner-city. It will include connected pathways, flat grassed areas for rest and play, shady trees, and the refurbished Dame Hilda Ross Memorial Fountain.

This project has also provided opportunity to support the circular economy. In demolishing Founders Theatre, 94.72% of all materials in the building were diverted from landfill.

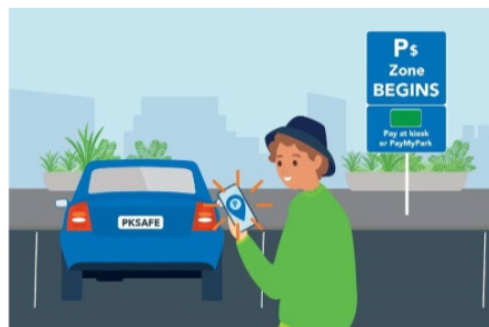
### Transport Centre refresh

- The Transport Centre refresh aims to make parents feel safe for their kids to use the bus, central city workers to feel like the bus is a good option, and to make catching the bus to and from the central city a better, positive experience.
- The refresh includes improved sheltered seating, a garden area, and bike racks and a bike repair station to support multi-modal journeys. New digital screens have been added to show how far the buses are and lighting and CCTV has also been upgraded for safety.



### Parking changes

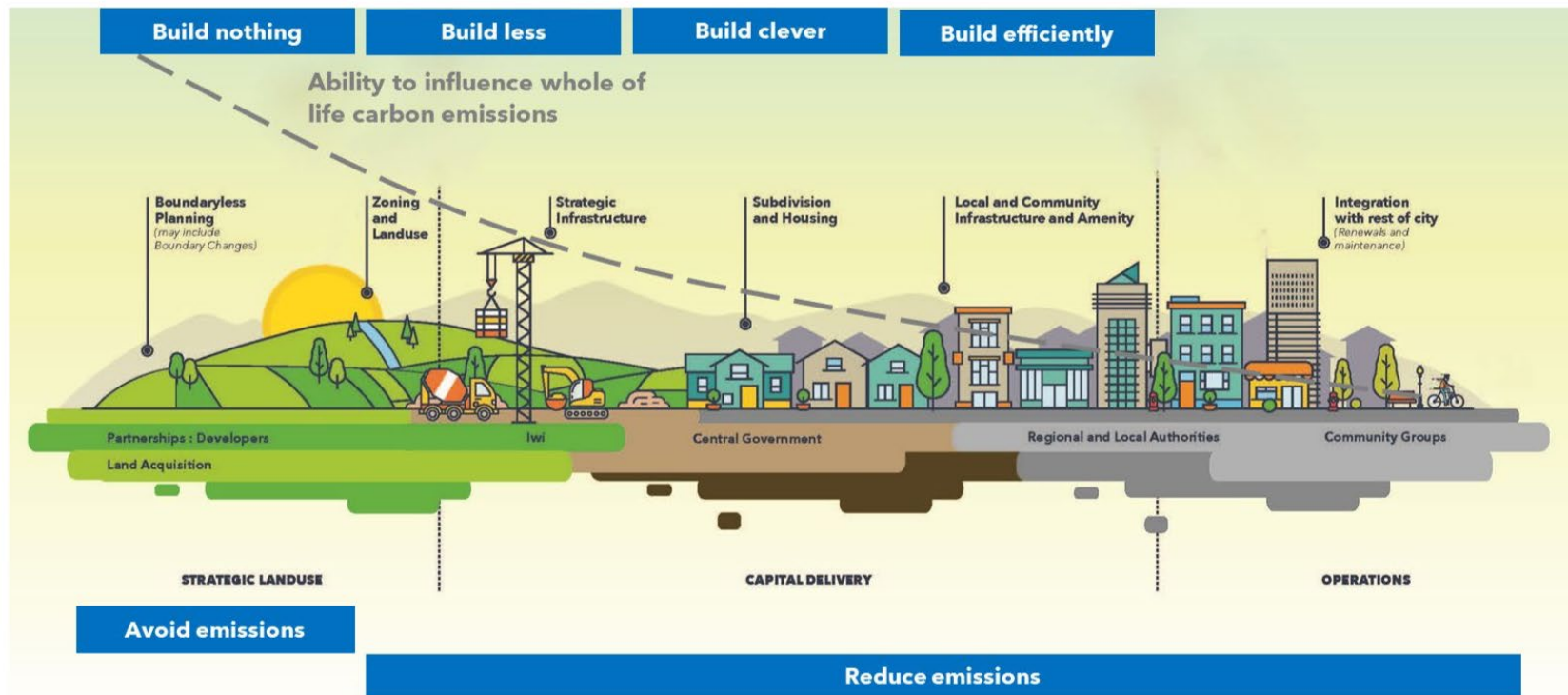
- Changes to short-term parking in the central city came into effect on 1 October 2024. These changes are based off a demand-response model, to ensure parking availability and turn-over of visitors to shop, eat and play in the central city. This is part of wider changes to support multi-modal transport in the central city.



### A biking-friendly central city

- Victoria Street and Claudelands Bridge are key biking routes throughout the central city and connecting to the surrounding suburbs. Victoria Street is a low-speed zone with share arrow ('sharrow') road markings to encourage motorists and cyclists to share the road. The right-hand lane on Victoria Street between Alma Street and Claudelands Road is closed to vehicles, allowing cyclists to turn right onto Claudelands Bridge with their own designated lane and signals. Careful planning is required to ensure business access is maintained.

Attachment 3 - Climate Change Considerations - Opportunity to impact on emissions through the greenfield development process.



## Attachment 4 – Climate Change Considerations Case study –Peacocke greenfield development

### Our vision

**To enable the development of an attractive and sustainable community in Peacocke.**  
**Ko te aaheinga o te hanga he waahi ataahua, he waahi toiora ki Peacocke.**

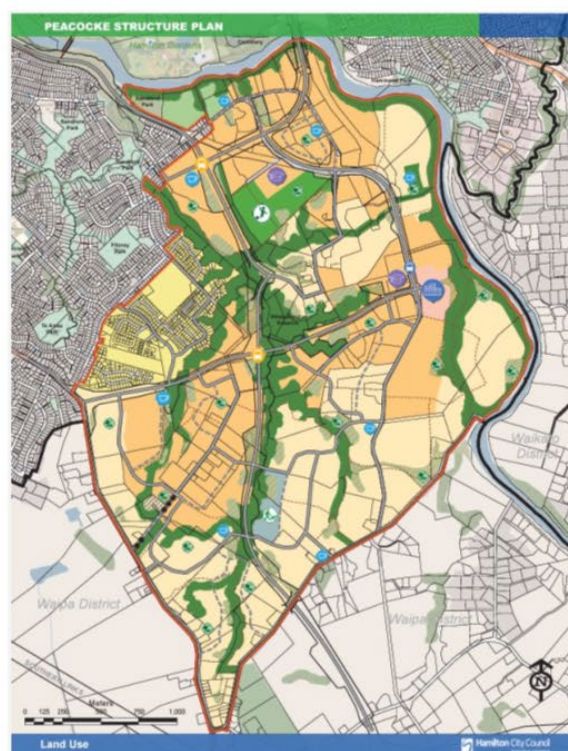
The proximity to the central city makes Peacocke a great location for Hamilton to grow, as it provides easy access to amenities in the central city as well as transport networks. The topography of Peacocke also lends itself well to development.

### Plan Change 5 – Peacocke Structure Plan

The development of the Peacocke Structure Plan provided the opportunity to really consider climate change in the way the area is developed.

It supports compact, connected, and healthy neighbourhoods through:

- ✓ 8 neighbourhood centres,
- ✓ Higher residential densities,
- ✓ Integration of land use and transport
- ✓ Early identification of school locations
- ✓ Supporting connectivity to the nearby suburbs



The Plan change also future proofs the community to the impacts of climate change through:

- ✓ Zoning green areas of more than 200 hectares,
- ✓ 30 wetlands to stormwater management,
- ✓ Wider gully hazard areas to manage erosion,
- ✓ Biodiversity – resilience of species
- ✓ increased planting requirements
- ✓ Rainwater tank requirements for reuse on site.

### Delivering infrastructure to support low emissions travel

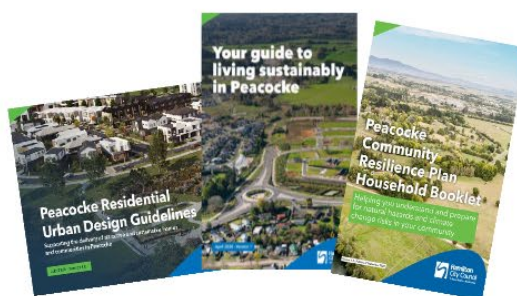
The transport networks within and connecting to Peacocke enable residents to make choices on how they move in and around the new suburb. The integration of separated cycle and walking routes along key corridors, the provision of public transport that connects to the central city and local areas. The new Te Ara Pekapeka bridge includes a T2 lane to support car sharing.



### Green Star Community

As part of enabling the development of an attractive and sustainable community we have development information that supports developers and future residents to make low emission, climate ready choices. These include:

- [Peacocke Residential Urban Design Guidelines](#)
  - ✓ Aligned with the Hamilton District Plan, these guidelines outline a best practise urban design approach needed to support and enable liveable communities in Peacocke.
- [Your guide to living sustainably in Peacocke](#)
  - ✓ Supporting new residents to understand how Peacocke is being designed with sustainability at the centre and how they can make more sustainable decisions.
- [Peacocke Community Resilience Plan Household Booklet](#)
  - ✓ Help Peacocke residents understand the risks to the community – natural, man-made and climate change - and how they can prepare for these risks, and what to do if a hazard event occurs.



# Council Report

Item 8

**Committee:** Strategic Growth and District Plan Committee

**Date:** 07 November 2024

**Author:** Mark Davey

**Authoriser:** Blair Bowcott

**Position:** Unit Director Urban & Spatial Planning

**Position:** General Manager Strategy, Growth and Planning

**Report Name:** District Plan Update - November 2024

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

1. To inform the Strategic Growth and District Plan Committee of District Plan matters that need to be brought to the Members' attention. In particular, this report focuses on the public notification of Plan Change 14 – Flood Hazards.

## Staff Recommendation - *Tuutohu-aa-kaimahi* (Recommendation to the Council)

2. That the Strategic Growth and District Plan Committee:
  - a) receives the report;
  - b) recommends that the Council approves public notification of Plan Change 14 – Flood Hazards; and
  - c) notes that a report on the Independent Hearing Panels' recommendations on Plan Change 12 – Enabling Housing Supply will be brought to the 12 December 2024 Council meeting to decide on the recommendations.

## Executive Summary - *Whakaraapopototanga matua*

3. Staff have concluded their assessment of options related to Plan Change 14 – Flood Hazards (PC14) and have drafted proposed provisions. They have considered feedback from key stakeholders. Staff now seek the Committee's recommendation that Council approves publicly notifying PC14. Subject to approval to notify, the formal public submission phase will commence late January 2025. Staff will advise the appointment of Commissioners for this plan change at the next Strategic Growth and District Plan Committee from the recently approved Resource Management Act (RMA) Independent Commissioner Panel.
4. From November staff will also communicate with developers, via stakeholder email and at a Developer Forum planned for December. If the Council approves notification at the 12 December meeting, detailed information will be made available on the website about the proposed changes, and communicated via media release.
5. Staff are in the process of selecting commissioners for the Independent Hearing Panel. Recommendations for commissioners will be brought to the next Strategic Growth and District Plan Committee meeting.

6. Recommendations from the Independent Hearing Panel on Plan Change 12 – Enabling Housing Supply (PC12) are expected early November 2024 and will be reported to Council on 12 December for a decision. This report outlines the options that will be brought to that meeting.
7. The final hearings on Plan Change 9 – Historic Heritage and Natural Environment (PC9) were held in August 2024, which addressed Built Heritage and Historic Heritage Area topics. Final decisions are expected late 2024.
8. Staff consider the decisions in the report are of high significance and that the recommendations comply with Council’s legal requirements.

## Discussion – *Matapaki*

### Plan Change 14 – Flood Hazards

#### Background

9. Plan Change 14 – Flood Hazards (PC14) aims to enhance Hamilton’s resilience to flood risks. PC14 entails revising some chapters and appendices of the 2017 Operative Hamilton City District Plan, with a focus on flood management. These amendments are required to respond to flood information available since the District Plan was prepared and by increased urbanisation challenges, driven by the National Policy Statement on Urban Development (NPS-UD) and the Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021.
10. The changes to the District Plan, proposed through PC14, seek to also address the potential increase in flooding resulting from climate change and urban intensification. PC14 also factors the evolving climate scenarios and considers the best available information to ensure that the plan remains robust and adaptive to future conditions.
11. Climate change presents significant challenges to urban planning, particularly in managing flood hazards. As Hamilton continues to grow, the city faces increased risks from altered precipitation patterns and more frequent intense rainfall events. These changes exacerbate the potential for floods, impacting property, infrastructure, and public safety.
12. The scope of PC14 focuses on new developments, aiming to build resilience to climate change and adapt to its impacts. However, to fully address these challenges, several other methods need to be implemented to protect existing buildings.
13. Te Ture Whaimana o Te Awa o Waikato, the Vision and Strategy for the Waikato River, is a fundamental guiding document for PC14. It mandates the restoration and protection of the health and wellbeing of the Waikato River for present and future generations. PC14 aligns with Te Ture Whaimana by ensuring that flood hazard management not only mitigates risks to human life and property but also preserves the ecological integrity of the river systems. Additionally, Te Ture Whaimana emphasises the economic wellbeing of the Waikato River communities. This alignment reflects a balanced approach where urban growth and the economic, social, cultural and spiritual relationships go hand in hand, demonstrating the Council’s commitment to sustainable and resilient urban development.
14. Flood hazards are complex and cannot be entirely eliminated, but their negative effects can be reduced through strategic planning and management. PC14 is a crucial step in this direction, aiming to minimise the negative effects of flooding and enhance resilience.

15. However, addressing flood hazards requires a holistic approach that encompasses the four Rs of Civil Defence Emergency Management:
- i. Reduction      Reduction involves implementing measures to minimise the risk and impact of floods, which is the primary focus of PC14.
  - ii. Readiness      Readiness ensures that communities are prepared for flood events through education and planning.
  - iii. Response      Response involves the actions taken during a flood to protect lives and property.
  - iv. Recovery      Recovery focuses on restoring normalcy after a flood event.
16. By concentrating on reduction, PC14 contributes to a comprehensive flood management strategy that supports sustainable urban development and enhances the overall safety and wellbeing of the community.

#### **Plan Change 14 – Purpose and Scope**

17. The purpose of PC14 is to enhance Hamilton’s resilience to flood-related hazards. In 2022, Council resolved to prepare a plan change to avoid or minimise the negative effects of flood hazards and to enable effective and efficient updating of flood hazard maps.
18. The key issues considered under PC14 are:
- i. Approach to using best available Flood Hazard Mapping;
  - ii. Flood Hazards Areas:
    - a. Low Flood Hazard Areas;
    - b. Medium Flood Hazard Areas;
    - c. High Flood Hazard Areas;
  - iii. Overland Flow Paths;
  - iv. Depression Areas;
  - v. Flood Extent Areas; and
  - vi. On-site stormwater management.
19. For each issue, a summary of key considerations, and the resulting policy direction and planning provisions proposed is contained in later in the report.
20. While PC14 aims to manage future developments to minimise the negative effects of flooding, utilising the best available flood data accessed through Council’s GIS viewer ([FloodViewer](#)). When Council produces catchment scale flood information suitable for use it is made public. The management of this data is outside the scope of PC14. This information is also included in Land Information Memorandum (LIM) reports at the same time it is made available to the general public.
21. The proposal to address the identified issues resulted in changes (including consequential amendments) to the following sections of the District Plan. The proposed changes are summarised in later in the report:
- a. Volume 1
    - i. Large Lot Residential Zone – Chapter 4.9
    - ii. Future Urban Zone – Chapter 14
    - iii. Waikato River Corridor and Gully Systems – Chapter 21
    - iv. Natural Hazards – Chapter 22
    - v. Subdivision – Chapter 23

- vi. Earthworks and Vegetation Removal – Chapter 25.2
- vii. Hazardous Facilities – Chapter 25.13
- viii. Transportation – Chapter 25.14
- ix. Designations – Chapter 26
- b. Volume 2
  - i. Definitions and Terms - Appendix 1.1
  - ii. Information Requirements – Appendix 1.2
  - iii. Assessment Criteria – Appendix 1.3

### Consultation and Engagement

22. Across the PC14 process, staff have consulted with key stakeholders and partners. These groups were provided with an opportunity to review draft provisions and provide feedback ahead of notification. As required by clause 3 of Schedule 1 to the Resource Management Act (RMA), relevant stakeholders were provided with the draft planning provisions, as were Waipā District Council and Waikato District Council representatives.
23. Throughout March 2024, staff sought feedback from a range of stakeholders including relevant local authorities, the Insurance Council, the Property Council, Kāinga Ora, and several other affected organisations. Staff also sought feedback from Waikato-Tainui, THaWK and Ngaati Wairere in accordance with the Joint Management Agreement (JMA). Written feedback was received from the following groups:
- i. Property Council New Zealand;
  - ii. Insurance Council of New Zealand;
  - iii. WEL Networks;
  - iv. Kāinga Ora Homes and Communities;
  - v. Waikato-Tainui;
  - vi. Waikato Regional Council.
24. Overall, the groups staff engaged with broadly supported Council's general approach to managing flood risk through PC14.
25. Updates and information on PC14 were presented to the following Strategic Growth and District Plan Committee meetings (former District Plan Committee):

Date	Topic	Agenda
4 Aug 2022	Introduced risk from flood hazards and overland flow paths, sought approval to start preparing PC14	<a href="#">4 August 2022</a> (see Item 8)
17 August 2023	Discussed relationship between PC12 and PC14	<a href="#">17 August 2023</a> (see Item 9)
10 October 2023	Discussed PC14 process, proposed engagement, objectives of PC14 and options being investigated. Committee granted approval to begin pre-notification consultation.	<a href="#">10 October 2023</a> (see Item 8)
25 June 2024	Provided details on different types of hazard and explained some preferred options	<a href="#">25 June 2024</a> (see Item 9)

26. Several Elected Members briefings/ information sessions were also held to update on progress and provide opportunity for feedback:

Date	Topic
8 March 2023	Flood hazard briefing
16 August 2023	Key issues and proposed solutions
13 September 2024	Flood depression areas – management options

27. Associated with PC14 communications, a flood preparedness campaign will run from November, with a focus on informing the wider community about the Floodviewer tool, understanding the flood information, and preparing their household for a flooding event. The campaign will include social media, media stories and website content, and provide light information on upcoming PC14 and indicate that formal consultation will occur in the new year.
28. Subject to Committee approval, from November staff will communicate with developers, via stakeholder email and at a Developer Forum planned for December 2024 regarding PC14. Subject to Council approval of notification at the 12 December meeting, detailed information will be made available on the website about the proposed changes and communicated via media release.
29. The following section outlines the key components included in proposed PC14, a summary of key considerations, and the resulting policy direction and planning provisions proposed as an outcome of the work undertaken.

#### Flood Hazard Mapping

30. PC14 aims to enhance the responsiveness and accuracy of flood risk management within the Hamilton. By transitioning from statutory flood maps embedded within the District Plan to a dynamic, non-statutory mapping approach, PC14 seeks to address the inherent limitations of static mapping in the face of rapidly evolving climate data.
31. Under the current system, statutory maps within the District Plan are fixed and become outdated as new data emerges (e.g. new climate change assumption or more detailed flood model), necessitating laborious and costly plan changes to update them. The proposed shift to a non-statutory approach would allow for continuous integration of the latest flood data, ensuring that the information remains current and reliable.
32. PC14 proposes referencing to the best available information (currently on [Floodviewer](#)) as the primary source for flood data. By relying on such approach, the plan ensures that decision-making is based on the most recent and accurate data, thereby improving the city's ability to understand, assess, plan for and mitigate or avoid flood risks effectively.

#### Low Flood Hazard Areas

33. Low Flood Hazard Areas are classified as being areas where flood waters are less than 0.5 metre deep and have a velocity of less than 1 metre per second. At these depths and speeds flood waters are usually traversable by emergency vehicles and damage to property is minor to moderate. People can move through the flood waters, but children and less mobile people may need assistance. **Figure 1** shows the extent of the Low Flood Hazard Areas in Hamilton.
34. The main risks associated with development in Low Flood Hazard Areas is the cumulative displacement of flood waters onto neighbouring sites and/or concentrating flows around buildings and structures in a way that increases localised depth and velocity of flood waters.
35. PC14 proposes a shift in approach to managing development within Low Flood Hazard Areas. The proposal aims to maintain the current activity status, subject to standards such as finished floor levels above flood levels. Additionally, it introduces new controls to manage the

displacement of floodwaters onto adjacent properties, whether they are upstream, downstream, or adjoining the site.

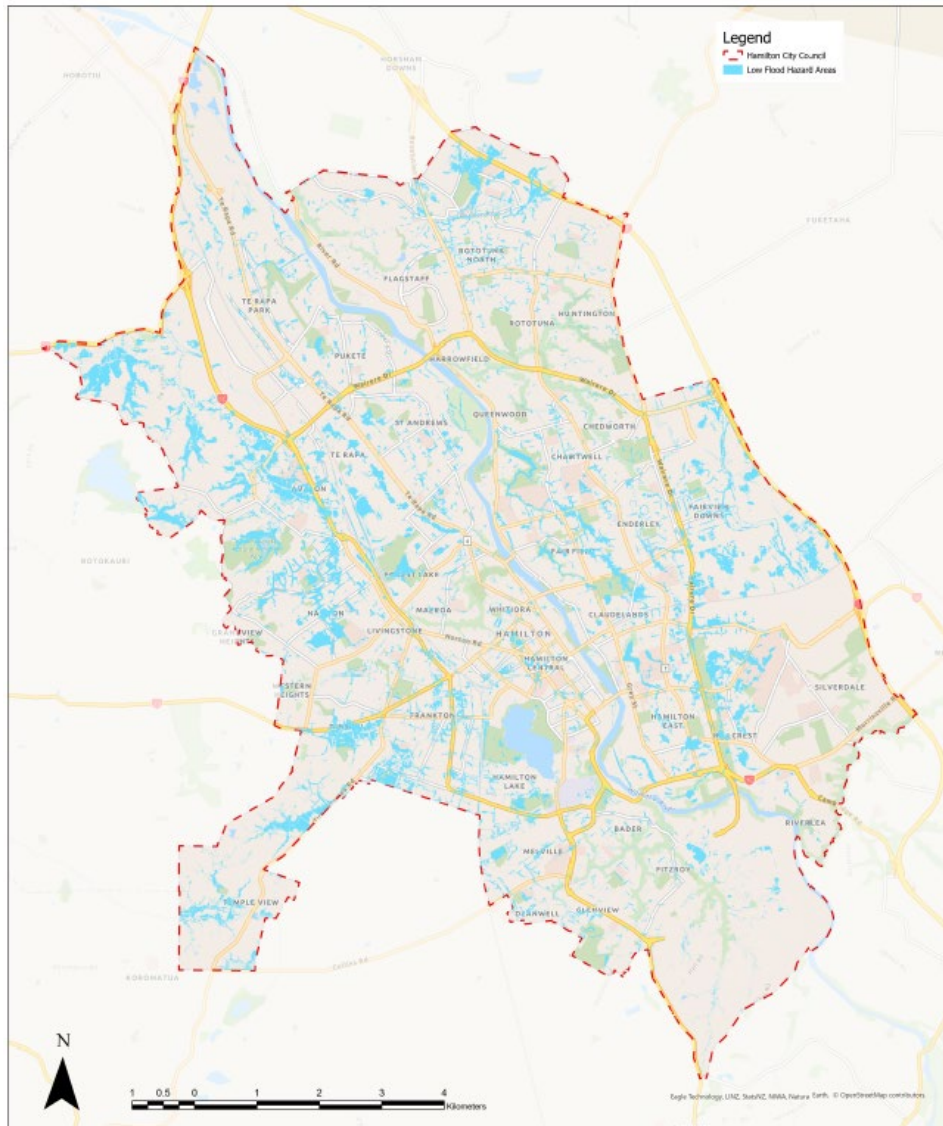


Figure 1 Extent of Low Flood Hazard Areas in Hamilton

### Medium Flood Hazard Areas

36. Medium Flood Hazard Areas covers parts of the city where flood water is between 50cm and 100cm deep and the speed of the flood waters is equal to or less than 2 metres per second but greater than 1 metre per second. **Figure 2** shows the extent of Medium Flood Hazard Areas in Hamilton.

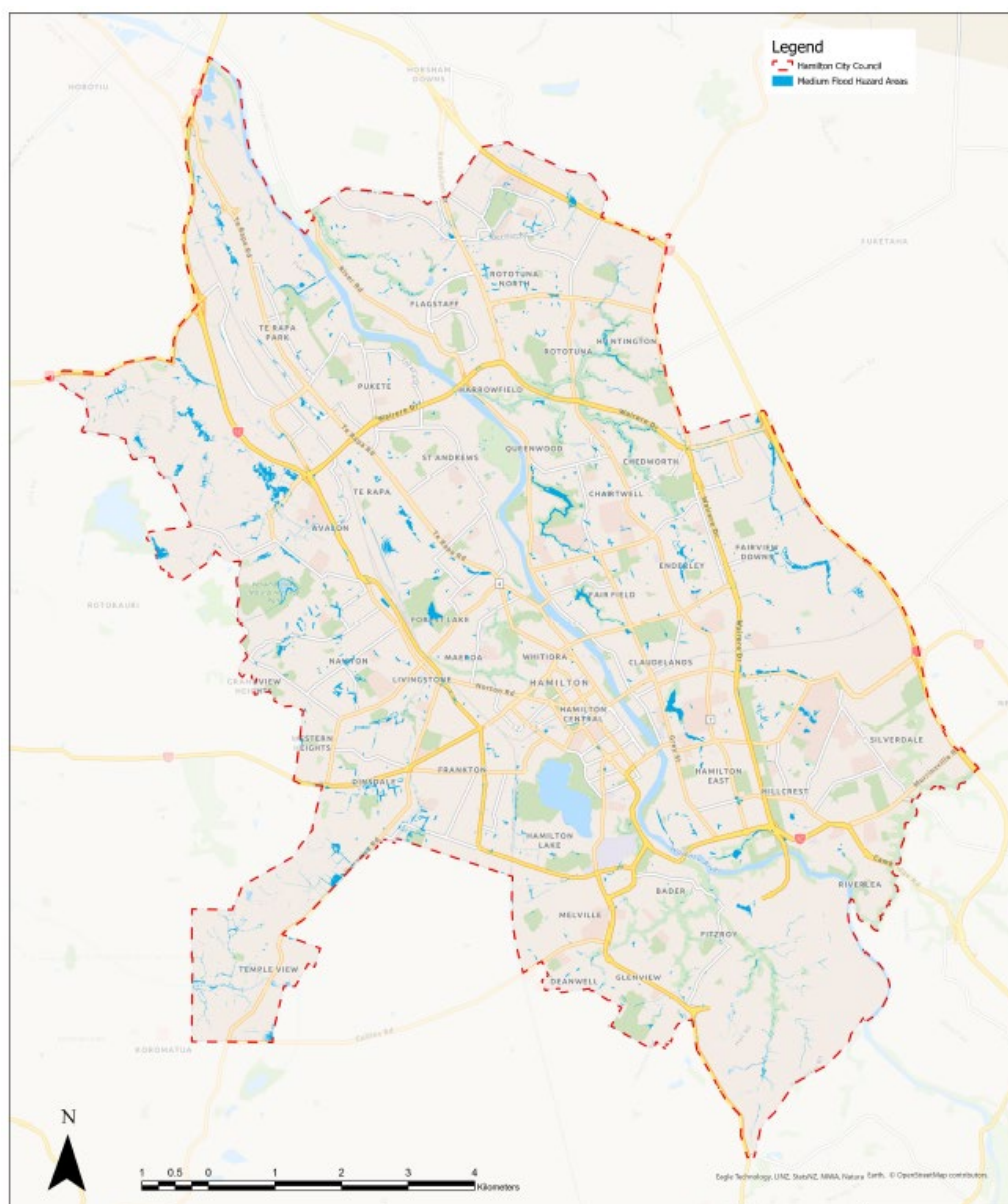


Figure 2 Extent of Medium Flood Hazard Areas in Hamilton

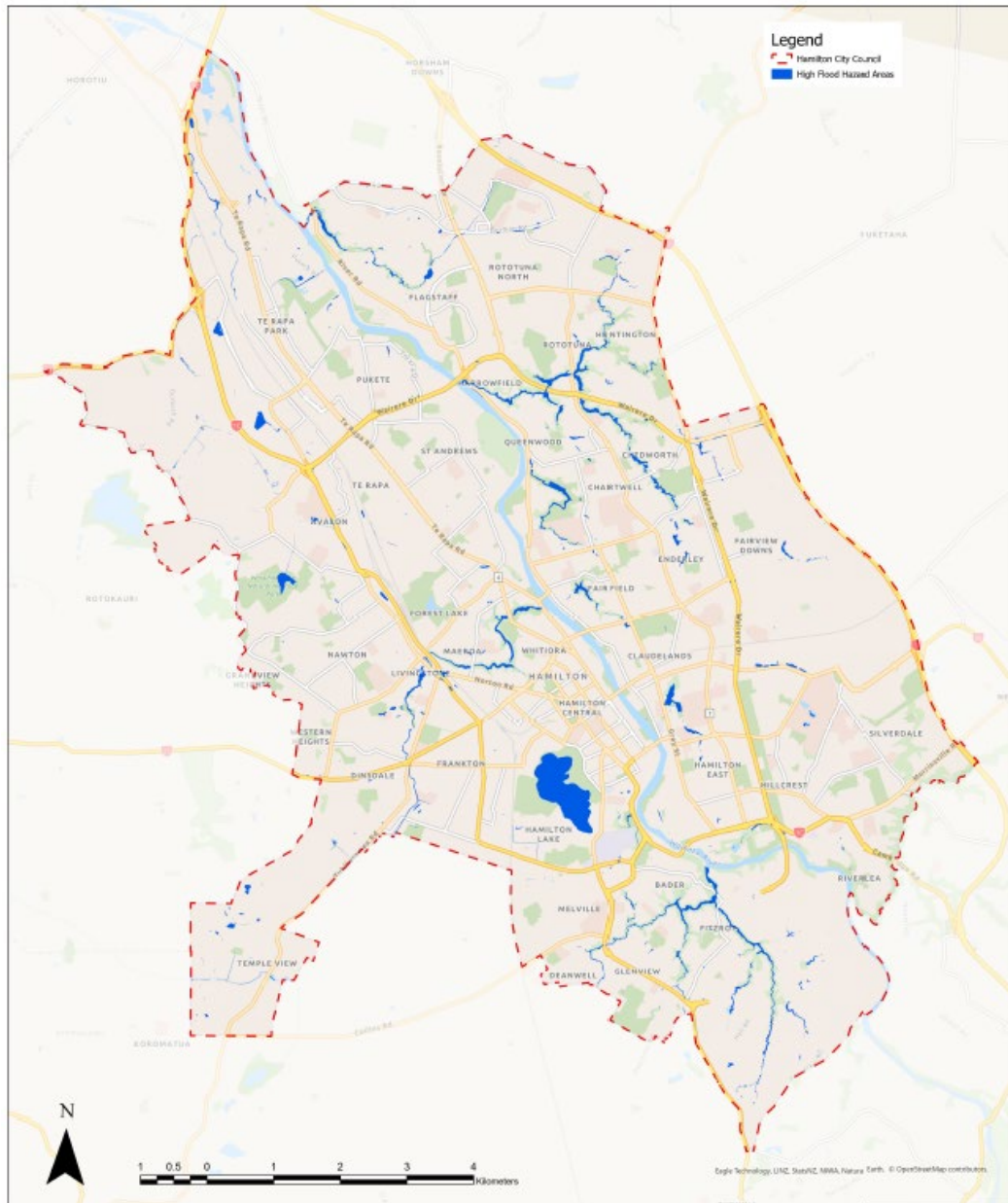
37. Under the District Plan, some activities such as new buildings, alterations and additions are a Discretionary Activity in the Medium Flood Hazard Area. PC14 proposes changing this classification to Restricted Discretionary Activities and introducing a comprehensive set of assessment criteria focused on flood-related matters. This change allows the Council to make more informed decisions regarding flood risk management when determining resource consents. A comprehensive set of assessment criteria ensures consent is only granted where Council is satisfied that flood risk is adequately mitigated. While this provides developers with clarity and certainty regarding approval criteria, it also highlights the need for a thorough assessment framework to address all aspects of flood risk.

#### High Flood Hazard Areas

38. High Flood Hazard Areas are classified as being where flood waters are over 1 metre deep or the velocity is greater than 2 metres per second. In these areas flood water can scour building foundations and result in buildings becoming unstable. Significant damage to buildings and risk

to human life are very likely. **Figure 3** illustrates the spatial extent of High Flood Hazards in Hamilton.

39. PC14 proposes to strengthen objectives and policies including avoiding new vulnerable development in High Flood Hazard Areas. No changes in the activity status table are proposed.



*Figure 3 Extent of High Flood Hazard Areas in Hamilton*

#### Overland Flow Paths

40. Overland flow paths (OLFP) are the routes taken by water during rainfall events and play a critical role in effective drainage. OLFP may be obstructed by buildings, fences or retaining walls. It is crucial to maintain the continuity of flow both upstream and downstream of sites, ensuring that the same entry and exit points are preserved.
41. OLFP are identified on Council's GIS Viewer (Floodviewer). They delineate the routes taken by stormwater runoff during rainfall events; they are not specific to any particular rainfall scenario. OLFPs are represented as centrelines based on topography, meaning they do not show the width or depth of the OLFP.

42. PC14 proposes new rules to ensure that OLFPs are not disrupted or diverted during development or when minor changes are made to a property. This includes a rule requiring fences to be designed so that floodwater can flow through or underneath them. Resource consent is not required as long as the development complies with these standards.

### Depression Areas

43. Depression Areas are parts of the city susceptible to flooding when stormwater systems fail due to blockage or overwhelming flow, which can occur during heavy or prolonged rainfall events. The likelihood of these events to happen consider heavy or prolonged rain at the same time as drains or pipes becoming overwhelmed or blocked. Although it is difficult to define a return period (probability) of this occurring, the 2023 Auckland Anniversary floods and Cyclone Gabrielle showed the impact of such events in Auckland and around the country.
44. It is important to note that existing flood hazard mapping shows flooding when the stormwater system is working as it should. The Depression Areas show the potential flooding when the stormwater system becomes blocked or overwhelmed. Depression areas differ from the existing Culvert Block Flood Hazard Area, which only considers some culvert blockages, rather than most culverts and pipes. **Figure 4** shows the spatial distribution of Depression Areas throughout the city.
45. Depressions areas affect roughly 40% of the city, so the decision on how to manage them will have significant impacts. **Table 1** illustrates the impact of Depression Areas on properties in Hamilton, based on the average ponding depth. There is also a sizeable number of properties affected by depression areas which are not also affected by another flood hazard layer. **Figure 5** provides an overview of properties affected by depression areas.

*Table 1 Impact of Depression Areas on properties in Hamilton*

Impact	Number of property titles affected by flood depression data (total) <sup>1, 2</sup>	Number of properties where flood levels will be determined by flood hazard data <sup>1</sup>	Number of properties where floor levels will be determined by flood depression data (if applicable) <sup>1</sup>	Number of properties affected only by depression areas (not affected by flood hazard) <sup>1</sup>
Minimal (<0.15m)	10,900 (17%)	8,849	2,129	3,405
Low (0.15-0.5m)	9,500 (14%)	3,548	5,946	2,504
Moderate (0.5-1.5m)	5,000 (6%)	965	4,025	723
Significant (1.5-3.0m)	274 (0.5%)	20	254	30
Severe (>3.0m)	32 (<0.1%)	1	31	2
<b>TOTAL</b>	<b>25,768 (40%)</b>	<b>13,383</b>	<b>12,385 (19%)</b>	<b>6,664</b>

<sup>1</sup>Numbers are approximate only

<sup>2</sup>Numbers in parenthesis represent percentage of total property titles

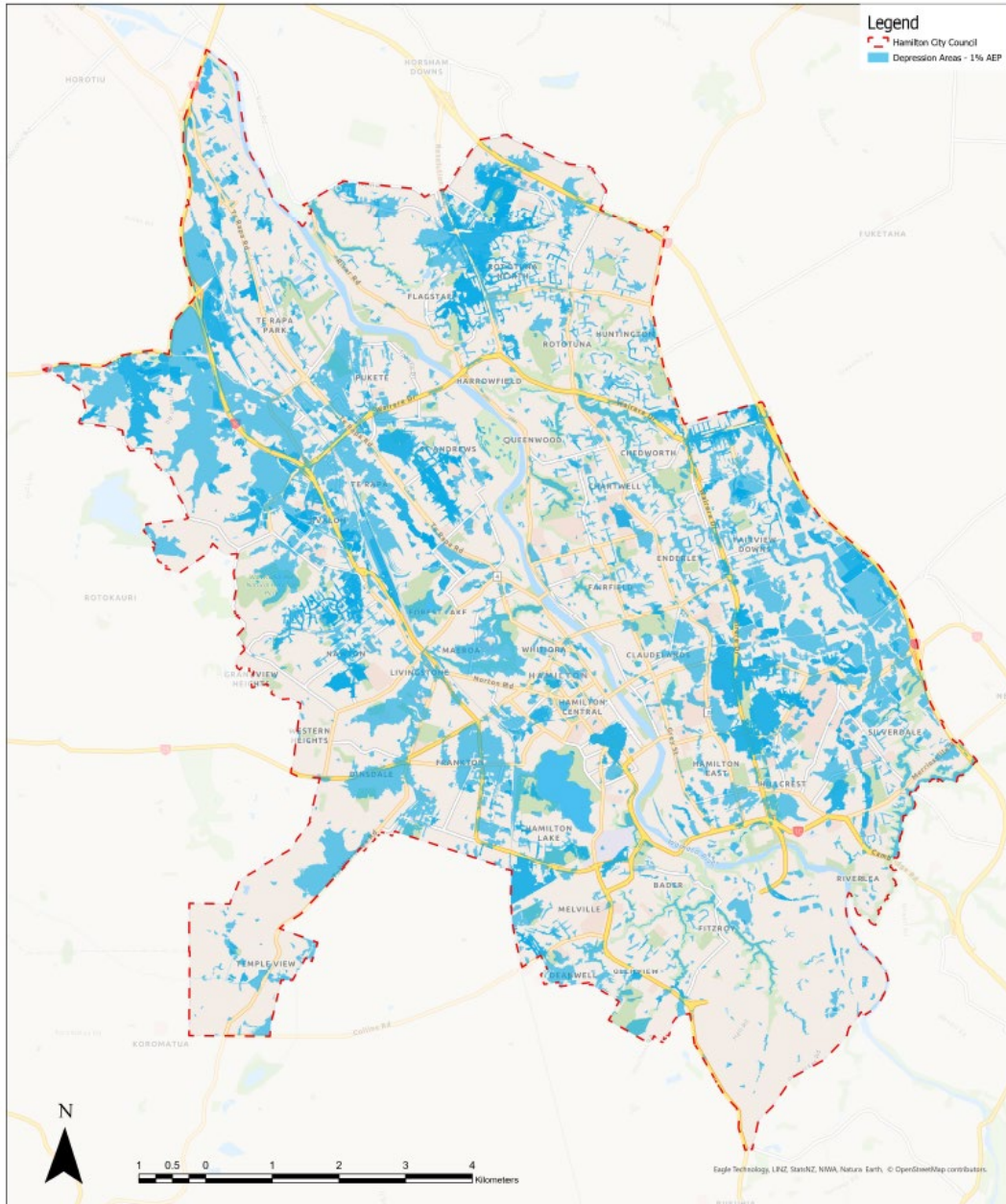
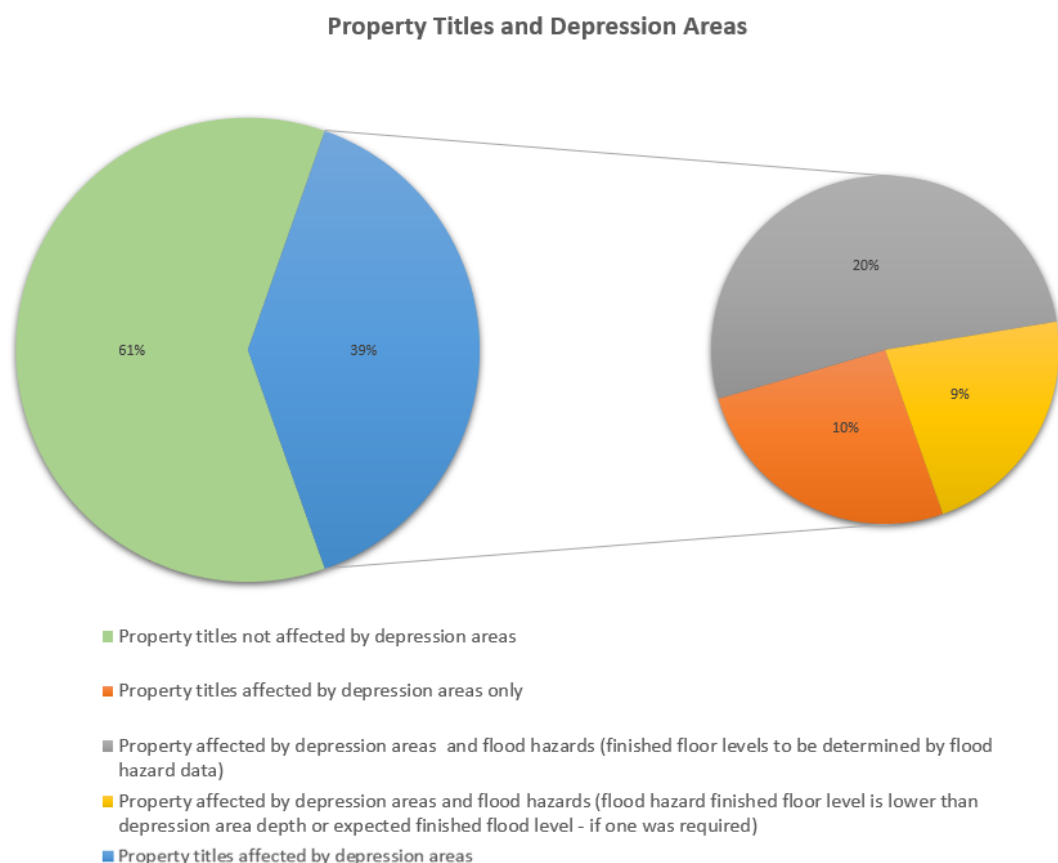


Figure 4 Spatial distribution of Depression Areas (1% AEP) in Hamilton



*Figure 5 Overview of properties affected by Depression Areas*

46. Hamilton City Council currently has several non-RMA management methods in place to reduce the likelihood of depression area manifestations, mitigate potential consequences and/or enhance readiness, response and recovery. These methods include proactive maintenance and drain cleaning, targeted culvert upgrades, civil defence plans and responses, and building consent process.
47. In considering a District Plan response, multiple alternatives were explored under PC14, including with Elected Members at a briefing on 13 September 2024. Rather than adopting an overly restrictive approach (e.g., requiring a blanket freeboard level) or remaining entirely silent (i.e., having no provisions related to Depression Areas), PC14 proposes a balanced strategy for managing these areas. The proposal includes enhanced provisions by reviewing objectives and policies, reassessing the status of certain activities, and introducing assessment criteria for new developments in Depression Areas. This balanced approach allows for a thorough assessment of how Depression Areas impact a site, enabling tailored solutions to mitigate the negative effects to a tolerable level.

#### **Flood Extent Areas**

48. Flood Extent Areas are the parts of the city which may experience shallow flooding, not exceeding 10cm in depth. While such flooding is not hazardous, it necessitates oversight to manage the cumulative impact of urban development, prevent unintended consequences and future-proof these properties for climate change impacts.
49. Under proposed PC14, new buildings are proposed to be required to meet minimum floor level standards. Resource consent will not be required as long as the standards are met. Compliance with these standards is anticipated to be straightforward, given that the maximum modelled depth of flooding within flood extent areas is relatively limited (<10cm).

### On-site stormwater management

50. Stormwater needs to be effectively managed on-site during rainfall events to reduce the risk of adverse effects from flooding due to more frequent and smaller rainfall events, maintain water quality in the waterways and give effect to Te Ture Whaimana.
51. Stormwater management also helps in controlling small and more frequent flooding by regulating the flow and volume of runoff. This not only helps to protect infrastructure and properties but also ensures the safety and well-being of communities. By implementing sustainable stormwater systems (e.g. rainwater harvesting), it is possible to enhance resilience against climate change-induced extreme weather events, safeguarding both the environment and our future.
52. The stormwater provisions for the Residential Zones have been reviewed as part of PC12 and have not been considered as part of this plan change. Plan Change 14, therefore, proposes to enhance District Plan provisions for stormwater quantity and quality management onsite for non-residential activities.

### Strategic Planning Context

53. The following relevant planning documents (statutory and non-statutory) were considered and given effect to in preparing PC14:
  - i. Resource Management Act 1991 and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act
  - ii. Local Government Act 2002
  - iii. Building Act 2004
  - iv. Civil Defence Emergency Management Act 2002
  - v. Te Ture Whaimana o Te Awa o Waikato - Vision and Strategy (the Vision and Strategy)
  - vi. National Policy Statement on Urban Development (NPS-UD)
  - vii. Waikato Regional Policy Statement (WRPS)
  - viii. Draft National Policy Statement for Natural Hazard Decision-making
  - ix. Future Proof.

### Summary

54. The proposed changes to the District Plan through PC14 are a comprehensive approach to mitigate the risks associated with flooding, which is increasingly becoming a concern due to climate change and urban intensification. The changes will also ensure the flood hazard rules are fit for purpose. The proposed changes currently include:

Chapter	Summary of key proposed changes
Chapter 22 Natural Hazards	<ol style="list-style-type: none"> <li>i. Review objectives and policies approach to prioritise hazard avoidance and minimisation; give priority to non-structural solutions; and enhance consideration of climate change.</li> <li>ii. List new buildings and residential activities in the Medium Flood Hazard Area as a Restricted Discretionary Activity with additional assessment criteria (previously Discretionary).</li> <li>iii. Change Culvert Block Flood Hazard to Depression Areas and expand it to capture blockage of any stormwater infrastructure.</li> <li>iv. Introduce policy to allow developments in depression areas only when a tolerable level is achievable and Restricted Discretionary Activity Status for some activities in Depression Areas (e.g. Retirement villages, hospital, childcare).</li> <li>v. New provision and Restricted Discretionary Activity Status for on-site compensatory earthworks to ensure no reduction to on-site water storage</li> </ol>

	<p>capacity.</p> <ul style="list-style-type: none"> <li>vi. New provisions managing overland flow paths including maintaining the entry and exit points.</li> <li>vii. Ensure water can pass beneath, through or around fences during 1% AEP event in all flood hazard areas (previously only captured medium and high flood hazard areas).</li> <li>viii. Surface parking areas for 10 spaces or more to be located where flood levels do not exceed 300mm in 1% AEP.</li> <li>ix. New buildings to be built on parts of site outside flood hazard area (currently only included in objectives and policies).</li> <li>x. New provision to prevent development from making flooding worse on other properties.</li> <li>xi. Safe access to roads or open spaces be provided for vulnerable activities during 1% AEP (access routes with no more than 300mm depth of flooding and 1.0m/s velocity).</li> <li>xii. New rules for Flood Extent Areas to manage shallow flooding which is no considered to be hazardous. These will have Permitted Activity status subject to standards such as minimum finished floor levels.</li> </ul>
Chapter 23 Subdivision	<ul style="list-style-type: none"> <li>i. Include policies to avoid subdivision that increases the number of buildings in the High Flood Hazard Area and allow subdivision in the Medium and Low Flow Hazard areas only if it does not create new or exacerbate existing flood hazards.</li> <li>ii. New lots in General Residential Zone to include a 165m<sup>2</sup> building platform which is able to accommodate a 12.5m diameter circle clear of flood hazard.</li> <li>iii. New lots in Medium Density and High Density Zone to include a 720m<sup>2</sup> building platform which is able to accommodate a 15m x 20m rectangle clear of flood hazard.</li> </ul>
Chapter 25.13 Three Waters	<ul style="list-style-type: none"> <li>i. Amend non-residential stormwater management rules.</li> <li>ii. New Restricted Discretionary Activity Status for development of impermeable surfaces greater than 1,000m<sup>2</sup> and requirement to prepare a Site-Specific Stormwater Management Plan.</li> <li>iii. Require a maintenance plan for managing stormwater.</li> <li>iv. Require retention of at least 10mm runoff depth for impermeable surfaces greater than 100m<sup>2</sup> (previously 80% detention required).</li> <li>v. Require pre-treatment of stormwater in the Business, Central City and Industrial Zones</li> </ul>
Chapter 25.14 Transportation	<ul style="list-style-type: none"> <li>i. New policy to integrate nature-based solutions for management of stormwater runoff.</li> </ul>
Appendix 1	<ul style="list-style-type: none"> <li>i. Several new and amended definitions.</li> <li>ii. Amending assessment criteria with the inclusion of a new Hazard and Safety element.</li> <li>iii. New urban design assessment criteria for new buildings with elevated floor levels in natural hazard areas.</li> <li>iv. New assessment criteria for new buildings, earthworks and vulnerable uses in the Medium Flood Hazard Area.</li> <li>v. New assessment criteria for building in Depression Areas.</li> </ul>
Appendix 17	<ul style="list-style-type: none"> <li>i. Remove flood hazard maps from the District Plan and rely on best available information (FloodViewer).</li> </ul>

55. **Attachment 1** to this report is the Section 32 Analysis including all related appendices as well as proposed provisions, which are in **Attachment 2**.

## Options

56. There are two options:

Option	Advantages	Considerations
<b>Option 1: Status Quo</b>	<ul style="list-style-type: none"> <li>No additional expense for Council.</li> </ul>	<ul style="list-style-type: none"> <li>Does not minimise the continuing and future issues of flooding in extreme weather events.</li> <li>Does not comply with Section 6 of the Resource Management Act, which mandates Council to acknowledge and address the management of substantial risks arising from natural hazards.</li> </ul>
<b>Option 2: The Council publicly notifies Plan Change 14</b>	<ul style="list-style-type: none"> <li>Ensures that future development in the city will better manage flooding.</li> <li>Ensures that future development will prevent any exacerbation of flooding.</li> <li>Aids in implementing the four R's of Civil Defence Emergency Management, particularly Reduction.</li> <li>Considers Climate Change.</li> </ul>	<ul style="list-style-type: none"> <li>Expense of the public notification, processing submissions, hearings and decision.</li> </ul>

Staff recommend **Option 2** as it reduces the impact of flooding in extreme weather events for future developments.

## Plan Change 12

### Independent Hearing Panel Recommendations

57. Plan Change 12 – Enabling Housing (PC12) was publicly notified on 20 August 2022 and 350 public submissions were received.
58. Opening hearings were held in February 2023, with Hearing 2 in September 2024. The recommendations from the Independent Hearing Panel are expected in early November allowing for a final decision to be made by Council no later than 20 December 2024.
59. Any recommendations made by the Independent Hearing Panel on PC12 must come back to Council for a final decision. Council can either accept the recommendations made by the Independent Hearing Panel or make changes to any part of PC12. If Council does make changes to Independent Hearing Panel recommendations, final approval will move to the Minister of Housing.
60. Any changes to the Independent Hearing Panel recommendations will still need to comply with current legislation that requires the application of Medium Density Residential Standards (MDRS) and National Policy Statement: Urban Development (NPS-UD) policies.
61. A report to Council on 12 December 2024 will present the options outlined below.

#### **Option 1: Accept all the Independent Hearing Panel's recommendations without amendment**

Any recommendations that are accepted are incorporated into the District Plan and made operative.

Advantages	Disadvantages/Risks
<ul style="list-style-type: none"> <li>Makes PC12 operative in full and would bring it into force with the greatest speed</li> </ul>	<ul style="list-style-type: none"> <li>In accepting the Independent Hearing Panel's recommendations, the Council also accepts the</li> </ul>

and certainty. <ul style="list-style-type: none"> <li>Prevents any delay or uncertainty that comes from referral of decisions to the Minister.</li> </ul>	reasoning and weighting of evidence used by the Independent Hearing Panel in coming to their recommendations.
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### Option 2: Reject the Independent Hearing Panel's recommendations on the provisions

Any recommendations that are rejected will be required to be sent to the Minister for Housing. Council must set out why the Council does not support the recommendation, provide an alternative recommendation and why the alternative recommendation is preferred. The Minister can choose whether to accept or reject the recommendations referred to them.

Advantages	Disadvantages/Risks
<ul style="list-style-type: none"> <li>Allows the Council to ensure that those parts of the Independent Hearing Panel recommendations that might not align with the Council's strategic goals, interpretation of evidence or reasoning can be referred to the Minister with an alternative that does.</li> </ul>	<ul style="list-style-type: none"> <li>Any new provisions associated with the rejected recommendations are unable to be used until the Minister provides a decision. There are no timeframes for the Minister to decide on recommendations that are rejected.</li> <li>The Minister may not elect to take the option referred to them by the Council and choose the Independent Hearing Panel recommendation or impose their own recommendation.</li> </ul>

62. Following the Council meeting on 12 December 2024, Council is required to publicly notify its decision in accordance with clause 102, Schedule 1 of the RMA. Steps following that meeting include:
- publicly notifying the decisions made by Council on PC12;
  - serving notice on every person who made a submission on PC12;
  - making a copy of the public notice and the decisions publicly available on Council's website and in physical form in all libraries.

### Other updates

63. Council's wide-reaching District Plan work schedule includes eight plan changes to the District Plan. All plan changes and other key District Plan related matters specific to the Hamilton District Plan are listed below, and explained in more detail in the [23 February 2023 District Plan update](#) to Council (Item 8).
64. There are only minor changes to timeframes and deliverables since the August 2024 report, which are summarised in the table below.

Plan Change/project	Status	Commentary
Plan Change 5 (Peacocke)	Appeal period closed 14 April 2023. Commissioners' decisions and appeals received are available <a href="#">here</a> .	One outstanding appeal remains, with no resolution reached. This appeal is set down to be heard by the Environment Court in December 2024. It relates to the provision and location of supermarkets in the town centre.
Plan Change 9 (Historic Heritage and Natural Environment)	<p>The final decision on the remaining topics (Built Heritage and Historic Heritage Areas) is expected late 2024.</p> <p>Decision #2A was notified on 19 September 2024 and</p>	<p><u>Historic Heritage Areas</u></p> <p>Staff are working to write three Heritage Assessments requested for Council-owned sites that were identified as built heritage by PC9 submitter the Waikato Heritage Group</p>

# Item 8

Plan Change/project	Status	Commentary
	removes 4 Historic Heritage Areas from Schedule 8D.  The decision on Significant Natural Areas, Notable Trees, and Archaeological and Cultural Sites, released on 3 May 2024, received three appeals. Staff are working with legal support to resolve them.	<u>Significant Natural Areas (SNAs)</u>  Staff are working with Legal Support to resolve three appeals received regarding Decision #3.
Plan Change 10 (Te Rapa Deferred Industrial land)	On hold	Staff are expecting a private plan change from one of the major landowners in this area. Until their position is known, Council will not progress this plan change.
Plan Change 12 (Enabling Housing)	Awaiting Independent Hearing Panel recommendations.	Final Hearings have now been completed; recommendations from the Independent Hearing Panel are expected early November with Council to make decisions on PC12 at the 12 December Council meeting. Decisions deadline on PC12 is 20 December 2024.
Private Plan Change 13 (Te Rapa Racecourse private plan change)	Court-assisted mediation	First round of court-assisted mediation set for the 25 November 2024.
Plan Change 14 (Flood Hazards)	Progressing to notification	Staff have concluded an assessment of options and has drafted proposed provisions. Staff is now seeking approval to publicly notify Plan Change 14.
Private Plan Change 15 (Tuumata private plan change by Tainui Group Holdings)	On hold	Tainui Group Holdings has been successful in having this area approved for a Fast-track application.
Plan Change 16 (Inclusionary Zoning plan change)	At the 14 June 2023 Strategic Growth and District Plan Committee, resolutions sought the prioritising of an inclusionary zoning plan change.	The Council is actively collaborating with Waikato district councils to ensure alignment with the policy approach and timing of notifying a plan change.  Prior to advancing any district plan change staff need to resolve the appeal against the Waikato Regional Policy Statement related to inclusionary zoning.
Private Plan Change 17 (Te Rapa North - Fonterra)	Progressing to lodgement	Council is presently working with Fonterra to determine the content of, and process for assessing Private Plan Change 17. It is anticipated that Private Plan Change 17 will be formerly lodged in the second half of 2024.
Private Plan Change 19 (Ruakura - Transpower)	Progressing to notification	Private plan change seeking the amendment of the Electricity Grid Corridor associated with the Hamilton Deviation A (HAM-DEV A) transmission line at Ruakura.
Rototuna Town Centre Plan Change	On hold	Staff are considering re-prioritising this plan change.

Plan Change/project	Status	Commentary
Fairfield-Enderley Urban Development Partnership	Progressing	Staff continue to collaborate with Kāinga Ora to scope the necessary investigations aimed at defining the re-development opportunity for this locality.
National Planning Standards	On hold	The implementation of National Planning Standards into district plans are required by 2024. Staff have sought an exemption from this deadline due to the process constraints of implementing these standards at the same time as significant changes are being made to the District Plan under Plan Change 12 and Plan Change 9. Formal clarification from MFE is expected.
Sites and areas of significance to Māori	On hold – pending outcomes of PC12	Plan Change 12 seeks to address this through the collection of financial contributions for the restoration and protection of the Awa in accordance with TTW. A number of physical sites (approximately 30) (eg urupaa) have been afforded formal protection under Plan Change 9.
Rotokauri Strategic Infrastructure Designation (Previously Known as Rotokauri Arterial Network Designation)	Notified	The Notice of Requirement (NOR) has been publicly notified (07/10). Notice has been placed on Council's website and the Waikato Times. Notification letters have been sent to those affected properties to the west of the City. Submission period opens 07/10/2024 and closes 08/11/2024.

### Risks - *Tuururu*

65. If no decision on PC12 is made on the Independent Hearing Panel recommendations at the 12 December 2024 Council meeting, this would result in Council not meeting the 20 December 2024 deadline for a decision as required by the Act.
66. Allowing further intensification without an updated planning framework to better manage flooding poses risks of subjecting new developments to areas that may not be suitable for development or lack proper mitigation strategies. Therefore, PC14 notification should be as close as possible to PC12 becoming operative.
67. Another significant risk related to the notification of PC14 is that Council now possesses best available information on flooding. Comprehensive studies have been concluded, and a proposed approach to better manage flood risks has been developed. Delaying the notification of PC14 could result in new developments proceeding without the benefit of this updated planning framework.
68. At both project and programme level, risks are tracked, reviewed and updated regularly with the wider team and key stakeholders. Key risks to the Urban & Spatial Planning programme are outlined below.
69. Risk ID 1-4 remained at "Extreme." Decisions of the Fast-track Approvals Bill made Risks ID 3 and 4 "Certain."
70. Risk ID 4 has been impacted by the decisions of the Fast-track Approvals Bill. In addition, going forward the final Fast-track Approvals Bill is expected to have further significant impact on the unit's workload and work programme.

71. Risks ID 1 and 2 have been impacted by the Fast-track Approvals Bill. The list of Fast-track projects will have significant impact on unit resources and budget. Mitigation measures, such as reprioritisation and re-programming of projects will be revisited.
72. We note the changing policy landscape as a result of the Going for Housing Growth Policy that will impact HCCS regulations under Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (HSAA) (2021) and The National Policy Statement for Urban Development (NPS-UD) 2020.
73. Risk ID 4 remains Extreme due to current and expected changes in policy directions in more than one area. Risk ID 4 has been impacted by the decisions of the Fast-track Approvals Bill. In addition, going forward the final Fast-track Approvals Bill is expected to have further significant impact on the unit's workload and work programme. Similarly, changing policy landscape as a result of the Going for Housing Growth Policy will impact HCC's regulations under Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (HSAA) (2021) and The National Policy Statement for Urban Development (NPS-UD) 2020. Further, policy changes are expected due to forthcoming announcements regarding wider Resource Management reform announced as part of the [Q3 2024 Action Plan for New Zealand](#).

Risk ID	Risk Description	Likelihood (residual)	Consequence (residual)	Risk rating	Owner
1	<b>Funding</b> Work programme is fully funded but there is no contingency, any new work or any change to work programme (e.g. scope change, timing change or new work) would require re-allocation of funding and re-prioritisation of work.  Fast-track Approvals Bill has mandated five projects and boundary transfers.	Certain	Major	Extreme	Mark Davey
2	<b>Resourcing</b> Planned workload relative to resource capacity is full. There is no contingency, any increase in work would exceed capacity. Any loss of staff or unfilled position would reduce capacity and result in delay of work.  Situation cannot be remedied by external resource due to set unit budget. Mitigation requires delaying non-mandatory work.  Fast-track Approvals Bill has increased demand for resources beyond capacity.	Certain	Major	Extreme	Mark Davey
3	<b>Political (Local)</b> Elected Members may make changes to prioritise or work programme. This affects program delivery.  Any response/mitigation is constrained by Risks ID 1 and 2	Likely	Major	Extreme	Mark Davey

Risk ID	Risk Description	Likelihood (residual)	Consequence (residual)	Risk rating	Owner
4	<b>Political (National)</b> Central Government has announced Schedule 2 projects of the Fast-track Approvals Bill Central Government continue refining policy direction	Certain	Major	Extreme	Mark Davey
5	<b>Legal Challenge to the RMA</b> Legal challenge to the Resource Management Act processes	Possible	Major	Very high	Mark Davey
6	<b>Retention and Recruitment</b> Due to tight market there is a risk we have retention and recruitment issues, which could lead to impact on service delivery and people. Burnout of staff from increased work pressure could affect retention.	Likely	Major	Very high	Mark Davey

### Financial Considerations - *Whaiwhakaaro Puutea*

74. The Urban & Spatial Unit's work programme is funded through the 2024-34 Long-Term Plan, including all the costs associated with publicly notifying PC14. Council recoups most costs incurred for processing private plan changes, after lodgement from the applicants.
75. Urban and Spatial Planning have agreed to cover the costs for the Network Capacity Assessment Tool (NCAT) project. These costs were not included in the Long-Term Plan budget. The NCAT work was initiated in response to Central Government's new medium density housing rules and PC12, which will over time lead to an increase in the number of infill developments. The additional infill development creates a risk of network capacity exceedance on water and wastewater networks resulting leading to performance issues. Due to this, redesign of Council's water and wastewater development connections approval policy and processes was and is necessary and needs to be supported by a tool that can demonstrate current and future capacity. This piece of work is being undertaken by the Infrastructure and Assets Group.

FY24	YTD Actuals (as at 2 October 2024)	Sum of Annual Budget (FY2025)
Unit Programme (excluding NCAT)	\$195,526	\$2,157,297
Unit Programme (including NCAT)	\$323,252	\$2,454,297

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

76. Staff confirm that these matters comply with Council's legal and policy requirements. Staff operate within the Resource Management Act 1991 for these plan changes and comply with the relevant processes.
77. Staff confirm that the District Plan Programme responds to the National Policy Statement on Urban Development (NPD:UD) (2020) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (HSAA) (2021).
78. Council, along with Future Proof partners, sought legal advice on the correct application of Te Ture Whaimana – the Vision and Strategy for the Waikato River as a qualifying matter related

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- to PC12. Staff have considered this advice in the context of Hamilton, and this is reflected in the proposed planning approach through PC12.
79. While Minister Bishop has announced the policy changes related to Resource Management (Enabling Housing Supply and other Matters) Amendment Act 2021 the Government has not yet enacted a law change. Council is still required to make decisions on PC12 by 20 December 2024.
  80. PC12 has been prepared and notified to meet the legislative requirements under Schedule 1 of the RMA.
  81. In accordance with clause 101, Schedule 1 of the RMA, Council is required to decide whether to accept or reject each recommendation of the Independent Hearing Panel and provide an alternative recommendation for any recommendation that the authority rejects.
  82. Not making a decision on the Independent Hearing Panel recommendations at the 12 December 2024 Council meeting will result in Council not meeting the 20 December 2024 deadline for a decision as required by the Act.
  83. The law currently directs the application of MDRS and National Policy Statement: Urban Development (NPS-UD) policies. The Independent Hearing Panel will be required to make recommendations to Council for approval. Any recommendations made by the Independent Hearing Panel on PC12 must come back to Council for a final decision. This will present an opportunity for Council to decide if they approve the recommendations or wish to change any aspect of PC12. However, if Council seeks changes to Independent Hearing Panel recommendations, final approval will move to the Minister responsible – Hon Chris Bishop.
  84. There are no rights of appeal against any decision or action of the Independent Hearing Panel, the Council or the Minister. However, their respective decisions are potentially subject to judicial review in the High Court. Such proceedings examine the decision-making process but do not generally allow the High Court to revisit the merits of a decision under review.
  85. Two years following the notification of a plan change decisions are required to be made. Mid-2024 was the two-year anniversary for Plan Change 9 since notification. Council has sought an extension from the Minister for the Environment for decisions on this plan change and awaiting confirmation.
  86. Section 6 of the RMA emphasises the importance of managing significant risks from natural hazards, including flooding, as a matter of national importance. This section requires that Council recognises and provides for the management of these risks. With the availability of best information for flooding, PC14 was initiated and drafted. In the context of a PC14, Section 6 ensures that flood risks are thoroughly assessed and mitigated in planning and development processes.
  87. The legislative framework supporting PC14 includes several key statutes and policies. The National Policy Statement on Urban Development (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act (HSAA) are particularly relevant. These policies direct councils to accommodate urban growth while managing the associated risks, such as flooding.
  88. In addition to national policies, PC14 also considers regional and local legislative requirements. The Waikato Regional Policy Statement and the Vision and Strategy for the Waikato River (Te Ture Whaimana) are integral to the planning approach. Te Ture Whaimana, in particular, emphasises the restoration and protection of the Waikato River, which is closely linked to flood management.

## Climate Change Impact Statement

89. Staff have assessed this option and determined that no adaption assessment is required. Climate change is addressed in each of the plan changes referred to in this report.
90. Climate change related matters form a central part of the purpose, principles and matters of national importance outlined in the Resource Management Act 1991 – the legislation under which district planning is undertaken. The effects of climate change are something that those operating under the Act “shall have particular regard to.”
91. In particular, response to climate change is pivotal on proposed PC14. Climate change assumptions inform the modelling. The plan integrates projections of increased rainfall intensity and frequency to assess future flood risks accurately. This proactive approach ensures that the flood hazard management strategies are robust and adaptive, addressing both current and anticipated impacts of climate change.

## Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

92. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future (‘the 4 wellbeings’).
93. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report.
94. The recommendations set out in this report are consistent with that purpose.

### Social

95. Social wellbeing is defined as the capacity of individuals, their families, whaanau, iwi, hapu and a range of communities to set goals and achieve them.
96. The proposed approach aligns with ‘Our vision for Hamilton Kirikiriroa’, which provides direction for shaping a city that’s easy to live in, where people love to be, a central city where people love to be, and a fun city with lots to do.
97. PC14 aims to enhance community resilience by improving flood hazard management. By using best available flood information and reviewing planning controls in areas subject to flooding, the plan seeks to enhance resilience to flooding for new developments. This includes, for example, ensuring safe access and egress during flood events and promoting better-informed development decisions.

### Economic

98. Economic wellbeing is defined as the capacity of the economy to generate employment and wealth necessary for present and future financial security.
99. The NPS-UD recognises the national significance of providing sufficient development capacity to meet the different needs of people and communities and adequate opportunities for land to be developed to meet community business and housing needs.
100. The NPS-UD and the HSAA require that district plans make room for growth both ‘up’ and ‘out’, and that rules are not unnecessarily constraining growth. The intensification directed by Central Government will have a direct impact on housing pressure in Hamilton.
101. Significant investment in infrastructure to support the ongoing growth and development of the city will be required. Decisions which confer additional development rights and enable growth (e.g. PC12), must take into account key factors including environmental limits, legal/policy obligations and infrastructure current and planned capacity which are fundamental considerations to support and enable this growth.

102. PC14 seeks to strike a balance between imposing necessary controls to minimise the negative effects of flooding and ensuring that these controls are not overly restrictive, allowing the city to grow sustainably. This balanced approach helps reduce potential negative effects of flooding while not significantly impacting on housing capacity.

### Environmental

103. Factors that make our cities more liveable (e.g. accessible public transport, great walking and cycling opportunities, ample green spaces and housing with access to services and amenities) can also help reduce our carbon footprint, increase resilience to the effects of climate change and protect ecosystems.
104. Elected Members have agreed to the vision to shape Hamilton as a green city.
105. The increases in intensification directed through the HSAA, given effect to through PC12, will place greater pressure on the city's 3-waters networks which in turn will necessitate increased investment. Without commensurate levels of investment to support intensification, adverse effects on the Waikato River are likely, which in turn will breach the City's obligations under Te Ture Whaimana.
106. Increases in intensification directed through the HSAA will also lead to greater urban stormwater generation and its effects. PC14 seeks to implement a new management regime to specifically address how new development responds to flood hazards. PC12 introduces new 'green policies' that aim to mitigate the effects of intensification with respect to urban runoff.
107. PC14 aids in promoting environmental sustainability by proposing a range of approaches (e.g. enhancing stormwater management practices, encouraging the use of permeable surfaces, on-site stormwater detention, preservation of natural overland flow paths). These measures help maintain the natural hydrology of the area, protect water quality, and support the health of the Waikato River and its tributaries. By aligning urban development with environmental protection, PC14 contributes to the long-term ecological resilience of Hamilton.

### Cultural

108. The NPS:UD and HSAA require councils to plan well for growth and ensure a well-functioning urban environment for all people, communities, and future generations. This includes ensuring urban development occurs in a way that considers the principles of the Treaty of Waitangi (te Tiriti o Waitangi) and issues of concern to hapū and iwi e.g. Te Ture Whaimana – the Vision & Strategy for the Waikato River.
109. Plan Change 9 seeks to afford a greater level of protection to Built Heritage and Archaeological and Cultural sites.
110. Hamilton City Council, under the Joint Management Agreement with Waikato-Tainui, has a process in place for collaborating and engaging with Waikato-Tainui in the preparation of plan changes.
111. PC12 introduces Qualifying Matters that seek to manage intensification to enable council to meet its obligations under Te Ture Whaimana
112. Recognising the cultural significance of the Waikato River and its surrounding areas, PC14 integrates the principles of Te Ture Whaimana o Te Awa o Waikato. The plan acknowledges the importance of protecting the river's health and wellbeing, which is central to the cultural identity and heritage of local iwi and hapū.

### Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

113. Having considered the Significance and Engagement Policy, staff have assessed that the decisions sought in this report have high significance, and the engagement process is determined by the Resource Management Act (Schedule 1).

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

Attachment 1 - Plan Change 14 Section 32 Analysis (*Under Separate Cover*)

Attachment 2 - Plan Change 14 Proposed Provisions (*Under Separate Cover*) .

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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 Strategic Growth and District Plan Committee Public Excluded Minutes 27 August 2024	) Good reason to withhold ) information exists under ) Section 7 Local Government ) Official Information and ) Meetings Act 1987	Section 48(1)(a)
C2. Strategic Issues (Public Excluded Matters)		
C3. Fast-track and Emerging Areas		
C4. Peacocke Programme Update		

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 maintain legal professional privilege 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) (g) Section 7 (2) (i) Section 7 (2) (j)
Item C3.	to enable Council to carry out commercial activities without disadvantage 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) (h) Section 7 (2) (i) Section 7 (2) (j)
Item C4.	to enable Council to carry out commercial activities without disadvantage to enable Council to carry out negotiations	Section 7 (2) (h) Section 7 (2) (i)