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## District Plan Committee

### *Komiti Ture-aa-takiwaa*

### OPEN MINUTES

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Minutes of a meeting of the District Plan Committee held in the Council Chamber and Audio Visual Link, Municipal Building, Garden Place, Hamilton on Wednesday 15 December 2021 at 9.33am.

#### PRESENT

**Chairperson** Cr R Hamilton

*Heamana*

#### Members

Mayor P Southgate (partially via Audio Visual link)  
Deputy Mayor G Taylor (exclusively via Audio Visual link)  
Cr S Thompson (exclusively via Audio Visual link)  
Cr M Gallagher  
Maangai J Whetu (exclusively via Audio Visual link)

#### In Attendance

Cr M Donovan  
Blair Bowcott – General Manager Growth  
Debra Stan-Barton – Project Manager  
Amy Trigg - Senior Policy Analyst  
Mark Davey - City Planning Manager  
Ben Scott - Programme Manager Housing

#### Governance Team

Amy Viggers – Governance Lead  
Carmen Fortin and Tyler Gaukrodger – Governance Advisors

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#### 1. Apologies – *Tono aroha*

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

That the apologies for absence from Cr O’Leary and Cr Pascoe are accepted.

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

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

That the agenda is confirmed.

#### 3. Declarations of Interest – *Tauaakii whaipaaanga*

No members of the Council declared a Conflict of Interest.

The General Manager Growth introduced Mark Davey, the new City Planning Manager that had recently joined Hamilton City Council. He also thanked Debra Stan-Barton for her time as acting City Planning Manager.

#### 4. Public Forum – *Aatea koorero*

**Sandy Elliott** spoke to Item 6 (Chair’s Report), noting the role of the West Claudelands Community Action Network in the Claudelands area and the increased urban density in the area. He responded to questions from Members concerning NPS-UD requirements and qualifying matters.

**5. Confirmation of the District Plan Open Minutes of 4 November 2021**

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

That the Committee confirm the Open Minutes of the District Plan Committee meeting held on 4 November 2021 as a true and correct record.

**6. Chair's Report**

The Chair took spoke to his report noting the importance of including Te Ture Whaimana o Te Awa o Waikato being as a qualifying matter.

**Resolved:** (Cr Hamilton/Cr Gallagher)

That the District Plan Committee receives the report.

*Mayor Southgate left the Audio Visual meeting and joined the meeting in person (9.48am) during the above item. She was present when the matter was voted on.*

**7. Mandatory change to the Hamilton District Plan - inclusion of NPS-UD housing bottom lines  
(Recommendation to the Council)**

The Senior Policy Analyst spoke to the report noting that the changes to the NPS-UD are mandatory and therefore no consultation would be necessary, and the increases in minimum housing requirements. She responded to questions from Members concerning increases to infill capacity and housing market supply.

**Resolved:** (Cr Thomson/Maangai Whetu)

That the District Plan Committee:

- a) receives the report; and
- b) recommends that the Council:
  - i. approves amending the Hamilton District Plan to include a new objective as set out in Attachment 1 of the staff report, in accordance with the requirements of the National Policy Statement on Urban Development 2020; and
  - ii. notes that a public notice of this change to the Hamilton District Plan will be issued within 5 working days of implementation of the change.

**8. General Manager's Report**

The General Manager Growth introduced the report, noting the changes in the District Plan review programme, progress made in the Fairfield Enderley area, and the timeline of plan changes. Staff responded to questions from Members concerning the addition of Te Ture Whaimana o Te Awa o Waikato to the Resource Management bill, risks to the District Plan change, staff burnout, environmental considerations in the plan change, 20 minute city considerations, access to green spaces, urban renewal considerations, high density locations, working with community groups, and investment planning.

**Staff Action:** *Staff undertook to review the 20 minute city as one of the key considerations within the plan change programme.*

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

That the District Plan Committee receives the report.

**9. Resolution to Exclude the Public**

**Resolved:** (Cr Hamilton/Cr Gallagher)

**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 District Plan Public Excluded Minutes of 4 November 2021	) Good reason to withhold information exists under Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
C2. Update on the District Plan Change Programme	)	

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 the effective conduct of public affairs through protecting persons from improper pressure or harassment to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (f) (ii) Section 7 (2) (j)

**The meeting went into a public excluded session at 10.44am.**

**The meeting was declared closed at 12.51pm.**

**Minute Note 17/08/2022:**

*On 17/08/2022 the following report and resolutions were determined to be released to the public via these minutes and the quarterly update. The report is attached as **Appendix 1** of these minutes.*

***Update on the District Plan Change Programme***

***Resolved:***

*That the District Plan Committee:*

- a) receives the report;*
- b) delegates authority to the General Manager Growth and the Chair of the District Plan Committee to approve revisions to the District Plan Change programme scope and timeframes as required when the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill becomes law;*
- c) notes that:*
  - i. the delegation in b) is sought because the Amendment Bill is scheduled to become law on 16 December 2021 and the next District Plan Committee meeting does not take place until 10 March 2022;*
  - ii. should the delegation be exercised, this will be reported back to Elected Members by way of an information update with a full update supplied at the next District Plan Committee meeting.*
  - iii. proposed revisions to the District Plan Change programme are outlined in Table 2, Paragraph 28 of the staff report;*
  - iv. staff are undertaking additional centres assessment work in response to the Amendment Bill; and*
- d) notes that the decisions and information in relation to these matters be released at the appropriate time, to be determined by the Chief Executive.*

# Council Report

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**Committee:** District Plan Committee      **Date:** 15 December 2021  
**Author:** Debra Stan-Barton      **Authoriser:** Blair Bowcott  
**Position:** Acting City Planning Unit      **Position:** General Manager Growth Manager  
**Report Name:** Update on the District Plan Change Programme

<b>Report Status</b>	<i>This report is taken as a publicly excluded item to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment; AND to prevent the disclosure or use of official information for improper gain or improper advantage.</i>
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## Purpose - Take

1. To inform the District Plan Committee on pivoting the District Plan Change Programme to respond to the new Resource Management (Enabling Housing Land Supply and other matters) Amendment Bill, and the existing intensification Area Plan work.

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

2. That the District Plan Committee:
  - a) receives the report;
  - b) delegates authority to the General Manager Growth and the Chair of the District Plan Committee to approve revisions to the District Plan Change programme scope and timeframes as required when the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill becomes law;
  - c) notes that:
    - i. the delegation in b) is sought because the Amendment Bill is scheduled to become law on 16 December 2021 and the next District Plan Committee meeting does not take place until 10 March 2022;
    - ii. should the delegation be exercised, this will be reported back to Elected Members by way of an information update with a full update supplied at the next District Plan Committee meeting.
    - iii. proposed revisions to the District Plan Change programme are outlined in Table 2, Paragraph 28 of the staff report;
    - iv. staff are undertaking additional centres assessment work in response to the Amendment Bill; and
  - d) notes that the decisions and information in relation to these matters be released at the appropriate time, to be determined by the Chief Executive.

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**Executive Summary - *Whakaraapopototanga matua***

3. This report covers:
  - i. proposed revisions to the District Plan Change Programme (DP Programme) to accommodate the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (the Amendment Bill) (see Paragraphs 16-28);
  - ii. an update on the area plan work and a new 'centres approach' workstream started as part of the area plan project to inform the Amendment Bill (see Paragraphs 29-62); and
  - iii. an update on the inclusionary zoning workstream (see Paragraphs 63-75).
4. The introduction of the Amendment Bill in October 2021 has resulted in a need to alter the current plan change programme and timeframes.
5. This report sets out the implications to the existing DP programme and seeks delegation for the GM Growth and the Committee Chair to approve revisions to the programme after the Amendment Bill becomes law.
6. At the 24 May 2021 District Plan Committee meeting, staff outlined the Area Plan component of the DP Programme and the key tasks being undertaken.
7. This report updates the Committee on the draft recommendations that have come out of the area plan work focusing on the draft land use/zoning recommendations, while also presenting some system-wide growth management opportunities/challenges posed by the proposed future change in the density of existing urban areas of Hamilton.
8. In addition to the area plan work, the report outlines a new piece of work underway to identify the commercial centres where the NPS-UD would apply and to specify how far the intensification areas would reach into adjacent properties. Called the 'centres assessment', this new piece of work has been initiated in response to the Amendment Bill.
9. Since the August 2021 Committee meeting, staff have been working to further develop the evidence base to support an inclusionary zoning policy that is specific to the Hamilton housing market.
10. This report includes an update on how that work is progressing, including the investigation of different policy settings for inclusionary zoning and testing the feasibility of different thresholds and contribution types.
11. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy. The recommendation complies with Council's legal and policy requirements.

**Background - *Koorero whaimaarama***

12. On 8 December 2020, the Council approved the proposed approach, scope, and governance structures for making changes to the District Plan for notification in September 2022.
13. On 4 February 2021, the Council approved the terms of reference for this Committee. These are:
  - i. To provide and approve broad strategic direction to inform and guide the development of the District Plan amendments programme of work;
  - ii. 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;

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- iii. To recommend any proposed District Plan amendments to the Council for adoption and release for formal notification; and
  - iv. To provide regular updates to the Council on the progress of the District Plan amendments programme of work.
14. This is the last District Plan Committee meeting for 2021. The meeting dates for 2022 are:
  - i. 10 March;
  - ii. 3 May;
  - iii. 16 June; and
  - iv. 4 August.
15. Notwithstanding the above, should the District Plan Committee request more meeting dates and times, staff will work with the Governance Unit to accommodate new or revised changes to the schedule.

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## **Discussion**

### **Implications of the Amendment Bill on the Plan Change Programme**

16. On 8 December 2020, the Council approved the approach and scope for making changes to the District Plan in September 2022. This involved undertaking a Plan Change to give effect to the National Policy Statement on Urban Development (NPS-UD), which would be combined with a number of other topics in Council's work programme.
17. The NPS-UD enables building heights of at least 6 storeys within a walkable catchment area that is well serviced by public transport, at the edge of city centre zones and metropolitan zones. Outside these areas, the NPS-UD enables building heights and densities of urban form commensurate with the level of accessibility with public transport, commercial activities, community services and demand.
18. We were on track and preparing this Plan Change (referred to as Plan Change 12 or PC12) to meet the NPS-UD required notification date of 20 August 2022.
19. On 19 October 2021, the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (Amendment Bill) was introduced by the Government. The Amendment Bill seeks to rapidly accelerate the supply of housing by enabling greater intensification in urban areas. This goes further than the NPS-UD and enables 3 storeys and 3 dwellings on all residential sites as of right (except for sites with an identified qualifying matter where the rules can be less permissive).
20. The Amendment Bill requires councils to undertake a plan change to incorporate specific Medium Density Residential Standards (MDRS) using an intensification streamlined planning process (ISPP). This process removes some consultation requirements, has legal effect from the date of notification in most cases and removes any appeal rights.
21. Only specified topics in the Amendment Bill covered under the NPS-UD Plan Change can be processed through the ISPP. The remainder of the plan change topics need to be processed through Schedule 1 of the Resource Management Act.
22. As it stands, the Amendment Bill would require the existing DP Programme to be split up to ensure that matters that proceed under the ISPP are processed separately. We will not know what the final legislation looks like until 16 December 2021, although it is likely it would require a restructure of how we are processing PC12.
23. Given the tight timeframes, staff propose an alternative option to split PC12 up and process the aspects that can proceed under the ISPP separately. See Table 2 below for the proposed split.

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24. While this work can be done within the current budget, it may require a change to resourcing and extending original notification timeframes.
25. Should the legislation allow it, ideally Plan Changes 12 and 14 would be recoupled given the overlap in topics. However, no decision can be made until the legislation is finalised in December.
26. Because of the tight timeframes and the gap until the next District Plan Committee meeting (10 March 2022), staff seek delegated authority from the Committee for the General Manager of Growth and the District Plan Committee Chair to review any revisions to the work programme (within the existing scope) and approve them accordingly.

27. **Table 1: Existing Plan Change Programme**

Plan Change Number	Topic	Timeframe/Programme
Plan Change 12	Implement the National Policy Statement on Urban Development (NPS-UD) including: <ul style="list-style-type: none"> <li>- Housing intensification</li> <li>- Manage car parking following removal under the NPS-UD</li> <li>- Manage Natural Hazards</li> <li>- Infrastructure</li> <li>- Vision and Strategy</li> <li>- Climate Change</li> </ul>	To be notified by 20 August 2020
	Accelerate the release of industrial land in the Te Rapa North Deferred Industrial Area	
	Realign zoning of Special Housing Areas Zoning	
	Implement National Policy Statement for Indigenous Biodiversity for new expanded Significant Natural Area and protection for indigenous habitat	
	Identify and protect Maori Heritage (sites of significance & archaeological), Built Heritage and Notable trees	

28. **Table 2: Option for alternative Plan Change Programme**

Plan Change Number	Topic	Timeframe/programme
Plan Change 9	<ul style="list-style-type: none"> <li>• Review Significant Natural Areas</li> <li>• Identify and protect Maori Heritage (sites of significance &amp; archaeological), Built Heritage and Notable trees</li> <li>• Identify and protect Historic Heritage Areas city wide</li> </ul>	<p>Decisions on this Plan Change will directly inform the qualifying matters chosen for the Enabling Housing Plan Change and rules that can be more permissive than the MDRS. However, this Plan Change cannot be processed under the ISPP.</p> <p>This needs to proceed concurrently with Plan Change 14.</p>
Plan Change 12	<ul style="list-style-type: none"> <li>• Manage car parking following removal under the NPS-UD</li> <li>• Manage Natural Hazards</li> <li>• Infrastructure</li> <li>• Vision and Strategy</li> <li>• Climate Change</li> <li>• Victoria Street Design Guide</li> </ul>	<p>This Plan Change cannot be processed under the ISPP.</p> <p>Staff are reviewing timing of plan change. Any aspects that are giving effect to the NPS-UD require notification by 20 August 2022.</p>



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Plan Change 14	Residential intensification requirements of the Amendment Bill & NPS-UD	The Bill proposes notification by 20 August 2022 via the intensification streamlined planning process (ISPP)  Timing and scope of this plan change will be determined by the form of the Bill that is passed into law.
Further plan changes	<ul style="list-style-type: none"> <li>• Remove the Ultra Vires provisions relating to Development Plans</li> <li>• Accelerate the release of industrial land in the Te Rapa North Deferred Industrial Area</li> <li>• Inclusionary zoning</li> </ul>	Given tight time frames and capacity issues arising from the additional work required to give effect to the Bill, anything not directly related to the NPS-UD and Amendment Bill will be likely notified in 2023.

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**Area plan update**

29. The National Policy Statement on Urban Development (NPS-UD) requires Council to notify an intensification plan change. The Area Plan project is part of the Plan Change Programme and relates directly to amendments stemming from compliance with the NPS-UD.
30. The Council previously approved four Area Plan locations (10 June 2021). In September 2021, the District Plan Committee received an update on the principles and prior public engagement results which influence the Area Plan project recommendations, and the specific boundaries of the Area Plans.
31. Alongside the NPS-UD, there are many influences on how the city grows. The Area Plans project primarily addresses the requirements of the NPS-UD. However, to ensure a broader perspective and guide technical approaches taken in the Area Plans project, design principles were developed to reflect the relevant direction set out in Council’s other relevant plans and strategies. The project recognises the need to respond to climate change and meet other legislated requirements (including but not limited to Te Ture Whaimana, NPS – Freshwater Management and NPS – Indigenous Biodiversity).
32. To ensure strategic alignment, staff are working closely with the Hamilton Urban Growth Strategy (HUGS) review project and other key projects such as the HW-MSP Transport Programme Business Case, Biking and Micro-Mobility Business Case, and other parts of the Plan Change Programme.

**Addressing the Amendment Bill**

33. Council, along with the Future Proof Partners, made a submission to the Amendment Bill, after which senior staff and the Chair of the District Plan Committee appeared before a Select Committee on 22 November 2021. A report from the Environment Committee was received on 2 December 2021 and is attached to the General Manager’s report to this meeting; staff will provide a verbal update at this meeting.
34. Notwithstanding Council’s robust submission, there is potential for the Amendment Bill to pass into law in a similar format to the draft bill’s contents, meaning the NPS-UD changes. The changes as proposed require a different method to identify areas for intensification and requires Medium Density Residential Standards (MDRS) as a minimum requirement for residential zones.

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35. The current NPS-UD policy 3(d) directs intensification to parts of the city with high accessibility and high demand. If the Amendment Bill becomes law as drafted, then zoned intensification is instead required adjacent to all suburban centre zones and sub-regional centre zones. The densities in these locations will be higher than the MDRS (e.g. more than three units and three storeys per lot).
36. A new piece of work is underway to identify the commercial centres where the NPS-UD would apply and to specify how far the intensification areas would reach into adjacent properties. Called the 'centres assessment', it will confirm the scope of intensification the NPS-UD requires as well as examine as far as practicable the potential urban design, transport, and stormwater challenges and opportunities related to the intensification.
37. An opportunity to support well-functioning urban environments exists. The Amendment Bill does not appear to require the exact same scale of intensification response in all centres. This means that the scale of intensification around different centres can vary (to be more or less) when there is good reason to modify it. For example, this might be done to support mode shift and greenhouse gas reductions by locating more intensification in the centres that are on a future rapid transit corridor than in those without future planned rapid transit.
38. To capture this opportunity to provide a strategic response to the Amendment Bill, the centres assessment aims to set out the good reasons for modifying intensification areas. This can be done by targeting more centres-based intensification in areas important for mode shift (e.g. along future rapid PT corridors), and then aligning three waters infrastructure investment to influence where intensive develop takes place in the city.

**Area Plan Recommendations (Draft) – Land use and zoning**

39. While the centres assessment is a broad look across the city, Area Plans make detailed recommendations about how to manage intensification in specific parts of the city. Area Plan recommendations are given effect by other means; for example, in the District Plan, through a business case, reserve management plans, Long Term Plan, capital project implementation.
40. Draft Area Plan recommendations are categorised into land use/zoning, access, environment, and experience. This report focuses on the draft land use/zoning recommendations, while also presenting some infrastructure system-wide growth management opportunities/challenges posed by the proposed future change in the density of existing urban areas of Hamilton.
41. To develop recommendations, the Area Plan project factors in the following matters (refer Table 3 below) into land use/zoning to implement the requirements of the NPS-UD in ways that reflect the constraints and opportunities present in each study area.

**Table 3: Factors and process to determine land use/zoning recommendations in area plans**

Steps to prepare land use/zoning recommendations	Example factors considered in each step
1. Where the NPS-UD requires to intensify	<ul style="list-style-type: none"> <li>• NPS-UD policy direction                             <ul style="list-style-type: none"> <li>○ Central City Zone</li> <li>○ 800m walk to central city zone</li> <li>○ Highly accessible areas (changing to centres in Amendment Bill)</li> </ul> </li> </ul>
2. Factors that make a place capable of being denser and still a good place to live	<ul style="list-style-type: none"> <li>• PT access, transport</li> <li>• Commercial centres</li> <li>• Parks, open spaces</li> <li>• Infrastructure (three waters, transport)</li> <li>• Existing zoning</li> <li>• Land ownership</li> </ul>
3. Where we will not intensity	<ul style="list-style-type: none"> <li>• Qualifying Matters</li> <li>• Historic Heritage</li> </ul>

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	<ul style="list-style-type: none"> <li>• Designations</li> <li>• Significant Natural Areas</li> <li>• Flood hazard zone</li> <li>• Business/industrial zones</li> <li>• Topography</li> <li>• Gullies</li> </ul>
4. What approach our principles suggest we take	<ul style="list-style-type: none"> <li>• Environmental, cultural, social and economic context</li> <li>• Prior engagement results</li> <li>• Prior stakeholder feedback</li> </ul>
5. Land use (zoning)	<ul style="list-style-type: none"> <li>• Draft land use/zoning recommendations are prepared considering steps 1-4</li> </ul>

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42. Historic heritage is recognised as a Qualifying Matter in the NPS-UD and has significantly influenced the draft land use / zoning recommendations. A site-specific investigation of each property in the Area Plans resulted in properties and groups of properties that the District Plan should retain as a lower density than the MDRS settings provide due to historic heritage value. Zoning recommendations for properties surrounding historic heritage areas and built heritage intend to provide a sensitive response on adjacent properties to historic heritage sites by reducing permitted heights.
43. **Attachment 1** provides the draft preliminary recommended land use/zoning for each area plan, as well as the comparable existing zoning. The zones on the maps provided correspond to a range of typical building heights and densities which are described in Table 3 above. Each Area Plan land use map indicates building heights. These recommendations will be refined through the District Plan drafting and their final form will be different.
44. The M1 zone reflects the MDRS from the Amendment Bill. Without the Amendment Bill there would likely be a lower density zone also, reflecting the General Residential Zone. A wider range of housing typologies will be enabled with this zoning framework. The zoning framework will also likely change before it is finalised; however, this provides an interim position to consider.

**Table 4: Recommended residential zoning framework**

	Medium Density Residential		High Density Residential	
	M1	M2	H1	H2
Key Parameters	As per Amendment Bill (to be confirmed in final bill)		Working recommendation for the Area Plans will be confirmed by the District Plan Change.	
Net Density Range	50 – 70 units/ha	70 – 100 units/ha	100+ units/ha	
Building Height (max)	Up to 3 levels 11m + an additional 1m for a qualifying pitched roof	4 - 5 levels 16m + height variation control in specified areas (higher or lower)	Up to 6 levels 22m + height variation control in specified areas (higher or lower)	6 storeys and above
Usual Building Typology	Single detached, Duplex, Terrace, Apartments, Integrated Residential Developments	Terrace, Apartments	Terrace, Apartments	Apartments

45. The draft recommended land use/zoning (Table 4) addresses the requirements of the NPS-UD for intensification and forms an evidence base for the Plan Change to make recommendations. These zones are a big change in density from the current operative plan zone settings, and they are intended to comply with the requirements of the NPS-UD and, provisionally, the Amendment Bill.

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46. Hamilton is already well served with plan-enabled (zoned) development capacity, as noted in the *NPS-UD Housing Development Capacity Assessment Future Proof Partners 30 July 2021*. The additional plan-enabled development capacity created by these recommendations does not alone indicate more development will take place at a faster pace than otherwise forecast. It does indicate the location, form, and intensity of this development may change.
47. The proposed zoning maps (shown in **Attachment 1**) do not yet reflect the Amendment Bill, and an update will be required once the bill passes into law, depending on its final form. The most likely change means any zone indicated as General Residential will change to M1 (e.g., the MDRS).

***Area Plan Recommendations (Draft) – System-wide infrastructure challenges discussion***

48. While the Area Plans will make recommendations on how to manage this change through investment into parks and open spaces, transport, and three waters infrastructure, no funding plan is in place to implement these recommendations. Without implementation of required infrastructure, the recommended land use changes will not meet other legislative obligations including Te Ture Whaimana o te Awa o Waikato which has an overarching objective to “Restore and Protect the Health and Well-being of the Waikato River”.
49. In their current states, the infrastructure networks of the city are unable to fully support the additional plan enabled infill / intensification densities required by the NPS-UD. Significant step changes in density expectations, coupled with the limited carrying capacity of our natural environment, responding and adapting to climate change, legislated requirements (including by not limited to Te Ture Whaimana, NPS – Freshwater Management, NPS – Indigenous Biodiversity) requires appropriate infrastructure and planning provisions to be in place to create a well-functioning urban environment and avoid unacceptable risks to, and adverse effects on, people and the environment.
50. The infrastructure challenges are system-wide and localised. System-wide challenges include environmental limits on water available to support existing and future populations (both in the form of water allocation and the capacity of waterways to absorb waste and contaminants); changing environmental and regulatory requirements; and the challenges associated with responding and adapting to climate change; and inadequate treatment and network capacity. Local three waters networks will need to be upgraded as much of this is decades old and was designed using lower density demand assumptions and standards from those times. For transport, there are conflicting needs to move more people through constrained road corridors whilst also retaining community fabric and reducing greenhouse gas emissions. Where relevant Area Plans will identify how these challenges relate to the boundaries of each plan.
51. As dwelling density increases, the volume of stormwater runoff going to these networks increases, further limiting the level of service they can provide. Without appropriate mitigation, this may result in greater volumes of runoff in frequent events, which will put additional pressures on already under-performing stormwater networks and create more erosion within the stream systems; greater volumes of runoff in flooding events, which will increase hazards on people and property; increased pollutant loads draining into the local stream systems and Waikato River.
52. The requirements of Te Ture Whaimana are to restore and improve the river. The business-as-usual approach to stormwater management in existing urban environments does not achieve this outcome. An innovative approach is needed to meet Te Ture Whaimana and provide resilient and liveable communities particularly considering the changing land use density settings and the impacts of climate change.

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53. There is a range of options to achieve varying degrees of environmental restoration and improvement. Most require that former overland stormwater flow paths are reinstated from private ownership to public ownership and that a highly resilient network of stormwater conveyance and treatment infrastructure installed. The form, function and location of such stormwater management infrastructure could vary from channelised concrete swales to blue-green corridors incorporating linear parks and urban pathway connections.
54. Staff have formed a preliminary opinion that the blue-green corridor concept is able to deliver an integrated resilient solution that needs further investigation. A solution of this nature is transformational, and if taken forward it is critical that the community co-design and lead the development of the stormwater and open space solutions.
55. A future project will need to be scoped to better define and evaluate flood risk and stormwater management requirements with better data than is available now and identify (via an optioneering and cost benefits analysis) a preferred solution that achieves the outcomes of Te Ture Whaimana. There are likely to be substantial land cost implications and community sensitivities to the options considered.
56. Establishing a project to investigate overland flooding risk and mitigations and stormwater quality improvements will form a key recommendation of the Area Plans project. Most Area Plan locations are encumbered with overland stormwater flow path risks (flooding risk) that need mitigation and improvements to stormwater treatment to meet Te Ture Whaimana outcomes.
57. Iwi and Community engagement is necessary to work through and determine the best servicing solutions for each of the Area Plan areas that appropriately mitigate risks, deliver on Te Ture Whaimana, and create livable places and communities. Due to Covid-19 and the Amendment Bill, engagement has been delayed with the community.
58. Another pressure from intensification affects the strategic transport network. There are tensions caused by the need to move people and freight through established communities, while simultaneously improving the benefits provided from these places to residents as intensification takes place. For example, in Five Cross-Roads providing an east-west high-frequency public transport service as well as over-dimensional freight route through the commercial centre will require substantial road widening (e.g. Cross City Connector). Road widening will affect the viability of the existing Five Cross-Roads commercial centre that plays an important role in the daily lives of Enderley and Fairfield residents.
59. The HW-MSP transport business case will provide broad guidance for future public transport networks and outline what priority projects need urgent delivery. It is expected that Area Plans can guide some of these future transport corridor business cases around land use and community sensitivities to inform the scope of subsequent transport corridor investigations.
60. Area Plans may identify some new transport corridors that may require network investment to provide the necessary supporting transport and infrastructure servicing to meet land use changes demands over time. The focus will be on the strategic transport networks and several key local transport networks to provide a corridor form and function that meets strategic objectives.

***Next steps***

61. Area Plan final drafts and Land use/zoning recommendations will be presented to the District Plan Committee in the first quarter of 2022 for approval.
62. Further detail on the stormwater and transportation system-wide challenges brought about through the NPS-UD changes and any implications resulting from the new legislation will be brought to the DP Committee at a later meeting, along with the full suite of Area Plan recommendations.

**APPENDIX 1:**

**Inclusionary zoning project update**

63. Inclusionary zoning is a planning method which seeks to create affordable housing as development occurs, resulting in communities that contain a mix of housing options for a range of incomes and household types.
64. At the 3 August 2021 District Plan Committee meeting, staff provided a summary of work to date to investigate options for inclusionary zoning.
65. Since that meeting, staff have been working to further develop the evidence base to support an inclusionary zoning policy that is specific to the Hamilton housing market.
66. A key aspect of inclusionary zoning is that this affordable housing is retained as affordable supply, meaning over time the stock of affordable housing options in Hamilton will increase.
67. This could be achieved with rules in the District Plan which require qualifying developments to contribute to affordable housing through land, money or units.
68. Inclusionary zoning typically creates housing for those earning too much to be eligible for public housing, but who may struggle to afford market rents or house prices. These households are often referred to as the intermediate housing market, or as 'stressed renter' households.
69. In addition to Hamilton City Council, Queenstown Lakes District Council, Wellington City Council and Waipa District Council are actively pursuing the use of inclusionary zoning through their district plans; all are likely to notify their plan changes some time in 2022.
70. Work on the evidence base since August 2021 includes a bespoke analysis of housing outcomes in the Hamilton market as well commencing work to investigate different policy settings for inclusionary zoning and testing the feasibility of different thresholds and contribution types.
71. At the time of writing this report, staff have received a draft report on housing outcomes in Hamilton. It includes analysis of the number of stressed renter households, provides an overview of crowding statistics and quantifies the number of households on different parts of the housing continuum. Key findings in the report include:
  - i. More than one in five renters in Hamilton are considered severely stressed, meaning they pay 50% or more of their gross household income on rent;
  - ii. Households with the housing stress outcomes are younger (aged less than 30 years) one person and one parent households and older (aged 65 years and older) couple only and one person households;
  - iii. Hamilton has similar levels of crowding to other larger New Zealand cities. Younger households, and those identifying as Maaori or Pasifika have higher levels of crowding, as do those living in Kāinga Ora rentals;
  - iv. In 2021 it is estimated there are approximately 8,000 households in Hamilton that are able to rent but unable to affordably buy a lower quartile house. This has increased from 6,100 households in 2018; and
  - v. By comparison, there are approximately 5,800 relatively well-off renters who could afford to buy a lower quartile house in 2021, reducing from 7,000 in 2018.
72. This report provides important insights into the makeup of households in Hamilton and their ability to afford to rent or purchase houses in Hamilton. The work will inform the focus of inclusionary zoning provisions to areas of greatest need, and feed into the development of policy options.
73. Staff are working with Sense Partners and Colliers to test the policy settings and feasibility of requiring an inclusionary zoning contribution.

**APPENDIX 1:**

74. This work will identify how inclusionary zoning should be applied in Hamilton, including the scope of coverage in terms of greenfield and/or brownfield, as well as the size and form of contributions, and the impact these would have on development feasibility.
75. Staff intend to bring a summary of the evidence and recommendations for the scope of a potential inclusionary zoning policy to the 10 March 2022 Committee meeting.

**Financial considerations – *Whaiwhakaaro Puutea***

76. The District Plan Programme is funded through the 2021-31 Long Term Plan. Finances are reported quarterly in the General Manager’s report to the Committee.

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

77. Staff confirm that the staff recommendation complies with the Council’s legal and policy requirements.

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

78. The purpose of Local Government changed on 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’).
79. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
80. The recommendations set out in this report are consistent with that purpose.

**Social**

81. Social wellbeing is defined as the capacity of individuals, their families, whaanau, iwi, haapu and a range of communities to set goals and achieve them.
82. The proposed approach aligns with the recently adopted 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.

**Economic**

83. Economic wellbeing is defined as the capacity of the economy to generate employment and wealth necessary for present and future financial security.
84. 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.
85. This includes ensuring that 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.

**Environmental**

86. 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.
87. Members recently agreed the vision to shape Hamilton as a green city.

**APPENDIX 1:**

**Cultural**

88. The NPS-UD requires 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.

**Risks - *Tuuraru***

89. Risks are currently tracked at project and programme level and are reported in the General Manager's report in the open agenda of the meeting. The programme utilises the Council's risk management framework.

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

**Significance**

90. Given the statutory requirement to consult, staff have not considered the key considerations under the Significance and Engagement Policy to assess the significance of the matter(s) in this report.

**Engagement**

91. A communications and engagement update is provided in the General Manager's report in the open session of this meeting.

**Attachments - *Ngaa taapirihanga***

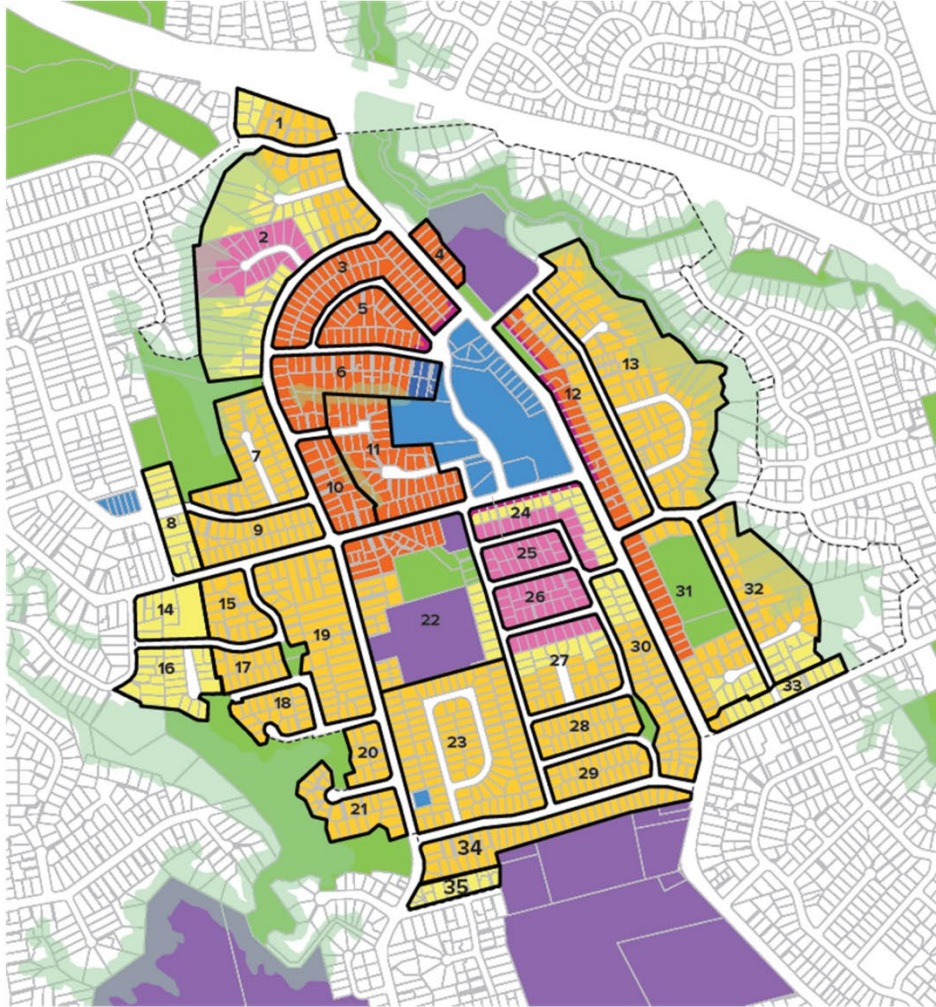
Attachment 1 - Area Plans Update - Proposed zoning



### Chartwell Area Plan – Existing Zoning



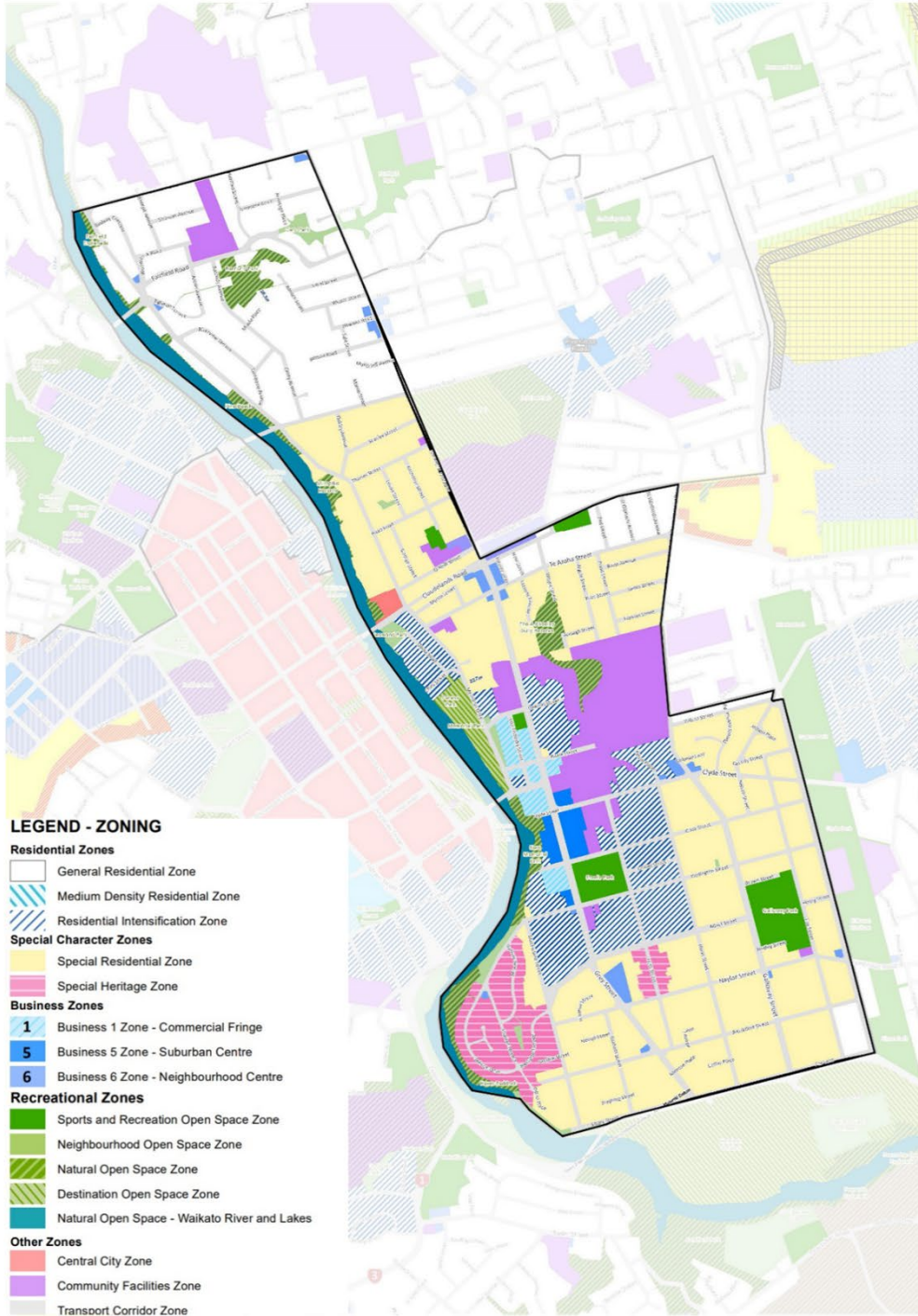
### Chartwell Area Plans – Proposed Zoning



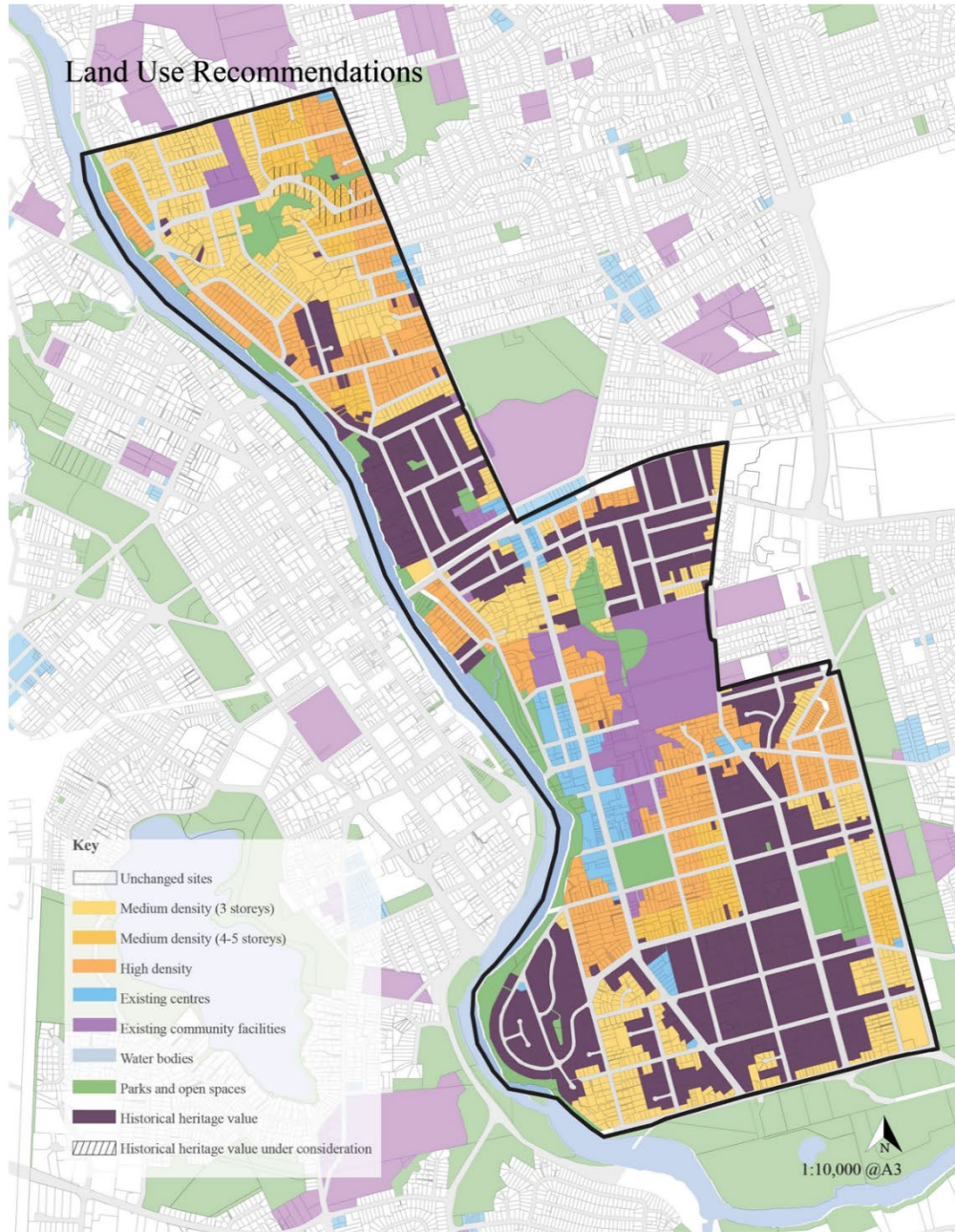
#### Key

- Commercial Zone (existing)
- Gully network
- Open Space
- Community Facility
- New Commercial Zone
- High Density 1 (<6 storeys)
- Medium Density 2 (<5 storeys)
- Medium Density 1 (<3 storeys)
- Historic Heritage - Category B
- Mixed Use Frontage

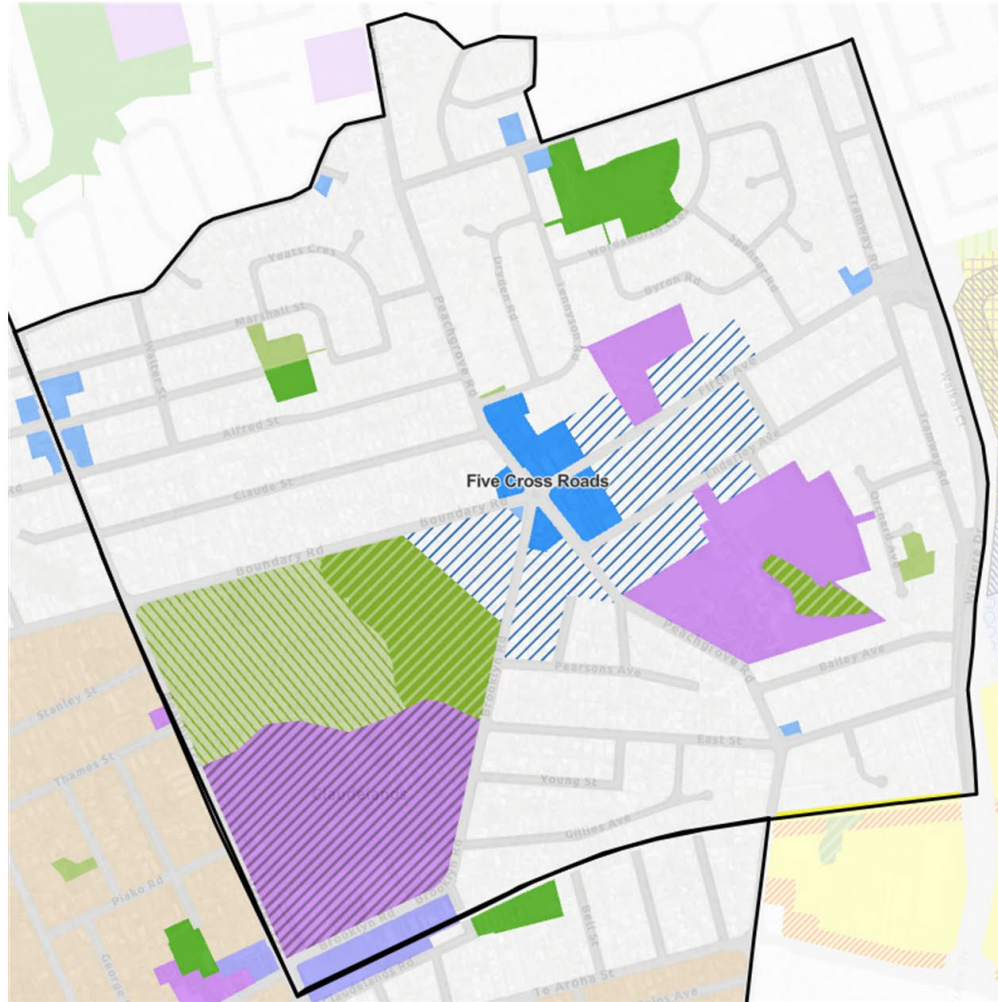
# Hamilton East Area Plan – Existing Zoning



# Hamilton East Area Plan – Proposed Zoning

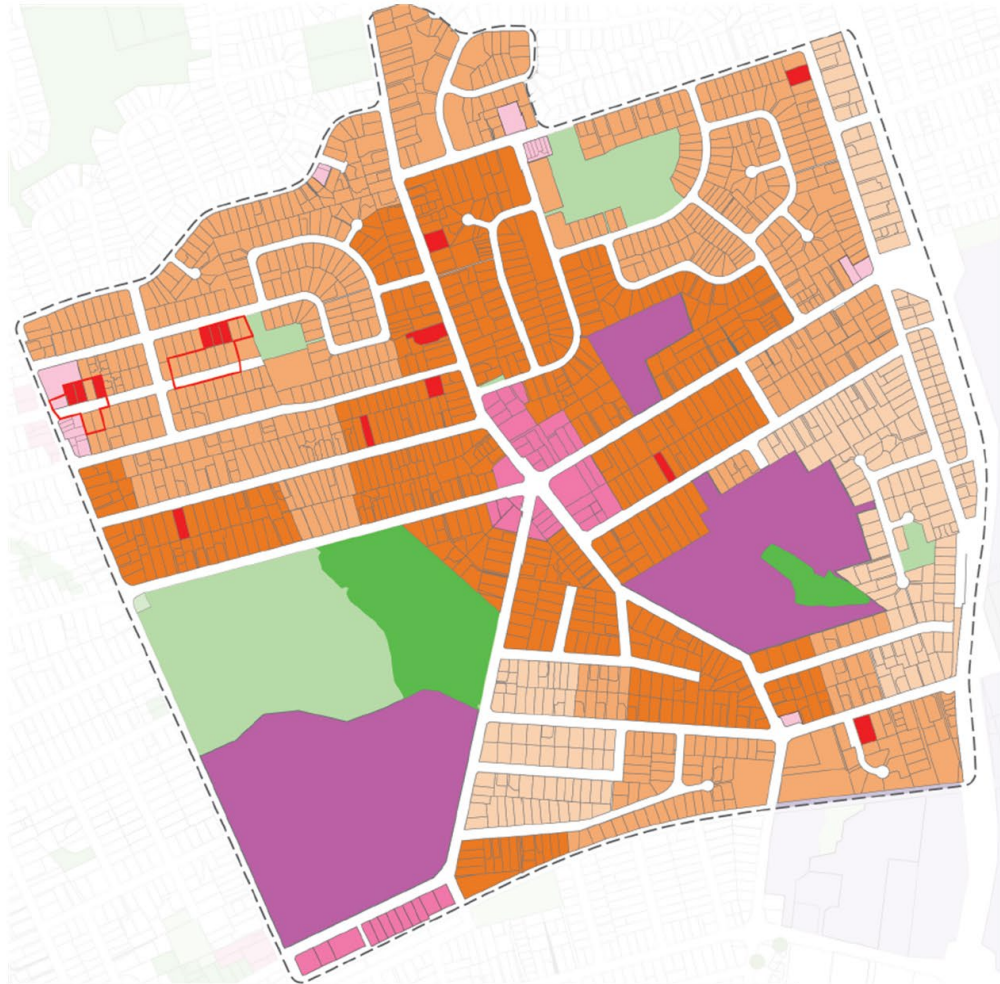


**Five Cross-Roads Area Plan – Existing Zoning**



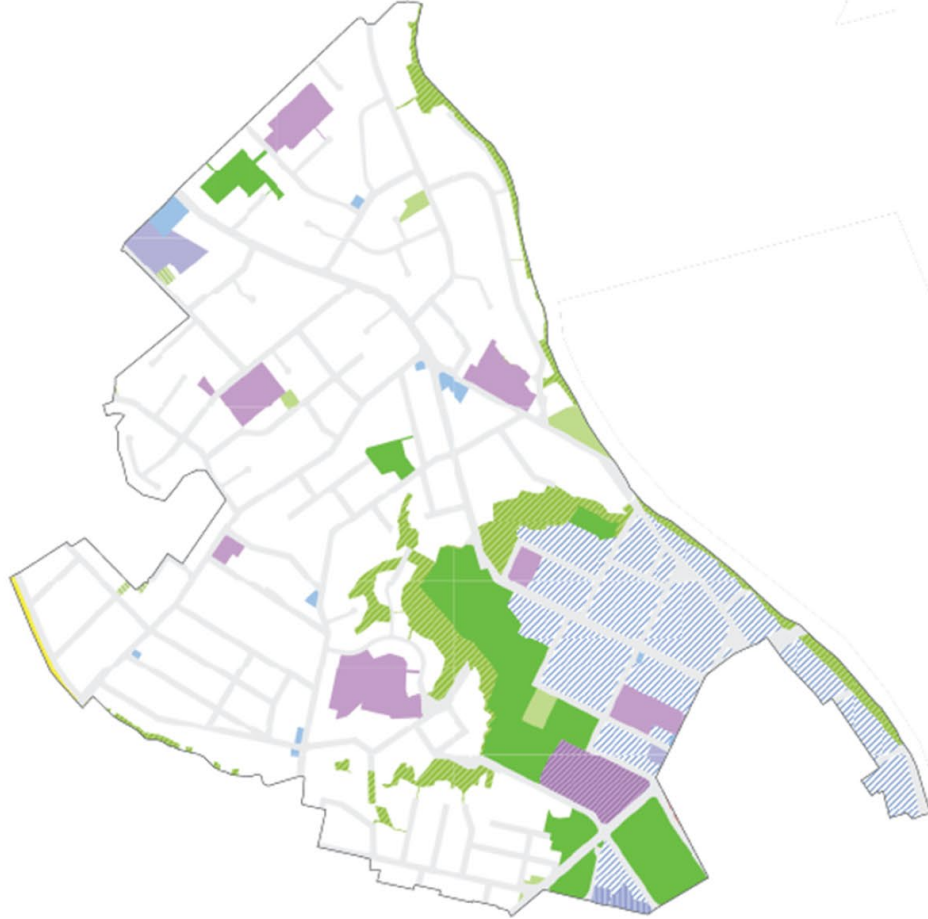
-  Residential Intensification Zone
-  Business 5 Zone - Suburban Centre Core
-  Business 6 Zone - Neighbourhood Centre
-  Sports and Recreation Open Space Zone
-  Neighbourhood Open Space Zone
-  Natural Open Space Zone
-  Destination Open Space Zone
-  Community Facilities Zone
-  Major Facilities Zone

**Five Cross-Roads Area Plan – Proposed Zoning**



Key	
<b>Assessment</b>	<b>Existing</b>
General Residential	Parks and Reserves
Medium Density Residential	Significant Natural Area
Medium-High Density Residential	Community Facilities
Local Zone	Built heritage - PC9
Mixed Use Zone	
Heritage Housing area (TBA)	
Potential Overland Flow Flood OLFP Risk Area Overlay TBC - Source of information TBC	

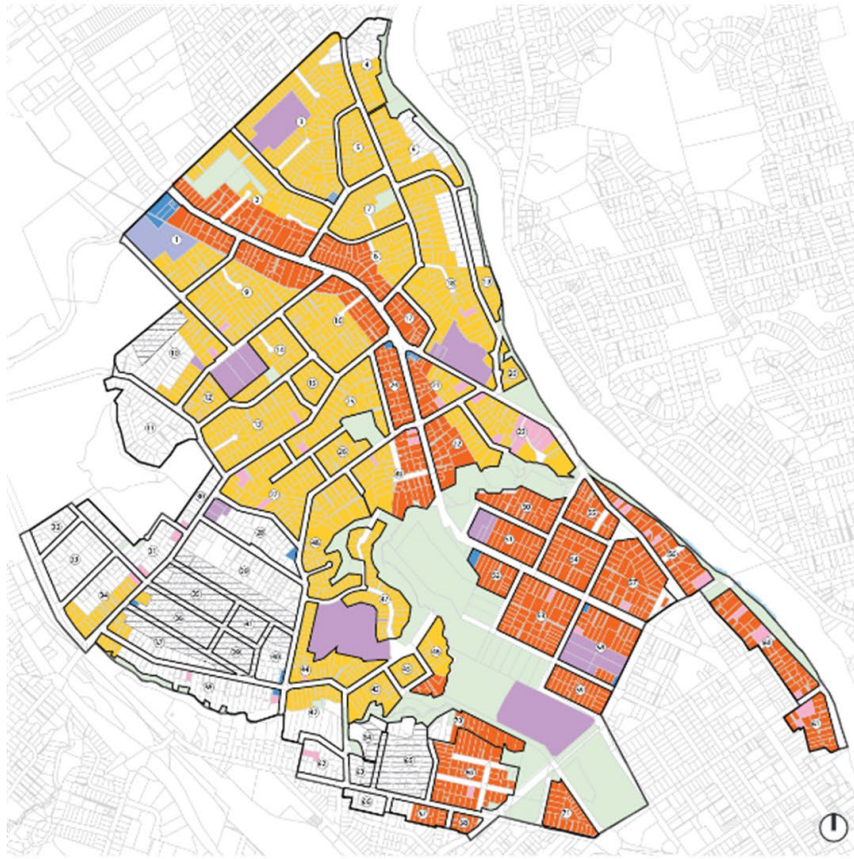
**City Centre North Area Plan – Existing Zoning**



**Legend**

- General Residential Zone
- Medium Density Residential Zone
- Residential Intensification Zone
- Industrial Zone
- Sports and Recreation Open Space Zone
- Neighbourhood Open Space Zone
- Natural Open Space Zone
- 6 Business 6 Zone - Neighbourhood Centre
- Community Facilities Zone
- Major Facilities Zone
- Transport Corridor Zone

### City Centre North Area Plan – Proposed Zoning



Legend

Proposed Landuse

- High density
- Medium density
- Existing (Low density)
- Heritage area
- Heritage buildings

Existing

- Parks & Reserves
- Community Facilities
- Centres
- Events Facilities Fringe

Note: These zoning recommendations assume that a significant strategic role for the Te Rapa Road/Ulster Street Transport corridor in relation to rapid transit or similar. If this does not proceed then the dense corridor north of the gully will revert to medium density, whilst the Whitiara area remains high density.