

UNDER

the Resource Management Act 1991
("RMA")

IN THE MATTER

of the Proposed Waikato District
Plan: Hearing 25 – Zone Extents.

**EVIDENCE OF PHILIP JOHN STICKNEY ON BEHALF OF KĀINGA ORA-
HOMES AND COMMUNITIES**

PLANNING

17 February 2021

**ELLIS GOULD
LAWYERS
AUCKLAND**

**Level 17 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172 / Fax: 09 358 5215
PO Box 1509
DX CP22003
AUCKLAND**

REF: Douglas Allan / Alex Devine

1. Summary Statement

1.1 My full name is Philip John Stickney. I am a Senior Associate at Beca Limited. I am providing planning evidence on behalf of Kāinga Ora-Homes and Communities (“**Kāinga Ora**”) (formerly Housing New Zealand Corporation) in relation to its submissions on the Proposed Waikato District Plan (“**PDP**” or “**Plan**”) insofar as they relate to this hearing. Specifically, this evidence relates to the provisions and spatial application of the Medium Density Residential Zone (“**MDRZ**”) proposed by Kāinga Ora.

1.2 In summary, the key points and conclusions addressed in my evidence are as follows:

- (a) Commentary on the “Lenses” for assessment contained within the section 42A Framework Report prepared by Dr Mark Davey (“**42A Framework Report**”)¹ and my conclusions regarding that Report;
- (b) The “Why, How, Where and When” in the context of the proposed MDRZ – focusing on the alignment of the MDRZ with the higher-order documents and summarising the key conclusions drawn from the section 32AA Report appended to this evidence at **Annexure 1 (“32AA Report”)**. I adopt the conclusions reached in the section 32AA Report, and in the section 42A report prepared by Jonathan Cleese (“**42A MDRZ Report**”)². I consider that the proposed MDRZ and associated provisions meet the tests of section 32 of the Resource Management Act (“**RMA**”) – promoting the sustainable management of natural and physical resources;
- (c) My responses to the 42A MDRZ Report prepared by Mr Jonathan Cleese³, focusing on the merits of the MDRZ concept, whether the principles for a MDRZ framework recommended in the 42A MDRZ Report are appropriate and whether the draft set of provisions developed by Kāinga Ora achieve those principles. I have drawn attention to, and made comments on, the revised

¹ Waikato District Council, *Hearing 25 Zone Extents - Framework Report* (19 January 2021).

² Waikato District Council *Hearing 25 Zone Extents - Section 42A Report, Future Urban Zone and Residential Medium Density Zone* (26 January 2021).

³ *Ibid.*

provisions and spatial extent of the MDRZ. I consider the MDRZ provisions appended to this evidence⁴ provides sufficient opportunities for the development of housing to meet projected demand and provides for a range of dwelling types across strategic locations to meet the needs of people and communities as well as future generations within the Waikato District ; and

- (d) The refinement of the MDRZ provisions following the initial draft provisions circulated to relevant submitters in December 2020. I consider that the changes made to the MDRZ provisions amount to improvements to and refinements of the draft MDRZ provisions provided to Council and circulated to submitters by Kāinga Ora on 23 November 2020 (“**2020 Draft MDRZ Provisions**”) but do not change the essential characteristics of those provisions – noting my support for these changes.

⁴ Refer to **Annexure 1**, s32AA Report at Appendix 2.

2. Introduction

- 2.1 My name is Philip John Stickney. I am a Senior Associate - Planning at Beca Ltd. I hold the degree of Bachelor of Regional Planning (Hons) from Massey University and I am a full member of the New Zealand Planning Institute.
- 2.2 I am providing planning evidence on behalf of Kāinga Ora in respect of submissions made seeking the introduction and application of the MDRZ within the Waikato District. In doing so, I will first provide additional information on the rationale for the MDRZ and the content of that zone.
- 2.3 I was not involved with the preparation of primary and further submissions; however, I can confirm that I have read the submissions and further submissions by Kāinga Ora in relation to the PDP. I am familiar with Kāinga Ora's corporate intent in respect of the provision of housing within Waikato. I am also familiar with the national, regional and district planning documents relevant to the PDP and have previously prepared and presented evidence on the Business and Business Town Centre Zones, the Residential Chapter, the Natural Environment Chapter and the Infrastructure Chapter of the PDP.
- 2.4 I am also personally very familiar with many of the settlements and landscapes within the Waikato District having resided in the rural northern Waikato District for the last 6 years.
- 2.5 I have 27 years' planning and resource management experience, providing technical direction on numerous projects over the years, particularly focussing on land development projects and policy planning. I have been involved in a number of plan review and plan change processes. In particular, I have been a lead member of planning teams for policy planning projects including:
- (a) The Proposed Waikato Regional Policy Statement review, The Waikato Future-Proof Growth Strategy and the Proposed Hamilton District Plan review process; on behalf of Tainui Group Holdings, focussing primarily on the policy and rules framework for the Ruakura development in Eastern Hamilton.
 - (b) The preparation of planning provisions for the former Auckland City Council District Plan (Hauraki Gulf) special policy and rules

framework to govern the restoration and conservation/recreational use of Rotorua Island in the Hauraki Gulf.

- (c) Collaborative planning with Whangarei District to develop the Planning framework including zoning and planning rules for the Marsden Cove Waterways canal housing development at Ruakaka.
- (d) Numerous lead consenting team roles for multi-unit and medium density.

3. Code of Conduct

- 3.1 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

4. Direction from Hearings Panel

- 4.1 Directions received from the Hearing Commissioners⁵ request that submitters seeking rezoning are to file a section 32AA RMA assessment to support their rezoning proposals.
- 4.2 In that regard:
 - (a) Kāinga Ora's submission regarding the MDRZ was initially addressed during Hearing 10 – Residential on 25 February 2020. At that stage, Kāinga Ora provided proposed provisions to the Commissioners, along with supporting analysis.
 - (b) The 2020 Draft MDRZ provisions and a draft section 32AA RMA report were provided to Council and circulated to submitters by Kāinga Ora on 23 November 2020 ("**2020 32AA Report**"). This is the documentation referred to in the 42A MDRZ Report.

⁵ Dated 12 May 2020.

- (c) Attached to this evidence as **Annexure 1** is the final 32AA Report which includes the revised draft MDRZ provisions. The revised provisions are based on the 2020 Draft MDRZ Provisions but incorporate changes that respond to discussions with Council representatives and the 42A MDRZ Report.
- (d) My evidence seeks to highlight key aspects of and complement the appended 32AA Report, rather than repeat it in great detail. In my opinion, the changes that have been made to the MDRZ provisions amount to improvements to and refinements of the 2020 Draft MDRZ Provisions but do not change the essential characteristics of those provisions.

5. Scope of Evidence

- 5.1 My evidence will focus on the appropriateness and implementation of the MDRZ as proposed in Kāinga Ora's primary submission⁶. The introduction of the proposed MDRZ is the most significant outcome sought by Kāinga Ora on the PDP. The proposed provisions and policy framework of the zone were discussed in detail in my evidence provided in Hearing 10 – Residential Chapter⁷. This statement relies upon that earlier evidence and I have endeavoured to avoid repeating that material.
- 5.2 In addition, I will also address the following in my evidence:
 - (a) Commentary on the “Lenses” for assessment contained within the 42A Framework Report;
 - (b) Whether the principles for a MDRZ framework recommended in the 42A MDRZ Report are appropriate – responding to those recommendations put forward in this Report; and
 - (c) Whether the draft set of MDRZ provisions developed by Kāinga Ora achieve the principles.
- 5.3 In reaching conclusions on these points, my evidence relies upon and adopts the evaluations and conclusions contained in:

⁶ Sub No. 749.124

⁷ Hearing 10 - Residential, EIC, Philip Stickney (Planning) for Kāinga Ora, dated 3 February 2020.

- (a) The appended 32AA Report prepared by Beca (**Annexure 1**);
 - (b) The evidence of Mr Parlane regarding the benefits, in transportation terms, of locating the MDRZ in the manner proposed.
 - (c) The feasibility assessment prepared by Property Economics⁸ and the related evidence of Mr Osborne;
 - (d) The zone extent methodology report prepared by Barker & Associates⁹ and the related evidence of Mr Wallace with respect to the locations where the MDRZ should be applied; and
 - (e) The analysis and conclusions reached in the 42A MDRZ Report
- 5.4 Rather than repeat the material stated above in detail, I will instead focus on the recommended refinements to the 2020 Draft MDRZ Provisions as put forward in the 42A MDRZ Report.
- 5.5 I have structured my statement into broad planning themes of “Why, How, Where and When” in the context of the proposed MDRZ. In doing so, I have concisely addressed the matter of the planning Objectives, Policies and development standards for the proposed MDRZ given that these are relevant to the consideration of the zone extent in terms of implementation and delivery of medium density residential development in the relevant settlements where rezoning has been sought. The 32AA Report assesses the Objectives, Policies and Development Standards in considerably more detail.
- 5.6 Since these plans and documents have been prepared (and are still being advanced), the National Policy Statement on Urban Development 2020 (“**NPS-UD**”) has been gazetted (20 August 2020), The NPS-UD provides clear guidance on the issue of planning for urban form and achieving more alignment and efficiencies between infrastructure, landuse and urban development. My evidence addresses the introduction of the MDRZ into the PDP in the context of the directions of the NPS-UD.

⁸ Refer to **Annexure 1**, s32AA Report at Appendix 6.

⁹ Refer to **Annexure 1**, s32AA Report at Appendix 5.

6. MDRZ – Kāinga Ora Submission Overview

- 6.1 Kāinga Ora’s primary submission¹⁰ sought to add a new Residential Zone (the MDRZ) into the PDP that would enable apartment, terrace housing and multi-unit developments – enabling higher intensity development than typically found in the notified General Residential Zone (“GRZ”). The proposed MDRZ would be a new chapter with associated ‘Land use – Activities’, ‘Land Use – Effects’ and ‘Land Use – Building and Subdivision’ provisions inserted into the PDP.
- 6.2 The maps included in Appendix 2 of the appended 32AA Report illustrate the proposed spatial extent of the MDRZ now sought by Kāinga Ora. The zone is proposed to be located within the urban settlements of Tuakau, Pokeno, Te Kauwhata, Huntly, Ngaruawahia and Raglan.
- 6.3 The proposed spatial extent of the zone has been determined utilising ground truthing, slope analysis, walking catchment analysis, natural hazard analysis and is deliberately proposed close to town centres, strategic transport corridors and in proximity to community services / amenities. Kāinga Ora’s relief in terms of the MDRZ extent is confined to existing urban areas. A detailed methodology for assessing and mapping the spatial extent of the zone is contained in Appendix 3 of the 32AA Report and is discussed in detail in Mr Wallace’s evidence.
- 6.4 The spatial extent of the MDRZ contained in the maps appended to the 32AA Report has been scaled back compared with the maps provided in Kāinga Ora’s primary submission. This refinement of the spatial extent is a result of careful analysis in the walkability, ground truthing, capacity modelling and economic feasibility, all of which are matters for consideration within Appendix 1 (*Rezoning Assessment Framework*) of the 42A Framework Report. Mr Wallace’s evidence includes an analysis of the spatial application of the MDRZ against the “three lenses” as set out in the 42A Framework Report.¹¹ I have reviewed both the feasibility assessment prepared by Property Economics and the methodology

¹⁰ Sub No. 749.124

¹¹ Hearing 25 – Zone Extents, EIC, Cameron Wallace (Urban Design) for Kāinga Ora, dated 17 February 2020 at Appendix 1.

prepared by Barker & Associates. I have also undertaken a site visit to each of the urban settlements where the MDRZ is proposed.

- 6.5 Overall, I support the spatial extent of the proposed MDRZ as currently mapped in Appendix 2 of the 32AA Report. The rationale for my support is contained in detail in the following sections of my evidence.

7. The 42A Framework Report Approach

- 7.1 I have reviewed the 42A Framework Report. I support the intent of the approach adopted by Waikato District Council (“**WDC**”) to apply a uniform method to the consideration of submissions on zoning across the District. I understand this approach is intended to ensure both the considerations and the recommendations of the individual section 42A authors are consistent. I note this approach was considered necessary by the Hearing Panel.
- 7.2 The 42A Framework Report employs a, “*three-lens method for s42A authors to employ when assessing and making recommendations on zoning submissions*”¹². I have sought to utilise this approach where it is reasonable to do so and in particular, utilising Lenses 2 and 3.
- 7.3 Consideration of a rezoning submission against the ‘Lens 1’ framework requires an assessment of rezoning submissions against the relevant Objectives and Policies in the PDP¹³. This assessment is to determine whether the intent of the PDP is met by the submission. Failing to satisfy this assessment negates an assessment against both the ‘Lens 2’ and ‘Lens 3’ framework. That being the case, the rezoning submission is to be rejected by the section 42A author.
- 7.4 I have concerns in respect of ‘Lens 1’ given the emphasis on the notified suite of PDP Objectives and Policies as these provisions are subject to numerous submissions seeking amendments and changes. I appreciate that the Commissioners have elected to hold separate hearings on the policy provisions and the zoning of land. My expectation, however, is that the Commissioners will ultimately assess all the relief and evidence before

¹² Section 42A Report ‘*Hearing 25 Zone Extents - Framework Report*’ (19 January 2021). Para. 6, pg. 2.

¹³ With reference to the ‘Matrix of Relevant Objectives and Policies in the PWDP’ appended to the 42A Framework Report as Appendix 2.

them before making decisions that are coherent and internally consistent. In that context, I do not consider that decisions regarding zoning will necessarily need to give effect to the notified PDP provisions. My expectation is that policy provisions may be altered in response to submissions and in a way that leads logically to zoning outcomes that may not give effect to the notified PDP provisions.

- 7.5 Section 75(3)(a) of the RMA requires a district plan to give effect to “*any national policy statement*”. Where a proposed district plan is notified prior to a national policy statement – such as in the case of the notification of the PDP in 2018 and the recently gazetted NPS-UD in 2020 – the hearing process becomes the most opportune and appropriate time and process to align the proposed Objectives and Policies of the PDP to give effect to the new national policy statement.
- 7.6 Kāinga Ora seeks to introduce a package of relief which includes revisions to high order Objectives and Policies, a set of Objectives and Policies that relate to the MDRZ, a set of rules in respect of the MDRZ and alterations to the PDP maps to allocate the MDRZ to areas adjacent to town centres. In my opinion those provisions are clearly aligned with the direction in the NPS-UD and, to a less overt extent, the Waikato Regional Policy Statement 2016 (“**RPS**”). Should there be inconsistencies between the MDRZ and the notified PDP, the proposed zone would ‘fail’ the ‘Lens 1’ test and subsequently be rejected – irrespective of whether the proposed zone gives effect to higher order documents that, similarly, the PDP should also be giving effect too.
- 7.7 Further, the importance of giving effect to higher order documents (in particular the NPS-UD and the RPS) is not clearly articulated in the methodology surrounding ‘Lens 2’.
- 7.8 In the case of the RPS, section 62(3) of the RMA requires that an RPS must “*give effect to a national policy statement*”. Given the RPS was operative prior to the NPS-UD, there are inherent tensions between the NPS-UD and the RPS. In terms of a ‘Lens 2’ assessment, the 42A Framework Report approach is problematic as the higher order documents that a rezoning submission must “*give effect to*” are not entirely consistent with one another. The 42A Framework Report is silent on weighting between the RPS and NPS-UD. It is therefore unclear how weighting is afforded to a rezoning submission that, for example, may be

entirely consistent with the NPS-UD however is not, to the same degree, consistent with the RPS (and by virtue the notified Objectives and Policies of the PDP which were drafted to give effect to the RPS and not the NPS-UD).

7.9 Notwithstanding, my evidence below seeks to address the 'three lens approach' set out in the 42A Framework Report in the context of the proposed MDRZ as sought by Kāinga Ora. In addition, I have had regard to and support the analysis in the 42A MDRZ Report, which is more closely focused on the MDRZ proposal.

8. MDRZ – Rationale (the “Why”)

8.1 From the wide range of planning and policy documents that have been referenced in the 42A Framework Report and the subsequent 42A MDRZ Report, I consider it evident that there is an identified growth demand in the Waikato District. I also consider that demand for housing and the planning response to it should be placed within the context of the economic relationship of the Waikato District to the Hamilton City in the south and to Auckland in the north.

8.2 As I discussed above, section 75(3) of the RMA sets out those documents which a District Plan must give effect to, as opposed to those where regard may be had. The higher order statutory instrument which best illustrates this integrated thinking is the NPS-UD, which the District Plan is required to give effect to.

National Policy Statement on Urban Development 2020

8.3 Since these plans and documents have been prepared (and are still being advanced), clear Policy Direction and Actions from central Government have been set out in the NPS-UD which are significantly more targeted and directive on matters of urban form than those contained within the previous National Policy Statement on Urban Development Capacity 2016.

8.4 At the time that the District Plan review was commenced (and at the time that Hearing 10 took place), the NPS-UD had not been approved or gazetted. Accordingly, the evidence presented at that hearing in respect of the policy framework underpinning the relief sought was not able to draw on this document in any significant way, other than considering the

issue of the proposed MDRZ within the context of current thinking by Central Government on this issue.

- 8.5 The NPS-UD was gazetted on 20 August 2020, and on that basis provides clear guidance on the issue of planning for urban form and achieving more alignment and efficiencies between infrastructure, landuse and urban development.
- 8.6 The policy intent of the NPS-UD is to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities that contribute to the well-being of our communities by:
- (a) Giving clear direction about planning for growth;
 - (b) Supporting local government to apply more responsive, effective planning and consenting processes; and
 - (c) Clarifying the intended outcomes for urban development within communities and neighbourhoods across New Zealand.
- 8.7 The geographic targeting of the NPS-UD policies uses a ‘three-tier’ static approach. WDC is identified as a ‘Tier 1 local authority’ pursuant to the NPS-UD. The more directive policies applying to Tier 1 local authorities include:
- (a) Future Development Strategy (“**FDS**”) preparation (Policy 2 and 10 and Sub-part 4);
 - (b) Housing and Business Development Capacity Assessment (“**HBA**”), monitoring provisions and housing bottom lines (Policy 7 and Sub-part 5); and
 - (c) Removing minimum car parking requirements (Policy 11 and Subpart 8).
- 8.8 The rationale for the ‘three-tier’ static approach is that the largest territorial authorities – such as WDC – have the capability and capacity to implement all NPS-UD policies.

- 8.9 The intensification policies (Policy 3 and 4) seek to improve land flexibility in existing urban boundaries through enabling and providing for higher-density development in appropriate locations. This framework provides greater specificity in prescription provided to urban environments with clear evidence of benefit (being city and metropolitan centres and rapid transport nodes).
- 8.10 In the context of the Waikato District, the proposed provisions and spatial extent of the MDRZ seeks a framework package that encourages opportunities for appropriate intensification along and around strategic transport corridors and nodes that aligns with current and future residential demand in the District. It is important to note that the NPS-UD places prescriptive requirements on Tier 1 local authorities including, but not limited to, the notification of plan changes to give effect to the intensification policies within two years of the NPS-UD being gazetted.
- 8.11 In addition, the NPS-UD intends to ensure planners and decision makers better understand development markets. The NPS-UD provisions (specifically Policy 7 and Implementation Subpart 3 (including 3.11), 5 and 7) require local authorities to gather evidence about the housing market (through HBAs) to inform planning decisions regarding zone objectives, policies, rules and assessment criteria. Such decisions should provide adequate housing supply to maintain competitive land and development markets and, consequently, improving housing choice and affordability. Of particular note, zone rules should be carefully considered to ensure they do not undermine the intent of a zone (as articulated in the zone objectives) and inhibit urban development.
- 8.12 Property Economics have provided a capacity and feasibility assessment of the proposed MDRZ in the context of Waikato District¹⁴. The assessment concludes that adopting the proposed MDRZ in conjunction with the GRZ can accommodate the projected growth of the Waikato District while providing feasible and affordable housing options than if only the GRZ is adopted. I support the conclusions of this assessment.
- 8.13 The 42A MDRZ Report reaches similar conclusions regarding the alignment of the proposed MDRZ with the direction of the NPS-UD. In

¹⁴ Refer to **Annexure 1**, s32AA Report at Appendix 6

particular, I concur with the conclusions of Mr Cleese regarding the fact that, “*the Operative Plan and the PDP both only provide for low density suburban outcomes*”¹⁵ and that, “*there is a clear need to enable an increase in residential density adjacent to the District’s larger town centres in order to meet NPS-UD directions*”¹⁵.

- 8.14 In summary, I consider the proposed MDRZ provides a vital role in giving effect to the requirements of the NPD-UD. In particular by providing sufficient opportunities for the development of housing to meet projected demand and providing for a range of dwelling types across strategic locations to meet the needs of people and communities as well as future generations.
- 8.15 I appreciate that the PDP was prepared and notified prior to the NPS-UD being released, however, as discussed above, the policies and directions of the NPS-UD are directly relevant to the PDP in the context of urban intensification and the proposed MDRZ. Therefore, I consider the current PDP process is the most opportune and appropriate time for giving effect to the NPS-UD by—providing for an intensification framework for the Waikato District byway of introducing a MDRZ within the PDP. I note there are efficiencies gained addressing the NPS-UD through this process rather than deferring to a later date within the required two-year timeframe – creating a duplication of processes, meaning additional time and resource for not just Council staff, but also for future submitters.

Operative Waikato Regional Policy Statement 2016

- 8.16 The RPS provides the broad strategic framework for guiding urban growth and development throughout the Waikato Region. It embeds the Future-Proof Growth and Settlement Pattern into it to provide guidance on settlement form and areas allocated for future growth.
- 8.17 The 32AA Report appended to this evidence has reviewed and assessed the Objectives and Policies of the RPS that have been identified by WDC as the ‘most relevant’ in the context of housing development.¹⁶ In summary, the identified Objectives and Policies direct that residential

¹⁵ Section 42A Report ‘*Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone*’ (26 January 2021). Pg. 50-51, Para. 180.

¹⁶ Refer to **Annexure 1**, s32AA Report at Appendix 4

growth is to be consolidated, sustainable, coordinated (insofar as land use and infrastructure development), focused within existing urban areas, and provide for a range of house options (choice) that achieves good urban design.

- 8.18 In addition, section 6A of the RPS outlines general development principles which are intended to guide District Plan development, amongst other matters. While not Objectives or Policies themselves, these principles assist with interpreting the policy intent of the RPS.
- 8.19 The General Principles include the need for new development to make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas, to promote compact urban form, design and location to minimise energy use, minimising the need for private motor vehicle use, encourage walking, cycling and multi-modal transport connections, and to maximise opportunities to support public transport and opportunities for people to live, work and play within their local area.
- 8.20 Drawing from the conclusions reached in the 32AA Report, the proposed MDRZ has regard to the RPS by more readily facilitating a compact and efficient urban form through urban intensification, enabled through more liberal development controls and supporting policy framework.
- 8.21 Similarly, as noted by Mr Cleese in the 42A MDRZ Report, *“accommodation of growth through intensification of already urbanised areas is consistent with a number of policies that identify areas where growth should not occur (or needs to be carefully managed).”*¹⁷ Further, Mr Cleese recognises that intensification is consistent with broader RPS directions¹⁷.
- 8.22 I adopt the conclusions reached in both the appended s32AA Report and the 42A MDRZ Report in relation to the alignment of the MDRZ with the RPS.

¹⁷ Section 42A Report ‘Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone’ (26 January 2021). Pg. 51-52, Para. 183.

9. MDRZ – Objective, Policies and Provisions (the “How?”)

9.1 The Directions from the Hearing Panel dated 12 May 2020 set out several matters for consideration in respect of those submissions seeking rezoning; and for those that sought additional lands be up zoned for greenfield residential (or other urban) uses.

9.2 The relief sought by Kāinga Ora includes a tailored suite of Objectives, Policies and development standards that will guide the progressive development of land within the proposed MDRZ (refer to Appendix 1 of the **attached** 32AA Report for the revised draft MDRZ provisions).

Section 32AA Analysis of the MDRZ

9.3 The appropriateness, alternatives, costs and benefits of the revised approach to residential zoning in the PDP (that is, moving from one residential zone - the GRZ – to two residential zones - both the GRZ and MDRZ) has been evaluated in accordance with section 32AA of the RMA.

9.4 The evaluation presented in the 32AA Report concludes that the spatial extent of the MDRZ, including the tailored set of provisions, meets the tests of section 32 RMA. The 32AA Report demonstrates that developing a new set of provisions for greater variation and higher density development that is spatially located in strategic locations within residential areas of Waikato while retaining the balance of residential land under the notified GRZ zoning:

- (a) Is the most appropriate solution in meeting the purpose of the RPS, NPS-UD and RMA;
- (b) Addresses the key resource management issues identified by WDC as relevant to the Waikato District;
- (c) Results in considerable efficiencies with the benefits of implementing this approach outweighing the costs;
- (d) Supports the strategic direction of the notified PDP by way of promoting the efficient use of existing services and infrastructure through compact urban form / consolidation of urban growth;
- (e) Is consistent with good urban design practice by locating intensification in areas which would better support the use of

active modes of transport, reduce private vehicle use and contribute to more vibrant, well-functioning urban centres; and

- (f) Provides for a considerably greater feasible residential capacity compared to only adopting the GRZ as per the notified PDP.

9.5 In the 42A MDRZ Report, I note that Mr Cleese “*generally*”¹⁸ adopts the conclusions reached in the 2020 32AA Report following a review of the higher order directions provided in his interpretation of the NPS-UD and the RPS.

9.6 I adopt the conclusions reached in both the 32AA Report and the 42A MDRZ Report. I consider that the proposed MDRZ and associated provisions meet the tests of section 32 of the RMA – promoting the sustainable management of natural and physical resources.

MDRZ Provisions (Revised)

9.7 Subsequent to the circulation of the draft 2020 Draft MDRZ provisions, Kāinga Ora has been in discussions with WDC regarding the proposed provisions. In the 42A MDRZ Report, Mr Cleese recommends several refinements to the draft 2020 Draft MDRZ provisions following his preliminary review¹⁹.

9.8 Kāinga Ora has responded to these concerns through further amendments to the Draft 2020 Draft MDRZ provisions (refer to the revised provisions appended to the 32AA Report²⁰). I draw attention to the following amendments and comments in response to the recommended refinements suggested by Mr Cleese:

- (a) The purpose / role of the MDRZ, the built form outcomes to be delivered by the MDRZ, and the geographic / locational criteria for the location of the MDRZ have been addressed in further detail within the ‘Zone Statement’ section of the revised MDRZ provisions.

¹⁸ Section 42A Report ‘Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone’ (26 January 2021). Pg. 62, Para. 222.

¹⁹ Section 42A Report ‘Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone’ (26 January 2021). Pg. 60-59, Para. 219.

²⁰ Refer to **Annexure 1**, s32AA Report at Appendix 1.

- (b) Clarification on the built form outcomes to be delivered by the MDRZ provisions has been addressed by way of amendments to the policy framework relating to built form / amenity.
- (c) The activity status and policy framework for 'non-residential' activities has been revised to more clearly articulate the enablement and restriction of such activities – noting the refinements to the scale of 'community facilities' and the activity status cascade for both 'community facilities' and 'commercial activities'.
- (d) The built form standards to manage potential zone interface issues (particularly between the MDRZ and GRZ) have been refined to address concerns raised by Mr Cleese. In addition, Mr Wallace has prepared concept imagery illustrating the potential built form outcomes resulting from the permitted building envelope of the MDRZ.²¹
- (e) A more comprehensive qualitative list of matters of discretion for Council to consider when assessing applications for four or more residential dwellings per site has been incorporated into the MDRZ provisions. The refinements and additions to these matters of discretion draw from aspects of the multi-unit design guide appended to the notified PDP²².
- (f) Various amendments to the MDRZ provisions to ensure consistency, where appropriate, with the GRZ provisions – including those changes to the GRZ proposed in Council's rebuttal evidence²³.

9.9 In my opinion, the changes that have been made to the MDRZ provisions listed above amount to improvements to and refinements of the 2020 Draft MDRZ Provisions but do not change the essential characteristics of those provisions. I support these changes.

²¹ Hearing 25 – Zone Frameworks, EIC, Cameron Wallace (Urban Design) for Kāinga Ora, dated 17 February 2021 at Appendix 2.

²² Appendix 3.4 to the Notified PDP.

²³ Section 42A Report 'Rebuttal Evidence. Hearing 10: Residential Zone' (February 2020), Appendix 3.

10. MDRZ – Spatial Extent (the “Where”)

Waikato 2070 and Future Proof Strategy 2017

- 10.1 I have reviewed various additional discussion documents, reports and strategies that are considered relevant to the issue of enabling a MDRZ. These documents have been assessed in detail within the 32AA Report and in the 42A MDRZ Report.
- 10.2 For the purpose of this evidence, I consider it relevant to discuss both the Waikato Growth and Economic Development Strategy 2070 (“**Waikato 2070**”) and the Future Proof Strategy 2017 (“**Future Proof**”) in this statement given:
- (a) They provide context to policy development and future planning in the Waikato District;
 - (b) They demonstrate a level of community engagement and feedback on the design and form of urban settlements in the Waikato District; and
 - (c) In the case of Future Proof, the strategy was prepared under the Local Government Act and the Hearing Panel is required to have regard to it when preparing a District Plan (in accordance with section 74(2) (b)(i) of the RMA) – particularly in the context of ‘Lens 2’.

Waikato 2070 and Economic Development Strategy 2070

- 10.3 The purpose of the Waikato 2070 is to guide the growth in the Waikato District over the next 50 years by informing future planning, investment and decision making.
- 10.4 Development Plans for each major settlement in the Waikato are appended to Waikato 2070²⁴. Informed through community engagement on the future of the urban areas within the Waikato District and the location and nature of residential intensification, these Development Plans signal the potential for the development of more intensive forms of

²⁴ Tuakau, Pokeno, Mangatawhiri, Mangatangi, Meremere, Mercer, Hampton Downs, Te Kauwhata, Huntly, Ohinewai, Taupiri, Ngaruawahia, Te Kowhai, Horotiu and Raglan.

housing (of up to four storeys) at the 'heart' of established urban centres - consequently aligning with the high-level directions within the NPS-UD intensification policies.

- 10.5 In the context of urban intensification, Waikato 2070's development strategy is well-intentioned, enabling and meaningful in the direction it adopts towards intensification – signalling higher density development to be provided in a 'cluster' form around the core of existing urban areas (that is, town centres). I considered this aligns with the proposed provisions and spatial extent of the MDRZ which seek the efficient use of land and infrastructure by enabling a higher intensity of development close to town centres, strategic transport corridors and community services / amenities.

Future Proof (2017) – Overview

- 10.6 Future Proof is a 30-year growth management and implementation plan for the Hamilton, Waipa and Waikato sub-regions.
- 10.7 At the time of writing this evidence, Future Proof is being updated is to address both the requirements of the recently gazetted NPS-UD and the Government's Urban Growth Agenda (including the outcomes of the Hamilton to Auckland Corridor Plan). It is anticipated that a draft document will be completed in early 2021, with public consultation occurring mid-2021. A draft copy has not yet been made publicly available.

Future Proof (2017) – Settlement Pattern

- 10.8 The Future Proof Settlement pattern, "*identifies the existing and future location of residential and business land and considers the mix of land use, transportation and other infrastructure in an integrated manner.*"²⁵

The key assumptions of the settlement pattern area as follows:

- (a) Increased residential densities are an essential part of managing urban development;
- (b) Additional capacity is provided in northern Waikato towns to meet anticipated demand as well as the influence of Auckland; and

²⁵ *Planning for Growth A Summary – November 2017. Future Proof. Page 14.*

- (c) Development occurs in a staged manner in accordance with appropriate triggers to ensure the efficient use of land and integration with infrastructure.
- 10.9 Based on public feedback for the 2017 update, the preferred settlement pattern scenario remains a more compact and concentrated form over time. Maps 1 and 2 of Future Proof illustrate the settlement pattern - identifying Tuakau, Pokeno, Te Kauwhata and Ngaruawahia as residential growth nodes and identifying Te Kauwhata, Raglan, Huntly, Ngaruawahia as 'Major Commercial Centres' (as identified within the RPS).
- 10.10 As outlined in the conclusion of the 32AA Report, the proposed MDRZ aligns with the types and patterns of growth envisaged in both Waikato 2070 and Future Proof. The built form outcome of the MDRZ is a variety of buildings and dwelling typologies that adopt compact urban form and increased densities. The proposed spatial extent of the MDRZ is confined to those residential growth nodes and 'major commercial centres' identified on Maps 1 and 2 of Future Proof.

Refinement of the Spatial Extent of the MDRZ

- 10.11 The relief sought in the original submissions by Kāinga Ora²⁶ included a series of maps for each settlement which denoted the extent of the zoning sought. Subsequent to the directions of the Hearing Panel and discussions with WDC staff, a more detailed level of analysis was undertaken for each settlement and resulting adjustments to the extent of the zone were made.
- 10.12 Mr. Wallace has outlined the analysis methodology and the principles used to refine the extent of the zoning in each town²⁷. That analysis utilised a range of GIS, property and other land data. That analysis was confirmed by way of field visits to each area by Mr. Wallace and me (except for Taupiri).

²⁶ Sub No. 749.124

²⁷ Refer to **Annexure 1**, s32AA Report at Appendix 5. See also: Hearing 25 – Zone Frameworks, EIC, Cameron Wallace (Urban Design) for Kāinga Ora, dated 17 February 2021 at sections 6 to 12.

10.13 I note that the key changes made as a result of such an analysis and field visits are:

- (a) The deletion of the proposed MDRZ from Taupiri;
- (b) The adjustment of the zone where significant natural hazard overlays were identified as part of the Stage 2 District Plan review process to avoid those mapped areas;
- (c) A general scaling back of the zone in all settlements with the exception of Te Kauwhata (where the assessment largely confirmed the original zoning extent sought); and
- (d) More logical alignment with individual property boundaries, roads, and reserves to achieve a more rational and logical boundary.

10.14 That analysis has informed the conclusions reached that the revised extent of the zoning is appropriate and that the level of analysis is sufficient to support the zoning being implemented over the areas sought.

10.15 Based upon the use of urban design principles and the urban design analysis for each settlement undertaken by Mr. Wallace, I am of the opinion that the extent of the zoning is appropriate for each settlement.

10.16 I do note a difference of opinion regarding Taupiri between the conclusions reached by Mr Clease and those reached by both Mr Wallace and me. While the primary submission²⁸ by Kāinga Ora sought to apply the MDRZ within Taupiri, the more detailed ground truthing analysis carried out by Mr Wallace and I leads me to the conclusion that the existing attributes of Taupiri are not currently suitable to enable the introduction of the MDRZ. However, in the 42A MDRZ Report²⁹, Mr Clease recommends that Taupiri should be added to the list as a growth town – and subsequently be included within the spatial extent of the MDRZ.

10.17 Based on the assessment of Mr Wallace, I am of the opinion that Taupiri does not qualify for increased residential development within its urban

²⁸ Sub No. 749.124

²⁹ Section 42A Report '*Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone*' (26 January 2021) at para 221, point (8).

limits. In particular, I adopt the conclusions reached by Mr Wallace, being that the limited size of Taupiri and its lack of access to the range of commercial services, community facilities and employment opportunities necessary to support a more intensive population. Further, I agree with Mr Wallace's statement that the inclusion of a MDRZ at Taupiri is not considered appropriate or consistent with higher order policy Objectives or good urban design practice at this time.

Assessment of Capital Improvements / Infrastructure

- 10.18 An assessment of the existing age and condition of capital improvements within and infrastructure provision to each individual site for which rezoning is sought was not undertaken as part of the rezoning submission.
- 10.19 I understand from the 42A Framework Report that WDC considers that additional zoning for urban land uses in and around existing towns can be served by existing and planned infrastructure networks – noting any short-term infrastructure capacity issues can be addressed with developers at the time of subdivision or land use consent³⁰. Further, WDC acknowledges that additional growth into areas which have existing infrastructure networks will enable Council to leverage those assets to provide better value for ratepayers³¹ – noting these areas include, of relevance to the proposed spatial extent of the MDRZ, Raglan, Ngaruawahia, Huntly, Te Kauwhata, Pokeno and Tuakau.
- 10.20 I support WDC's position reached in the 42A Framework Report and agree that the approach proposed by Kāinga Ora to confine the MDRZ within existing urban limits only is appropriate. I consider this approach will promote the efficient use of existing infrastructure.
- 10.21 While I concur with Mr Cleese's comments regarding the need for careful management around the integration of zoning decisions with infrastructure provisions³², I have concerns that any sequencing and / or staging approach, may hinder the opportunities to develop within the MDRZ in a flexible manner. The provisions sought require infrastructure

³⁰ Section 42A Report 'Hearing 25 Zone Extents - Framework Report' (19 January 2021). Para (q), pg. 5.

³¹ Section 42A Report 'Hearing 25 Zone Extents - Framework Report' (19 January 2021). Para (s), pg. 6.

³² Section 42A Report 'Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone' (26 January 2021). Pg. 30, Para. 124.

to be provided as a prerequisite to enabling development with the MDRZ without the constraints of sequencing or staged release of zoning.

11. MDRZ – Timing and Uptake (the “When?”)

- 11.1 The updated population projections and demand assessments prepared as part of the 42A Framework Report clearly signal a projected increase in population within settlements within the Waikato District. I accept that the rate of growth may vary over time and between settlements. In my opinion, the relief sought by Kāinga Ora takes a proactive approach to creating a framework for more intensive urban development rather than respond to demand through subsequent ad hoc Plan Changes. I further note, there are clear timing requirements for the Waikato District as a Tier 1 Local Authority to make provision for intensification within 2 years of the date of the gazettal of the NPS-UD (i.e. August 2022).
- 11.2 I acknowledge that the relief sought is extensive geographically and introduces opportunities for greater diversity of housing types in these urban areas.
- 11.3 What the zoning will achieve is “locational discipline” and logic to the location of higher density development whereby the cumulative benefits of location relative to infrastructure and services can be better realised when such development is undertaken. In doing so, it will contribute significantly to the urban development directions set out in the NPS-UD 2020 for a Tier 1 Local Authority over time.
- 11.4 In my opinion it would be unrealistic and overly prescriptive to attempt to straight-jacket a zoning extent or provisions for each settlement that was based upon forecasting the timeframe within which growth will occur in each individual settlement. Rather, the intent is to achieve a forward-looking planning framework that enables higher density development to occur at a rate, and in a form that enables landowners to respond to changing market demand and housing need over time. That changing demand will allow for more efficient use of existing urban land to accommodate new residents in each settlement but also benefits existing residents who seek a change in dwelling typology within their existing community.

- 11.5 The MDRZ enables flexibility in housing typology, rather than limiting a specific typology to a particular settlement expressly in the provisions. Hypothetically, this means that if a market demand swings from, for example, a 2-bedroom / 2-storey terrace home to an apartment typology, that form of development can be contemplated under the MDRZ zoning.
- 11.6 The timing of such development and the rate at which market up-take occurs will inevitably vary from settlement to settlement but that does not mean that such varying forms of higher density development should not yet be enabled. If the range of typologies and height were to be restricted now based upon current market demand, I consider that would be unduly restrictive and short sighted, almost inevitably resulting in additional changes and overhauling of the zoning to be required. The District Plan review is the appropriate time to contemplate such a zoning and one which looks to maximise the opportunities for housing choice and at higher densities than has traditionally been the case in the past.
- 11.7 In other words, the relief sought creates the basic building “envelope” within a defined geographic area, based upon established urban design principles which will enable progressive change and transition of urban form within each settlement. While I accept that the Council has another 2 years to implement an intensification framework (as per the NPS-UD), I consider that there is sufficient evidence to enable its implementation as part of the current review process. To do otherwise will result in additional opportunity costs and slow the ability to advance medium density development in a coherent manner in The District. When considering matters such as development lead-in times, consenting timeframes and construction periods, I consider it is appropriate to implement the zoning as part of this District Plan review. By doing so, development outcomes can be planned for with more certainty and realised as soon as possible. The associated planning provisions which have been tested and evaluated will guide and govern the development of such typologies over time and inevitably at differing rates, within each settlement.

12. Conclusion

- 12.1 The analysis undertaken by both WDC and Kāinga Ora indicates growth pressures and an accelerated rate of growth is likely to take place within the Waikato District.

- 12.2 Kāinga Ora has undertaken a considerable amount of assessment and analysis regarding the spatial extent of the proposed MDRZ. As a result of that analysis, the total area of land sought to be zoned MDRZ has reduced from 712.62 ha down to 372.32 ha – a significantly reduction in area.
- 12.3 Based on these factors, I believe there is a clear planning direction that needs to be taken regarding enabling intensification within the Waikato District in a cohesive and proactive way.
- 12.4 Section 75(3)(a) of the RMA requires a District Plan to give effect to “*any national policy statement*”. The NPS-UD was gazetted on 20 August 2020 and provides clear guidance on the issue of planning for urban form and achieving more alignment and efficiencies between infrastructure, landuse and urban development.
- 12.5 Pursuant to the NPS-UD, WDC is identified as a ‘Tier 1 local authority’ and, therefore, must make provision for intensification within 2 years of the date of the gazettal of the NPS-UD (i.e. August 2022). In my opinion, this hearing process becomes the most opportune and appropriate time and process to give effect to the requirements of the NPS-UD and enable intensification to occur within the Waikato District.
- 12.6 In my opinion, the relief sought by Kāinga Ora is appropriate as it envisages a coordinated approach to urban development and infrastructure through enabling increased residential densities in appropriate locations to promote a compact urban form.
- 12.7 I believe the proposed MDRZ satisfies the general development principles outlined in Section 6A of the RPS and the direction of the NPS-UD in regard to notification – drawing on the assessments and conclusions of the s32AA Report (**Annexure 1**). I consider that the proposed MDRZ will achieve the directions and outcomes of both the RPS and the NPS-UD and will also align with the strategic direction policy framework of the notified PDP
- 12.8 In addition, I am of the opinion the proposed zone satisfies the ‘Lens 2’ test detailed in the s42A Framework Report and, by virtue, the ‘Lens 1’ test – insofar as the notified Objectives and Policies of the PDP give effect

to the RPS. I consider the 'Lens 3' test has been appropriately satisfied in accordance with Mr Wallace's evidence - noting I adopt his conclusions.

12.9 Further, I agree with Mr Clease's conclusions that the proposed MDRZ will be efficient and effective in achieving the purpose of the RMA.³³

12.10 Accordingly, based on my assessment of the 32AA Report and relevant statutory provisions, I consider the proposed MDRZ meets the tests of section 32 of the RMA and is appropriate to be incorporated into the PDP.

Philip John Stickney

17 February 2021

³³ Section 42A Report '*Hearing 25: Zone Extents – Future Urban Zone and Residential Medium Density Zone*' (26 January 2021). Pg. 8, Para. 23.

ANNEXURE 1 –

Beca Section 32AA Evaluation Report ‘*Proposed Medium Density Residential Zone – Kāinga Ora Homes and Communities*’ (February 2020).

Proposed Waikato District Plan (Hearing 25- Zone Extents):

Proposed Medium Density Residential Zone – Kāinga Ora – Homes and Communities

Section 32AA Evaluation Report

Prepared for Kāinga Ora – Homes and Communities

Prepared by Beca Limited

February 2021

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| on behalf of | Beca Limited | | |

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Appendix 1 – Proposed Medium Density Residential Zone (as sought by Kāinga Ora – Homes and Communities)

Appendix 2 – Spatial Extent of the Proposed Medium Density Residential Zone (as sought by Kāinga Ora – Homes and Communities)

Appendix 3 – Evaluation of the Key Resource Management Issues (as identified by Waikato District Council)

Appendix 4 – Statutory and Policy Context of the Proposed Medium Density Residential Zone

Appendix 5 – Medium Density Residential Zone Extent Methodology (prepared by Barkers and Associates)

Appendix 6 – Feasibility Assessment (prepared by Property Economics)

1 Overview

1.1 Section 32AA Evaluations

This report provides an evaluation under Section 32AA (“**s32AA**”) of the Resource Management Act 1991 (“**RMA**”) of the proposed Medium Density Residential Zone (“**MDRZ**”) sought in Kāinga Ora – Homes and Communities (“**Kāinga Ora**”) primary submission [749.124] on the Proposed Waikato District Plan (“**PDP**”).

The purpose of the proposed MDRZ is to promote the efficient use of land and infrastructure by enabling a higher intensity of development than typically found in the General Residential Zone (“**GRZ**”) of the PDP. The MDRZ was sought in proximity to town / commercial centres, community services / amenities and strategic transport corridors.

Section 32AA of the RMA requires further evaluation of changes made to the PDP since the original evaluation report was completed (being Section 32 Report – Part 2 – Residential Zone by Waikato District Council). This further evaluation must be undertaken as per the requirements of section 32 of the RMA with a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposed changes, as follows:

32AA Requirements for undertaking and publishing further evaluations

- a) *The further evaluation is required under this Act —*
 - 1) *is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
 - 2) *must be undertaken in accordance with section 32(1) to (4); and*
 - 3) *must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
 - 4) *must —*
 - (i) *be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
 - (ii) *be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section,*
- b) *To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii),*
- c) *In this section, proposal means a proposed statement, national planning standard, plan or change for which a further evaluation must be undertaken under this Act.*

The amendment to the PDP since the original evaluation report is the incorporation of the proposed MDRZ as set out in the relief sought by Kāinga Ora (refer to **Appendix 1** and **2** of this report for a copy of the proposed MDRZ provisions and the proposed spatial extent of the zone respectively). The scale and degree of the assessment contained in this s32AA evaluation report is commensurate to the incorporation of a new residential zone into the PDP.

1.2 Evaluation Approach

1.2.1 Section 32 Analysis of the Proposed Waikato District Plan

A Section 32 analysis should assess the overall costs and benefits of the proposed policy relative to the status quo established by the existing policies and features of the market. In this regard, the proposed policy

is considered the notified PDP and the existing policies and features are considered the Operative Waikato District Plan provisions.

The Section 32 analysis of the Residential Zone (that is, the notified GRZ) prepared by Waikato District Council (“WDC”) for the Proposed Waikato District Plan can be found on WDC’s website.

1.2.2 Section 32AA Evaluation of the Proposed Medium density Residential Zone

A s32AA analysis should assess the marginal costs and benefits of changes to the proposed policy (that is, the proposed MDRZ), relative to the version assessed in the section 32 analysis (being the GRZ in the notified PDP). Therefore, this s32AA evaluation report draws upon the findings of WDC’s section 32 analysis, where necessary, and provides additional consideration regarding the appropriateness, alternatives, costs and benefits of the proposed MDRZ as sought through Kainga Ora’s primary submission – that is, adopting a second residential zone, the MDRZ, alongside the notified GRZ of the PDP.

In particular, this evaluation report provides an assessment of the degree to which the proposed MDRZ is likely to improve the effectiveness and efficiency of the residential zone approach adopted by the PDP (being one residential zone only – the GRZ).

A summary of the analysis under s32AA is included in Section 6.0 (Conclusion) of this evaluation report.

1.3 The Proposed Medium Density Residential Zone

Note: Section 4.0 of this evaluation report provides a detailed breakdown and evaluation of the methodology adopted for mapping the spatial extent of the MDRZ. This section only provides a summary of the intent of the proposed MDRZ for context.

The purpose of the proposed MDRZ is to enable the efficient use of land and infrastructure by enabling a higher intensity of development (than typically found in the proposed GRZ) close to town / commercial centres, strategic transport corridors in proximity to community services / amenities. This zone will provide the following benefits:

- Provide greater housing supply to respond to anticipated growth;
- Reduces pressure for residential development on the urban fringes and beyond;
- Relieves anticipated pressures (exacerbated by adopting sprawl to accommodate urban growth) on the road transport network by providing housing close to town / business centres where utilising both public and active modes of transport to access places of employment, retail and entertainment is readily achievable / viable;
- Provide greater diversity / choice of housing; and
- Coordinates delivery of infrastructure and services.

In summary, the provisions of the zone enable greater density and building height subject to compliance with more tailored rules than the proposed GRZ, but which are also aimed at encouraging innovation and flexibility in design responses. The built form outcome of the MDRZ is a variety of buildings and dwelling typologies that adopt compact urban form and quality design.

2 Analysis of Whether to Introduce a Medium Density Residential Zone

This section of the evaluation report provides the context and rationale for the proposed MDRZ and assesses the options considered to incorporate the MDRZ into the notified PDP (drawing, where relevant, from the section 32 evaluation report prepared by WDC for the Residential Zone).

2.1 Overview

The formulation of the MDRZ, and the associated objectives, policies and rules, has been developed following consideration of the projected growth pressure and the potential risks associated with uncontrolled or piecemeal urban growth in the Waikato District into the future. The proposed provisions have been developed on the premise that the Waikato District is going to grow, and it is not the role of the Resource Management Act 1991 (“**RMA**”) to limit growth, but rather to manage its form and location to promote the sustainable management of natural and physical resources, respond to the identified resource management issues and realise Council’s obligations under the National Policy Statement for Urban Development 2020 (“**NPS-UD**”) and the RMA to enable a framework which provides for high quality, well-functioning urban environments.

2.2 Scale and Significance

Section 32(1)(c) of the RMA states that the level of detail contained in a section 32 evaluation report is required to correspond to the scale and significance of the effects that are anticipated from the implementation of the proposal.

For the purposes of section 32(1)(c):

- **Scale** refers to the scale or reach of the issue (for example, geographical area), the anticipated size or magnitude of the expected effects from the proposal, or both; and
- **Significance** relates to the importance or impact of the issue (on the environment and/or on the community) that the proposal is intended to respond to, or the significance of the response itself (on the environment and community) i.e. whether it is at a nation, regional or local level.

The scale and significance of the proposed MDRZ provisions must be determined to guide the level of the analysis required for the section 32 assessment.

The level of detail of analysis in this report is high, recognising that the provisions introduce a new zone into the PDP to realise housing supply at higher densities; and that residential provisions affect a large area of the Districts’ population. Therefore, the analysis has been informed by consideration to a number of statutory and non-statutory documents, and specific economic and population growth analysis undertaken for the PDP GRZ zone.

In particular, Waikato 2070 and Future Proof has predicted a household growth rate in the Waikato District of 56% to 73% for 2016 – 2043 (outstripping Hamilton (49% to 67%) and trending closely with Auckland (53% to 76%) in the same period). The contributing factors to the growth pressure facing Waikato District include the significant influence of Auckland as the country’s largest city, the projected growth of Hamilton City, demographic and land use changes as well as the effect of a completed Waikato Expressway (also resulting in infrastructure servicing challenges for the Waikato District). Such findings provided the basis for further analysis of the appropriate methods for managing such growth via the PDP.

2.3 Key Resource Management Issues facing the Waikato District

The key resource management issues facing the Waikato District have been identified as follows¹:

- **Issue 1** – Residential Character, Built Form and Amenity;
- **Issue 2** – On Site Residential Amenity;
- **Issue 3** – Housing Options;
- **Issue 4** – Maintain Residential Purpose;
- **Issue 5** – Earthworks;
- **Issue 6** – Noise, signs, lighting and odour; and
- **Issue 7** – Subdivision layout and design.

A detailed summary of the identified resource management issues (drawing from both WDC's section 32 analysis and other reports / case studies), and an evaluation of how the proposed MDRZ addresses these issues is included in **Appendix 3** to this evaluation report. This evaluation has informed the determination of the most appropriate MDRZ objectives (refer to Section 3.1 of this evaluation report for the evaluation of the proposed objectives of the MDRZ) to give effect to Section 5 of the RMA and respond to the key RMA issues identified.

2.4 Options Considered

2.4.1 Section 32 Evaluation - Summary

WDC identified eight reasonably practicable options to address the identified resource management issues (refer to section 2.3 of this evaluation report for the key resource management issues identified) in relation to residential development, as follows:

- Do nothing (remove all policies and associated methods including rules);
- Status quo;
- Apply the Waikato section of the Operative District Plan (“**ODP**”) district wide with no changes;
- Apply the Franklin section of the OPD district wide with no changes;
- Apply the Waikato section of the OPD with changes (more or less restrictive);
- Apply the Franklin section of the OPD with changes (more or less restrictive);
- Develop completely new provisions (policies and methods); and
- Non-statutory (community management or reliance on other acts for example the Building Act).

Table 7 of the WDC Section 32 Report evaluated the ‘relevance’, ‘feasibility’ and ‘acceptability’ of the above options against each of the proposed objectives and provided a recommendation to either discard or evaluate the option further.

In most instances the evaluation favoured the development of new provisions that were based on both the Waikato District Plan and Franklin District Plan provisions. WDC had concluded that consideration of all the residential provisions from both sections of the Operative District Plans reflects the combining of the two

¹ As identified by WDC in the ‘Section 32 Report – Part 2: Residential Zone’ (July 2018)

Districts (Waikato District and Franklin District) under one comprehensive District Plan. WDC considered that this approach ensured a consistent approach across the District.

2.4.2 Section 32 Evaluation – Develop completely new provisions (policies and methods)

As part of the Section 32 option assessment, WDC considered the development of a completely new set of policies, rules and methods that would enable increased residential density. This option is akin to the proposed MDRZ sought through Kāinga Ora's submission. Of note is WDC's evaluation of this option against 'Objective 4.2.9 – On-Site Residential Amenity', 'Objective 4.2.16 – Housing Choice' and 'Objective 4.7.1 – Subdivision and Land Use Integration' of the PDP.

The evaluation of the development of a completely new set of policies, rules and methods that would enable increased residential density against Objectives 4.2.9, 4.2.16 and 4.7.1 of the PDP have been provided, for convenience, in the following tables:

Table 1: WDC – s32 Option 7 Assessment of Objective 4.2.9 (On-site Residential Amenity)

| Description | Relevance | Feasibility | Acceptability | Recommendation |
|---|--|--|--|---|
| New set of policies, rules, methods and increased number of Residential Zones which provide for a variety of density, outdoor living, service courts and daylight recession plane to provide for a range of on-site amenity to suit density requirements and people's lifestyles. | This option would achieve the objective. New policies, rules, methods and increased number of Residential Zones provide complete integration across the district to provide for a range of amenity values. | This option achieves the higher order documents, Waikato Regional Policy Statement ("WRPS") and RMA. Council has the ability to enforce and monitor this option, however, due to resourcing and time council is unable to implement this option. | This option could be acceptable, as a fair and equal approach would be taken during development of the new policy and methods framework. However, the cost and time required to deliver this option is likely to be extensive and costly. It would not provide for the economic and social wellbeing of the community. | Discard This option is costly and is unable to be completed within the specified timeframe with the allocated resource. |

Table 2: WDC – s32 Option 8 Assessment of Objective 4.2.16 (Housing Options)

| Description | Relevance | Feasibility | Acceptability | Recommendation |
|---|---|--|---|---|
| New set of policies and methods developed across the district to address increased diversity and density through increased number of residential zones and density. | This option would achieve the objective. New zones, policies, methods provide consistent approach across the district to provide for increased density and housing diversity. | This option achieves the higher order documents, WRPS and RMA. Council has the ability to enforce and monitor this option, however, due to resourcing and time council is unable to implement this option. | This option could be acceptable, as a fair and equal approach would be taken during development of the new policy and methods framework. However, the cost and time required to deliver this option is likely to be extensive and costly. It would not provide for the economic and social well-being of the community. | Discard This option is costly and is unable to be completed within the specified timeframe with the allocated resource. |

Table 3: WDC – s32 Option 7 Assessment of Objective 4.7.1 (Subdivision and Land Use Integration)

| Description | Relevance | Feasibility | Acceptability | Recommendation |
|---|--|--|---|---|
| New set of policies and methods developed across the district to apply to increased number of residential zones. Develop residential subdivision guidelines which address and require good layout and design achieving efficient use of land and infrastructure coordination. | This option would achieve the objective. New zones, policies, methods provide consistent approach across the district to provide for improved quality subdivision through layout and design. | This option achieves the higher order documents, WRPS and RMA. Council has the ability to enforce and monitor this option, however, due to resourcing and time council is unable to implement this option. | This option could be acceptable, as a fair and equal approach would be taken during development of the new policies, methods and zone framework. However, the cost and time required to deliver this option is likely to be extensive and costly. It would not provide for the economic and social well-being of the community. | Discard This option is costly and is unable to be completed within the specified timeframe with the allocated resource. |

In summary, WDC recognised that the option to develop a new set of policies, rules and methods which provide for greater variation and higher density development would achieve the respective objectives identified to achieve the higher order documents (that is, the WRPS and the RMA). This conclusion is supported by Kāinga Ora insofar as the proposed MDRZ – a new set of policies, rules and methods which provide for greater variation and higher density development – would similarly achieve the higher order documents (please refer to **Appendix 4** for an assessment of the proposed MDRZ against the higher order documents).

However, the primary ‘barrier’ identified by WDC to the adoption of a new set of policies, rules and methods which provide for greater variation and higher density development in the Waikato District is “*the cost and time required to deliver this option*”. This evaluation report is considered to resolve that issue.

2.4.3 Further Options for Evaluation

The notified PDP does not clearly identify areas for medium density housing and there is a lack of integrated policy and rules to apply to such development in a compact or consolidated approach within the Waikato District. While the proposed GRZ provides for multi-unit development as a Restricted Discretionary Activity, there is poor translation of the Strategic Direction policy framework signalled in Chapter 4 of the PDP (specifically Objective 4.1.2 and Policy 4.1.5) into the GRZ framework - insofar as sufficiently consolidating urban growth and development near to commercial centres, community facilities, public transport and open space.

Three alternatives (options) have been proposed to achieve greater variation, higher density development and to consolidate urban growth and development within the Waikato District. These options are as follows:

- **Option 1** – ‘Status Quo’ – the single GRZ (as per the notified version of the PDP);
- **Option 2** – ‘Intensification in the notified GRZ’ – incorporating the relief sought by Kāinga Ora; and
- **Option 3** – The creation of **two** residential zones, being:
 - (i) The MDRZ – incorporating the provisions sought by Kāinga Ora and applied around the core of the town centres; and
 - (ii) The GRZ – the residential zone as per the notified version of the PDP which is to be applied to the balance of the townships; and

Table 4 in Section 2.5 below evaluates these alternatives in relation to the costs and benefits to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objectives of the PDP (specifically Chapter 4: Urban Environment and Chapter 6: Infrastructure and Energy).

2.5 Options Evaluation

Table 4: Evaluation of Proposed Options

Note: each descending option does not re-evaluate the benefits and costs of the options before it, unless where they are different, they are stated as such. This is particularly relevant for **Option 2** as this option is only marginally different to **Option 1** (that is, the ‘Option 2’ evaluation is confined to those differences between the notified PDP GRZ provisions and intensifying those notified PDP GRZ provisions).

| Option 1: Status Quo | |
|-------------------------------------|--|
| Effectiveness and Efficiency | <p><u>Effectiveness</u></p> <p>It is considered that this approach will not assist to accommodate residential household demand or improve the delivery of a broader choice of housing options. The potential flow on benefits - in particular for first home buyers, renters (including low income households) as well as future generations - are unlikely to be achieved with this option.</p> <p>Although the notified PDP provides for multi-unit developments as a restricted discretionary activity through the GRZ, there is a lack of guidance directing decision-makers and plan users as to the expectations regarding the most appropriate locations for these developments.</p> |
| | <p><u>Efficiency</u></p> <p>It is considered that, given the costs relative to the benefits, the ‘status quo’ approach has a higher level of cost and inefficiency. The ‘status quo’ approach will not be efficient in clearly directing Council to provide for projected residential growth in a way that maximise opportunities for urban intensification through compact urban form, design and location, that: minimises the need for private motor vehicle use; encourages active modes of transport (e.g. walking and cycling); or maximises opportunities for people to live work and play within their local areas. That is, the ‘status quo’ approach does not guide future development of the built environment within Waikato to maximise those outcomes sought in Section 6A of the WRPS.</p> |
| Risk of Acting / Not Acting | <p>The risks of not acting are considered to have greater potential costs / negative effects, in particular for existing communities, future generations, renters (particularly in relation to low incomes households), first home buyers, businesses and the natural environment. This is because ‘not acting’ would fail to achieve the intent of and outcomes sought through the WRPS (specifically Section 6A) and the intent of the overall suite of NPS-UD provisions (specifically policy 3 and 4 and subpart 6).</p> |
| Costs | Benefits |

Environmental:

- Providing for multi-unit development anywhere within the GRZ zone has the potential to place developmental pressure on the edges of the existing urban area - resulting in an inefficient use of land.
- Limits development potential of land located within “walkable catchments” (e.g. close to amenities and services) - creating continued reliance on motorised forms of transport and associated emissions.

Economic:

- Will not deliver on the longer-term goal of delivering urban growth (consolidation) that is consistent with the PDP strategic directions chapter (specifically Chapter 4) and the proposed WRPS, Waikato 2070 and Future Proof 2017 (refer to **Appendix 4**).
- Does not give effect to WDC’s obligations and requirements pursuant to the NPS-UD (refer to **Appendix 4**).
- Limits ability to enable smaller housing forms / typologies thus restricting the provision of housing supply / capacity. Consequently, impacting housing affordability and keeping some people out of the housing market.
- Limits the development which can occur within close proximity to the main services and transport routes (that is, not maximising the opportunities and benefits from urban consolidation around strategic transport routes and key urban centres).

Social / Cultural:

- Potential to experience land use incompatibilities / reverse sensitivity impacts which may occur from multi-unit developments across the zone given such developments are provided for anywhere within the GRZ.
- Lack of development and housing options will result in limited housing choice which may not meet all the current and future generation’s needs.
- Limited change in the range of housing types / choices (and a similarly narrow range of house prices) to be available in the future.

Economic:

- Infrastructure upgrades to support increased density (where required).
- Market value of properties and associated wealth experienced by owners to date will continue.
- No potential for short-term reduction of rental stock due to redevelopment in up zoned areas (such as introducing the proposed MDRZ).

Social / Cultural:

- Maintains the existing character, sense of place, and amenity of the established residential areas.
- By limiting the development potential, internalised costs associated with higher densities are likely avoided (e.g. overcrowding and impacts on neighbours such as overshadowing).

Overall Evaluation:

Overall, the continuation of the status quo approach will be ineffective in providing any clear guidance to WDC and plan users as to the expectation in relation to providing for higher density development (that is, multi-unit development), including which urban areas / locations are considered most appropriate for such enablement comparative to others – noting the limited

assessment criteria is the only guidance offered to Council. The status quo approach will be inefficient in that the identified costs are considered to be potentially high when compared to the identified benefits of continuing the status quo approach (the notified PDP GRZ provisions). The various benefits associated with the urban intensification and enablement of higher density development through urban consolidation (as directed by Chapter 4 of the PDP), would not be achieved through an adoption of the notified PDP GRZ framework – and such the overall intent of what the PDP (specifically Chapter 4), the WRPS and the NPS UD are seeking to achieve is unlikely to be realised through this approach.

Option 2: Intensification in the notified GRZ

Effectiveness and Efficiency

Effectiveness

While the intensification of the notified GRZ will assist to accommodate residential household demand through increased housing capacity, similar to Option 1, this ‘intensification’ approach will not improve the delivery of a broader choice of housing options (and therefore the potential flow on benefits of increased increasing housing options).

Additionally, this ‘intensification’ approach will still retain the lack of guidance directing Councils, decision-makers and plan users as to the expectations regarding the most appropriate locations for intensification.

Efficiency

It is considered that, given the costs relative to the benefits, the ‘intensification’ approach has a higher level of cost and inefficiency. Similar to the ‘status quo’ approach, this ‘intensification’ approach will not be efficient in clearly directing Council to provide for projected residential growth in a way that maximise opportunities for urban intensification in compact urban form, design and location, that minimises the need for private motor vehicle use, that encourages active modes of transport (e.g. walking and cycling) or that maximises opportunities for people to live work and play within their local areas. Like ‘Option 1’ approach does not guide future development of the built environment within Waikato to maximise those outcomes sought in Section 6A of the WRPS.

Risk of Acting / Not Acting

It is considered that the risks of ‘not acting’ will result in failure to achieve the intent and outcomes sought through the WRPS (specifically Section 6A) and the intent of the overall suite of NPS-UD provisions (specifically policy 3 and 4 and subpart 6). However, there is less risk in failing to supply the required housing capacity for the projected urban growth with the adoption of the ‘intensification’ approach comparative to the ‘status quo’ approach.

Costs

[No further costs identified than those costs identified in Option 1 above].

Benefits

Social / Cultural:

- Increases the housing supply to better meet the projected urban growth figures (refer to **Appendix 4**).

| | |
|-----------------------------------|--|
| <p>Overall Evaluation:</p> | <p>Overall, while the ‘intensification’ approach is considered to still be ineffective in providing clear guidance to WDC and plan users as to the expectation in relation to providing for higher density development (that is, multi-unit development) - including which urban areas / locations are considered most appropriate for such enablement comparative to others - the approach does provide greater assurance that the enabled housing supply can better meet the projected urban growth figures (identified by both Waikato 2070 and the Future Proof Strategy).</p> <p>Similar to the ‘status quo’ approach, the ‘intensification’ approach will be inefficient in that the identified costs are considered to be potentially high when compared to the identified benefits. While the ‘intensification’ approach enables increased housing supply through more enabling provisions for intensification, the various benefits associated with the urban intensification and enablement of higher density development through urban consolidation (as directed by Chapter 4 of the PDP), will still not be achieved.</p> |
|-----------------------------------|--|

Option 3: The Creation of two Residential Zones (MDRZ and Notified GRZ)

| | | |
|--|--|---|
| <p>Effectiveness and Efficiency</p> | <p><u>Effectiveness</u></p> <p>Overall, the proposed MDRZ framework will be effective in providing a scaled approach to direct decision makers and plan users as to the expectation in relation to providing for medium density development within the Waikato District and, specifically, which areas / locations are most appropriate for such enablement.</p> <p>The proposed MDRZ framework is highly directive and sets expected outcomes where intensification should exist – close to town centres, strategic transport corridors and community services / amenities where ‘attributes’ / factors that support urban intensification exist.</p> <p>Focusing intensification within ‘walkable catchments’ and in centres (where there is close proximity to employment and services) ensures that intensification is specifically directed to where the benefits are best realised. That is, increased housing supply in highly productive areas (where accessibility to public transport results in low transport cost).</p> | <p><u>Efficiency</u></p> <p>It is considered that given the costs relative to the benefits; this option has a high level of efficiency. The policy approach will be efficient in clearly directing and enabling medium density development to areas of the Waikato District which are recognised as appropriate for urban intensification due to the presence of ‘attributes’ of exception at a centre / local level.</p> <p>The efficiency of the proposed MDRZ framework is provided for as it maintains a presumption to enabling intensification, rather than the status quo in areas of projected urban growth.</p> |
| <p>Risk of Acting / Not Acting</p> | <p>Any risks associated with implementing Option 3 are considered to outweigh the risks associated with not acting. While the assessment identifies potential costs / effects for community, the risks of not acting are considered to have greater potential costs / negative effects. Additionally, these potential costs are generally short-term or are likely able to be mitigated through planning controls.</p> | |

| | <p>The risk of not acting includes forgoing the various known benefits of intensification (such as lowering both housing and rental costs; increasing the supply and choice in housing, as well as providing a higher quality, compact urban form with increased “walkability”).</p> |
|---|--|
| Costs | Benefits |
| <p>Environmental:</p> <ul style="list-style-type: none"> ■ Potential for increased pressure on natural resources / open spaces if urban intensification (particularly subdivision, use and development associated with enabling intensification) is not appropriately managed in relation to potential adverse effects on the natural environment. <p>Economic:</p> <ul style="list-style-type: none"> ■ Costs for infrastructure providers, where upgrades to existing / provision of new infrastructure may be necessary in order to service the intensification enablement envisioned by the MDRZ. ■ Enablement of urban intensification can lead to a reduction in the existing concentration of wealth amongst existing homeowners. While this is not a direct ‘cost’, the impact of this reduced concentration of wealth would likely be a ‘dampening’ of the benefit which these existing homeowners have experienced to date. ■ Increased costs (being increased rates) for landowners whose property is up zoned and may not wish to realise the development potential (whether through subdividing, infilling or rebuilding). ■ Potential costs for renters if existing rental accommodation is proposed for redevelopment to achieve higher density outcomes – can result in some existing rental stock being temporarily removed from the rental market supply. ■ Replacement / new rental stock potentially delivered in new developments could be initially at a higher rental cost (until such time as rental supply is better aligned with demand). ■ Some potential for costs / adverse effects resulting from land use incompatibilities / reverse sensitivity where new, higher density development seeks to establish alongside existing business operations. <p>Social / Cultural:</p> | <p>Environmental:</p> <ul style="list-style-type: none"> ■ Supports the efficient use of land insofar as directing residential development within existing urban limits. ■ Potential longer-term benefits to the natural environment – associated with the more efficient use of urban land and greater use of public transport systems - which may have consequential reductions in emissions associated with use of this infrastructure e.g. reducing travel distances and reliance on sole-occupancy vehicles (as people have increased opportunities to live in closer proximity to their place of work and to public transport), resulting in reduced emissions including carbon. <p>Economic:</p> <ul style="list-style-type: none"> ■ Provides more development and housing options and increases housing choice. ■ Supports the efficient use of land by directing residential intensification around town centres that will, in turn, increase the catchment of business and services located in these centres. ■ Improves housing affordability through enabling smaller housing forms / typologies and providing greater housing supply / capacity. ■ Liberalisation of rule framework should reduce the number of resource consents required (and the time and costs associated with such a process) while increasing the development of residential units within the District. ■ Liberalisation of outdoor living court, building height, building coverage and minimum lot size rules has the potential to increase capacity, promote innovative buildings forms and increase optionality. ■ Potential ‘consumer surplus’ benefits, associated with increased densities and broader housing choices - enabling people to gain access to housing at a cheaper price (both to purchase and / or rent) than what they |

- Potential for higher densities of development in communities where the existing resident majority may wish to maintain the existing built form / character of the area. Increased density may be perceived to adversely affect existing character, sense of place and/or amenity values or exclusivity of existing areas.
 - Higher densities of development can create internalised costs / effects in relation to congestion and overcrowding as well as potential impacts / costs to neighbours / existing community (e.g. associated with overshadowing, blocked views etc).
 - Potential for increased pressure in relation to identification / documentation of sites of significance / wāhi tapu, as enablement for intensification may spur an increase in development applications for higher density developments in urban areas (noting this is qualified in respect of the alternative which may be increased greenfield urban development expansion which has potentially higher costs in respect of culturally significant sites).
 - Potential for increased densities of development adjacent to existing built forms of a lower density to result in adverse effects to those existing property owners (scope for this to be managed through built form provisions).
- otherwise might have paid / been prepared to pay under ‘status quo’ market conditions (such as, more one-bedroom and two-bedroom options over the predominant three-bedroom option). Over time, this will see a reduction in the concentration of wealth amongst existing owners - transferring / redistributing this existing wealth concentration across a wider portion of the existing community – providing benefits particularly for first home buyers.
- Higher densities of development are less likely to be unduly curtailed by Councils / decision-makers favouring a continuation of already established / existing built form patterns in urban areas (benefits realised in the cost reduction of consent applications).
 - Agglomeration benefits likely to occur as a result of enabling intensification, with increasing concentrations of people living and working together leading to productivity gains for current and future generations.
 - Enabling urban intensification / higher density development will likely increase the land value of those properties recognised within the “walkable catchments” (e.g. close to amenities and service).
 - Enabling intensification will ‘open’ select sites for subdivision and, therefore, likely increase the land value of those properties for landowners.
 - Certainty provided to developers that urban intensification / higher densities of development is to be enabled / provided for in appropriate locations – leading to greater investment / development within the District.
 - Potential benefits to infrastructure providers over time in maximising the opportunities of public transport and rapid/frequent transport infrastructure (including reductions in operation costs / risks).
- Social / Cultural:**
- Provides greater certainty on expectations relating to urban intensification for communities (such as certainty on the future level of change or development they can expect and where such development will occur).
 - Potential for a wider range of housing types / choices (with a resulting broader range of house prices) to be available in the future, as a result of increased enablement for differing densities of development within the

| | |
|-----------------------------------|--|
| | <p>District (e.g. no longer a predominance of single dwellings / three-bedroom houses).</p> <ul style="list-style-type: none"> ■ Identifies locations suitable for medium density development in strategic locations which are able to better support sustainable and active living through proximity to services and public and active transports routes (resulting in both health benefits and more equitable transport options for the community). ■ Reduces the potential for a constraint / barrier to new higher density development on communities in which the majority wish to change part of the built environment that is considered to no longer meet the needs of the community. ■ Increased enablement of intensification has the potential to provide additional opportunities for Iwi developers within urban areas (specifically the ability to provide additional housing choice to meet the cultural needs of the community). ■ Potential benefits for renters, where the certainty and enablement provided through the policy direction supports the delivery of increased housing supply, including a range of different housing types and sizes, to better meet the evolving needs of renters into the future. |
| <p>Overall Evaluation:</p> | <p>Overall, this option will provide clear guidance to WDC and plan users as to the expectations in relation to providing for higher density development and which areas / locations are considered most appropriate for such enablement (through the spatial extent of the MDRZ). This policy approach provided through this option is considered to be efficient in that the identified benefits are considered to be high, when compared with the status quo option (Option 1).</p> <p>In addition, this option will provide for growth in way that supports a good quality, compact urban form through the consolidation of urban development close to town / commercial centres, strategic transport corridors in proximity to community services / amenities – consistent with the PDP strategic directions (Chapter 4 of the PDP) and the WRPS and helps accommodate the urban growth projections forecast in the Waikato 2070 and Future Proof Strategy. Further, this approach is considered to give effect to WDC’s obligations and requirements pursuant to the NPS UD.</p> <p>An economic analysis carried out by PwC as part of the NPS UD section 32 process identified the following economic benefits associated with intensification:</p> <ul style="list-style-type: none"> ■ Enabling higher-density development and intensification will assist: <ul style="list-style-type: none"> - to decouple land prices from house prices; |

- to lower both house prices and rents, with the potential for associated increases in discretionary income (particularly for first home buyers and renters and low-income households);
- to reduce the concentration of wealth (primarily for existing owners), with a resulting transfer of this wealth across a broader portion of society / the community; and
- to lower congestion network costs;
- Increasing the supply and choice of housing options has positive effects for equity across communities generally;
- Increasing densities of development and activities creates agglomeration benefits (proximity of people to one another increases supply and demand) to communities, including increases to productivity, wages and employment; and
- The benefits of urban intensification are best realised by focussing enablement of higher-density development in high amenity locations (that is, areas in proximity to community services / facilities, strategic transport corridors and town / commercial centres).

2.6 Summary of the Rationale for the Preferred Option

It is considered that developing a new set of provisions for greater variation and higher density development within the residential areas of Waikato and retaining the notified GRZ (**Option 3**) is the most appropriate solution in meeting the purpose of the WRPS and RMA (refer to **Appendix 4** for an assessment of the MDRZ against the higher order documents) while addressing the key resource management issues (refer to **Appendix 3** for an assessment of the proposed MDRZ against the key resource management issues) relevant to the District. While this conclusion was reached in WDC's section 32 report (insofar as developing a new set of provisions with increased density), the "*cost and time required to deliver this option*" was considered a barrier to exploring the option further.

In serving the function of a territorial authority provided by Section 31(1) of the RMA, the proposed MDRZ chapter has the purpose to implement a policy framework to achieve integrated management of the effects on the use and development of land, provide sufficient development capacity in respect of housing to meet the expected demands while supporting the overall growth management framework of the PDP.

The purpose of the proposed MDRZ is to enable the efficient use of land and infrastructure by enabling a higher intensity of development in strategic locations (that is, close to town / commercial centres, strategic transport corridors and community services / amenities).

In the context of Section 31, the proposed zone supports the integrated and hierarchical approach to urban development and advances the intention of Section 31(1) of the RMA for the integrated management of the effects of the use, development, or protection of land.

In the context of the Strategic Direction of the PDP (Chapter 4), the proposed zone enables higher density development close to existing urban centres, active and public transport routes that promotes a range of housing options to meet the needs of the community – contributing to the overall compact urban form / consolidation of urban growth and development that, as a result, promotes the efficient use of existing services and infrastructure.

2.7 Quantification of Preferred Option

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs of a proposal are to be quantified. Property Economics have undertaken a feasibility analysis of the proposed MDRZ. A copy of this analysis is contained in **Appendix 6**.

The key findings and conclusions from the feasibility assessment have been summarised in Section 5.0 of this evaluation report.

3 Analysis of the Proposed Medium Density Residential Zone Provisions

3.1 Evaluation of Objectives

The proposed objectives of the MDRZ are listed in Table 5 in section 3.1.2 below. The objectives are considered to be the most appropriate way to achieve the purpose of the MDRZ in such a way that achieves the purpose and principles of the RMA.

3.1.1 Choice of Evaluation Method

Section 32 of the RMA requires that the evaluation examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the Act. The purpose of the RMA is to promote the sustainable management of natural and physical resources.

For the purpose of this evaluation, the following criteria for assessing the appropriateness of the objectives of the MDRZ is as follows:

1. Relevance:

- a. Is the Objective directed at addressing a resource management issue?
- b. Is the Objective focussed on achieving the purpose of the Act?

2. Usefulness:

- a. Will the Objective achieve desired benefits including Part II of the Act?
- b. Does the Objective assist Councils to carry out their statutory functions (s30 and s31)?

3. Reasonableness:

- a. Is the Objective reasonable based on an understanding of desired community outcomes?
- b. Could the Objective result in unjustifiably high costs on the community or parts of the community?

4. Achievability;

- a. Is the Objective realistically able to be achieved with the available, powers, skills, resources?
- b. Is there any degree of risk and uncertainty of achieving the Objectives?

This approach is broadly derived from the Ministry for Environment's '*A guide to section 32 of the Resource Management Act 1991*'².

3.1.2 Evaluation

Table 5 below provides an evaluation of each proposed objective in relation to its relevance, usefulness, reasonableness and achievability. Although each objective has been considered individually below, section 32 encourages a holistic approach to assessing objectives. This recognises that objectives often work together, interrelate and have overlapping ways of achieving the purpose of the RMA.

In considering the MDRZ objectives, the following conclusions are made:

- The objectives are relevant, useful, reasonable and achievable;
- The objectives support good quality urban development by setting out a framework for the efficient use, development and management of residential areas within the District in a way that avoid or mitigates adverse effects on the environments. As such, they are considered to achieve the sustainable management purpose of the RMA;

² www.mfe.govt.nz/sites/default/files/media/RMA/guide-to-section-32-of-resource-managemnt-amendment-act-1991.pdf

- The objectives aim to enable growth, create a compact urban character and improve housing choice – producing high quality urban environments for people to live, work and play and giving effect to the NPS-UD; and
- The objectives enable the efficient use of land and infrastructure through higher intensity residential development which is strategically located;

Therefore, the proposed objectives are the most appropriate way to achieve the purpose of the MDRZ.

Table 5: Evaluation of Proposed MDRZ Objectives

| Objective | Summary of Evaluation |
|---|---|
| <p>4.2 A.3 Objective – Efficient Use of Land and Infrastructure</p> <p>a) <i>Land and infrastructure near the Business Town Centre Zone, Business Zone and close to public transport networks, strategic transport corridors and community facilities is efficiently used for medium density residential living resulting in a compact urban settlement pattern.</i></p> <p>4.2 A.1 Objective – Housing Typology</p> <p>a) <i>Achieve greater housing choice for the community in response to changing demographics and housing needs.</i></p> <p>4.2 A.6 Objective – Residential Amenity</p> <p>a) <i>Achieve a high level of residential amenity within the Zone that reflects the planned built form and compact urban settlement pattern.</i></p> <p>4.2 A.10 Objective – Activities</p> <p>a) <i>An appropriate mix of complementary and compatible activities is enabled to support residential growth.</i></p> | <p style="background-color: #e1f5fe; padding: 5px;">Relevance</p> <ul style="list-style-type: none"> ■ These objectives relate directly to a specified resource management issue – being the achievement of the efficient use of urban land to enable and provide for urban development. These objectives achieve this by directing residential intensification to urban areas where the benefits are best realised (that is, intensifying urban areas with high employment opportunities, areas with high accessibility - through existing or planned public transport - or, relative to other urban areas, areas currently experiencing a high demand for housing). The objectives have the potential to promote more efficient urban land use for housing by ensuring greater sustainable management of the physical resources including land, particularly resources of urban centres and associated services (such as public / alternative modes of transport). ■ These objectives have direct relevance to Section 5(2) of the RMA, in relation to promoting the sustainable management of natural and physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being over time – in particular to meet the reasonably foreseeable needs of future generations. <p style="background-color: #e1f5fe; padding: 5px;">Usefulness</p> <ul style="list-style-type: none"> ■ These objectives are useful in clearly stating that there are benefits from urban developments at greater levels of densities / intensities when these developments are appropriately located by demand or for employment or public transport accessibility – providing guidance from associated policy requirements to enable and provide for consolidated residential development through intensification. ■ These objectives further recognise that the benefits of intensification rely significantly on its appropriate location in the context of the existing housing and business demand opportunities of an urban environment as well as considering any future planned public / alternative transport connections / services. ■ These objectives protect the character of the MDRZ – effectively avoiding, remedying or mitigating the adverse effects on the character and amenity component of the environment (Section 5(2)(c) of the RMA). |

| Objective | Summary of Evaluation |
|-----------|---|
| | <ul style="list-style-type: none"> ▪ These objectives will assist Council in carrying out its' statutory functions under Sections 31 – 32 of the RMA (that is, provide for sufficient development capacity to meet demand). ▪ These objectives will also assist Council in relation to the “<i>maintenance and enhancement of the quality of the environment</i>”, as required under Section 7(f) of the RMA. New development, at higher densities, has the potential to enhance the quality of the environment (in particular the built environment) through a focus on appropriately locating higher density developments where the benefits of such density will be realised. <p>Reasonableness</p> <ul style="list-style-type: none"> ▪ These objectives clearly state the environmental outcomes sought for the MDRZ insofar as spatially locating (consolidating) residential intensification and promoting compact urban form and housing choice. Further, the objectives seek to ensure residential function is the dominant function within the zone. While it is acknowledged that small-scale non-residential activities (that is, neighbourhood centres and / or commercial activities) are generally required to assist residents in meeting their social, cultural and economic needs - by providing residents with access to goods and services that they may require on a daily basis – these are provided at discretion to ensure the function of the MDRZ is not undermined through inappropriate location of non-residential activities (noting the relaxation of controls on non-residential activities could undermine the vitality of the primary commercial areas the MDRZ zone is located around – which goes against the principles of zones in general and would result in the gradual erosion of the residential amenity, character and capacity of the MDRZ). ▪ These objectives provide for medium intensity residential living only where practicable and appropriate - recognising that consolidation and intensification of living opportunities within walkable catchments from town / business centres (and associates amenities), strategic transport corridors and alternative modes of transport prevents uncontrolled and inappropriate development (urban sprawl) - which results in the inefficient use and development of land (a Section 7(b) matter of the RMA) – and promotes the efficient end use of energy and a reduction of vehicle emissions (a Section 7(ba) matter of the RMA). It is noted that there are numerous adverse effects of dispersed residential development / intensification – including increased demand on the transport network (both public and private) due to the increased number and length of trips required to access dispersed activities. ▪ These objectives are considered to be reasonable in that it is not anticipated they impose any unreasonable costs on Council or the community with the exception of the typical regulatory and compliance costs – which are anticipated in any case. ▪ The intent of the objectives is also considered to be reasonable by seeking to provide for residential intensification and increased densities in locations which are best suited / where benefits can be best realised |

| Objective | Summary of Evaluation |
|--|--|
| | <p>(rather than a broader requirement to provide for higher densities across an entire urban area), and recognise the sustainable management of physical resources (particularly transport). It is noted that the focus of higher density around public / alternative modes of transport may result in potential costs for other infrastructure (such as water and wastewater) which are not explicitly considered. However, public / alternative modes of transport are a key driver of accessibility and amenity for residents. Overall, the benefits are predicted to outweigh costs.</p> <p>Achievability</p> <ul style="list-style-type: none"> ▪ These objectives are considered to be readily achievable and implementable within the functions and expertise of Council. ▪ These objectives are considered to be the most appropriate means of providing for peoples social, economic and cultural wellbeing with regard to the use and development of land. |
| <p>4.2 A.14 Objective – Earthworks</p> <p>a) <i>Earthworks facilitate subdivision, use and development while avoiding, mitigating or remedying potential adverse effects.</i></p> | <p>Relevance</p> <ul style="list-style-type: none"> ▪ Development enables people and communities to provide for their social and economic wellbeing (Section 5(2) of the RMA). To facilitate development, provision must be made for earthworks – a facet of subdivision, use and development of land. ▪ This objective recognises the relationships between development, earthworks and the subdivision, use and development of land within the MDRZ to provide for people’s housing needs – thus achieving Section 5(2) of the RMA. ▪ This objective will also assist Council to manage the use, development, and protection of natural and physical resources while having particular regard to “<i>the efficient use and development of natural and physical resources</i>” and “<i>the maintenance and enhancement of amenity values</i>” as required under Section 7(b) and 7(c) of the RMA respectively. <p>Usefulness</p> <ul style="list-style-type: none"> ▪ This objective clearly states the environmental outcomes sought for the subdivision, use and development of land within the MDRZ (that is, the facilitation of earthworks for development). ▪ This objective provides for earthworks only where it is necessary to “<i>facilitate</i>” subdivision, use and development within the MDRZ - recognising unnecessary earthworks can be inappropriate resulting in a nuisance (a Section 7(c) matter of the RMA). <p>Reasonableness</p> <ul style="list-style-type: none"> ▪ This objective is considered to be reasonable in that it is not anticipated to impose any unreasonable costs on Council or the community with the exception of the typical regulatory and compliance costs – which are anticipated in any case. |

| Objective | Summary of Evaluation |
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| | <p data-bbox="603 318 753 344">Achievability</p> <ul data-bbox="603 371 1420 551" style="list-style-type: none"> <li data-bbox="603 371 1420 434">▪ This objective is considered to be readily achievable and implementable within the functions and expertise of Council. <li data-bbox="603 456 1420 551">▪ This objective is considered to be the most appropriate means of providing for peoples social and economic wellbeing with regard to the use and development of land. |

3.2 Evaluation of Proposed Policies

This section of the evaluation report evaluates the proposed policies of the MDRZ as they relate to the objectives contained in section 3.1.2 above.

The proposed policies have been identified through research, consultation with WDC, testing and analysis and are considered to be the most reasonably practicable options for providing guidance to decision-makers to implement the objectives of the MDRZ.

3.2.1 Evaluation

For each potential policy approach, an evaluation has been undertaken relating to the costs and benefits of the policy in order to determine the effectiveness and efficiency of that approach, and whether it is the most appropriate way to achieve the relevant objectives of the MDRZ.

For the purpose of this evaluation, the proposed provisions are grouped together with the key resource management issue/s the provisions are addressing (refer to Section 2.3 of this evaluation report for a list of the key resource management issues as identified by WDC).

Table 6: Evaluation of Proposed MDRZ Provisions(4.2A.1-A.8 & A.17)

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| <p>ISSUES:</p> <ul style="list-style-type: none"> ▪ Issue 1 – Residential Character, Built Form and Amenity ▪ Issue 2 – On Site Residential Amenity ▪ Issue 6 – Noise, signs, lighting and odour ▪ Issue 7 – Subdivision layout and design <p>OUTCOMES:</p> <ul style="list-style-type: none"> ▪ Provide reasonable protection of amenity values within the context of an increasingly intensified residential zone where character is changing and higher density housing is sought. ▪ Medium density development will be realised close to town centres, local shopping zones and public transport hubs / strategic transport corridors in a manner that is responsive to both current and forecast housing demand and growth pressures. ▪ Development provides a positive contribution to the environment through compact urban design solutions which complement and enhance local character. ▪ Ensure medium density development efficiently utilises existing infrastructure and minimises impacts on infrastructure and roading networks. | | |
| Proposed Provisions | <ul style="list-style-type: none"> ▪ 4.2.A.3 – Objective – Efficient Use of Land and Infrastructure ▪ 4.2 A.4 - Policy – Efficient use of Land and Infrastructure ▪ 4.2 A.6 - Objective – Residential Amenity ▪ 4.2.A.9 – Policy – Changes to Amenity Values ▪ 4.2 A.7 - Policy – Building Form, Massing and Coverage ▪ 4.2 A.8 - Policy – Streetscape, Yards and Outdoor Living Courts ▪ 4.2 A.13 – Policy – Temporary Events | |
| Effectiveness and Efficiency | <p><u>Effectiveness</u></p> <p>Overall, the proposed policies will be effective in providing a scaled approach to direct both Council and plan users as to the expectations in relation to providing for medium density residential development and which areas / locations are considered most appropriate for such enablement. This manages expectations of the community as to the</p> | <p><u>Efficiency</u></p> <p>It is considered that given the costs relative to the benefits, this option has a high level of efficiency. The policy approach will be efficient in clearly directing that the District must provide for both higher-density and medium density development, while also providing balance (as part of the policy direction) which directs the bulk, scale and intensity of</p> |

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| | <p>development that can occur on adjoining sites and ensures an appropriate level of amenity.</p> <p>Focusing residential intensification within specific “walkable catchments” ensures that intensification is specifically directed to where the benefits are best realised (that is, near the Business Town Centre Zone, Business Zone, and close to public transport networks and strategic transport corridors - increasing supply in highly productive and high amenity locations).</p> | <p>residential development to achieve high level of amenity and reduce potential visual dominance effect on adjoining sites.</p> <p>The inclusion of a ‘management’ approach to the bulk, scale and intensity of residential development recognises that local constraints may make a location incompatible with the level of residential enabled by these provisions - while still ensuring that the presumption switches to ‘enabled’ residential intensification rather than maintain, more or less, the status quo. This approach is also considered more consistent with the intensification policy direction of the NPS-UD.</p> <p>From a market perspective, the cost of land becomes less important for house prices as the number of dwellings able to be built increases (as high land values are less influential on house prices if they are spread over many units)³.</p> |
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| <p>Risk of Acting / Not Acting</p> | <p>Any risks associated with implementing the proposed provisions are considered to outweigh the risks associated with not acting. While the below assessment identifies potential costs / effects of the policy intent, the risks of not acting are considered to have greater potential costs / negative effects, in particular economic and social costs to communities, businesses and infrastructure providers. This is because ‘not acting’ would fail to achieve both the intent and outcomes sought specifically through the proposed provisions and of the NPS-UD (in respect to intensification and well-functioning urban environment policy framework). In particular, the various benefits of increasing residential density, efficiently using existing residential land and promoting compact urban form (as highlighted through the PwC cost and benefit analysis) would likely not be realised - such as decoupling land prices from house prices; lowering both housing and rental costs; reducing existing concentrations of wealth; increasing the supply and choice in housing as well as the creation of agglomeration benefits and associated increases to productivity, wages and employment.</p> |
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| <p>Costs</p> | <p>Benefits</p> |
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| <p>Environmental:</p> <ul style="list-style-type: none"> ■ Potential for increases enablement of residential intensification (compounded with residential growth pressure and national direction for intensification pursuant to the NPS-UD) ‘overriding’ environmental values / key constraints (e.g. in relation to locations which may be inappropriate for residential intensification, such as where natural hazards are present but may not be correctly mapped / identified in the Plan). | <p>Environmental:</p> <ul style="list-style-type: none"> ■ Potential longer-term benefits to the natural environment – associated with the more efficient use of residential land and potential flow-on impacts for reducing travel distances (where people have increased opportunities to live in closer proximity to their place of work), such as reduced carbon emissions over time. <p>Economic:</p> |

Economic:

- Potential to result in increased urban design input into resource consent applications due to greater residential densities of development and the need to manage built form outcomes (with the costs bared on the landowner / developer).
- Potential costs for infrastructure providers, where upgrades to existing / provision of new infrastructure may be necessary in order to service the residential intensification enablement envisioned by the MDRZ.
- Daylight recession plane and setback rules together place the most limitation on the amount of development that can be accommodated on a site. Setting unreasonable controls that go beyond achieving environmental outcomes sought for a zone, can reduce the development potential of a site, thereby reducing profits and / or potential lead to higher home prices (as costs are passed on).

Social:

- Potential to enable residential development in communities in which the majority may wish to maintain the existing amenity / character values of a particular area where proposed residential development / intensification is perceived to adversely affected those existing amenity / character values.
- Controlling some fundamental elements of existing character through regulation could result in a partial loss of individual freedom for utilisation of a site.
- Higher density residential developments can create internalised costs / effects in relation to congestion, overcrowding as well as potential impacts / costs to neighbours (e.g. associated with overshadowing, blocking views etc.). These costs / effects are generally able to be mitigated through measures such as design-related rules to manage the quality of the built environment³.

- Agglomeration benefits likely to occur as a result of enabling intensification, with increasing concentrations of people living and working together leading to productivity gains for existing workers / communities.
- Potential 'consumer surplus' benefits associated with increased densities and broader housing choices enabling people to gain access to housing at a cheaper price than what they otherwise might have paid / been prepared to pay under existing 'status quo' market conditions.
- A reduction in the concentration of wealth amongst existing owners will assist in transferring / redistributing this existing wealth concentration across a wider portion of the community (for the benefit of future generations).
- Potential benefits to infrastructure providers over time, where residential growth and development is better concentrated within the residential environment, with lesser need to service new residential growth areas on the periphery of existing residential environments, though provision of new infrastructure (that is, achieving economies of scale, where planned residential intensification enables more efficient long-term infrastructure planning).
- Certainty provided to business within town centres where higher densities of residential development is to be enabled / provided for in close proximity to these centres (in appropriate locations).
- While enabling higher density residential development will likely increase the value / cost of land, particularly in high land value locations (e.g., closer to amenity and services / town centres), this land value increase in combination with the intensification enablement will provide more feasible options for developers (that is, the ability to develop more houses on the same area of land than was previously possible).
- Almost 90% of surveyed developers have been affected by delays or uncertainties related to regulation⁴. Regulations that have had major effects on the actual building costs of apartments include building height limits, balcony requirements etc. More liberal regulations coupled with a Restricted Discretionary Activity framework provides more certainty and flexibility to

³ 'Costs and Benefits of Urban Growth' (2019). MR Cagney

⁴ *Impacts of Planning Rules, Regulations, Uncertainty and Delay on Residential Property Development* (2015). Arthur Grimes and Ian Mitchell.

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| | <p>developers which, in turn, will reduce delays and costs associated with those delays.</p> <p>Social:</p> <ul style="list-style-type: none"> ■ Reduces the potential for a constraint / barrier to new higher density development on communities in which the majority may wish to change part of the built environment that is considered to no longer meet the needs of the community. ■ The perceived cost of enabled development by communities that wish to maintain the existing amenity values of a particular area will typically be outweighed by the perceived benefit to communities that wish to change part of the built environment³. ■ Provides greater certainty with regard to expectations relating to the location, scale and intensity of residential development within the District. ■ The benefit to the community of the policy and rule framework is greater than the costs to the individuals – individuals also benefit from the cumulative positive outcome on streets and neighbourhoods being high quality. |
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Table 7: Evaluation of Proposed MDRZ Provisions(4.2A.11-A.16)

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| <p>ISSUES:</p> <ul style="list-style-type: none"> ▪ Issue 3 – Housing Options ▪ Issue 4 – Maintain Residential Purpose <p>OUTCOMES:</p> <ul style="list-style-type: none"> ▪ Provide for and enable compact urban form and improve housing choice – producing high quality urban environments for people to live, work and play. ▪ Improving housing choice / variety through the liberalisation of built form rule framework. ▪ Enable non-residential activities which support the role of the Business Town Centre Zone and / or already established to continue, operative, and expand provided they are sympathetic to the predominate residential character and amenity values of the MDRZ – recognising both that the MDRZ is the interface between residential areas and business / commercial centres and that non-residential activities can provide valued and accessible services for the day to day necessities required in communities. | |
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| Proposed Provisions | <ul style="list-style-type: none"> ▪ 4.2 A.1 - Objective – Housing Typology |
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| | <ul style="list-style-type: none"> ▪ 4.2 A.2 - Policy – Housing Typology and Type ▪ 4.2 A.5 – Policy – Bankart Street and Wainui ▪ 4.2.A.10 – Objective – Activities ▪ 4.2 A.12 – Policy – Non-residential Activities ▪ 4.2 A.11 – Policy – Home Occupations | |
| <p>Effectiveness and Efficiency</p> | <p><u>Effectiveness</u></p> <p>The proposed policies and rules provide an effective framework to achieve the objective. The framework facilitates a consolidated urban form and provides not only sufficient housing stock to accommodate growth, but also sufficient housing choice. The proposed policies recognise this through the enablement of a variety of housing types / a range of housing options, in strategic locations (that is close to Business Town Centre Zone and in proximity to strategic transport corridors and alternative modes of transport).</p> | <p><u>Efficiency</u></p> <p>It is considered that given the costs relative to the benefits, this option has a high level of efficiency. The proposed policy and rule framework will be efficient to achieve the objective (providing a range of housing options) – demonstrated by the benefits outweighing the costs. The provision of sufficient housing in strategic locations to accommodate population growth and providing housing choice is a key objective of the NPS-UD. The proposed suite of provisions will assist Council in giving effect to the NPS-UD.</p> |
| <p>Risk of Acting / Not Acting</p> | <p>The risk of acting based on the information available is considered to outweigh the risks associated with not acting. The risk of not acting will fundamentally restrict people meeting their changing housing needs and will likely result in a single predominant built form outcome across the residential environment. By restricting the variety of housing types (that is 'not acting') will result in the continued preservation and maintenance of existing built form environment, existing amenity values and existing functionality of urban environments at the expense of potential residential development.</p> | |
| <p>Costs</p> | | <p>Benefits</p> |
| <p>Economic:</p> <ul style="list-style-type: none"> ▪ Retention of building coverage, outdoor living court and building setback rules may limit development yield and increase building costs. ▪ The likely increase in land value as a result of up-zoning can drive up rates for those who may not wish to develop. <p>Social:</p> <ul style="list-style-type: none"> ▪ Potential to enable a variety of built form / development outcomes in communities in which the majority may wish to maintain the existing amenity values of a particular area where proposed residential development is perceived to adversely affect those existing amenity values. | | <p>Environmental:</p> <ul style="list-style-type: none"> ▪ Enabling a range / variety of housing options in existing urban areas encourages landowners to provide for their needs within existing urban limits – minimising the effects of urban sprawl resulting from landowners seeking to satisfy their housing needs at urban fringes. This will reduce the development of greenfield land and reduce air emissions through reduced private vehicle usage (between home and place of work – likely the business and town centres). <p>Economic:</p> <ul style="list-style-type: none"> ▪ Potential for a wider range of housing types / choices (emanating to a broader range of house prices – including affordable housing) to be |

- Framework generally encourages the non-notification of built form infringements and therefore will continue to limit the scope of public involvement in the development process (with the perceived risk to landowners).

- available in the future - as a result in enablement of different densities and typologies replacing the predominance of single dwellings.
- Delivery of a broader range of housing choice, across a geographical area, will have benefits across the board for lowering buyer / rental costs as market / rental supply is better aligned with demand.
 - Saving time and costs for developers and landowners with clearer direction on built outcomes sought in the zone (by way of adopting a Restricted Discretionary Activity framework for non-compliance with the built form rule framework).
 - Land use regulations in District Plans affect the supply and price of development capacity, by limiting the use of particular pieces of land and adding steps to the development process⁸. Providing a more liberal built form rule framework to increase housing choice will increase both supply and development feasibility.

Social:

- Enables personal expression through built form with more liberal built form regulations.

Cultural:

- Additional opportunities for iwi developers to provide housing choice to meet cultural needs of the community.

Table 8: Evaluation of Proposed MDRZ Provisions(4.2A.9 & A.10)

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| <p>ISSUE:</p> <p>1) Issue 5 – Earthworks</p> <p>OUTCOME:</p> <ul style="list-style-type: none"> ▪ Avoid, remedy or mitigate the potential mismanagement of earthworks resulting in the potential sediment loss, instability and / or nuisance to communities. | |
| <p>Proposed Provisions</p> | <ul style="list-style-type: none"> ▪ 4.2 A.14 - Objective – Earthworks ▪ 4.2 A.15 - Policy – Earthworks |

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| <p>Effectiveness and Efficiency</p> | <p><u>Effectiveness</u> Compliance with the conditions in terms of Permitted activities ensures there is minimal impact on the sites and adjoining sites. This is an effective approach in achieving the objectives and retaining / enhancing the urban amenity of the Districts residential environment.</p> | <p><u>Efficiency</u> The rules will be efficient to achieve the relevant objectives as the benefits outweigh the costs. Conditions are an effective means of ensuring activities and buildings are appropriate for the zone in which they are located and ensure earthworks do not create adverse effects.</p> |
| <p>Risk of Acting / Not Acting</p> | <p>The risk of acting based on the information available is considered to outweigh the risks associated with not acting. The risk of not acting will exacerbate potential adverse effects (such as sediment loss, instability and nuisance) to communities and the environment resulting from inappropriate earthwork activities within the MDRZ.</p> | |
| <p>Costs</p> | | <p>Benefits</p> |
| <p>Economic:</p> <ul style="list-style-type: none"> ■ Potential to constrain the scale and location of earthworks. ■ Potential to add cost to a development associated with earthworks. ■ Requirements for technical reports to confirm ground is stable and suitable to be development. | | <p>Environmental:</p> <ul style="list-style-type: none"> ■ Strong policy direction to manage effects from earthworks while providing for them to facilitate development. ■ Effects-based approach means less restriction on earthworks in less sensitive environments - incentivising development in less sensitive environments. <p>Economic:</p> <ul style="list-style-type: none"> ■ Adopting the proposed GRZ earthworks provisions results in fewer infringements of earthworks rules and less resource consent required given the less restrictive rule framework in regard to providing development platforms. <p>Social:</p> <ul style="list-style-type: none"> ■ Improved stability for adjoining sites as geotechnical reports are required to confirm ground stability for development to occur <p>Cultural:</p> <ul style="list-style-type: none"> ■ Improved cultural benefits through managing potential sediment displacement into nearby water bodies. |

3.3 Evaluation of Proposed Rules

This section of the evaluation report evaluates the proposed bulk and massing rules of the MDRZ.

3.3.1 Evaluation

The proposed MDRZ rule framework involved a consideration of a number of options and alternatives to provide for an appropriate built form outcome that enables greater density and building height, but which also aims at encouraging innovation and flexibility in design responses. The proposed built form outcome of the MDRZ is a variety of buildings and dwelling typologies that adopt compact urban form and quality design.

The below table (**Table 9**) considers the costs and benefits of the proposed bulk and massing rules of the MDRZ. The options assessed comprised the equivalent GRZ rule and a more permissive standard (or deletion of the rule entirely).

Table 9: MDRZ Rule Evaluation

Note: those rows that are **bold text** indicate the 'preferred' option for the specific standard.

| Rule | Options | Costs | Benefits |
|---------|---------------------------|---|---|
| Density | No density control | <ul style="list-style-type: none"> Reliance is afforded to the built form standards to avoid, remedy or mitigate the potential adverse effects on amenity of residents. Perceived as a threat to neighbourhood amenity by residents / the wider community. | <ul style="list-style-type: none"> Avoids constraint on development potential. Enables a range and number of housing options within the zone. Provides greater flexibility to landowners / developers. Compliance with built form standards ensure potential adverse effects on amenity are avoided. Where compliance is not achieved with built form standards, amenity is a matter of discretion for Council to consider. |
| | 1 dwelling per site | <ul style="list-style-type: none"> Additional constraint on development potential. Restricts the range and number of housing options that can be developed in the zone. Does not result in the prevention of inadequate or inappropriate amenity affects. Reduces housing capacity (through intensification) of the MDRZ. | <ul style="list-style-type: none"> Both built form standards and density control will avoid, remedy or mitigate the potential adverse effects on amenity of residents. |

| Rule | Options | Costs | Benefits |
|-----------------------|--|---|--|
| Minor Dwellings | No minor dwelling control | <ul style="list-style-type: none"> Perceived as a threat to neighbourhood amenity by residents / the wider community. | <ul style="list-style-type: none"> Avoids constraint on development potential. Enables the ability for landowners / developers to opt for either a second dwelling (where the standards permit) or a minor unit - maximising choice to meet individual requirements. |
| | 1 per site (at 70m ²) | <ul style="list-style-type: none"> Additional constraint on development potential. Restricts housing options for landowners / developers regardless of lot size. Reduces variety in built form outcomes for the wider zone. Reduces housing capacity (through intensification) of the MDRZ. | <ul style="list-style-type: none"> Provides all sites with the opportunity to include a minor dwelling (subject to compliance with other built form standards) rather than only one dwelling / residential unit per site. |
| Minimum Dwelling Size | No minimum dwelling size | <ul style="list-style-type: none"> Potential to reduce internal amenity of developments. Potential to provide for the establishment of 'shoebox' apartments or 'dual key' apartments (by cutting costs of developments through minimising dwelling sizes). | <ul style="list-style-type: none"> Removes restriction and associated development costs. |
| | 35m² for studio dwellings 45m² for one or more bedrooms | <ul style="list-style-type: none"> Restrictive planning control that may limit development yield and increases development costs. | <ul style="list-style-type: none"> Ensures reasonable internal amenity is achieved for medium density developments. Ensures a minimum 'quality' of housing brought to the market (avoiding the development of 'shoebox' apartments). |

| Rule | Options | Costs | Benefits |
|------------------------------------|---|---|---|
| Maximum Building Height | 8m | <ul style="list-style-type: none"> Limits the development potential of the site. Reduces housing choice and variety within the zone. | <ul style="list-style-type: none"> Ensures amenity is retained through the adoption of legacy maximum permitted height. |
| | 11m | <ul style="list-style-type: none"> Perceived as a threat to neighbourhood amenity by residents / the wider community – particularly the potential for more instances of shadowing and / or dominance effects on adjoining sites (although note daylight admission and yard standards still apply). | <ul style="list-style-type: none"> Enables housing choice and variety within the zone. Maximises development potential of the site through enablement of three storey housing. Opportunities for landowners / developers to build up on sites that yard setback and / or daylight admissions standards prevent a permitted pathway for a second dwelling / minor unit. |
| Fences or Walls - Road Boundaries) | 1.5m (if solid) 1.8m (if visually permeable) | <ul style="list-style-type: none"> Permitted a solid fence at a greater height may impact on amenity of residential street frontages. | <ul style="list-style-type: none"> Achieves a safer public environment through increased opportunities for passive surveillance of the street and site frontages for residents. Encourages more consistent application to fencing or walls along a residential street. |
| | 1.4m (if solid) 1.8m for no more than 50% of site frontage | <ul style="list-style-type: none"> More complicated approach to controlling fencing or walls than the alternative option. Potential for 'ad-hoc' fencing or wall approach along a street resulting in a less desirable street frontage. 1.8m does not need to be visually permeable, therefore this option results in less opportunities for passive surveillance of the street and site frontages compared to the alternative option. | <ul style="list-style-type: none"> Provides for more options for fencing while increasing privacy through a higher permitted fence that does not need to be visually permeable. |

| Rule | Options | Costs | Benefits |
|--------------------|---|--|---|
| Daylight Admission | 45° at 2.5m (at every point of site boundary) | <ul style="list-style-type: none"> ■ Limits the development potential of the site. ■ Encourages a predominate built form outcome regardless of adjoining zone. ■ Does not recognise the MDRZ is an interface zone – adjoining both residential and business zones. | <ul style="list-style-type: none"> ■ Easy to administrate by Council given only one measurement regardless of adjoining zone. |
| | <p>45° at 3.0m (at every point of side boundary except: Legal RoW, entrance strip, or access site, internal boundaries, legal road) 45° at 2.5m if adjoining GRZ and / or Village Zone</p> | <ul style="list-style-type: none"> ■ Potential for instances of both standards applying along the boundary of a site if said boundary adjoins multiple sites (GRZ and Legal RoW, for example) – harder for Council to administrate. | <ul style="list-style-type: none"> ■ Provides more flexibility in bulk and location of buildings on a site – increasing the development potential of the site. ■ Enables housing choice and variety within a zone. ■ More restrictive standards when adjoining the GRZ or Village zone – recognising these zones are more sensitive to adverse amenity effects resulting from inappropriate bulk and massing. ■ Recognises MDRZ is an interface zone (between residential and business zones) through enabling alternative standards based on adjoining zone. |
| Building Coverage | 40% | <ul style="list-style-type: none"> ■ Limits the development potential of the site. ■ Reduces housing choice and variety within the zone. ■ Reduction in development potential of a site reduces profit and / or potentially leads to higher home prices (as costs are passed on). | <ul style="list-style-type: none"> ■ Restricting total building coverage reduces instances of dominance. |

| Rule | Options | Costs | Benefits |
|---------------------|---------|--|---|
| | 45% | <ul style="list-style-type: none"> ■ Perceived as a threat to neighbourhood amenity by residents / the wider community – particularly the potential for more dominance effects on adjoining sites (although note daylight admission and yard standards still apply). | <ul style="list-style-type: none"> ■ Enables individual freedom for utilisation of sites by maximising total building coverage available to landowners / developers. ■ Enables housing choice and variety within the zone. |
| Impervious Surfaces | 70% | <ul style="list-style-type: none"> ■ Limits the development potential of the site. | <ul style="list-style-type: none"> ■ Reduces the maximum area of impervious surfaces reduces the amount of stormwater runoff from sites (without requiring the costs associated with the installation and operation of a stormwater retention tank). ■ Increasing impervious surfaces does not generally maximises development potential of a site – that is, the costs of installing increased impervious surfaces does not generally contribute to increased profit per m² (compared to building coverage, for example). |
| | 75% | <ul style="list-style-type: none"> ■ Perceived as a threat to neighbourhood amenity by residents / the wider community. ■ Increases stormwater runoff onto adjoining sites – exacerbating any flooding related issues for adjoining landowners. ■ Landscaping is generally considered more desirable (that is, positively contributes to amenity values). Increasing impervious area reduces incentives to provide landscaping. | <ul style="list-style-type: none"> ■ Enables variety within the zone. |

| Rule | Options | Costs | Benefits |
|------------------------------------|--|--|---|
| Outdoor Living Court | 40m ² with a minimum dimension of 5m in any direction | <ul style="list-style-type: none"> Limits the development potential of the site. | <ul style="list-style-type: none"> Maintains a familiar level of onsite amenity through retaining minimum dimensions. |
| | 20m² with a minimum dimension of 4m in any direction | <ul style="list-style-type: none"> Potential for reduction in onsite amenity (more so for renters who do not have control over the extent of the outdoor living court). | <ul style="list-style-type: none"> Increases development potential of the site. Enables more variety in built form outcomes through the reduction of required outdoor living space. |
| Building Setbacks – All Boundaries | 3m from road boundary 3m from edge of an indicative road 1m from every other boundary | <ul style="list-style-type: none"> Limits the development of the site. | <ul style="list-style-type: none"> Increases opportunities for landscaping. Reduces potential dominance of buildings along the street front. |
| | 2.5m from road boundary 1m from every other boundary | <ul style="list-style-type: none"> Potential for increased dominance effects (compounded with increased maximum permitted height). Reduction in opportunities for landscaping (contributing to street amenity). | <ul style="list-style-type: none"> Increased development potential of a site. |
| Subdivision – General | 450m ² minimum vacant lot | <ul style="list-style-type: none"> Limits the development potential of the site. Reduces housing choice and opportunity for landowners / developers. Reduces housing supply within the current residential zone limit. Coupled with other built form rules, potential to result in a single predominant built form within the MDRZ zone. | <ul style="list-style-type: none"> Maintains a familiar level of residential amenity through retaining minimum dimensions. |
| | 200m² minimum vacant lot | <ul style="list-style-type: none"> Perceived as a threat to neighbourhood amenity by residents / the wider community with increased number of sites. Increased demand on existing Infrastructure to | <ul style="list-style-type: none"> Maximises the development potential of a site. Provides for increased housing supply without increasing the extent of the residential area. Enables tiny housing without compromising the |

| Rule | Options | Costs | Benefits |
|---|---|---|--|
| | | accommodate new development. <ul style="list-style-type: none"> ■ Increase rates associated with up-zoning. | development potential of a site (that is, providing for small houses and subdividing enables greater utilising of a site compared to the GRZ – with one house per 450m ² regardless of the footprint of the house). <ul style="list-style-type: none"> ■ Enables a variety of housing typologies – meeting a wider range of needs of landowners / developers / buyers and renters. ■ Economic gains for those properties up zoned (should land users sell). |
| Subdivision – General (building platform) | 100m² with a minimum dimension of 6m² exclusive of yards | <ul style="list-style-type: none"> ■ Perceived as a threat to neighbourhood amenity by residents / the wider community. | <ul style="list-style-type: none"> ■ Increases development potential. ■ Increasing housing choice and variety. |
| | 200m ² with a minimum dimension of 12m exclusive of yards | <ul style="list-style-type: none"> ■ Limits development potential of a site. ■ Requires larger sites to provide for a single dwelling – increasing costs for one house compared to the alternative option (requiring less land for one dwelling). | <ul style="list-style-type: none"> ■ Maintains a familiar level of residential amenity through retaining minimum building platform dimensions. |

3.4 Efficiency and Effectiveness of the Provisions

The proposed provisions of the MDRZ provides the framework and tools to facilitate the increase of the supply of higher density forms of housing within the Waikato District. The proposed provisions support the strategic direction (Chapter 4) of the PDP through the enablement of higher density development close to existing urban centres, active and public transport routes in a format that promotes a range of housing options to meet the needs of both the existing and future community. The proposed framework promotes the efficient use of existing services and infrastructure through compact urban form / consolidation of urban growth.

The proposed provisions have been drafted to specifically address the key identified resource management issues identified by WDC (refer to Section 2.3 and **Appendix 3** of this evaluation report).

It is important to note that the proposed MDRZ framework provides a management approach to the projected growth (and its anticipated affects) within the Waikato District. This is considered the most efficient and effective approach to address this growth.

Regardless of the relevant of growth pressures facing the Waikato District, the establishment of the proposed MDRZ gives effect the NPS-UD and improves the efficiency of urban development within the Waikato District through a proactive approach – therefore avoiding a reactive approach to urban growth.

3.5 The Risk of Not Acting

In evaluating the proposed policies, rules and methods, section 32(2)(c) of the RMA requires the consideration of the risk of ‘acting’ or ‘not acting’ if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods. This consideration with respect to the proposed MDRZ provisions has been undertaken in section 3.2.1 and 3.3.1 of this evaluation report.

In summary, the risk of ‘acting’ by establishing the MDRZ and increased density provisions to respond to projected growth is that, if actual growth falls well short of projections; or that economic development is stifled to a point at which demand for new housing and accommodation decreases (potential scenarios), the provisions are forward looking in any case and are intended to provide for a growing population in a more sustainable and coordinated manner, under a range of economic scenarios. In the event of economic decline, it is still considered relevant to maintain provision for increased density housing – for example to provide lower cost housing and rental options where employment opportunities decrease. Additionally, the protection of important landscapes and significant environmental or natural features enabled through support for increased density will still be relevant even under a low growth scenario (that is, strategic locating the MDRZ within existing urban limits where the benefits are best realised).

The risk of ‘not acting’, by retaining the proposed GRZ only approach, is that is that in the event that the growth projections are realised, or even partially realised, then the housing needs (including choice and affordability) of the District will not be met, economic potential will be under-realised (that is, not focusing urban growth around existing business and town centres to stimulate / increase the catchments of these local businesses), and potential environmental effects as urban development moves towards the urban limits to accommodate the projected growth.

Overall, based on the analysis undertaken throughout this evaluation report, the risk of ‘not acting’ is considered significantly higher than the risk of ‘acting’.

4 Analysis of the Spatial Extent of the Proposed Medium Density Residential Zone

4.1 Methodology

The proposed MDRZ has been applied to existing urban areas within the Waikato District where growth is anticipated – Huntly, Ngaruawahia, Pokeno, Raglan, Te Kauwhata and Tuakau.

The MDRZ is deliberately located close to town centres, strategic transport corridors and community services / amenities. This recognises the need to provide for residential intensification to be located close to and within existing town centres and urban settlements in the Waikato District to support economic and residential growth in these locations, and will provide certainty to landowners, developers and service providers for long-term investment decisions. It also acts as a transition in built form between the more intensive business zones in the GRZ.

The zone has been spatially mapped utilising ground truthing, slope analysis, walking catchment analysis, natural hazards analysis⁵ and a high-level review of proximity to services / amenities. A detailed methodology for assessing and mapping the spatial extent of the MDRZ is contained in **Appendix 5**. This methodology addresses the rationale for 'scaling back' the spatial extent of the MDRZ as sought in Kāinga Ora's primary submission.

4.2 Consideration of Alternatives

The spatial application of the proposed MDRZ involved a consideration of a number of options and alternatives to ensure the most appropriate zoning pattern to maximise the efficiency and effectiveness of the MDRZ. The following Table (**Table 10**) outlines those options and alternatives used to determine the spatial extent of the MDRZ:

⁵ Adopting the natural hazard mapping provided with the PDP Stage 2: Natural Hazard and Climate Change notification material.

Table 10: MDRZ Spatial Extent Methodology Evaluation

Note: those rows that are **bold** text indicate the 'preferred' option for the specific attribute.

| Attribute | Options | Costs | | Benefits |
|---------------------------------------|---|--|--|----------|
| | | Comments | | |
| High Level Spatial Application | | | | |
| MDRZ Applied to: | All residentially zoned land within the District (that is, the GRZ). | <ul style="list-style-type: none"> Will not provide sufficient differentiation within the District. Will not provide for a transition in built form Has the potential to result in growth being dispersed to areas without public transport services and other locational benefits. | <ul style="list-style-type: none"> Enables extensive intensification over a large area. | |
| | All sites in Kāinga Ora ownership. | <ul style="list-style-type: none"> Will result in inconsistencies and potentially sporadic built form outcomes for settlements. Will be a function of historic ownership and development patterns rather than a planning rationale. | <ul style="list-style-type: none"> Provides benefits for Kāinga Ora properties through maximising the built form potential. | |
| | Sites within a walkable catchment of the Business – Town Centre Zone | <ul style="list-style-type: none"> Does not maximise the area over which intensification may occur. | <ul style="list-style-type: none"> Supports economic and residential growth in locations which are well placed to accommodate growth because of their existing infrastructure and amenities. Enables settlements to be assessed and subsequently removed if there is a lack of existing infrastructure and other amenities. Ensures a coherent zoning pattern is applied across the District. Provides for a variety of residential amenity. | |
| Extent of walkable catchment | 800m (10 minute) walkable catchments form all centres. | <ul style="list-style-type: none"> Distance may be too great in some settlements and the spatial extent may not be supported by population density, infrastructure or amenities. | <ul style="list-style-type: none"> Enables development over an extensive area. | |

| Attribute | Options | Costs | Benefits |
|-----------------------------------|---|--|--|
| | 400m (5 minute) walkable catchments from all centres. | <ul style="list-style-type: none"> Limits the area zoned for intensification and may not provide sufficient area for the projected urban growth. | <ul style="list-style-type: none"> Ensures intensive development is consolidated in very close proximity to centres. |
| | Variable catchments of between 400m / 800m. | <ul style="list-style-type: none"> Does not maximise the area over which intensification may occur. | <ul style="list-style-type: none"> Ensures boundaries can be matched to ground conditions and circumstances. Does not unnecessarily constrain extent of zoned area when other considerations (infrastructure, public transport, topography, physical constraints or other amenities) may enable varying distances from the centres. |
| Calculation of walkable catchment | Radial "Ped-shed". | <ul style="list-style-type: none"> Unrelated to conditions on the ground. Does not take account of established street network, boundaries of centres, location of amenities, location of public transport stops or physical constraints (e.g. rivers). | <ul style="list-style-type: none"> Administratively easy to identify. |
| | Detailed network analysis including consideration of barriers or impediments to walking catchments | <ul style="list-style-type: none"> Requires administrative and financial investment to carry out a survey. | <ul style="list-style-type: none"> The townships exist and have characteristics that can be identified and taken into account to ensure that the zoning exercise recognises the street network, defined centres, amenities, public transport stops and physical constraints (e.g. rivers). It is appropriate to identify matters which impact / reduce the effective walkable catchment. |
| Detailed Network Analysis | | | |

| Attribute | Options | Costs | Comments | Benefits |
|-------------------------|--|---|--|----------|
| Barriers or constraints | Slope – avoid zoning anything above 1:12. | <ul style="list-style-type: none"> Would not allow consideration of other matters which may improve access (e.g. frequency of, and accessibility to, public transport, footpath infrastructure). | <ul style="list-style-type: none"> Administratively easily to identify. | |
| | Slope – one factor to be considered when determining accessibility. | <ul style="list-style-type: none"> Requires administrative and financial investment to assess multiple factors / attributes. | <ul style="list-style-type: none"> Allows consideration of other matters which may improve access (e.g. frequency of, and accessibility to, public transport, footpath infrastructure). | |
| | Natural Hazards (including the effects of climate change) – avoid zoning any location subject to natural hazards. | <ul style="list-style-type: none"> Does not take into account the potential for engineering solutions through design. | <ul style="list-style-type: none"> Administratively easy to identify. Aligns with the NPSUD and WRPS policy framework (insofar as urban areas are resilient to the existing and future effects of climate changes). | |
| | Natural Hazards (including the effects of climate change) – only avoid zoning location subject to natural hazards which cannot be managed / engineered. | <ul style="list-style-type: none"> Requires administrative and financial investment to assess multiple factors / attributes. | <ul style="list-style-type: none"> Allows consideration of engineering solutions through design. Gives effect to “avoidance” policy framework in the Natural Hazards Chapter. Recognises that up-zoning is inappropriate where an identified hazard cannot be managed, or an engineering solution cannot be found. Aligns with the NPSUD and WRPS policy framework (insofar as urban areas are resilient to the existing and future effects of climate changes). | |

| Attribute | Options | Costs | Benefits |
|---|---|--|---|
| Proximity to services and facilities (amenities) | Amenities / community facilities – apply within 400m of any amenity. | <ul style="list-style-type: none"> ■ Does not take into account the fact that distances people may be willing to walk will vary for different services / facilities. ■ Does not account for the fact some amenities may not be particularly useful for day-today living for some members of the community. | <ul style="list-style-type: none"> ■ Administratively easy to identify. |
| | No amenity / community facility catchment. | <ul style="list-style-type: none"> ■ Does not identify parcels of land which include a concentration of activities in or around smaller neighbourhood centres and which would support higher density living. | <ul style="list-style-type: none"> ■ Administratively easy to identify. |
| | Amenity / community facility heat map. | <ul style="list-style-type: none"> ■ Requires administrative and financial investment to assess multiply factors / attributes. | <ul style="list-style-type: none"> ■ Identifies areas particularly accessible to a range of commercial services and community facilities. ■ Takes account of the relative attractiveness of various forms of amenity. |
| Locational attributes | In addition to zoning areas within an amenities / community facilities catchment, zone areas with other attributes (e.g. orientation, views etc.). | <ul style="list-style-type: none"> ■ Requires administrative and financial investment to assess multiply factors / attributes. | <ul style="list-style-type: none"> ■ Identifies areas where intensive residential development may be more attractive outside of areas with proximity to amenities. |
| | Consider locational attributes (e.g. orientation, views only where in existing walkable catchments). | <ul style="list-style-type: none"> ■ Does not provide for zoning in areas that would otherwise be appropriate and attractive places to live. | <ul style="list-style-type: none"> ■ Administratively easy to identify. |
| Zone boundaries | Precise zone extent - define zone boundaries using fixed physical features (e.g. streets, rail corridors, streams open spaces etc.). | <ul style="list-style-type: none"> ■ Has the potential for some areas that are otherwise within the catchment being excluded from the zone. | <ul style="list-style-type: none"> ■ Provides defined transition to lower (or higher) density zones. ■ Minimises potential for interface issues. |

| Attribute | Options | Costs | Benefits |
|----------------------------------|--|---|--|
| | Ignore fixed features when defining zone boundaries. | <ul style="list-style-type: none"> ■ Could lead to isolated pockets of zoning which are inconsistent with the wider area. ■ Potential to result in unusual transition in built form and interface issues with adjoining sites. | <ul style="list-style-type: none"> ■ Maximises area of zone within nominal catchment. |
| | Precise zone extent - avoid zoning across blocks / “pepper potting” / cadastral boundaries / site ownership where possible. | <ul style="list-style-type: none"> ■ Has the potential for some areas that are otherwise within the catchment being excluded from the zone. | <ul style="list-style-type: none"> ■ Provides defined transition to lower (or higher) density zones. ■ Minimises potential interface issues. ■ Reduces administrative complexities for owners in future consent processes. |
| | Zone based on distance without regard for pepper potting / cadastral boundaries / site ownership. | <ul style="list-style-type: none"> ■ Has the potential to lead to isolated pockets of zoning which are inconsistent with the wider area. ■ Potential to result in unusual transition in built form and interface issues with adjoining sites. | <ul style="list-style-type: none"> ■ Maximises area of zone within nominal catchment. |
| Wider Application of Zone | Apply MDRZ outside of 400m/800m catchment identified in Kāinga Ora where attributes justify this. | <ul style="list-style-type: none"> ■ Outside of scope for Kāinga Ora submission so not currently available. | <ul style="list-style-type: none"> ■ This would minimise potential interface effects, enable logical zone boundaries and have benefits in terms of urban form. |
| | Only apply MDRZ within 400m/800m catchments identified in Kāinga Ora submission. | <ul style="list-style-type: none"> ■ This may lead to situations where boundary is inconsistent with methodology, however confined by scope. | <ul style="list-style-type: none"> ■ Complies with scope of the Kāinga Ora submission and therefore is the only option available at this stage. |

4.3 Summary

There is a clear policy framework to promote and enable residential intensification of existing urban areas with a particular focus on locating intensification in areas which would better support the use of active modes of transport, reduce private vehicle use and contribute to more vibrant, well-functioning centres. This is consistent with good urban design practice, which considers the optimal spatial arrangement of land uses relative to each other that results in the most efficient use of land, supports community and commercial centres, and maximises use of active and public transport networks.

In determining zone extents in alignment with the above the following matters were considered for each of the main urban settlements within the District:

Table 11: Matters for Consideration for the Spatial Extent of the MDRZ

| Matter | Rationale |
|--|---|
| Proposed extent of Business – Town Centre zoning | <ul style="list-style-type: none"> ■ The nature of the zoning and its spatial application helps to define those areas which have (or could have) a concentration of amenities, facilities and jobs which residents require for day-to-day living (e.g. supermarket, pharmacy). |
| Walking catchments from the edge of the Business – Town Centre zone | <ul style="list-style-type: none"> ■ The NPS-UD and WRPS create a clear policy framework which seeks to promote increased travel via active modes. A major driver in encouraging uptake of active modes is minimising journey times. The lower the journey time, the more convenient/ viable it is perceived to be. |
| Potential barriers or impediments to walking catchments | <ul style="list-style-type: none"> ■ Barriers (such as heavily trafficked roads) can reduce the effective walking catchment due to factors such as travel time delay. |
| Amenities/ community facilities | <ul style="list-style-type: none"> ■ There are often situations where important amenities that support day-to-day living (e.g. schools) are not located within centre zones. A concentration of amenities outside of a centre zone or its associated walking catchment may highlight further areas where intensification can be supported. |
| Natural Hazards (including the effects of climate change) | <ul style="list-style-type: none"> ■ The NPS-UD and WRPS create a clear policy framework which seeks to ensure that urban areas are resilient to the existing and future effects of climate change. At this level, this would identify areas that are expected to be subject to future coastal inundation and/or sea-level rise and therefore less appropriate for residential intensification. In the context of the PDP, there are areas identified as being of high risk to natural hazards where there is a policy intent to avoid further development. This would indicate that further residential intensification may be inappropriate. This contrasts with areas where management may be acceptable and appropriate mitigation measures can be implemented to support development (e.g. Increased building freeboard). |
| Precise Zone Extent | <ul style="list-style-type: none"> ■ Precise boundaries for the zone should be considered in order to create a coherent zoning pattern and reduce potential edge/ transition effects between varying density of uses. |

5 Feasibility of the Proposed Medium Density Residential Zone

5.1 Overall Feasibility of the Proposed Medium Density Residential Zone

Property Economics have undertaken an assessment of the financial feasibility of the theoretical residential capacity provided by the proposed MDRZ provisions. This assessment follows a clear and established approach that has assessed the overall feasibility of the residential product by typology as well as reconciling this with the projected demand by preference.

The results of this assessment illustrate several important points including:

- That the proposed zone provides for considerably greater feasible residential capacity than that currently notified;
- That there is increased potential to facilitate the market in providing residential product in keeping with demographic changes and preferences under the MDRZ;
- That the MDRZ assessment indicates that the feasible outcomes under this zone are more likely to result in lower average prices as well as greater market provision of product within the lower range price bands;
- That the resulting feasible capacity (and ultimately the higher realisation rates within the MDRZ) have a greater propensity to result in improved economic efficiency through more intensive urban form development within areas with higher accessibility and amenity; and
- While not representing currently feasible capacity, the enablement of 'walkup / apartment' product within the zone has future potential to provide for a more economically efficient land use.

6 Conclusion

The purpose of this report is to provide an evaluation of the proposed MDRZ as sought by Kāinga Ora in its submission on the PDP. This evaluation has been undertaken in accordance with Section 32 of the Resource Management Act 1991 (RMA) in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purposes of the RMA.

The proposed MDRZ provisions are forward looking and are intended to provide for a growing population in a more sustainable and coordinated manner. The proposed provisions are based on the premise that it is not the role of the RMA or the District Plan to restrict growth, but rather to manage the effects of such growth to meet the foreseeable needs of the community.

From a feasibility perspective, the proposed MDRZ provisions provide for a considerably greater feasible residential capacity than the current GRZ approach adopted in the PDP. In addition, the proposed provisions will more likely result in lower average prices as well as greater market provision of product within the lower range price brand. Further, the spatial application of the zone coupled with the more enabling provisions (for intensification of residential land) will improve economic efficiency (through more intensive urban form development within areas with higher accessibility and amenity) resulting in a more economically efficient land use.

Overall, it is considered that the set of preferred approaches / provisions is the most appropriate in assisting the Council carrying out its functions for the purpose of achieving the RMA's sustainable management purpose,

further, the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred approaches / provisions. The risks of acting are also clearly identifiable and limited in their extent.

Given the evaluation presented in this report, it is concluded that the MDRZ and associated provisions meet the tests of section 32 of the Act, and, furthermore, will promote the sustainable management of natural and physical resources.

Appendix 1: Proposed Medium Density Residential Zone Provisions (as sought by Kāinga Ora – Homes and Communities)

New Zone Statement, Objectives and Policies for Medium Density Residential Zone to be included in Chapter 4 of the Proposed WDP

Zone Statement - Medium Density Residential

The purpose of the Medium Density Residential zone is to enable the more efficient use of residentially zoned land and infrastructure by providing for a higher intensity of residential development than typically found in the General Residential Zone. The zone provides for this development within a walkable catchment of town centres, strategic transport corridors and community facilities. The MDRZ zone will:

- Provide greater housing supply to respond to anticipated growth;
- Reduce pressure for residential development on the urban fringe and beyond;
- Relieve anticipated pressures (exacerbated by adopting sprawl to accommodate urban growth) on the road transport network by providing housing close to town / business centres where utilising both public and active modes of transport to access places of employment, retail and entertainment is readily achievable / viable);
- Provide greater diversity / choice of housing; and
- Coordinate delivery of infrastructure and services.

The zone provisions enable a variety of dwelling sizes and typologies to be delivered which provides opportunity for greater housing variety and choice. Development in the zone is guided by rules which encourage innovation and flexibility in design responses. The Matters of Discretion for development enable appropriate design outcomes regarding:

- The contribution the development makes to the zone having regard to the planned urban form and intensity the zone provides for;
- The creation of safe and high-quality residential neighbourhoods;
- The on-site amenity for residents such as high-quality outdoor spaces;
- The amenity effects on adjoining sites such as privacy and shading; and
- The provision of three waters infrastructure to service the development.

4.2A Medium Density Residential Zone

4.2A.1 Objective – Housing Typology

- a) Achieve greater housing choice for the community in response to changing demographics and housing needs.

4.2A.2 Policy – Housing Typology and Type

- a) Enable a variety of housing typologies in the Medium Density Residential Zone including apartments, terrace housing and duplexes.

4.2A.3 Objective – Efficient Use of Land and Infrastructure

- a) Land and infrastructure near the Business Town Centre Zone, Business Zone and close to public transport networks, strategic transport corridors and community facilities is efficiently used for medium density residential living resulting in a compact urban settlement pattern.

4.2A.4 Policy - Efficient Use of Land and Infrastructure

- a) Enable land adjacent to the Business and Business Town Centre Zones and within a walkable catchment of transport networks to be used for higher intensity residential living.
- b) Recognise the social, economic and environmental benefits arising from higher density development being situated closer to community facilities and the Business and Business Town Centre Zones when considering development proposals.
- c) Recognise the economic and environmental benefits of higher density development that efficiently utilises existing and planned investment in transport and three waters infrastructure.

4.2A.5 Policy – Bankart Street and Wainui

- a) Provide for the ongoing change in the mixture of residential and commercial activities bordering identified commercial areas at Raglan.

4.2A.6 Objective – Residential Amenity

- a) Achieve a level of residential amenity commensurate with a medium density environment – comprising primarily townhouses and low-rise apartments.

4.2A.7 Policy – Building Form, Massing and Coverage

- a) Enable residential development within the Zone that:
 - (i) Is of a height and bulk that manages daylight access and a reasonable standard of privacy for residents; and
 - (ii) Manages visual dominance effects on adjoining sites.

4.2A.8 Policy – Streetscape, Yards and Outdoor Living Courts

- a) Enable residential development that contributes to attractive and safe streets and public open spaces by:

- (i) Providing for passive surveillance to public open spaces and streets through siting of dwellings and rooms, façade design and fencing/landscaping;
 - (ii) Incorporating front yard landscaping that will enhance streetscape amenity;
 - (iii) Minimising the prevalence of garage doors, carparking and driveways fronting the street.
- b) Require development to have sufficient side yard setbacks to provide for:
- (i) Landscaping and permeable surfaces;
 - (ii) Privacy;
 - (iii) Sunlight and daylight;
 - (iv) Useable and accessible outdoor living space; and
 - (v) Driveways and accessways.
- c) Require the provision of Outdoor Living Spaces that are attractive and functional whilst enabling flexibility and innovation in the provision of such spaces by recognising the varying means by which suitable outdoor spaces can be provided for a particular form of development including shared outdoor spaces, roof terraces or other communal outdoor living spaces.

4.2A.9 Policy – Changes to Amenity Values

- a) Recognise that the planned urban built form may result in changes to the amenity values and characteristics of the urban character over time.

4.2A.10 Objective – Activities

- a) An appropriate mix of complementary and compatible activities is enabled to support residential growth.

4.2A.11 Policy – Home Occupations

- a) Provide for home occupations to allow flexibility for people to work from their homes.
- b) Manage adverse effects on residential amenity through limiting home occupations to a scale that is compatible with the primary residential purpose of the zone.

4.2A.12 Policy – Non-Residential Activities

- a) Maintain the Medium Density Residential Zone primarily for residential activities while also:
 - (i) Ensuring community facilities within the Zone:
 - A. Are suitably located;
 - B. Are of a limited scale and of an intensity that is compatible with the Medium Density Residential Zone;

- C. Contribute to the amenity of the neighbourhood; and
 - D. Support the social and economic well-being of the residential community.
- (ii) Avoid the establishment of new non-residential activities (except home occupations) on rear sites, or sites located on cul-de-sacs; and
 - (iii) Ensure that the design and scale of non-residential activities and associated buildings mitigate adverse effects related to traffic generation, access, noise, vibration, outdoor storage of materials and light spill.
- b) Enable existing non-residential activities to continue and support their redevelopment and expansion provided they do not have a significant adverse effect on the character and amenity of the Medium Density Residential Zone.

4.2A.13 Policy - Temporary Events

- a) Enable temporary events and associated temporary structures, provided any adverse effects on the residential environment are managed by:
- (i) Limits on the timing, number and duration of events; and
 - (ii) Meeting the permitted noise limits for the zone.

4.2A.14 Objective – Earthworks

- a) Earthworks facilitate subdivision, use and development while avoiding, mitigating or remedying potential adverse effects.

4.2A.15 Policy - Earthworks

- a) Manage the effects of earthworks to ensure that:
- (i) Erosion and sediment loss is avoided or mitigated;
 - (ii) Changes to natural water flows and established drainage paths are mitigated;
 - (iii) Adjoining properties and public services are protected;
 - (iv) The importation of cleanfill is avoided in the Medium Density Residential Zone.
- b) Earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.
- c) Manage the amount of land being disturbed at any one time to avoid, remedy or mitigate adverse construction noise, vibration, dust, lighting and traffic effects.
- d) Manage the geotechnical risks to ensure the ground remains sound, safe and stable for the intended land use.

Chapter 16A: Medium Density Residential Zone

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Chapter 16A: Medium Density Residential Zone

- 1) The rules that apply to activities in the Medium Density Residential Zone are contained in Rule 16A.1 Land Use – Activities, Rule 16A.2 Land Use – Effects and Rule 16A.3 Land Use – Building.
- 2) The rules that apply to subdivision in the Medium Density Residential Zone are contained in Rule 16A.4.
- 3) The activity status tables and standards in the following chapters also apply to activities in the Medium Density Residential Zone:
 - 14 Infrastructure and Energy;
 - 15 Natural Hazards and Climate Change (Placeholder).
- 4) The following symbols are used in the tables:
 - a) P Permitted activity
 - b) C Controlled activity
 - c) RD Restricted discretionary activity
 - d) D Discretionary activity
 - e) NC Non-complying activity
 - f) PR Prohibited activity

16A.1 Land Use - Activities

16A.1.1 Prohibited Activities

- 1) The following activity is a prohibited activity. No application for resource consent for a prohibited activity can be made and a resource consent must not be granted.

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| PR1 | Any building, structure, objects or vegetation that obscure the sight line of the Raglan navigation beacons for vessels entering Whaingaroa (Raglan Harbour) (refer to Appendix 7). |
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16A.1.2 Permitted Activities

- 1) The following activities are permitted activities if they meet all the following:
 - (i) Land Use – Effects rules in Rule 16A.2 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
 - (ii) Land Use – Building rules in Rule 16A.3 (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);
 - (iii) Activity-specific conditions.

| Activity | Activity-specific conditions |
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| P1 | Residential activity, unless specified below. | Nil |
| P2 | A Marae Complex or Papakainga Housing Development on Māori Freehold Land or on Māori Customary Land | <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p>a) The total building coverage does not exceed 50%;</p> <p>b) Where the land is vested in trustees whose authority is defined in a Trust Order and/or a Māori Incorporation, the following is provided to Council with the associated building consent application:</p> <p style="padding-left: 40px;">(i) A Concept Management Plan approved by the Māori Land Court and</p> <p style="padding-left: 40px;">(ii) A Licence to Occupy;</p> <p>c) Where a Trust Order or Māori Incorporation does not exist, one of the following instruments is provided to Council at the time lodgement of the application for building consent:</p> <p style="padding-left: 40px;">(i) A Concept Management Plan approved by the Māori Land Court;</p> <p style="padding-left: 40px;">(ii) A lease, or an Occupation Order of the Māori Land Court;</p> <p>d) The following Land Use Effects rules in Rule 16A.3 do not apply:</p> <p style="padding-left: 40px;">(i) Rule 16A.3.1 (Dwelling);</p> <p style="padding-left: 40px;">(ii) Rule 16A.3.2 (Minor dwellings);</p> <p style="padding-left: 40px;">(iii) Rule 16A.3.6 (Building Coverage)</p> |
| P3 | A new retirement village or alterations to an existing retirement village: | <p>a) The site is connected to public water and wastewater infrastructure;</p> <p>b) Minimum living court or balcony area and dimensions</p> <p style="padding-left: 40px;">(i) Apartment – 10m² area with minimum dimension horizontal and vertical of 2.5m;</p> <p style="padding-left: 40px;">(ii) Studio unit or 1 bedroom unit – 12.5m² area with minimum dimension horizontal and vertical 2.5m; or</p> <p style="padding-left: 40px;">(iii) 2 or more bedroomed unit – 15m² area with minimum dimension horizontal and vertical of 2.5m;</p> <p>c) Minimum service court is either:</p> <p style="padding-left: 40px;">(i) Apartment – Communal outdoor space (i.e. no individual service courts required); or</p> <p style="padding-left: 40px;">(ii) All other units – 10m² for each unit</p> <p>d) The following Land Use – Effects rule in Rule 16A.2 does not apply:</p> <p style="padding-left: 40px;">(i) Rule 16A.2.7 (Signs);</p> <p>e) The following Land Use – Building rules in Rule 16A.3 do not apply:</p> <p style="padding-left: 40px;">(i) Rule 16A.3.1 (Dwelling);</p> |

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| | | <p>(ii) Rule 16A.3.7 (Living Court)</p> <p>(iii) Rule 16A.3.8 (Service Court);</p> <p>f) The following Infrastructure and Energy rule in Chapter 14 does not apply:</p> <p>(i) Rule 14.12.1 P4(1)(a) (Traffic generation).</p> |
| P4 | Home occupation | <p>a) It is wholly contained within a building;</p> <p>b) The storage of materials or machinery associated with the home occupation are wholly contained within a building or are screened so as not to be visible from a public road or neighbouring residential property;</p> <p>c) No more than 2 people who are not permanent residents of the site are employed at any one time;</p> <p>d) Unloading and loading of vehicles or the receiving of customers or deliveries only occur between 7:30am and 7:00pm on any day;</p> <p>e) Machinery may only be operated between 7:30am and 9pm on any day.</p> |
| P5 | Temporary event | <p>a) The event occurs no more than 3 times per consecutive 12 month period;</p> <p>b) The duration of each temporary event is less than 72 hours;</p> <p>c) It may operate between 7:30am and 8:30pm</p> <p>d) Temporary structures are:</p> <p>(i) erected no more than 2 days before the temporary events occurs;</p> <p>(ii) removed no more than 3 days after the end of the event;</p> <p>e) The site is returned to its previous conditions no more than 3 days after the end of the temporary event;</p> <p>f) There is no direct site access from a national route or regional arterial road.</p> |
| P6 | <i>Cultural event on Māori Freehold Land containing a Marae Complex</i> | <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p><i>Nil</i></p> |
| P7 | Community facilities | a) Up to 200m ² GFA |
| P8 | Neighbourhood park | Nil |
| P9 | Home stay | a) No more than 4 temporary residents |
| P10 | Commercial activity | a) Must be within the Raglan Bankart Street and Wainui Road Business Overlay Area. |
| P11 | Boarding houses/boarding establishments | a) No more than 10 people per site inclusive of staff and residents |

16A.1.3 Restricted Discretionary Activities

- (1) The activities listed below are restricted discretionary activities.
- (2) Discretion to grant or decline consent and impose conditions is restricted to the matters of discretion set out in the following table.

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| RD1 | Any permitted activity that does not comply with the Activity Specific Conditions. | <p>Council's discretion shall be restricted to any of the following matters:</p> <p>(a) Consideration of the effects of the standard not met.</p> <p>(b) Measures to avoid, remedy or mitigate adverse effects.</p> <p>(c) Cumulative effects.</p> |
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16A.1.4 Discretionary Activities

- (1) The activities listed below are discretionary activities.

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| D1 | Commercial activity that does not comply with one or more the Activity Specific Conditions |
| D2 | Any activity that is not listed as Prohibited, Permitted or Restricted Discretionary. |

16A.2 Land Use – Effects

16A.2.1 Noise

- (1) Rules 16A.2.1.1 and 16A.2.1.2 provide the permitted noise levels generated by land use activities.
- (2) Rule 16A.2.1.1 Noise – general provides permitted noise levels in the Medium Density Residential Zone.
- (3) Rule 16A.2.1.2 Noise – Construction provides the noise levels for construction activities

16A.2.1.1 Noise – General

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| P1 | Noise generated by emergency generators and emergency sirens. |
| P2 | <p>a) Noise measured within any other site in the Medium Density Residential Zone must not exceed:</p> <p style="padding-left: 40px;">(i) 50dB $L_{Aeq(15min)}$, 7am to 7pm, every day;</p> <p style="padding-left: 40px;">(ii) 45dB $L_{Aeq(15min)}$ 7pm to 10pm every day; and</p> <p style="padding-left: 40px;">(iii) 40dB $L_{Aeq(15min)}$ 10pm to 7am the following day; and</p> <p style="padding-left: 40px;">(iv) 65dB $L_{Amax(15min)}$, 10pm to 7am the following day.</p> |

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| | <p>b) Noise levels shall be measured in accordance with the requirements of NZS 6801:2008 'Acoustics Measurement of Environmental Sound'; and</p> <p>c) Noise levels shall be assessed in accordance with the requirements of NZS6802:2008 'Acoustics – Environmental Noise'.</p> |
| D1 | Noise that does not comply with Rule 16A.2.1.1 P2 . |

16A.2.1.2 Noise – Construction

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| P1 | <p>a) Construction noise must not exceed the limits in the NZS 6803:1999 (Acoustics – Construction Noise); and</p> <p>b) Construction noise must be measured and assessed in accordance with the requirements of NZS6803:1999 'Acoustics – Construction Noise'</p> |
| RD1 | <p>a) Construction noise that does not comply with Rule 16A.2.1.2 P1.</p> <p>b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Effects on amenity values; (ii) Hours and days of construction; (iii) Noise levels; (iv) Timing and duration; and (v) Methods of construction |

16A.2.2 Servicing and hours of operation - Bankart Street and Wainui Road Business Overlay Area - Raglan

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| P1 | The loading and unloading of vehicles and the receiving of customers and deliveries associated with a commercial activity within the Bankart Street and Wainui Road Business Overlay Area may occur between 7:30am and 6:30pm. |
| D1 | The servicing and hours of operation of a commercial activity that does not comply with Rule 16A.2.2 P1 |

16A.2.3 Glare and artificial light spill

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| P1 | Illumination from glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site. |
| RD1 | <p>a) Illumination that does not comply with Rule 16A.2.3 P1.</p> <ul style="list-style-type: none"> (i) The Council's discretion shall be restricted to any of the following matters: (ii) Effects on amenity values; (iii) Light spill levels on other sites; |

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| | <ul style="list-style-type: none"> (iv) Road safety; (v) Duration and frequency; (vi) Location and orientation of the light source; and (vii) Mitigation measures. |
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16A.2.4 Earthworks

- (1) Rule 16A.2.4.1 – General, provides the permitted rules for earthworks activities for the Medium Density Residential Zone.
- (2) There are specific standards for earthworks within rules:
 - (a) Rule 16A.2.4.3 – Significant Natural Areas.

16A.2.4.1 Earthworks – General

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| P1 | <p>a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) Not exceed a volume of 1000m³; (iii) Not exceed an area of 1ha over any consecutive 12 month period; (iv) The total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) The slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs; (vii) Areas exposed by earthworks are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (viii) Sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; (ix) Do not divert or change the nature of natural water flows, water bodies or established drainage paths. |
| P2 | <p>a) Earthworks for the purpose of creating a building platform for residential purposes within a site, including the use of imported cleanfill material imported fill material must meet the following condition:</p> <ul style="list-style-type: none"> (i) Be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development. |
| P3 | <p>a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Not exceed a total volume of 50m³; (ii) Not exceed a depth of 1.5m; |

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| | <ul style="list-style-type: none"> (iii) The slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) Earthworks must not result in any instability of land or structures at or beyond the boundary of the site where the land disturbance occurs; (v) Areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) Sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; (vii) Do not divert or change the nature of natural water flows, water bodies or established drainage paths |
| RD1 | <p>a) Earthworks that do not comply with Rule 16A.2.4.1 P1, P2 or P3.</p> <ul style="list-style-type: none"> (i) The Council's discretion shall be restricted to any of the following matters: (ii) Amenity values and landscape effects; (iii) Volume, extent and depth of earthworks; (iv) Nature of fill material; (v) Contamination of fill material; (vi) Location of the earthworks in relation to waterways, significant indigenous vegetation and habitat; (vii) Compaction of the fill material; (viii) Volume and depth of fill material; (ix) Geotechnical stability; (x) Flood risk, including natural water flows and established drainage paths; and (xi) Land instability, erosion and sedimentation. |
| NC1 | Earthworks involving the importation of controlled fill material to a site. |

16A.2.4.3 Earthworks - Significant Natural Areas

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| P1 | <p>a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a single consecutive 12 month period; (ii) Maximum area of 250m² in a single consecutive 12 month period; and (iii) Not include importing any fill material. |
| RD1 | <p>a) Earthworks that do not comply with Rule 16A.2.4.3 P1.</p> <p>b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) The location of earthworks in relation to waterways, significant indigenous vegetation or habitat; |

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| | (ii) The protection of adverse effects on the Significant Natural Area values. |
| D1 | Earthworks within an identified Significant Natural Area not provided for in Rule 16A.2.4.3 P1 or RD1. |

16A.2.5 Hazardous Substances

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| P1 | <p>a) The use, storage or disposal of any hazardous substance where:</p> <p>(i) The aggregate quantity of any hazardous substance of any hazard classification on a site is less than the quantity specified in the Medium Density Residential Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).</p> |
| P2 | <p>a) The storage or use of radioactive materials is:</p> <p>(i) an approved equipment for medical and diagnostic purposes; or</p> <p>(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</p> |
| D1 | The use, storage or disposal of any hazardous substances that does not comply with Rule 16A.2.5 P1 or P2. |

16A.2.6 Notable Trees

- (1) Rules 16A.2.6.1 to 16A.2.6.3 provide permitted rules for works on notable trees, which are identified in Schedule 30.2 (Notable Trees) as follows:
- (a) Rule 16A.2.6.1 - Removal or destruction;
 - (b) Rule 16A.2.6.2 – Trimming;
 - (c) Rule 16A.2.6.3 - Activities within the dripline

16A.2.6.1 Notable Trees – Removal or Destruction

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| P1 | Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council from a works arborist that states that the tree is dead, dying, diseased or is unsafe in accordance with Appendix 11 Tree Removal Certificate. |
| RD1 | <p>a) Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) that does not comply with Rule 16A.2.6.1 P1.</p> <p>b) Council's discretion is restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Timing and manner in which the activity is carried out; (ii) Effects on amenity values; and (iii) Effects on heritage values. |

16A.2.6.2 Notable Tree – Trimming

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| P1 | a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: |
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| | <ul style="list-style-type: none"> (i) to remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) the maximum branch diameter does not exceed 50mm at severance and no more than 10% of live foliage growth is removed in any single consecutive 12 month period. |
| RD1 | <p>a) The trimming of a notable tree that does not comply with Rule 16A.2.6.2. P1.</p> <ul style="list-style-type: none"> (i) Council's discretion is restricted to any of the following matters: (ii) Timing and manner in which the activity is carried out; (iii) Effects on amenity values. |

16A.2.6.3 Notable Tree – Activities within the Dripline

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| P1 | <p>a) Any activity within the dripline of a notable tree identified in Schedule 30.2 (Notable Trees) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) No excavation, compaction, sealing or soil disturbance and placement of fill material, except for the sealing of an existing road or footpath; (ii) No parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and (iv) No construction of structures. |
| RD1 | <p>a) Any activity that does not comply with Rule 16A.2.6.3 P1.</p> <ul style="list-style-type: none"> (i) Council's discretion shall be restricted to any of the following matters: (ii) Location of activity in relation to the tree; (iii) Timing and manner in which the activity is carried out; (iv) Remedial measures; (v) Effect on the health of the tree; and (vi) Amenity values. |

16A.2.7 Signs

- (1) Rule 16A.2.7.1 Signs – general provides permitted standards for any sign, including real estate signs, across the entire Medium Density Residential Zone.
- (2) Rule 16A.2.7.2 Signs – effects on traffic applies specific standards for signs that are directed at road users.

16A.2.7.1 Signs – General

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| P1 | A public information sign erected by a government agency. |
| P2 | a) A sign must comply with all of the following conditions: |

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| | <ul style="list-style-type: none"> (i) It is the only sign on the site; (ii) The sign is wholly contained within the site; (iii) The sign does not exceed 1m²; (iv) The sign height does not exceed 2m in height above the ground; (v) The sign is not illuminated; (vi) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (vii) The sign is set back at least 50m from the designated boundary of a state highway and the Waikato Expressway; (viii) The sign is not attached to a tree identified in Schedule 30.2 Notable Trees, except for the purpose of identification and interpretation; (ix) The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items), except for the purpose of identification and interpretation; <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p><i>(x) The sign is not attached to a Māori Site of Significance listed in Schedule 30.3 (Māori Sites of Significance), except for the purpose of identification and interpretation;</i></p> <ul style="list-style-type: none"> (xi) The sign relates to: <ul style="list-style-type: none"> A. goods or services available on the site; or B. a property name sign. |
| P3 | <p>a) A real estate 'for sale' sign relating to the site on which it is located must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) There is no more than 1 sign per agency; (ii) The sign is not illuminated; (iii) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; |
| RD1 | <p>a) A sign that does not comply with Rule 16A.2.7.1 P2 or P3.</p> <ul style="list-style-type: none"> (i) Council's discretion shall be restricted to any of the following matters: (ii) Amenity values; (iii) Character of the locality; (iv) Effects on traffic safety; (v) Glare and artificial light spill; (vi) Content, colour and location of the sign; (vii) Effects on a notable tree; |

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| | <p>(viii) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</p> <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p>(ix) Effects on cultural values of any Māori Site of Significance; and</p> <p>(x) Effects on notable architectural features of a building.</p> |
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16A.2.7.2 Signs – Effects on Traffic

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| P1 | <p>a) Any sign directed at land transport users must:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; (ii) Be located at least 60m from controlled intersections, pedestrian crossings and any other sign; (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level crossing; (iv) Contain no more than 40 characters and no more than 6 words and / or symbols; (v) Have lettering that is at least 150mm high; (vi) Be at least 130m from a site entrance, where the sign directs traffic to the entrance. |
| RD1 | <p>(a) Any sign that does not comply with Rule 16A.2.7.2 P1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Amenity; (ii) Character of the locality; (iii) Effects on traffic safety; (iv) Glare and artificial light spill; (v) Content, colour and location of the sign; (vi) Effects on a notable tree; (vii) Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (viii) Effects on cultural values of any Maaori site of significance; and (ix) Effects on notable architectural features of a building. |

16A.2.8 Indigenous Vegetation Clearance inside a Significant Natural Area

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| P1 | <p>a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</p> |
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| | <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values; |
| P2 | Removal of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant. |
| P3 | <p>a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) There is no alternative development area on the site outside the Significant Natural Area; and (ii) The total indigenous vegetation clearance does not exceed 250m². |
| P4 | <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p>a) <i>On Māori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where:</i></p> <ul style="list-style-type: none"> (i) <i>There is no alternative development area on the site outside the Significant Natural Area;</i> (ii) <i>The following total areas are not exceeded:</i> <ul style="list-style-type: none"> A. <i>1500m² for a Marae complex, including areas associated with access parking and manoeuvring;</i> B. <i>500m² per dwelling, including areas associated with access parking and manoeuvring; and</i> C. <i>500m² for a papakaainga building including areas associated with access parking and manoeuvring.</i> |
| P5 | <p>[Note: provisions pertaining to Marae Complexes or Papakāinga Housing Developments are subject to independent hearings. Therefore, these provisions are subject to change or be deleted in their entirety from this Chapter (with the possibility of being dealt with as a District Wide Matter)].</p> <p>a) <i>On Māori Freehold Land or Māori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes:</i></p> <ul style="list-style-type: none"> (i) <i>Removing vegetation that endangers human life or existing buildings or structures;</i> (ii) <i>Conservation fencing to exclude stock or pests;</i> (iii) <i>Maintaining existing farm drains;</i> (iv) <i>Maintaining existing tracks and fences; or</i> (v) <i>Gathering plants in accordance with Māori customs and values.</i> |

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| P6 | Removal of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per year per property for domestic firewood purposes or arts and crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other tree, bush or plant |
| D1 | Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rule 16A.2.8 P1, P2, P3, P4, P5 or P6. |

16A.3 Land Use – Building

16A.3.1 Dwellings

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| P1 | Up to three residential dwellings per site. |
| RD1 | <p>(a) Four or more residential dwellings per site.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Intensity of the development; (ii) Design, scale and layout of buildings in relation to the planned urban character of the zone; (iii) The relationship of the development with adjoining streets or public open spaces; (iv) Privacy and overlooking within the development and on adjoining sites, including the orientation of habitable rooms and outdoor living spaces; (v) Provision of infrastructure to individual units; and (vi) Where on-site car parking is provided, the design and location of car parking (including garaging) as viewed from streets or public open spaces. |

16A.3.2. Minimum Dwelling Size

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| P1 | <p>(a) Dwellings must have a minimum net internal floor area as follows:</p> <ul style="list-style-type: none"> (i) 35m² for studio dwellings; (ii) 45m² for one or more bedroom dwellings |
| RD1 | <p>(a) Any building that does not comply with Rule 16A.3.2.P1.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) The functionality of the dwelling (ii) Internal residential amenity. |

16A.3.3 Height

- (1) Rule 16A.3.3.1 Height – Building general provides permitted height limits across the entire Medium Density Residential Zone.

16A.3.3.1 Height - Building General

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| P1 | (a) The permitted height of any building is 11m above ground level |
| RD1 | <p>(a) Any building that does not comply with Rule 16A.3.3.1 P1.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Height of the building; |

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| | <ul style="list-style-type: none"> (ii) Design, scale and location of the building; (iii) Extent of shading on adjacent sites; (iv) Privacy and overlooking on adjoining sites. |
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16A.3.4 Fences or Walls – Road Boundaries

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| P1 | <p>(a) Fences and walls between the applicable building setbacks under Rule 16A.3.9 on a site and any road boundaries must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) Be no higher than 1.5m if solid: (ii) Be no higher than 1.8m if: (iii) Visually permeable for the full 1.8m height of the fence or wall; or (iv) Solid up to 1.5m and visually permeable between 1.5 and 1.8m |
| RD1 | <p>(a) Fences or walls that do not comply with Rule 16A.3.4 P1.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> . Building materials and design; i. Effects on streetscape amenity; and ii. Public space visibility. |

16A.3.5 Daylight Admission

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| P1 | <p>(a) Buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 3m above ground level at every point of the site boundary, except:</p> <ul style="list-style-type: none"> (i) Where the boundary forms part of a legal right of way, entrance strip or access site, the standard applies from the farthest boundary of that legal right of way, entrance strip or access site. (ii) This standard does not apply to existing or proposed internal boundaries within a site. (iii) Where a site in the Medium Density Residential Zone adjoins a site in the Residential or Village Zone, then buildings must not protrude through a height control plane rising at an angle of 45 degrees commencing at an elevation of 2.5m above ground level at every point of the site boundary abutting that Residential or Village Zone site. (iv) Where the boundary adjoins a legal road |
| RD1 | <p>(a) A building that does not comply with Rule 16A.3.5 P1.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Height of the building; (ii) Design and location of the building; |

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| | <ul style="list-style-type: none"> (iii) Extent of shading on adjacent sites; (iv) Privacy on adjoining sites. |
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16A.3.6 Building Coverage

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| P1 | The total building coverage must not exceed 45%. |
| P2 | Within the Te Kauwhata Residential West Area as identified on the planning maps, the total building coverage must not exceed 35%. |
| P3 | Within the Bankart Street and Wainui Road Business Overlay Area as identified on the planning maps, total building coverage must not exceed 50%. |
| RD1 | <ul style="list-style-type: none"> (a) Total building coverage that does not comply with Rule 16A.3.6 P1. (b) Council's discretion shall be restricted to any of the following matters: <ul style="list-style-type: none"> (i) Design, scale and location of the building; (ii) Provision for outdoor living space and service courts, (iii) Effects on the planned urban built character of the surrounding residential area. |

16A.3.7 Impervious Surfaces

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| P1 | The impervious surfaces of a site must not exceed 70%. |
| RD1 | <ul style="list-style-type: none"> (a) Impervious surface that does not comply with Rule 16A.3.7 P1 (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) Site design, layout and amenity; (ii) The risk of flooding, nuisance or damage to the site or other buildings and sites. |

16A.3.8 Outdoor Living Court

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| P1 | <ul style="list-style-type: none"> (a) An outdoor living court must be provided for each dwelling that meets all of the following conditions: <ul style="list-style-type: none"> (i) It is for the exclusive use of the occupants of the dwelling; (ii) It is readily accessible from a living area of the dwelling; (iii) When located on the ground floor, it has a minimum area of 20m² and a minimum dimension of 4m in any direction; and (iv) When located on a balcony of an above ground apartment or terraced house, it must have a minimum area of 5m² for studio and one-bedroom dwellings, or 8m² for two or more bedroom dwellings and a minimum dimension of 1.5m. |
| RD1 | <ul style="list-style-type: none"> (a) An outdoor living court that does not comply with Rule 16A.3.8 P1 (b) Council's discretion shall be restricted to any of the following matters: |

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| | <ul style="list-style-type: none"> (i) Design and location of the building; (ii) Provision for outdoor living space including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed; (iii) Privacy and overlooking on adjoining sites; and (iv) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space. |
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16A.3.9 Building Setbacks

- (1) Rules 16A.3.9.1 to 16A.3.9.2 provide the permitted building setback distances for buildings from site boundaries, specific land use activities and environmental features.
- (2) Rule 16A.3.9.1 'Building setbacks – All boundaries' provides permitted building setback distances from all boundaries on any site within the Medium Density Residential Zone. Different setback distances are applied based on the type of building.
- (3) Rule 16A.3.9.2 'Building setback – water bodies' provides permitted building setback distances from water bodies including lake, wetland, river and coast.

16A.3.9.1 Building Setbacks – All Boundaries

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| P1 | <p>(a) The finished external walls (excluding eaves) of a building must be set back a minimum of:</p> <ul style="list-style-type: none"> (i) 3m from the road boundary; (ii) 3m from the edge of an indicative road (as demonstrated on a structure plan or planning maps); (iii) 1m from every boundary other than a road boundary. |
| RD1 | <p>(a) A building that does not comply with Rule 16A.3.9.1 P1.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Road network safety and efficiency; (ii) Potential to mitigate adverse effects on the streetscape through use of other design features; (iii) Daylight admission to adjoining properties; and (iv) Privacy overlooking on adjoining sites. |

16A.3.9.2 Building Setback – Water Bodies

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| P1 | <p>(a) Any building must be setback a minimum of:</p> <ul style="list-style-type: none"> (i) 20m from the margin of any: <ul style="list-style-type: none"> A. lake; and B. wetland; |
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| | <ul style="list-style-type: none"> (ii) 23m from the bank of any river (other than the Waikato and Waipa Rivers); (iii) 28m from the margin of both the Waikato River and the Waipa River; and (iv) 23m from mean high water springs. |
| P2 | (a) A public amenity of up to 25m, ² or a pump shed within any building setback identified in Rule 16A.3.9.2 P1. |
| D1 | Any building that does not comply with Rule 16A.3.9.2 P1 or P2. |

16A.3.10 Historic Heritage

(1) The following rules manage heritage items (buildings and monuments):

- (a) Rule 16A.3.10.1 - Group A Heritage item – Demolition, removal or relocation
- (b) Rule 16A.3.10.2 - Group B Heritage item – Demolition, removal or relocation
- (c) Rule 16A.3.10.3 - All heritage items – Alterations and additions
- (d) Rule 16A.3.10.4 - All heritage items – Maintenance or repair
- (e) Rule 16A.3.10.5 - All heritage items – site development

16A.3.10.1 Group A Heritage Item – Demolition, Removal or Relocation

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| NC1 | Demolition, removal or relocation of any Group A heritage item listed in Schedule 30.1 (Heritage Items). |
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16A.3.10.2 Group B Heritage Item – Demolition, Removal or Relocation

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| D1 | Demolition, removal or relocation of any Group B heritage item listed in Schedule 30.1 (Heritage Items). |
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16A.3.10.3 All heritage items – Alterations or Addition

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| P1 | <p>(a) Alteration or addition to of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:</p> <ul style="list-style-type: none"> (i) no significant feature of interest is removed, destroyed or damaged; (ii) alterations or additions are not visible from a public place. |
| RD1 | <p>(a) Any activity that does not comply with Rule 16A.3.10.3 P1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) form, style, materials and appearance; and (ii) effects on heritage values. |

16A.3.10.4 All Heritage Items – Maintenance or Repair

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| P1 | <p>(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) no significant feature of interest is destroyed or damaged; and (ii) replacement materials are the same as, or similar to, the original in terms of form, style and appearance. |
| RD1 | <p>(a) Any activity that does not comply with Rule 16A.3.10.4 P1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) form, style, materials and appearance; and (ii) effects on heritage values. |

16A.3.10.5 All Heritage Items – Site Development

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| P1 | <p>(a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road. |
| RD1 | <p>(a) Any activity that does not comply with one or more conditions of Rule 16A.3.10.5 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; (iv) the relationship of the heritage item with the setting, including the area between the front of the heritage item and the road. |

16A.4 Subdivision

- (1) Rule 16A.4.1 provides for subdivision intensity and applies across the Medium Density Residential Zone.
- (2) The following rules apply to specific areas and/or activities:
 - (a) Rule 16A.4.2 - Subdivision - Te Kauwhata West Residential Area;
 - (a) Rule 16A.4.3 – Subdivision - Boundary adjustments;
 - (b) Rule 16A.4.4 – Subdivision - Amendments and updates to cross lease flats plan and conversion to freehold;
 - (c) Rule 16A.4.5 – Subdivision - Title boundaries Contaminated Land, Notable Trees;

- (d) Rule 16A.4.6 – Subdivision - Title boundaries Significant Natural Areas;
- (e) Rule 16A.4.7 - Subdivision of land containing heritage items;
- (f) Rule 16A.4.8 – Subdivision road frontage;
- (g) Rule 16A.4.9 – Subdivision creating reserves;
- (h) Rule 16A.4.10 - Subdivision - Esplanade reserves and esplanade strips; and
- (i) Rule 16A.4.11 – Subdivision of Land Containing Mapped Off-Road Walkways, Cycleways or Bridleways;

16A.4.1 Subdivision - General

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| C1 | <p>(a) Any subdivision in accordance with an approved land use resource consent must comply with that resource consent.</p> <p>(b) Council's control shall be reserved to any of the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout; (ii) Compliance with the approved land use consent; and (iii) Provision of infrastructure. |
| RD1 | <p>(a) Subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) Proposed vacant lots must have a minimum net site area of 200m², except where the proposed lot is an access allotment or utility allotment or reserve to vest; (ii) Proposed vacant lots must be able to connect to public-reticulated water supply and wastewater; <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout; (ii) Shape of lots and variation in lot sizes; (iii) Ability of lots to accommodate a practical building platform including geotechnical stability for building; (iv) Likely location of future buildings and their potential effects on the environment; (v) Avoidance or mitigation of natural hazards; (vi) Opportunities for streetscape landscaping; (vii) Vehicle and pedestrian networks; (viii) Consistency with any relevant structure plan or master plan including the provision of neighbourhood parks, reserves and neighbourhood centres; and (ix) Provision of infrastructure. |
| RD2 | <p>(a) Every proposed vacant lot, other than one designed specifically for access or a utility allotment must be capable of containing a building platform upon which a dwelling and</p> |

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| | <p>living court could be sited as a permitted activity, with the building platform being contained within the following dimension:</p> <ul style="list-style-type: none"> (i) a rectangle of at least 100m² with a minimum dimension of 6m exclusive of yards. <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout; (ii) Shape of allotments; (iii) Ability of allotments to accommodate a practical building platform; (iv) Likely location of future buildings and their potential effects on the environment; (v) Avoidance or mitigation of natural hazards; (vi) Geotechnical suitability for building; and (vii) Ponding areas and primary overland flow paths. |
| D1 | Subdivision that does not comply with a condition in Rule 16A.4.1 RD1 or RD2 |

16A.4.2 Subdivision - Te Kauwhata West Residential Area

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| RD1 | <p>(a) Proposed lots, except where the proposed lot is an access allotment, utility allotment or reserve to vest, within the Te Kauwhata West Residential Area must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) Be a minimum net site area of 650m²; (ii) Have a minimum average net site area of 875m²; (iii) Be connected to public-reticulated water supply and wastewater; <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Subdivision layout including the grid layout of roads and the number of rear lots; (ii) Shape of lots and variation in lot sizes; (iii) Ability of lots to accommodate a practical building platform, including geotechnical stability for building; (iv) Likely location of future buildings and their potential effects on the environment; (v) Avoidance or mitigation of natural hazards; (vi) Amenity values and streetscape landscaping; (vii) Consistency with the matters contained within Appendix 3.1 (Residential Subdivision Design Guidelines); (viii) Vehicle and pedestrian networks; (ix) Consistency with any relevant structure plan or master plan, including the provision of neighbourhood parks, reserves and neighbourhood centres; and |
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| | (x) Provision of infrastructure, including water supply for firefighting purposes. |
| D1 | Subdivision within the Te Kauwhata West Residential Area that does not comply with Rule 16A.4.2 RD1. |

16A.4.3 Subdivision – Boundary Adjustments

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| C1 | <p>(a) Boundary adjustments must comply with all of the following conditions:</p> <p>(i) The conditions specified in:</p> <p>A. Rule 16A.4.1 Subdivision - General;</p> <p>B. Rule 16A.4.3 Subdivision in the Te Kauwhata West Residential Area</p> <p>(ii) Proposed lots must not generate any additional building infringements to those which legally existed prior to the boundary adjustment.</p> <p>(b) Council's control is reserved over the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of titles and variation in lot sizes.</p> |
| RD1 | <p>(a) Boundary adjustments that do not comply with Rule 16A.4.3 C1.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Subdivision layout;</p> <p>(ii) Shape of titles and variation in lot sizes.</p> |

16A.4.4 Subdivision - Amendments and updates to cross lease flats plans and conversion to freehold

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| C1 | <p>(a) Conversion of a cross lease flats plan to a fee simple title.</p> <p>(b) Council's control is reserved over the following matters:</p> <p>(i) Effects on existing buildings;</p> <p>(ii) Site layout and design; and</p> <p>(iii) Compliance with permitted building rules.</p> |
| C2 | <p>(a) Amendment or update of a cross lease flats plan</p> <p>(b) Council's control is reserved over the following matters:</p> <p>(i) Effects on existing buildings;</p> <p>(ii) Site layout and design of cross lease or flats plan; and</p> <p>(iii) Compliance with permitted building rules.</p> |

16A.4.5 Title Boundaries – Contaminated Land, Notable Trees

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| RD1 | <p>(a) Subdivision of land containing contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use), or notable trees must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) Where an existing building is to be contained within the boundaries of any proposed lot compliance is required with the following building rules (other than where any noncompliance existed lawfully prior to the subdivision) relating to: <ul style="list-style-type: none"> A. Daylight admission (Rule 16A.3.5) B. Building coverage (Rule 16A.3.6) C. Building setbacks (Rule 16A.3.9) (ii) Where any proposed subdivision contains one or more of the features listed in A – C, the subdivision must not divide the following: <ul style="list-style-type: none"> A. A natural hazard area; B. Contaminated land (other than where the contaminated land has been confirmed as not being contaminated land for its intended use); C. Notable tree (iii) The boundaries of every proposed lot containing, adjoining or adjacent to the activities listed in A – C below, must provide the following setbacks: <ul style="list-style-type: none"> A. 300m from any intensive farming activity; B. 550m from the boundary of an Aggregate Extraction Area for rock extraction; and C. 200m from the boundary of an Aggregate Extraction Area for sand excavation. <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Landscape values; (ii) Amenity values and character; (iii) Reverse sensitivity effects; (iv) Effects on existing buildings; (v) Effects on natural hazard areas; (vi) Effects on contaminated land; (vii) Effects on any notable trees; and (viii) Effects on an intensive farming activity. |
| D1 | Subdivision that does not comply with Rule 16A.4.5 RD1 |

16A.4.6 Title Boundaries – Significant Natural Areas

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| RD1 | (a) Subdivision of sites containing a Significant Natural Area(s), where the Significant Natural Area is contained wholly within a proposed lot. |
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| | <p>(b) Council's discretion shall be restricted to the following matter:</p> <p>(i) Effects on Significant Natural Area.</p> |
| NC1 | Subdivision that does not comply with Rule 16A.4.6 RD1. |

16A.4.7 Subdivision of Land containing Heritage Items

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| RD1 | <p>(a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items).</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <p>(i) Effects on heritage values;</p> <p>(ii) Context and setting of the heritage item; and</p> <p>(iii) The extent to which the relationship of the heritage item with its setting is maintained.</p> |
| NC1 | Subdivision that does not comply with Rule 16A.4.7 RD1. |

16A.4.8 Subdivision - Road Frontage

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| RD1 | <p>(a) Every proposed vacant lot with a road boundary, other than an access allotment, utility allotment, or a proposed vacant lot containing a ROW or access leg must have a width along the road boundary of at least 10m.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <p>(i) Safety and efficiency of vehicle access and road network.</p> |
| D1 | Subdivision that does not comply with Rule 16A.4.8 RD1. |

16A.4.9 Subdivision Creating Reserves

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| RD1 | <p>(a) Every reserve, including where a reserve is identified within a structure plan or master plan (other than an esplanade reserve), proposed for vesting as part of the subdivision, must be bordered by roads along at least 50% of its boundaries.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <p>(i) The extent to which the proposed reserve aligns with the principles of Council's Parks Strategy, Playground Strategy, Public Toilets Strategy and Trails Strategy;</p> <p>(ii) Consistency with any relevant structure plan or master plan;</p> <p>(iii) Reserve size and location;</p> <p>(iv) Proximity to other reserves;</p> |
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| | <ul style="list-style-type: none"> (v) The existing reserve supply in the surrounding area; (vi) Whether the reserve is of suitable topography for future use and development; (vii) Measures required to bring the reserve up to Council standard prior to vesting; and (viii) The type and standard of boundary fencing. |
| D1 | Subdivision that does not comply with Rule 16A.4.9 RD1. |

16A.4.10 Subdivision of Esplanade Reserves and Esplanade Strips

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| RD1 | <p>(a) Subdivision of an esplanade reserve or strip at least 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) that is required to be created shall vest in Council where the following situations apply:</p> <ul style="list-style-type: none"> (i) The proposed lot is less than 4ha and within 20m of: <ul style="list-style-type: none"> A. mean high water springs; B. the bank of any river whose bed has an average width of 3m or more; or C. a lake whose bed has an area of 8ha or more; or (ii) The proposed lot is more than 4ha or more than 20m from mean high water springs or a water body identified in Appendix 4 (Esplanade Priority Areas). <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <ul style="list-style-type: none"> (i) The type of esplanade provided - reserve or strip; (ii) Width of the esplanade reserve or strip; (iii) Provision of legal access to the esplanade reserve or strip; (iv) Matters provided for in an instrument creating an esplanade strip or access strip; (v) Works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris. |
| D1 | Subdivision that does not comply with Rule 16A.4.10 RD1. |

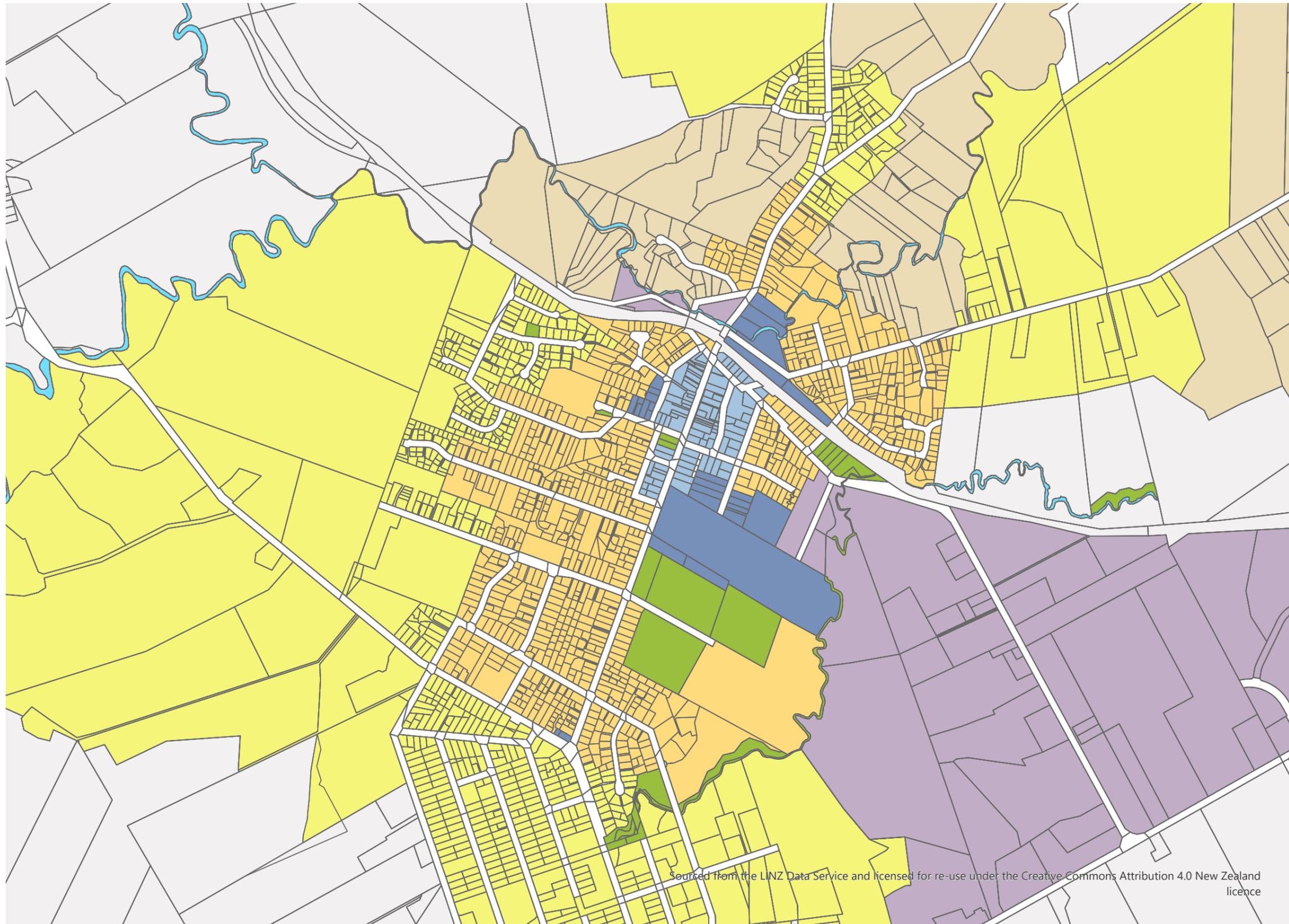
16A.4.11 Subdivision of Land containing Mapped Off-Road Walkways, Cycleways or Bridleways

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| RD1 | <p>(a) Subdivision where walkways, cycleways or bridleways shown on the planning maps are to be provided as part of the subdivision must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The walkway, cycleway or bridleway is at least 3 metres wide and is designed and constructed for shared pedestrian cycle or riding use, as per Rule 14.12.1 P8 (Transportation); (ii) The walkway, cycleway or bridleway is generally in accordance with the walkway, cycleway or bridleway route shown on the planning maps; |
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| | <p>(iii) The walkway, cycleway or bridleway is shown on the plan of subdivision and vested in the Council.</p> <p>(b) Council's discretion shall be restricted to any of the following matters:</p> <p>(i) Alignment of the walkway, cycleway or bridleway;</p> <p>(ii) Drainage in relation to the walkway, cycleway or bridleway;</p> <p>(iii) Standard of design and construction of the walkway, cycleway or bridleway;</p> <p>(iv) Land stability;</p> <p>(v) Amenity matters including batter slopes; and</p> <p>(vi) Connection to reserves.</p> |
| D1 | Subdivision that does not comply with Rule 16A.4.11 RD1. |

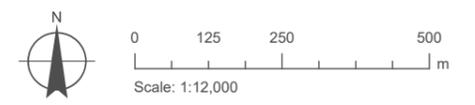
Appendix 2: Spatial Extent of the Proposed Medium Density Residential Zone (as sought by Kāinga Ora – Homes and Communities)

Proposed Waikato District Plan Amended Zoning Map



- Legend**
- Medium Density Residential
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Tuakau Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
Level 4, Old South British Insurance Building
3-13 Shortland Street
Auckland

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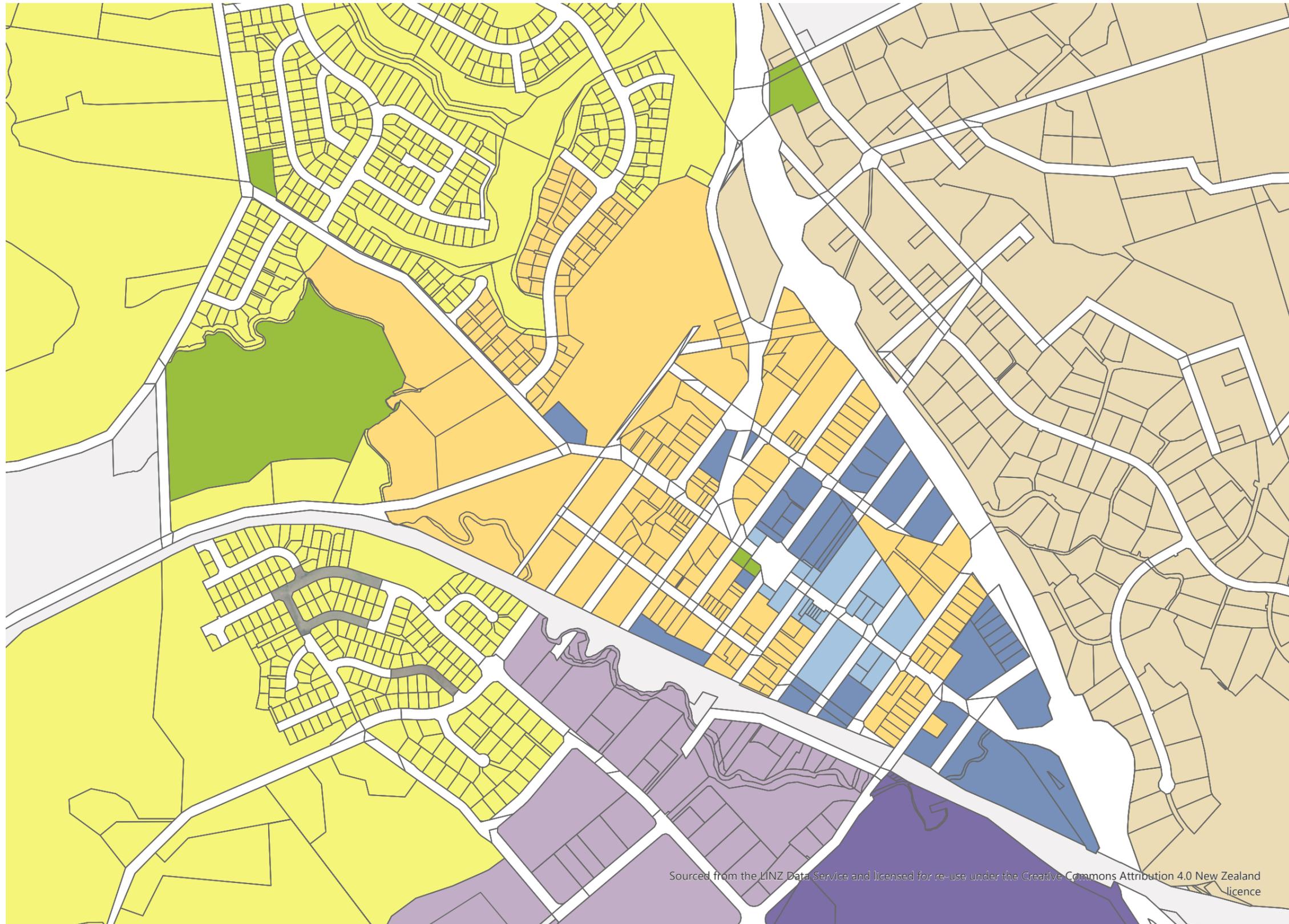
Prepared with:
Beca

Prepared for:
Kāinga Ora
Homes and Communities

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Proposed Waikato District Plan

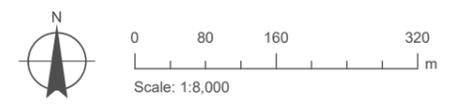
Amended Zoning Plan



- Legend**
- Medium Density Residential
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Pokeno

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
 Level 4, Old South British Insurance Building
 3-13 Shortland Street
 Auckland

Urban & Environmental
 Kerikeri | Whangarei | Warkworth | Auckland | Hamilton | Napier | Christchurch

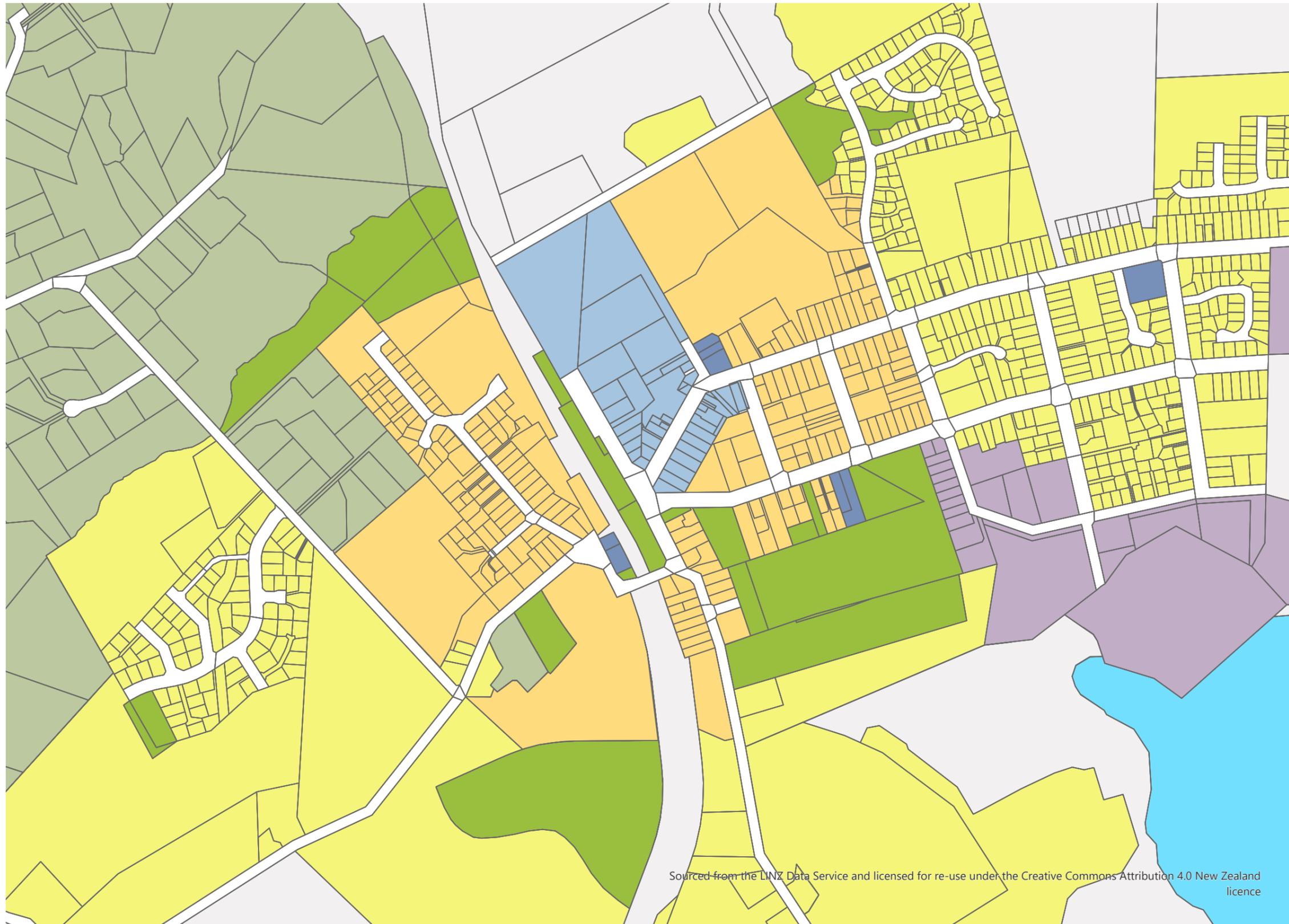
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Proposed Waikato District Plan

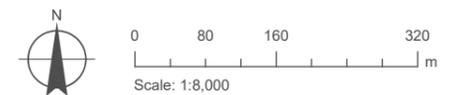
Amended Zoning Plan



- Legend**
- Medium Density Residential
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Te Kauwhata

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
 Level 4, Old South British Insurance Building
 3-13 Shortland Street
 Auckland

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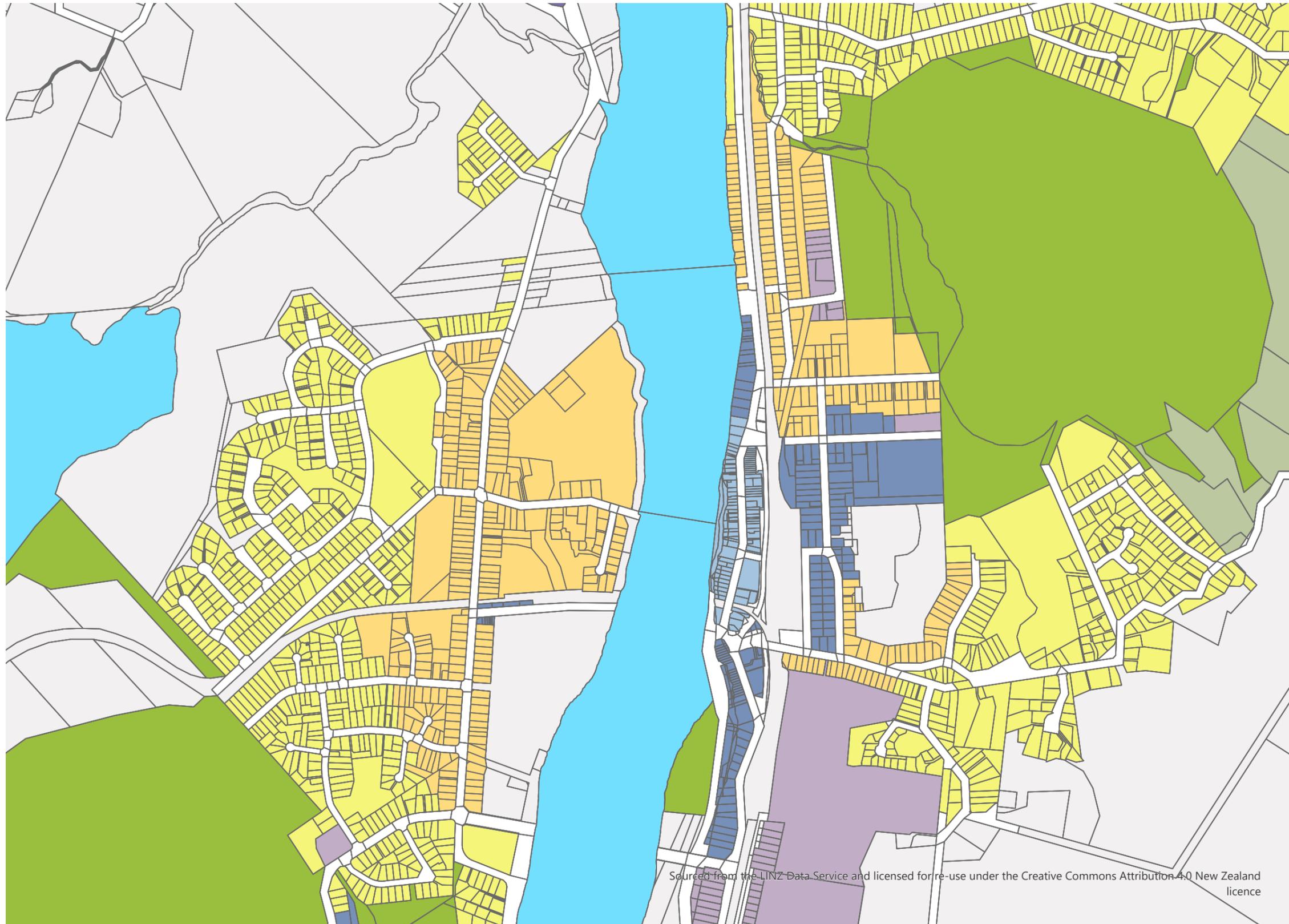
Prepared with:
Beca

Prepared for:
Kāinga Ora
 Homes and Communities

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Proposed Waikato District Plan

Amended Zoning Plan

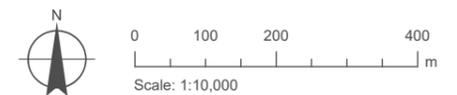


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Huntly

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
 Level 4, Old South British Insurance Building
 3-13 Shortland Street
 Auckland

Urban & Environmental
 Kerikeri | Whangarei | Warkworth | Auckland | Hamilton | Napier | Christchurch

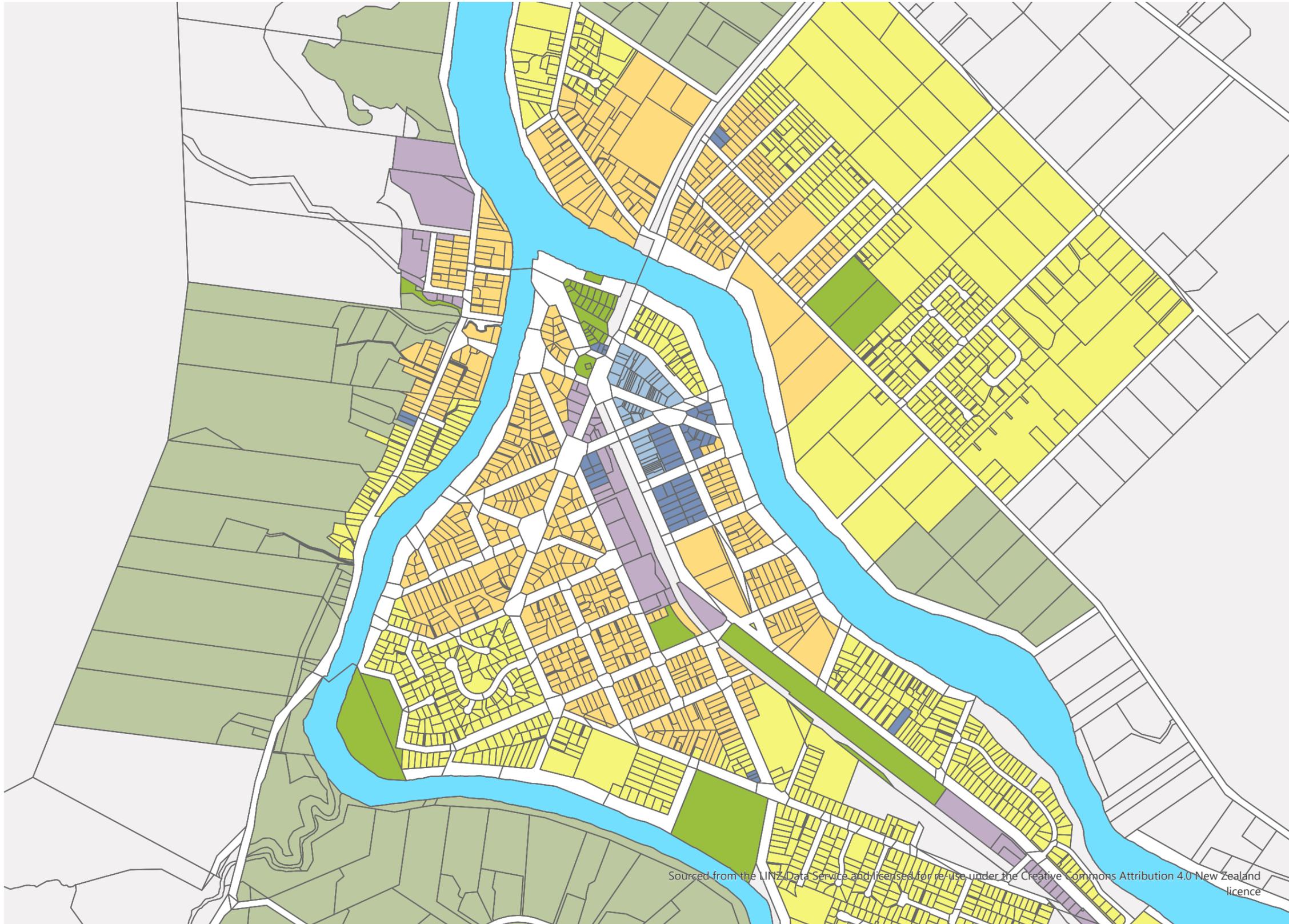
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Proposed Waikato District Plan

Map Title

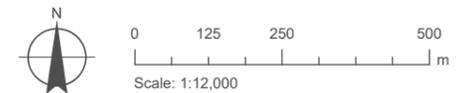


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Ngaruawahia

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
Level 4, Old South British Insurance Building
3-13 Shortland Street
Auckland

Urban & Environmental
Kerikeri | Whangarei | Warkworth | Auckland | Hamilton | Napier | Christchurch

Prepared with:
Beca

Prepared for:
Kāinga Ora
Homes and Communities

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Proposed Waikato District Plan

Amended Zone Map

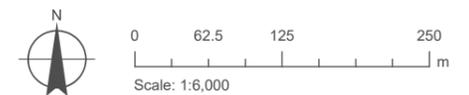


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Raglan

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
Level 4, Old South British Insurance Building
3-13 Shortland Street
Auckland

Urban & Environmental
Kerikeri | Whangarei | Warkworth | Auckland | Hamilton | Napier | Christchurch

Prepared with:
Beca

Prepared for:
Kāinga Ora
Homes and Communities

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Appendix 3: Evaluation of the Key Resource Management Issues (as identified by Waikato District Council)

Key Resource Management Issues

The appropriateness of potential objectives cannot be assessed without due consideration to the resource management issues that frame what sustainable management means for Waikato District at this point in time and into the future. The following sections provide a summary of the identified resource management issues, drawing from both Waikato District Council's ("WDC") Section 32 report and other material (reports, case studies etc.), and outlines the proposed Medium Density Residential Zone ("MDRZ") response and methods to address these issues.

Issue 1 – Residential Character, Built Form and Amenity

Issue Statement: Incongruous development results in poor residential character and is detrimental to the streetscape, safety and amenity.

- Generally, current planning reflects a bias towards the 'status quo' regarding residential character / amenity rather than change. The barriers to facilitating development appear to be from the emphasis Council puts on the 'present state' and built form of amenity, rather than describing the desired 'future amenity' in areas where growth is encouraged⁶.
- Provision for increased density and greater affordability must be carefully balanced against high urban design standards:

"Experience from Johnsonville [Wellington, NZ] indicates that suburban communities can be very sensitive to the impact of density on neighbourhood character, and so rules relating to height, site coverage etc. need to take this into account whilst ensuring that the development yields possible (i.e. number of units, density) presents commercial viable development opportunities".
- Section 7(c) and (f) of the RMA requires regard to be had to both "*the maintenance and enhancement of amenity values*" and "*the maintenance and enhancement of the quality of the environment*" respectively. However, the NPS-UD requires local authorities to provide for "*well-functioning urban environments*" which are able to develop and change over time. This national direction seeks to specifically acknowledge that urban environments need to provide for a range of dwelling types across different locations that will meet housing demands while meeting the needs of people and communities as well as future generations.
- A key issue is striking the right balance between quality development and ensuring development is not unnecessarily constrained. Typically, as density increase quality design is needed to offset the bulk of buildings and loss of open space and garden areas.

MDRZ response / methods to address the issue:

- *Ensure new development proposals are assessed on how they will contribute to achieving the future, planned character and built form which the MDRZ seeks to achieve, over time – rather than assessing the appropriateness of new development in the context of the character and amenity which has existed to date.*
- *Implement a restricted discretionary activity assessment framework with respect to 'bulk and location' rules / standards to provide clarity and certainty to users of the Plan as to the development / built form outcomes which are sought, and the specific matters Council will assess development applications against as a means to achieving these outcomes.*

⁶Enabling Growth – Urban Zones Research: Key Observations, Findings and Recommendations. (2018). BECA.

⁷ Wellington City Housing and Residential Growth Study: Final Planning Assessment and Recommendations/ (2014). The Property Group Limited.

Issue Statement: Incongruous development results in poor residential character and is detrimental to the streetscape, safety and amenity.

- *Provide for and enable the delivery of a range of residential densities and housing types through the policy and rule framework.*
- *Provisions of the MDRZ in strategic locations to enable increased density of housing to cater for predicted levels of growth and support compact development objectives.*

Issue 2 – On Site Residential Amenity

Issue Statement: Uncontrolled and inappropriate development results in poor onsite amenity for occupants.

- The quality of the urban environment plays a key role in the appeal of the District to residents, businesses and visitors. Whilst the District Plan needs to become more enabling, it also needs to ensure that good quality urban design outcomes are achieved to achieve a good quality of life for individuals – consistent with Section 5,(1), 7(c) and 7(f) of the RMA.
- The NPS-UD emphasises that amenity values are dynamic and change over time, along with changes in communities, and that there is a need to shift the current perception that urban development and intensification only has negative effects on amenity for individuals and rather recognise that development can enhance amenity for other people and communities as a whole.
- Similar to issue 1 above, a key issue is striking the right balance between quality development and ensuring development is not unnecessarily constrained.

MDRZ response / methods to address the issue:

- *[Refer to 'Issue 1 – Residential Character, Built Form and Amenity' above].*

Issue 3 – Housing Options

Issue Statement: Accommodating residential household demand and providing housing choice for growth and thriving communities

- District Plans generally have an objective and policy framework that is consistent with enabling development, however this development is often undermined by the cumulative impact of its rules. This leads to less development capacity being provided, and in turn, not all peoples housing needs being met (both current and future generations).
- Providing housing choice is considered pivotal in meeting the social, economic and cultural well-being of people and communities (in accordance with Section 5(2) of the RMA).
- The Government tasked the New Zealand Productivity Commission (“**the Commission**”) to suggest policy improvements that could enhance the performance of the housing market and the effectiveness with which it meets the needs of New Zealanders. The findings of the Commission’s investigation highlighted the need for the planning system to allocate sufficient land supply for urban development, and that zoning should be supported by a policy framework which provides for a mix of urban forms³. Further, the report recognises the existence of restrictive planning rules which aim to protect amenity, often come at a significant opportunity cost in terms of the ability to economise on the use of land, with consequential costs for individuals and the community³.
- Of note, the Commission’s inquiries identified the negative impact that planning rules can have on the realisation of housing supply:

Issue Statement: Accommodating residential household demand and providing housing choice for growth and thriving communities

“Councils should ensure that their planning policies, such as height controls, boundary setbacks and minimum lot sizes, are not frustrating more efficient land use. Such policies put a handbrake on greater density and therefore housing supply.”⁸

- The significance of providing housing choice has been accentuated with the recently gazetted NPS-UD. The NPS-UD requires urban environments to provide sufficient opportunities for the development of housing to meet demand and provide for a range of dwelling types across different locations that will meet the needs of people and communities as well as future generations.

MDRZ response / methods to address the issue:

- *Provision of the MDRZ in strategic locations to enable increased density of housing to cater for predicted levels of growth and support compact urban form development objectives.*
- *Activity status aligned with purpose to enabling increased density and built form outcomes and dwelling types.*
- *Liberalisation of maximum building coverage, minimum outdoor living court requirements, maximum building height, maximum number of dwellings per site and subdivision controls.*
- *Restricted Discretionary Activity framework to provide both clarity and certainty to users of the District Plan.*

Issue 4 – Maintain Residential Purpose

Issue Statement: Managing non-residential activities within residential areas to provide for community needs whilst maintaining residential amenity and character.

- Non-residential activities⁹ within residential areas can provide valued and accessible services for the day to day necessities required in communities – forming an integral element of urban residential environments. However, if the location of these non-residential activities is not appropriately guided by plan provisions then there is potential for both tangible and intangible adverse effects. Such effects include:
 - loss of amenity values (resulting from increased noise and traffic generation, signage and lighting and building scale and appearance);
 - loss of residential coherence through a reduction of on-site occupation and isolation from residential neighbours;
 - conflicts between the community and decision makers; and
 - degradation of the perceived quality and character of the residential environment.

MDRZ response / methods to address the issue:

- *Clear policy direction on desired environmental outcomes – supporting non-residential activities while recognising their potential adverse effects.*

⁸ *Housing Affordability Inquiry*. (2012). New Zealand Productivity Commission

⁹ Such as cafes, dairies, healthcare facilities, halls, home occupations and other small commercial services not appropriate within a commercial centre.

Issue Statement: Managing non-residential activities within residential areas to provide for community needs whilst maintaining residential amenity and character.

- *Provisions for low intensity commercial and / or community uses within residential areas.*
- *Differential activity status for categories of non-residential activities.*
- *Reasonable certainty for both communities and developers within the rule framework.*

Issue 5 – Earthworks

Issue Statement: Mismanagement of earthworks can result in sediment loss, instability and nuisance to communities.

- Development of land that requires earthworks has the potential to accelerate soil erosion, create land instability issues on adjoining properties, change natural water flows and established drainage paths and create nuisances (such as vibration, noise, traffic and dust generation) if earthworks are not appropriately managed. This mismanagement has potentially significant impacts on water bodies, people and communities.
- Section 31 of the RMA requires territorial authorities to “*establish, implement and review objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district*”. Regulatory control is considered the primary management tool for controlling and managing earthworks associated with land development.

MDRZ response / methods to address the issue:

- *Provision for earthworks where it is necessary to facilitate development.*
- *An effects-based approach to sediment control (that is, stricter thresholds in identified sensitive environments such as ‘Significant Natural Areas’ and ‘Landscape and Natural Character Areas’ and where a known or probable concentration of archaeological or wahi tapu sites exist).*

Issue 6 – Noise, signs, lighting and odour

Issue Statement: Adverse effects generated from noise, lighting, odour and excessive signage can affect the aesthetic qualities of the environment, compromise the safe operation of the transport network, and the health and well-being of people and communities.

- Nuisance (such as noise, signage, lighting and odour) can be defined as unreasonable interference caused by unreasonable use of property¹⁰. That is, the interference of an individual’s right to use and enjoy their property. Nuisances can have adverse effects on amenity, health and wellbeing of communities and environments, as follows:
 - a) **Noise (and vibration)** – affecting people’s health, interfering with communication and disturbing sleep and concentration;
 - b) **Signs** – the quantity, size, appearance, location and illumination of signs can diminish the aesthetic qualities of the environment in which they are located, contribute to lighting (glare) nuisance and can compromise the safe operation of the transport network;

¹⁰ *Nuisance as a Modern Mode of Land Use Control. 46 Washington Law Review, Volume 46. (1970). William H. Wilson.*

Issue Statement: Adverse effects generated from noise, lighting, odour and excessive signage can affect the aesthetic qualities of the environment, compromise the safe operation of the transport network, and the health and well-being of people and communities.

- c) **Lighting** – glare and excessive light spill which can adversely affect neighbourhood amenity, traffic safety, the amenity of adjoining properties and, in some instances, can cause sleep disruption leading to adverse effects on people’s health and well-being; and
 - d) **Odour** – reduced quality of life for individuals exposed to odour (leading to nausea, headaches, difficulty breathing, being woken at night).
- Section 31(b) of the RMA directs territorial authorities to control “*any actual or potential effects of the use, development, or protection of land*”. Further, Section 31(d) of the RMA requires territorial authorities to control “*the emission of noise and the mitigation of the effects of noise*”. Regulatory control is considered the primary management tool for controlling and managing nuisance effects associated with use and development of land.

MDRZ response / methods to address the issue:

- *Clear policy direction on desired environmental outcomes – supporting non-residential activities while recognising their potential adverse nuisance effects.*
- *Noise emission rules – setting noise limits at the site boundary to minimise adverse noise effects on sensitive land use activities.*
- *Matters of discretion / assessment criteria recognising nuisances as a potential adverse effects land use and development.*
- *Provision of the MDRZ in strategic locations to enable increased density of housing around existing business and commercial centres to support compact urban form development objective and minimise reliance on private vehicle usage (and the associated noise and vibration along transport corridors).*

Issue 7 – Subdivision layout and design

Issue Statement: Inadequate provision for good design and amenity through subdivision and inappropriate layout results in disconnected and inaccessible communities with low amenity values.

- A shortfall in strategic guidance with respect to the location of future development leads to sprawling in urban settlements that can result in unpleasant, expensive and impractical subdivision outcomes. Further issues arising from inappropriate subdivision can include:
 - a) the need for expansion of infrastructure networks (with associated capital expenditure and maintenance costs to Council and ratepayers);
 - b) increased conflict between activities (that is, increasing conflict between incompatible land uses);
 - c) diminished ecosystem functioning (that is the potential effects and implications of subdivision and development for landscapes, ecological sites and biodiversity); and
 - d) adverse effects on the amenity, heritage, landscape and other values of a given area.
- Section 6.0 of the RMA requires territorial authorities, “*in relation to managing the use, development, and protection of natural and physical resources*” to recognise and provide for the “*preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins*”, the “*protection of outstanding natural features and landscapes*” and the “*protection of historic heritage*” from “*inappropriate subdivision, use and development*”. Further, sections of the RMA relevant to this issue are as follows:

Issue Statement: Inadequate provision for good design and amenity through subdivision and inappropriate layout results in disconnected and inaccessible communities with low amenity values.

- a) **Section 5.0** – requires the sustainable management of natural and physical resources;
- b) **Section 7(c), (d) and (f)** – requires particular regard to be had to the “*efficient use and development of natural and physical resources*”, “*maintenance and enhancement of amenity values*” and “*maintenance and enhancement of the environment*” respectively.
- c) **Section 11** – controls circumstances under which subdivision can occur (including being allowed by a rule in a District Plan [Section 11(1)(a)]); and
- d) **Section 31** – requires territorial authorities to regulate to achieve integrated management of the effects of the, “*use, development or protection of land and associated natural and physical resources of the district*”.

MDRZ response / methods to address the issue:

- *Supporting increased density / intensification in locations where existing infrastructure capacity is available (or can be upgraded efficiently).*
 - *Provisions / policy framework promoting a compact urban form that maintains the residential character anticipated by the MDRZ.*
-

Summary and Outcomes

The identification and analysis of the resource management issues relevant to residential development has helped define how Section 5.0 of the RMA should be expressed in the context of Waikato District. This has informed the determination of the most appropriate objectives to give effect to Section 5 of the RMA in light of the issues identified (please refer to Section 2.3 of the s32AA evaluation report).

Appendix 4: Statutory and Policy Context of the Proposed Medium Density Residential Zone

Those strategic matters and provisions that have been specifically given effect or had regard to in the Section 32AA evaluation report are summarised in the following sections below. These documents broadly identify the resource management issues for the Waikato District and provide the higher-level policy direction to resolve these issues.

The Resource Management Act 1991

The purpose of the Resource Management Act 1991 (“**RMA**”), which is to promote sustainable management of natural and physical resources, is set out in Section 5, as follows:

5 Purpose

- 2) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- 3) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
- 2) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- 3) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- 4) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The remaining provisions in Part 2 of the RMA provide a framework within which objectives are required to achieve the purpose of the Act and provisions are required to achieve the relevant objectives. These provisions are summarised, as follows:

- Sections 6 and 7 of the RMA set out principles of national importance and other matters in which the Council shall recognise and provide for or have particular regard for when reviewing the District Plan; and
- Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Section 31 of the RMA outlines the function of a territorial authority in giving effect to the purpose of the Act:

31 Functions of territorial authorities under this Act

- b) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
 - (a) *the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.*

Section 31 provides the basis for objectives, policies, and methods within a District Plan to manage effects of development in an integrated manner and reinforces the multi-faceted approach to managing urban development - which is based upon the establishment of defined urban limits, integrated land use and infrastructure, and promoting density in strategic locations.

Consistent with the intent of Section 31, the proposed Medium Density Residential Zone (“**MDRZ**”) provisions outlined in this report have been developed with Waikato District Council’s (“**WDC**”) function under Section 31 in mind – to manage the potential adverse effects of urban growth and development; and to ensure the sustainable management of the urban environment – and are drafted to enable an integrated approach to the multiple effects associated with urban development, and integrated mechanisms for addressing these effects through the hierarchy of a District Plan framework.

The remainder of the assessment contained in this section considers the proposed provisions in the context of advancing the purpose of the RMA to achieve the sustainable management of natural and physical resources, as relevant to WDC.

Local Government Act 2002

Sections 14(c), (g) and (h) of the Local Government Act 2002 (“**LGA**”) are also of relevance in terms of policy development and decisions making, as follows:

14 Principles relating to local authorities

(1) *In performing its role, a local authority must act in accordance with the following principles:*
[...]

- (a) *When making a decision, a local authority should take account of –*
 - (i) *The diversity of the community, and the community’s interests, within its district or region; and*
 - (ii) *The interests of future as well as current communities; and*
 - (iii) *The likely impact of any decision on the interests referred to in subparagraphs (i) and (ii);*
- (b) [...]
- (g) *A local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets; and*
- (h) *In taking a sustainable development approach, a local authority should take into account –*
 - (i) *The social, economic and cultural interests of people and communities; and*
 - (ii) *The need to maintain and enhance the quality of the environment; and*
 - (iii) *The reasonably foreseeable needs of future generations*

Section 14(g) of the LGA is of relevance insofar as a planning approach emphasising urban intensification in areas with existing infrastructure capacity generally represents a more efficient and effective use of resources than a planning approach which simply provides for more greenfield development.

In addition, Section 102 of the LGA requires the Council to adopt a policy on development contributions or financial contributions. Residential development, including intensification, increases pressure on the capacity of the Council’s infrastructure (stormwater, wastewater, water, roads and open spaces) and service delivery and can result in the need to upgrade existing and / or develop new infrastructure and services. Through its Long-Term Plan, Council sets development and financial contributions at appropriate levels to ensure the costs of growth are paid for by those who create the demand for the additional infrastructure and services.

In the context of the LGA, the proposed MDRZ provisions emphasise a strong intergenerational approach, considering not only current environments, communities and residents but also those of the future. They direct a future focused policy approach, balanced with considering current needs and interests. The proposed provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental ones.

National Policy Statement on Urban Development 2020 (NPS-UD)

Since Kāinga Ora’s primary submission was lodged with WDC, the National Policy Statement on Urban Development 2020 (“**NPS-UD**”) has been gazetted. This national direction seeks to specifically acknowledge that urban environments need to provide sufficient opportunities for the development of housing and business land to meet demand and provide for a range of dwelling types across different locations what will meet the needs of people and communities as well as future generations.

The policy intent of the NPS-UD is to enable growth by requiring local authorities to provide development capacity to meet the diverse demands of communities, address overly restrictive rules, and encourage quality, liveable urban environments. It also aims to provide for growth that is strategically planned and results in vibrant cities that contribute to the well-being of our communities by:

- Giving clear direction about planning for growth;
- Supporting local government to apply more responsive, effective planning and consenting processes; and
- Clarifying the intended outcomes for urban development within communities and neighbourhoods across New Zealand.

The NPS-UD 2020 was released in July 2020 and came into effect on 20th August 2020.

The geographic targeting of the NPS-UD policies uses a 'three-tier' static approach. The tiers are based on high, medium and low demand urban environments. The criteria used to classify the three tiers are population growth and size. The NPS-UD lists Councils that are Tier 1 or Tier 2, with all other urban environments with populations greater than 10,000 classified as Tier 3 (by default).

Tier 1 and 2 urban environments are identified because they account for over 60% of New Zealand's population growth and the urban growth in these urban environments is putting pressure on existing housing markets. They also have a larger market demand for different housing typologies. Because of this, there are more directive policies that apply to Tier 1 and 2 urban environments.

WDC is identified as a 'Tier 1 local authority' pursuant to the NPS-UD . The more directive policies applying to Tier 1 local authorities include:

- Future Development Strategy ("FDS") preparation (Policy 2 and 10 and Sub-part 4);
- Housing and Business Development Capacity Assessment ("HBA"), monitoring provisions and housing bottom lines (Policy 7 and Sub-part 5); and
- Removing minimum car parking requirements (Policy 11 and Subpart 8).

The rationale for the 'three-tier' static approach is that the largest territorial authorities – such as WDC – have the capability and capacity to implement all NPS-UD 2020 policies.

The intensification policies (Policy 3 and 4) seek to improve land flexibility in existing urban boundaries through enabling and providing for higher-density development in appropriate locations. This framework provides greater specificity in prescription provided to urban environments with clear evidence of benefit (being city and metropolitan centres and rapid transport nodes).

In the context of Waikato District, the proposed MDRZ provisions seek a framework that encourages opportunities for appropriate intensification along and around strategic transport corridors and nodes that aligns with current and future residential demand in the District. It is important to note that the NPS-UD places prescriptive requirements on Tier 1 local authorities including, but not limited to, the notification of plan changes to give effect to the intensification policies within two years of the NPS:UD gazettal.

In addition, the NPS-UD intends to ensure planners and decision makers better understand development markets. The NPS-UD provisions (specifically Policy 7 and Implementation Subpart 3 (including 3.11), 5 and 7) require local authorities to gather evidence about the housing market (through HBAs) to inform planning decisions regarding zone objectives, policies, rules and assessment criteria. Such decisions should provide adequate housing supply to maintain competitive land and development markets and, consequently, improving housing choice and affordability. Of particular note, zone rules should be carefully considered to ensure they do not undermine the intent of a zone (as articulated in the zone objectives) and inhibit urban development.

Property Economics have provided a capacity and feasibility assessment of the proposed MDRZ in the context of Waikato District (refer to **Appendix 6**). While summarised in section 6.0 of the section 32AA evaluation report, in the context of the NPS-UD it is concluded that the proposed MDRZ can accommodate the project growth of the District while providing more affordable housing options (that is, the MDRZ in company with the GRZ provides more feasible housing outcomes than only adopting the GRZ).

In summary, the proposed MDRZ is intended to provide a vital role in giving effect to the requirements of the NPD-UD – in particular by providing sufficient opportunities for the development of housing to meet projected demand and providing for a range of dwelling types across strategic locations to meet the needs of people and communities as well as future generations.

New Zealand Coastal Policy Statement 2010

Under Section 75(3)(b) of the RMA, a District Plan must “*give effect to*” the New Zealand Coastal Policy Statement 2010 (“**NZCPS**”).

The NZCPS manages activities in the coastal environment in two distinct ways – preserving the natural character and protecting natural features and landscape values and recognising that some development of the coastal environment may be appropriate.

The key messages from the NZCPS for strategic direction and, in particular, growth management, is that not all development is inappropriate in the coastal environment, but local authorities must consider the rate at which built development should be enabled to provide for the reasonable foreseeable needs of population growth without compromising the other values of the coastal environment.

NZCPS Policy 6(c) seeks to encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth, as follows:

Policy 6 Activities in the coastal environment

(1) *In relation to the coastal environment:*

[...]

(c) *Encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth.*

The spatial extent of the MDRZ zone is primarily inland with the exception of Raglan (a ‘costal settlement’). In the context of Raglan, the proposed MDRZ is entirely contained within the existing urban area and seeks to retain this urban limit by consolidating urban development around the existing town centre to accommodate the projected urban growth – thereby avoiding sprawling or sporadic patterns of urban development within the coastal environment.

National Planning Standards (2019)

The National Planning Standards (“**planning standards**”) were released in April 2019. The purpose of the planning standards is to improve consistency in plan and policy statement structure, format and content. They are an opportunity to standardise the basic elements of RMA plans and policy statement and enable Councils and plan users to focus their resources on the matters that directly influence resource management outcomes.

The planning standards were introduced as part of the 2017 amendments. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

The PDP was notified before the release of the planning standards. While the proposed MDRZ adopts the planning standard terminology (insofar as zone names) and definitions (where relevant), the template / structure does not adopt the planning standards format. It is understood that a separate process is running parallel to the PDP hearings to 'standardise' the PDP in accordance with the planning standards. Therefore, for the purpose of this section, no further discussion will be had regarding the application of the planning standards.

Waikato Regional Policy Statement (2012)

Section 75(3)(c) of the RMA requires that a District Plan prepared by a territorial authority must "*give effect to*" any operative Regional Policy Statement¹¹. The operative Waikato Regional Policy Statement ("**WRPS**") administered by the Waikato Regional Council, is the relevant regional policy statement to be given effect to within the District Plan.

Objectives and Policies Relevant to the Proposed MDRZ

The WRPS provides the broad strategic framework for guiding urban growth and development throughout the Waikato Region. The following objectives and policies of the WRPS have been identified by WDC¹² as the most relevant in the context of housing development:

- Objective 3.1 – Integrated management;
- Objective 3.10 – Sustainable and efficient use of resources;
- Objective 3.12 – Built environment;
- Objective 3.21 – Amenity;
- Policy 4.1 – Integrated approach;
- Policy 6.1 – Planned and co-ordinated subdivision, use and development; and
- Policy 6.3 – Co-ordinating growth and infrastructure

In summary, the identified objectives and policies direct that residential growth is to be consolidated, sustainable, coordinated (insofar as land use and infrastructure development), focused within existing urban areas, and provide for a range of house options (choice) that achieves good urban design.

It is considered that the direction of the WRPS is reflected in the proposed MDRZ provisions. The provisions of the MDRZ, and the development outcomes sought by these provisions, serve the intent of the objectives and policies listed above through the promotion of an urban environment which supports choice, affordability, and efficient in land and infrastructure use through more liberal development controls and supporting frameworks.

¹¹ The Waikato Regional Policy Statement (2012) must also give effect to the National Policy Statement for Urban Development (2020), however, to date, no amendments have been made to the WRPS to reflect the NPS-UD.

¹² As identified by WDC in the 'Section 32 Report – Part 2: Residential Zone' (July 2018)

Section 6A – Development Principles

Section 6A of the WRPS outlines general development principles which are intended to guide District Plan development, amongst other matters. While not objectives or policies themselves, these principles assist with interpreting the policy intent of the WRPS.

The General Principles include the need for new development to make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas, to promote compact urban form, design and location to minimise energy use, minimising the need for private motor vehicle use, encourage walking, cycling and multi-modal transport connections, and to maximise opportunities to support public transport and opportunities for people to live, work and play within their local area.

The proposed MDRZ provisions have regard to the WRPS by more readily facilitating a compact and efficient urban form through urban intensification, enabled through more liberal development controls and supporting policy framework. This is achieved through the establishment of a new zone within the District Plan which seeks a coordinated approach to urban development and infrastructure enabling increased residential densities in appropriate locations to promote a compact urban form - satisfying the general development principles outlined in Section 6A of the WRPS.

Iwi Environmental Management Plans

Iwi Environment Management Plans must be taken into account under Section 74 (2A) of the RMA. The following Iwi Environmental Management Plans have been identified by WDC¹ as relevant in the context of housing development:

Waikato-Tainui Environmental Plan (Tai Tumu Tai Pari Tai oa)

Developed out of Whakatapuranga 2050, the overarching purpose of the Waikato-Tainui Environment Plan is to provide a map or pathway that will return the Waikato-Tainui rohe to the modern day equivalent of the environmental state that was in when Kiingi Taawhiao composed his maimai aroha.

Key strategic objectives of the Waikato-Tainui Environmental Plan include tribal identity and integrity, including “to grow our tribal estate and manage our natural resources”. The Plan is designed to enhance Waikato-Tainui participation in resource and environmental management.

The following objectives and policies of the Plan are considered most relevant for the purpose of this evaluation report:

- Objective 21.3.1 – Effectively manage soil erosion;
- Policy 21.3.1.1 – Retirement and restoration of marginal land;
- Objective 21.3.2 – The life supporting capacity of land and soils
- Policy 21.3.2.1 – Soil and land management practices;
- Policy 21.3.2.2 – Land management;
- Objective 21.3.4 – Achieve integrated catchment management, including floodplain and drainage management;
- Policy 21.3.4.1 – Integrated catchment management plans and land use;
- Policy 21.3.4.2 – Collaboration with landowners and managers;
- Objective 25.3.1 – Approach to land use and development;
- Policy 25.3.1.1 – Approach to land use and development
- Objective 25.3.2 – Urban and rural development; and
- Policy 25.3.2.1 – Urban development

These objectives and policies seek the following:

- Management of activities which contribute to accelerated soil erosion, nutrient loss and poor water quality;
- Integrated catchment management across the rohe of Waikato-Tainui;
- Promotes catchment management plans;
- Manage land sustainably and effectively in growth cells to enhance the environment; and
- Development is well planned with positive environmental, cultural, spiritual and social outcomes.

The proposed MDRZ provides a framework for earthworks where they are necessary to facilitate development. The proposed framework adopts an effects-based approach (that is, stricter thresholds in identified sensitive environments such as 'Significant Natural Areas' and 'Landscape and Natural Character Areas' and where a known or probable concentration of archaeological or wahi tapu sites exist).

Maniapoto Environmental Plan (Ko Tā Maniapoto Mahere Taiao)

The Maniapoto Environment Plan is a direction setting document and describes, issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including economic, social, cultural and spiritual relationships. The following objectives and policies of the WRPS are considered most relevant for this evaluation report:

- Objective 18.3.1 – Unsustainable and inappropriate land use practices;
- Policy 18.3.1.1
- Policy 18.3.1.3
- Objective 18.3.3 – Soil Conservation;
- Policy 18.3.3.1 ; and
- Policy 18.3.3.2

These objectives and policies seek the following:

- Land use and management protects the Maniapoto values and principles;
- Land use and management is sustainable and, protects and enhances the mauri of land;
- Urban planning and development adheres to best practice principles and provides for the needs of the Maniapoto;
- Best practice soil management techniques minimise soil degradation and loss; and
- Land use prioritises and protects the mauri of land.

As addressed in section 3.0 of the section 32AA evaluation report, the proposed MDRZ provides a framework for earthworks where they are necessary to facilitate development. The proposed framework adopts an effects-based approach (that is, stricter thresholds in identified sensitive environments such as 'Significant Natural Areas' and 'Landscape and Natural Character Areas' and where a known or probable concentration of archaeological or wahi tapu sites exist).

Local Policies, Plans and Strategies

Waikato 2070 – Waikato District Council Growth & Economic Development Strategy

The purpose of the Waikato District Council Growth & Economic Development Strategy (“**Development Strategy**”) is to guide the growth in the Waikato District over the next 50 years by informing future planning, investment and decision making. The Development Strategy takes a broad and inclusive integrated approach to growth – combining economic and community development focus areas with future land use and infrastructure planning and growth patterns.

Part 1.2 of the Development Strategy sets out its applicability to the District Plan:

01.2 How it Fits

Waikato 2070 draws on the initiative and ambitions that are identified in the Waikato District Blueprint to inform future planning, investment and decision-making by the Council for the District [...] The Blueprints

have helped to inform the Waikato 2070 process by identifying what is important to you as a community and what you want to have happen [...] At a sub-regional level, this strategy helps deliver on the Future Proof Strategy (Phase 1 Review) and some of the emerging thinking in the Hamilton to Auckland Corridor Initiative spatial plans.”

Focus Area 3.1 of the Development Strategy summarises the key matters of focus for urban areas as being:

03.1 Grow Our Communities

- 1. Develop a quality urban form with high amenity villages and urban environments while being aware of historic heritage, landscapes and the natural environment.*
- 2. Support regeneration of our town centres and encourage quality in-fill developments around our future mass transit stations.*
- 3. Support rural communities by maintaining services and enabling innovative initiatives.*
- 4. Invest in place-making activities across communities including historic heritage sites, greenways, blue/green networks, walkways, cycleways, bridle trails, and open spaces and streetscape/public space improvements that promote connectedness.*
- 5. Enable that higher density development (up to four storeys) in town centres.*
- 6. Ensure our towns offer employment and housing choice.*
- 7. Avoid development that leads to social isolation.*
- 8. Ensure that our communities have easy access to infrastructure and services.*
- 9. Well-situated and appropriately designed passive and active recreation areas.*
- 10. Strengthen collaboration with communities to develop areas in line with their aspirations identified in the Waikato District Council Blueprints.*

Development Plans for each major settlement appended to the Development Strategy also include provision for development of up to four storeys in and around town centres (where town centres are identified in urban settlements). Indicative timeframes for such development occurring are identified as 3 – 10 years¹³ and 10 – 30 years¹⁴. Informed through community engagement on the future of the urban areas within the Waikato District and the location and nature of residential intensification, these Development Plans signal the potential for the development of more intensive forms of housing at the ‘heart’ of established urban centres - aligning with the high-level directions proposed within the recently gazetted NPS-UD intensification policies.

In summary, and in the context of urban intensification, the Development Strategy is well-intentioned, enabling and meaningful in the direction it adopts towards intensification – signalling higher density development to be provided in a ‘cluster’ form around the core of existing urban areas (that is, town centres). It is considered this aligns with the proposed provisions of the MDRZ which seek the efficient use of land and infrastructure by enabling a higher intensity of development close to town centres, strategic transport corridors and community services / amenities.

Future Proof Strategy (2017)

The Future Proof Strategy (“**the Strategy**”) is a 30-year growth management and implementation plan for the Hamilton, Waipa and Waikato sub-regions. The Strategy aims to manage growth collaboratively for the benefit

¹³ In Tuakau, Pokeno, Te Kauwhata, Huntly and Raglan Development Plans.

¹⁴ In Taupiri and Ngaruawahia Development Plans.

of the sub-regions and community perspectives on issues like population change, transport, water and the environment.

Overview

In 2015 Future Proof embarked on a two-phased process to update the Strategy, as follows:

- **Phase 1** – (completed in November 2017). The aim of this update was to create a document that is up to date, taking into account changes since the Strategy was first adopted in 2009.
- **Phase 2** – (currently underway). The aim of this update is to address both the requirements of the NPS-UD and the Government's Urban Growth Agenda (including the outcomes of the Hamilton to Auckland Corridor Plan). It is anticipated that a draft document will be completed in 2020, with public consultation occurring early-2021.

Population and Household Projections

Phase 1 of the Future Proof Strategy population and household projections informed the development of the Waikato 2070 – Growth & Economic Development Strategy. These population and household projections¹⁵ were developed by the University of Waikato and are part of a wider dataset developed for the Waikato Region. In regard to the Waikato District, the Future Proof Strategy population projections indicate approximately 80% of growth in the District will be in Te Kauwhata, Huntly, Pokeno, Tuakau, Ngaruawahia, Raglan and various villages².

Settlement Pattern

The cornerstone of the Strategy is the settlement pattern. The Strategy describes the settlement pattern as follows:

...provides the blueprint for growth and development which identifies the existing and future location of residential and business land and considers the mix of land use, transportation and other infrastructure in an integrated manner².

The preferred settlement pattern scenario (based on public feedback¹⁶) remains a more compact and concentrated form over time. The settlement pattern is defined out till 2045. Maps 1 and 2 of the Strategy illustrate the settlement pattern - identifying Tuakau, Pokeno, Te Kauwhata and Ngaruawahia as residential growth nodes and identifying Te Kauwhata, Raglan, Huntly, Ngaruawahia as 'Major Commercial Centres' (as per the WRSP).ⁿ Of relevance to the proposed MDRZ, the key assumptions of the settlement pattern area as follows:

- Increased residential densities are an essential part of managing urban development;
- Additional capacity is provided in northern Waikato towns to meet anticipated demand as well as the influence of Auckland; and

¹⁵ Future Proof commissioned a peer review to validate the approach and projections used. The peer review concluded that the projections are generally sound and reflect a very careful consideration of the population dynamics that the Future Proof sub-region faces.

¹⁶ Three general scenarios were created during the development of the 2009 Strategy. They were 'business as usual', 'compact settlement' and 'concentrated settlement'. The scenarios were released for public comment and feedback in October 2008. The majority of responses supported either the compact settlement or concentrated settlement scenario, or a combination of both. As such, a combination of compact and concentrated was chosen as the preferred direction.

- Development occurs in a staged manner in accordance with appropriate triggers to ensure the efficient use of land and integration with infrastructure.

The built form outcome of the proposed MDRZ is a variety of buildings and dwelling typologies that adopt compact urban form and increased densities. The spatial extent of the proposed MDRZ is those areas identified as residential growth nodes and 'Major Commercial Centres' in the Strategy settlement pattern.

Consistent with Section 14(c) of the LGA, regardless of the relevance of growth pressures at any given point in time, the proposed MDRZ provisions seek to address housing supply on a long-term basis, recognising the interests of current as well as future communities.

Waikato Long Term Plan (2018)

The Long-Term Plan (2018-2028) ("**the LTP**") highlights the significant growth pressures experienced in the District and identifies anticipated population growth to 2028. Based on the National Institute for Demographic and Economic Analysis projections for the Waikato Region, the district's population is expected to grow from the current 72,137 (2018) to 84,376 (2028)¹⁷.

The LTP is relevant to the development of policy within the proposed MDRZ as it provides the mechanism for funding allocation and expenditure (in line with the expectations of the community). In order to ensure that the development and infrastructure programmes are effectively integrated there is a need to ensure that there is co-ordination between the LTP and the PDP.

A key assumption for growth in the LTP is that the settlement pattern for the Waikato District identified in the Future Proof Growth & Economic Development Strategy (please refer '*Future Proof Strategy (2017)*' above) will be maintained. A key principle here is that most of this growth will occur in the main towns (Tuakau, Pokeno, Te Kauwhata, Huntly, Ngaruawahia (including Taupiri and Horotiu) and Raglan as opposed to the rural areas. The LTP recognises that focusing growth in these towns will support economies of scale and hence cost-efficiencies and safeguard the productive capacity of the rural land.

The implementation of the proposed MDRZ, in combination with other strategic methods for managing future growth, will ensure that WDC's priorities can be better integrated with the PDP direction.

Hamilton Waikato Metropolitan Area Spatial Plan (2020)

The Hamilton Waikato Metropolitan Spatial Plan ("**MSP**") is a vision and framework for how Hamilton City and the neighbouring communities within Waipa and Waikato District should grow, develop and move around long-term.

Delivered through the Future Proof partnership¹⁸, the MSP will help address the current and future challenges faced by the metro area from declining water quality in the Waikato River and its major tributary the Waipa River, to environment deterioration, increasing housing costs and demands placed on our infrastructure including from the number of cars on the roads to the number of public transport options available to communities.

The MPS targets future population growth areas suitable for medium to high density housing and mixed-use areas. These are purposefully located alongside current and future transport infrastructure that can provide a

¹⁷ Noting that the projections for population growth and likely location over the next ten years vary significantly from the assumed rates.

¹⁸ Between Waikato-Tainui, Tainui Waka Alliance, tangata whenua, Central Government, WDC, Waipa District Council, Hamilton City Council and Waikato Regional Council.

high-quality transport network whether that be walking, cycling, or by rapid and frequent public transport connections.

Six transformation moves for change have been identified within the MPS. One of the transformational moves identified is 'thriving communities and neighbourhoods' – enabling quality denser housing options that allow natural and built environments to coexist in harmony increasing housing affordability and choice to meet the needs of growing and changing communities.

The proposed provisions of the MDRZ are considered to align with the transformational move signalled in the MPS insofar as providing sufficient opportunities for the development of housing to meet projected demand and providing for a range of dwelling types (that is, housing choice) across strategic locations to meet the needs of people and communities as well as future generations.

Waikato District Council – Parks Strategy (2014)

The Parks Strategy 2014 ("**Parks Strategy**") is a vision for parks in the Waikato District that provides guidance for Council's future provision, development and maintenance of park land. The Parks Strategy is a high-level document that identifies existing land resources and the need for additional park land to meet future demographic changes, sets levels of service, and supports requirements for reserves contributions arising from development.

The Parks Strategy is not a statutory document however is used to advise other plans and strategies that the Council is required to develop. The strategy has also collated information available about the quantity of park land within the District.

In summary, the provision of actively maintained (urban) parks and current total provisions is consistent with the target of 8ha / 1,000 residents. While the Parks Strategy indicates neighbourhood park provision is lower than the target level of service (noting accessibility in all main urban areas - with the exception of Tuakau - is meeting the level of service requirement for an active recreation and play space within ten minute walk of all urban residential properties), the Waikato District over all is not facing a critical shortage in parks as a result of the proposed intensification.

Appendix 5: Medium Density Residential Zone Extent Methodology (prepared by Barkers and Associates)



PROPOSED MEDIUM DENSITY RESIDENTIAL ZONE

11-Nov-2020

PROPOSED WAIKATO DISTRICT PLAN
HEARING 25 - ZONE EXTENT

ZONE EXTENT METHODOLOGY & ASSESSMENT

PREPARED FOR:

Kāinga Ora - Homes & Communities

B&A

Urban & Environmental

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Appendix 1 – Settlement Analysis

1.0 INTRODUCTION

1.1 BACKGROUND

As part of their submissions on the Proposed Waikato District Plan, Kāinga Ora - Homes & Communities (**Kāinga Ora**) sought the introduction of a new Medium Density Residential Zone (**MDR Zone**). B&A have been engaged by Kāinga Ora to provide expert urban design advice in support of their primary relief to introduce the MDR Zone. In addition to a desktop-based study of the main settlements within the Waikato District, site visits have been undertaken to inform and 'ground truth' the refined MDR Zone.

1.2 PURPOSE

The purpose of this memo is to set out the methodology for assessing the original extent of the proposed MDR Zone and, where appropriate, recommend amendments in line with good urban design practice and any relevant policy framework.

1.3 POLICY FRAMEWORK

1.3.1 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development (**NPS-UD**) requires councils to plan well for growth and ensure a well-functioning urban environment for all people, communities and future generations. There are a number of objectives and policies within the NPS-UD that are of particular relevance when considering the spatial distribution of more intensive housing, including (emphasis added):

Objective 1: *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

(a) the area is in or near a centre zone or other area with many employment opportunities.

Objective 8: *New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change.*

Policy 1: *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

(a) have or enable a variety of homes that:

(i) meet the needs, in terms of type, price, and location, of different households

(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport

Policy 3: *In relation to tier 1 urban environments, regional policy statements and district plans enable:*

(d) ... building heights and density of urban form commensurate with the greater of:

(i). The level of accessibility by existing or planning active or public transport to a range of commercial activities and community services; or

(ii). Relative demand for housing and business use in that location.

Policy 4: *Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.*

The methodology set out within this memo provides an approach for determining the spatial extent of zoning provisions consistent with the objectives and policies above. In particular, the level of accessibility in line with the outcomes sought by Policy 3(d)(i) above. In addition, in developing this methodology reference has also been made to the guidance for “Tier 1” Urban Environments set out within the Ministry for the Environment’s “*Understanding and implementing intensification provisions for the National Policy Statement on Urban Development.*”

1.3.2 Waikato Regional Policy Statement

The Waikato Regional Policy Statement (**RPS**) also provides direction as to the location of more intensive residential zonings. Relevant objectives and policies include (emphasis added):

Objective 3.12 Built environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes ...

Policy 6.5 Energy demand management

Development should minimise transport, energy demand and waste production, encourage beneficial re-use of waste materials, and promote the efficient use of energy.

Policy 6.1 *Planned and co-ordinated subdivision, use and development*

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

a) *has regard to the principles in section 6A.*

Section 6A of the RPS also includes a set of principles to guide future development of the built environment within the Waikato region. These principles are not absolutes and it is recognised that some developments will be able to support certain principles more than others. Of particular relevance to the consideration of the spatial extent of residential zonings includes:

- a) *support existing urban areas in preference to creating new ones;*
- b) *occur in a manner that provides clear delineation between urban areas and rural areas;*
- c) *make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;*
- h) *be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;*
- (i) *promote compact urban form, design and location to:*
 - i) *minimise energy and carbon use;*
 - ii) *minimise the need for private motor vehicle use;*
 - iii) *maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;*
 - iv) *encourage walking, cycling and multi-modal transport connections; and*
 - v) *maximise opportunities for people to live, work and play within their local area;*
- o) *not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;*
- p) *be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes.*

1.4 MATTERS FOR CONSIDERATION

There is a clear policy framework to promote and enable residential intensification of existing urban areas with a particular focus on locating intensification in areas which would better support the use of active modes of transport, reduce private

vehicle use and contribute to more vibrant, well-functioning centres. This is consistent with good urban design practice, which considers the optimal spatial arrangement of land uses relative to each other that results in the most efficient use of land, supports community and commercial centres, and maximises use of active and public transport networks.

In determining zone extents in alignment with the above the following matters have been considered for each of the main urban settlements within the District:

| Matter | Rationale |
|---|--|
| Proposed extent of Business – Town Centre zoning | The nature of the zoning and its spatial application helps to define those areas which have (or could have) a concentration of amenities, facilities and jobs which residents require for day-to-day living (e.g. supermarket, pharmacy) |
| Walking catchments from the edge of the Business – Town Centre zone | The NPS-UD and RPS create a clear policy framework which seeks to promote increased travel via active modes. A major driver in encouraging uptake of active modes is minimising journey times. The lower the journey time, the more convenient/ viable it is perceived to be. |
| Potential barriers or impediments to walking catchments | Barriers (such as heavily trafficked roads) can reduce the effective walking catchment due to factors such as travel time delay. |
| Amenities/ community facilities | There are often situations where important amenities that support day-to-day living (e.g. schools) are not located within centre zones. A concentration of amenities outside of a centre zone or its associated walking catchment may highlight further areas where intensification can be supported. |
| Qualifying Matters (e.g. Significant risks from Natural Hazards) | The NPS-UD and RPS create a clear policy framework which seeks to ensure that urban areas are resilient to the existing and future effects of climate change. At this level, this would identify areas that are expected to be subject to future coastal inundation and/or sea-level rise and therefore less appropriate for residential intensification. In the context of the PDP, there are areas identified as being of high risk to natural hazards where there is a policy intent to avoid further development. This would indicate that further residential intensification may be inappropriate. This contrasts with areas where management may be acceptable and appropriate mitigation measures can be implemented to support development (e.g. increased building freeboard). |
| Precise Zone Extent | Precise boundaries for the zone should be considered in order to create a coherent zoning pattern and reduce potential edge/ transition effects between varying density of uses. |

2.0 DEFINING THE MEDIUM DENSITY RESIDENTIAL ZONE

Sections 2.1 – 2.5 set out the high-level criteria that set out an appropriate extent for medium density residential zoning within the context of the Waikato District as well as the outcomes sought by the objectives and policies of the Proposed Waikato District Plan, NPS-UD and RPS.

2.1 BROAD SPATIAL EXTENT (WALKABLE CATCHMENTS)

Sites within a walkable catchment of 800m from the proposed Business Town Centre zone extent have been identified (refer to Figure 1 overleaf). The use of an 800m walk catchment as a basis for intensification is considered consistent with the overarching national, regional and district policy framework and good urban design practice which seek to promote the use of active travel modes, reduce private vehicle use and support centre vibrancy. Whilst there is no precise figure for setting an appropriate catchment threshold there is clear consensus from a range of local and international studies that people are more likely to walk to destinations the closer, they are located to them. Although now dated, previous analysis undertaken by Waka Kotahi / NZTA found that the majority of walking trips are between 1 – 10 minutes (800m).¹ More recently, the NZ Household Travel Survey (2015-2018) identifies that the average walking trip is 11-minutes which is equivalent to a distance of 1km.²

NPS-UD guidance states that “walkable catchments can be determined either using a simple, radial pedshed analysis or a more detailed GIS (geographic information systems) network analysis.”³ For the purposes of this assessment, a detailed network analysis using GIS software has been undertaken. The original Kāinga Ora submission identified sites within a 400/800m radial catchment. However, in my opinion such (radial) analysis would be more appropriate to adopt in greenfield areas or large brownfield sites without an established street network or precisely defined centres, amenities or public transport stops. This is not the case in the established centres of the Waikato District.

¹ Pedestrian planning and design guide, Section 3.7

² <https://www.transport.govt.nz/statistics-and-insights/household-travel/>

³ Section 5.5, pg. 20.

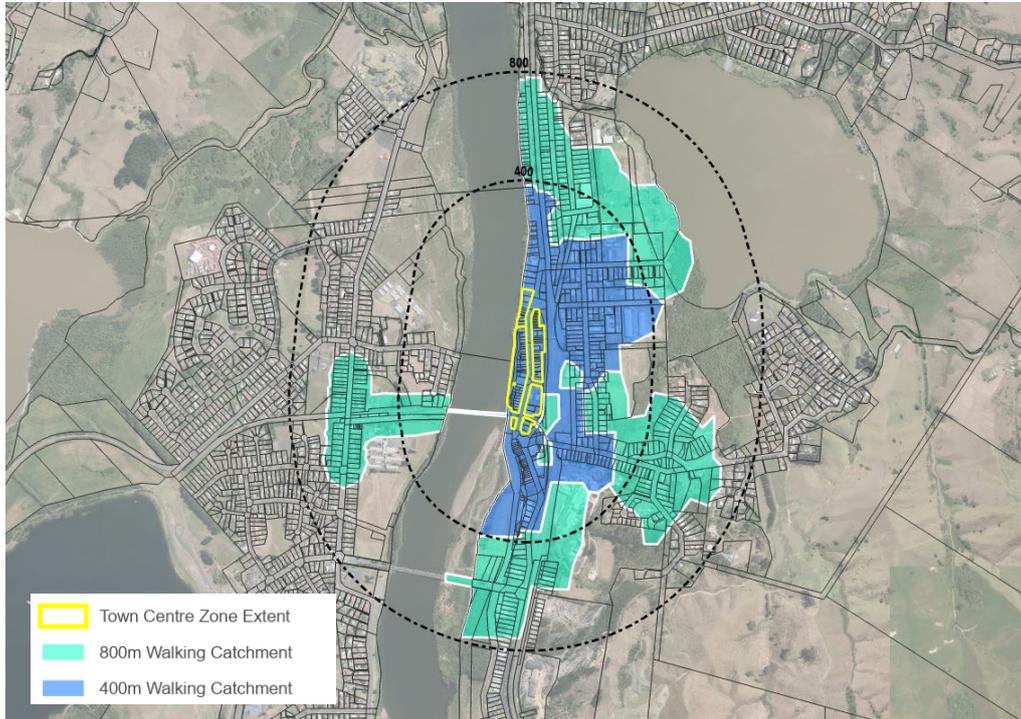


Figure 1 - 400/800m walking catchments for Huntly

2.2 BARRIERS TO MOVEMENT

Potential barriers or constraints that may impact/ reduce the effective walkable catchment were then identified/ considered (refer to Figure 2 overleaf). This process serves a dual purpose. Firstly, constraints such as topography (refer to Figure 3 overleaf) or heavily trafficked roads decrease the effective walking distance and can act as a hard barrier for those with mobility issues (e.g. elderly, disabled or young children). In terms of factors such as topography, this should be viewed within the wider context of the settlement. In some instances, intensification on steeply sloping terrain may be the only viable option in close proximity to centres and other supporting amenities. Alternatively, there may be larger areas of flatter land outside of the identified walking catchment which may be better suited to more intensive forms of development. Secondly, such barriers (e.g. a rail corridor) can also provide a logical boundary/ buffer to transition between zones of differing scale, intensity and activity. It should be noted that the impact of fixed infrastructure or physical barriers may have on a walking catchment will likely be captured by a network analysis.

B&A

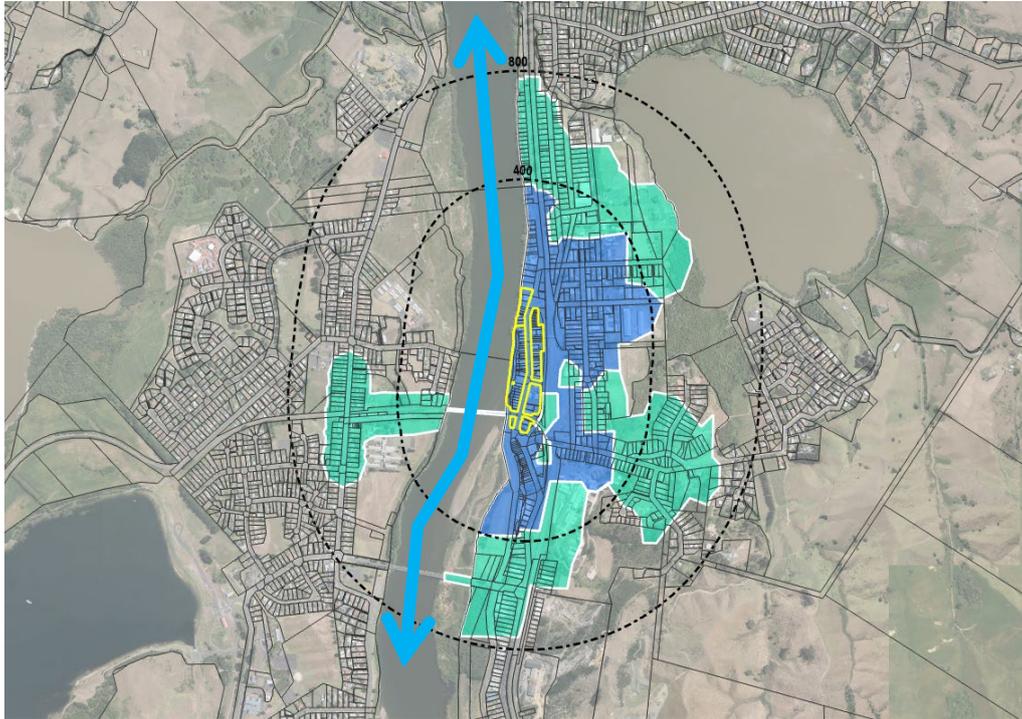


Figure 2 - The Waikato River significantly reduces the effective 800m walking catchment within Huntly

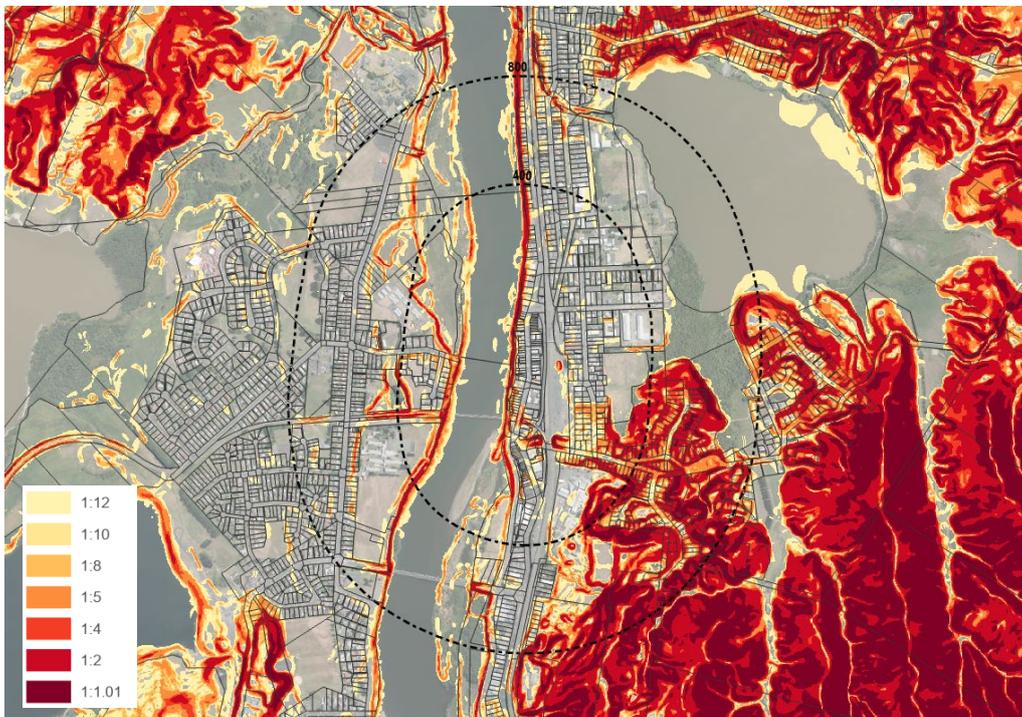


Figure 3 - Huntly Slope Analysis (Gradients)

2.3 SUPPORTING AMENITIES

In addition to identifying the walkable catchments from town centres, the location of key amenities required to support day-to-day living in more intensive residential environments has been identified. The locations identified were undertaken via a desktop analysis of publicly available data sourced from local government GIS data sets in combination with Google Maps/ Street View and site visit to each main settlement. The key amenities identified include:

- a. Public schools;
- b. Convenience stores (e.g. supermarket, dairy, superette, green grocer);
- c. Medical facilities (e.g. medical centre, general practice, pharmacy);
- d. Parks/ Open space (e.g. sports fields, passive green spaces);
- e. Community facilities (e.g. community centre/ hall, library); and
- f. Public transport stops.

Generally, these are concentrated in Business Town Centre zones found throughout the District. However, this process also enables the identification of parcels of land which may include a concentration of activities in or around smaller neighbourhood centres (e.g. Huntly West). Whilst noting the importance placed on the location of intensified residential areas in proximity to public transport, based on the nature of existing services (infrequent and with long journey times) within the main urban areas of the Waikato District no specific weighting over and above other amenities was considered necessary (or appropriate).

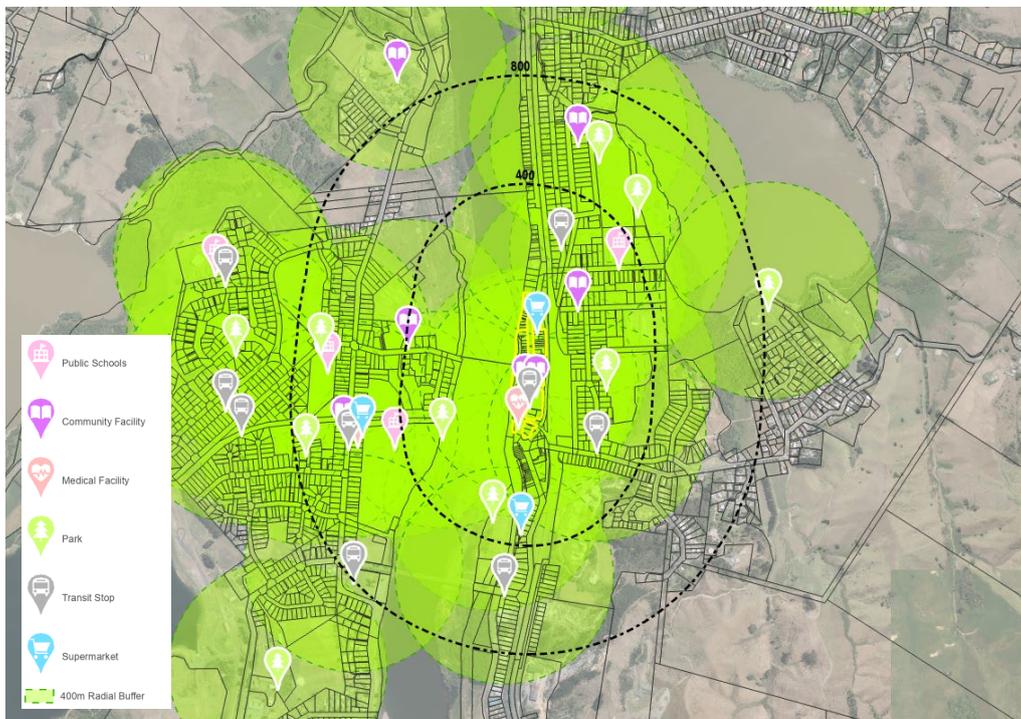


Figure 4 - Huntly Amenities "Heat Map"

A radial catchment of 400m was adopted to apply around these amenities to produce an amenity heat map which identifies areas particularly well accessible to a range of commercial services and community facilities (refer Figure 4). The purpose of adopting a radial catchment for this process was to take into account that typical distances people may be willing to walk would vary across those amenities identified above and the amenities themselves may not particularly useful for day-to-day living of particular segments of the community. For example, it is not uncommon for typical walking catchments for primary schools to extend to between 1-2km. However, proximity to a primary school may not be a particularly relevant amenity for an elderly couple.

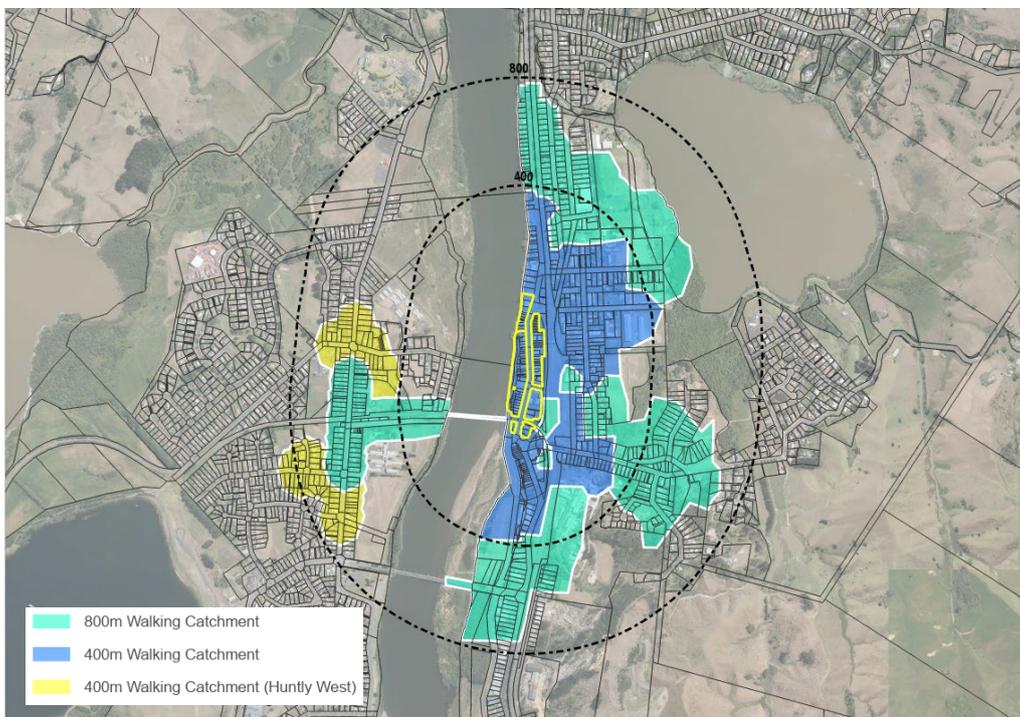


Figure 5 - Extent of an additional 400m walk catchment from the Huntly West Neighbourhood Centre

2.4 QUALIFYING MATTERS

The NPS-UD makes provision for the consideration of “Qualifying Matters” in Tier 1 urban environments. Based on the spatial extent of Kāinga Ora’s submission, the only potential qualifying matter of relevance to this exercise relates to a matter of national importance under s6 of the RMA – (h) the management of significant risks from natural hazards. For the purposes of this assessment, if there is a clear emphasis on avoidance of any identified hazards (as opposed to management) within the policy framework, this has been assumed to identify a potential significant risk from a natural hazard. Where significant risks from natural hazards are identified, this provides an additional guide as to an appropriate spatial extent for more intensive

residential zonings. This contrasts with areas within the District where the policy framework seeks to manage the effects of natural hazards. Where this is the case it has been assumed that any effects associated with identified natural hazards can be managed via a resource consent process.

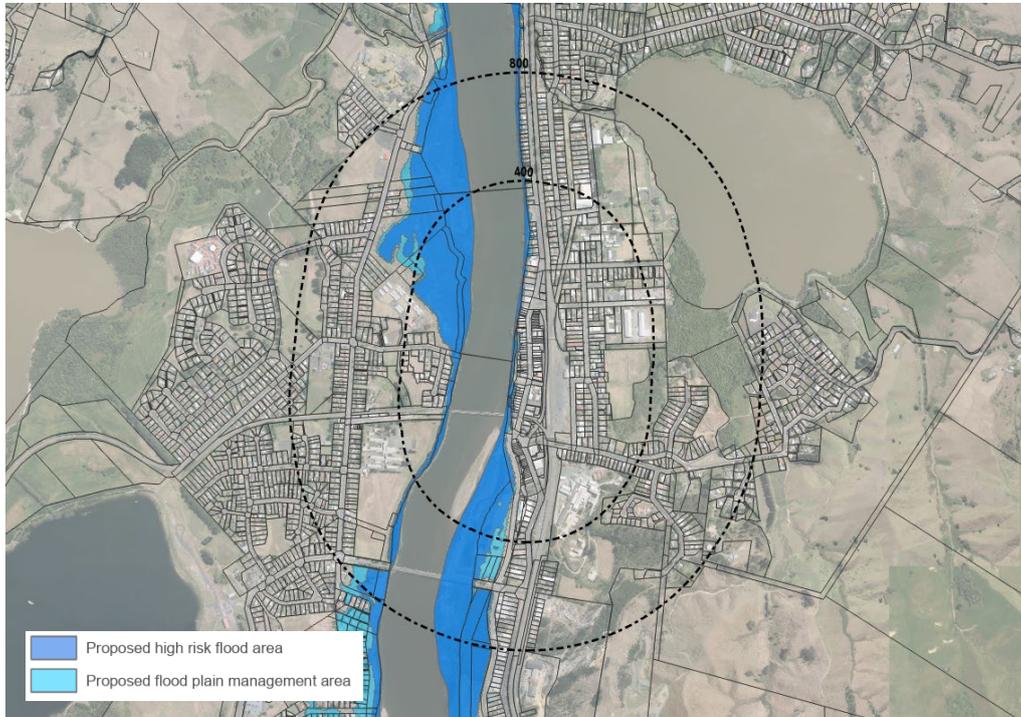


Figure 6 - Identified flooding areas in Huntly

2.5 ADDITIONAL MATTERS

Consideration of additional location attributes which may make intensive residential development more attractive outside of the identified walking catchments (e.g. north facing orientation, extended/ coastal views) is also a relevant consideration. Where these are considered to apply to a specific location these should be broadly contiguous with the identified walking catchments appropriate for more intensive zoning provisions identified above.

3.0 PRECISE ZONE BOUNDARIES

3.1 MATTERS TO CONSIDER

Once an approximate extent for the zoning boundary was established, further refinements and more detailed site-by-site analysis is required to determine precise boundaries consistent with good urban design/ planning practice.

Generally speaking, zone boundaries should be defined using fixed physical features to provide a transition/ buffer with lower intensity zones. These features include:

- a. Streets/ roads/ walkways
- b. Rail corridors
- c. Streams/ rivers
- d. Open spaces/ reserves (whether zoned or not)
- e. Schools

All zone boundaries should be aligned to existing cadastral boundaries (i.e. avoid split zoning of existing titles). Where practicable, split zoning across blocks or pepper potting within blocks should ideally be avoided to minimise potential interface effects with lower intensity zones (refer to Figure 7).



Figure 7 - Example of pepper potted residential/ business zonings across a single block within the Auckland Unitary Plan

Where the avoidance of split zoning across blocks is not been possible (e.g. over large blocks characterised by cul-de-sacs, blocks with an existing rural interface or where natural hazards exist) zone boundaries should be applied based on where a site obtains its primary access (refer to Figure 8). Where this does occur, regular (i.e. straight) boundary lines have been preferred to avoid an overly complicated application of development controls. However, as evidenced by Figure 8 below this may not be practical in all instances.



Figure 8 – Yellow properties are accessed via separate roads outside the identified 800m walking catchment (Tuakau). Hatched properties are those that are accessible from roads that form part of the 800m catchment

Related to the practice of aligning zone boundaries with cadastral boundaries (to avoid split zoning across a single title), where additional constraints may exist on a site which impact on the ability to deliver new dwellings, the site should only be included within the zoning if there is sufficient developable land outside any constraint that could accommodate anticipated building forms within the zone (refer to Figure 9). It is noted that the more stringent provisions of relevant overlays will apply in any event, thus discouraging or managing potential intensification on those parts of the site subject to identified constraints (e.g. flooding).

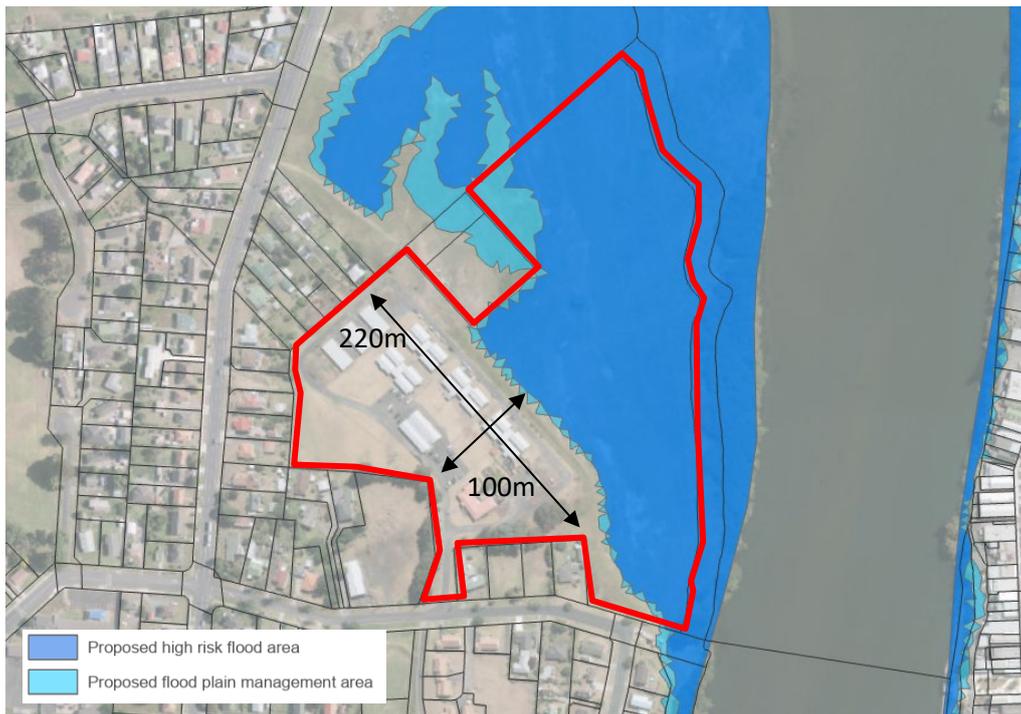


Figure 9 - Consideration of limitations imposed by natural hazards or other physical features

Where sites are under common ownership but held within multiple separate titles (e.g. Turangawaewae Marae) the entirety of the contiguous land under a single ownership should be incorporated in the same zoning. This reduces administrative complexities in the consent process and enables any assessment of a consent application to focus on issues relating to effects/ outcomes rather than a more amorphous focus on issues of “plan integrity”.

3.2 APPLICATION OF THE METHODOLOGY

Figures 10, 11 and 12 overleaf demonstrate how the application of the methodology set out within this report resulted in refinements to the proposed extent of the MDR Zone from Kāinga Ora’s original submission on the PDP.

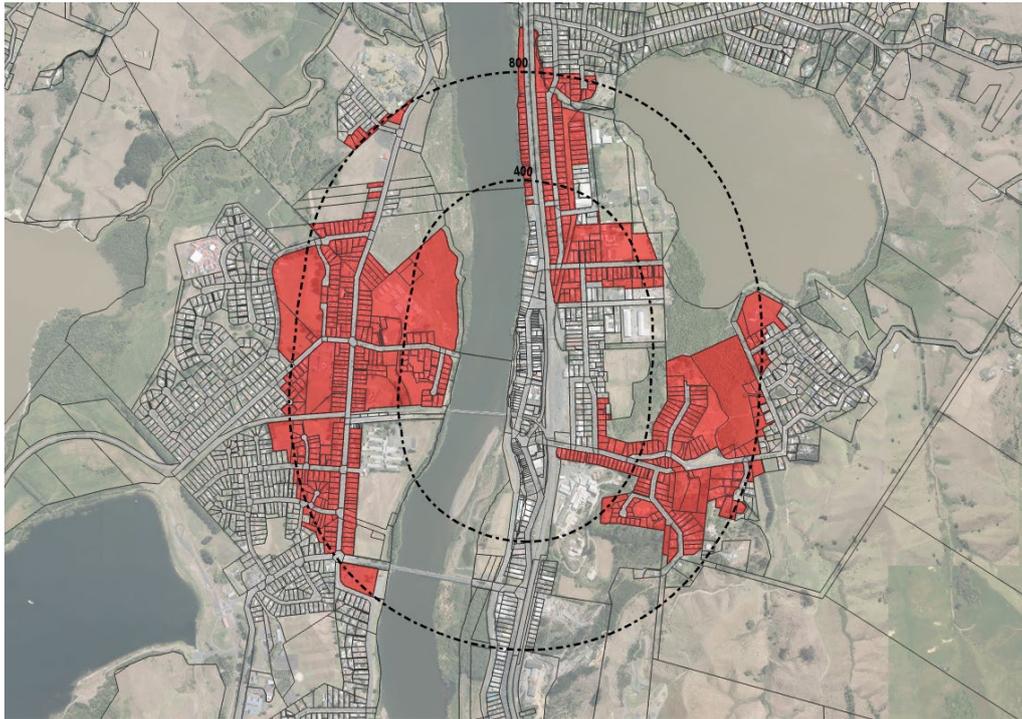


Figure 10 – Extent of Proposed MDR Zone within the Kāinga Ora Submission on the PDP

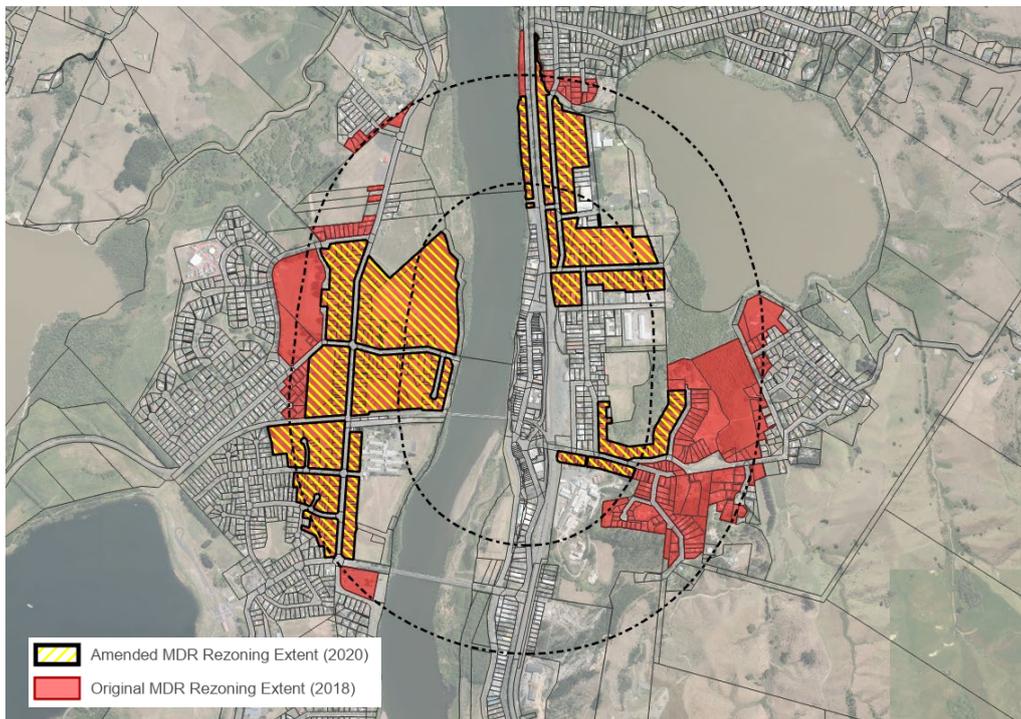


Figure 11 – Refined MDR Zone extent in accordance with the zone extent methodology

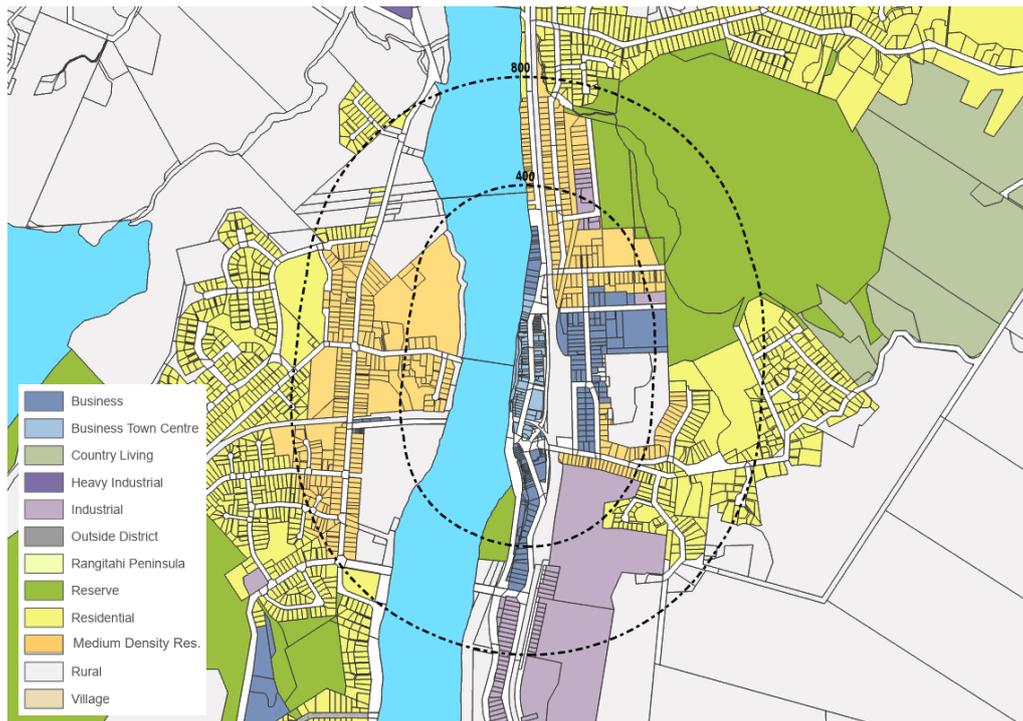


Figure 12 – Amended District Plan Zoning Map for Huntly

3.3 OUT OF SCOPE AMENDMENTS

The application of zone extent has been limited in scope to those of the original Kāinga Ora submission. This results in some situations where the proposed boundary is inconsistent with the above methodology. Additional sites that I consider would be beneficial in terms of enabling good urban design outcomes to include within the MDR zone (and aligned with the above methodology) have also been identified for consideration and included within Appendix 1. An example is shown overleaf in Figure 13.

B&A

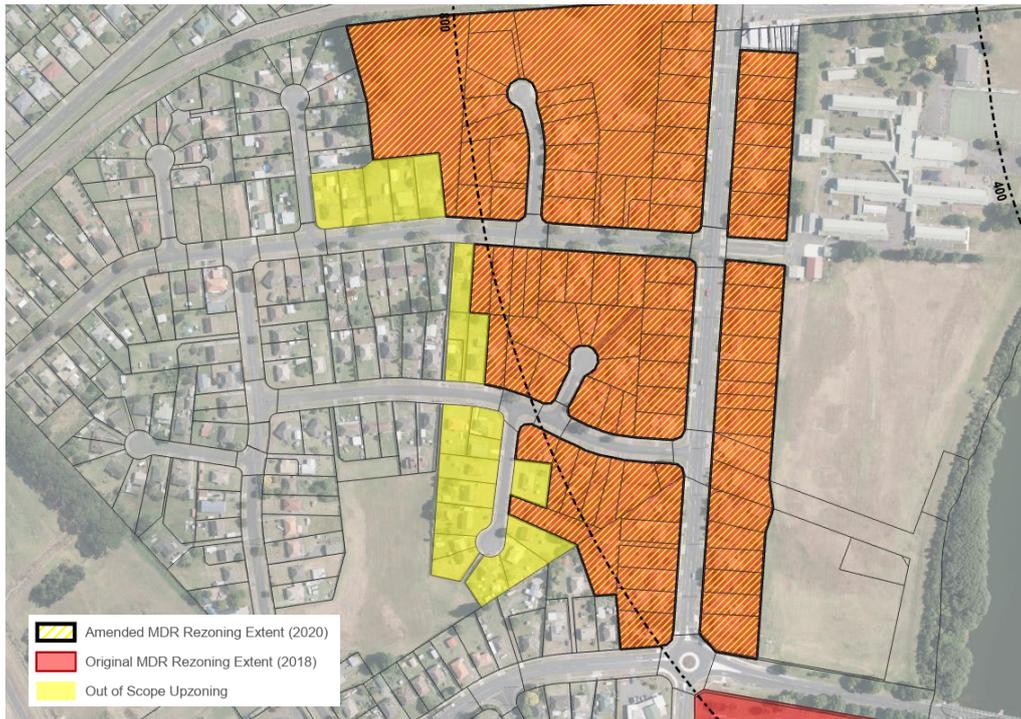


Figure 13 - Parcels suitable for inclusion within MDR Zone at Huntly West but outside of original Kāinga Ora submission

4.0 SETTLEMENT SPECIFIC COMMENTS

The section below sets out specific comments that have led to the proposed zone extents. These comments were also informed by site visits undertaken in each key settlement and should be read in conjunction with the corresponding spatial analysis for each settlement.

4.1 TUAKAU

The existing street pattern and block structure of the settlement is characterised by a spine road (George Street) with a series of cul-de-sacs running perpendicular and terminating at what are currently rural properties. This creates a challenge in aligning the zone boundaries with naturally defensible boundaries (primarily to the west of George Street). This has resulted in some split zoning within blocks. As such, the proposed extent of zoning was informed by a combination of cadastral boundaries, topographical features including a ridge and stream and the existing extent of residential development.

Some steeper sloping land has been identified at the northern end of the settlement within an 800m walking distance of the town centre. Whilst the presence of this topography was not wholly determinative it was considered more appropriate to concentrate intensification in the southern part of the settlement due to the flatter terrain in this location and proximity to important amenities outside of the town centre including public open space and two schools.

4.2 POKENO

There are a number of established public reserves which are currently (and proposed to be) zoned as residential. These reserves have been used to inform the northern boundary of the proposed zone extent.

In addition, a large area of currently vacant greenfield land at 34 Great South Road falls partly within the 800m walking catchment from the town centre. A significant proportion of the site is identified outside of the 800m walking catchment as no roads/ streets/ path currently extend into the site. Nevertheless, the consolidated nature of this land-holding offers significant potential to realise a greater density of development within close proximity to the town centre and other important amenities.

4.3 TE KAUWHATA

The proposed MDR Zone extent has been amended to ensure streets and/ or public space form natural boundaries. The exceptions to this are four properties on Te Kauwhata Road (46-50 & 65) as well as nine properties on Blunt Road (26D-40) which

are excluded. These properties would logically fall within the MDR Zone but were not identified in the original Kāinga Ora submission.

4.4 HUNTLY

A large area of land in Huntly West outside of the 800m walking catchment of the town centre is proposed to be included within the MDR Zone. This area is well suited to support increased densities due the largely flat topography and concentration of amenities available west of the river which includes multiple schools, public open spaces, commercial service and community facilities.

The steep topography east of the town centre, in combination with the location of public open spaces and reserves limits the logical extent of the MDR Zone in this location.

4.5 TAUPIRI

In its submission, Kāinga Ora sought inclusion of the MDR Zone in Taupiri. Based on its size, limited access to a range of commercial services and community facilities and important cultural values the inclusion of the MDR Zone at this location was not considered appropriate or consistent with higher order policy objectives or good urban design practice.

4.6 NGARUAWAHIA

Due to nature of the street pattern north of the Waipa River with a series of cul-de-sacs or very long roads extending north from River Road, the northern extent of the MDR Zone has been informed by the location and size of Paterson Park which provides a natural boundary to the Zone as well as improved amenity and outlook for more intensive residential development.

In the south of the settlement, land to the east of Whatawhata Road which forms part of the Ngaruwahia Rugby League Club grounds has been excluded despite its proposed residential zoning. The entire block of land bounded by Market Street and the Lower Waikato Esplanade has also been excluded due to flooding constraints.

As with Te Kauwhata, the proposed MDR Zone extent has been amended to ensure streets and/ or public space form natural boundaries. The exceptions to this are six properties on Newton Street (43-49), a further six properties along Havelock Road (17 & 25-27a) and as well as six properties on Whatawhata Avenue (28-38) which are excluded. These properties would logically fall within the MDR Zone but were not identified in the original Kāinga Ora submission.

4.7 RAGLAN

The extent of zoning within Raglan is reflective of a 400m walk catchment (as opposed to 800m for other settlements). This is reflective of the settlement's location outside of the strategic growth corridor which extends between Auckland and Hamilton. As such, Raglan has reduced accessibility to a wider range of employment opportunities to support a larger population than the other centres. The existing topography also help to create a natural, compact catchment immediately adjacent to the town centre zone.

The eastern extent of zoning has been limited to Cross Street as well as areas which may potentially be subject to coastal inundation. The southern extent is primarily defined by the ridgeline along Norrie Road.

4.8 OTHER SETTLEMENTS

There are a number of other smaller rural settlements spread out across the Waikato District. These include Mercer, Meremere, Port Waikato, Whatawhata, Maramarua and Onewhero. Similar to Taupiri, these settlements typically feature a very limited range of commercial and/ or community services (if at all in some instances). As such, further intensification of these settlements is not considered appropriate or consistent with the overarching national, regional and local policy framework.

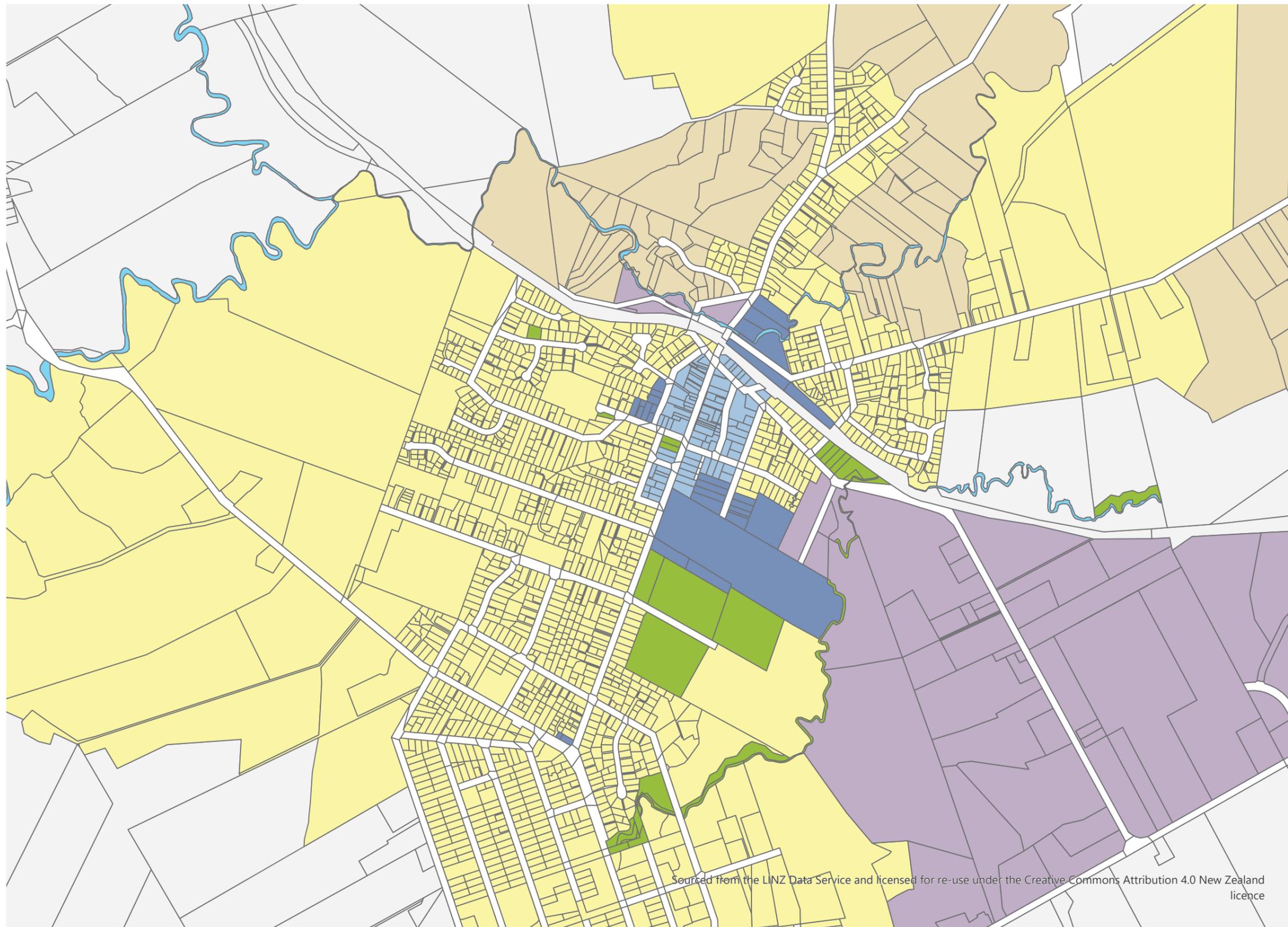
Appendix 1 – Spatial Analysis of Proposed Medium Density Residential Zone

01

Tuakau

Proposed Waikato District Plan

Proposed zoning (as notified)

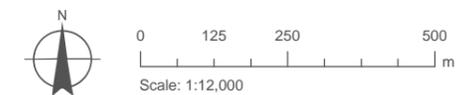


Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Tuakau

Rezoning Requests - Hearing 25



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3-13 Shortland Street
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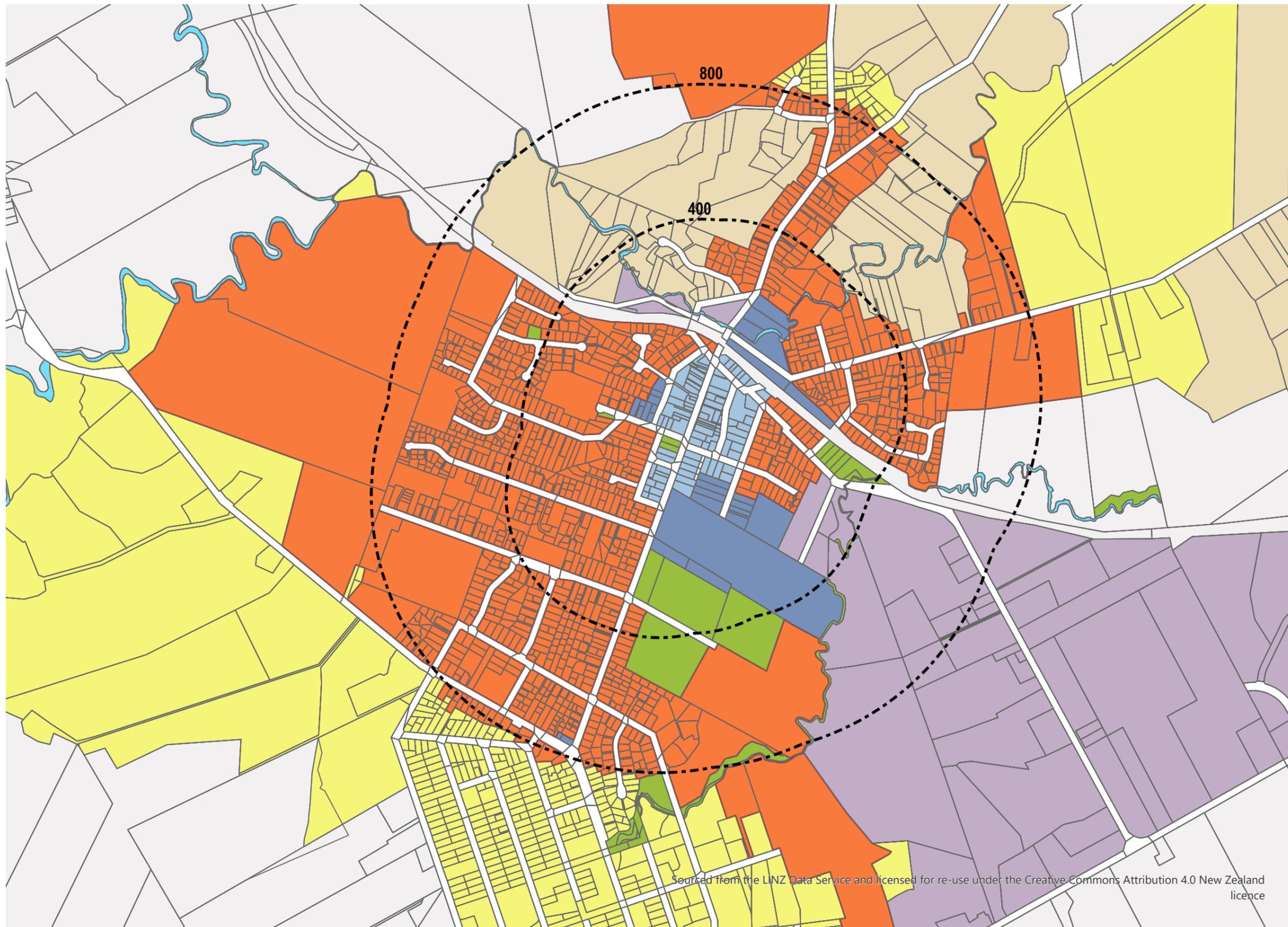
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Beca

Prepared for:
Kāinga Ora
Homes and Communities

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Proposed Waikato District Plan

Original MDR Zone request

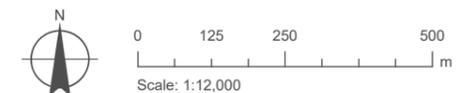


Legend

-  400m Radial Catchment
-  800m Radial Catchment
-  Original MDR Rezoning Extent (2018)
-  Business
-  Business Town Centre
-  Country Living
-  Heavy Industrial
-  Industrial
-  Outside District
-  Rangitahi Peninsula
-  Reserve
-  Residential
-  Road
-  Rural
-  Village
-  Water

Tuakau

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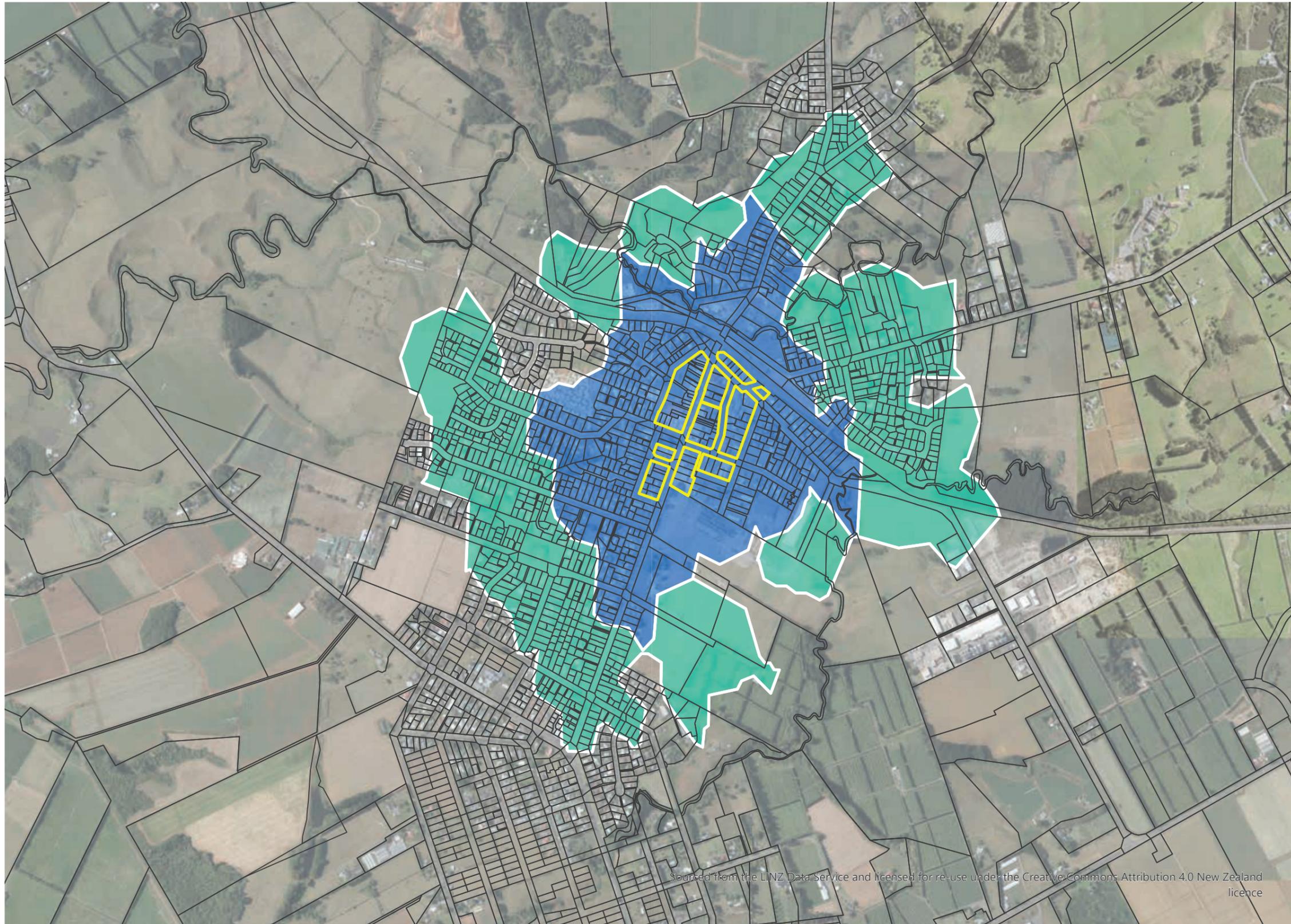
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Proposed Waikato District Plan

Accessibility analysis - walk catchments

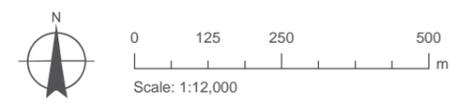


Legend

-  Cadastral Boundaries
-  Town Centre Zone Extent
-  800m Walking Catchment
-  400m Walking Catchment

Tuakau

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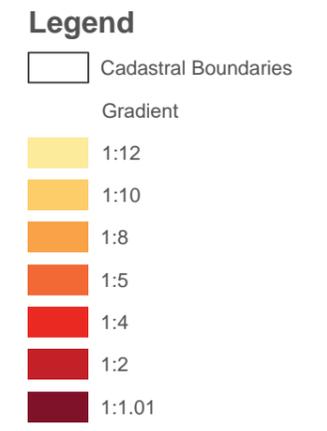
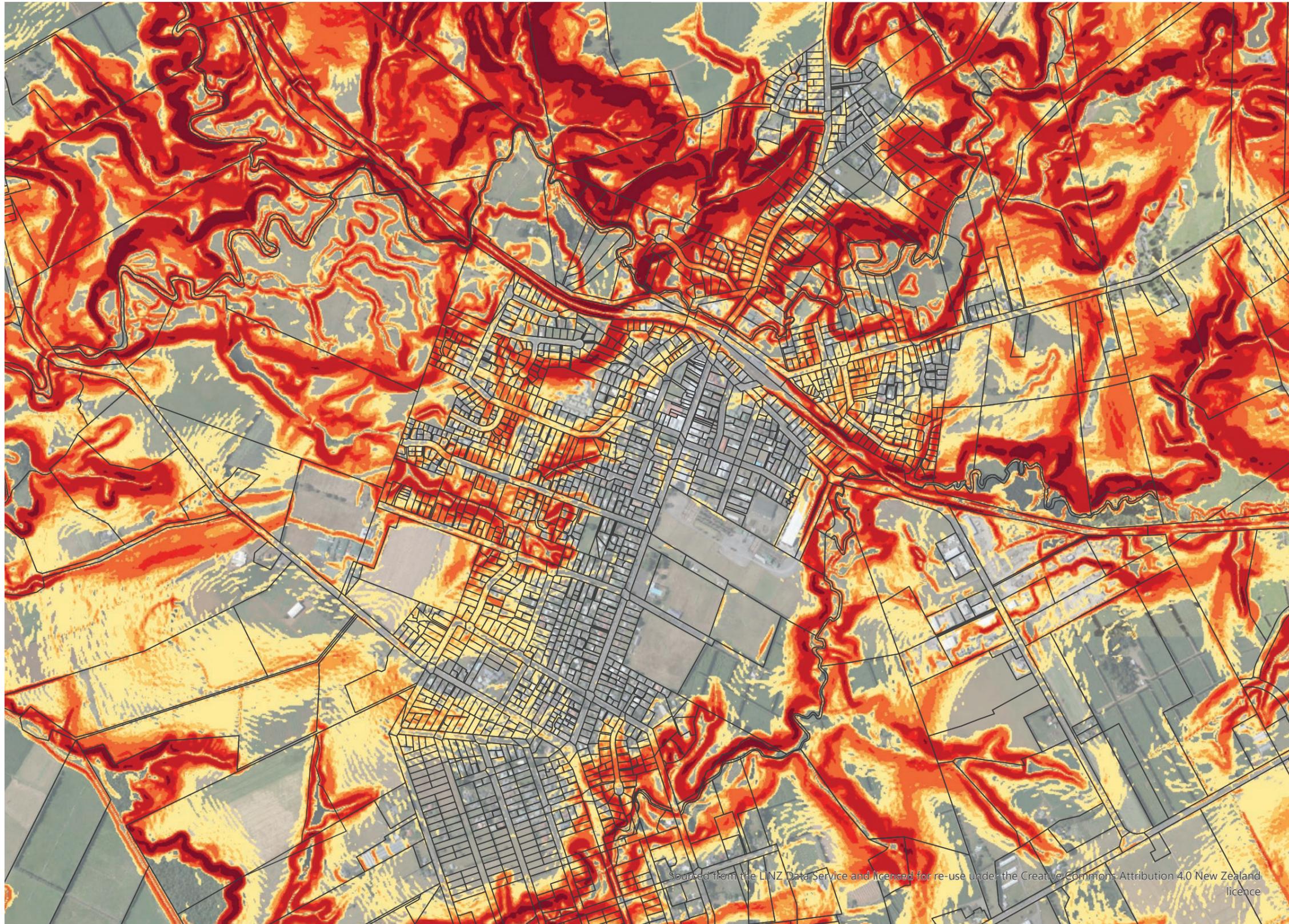
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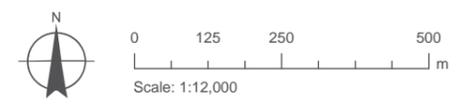
Proposed Waikato District Plan

Accessibility analysis - slope



Tuakau

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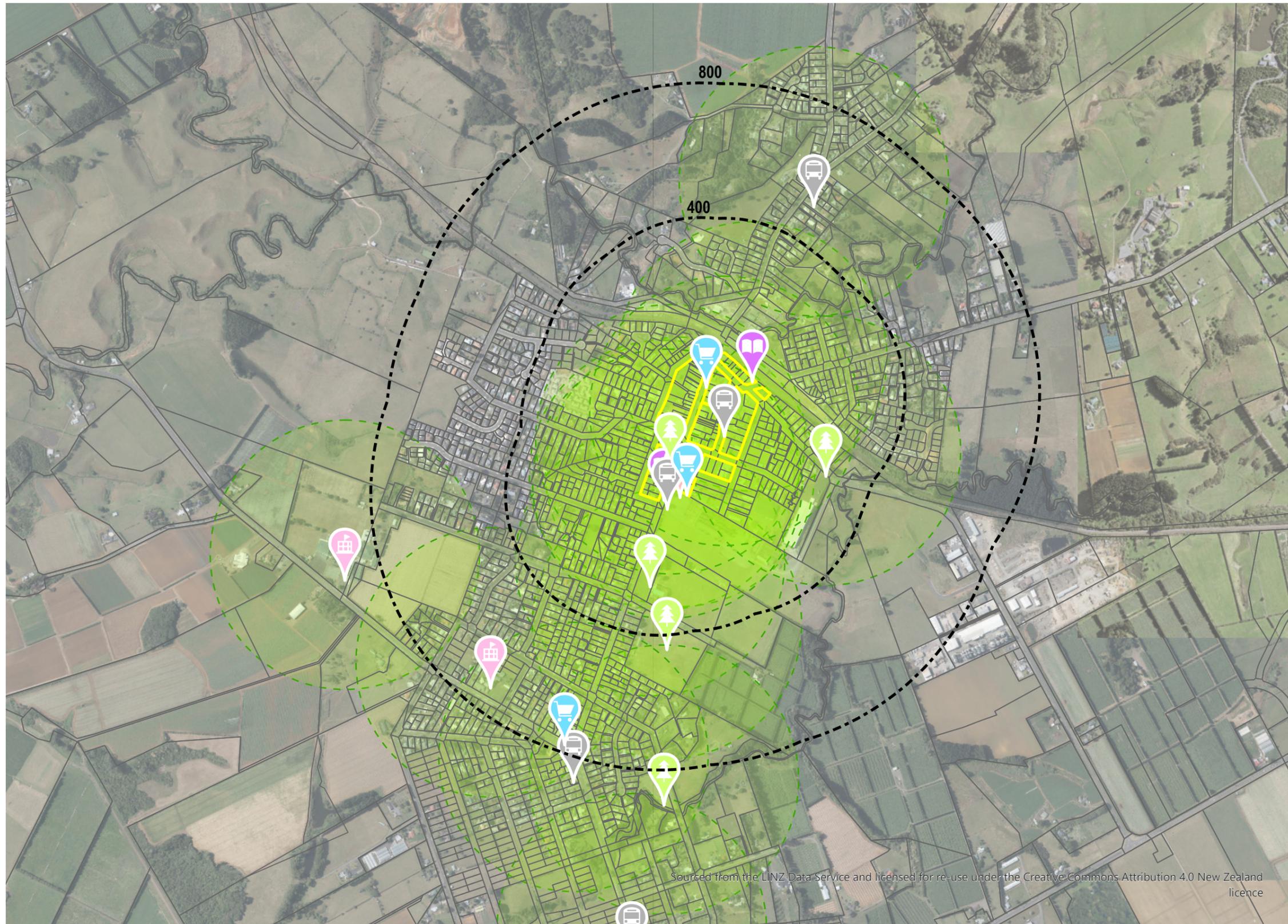
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Proposed Waikato District Plan

Amenities Heat Map

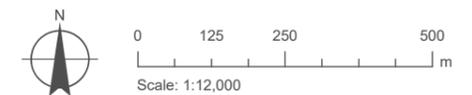


Legend

- Town Centre Zone Extent
- 🏫 Public Schools
- 🏠 Community Facility
- 🏥 Medical Facility
- 🌳 Park
- 🚏 Transit Stop
- 🛒 Supermarket
- 400m Radial Buffer

Tuakau

Rezoning Requests - Hearing 25



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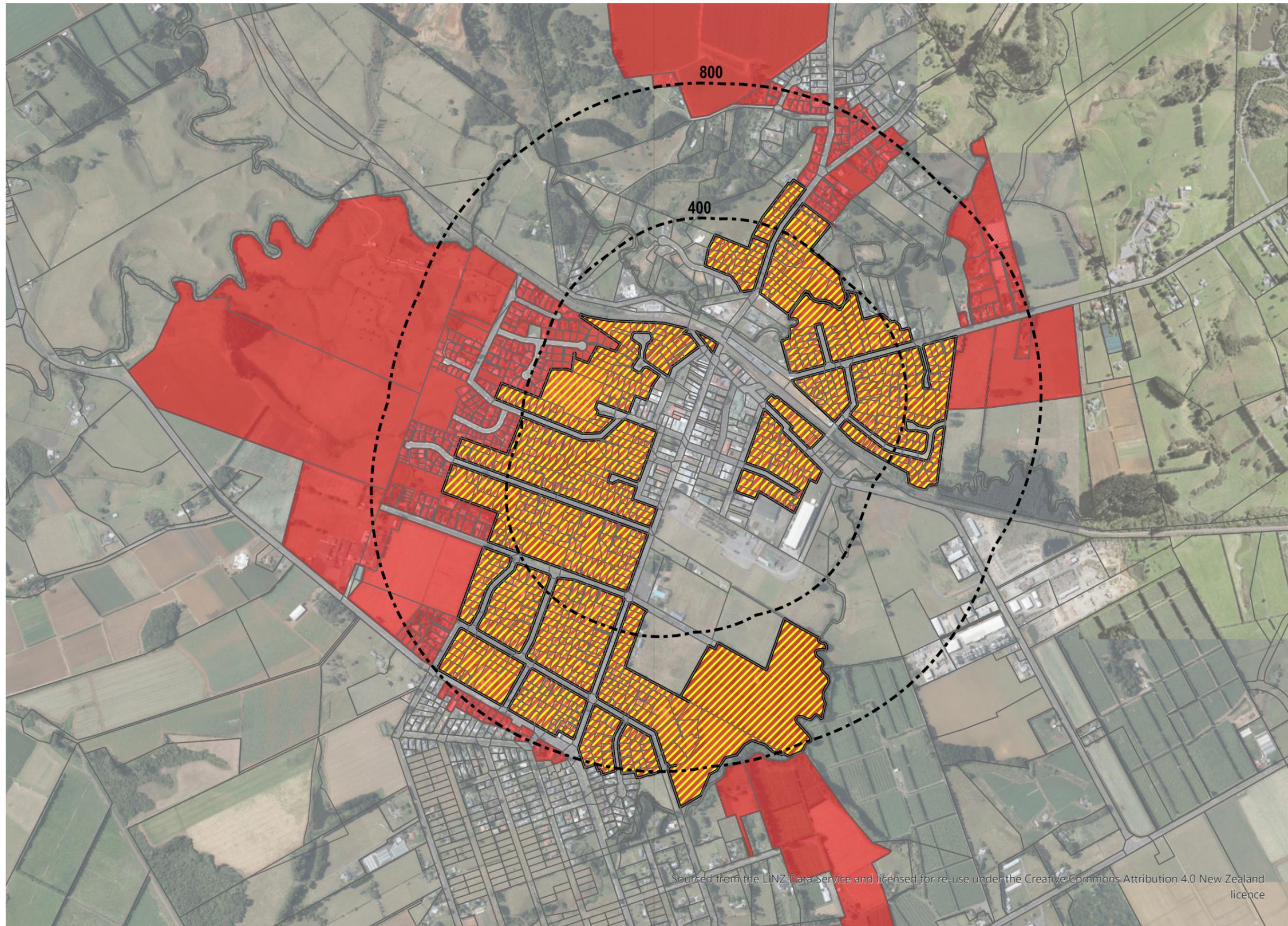
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Proposed Waikato District Plan

MDR Zone extent comparison

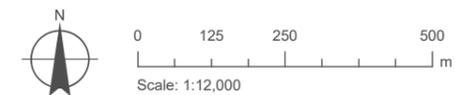


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)

Tuakau

Rezoning Requests - Hearing 25



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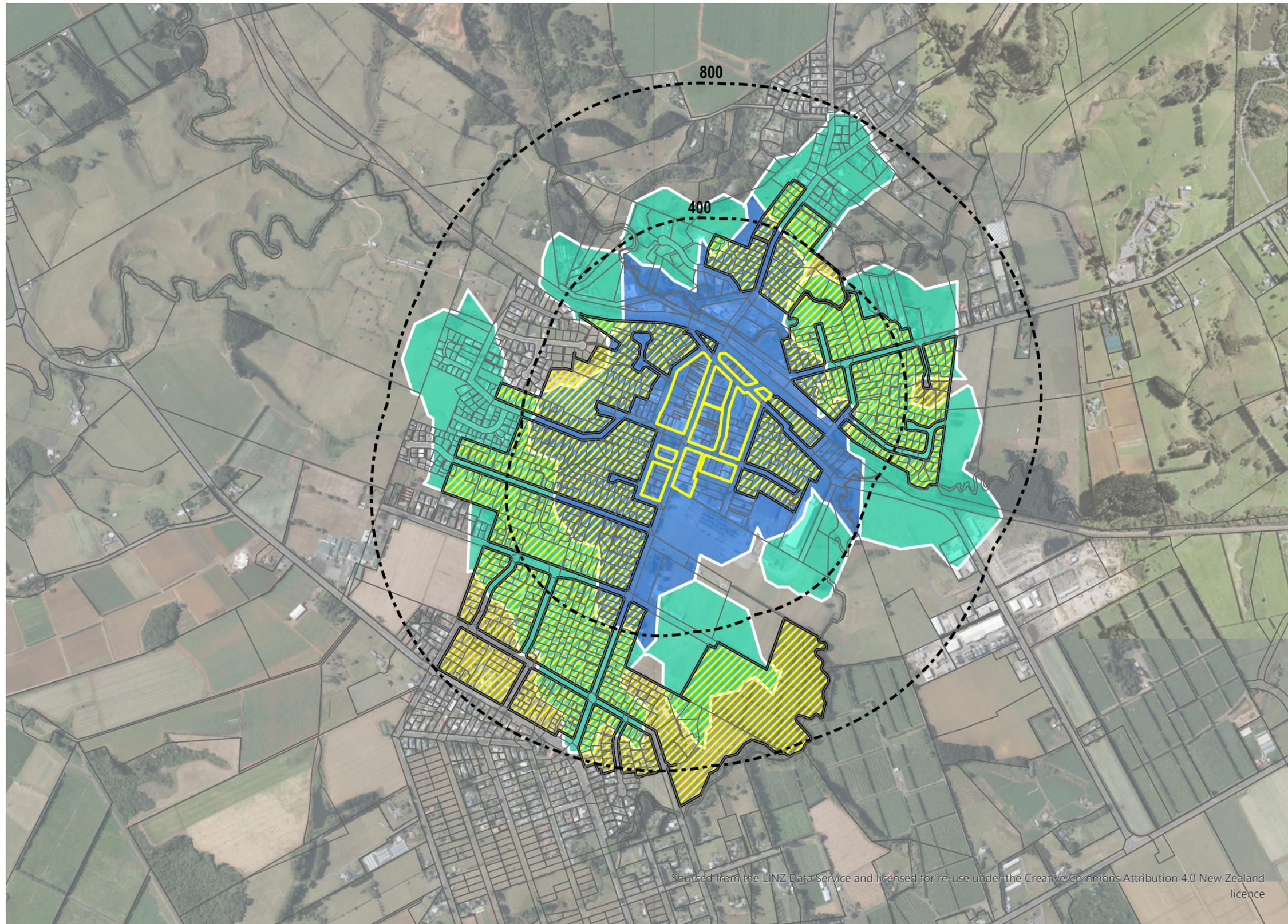
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Proposed Waikato District Plan

Walk catchment comparison with amended zone extent

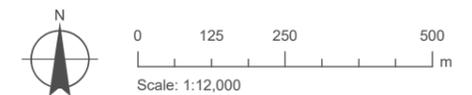


Legend

-  Amended MDR Zoning Extent (2020)
-  Town Centre Zone Extent
-  800m Walking Catchment
-  400m Walking Catchment

Tuakau

Rezoning Requests - Hearing 25



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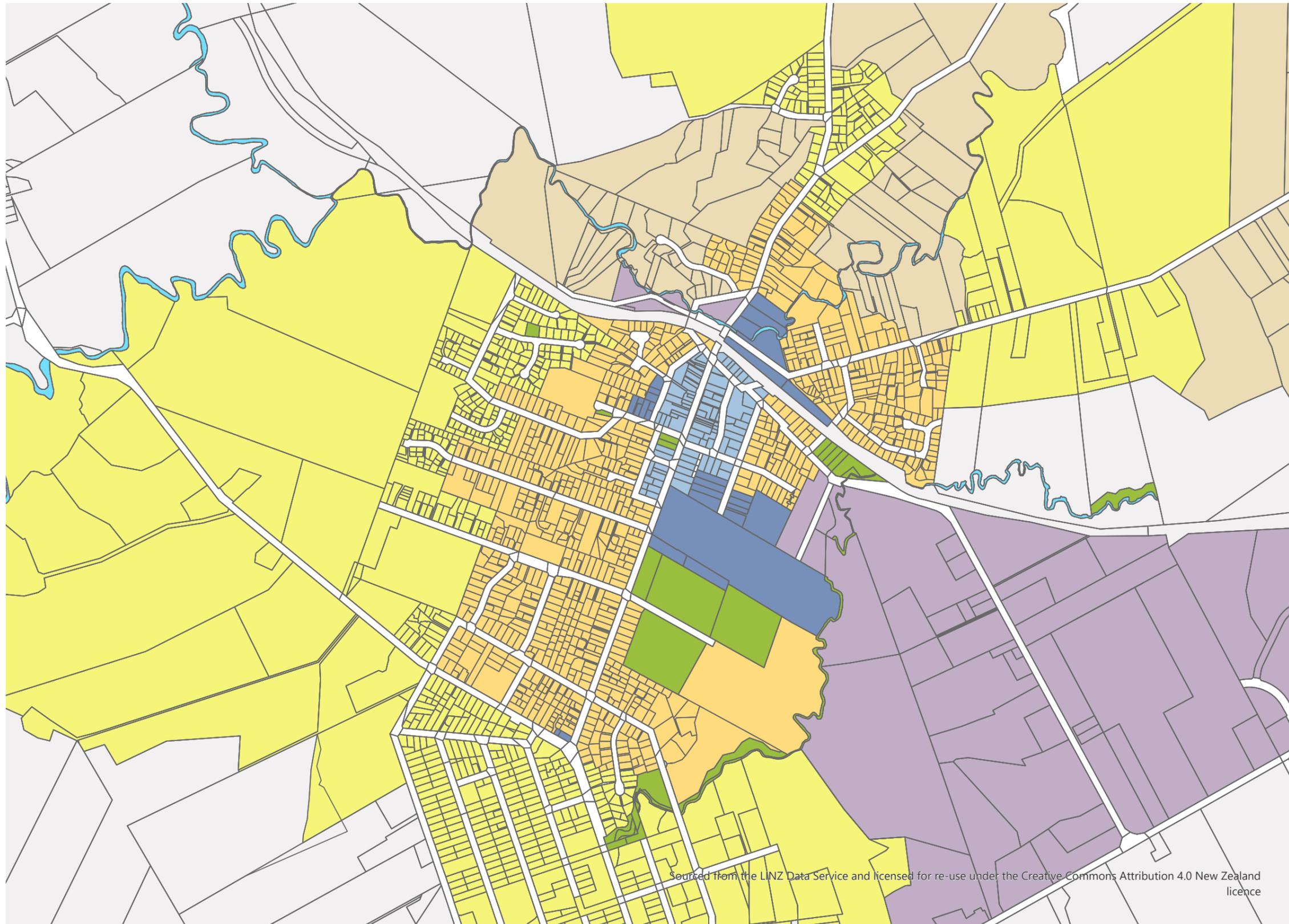
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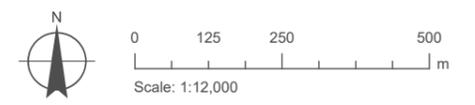
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Proposed Waikato District Plan Amended Zoning Map



- Legend**
- Medium Density Residential
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Tuakau Rezoning Requests - Hearing 25



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3-13 Shortland Street
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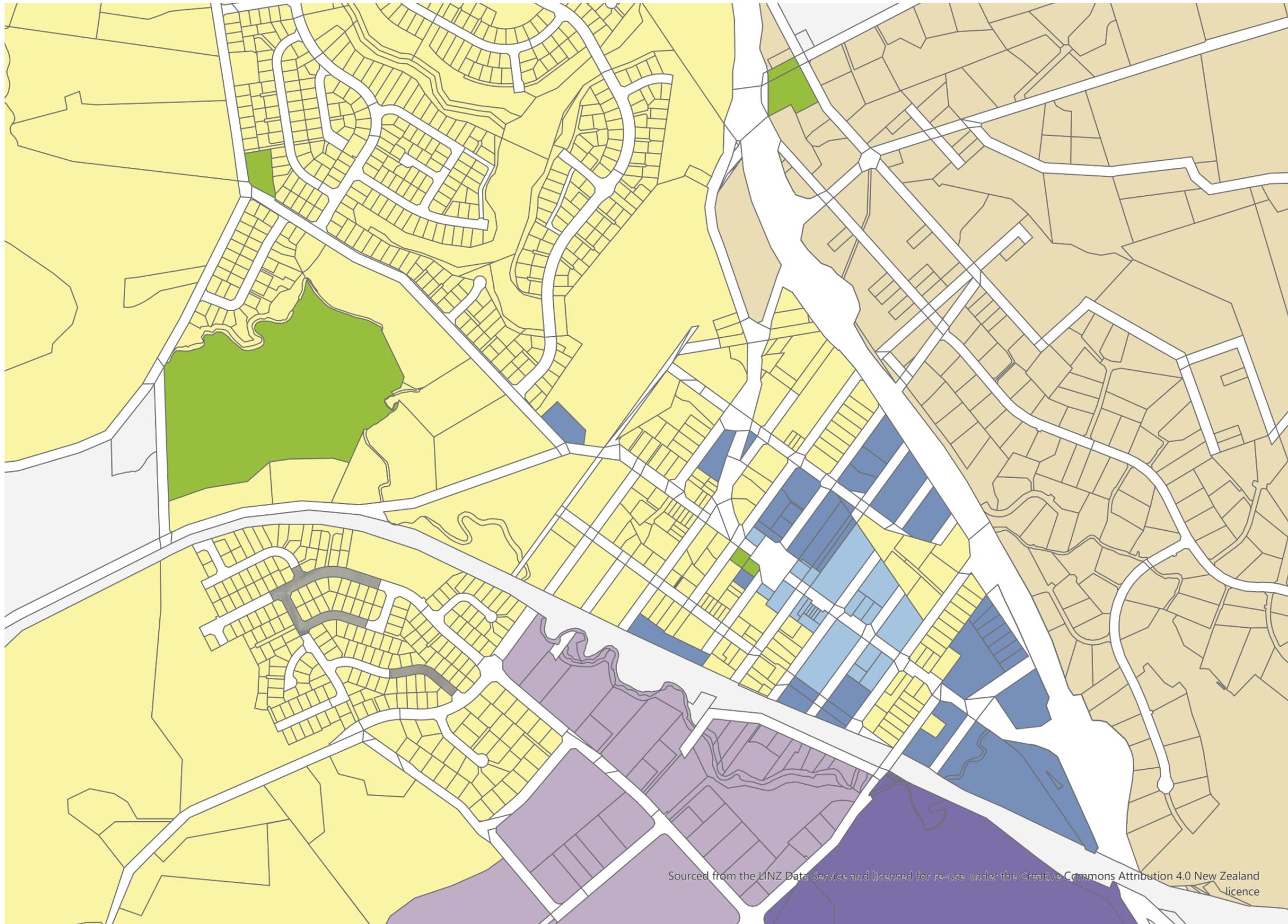
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02

Pokeno

Proposed Waikato District Plan

Proposed zoning (as notified)

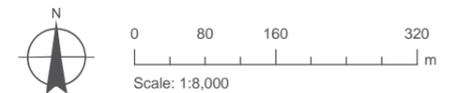


Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Pokeno

Rezoning Requests - Hearing 25



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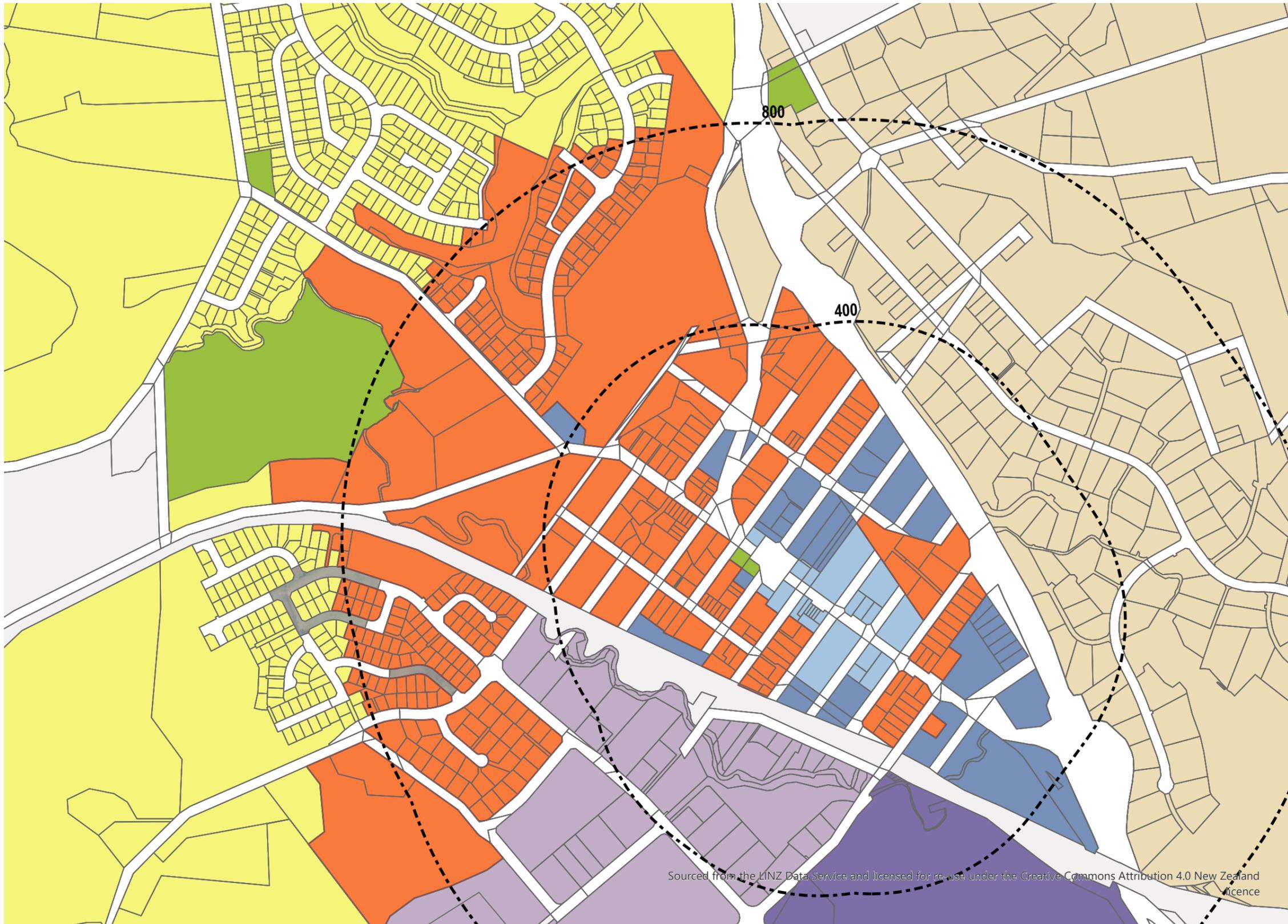
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Proposed Waikato District Plan

Original MDR Zone request

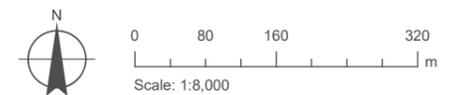


Legend

-  400m Radial Catchment
-  800m Radial Catchment
-  Original MDR Rezoning Extent (2018)
-  Business
-  Business Town Centre
-  Country Living
-  Heavy Industrial
-  Industrial
-  Outside District
-  Rangitahi Peninsula
-  Reserve
-  Residential
-  Road
-  Rural
-  Village
-  Water

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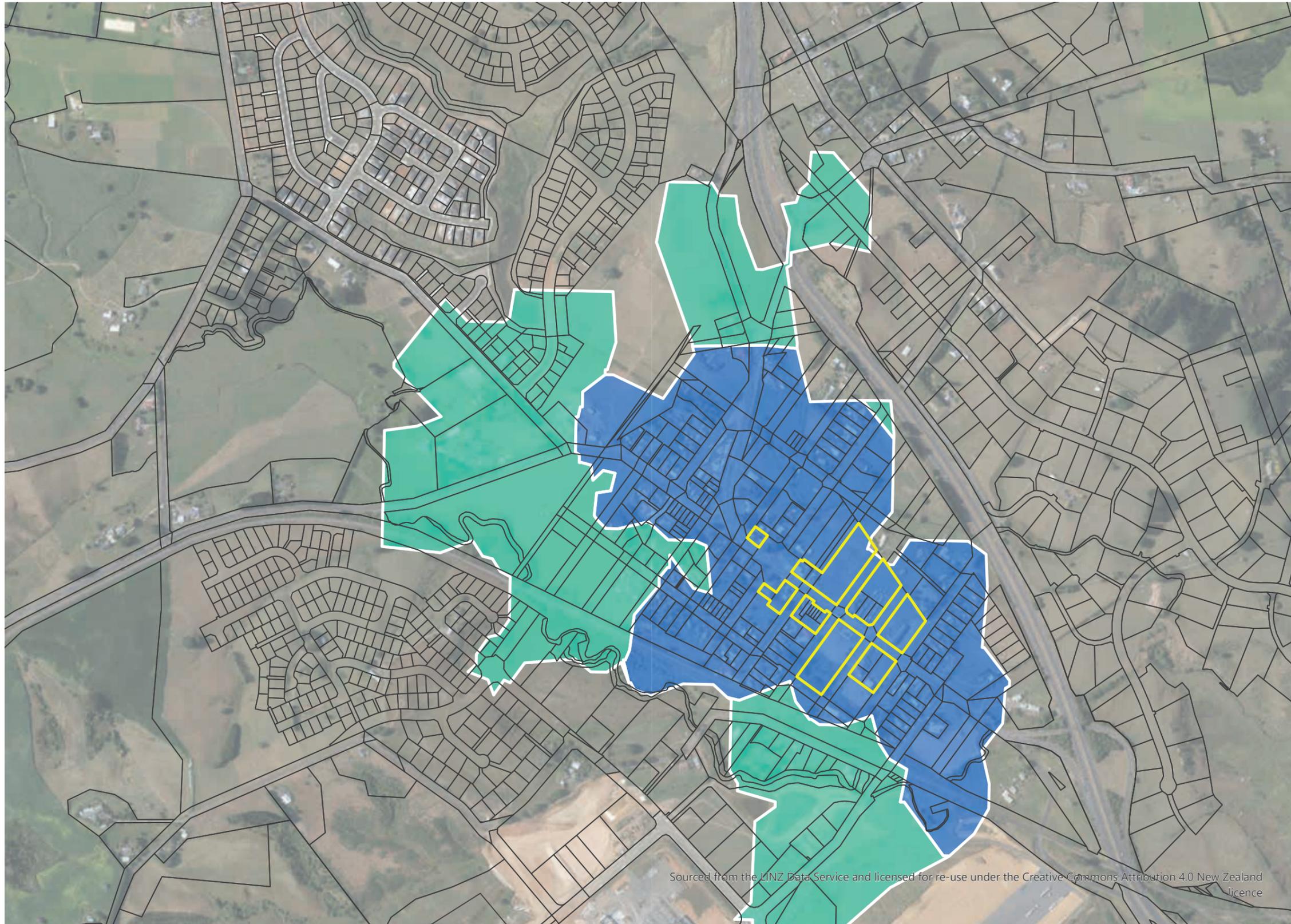
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Proposed Waikato District Plan

Accessibility analysis - walk catchments



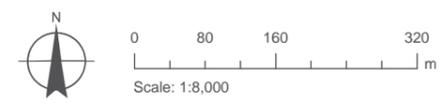
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Legend

-  Town Centre Zone Extent
-  Cadastral Boundaries
-  800m Walking Catchment
-  400m Walking Catchment

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Rezoning Requests - Hearing 25



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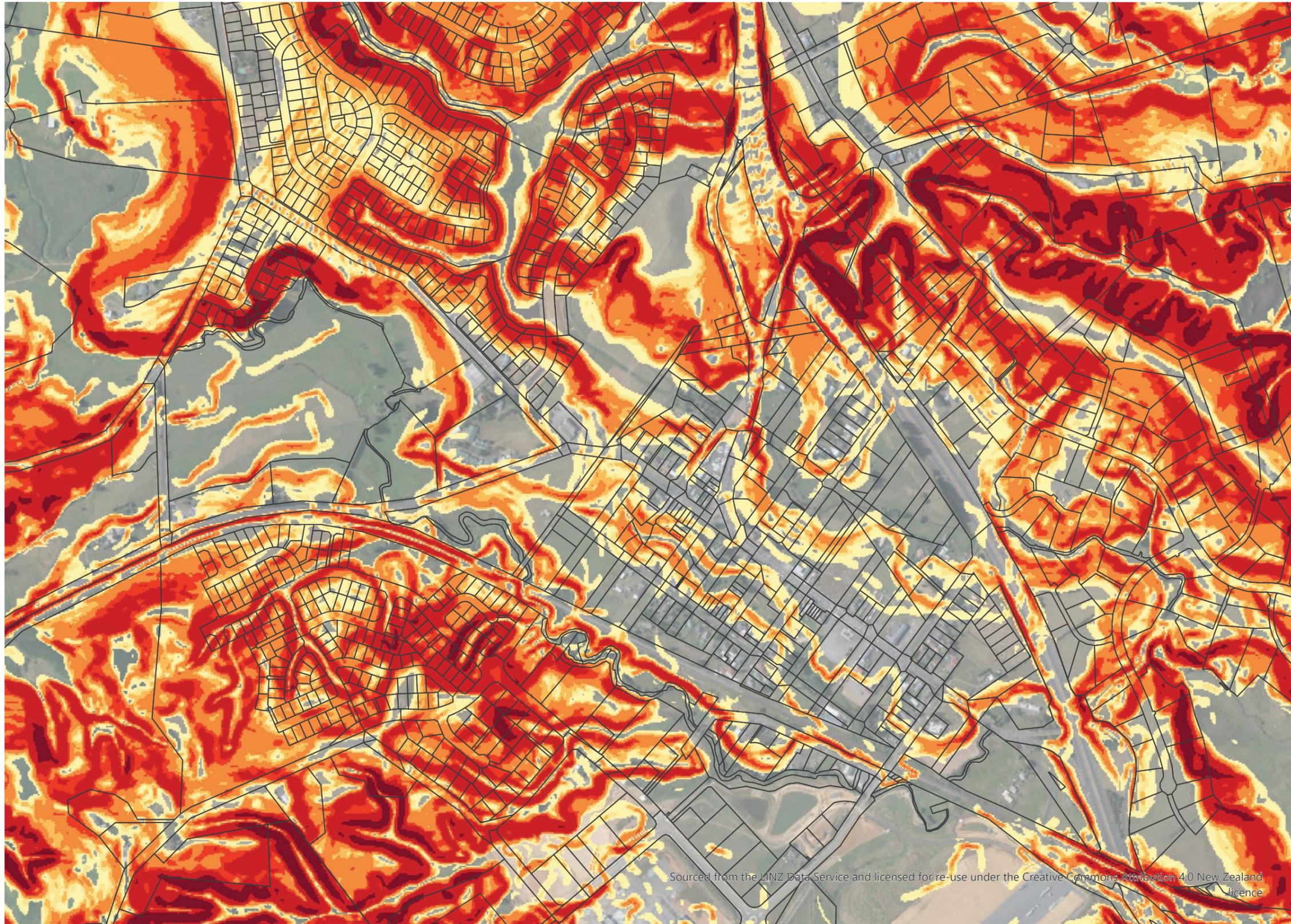
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Proposed Waikato District Plan

Accessibility analysis - slope



Legend

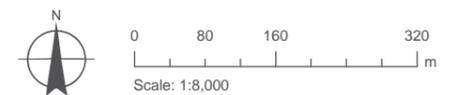
 Cadastral Boundaries

Gradient

-  1:12
-  1:10
-  1:8
-  1:5
-  1:4
-  1:2
-  1:1.01

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Rezoning Requests - Hearing 25



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B&A

Barker & Associates
Level 4, Old South British Insurance Building
3-13 Shortland Street
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Prepared for:

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Proposed Waikato District Plan

Amenities Heat Map

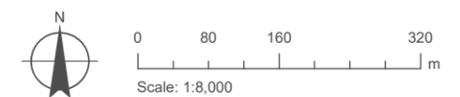


Legend

-  Town Centre Zone Extent
-  Public Schools
-  Community Facility
-  Medical Facility
-  Park
-  Transit Stop
-  Supermarket
-  400m Radial Buffer

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Rezoning Requests - Hearing 25



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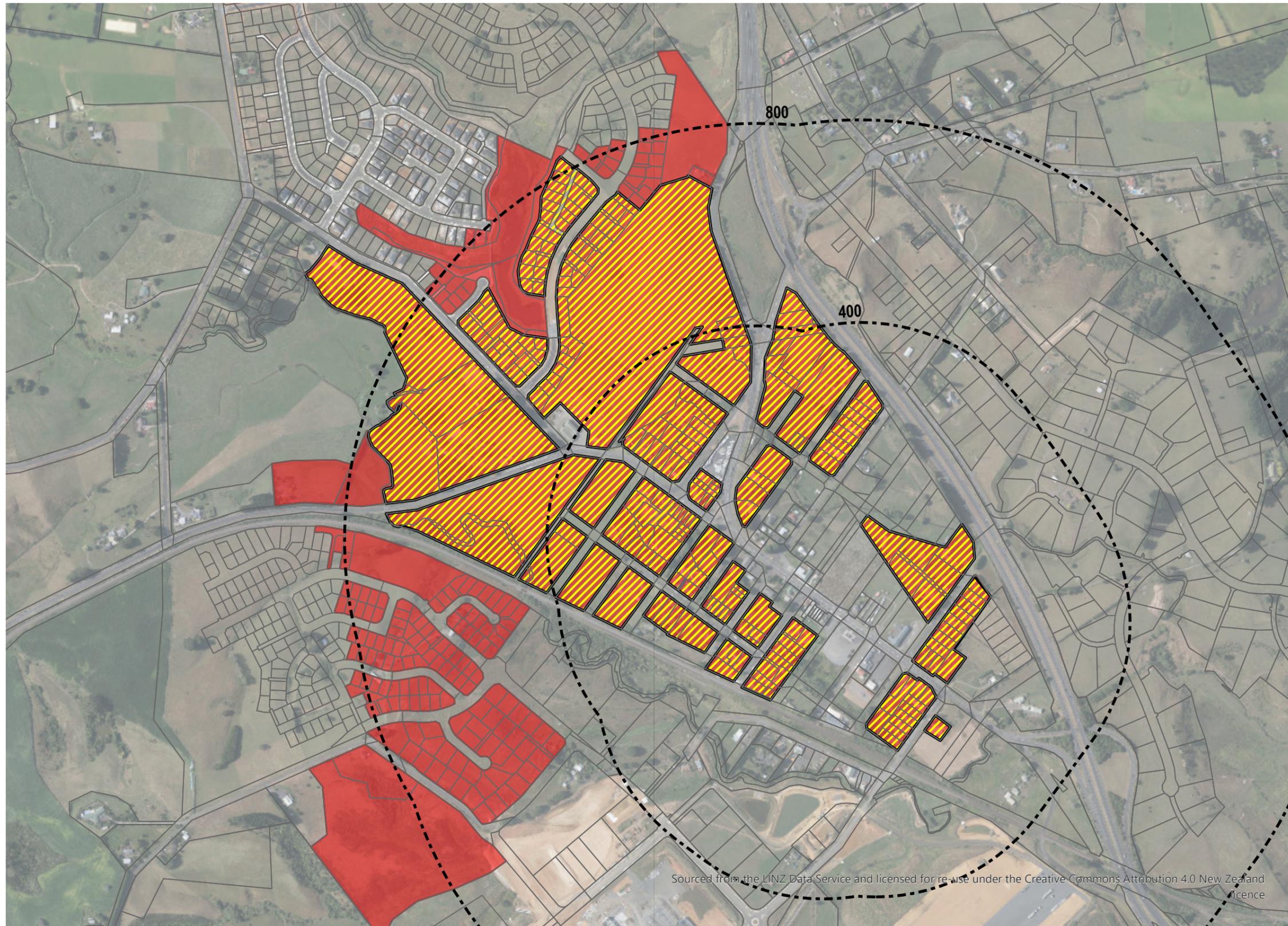
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Proposed Waikato District Plan

MDR Zone extent comparison

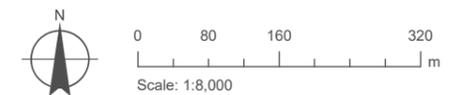


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)

Pokeno

Rezoning Requests - Hearing 25



Prepared by:
B&A Barker & Associates
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3-13 Shortland Street
Auckland

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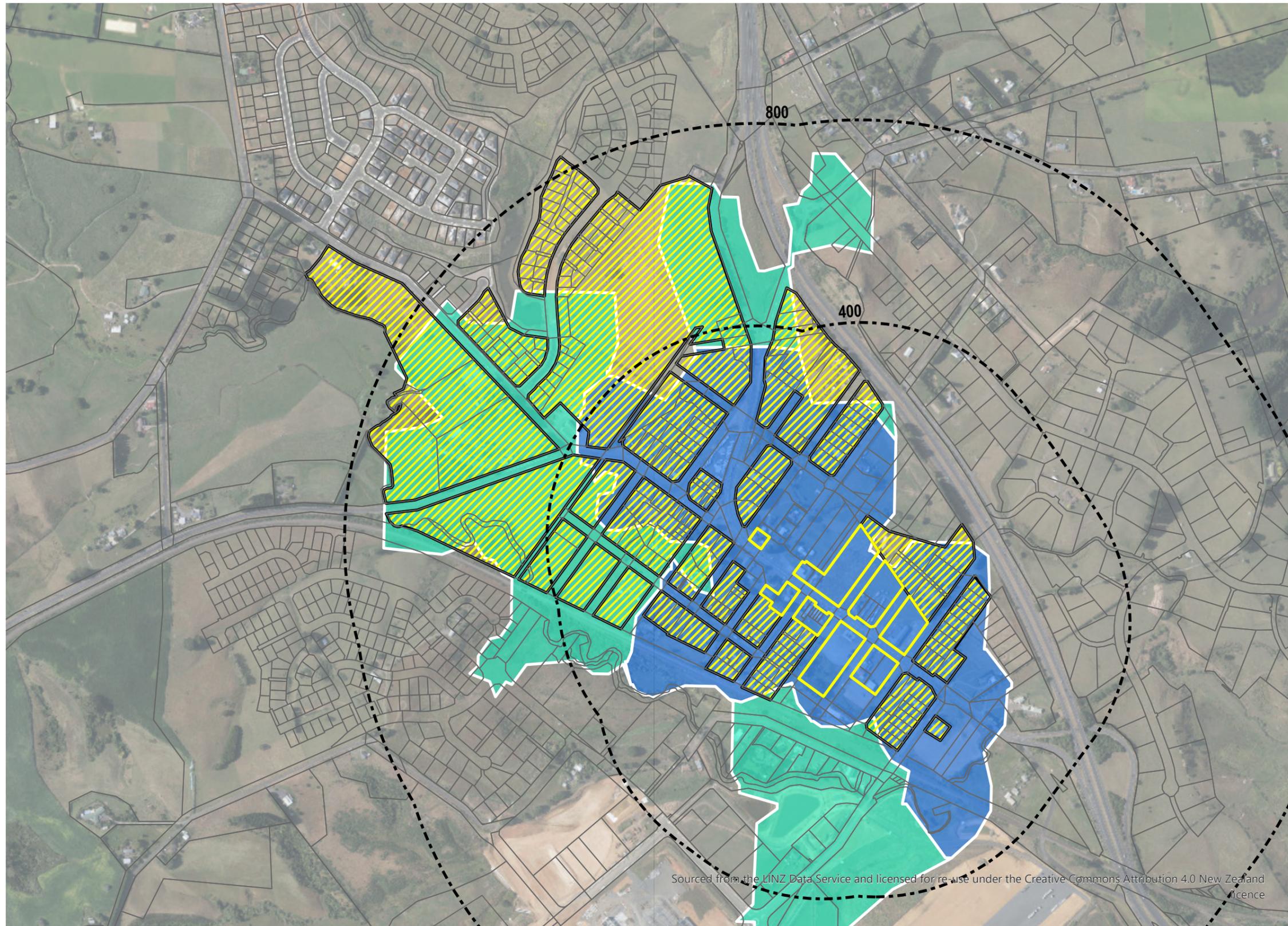
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Beca

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Homes and Communities

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Proposed Waikato District Plan

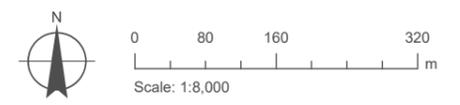
Walk catchment comparison with amended zone extent



- Legend**
- Town Centre Zone Extent
 - Amended MDR Zoning Extent (2020)
 - 800m Walking Catchment
 - 400m Walking Catchment (Huntly West)
 - 400m Walking Catchment

Pokeno

Rezoning Requests - Hearing 25



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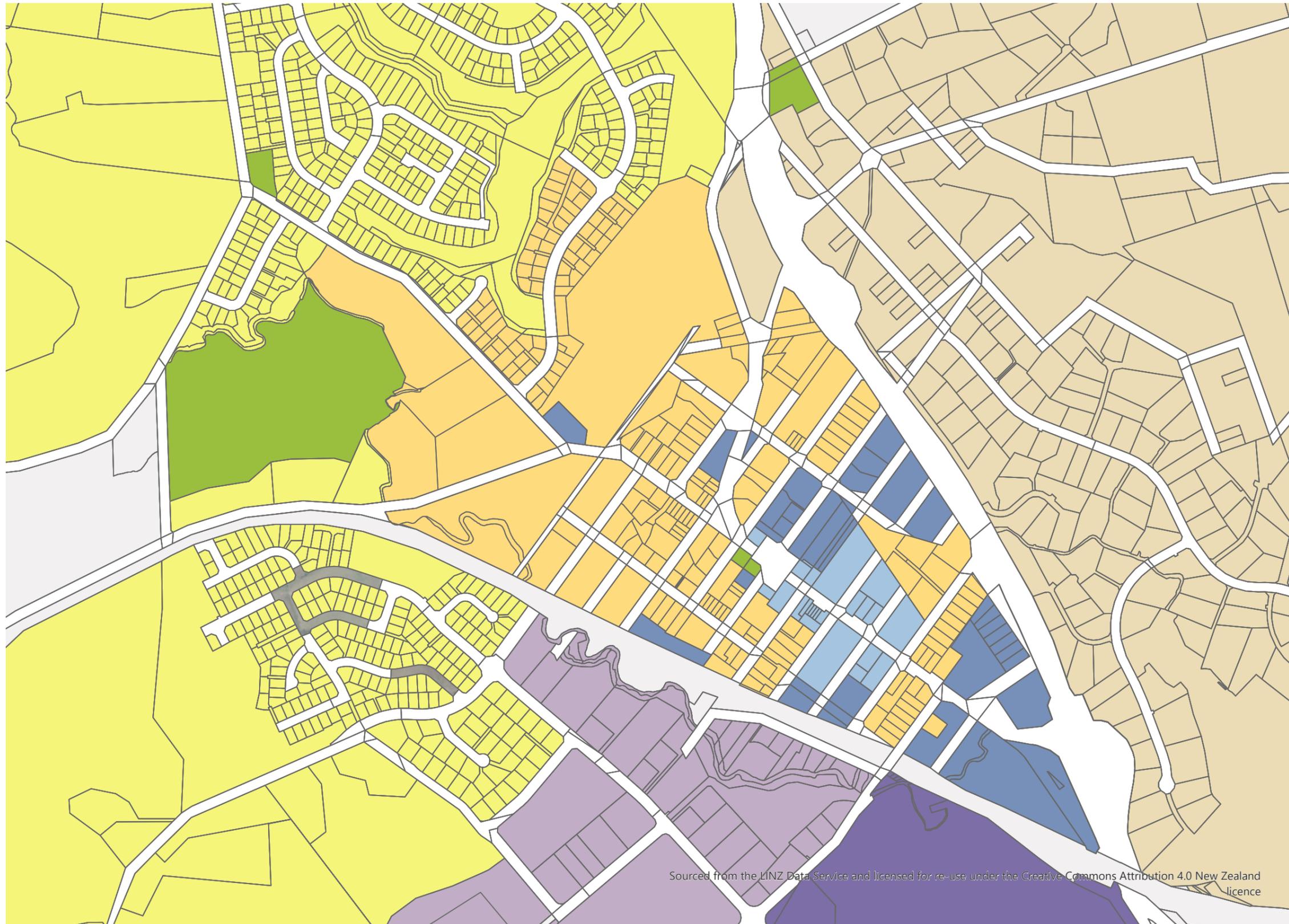
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Proposed Waikato District Plan

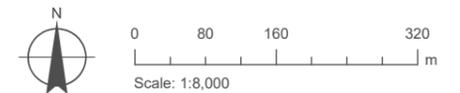
Amended Zoning Plan



- Legend**
- Medium Density Residential
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Pokeno

Rezoning Requests - Hearing 25



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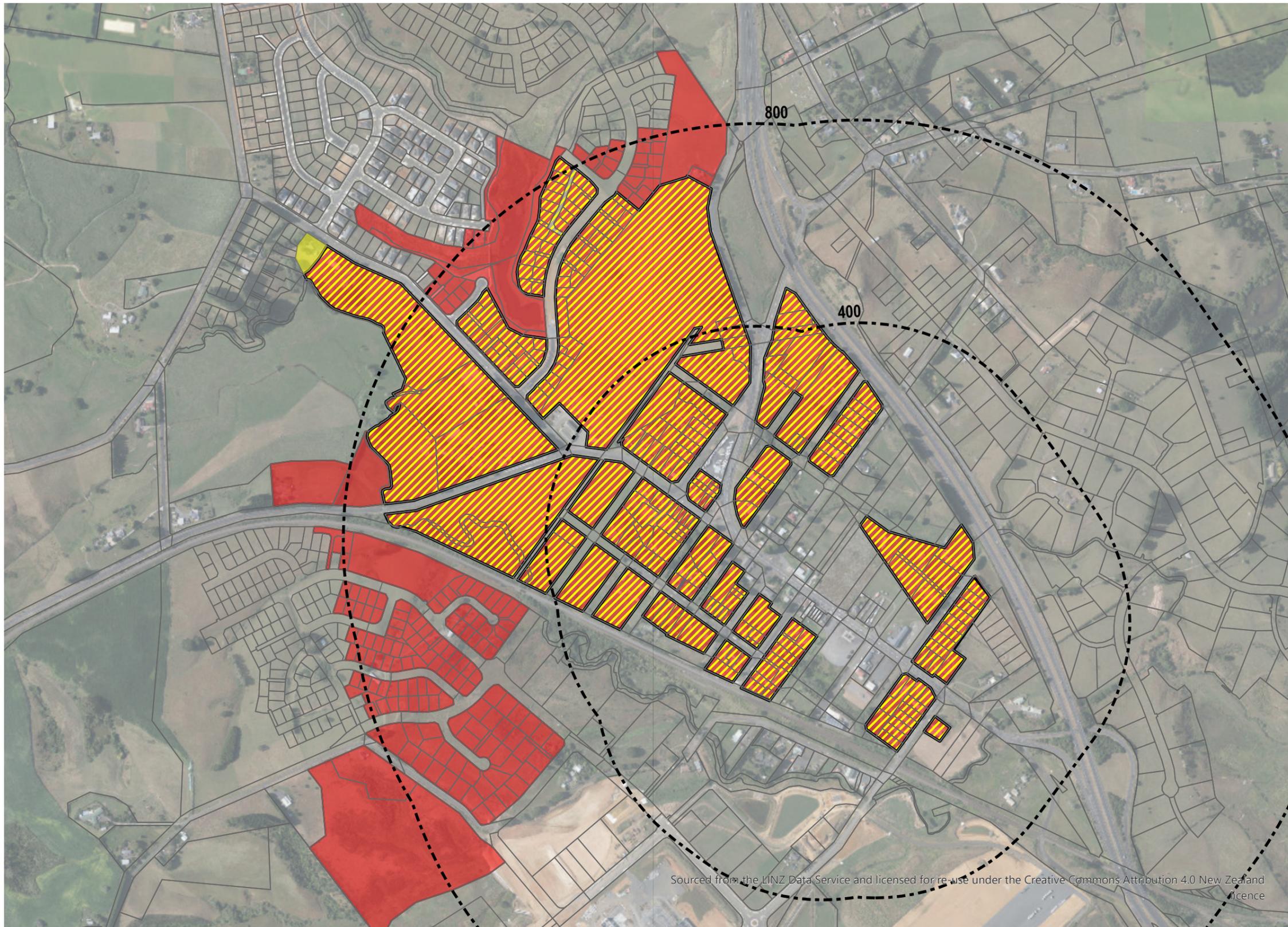
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Proposed Waikato District Plan

Out-of-scope MDR Upzoning

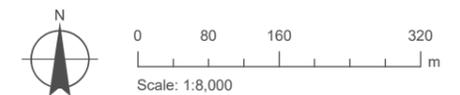


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)
-  Out of Scope Upzoning

Pokeno

Rezoning Requests - Hearing 25



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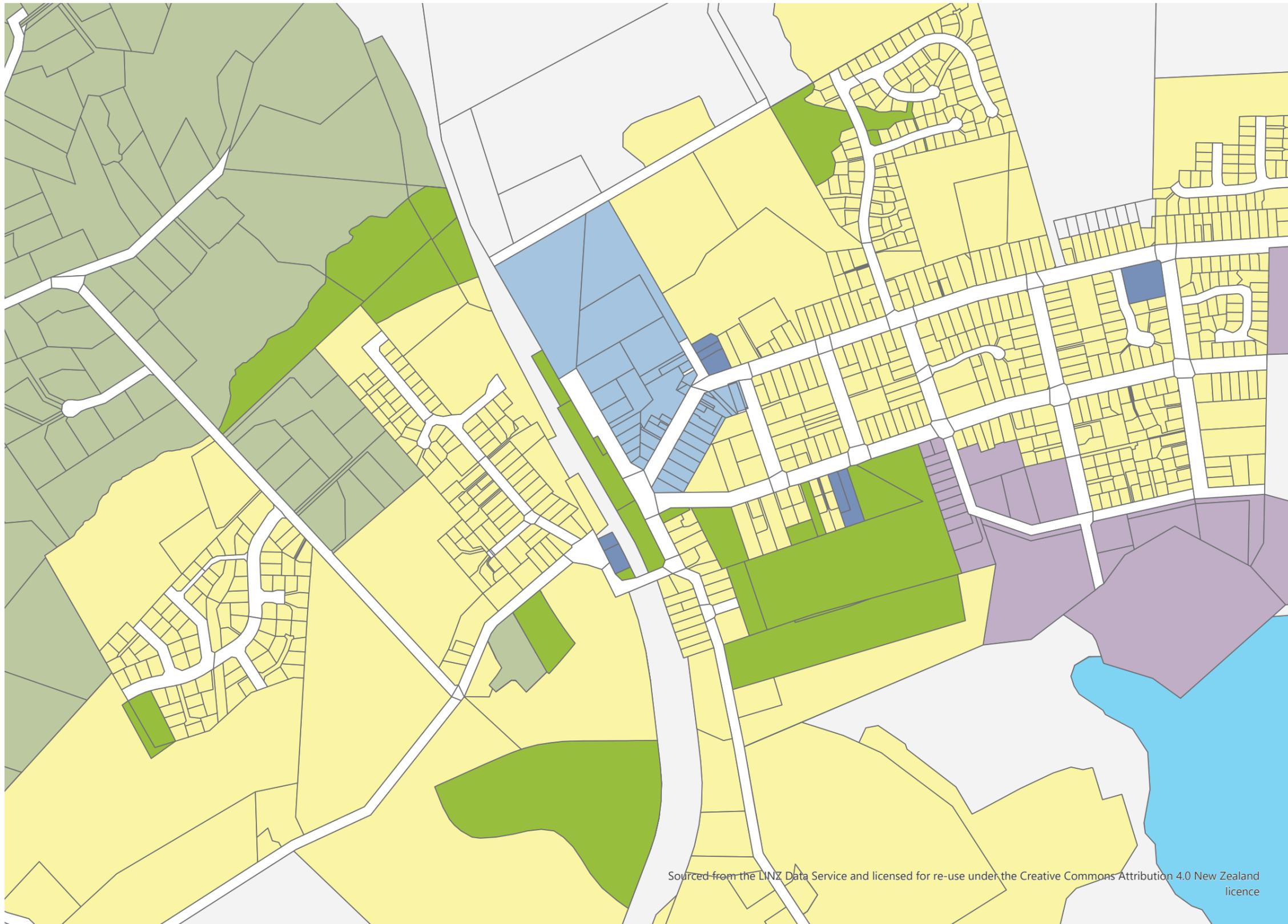
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03

Te Kauwhata

Proposed Waikato District Plan

Proposed zoning (as notified)

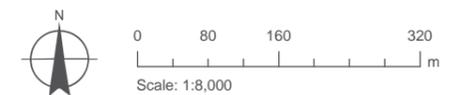


Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Te Kauwhata

Rezoning Requests - Hearing 25



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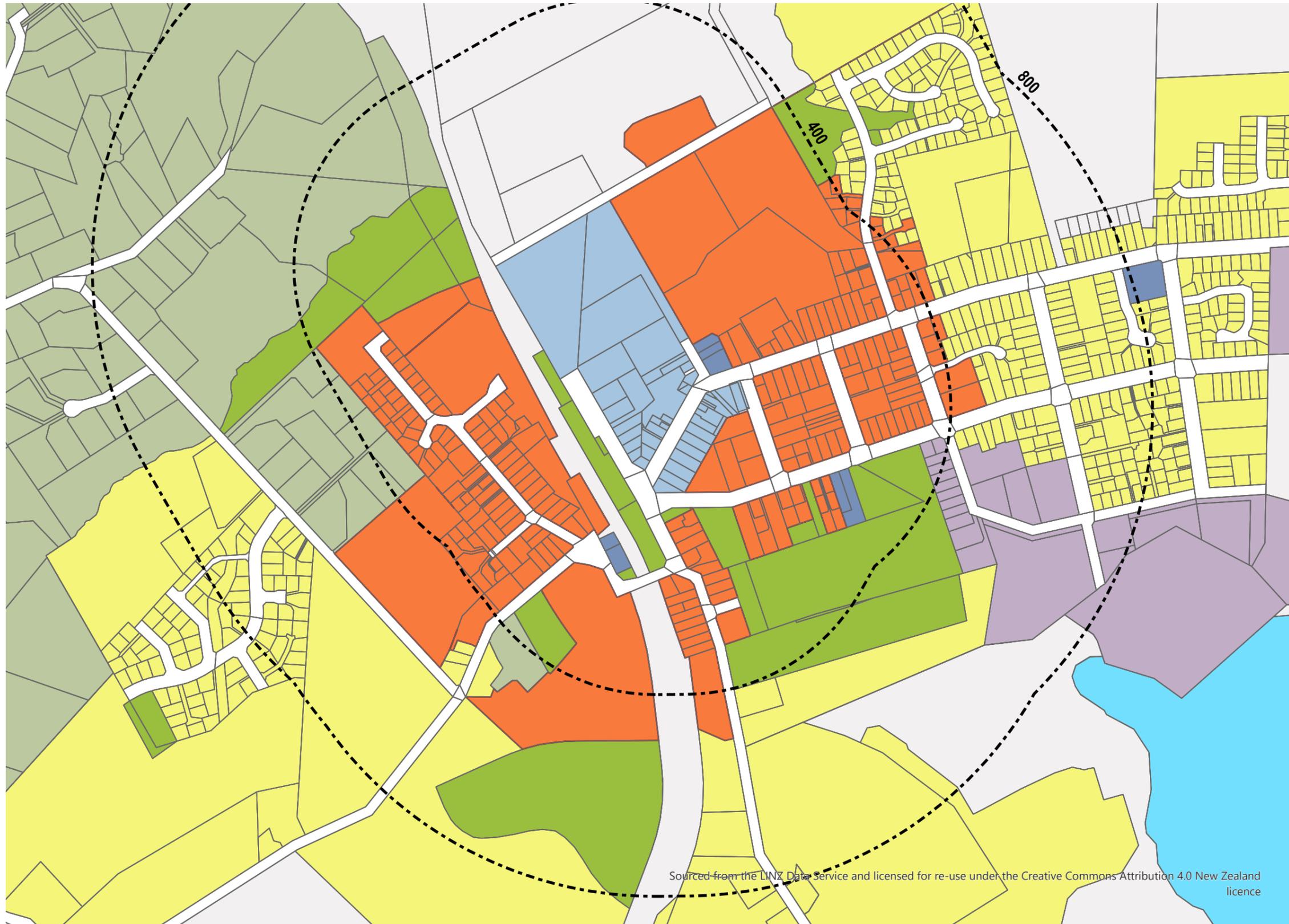
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Proposed Waikato District Plan

Original MDR Zone request

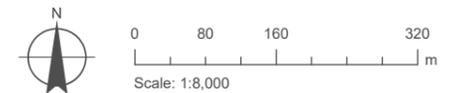


Legend

-  400m Radial Catchment
-  800m Radial Catchment
-  Original MDR Rezoning Extent (2018)
-  Business
-  Business Town Centre
-  Country Living
-  Heavy Industrial
-  Industrial
-  Outside District
-  Rangitahi Peninsula
-  Reserve
-  Residential
-  Road
-  Rural
-  Village
-  Water

Te Kauwhata

Rezoning Requests - Hearing 25



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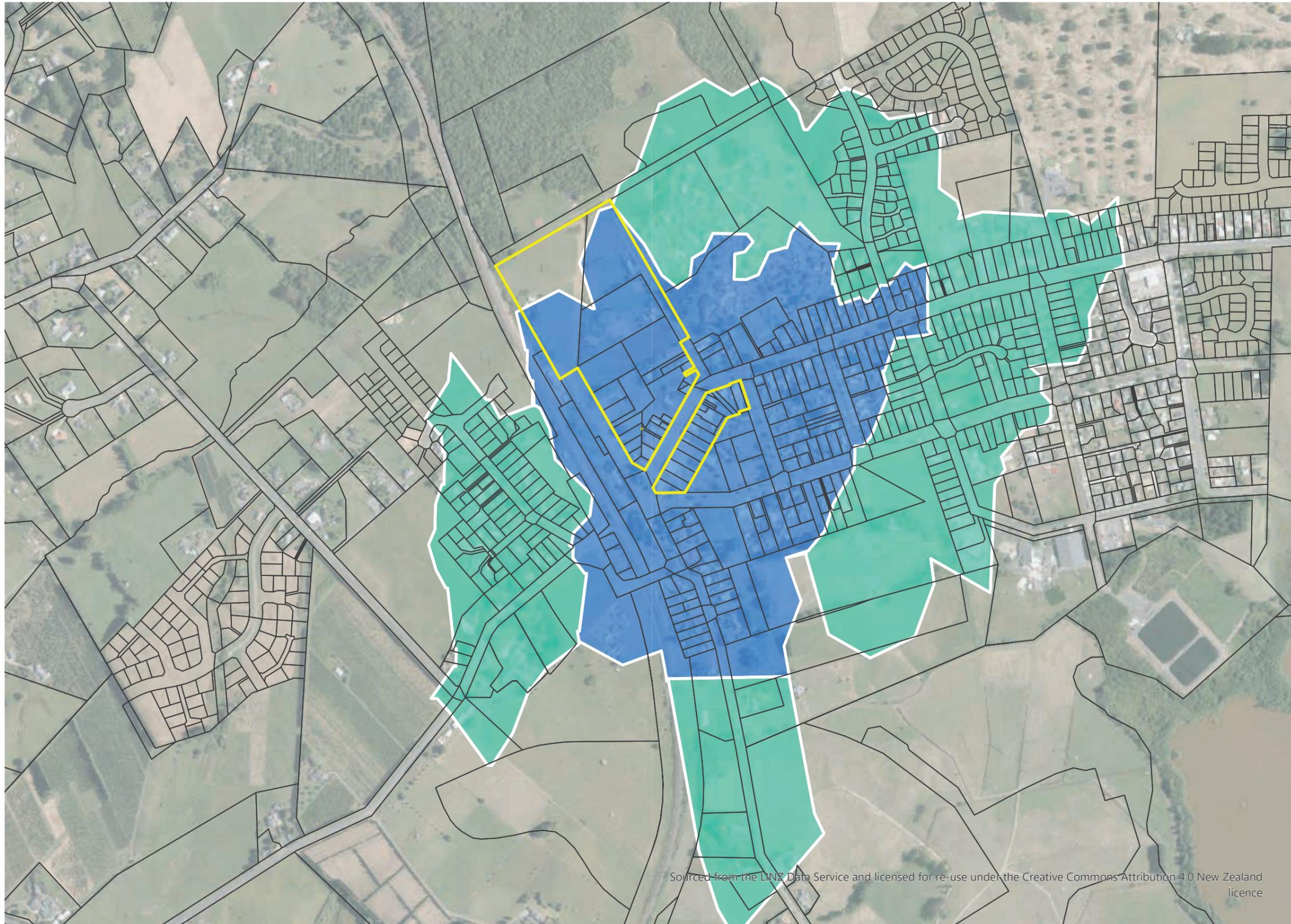
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Proposed Waikato District Plan

Accessibility analysis - walk catchments

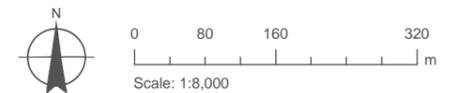


Legend

-  Town Centre Zone Extent
-  Cadastral Boundaries
-  800m Walking Catchment
-  400m Walking Catchment

Te Kauwhata

Rezoning Requests - Hearing 25



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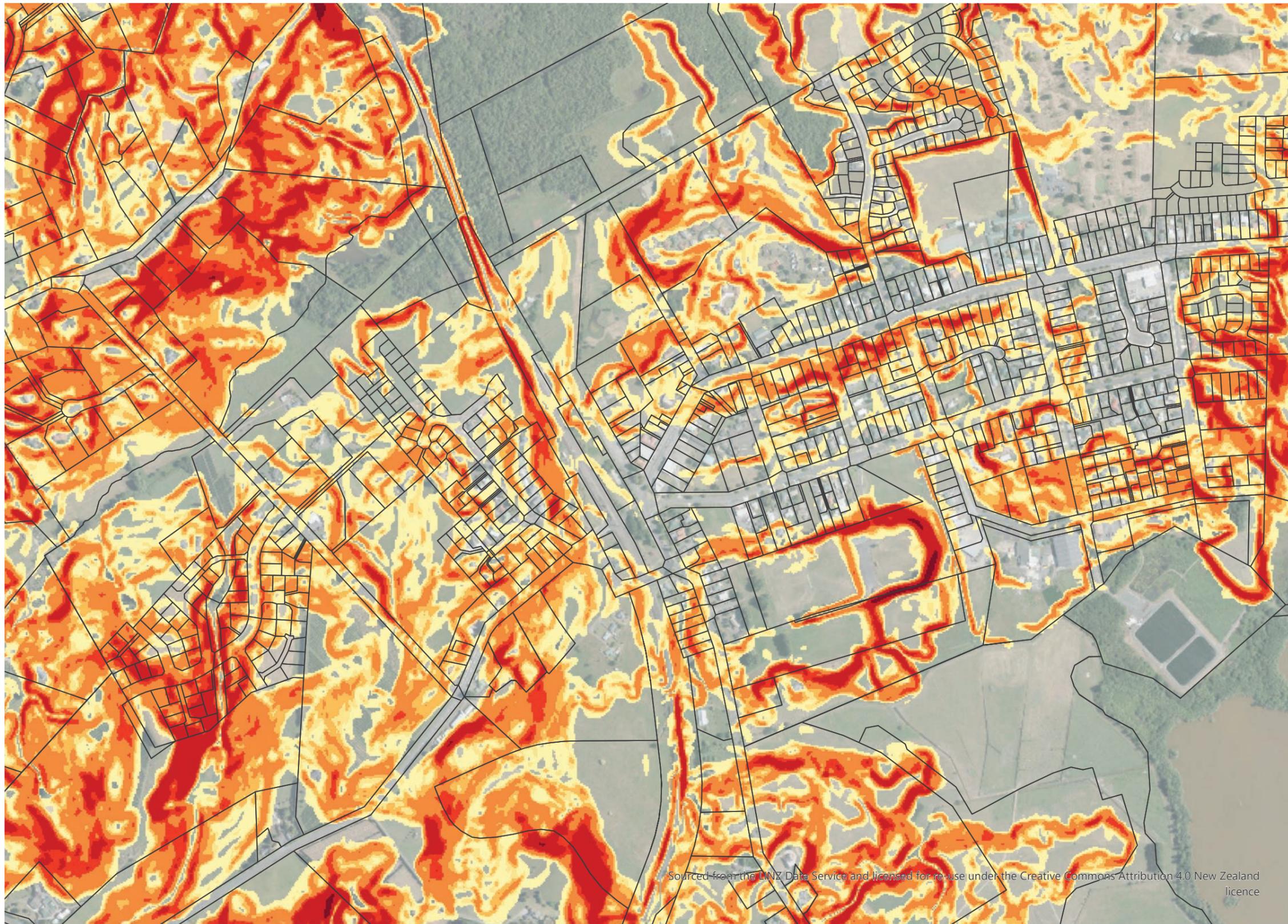
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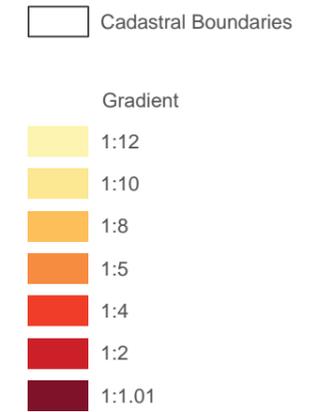
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Proposed Waikato District Plan

Accessibility analysis - slope

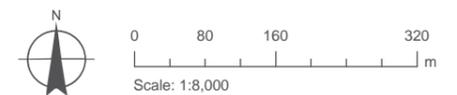


Legend



Te Kauwhata

Rezoning Requests - Hearing 25



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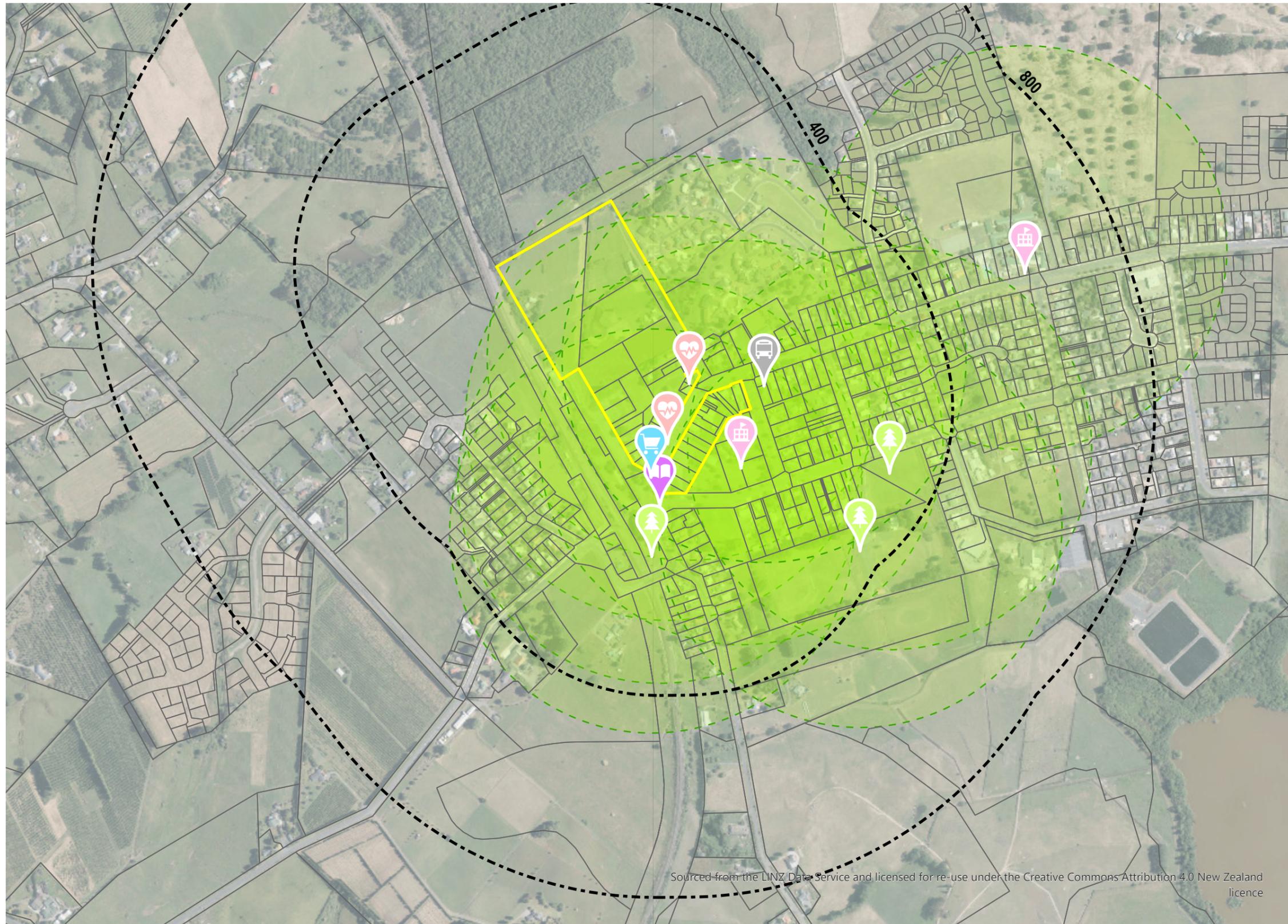
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Proposed Waikato District Plan

Amenities Heat Map

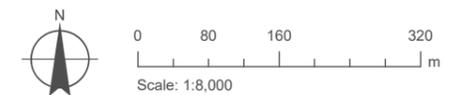


Legend

-  Town Centre Zone Extent
-  Public Schools
-  Community Facility
-  Medical Facility
-  Park
-  Transit Stop
-  Supermarket
-  400m Radial Buffer

Te Kauwhata

Rezoning Requests - Hearing 25



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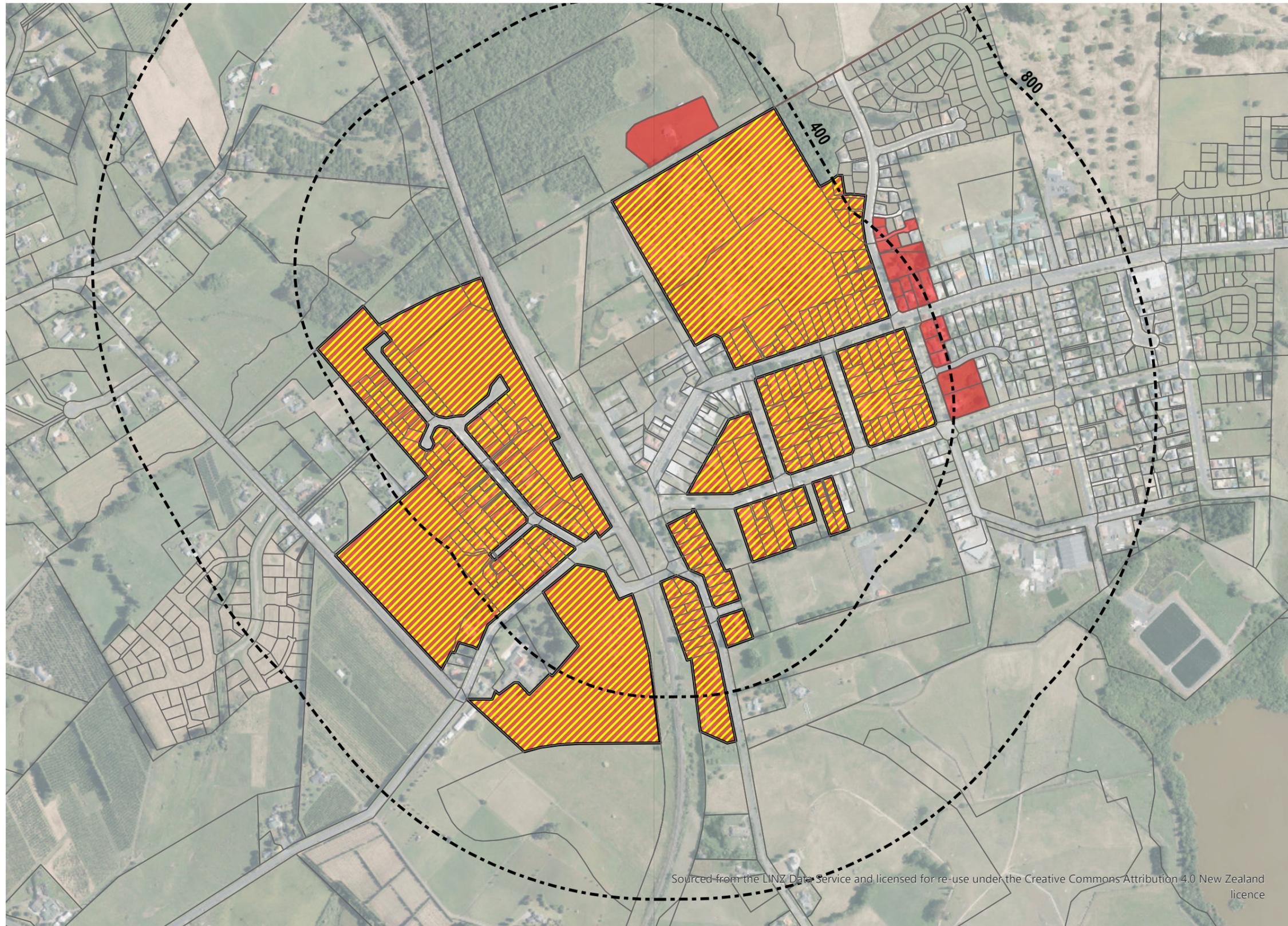
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Proposed Waikato District Plan

MDR Zone extent comparison

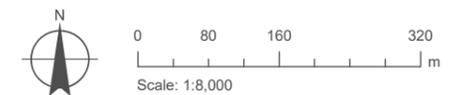


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)

Te Kauwhata

Rezoning Requests - Hearing 25



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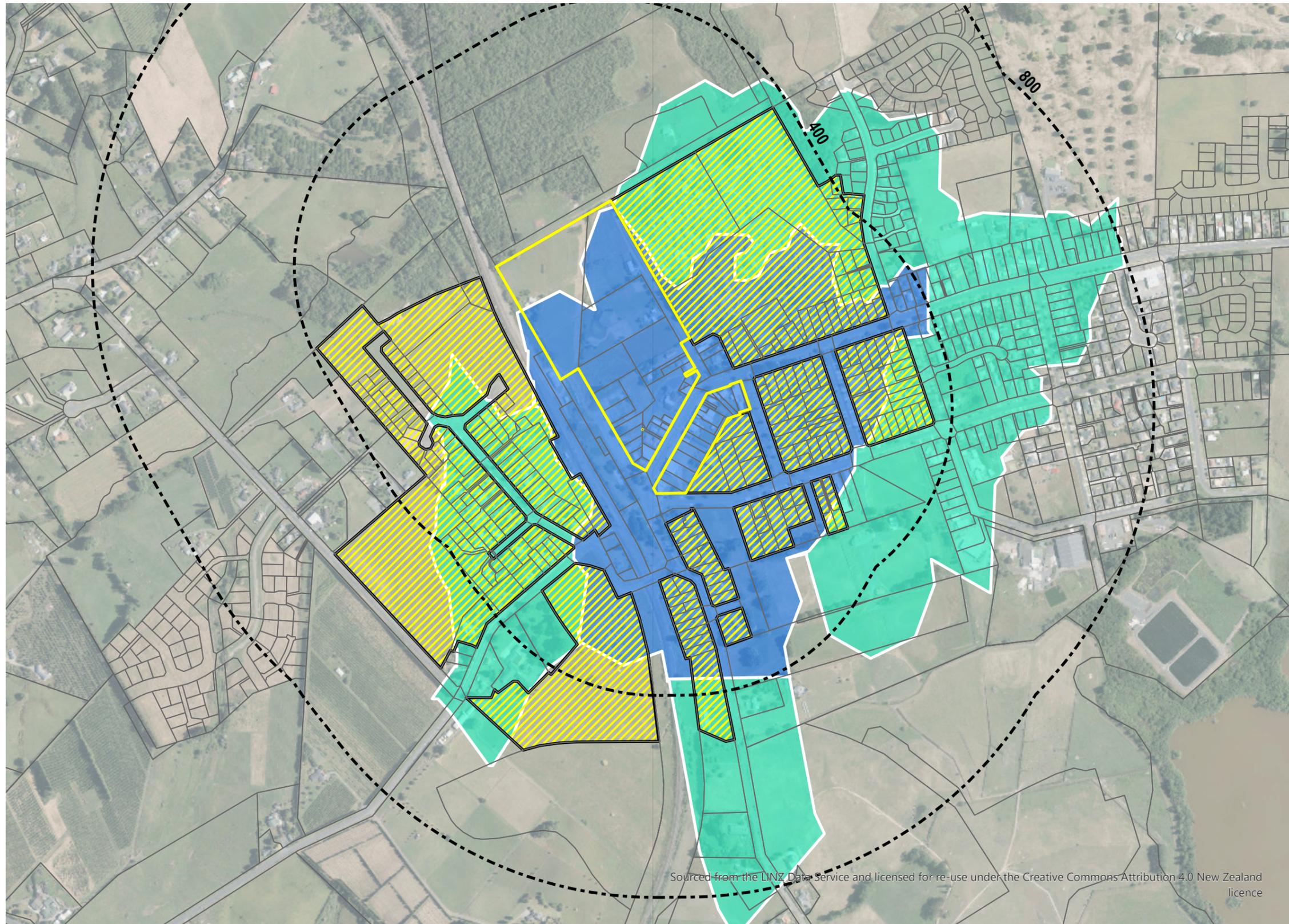
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Proposed Waikato District Plan

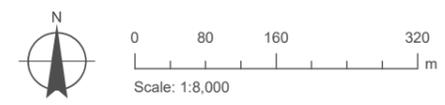
Walk catchment comparison with amended zone extent



- Legend**
- Town Centre Zone Extent
 - Amended MDR Zoning Extent (2020)
 - 800m Walking Catchment
 - 400m Walking Catchment (Huntly West)
 - 400m Walking Catchment

Te Kauwhata

Rezoning Requests - Hearing 25



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Proposed Waikato District Plan

Amended Zoning Plan

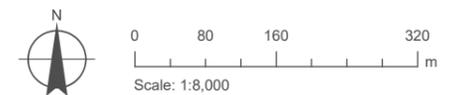


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Te Kauwhata

Rezoning Requests - Hearing 25



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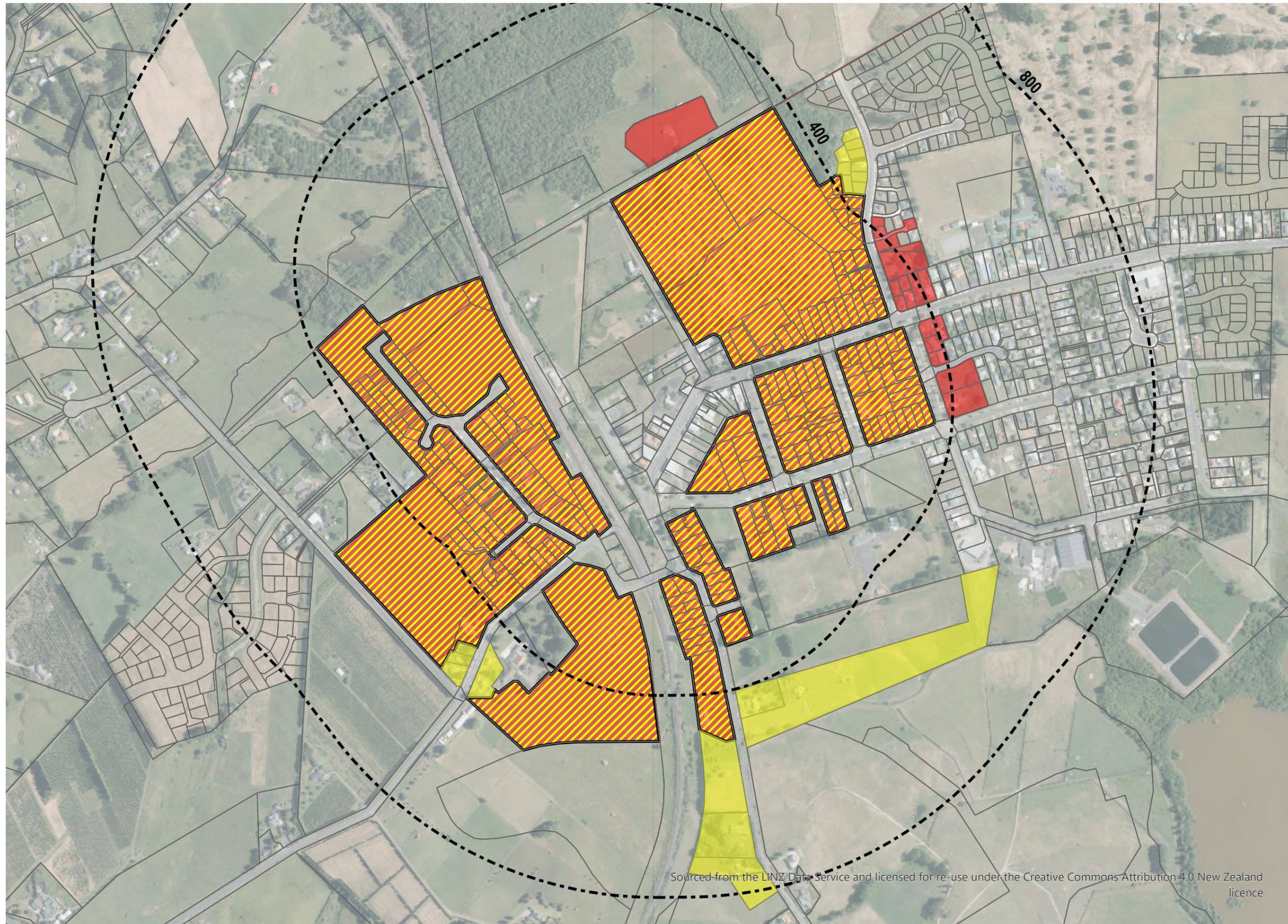
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Proposed Waikato District Plan

Out-of-scope MDR Upzoning

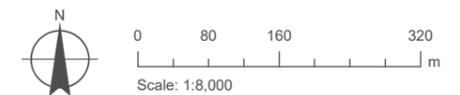


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)
-  Out of Scope Upzoning

Te Kauwhata

Rezoning Requests - Hearing 25



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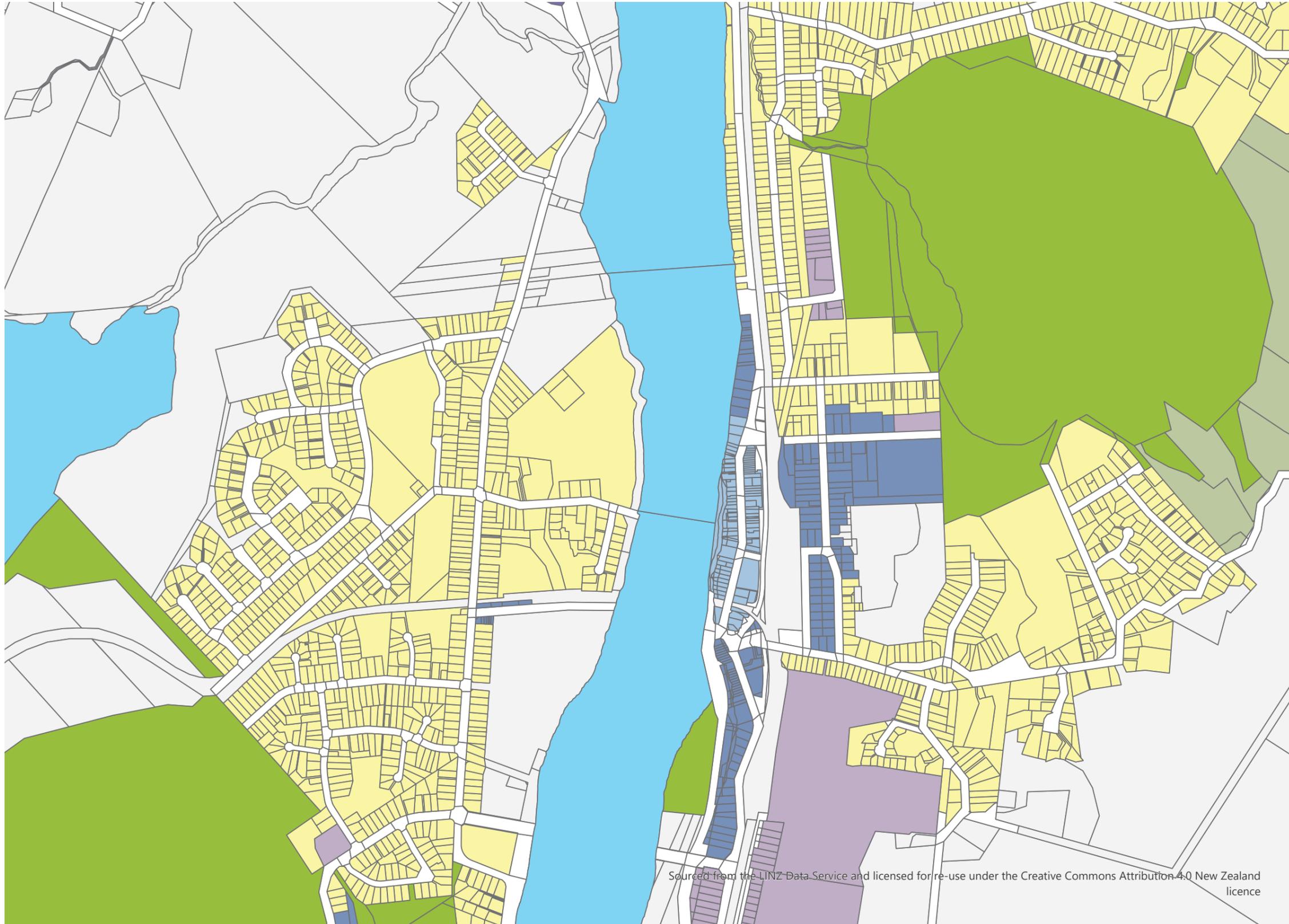
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04

Huntly

Proposed Waikato District Plan

Proposed zoning (as notified)

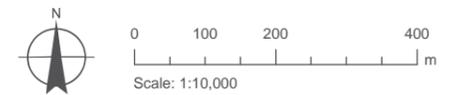


Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Huntly

Rezoning Requests - Hearing 25



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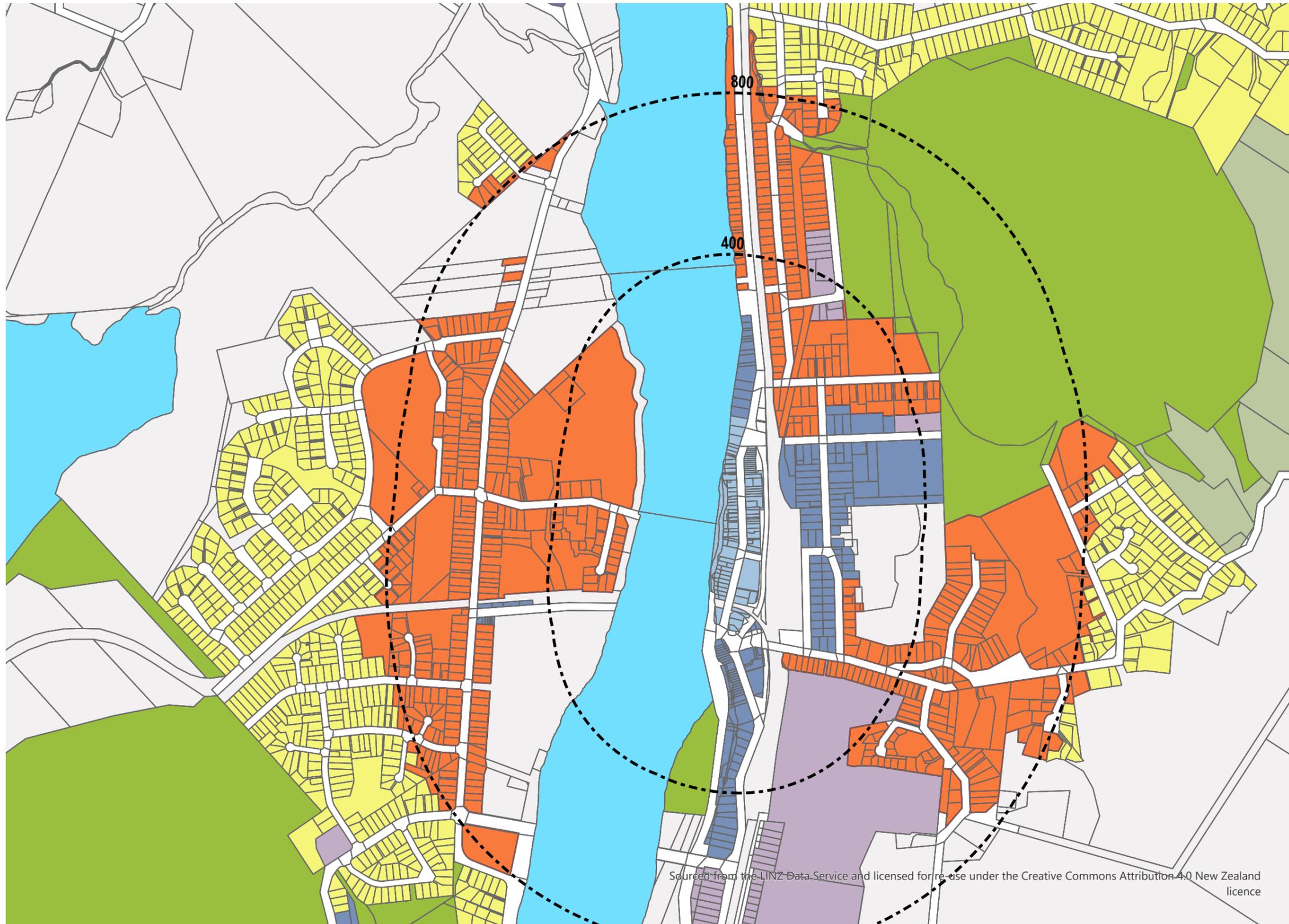
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Proposed Waikato District Plan

Original MDR Zone request

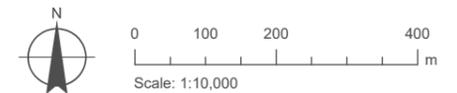


Legend

- 400m Radial Catchment
- 800m Radial Catchment
- Original MDR Rezoning Extent (2018)
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
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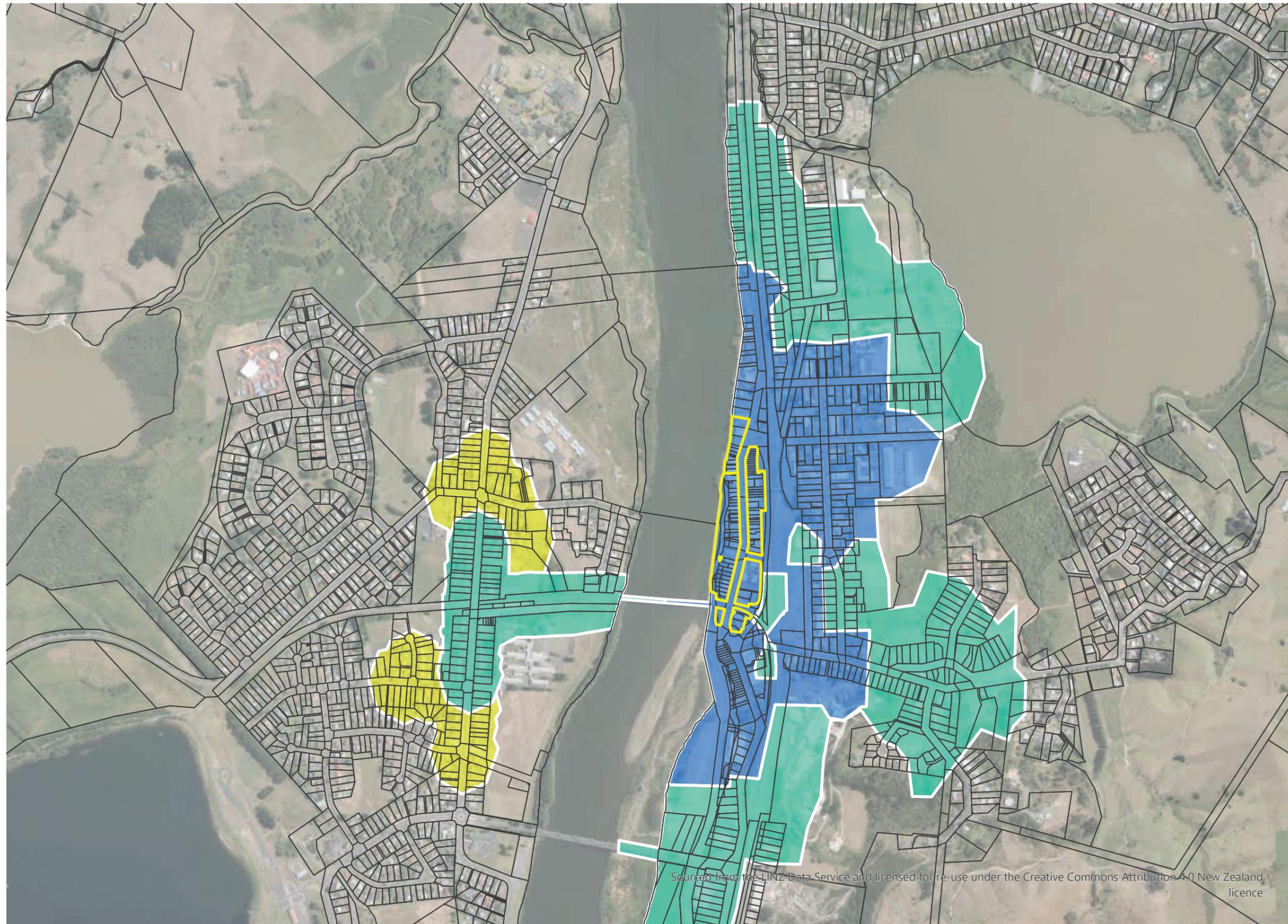
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Proposed Waikato District Plan

Accessibility analysis - walk catchments

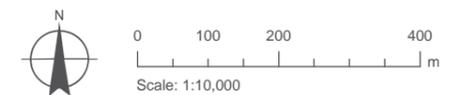


Legend

- Cadastral Boundaries
- Town Centre Zone Extent
- 800m Walking Catchment
- 400m Walking Catchment
- 400m Walking Catchment (Huntly West)

Huntly

Rezoning Requests - Hearing 25



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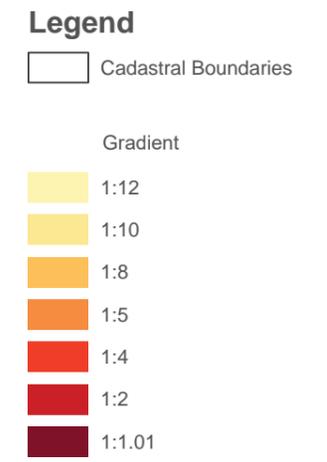
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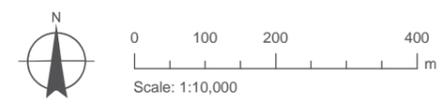
Proposed Waikato District Plan

Accessibility analysis - slope



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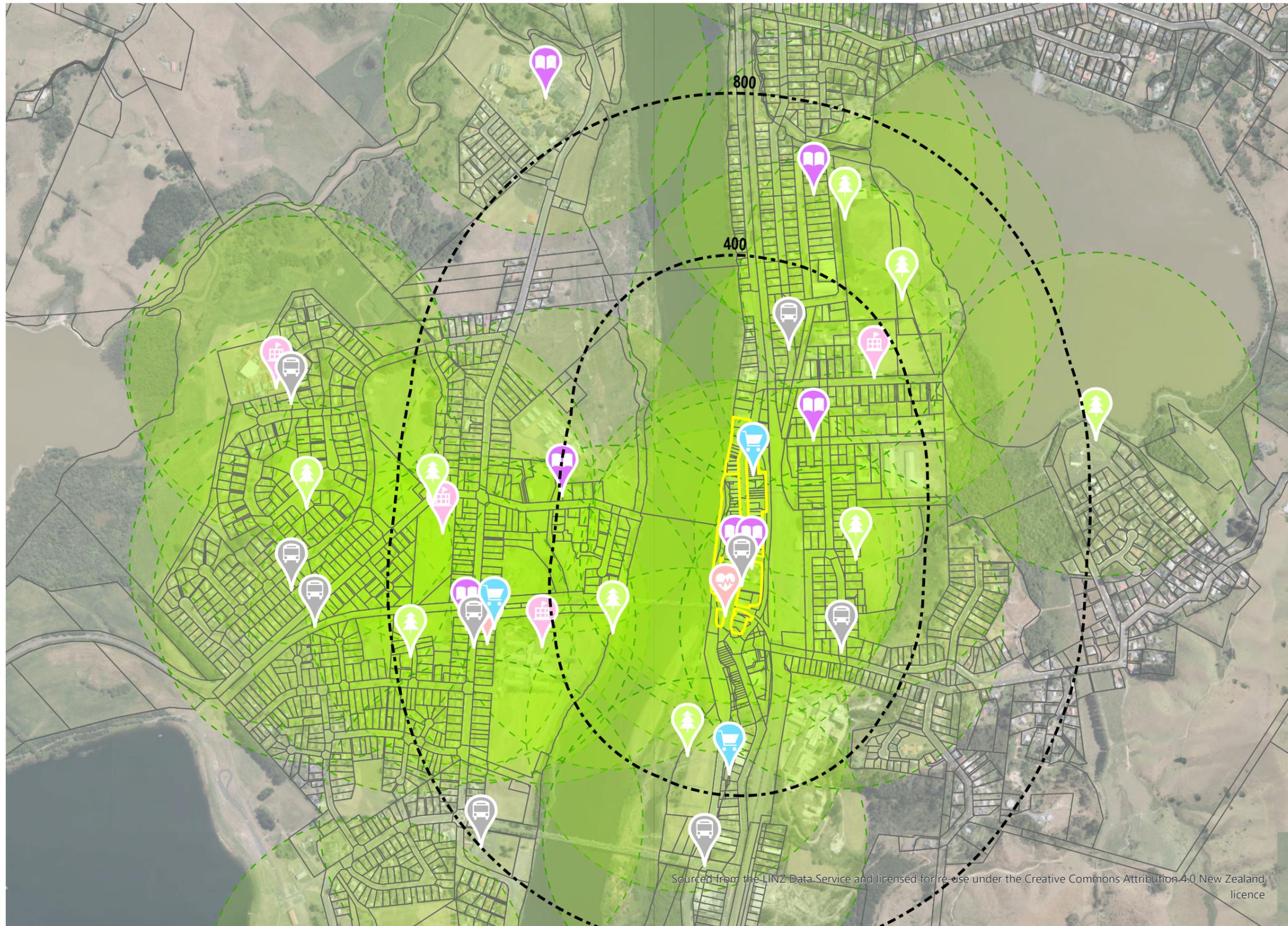
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Proposed Waikato District Plan

Amenities Heat Map

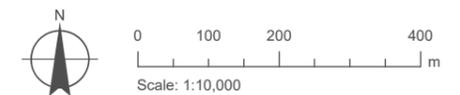


Legend

-  Town Centre Zone Extent
-  Public Schools
-  Community Facility
-  Medical Facility
-  Park
-  Transit Stop
-  Supermarket
-  400m Radial Buffer

Huntly

Rezoning Requests - Hearing 25



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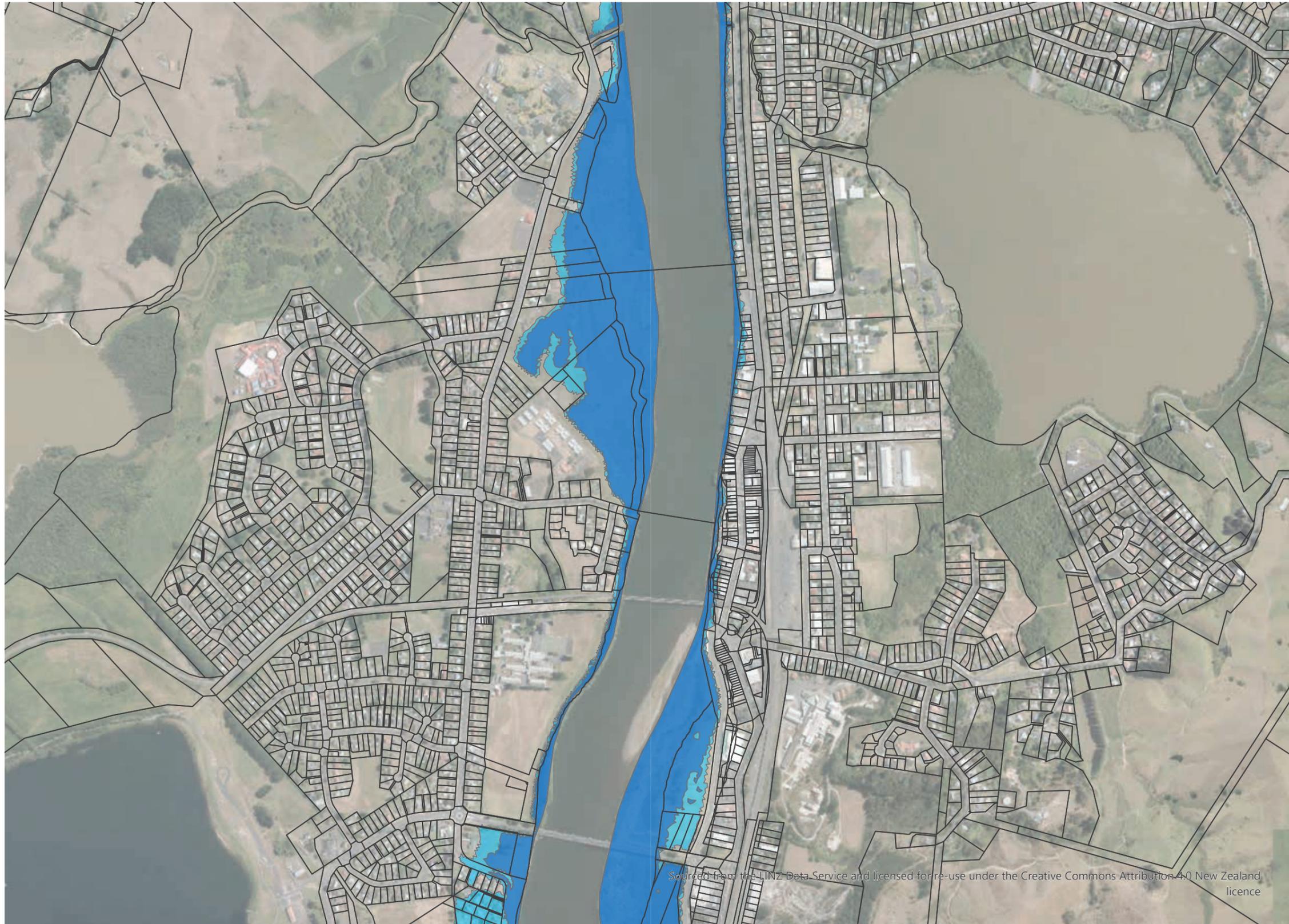
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Proposed Waikato District Plan

Natural hazards

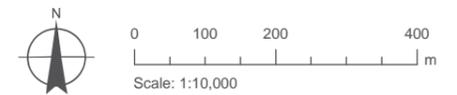


Legend

- Cadastral Boundaries
- Proposed high risk flood area
- Proposed flood plain management area

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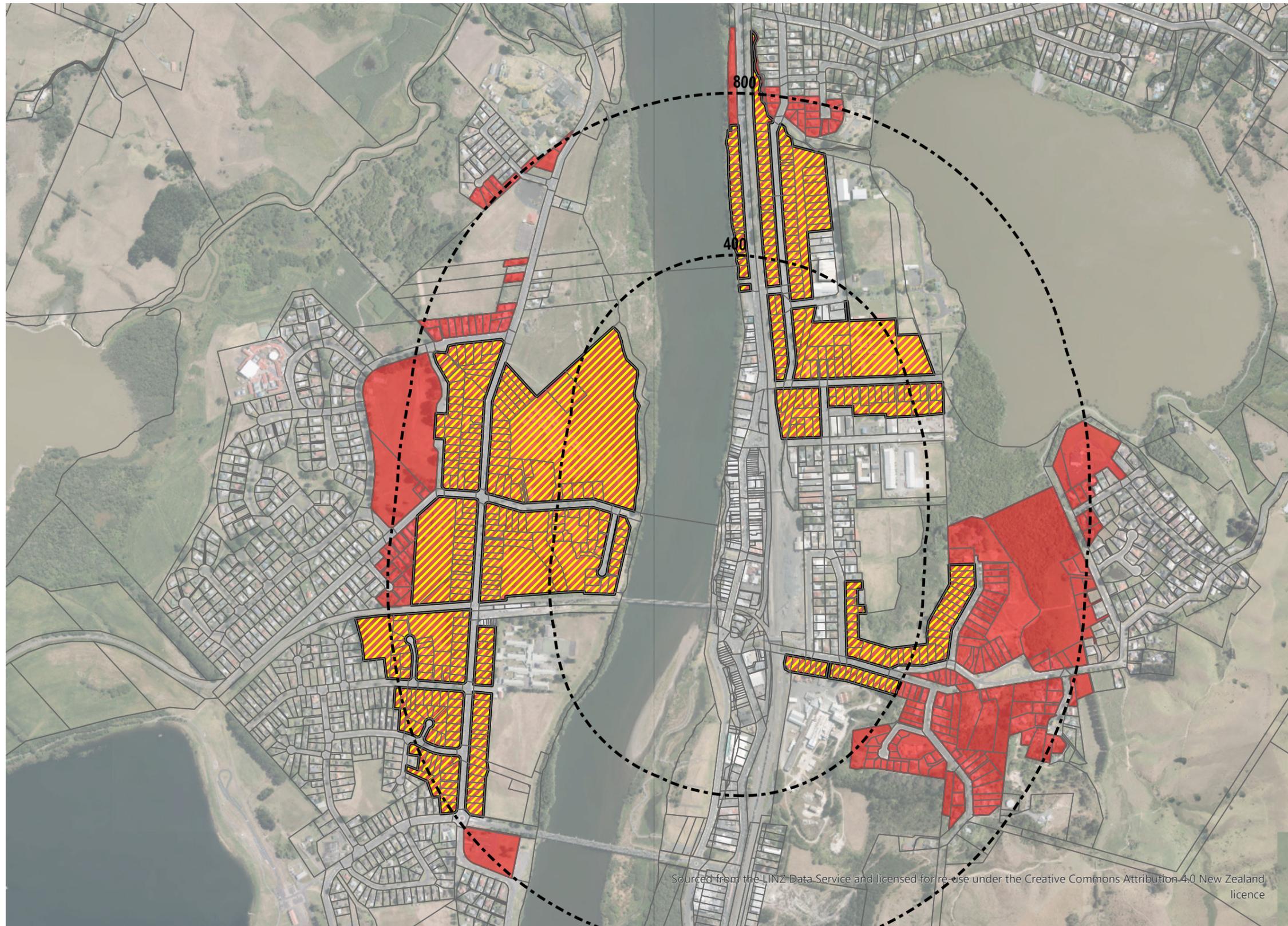
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Proposed Waikato District Plan

MDR Zone extent comparison

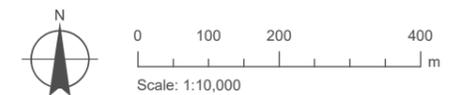


Legend

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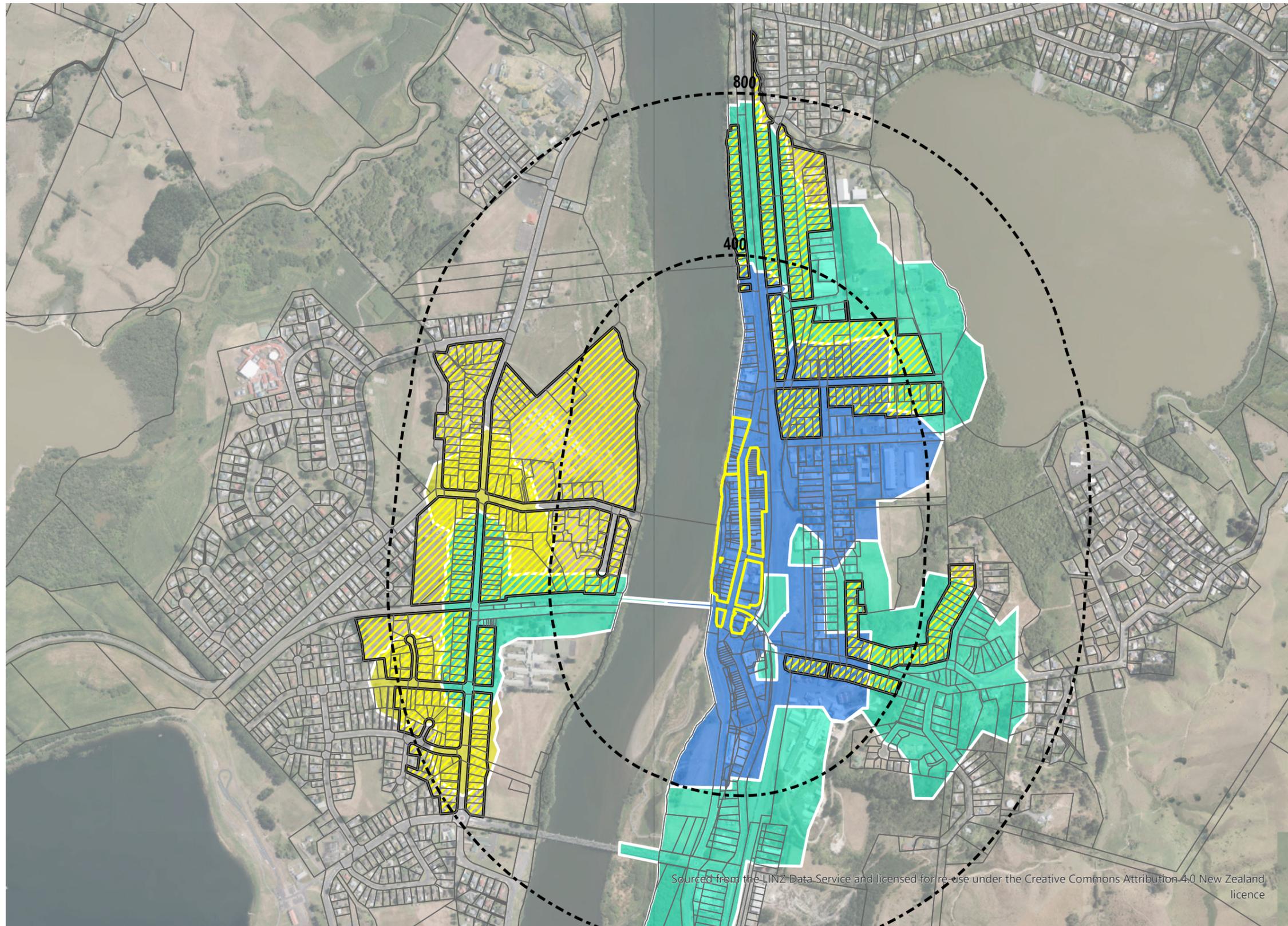
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Proposed Waikato District Plan

Walk catchment comparison with amended zone extent

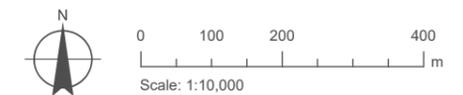


Legend

- Amended MDR Zoning Extent (2020)
- Town Centre Zone Extent
- 800m Walking Catchment
- 400m Walking Catchment
- 400m Walking Catchment (Huntly West)

Huntly

Rezoning Requests - Hearing 25



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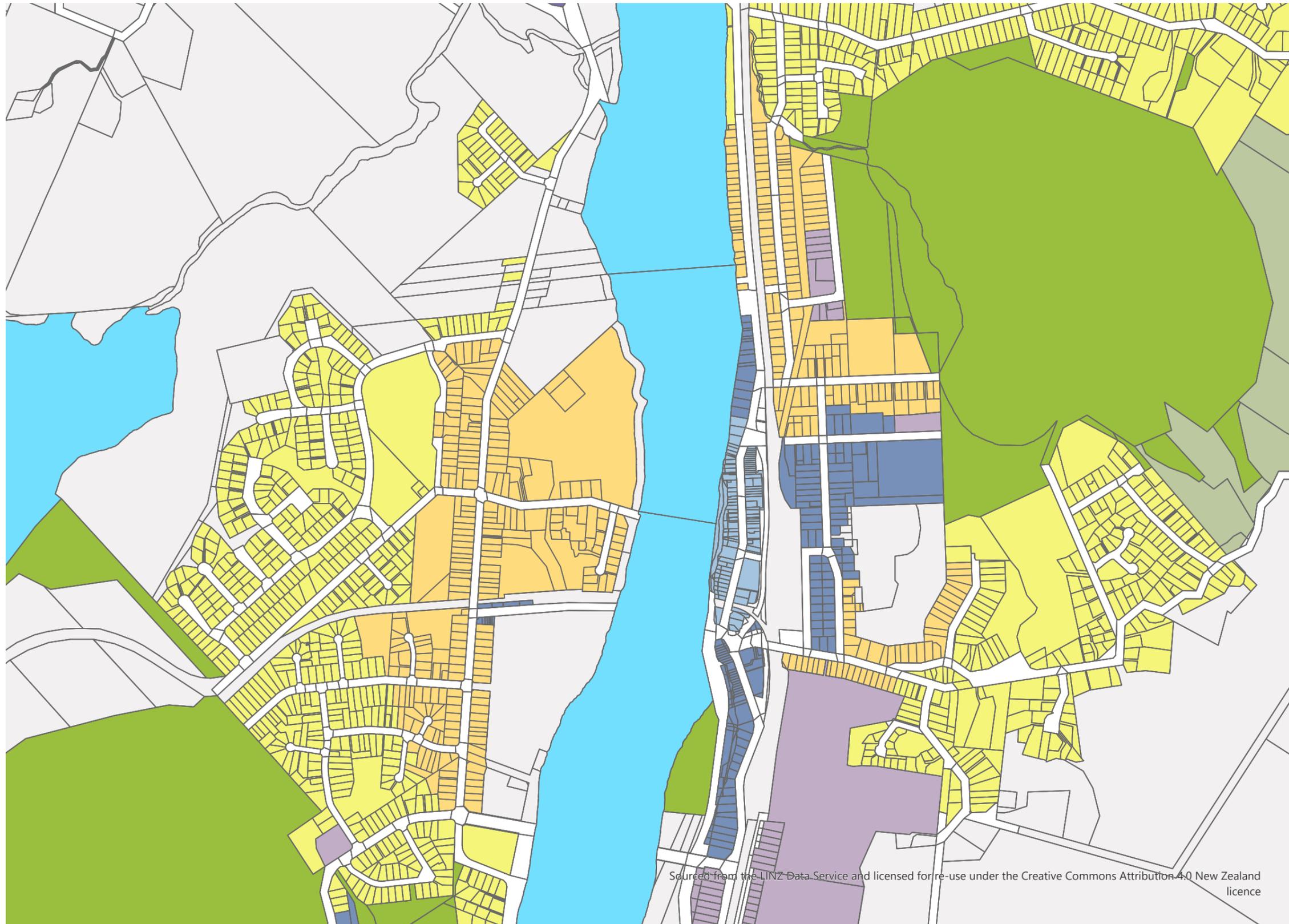
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Proposed Waikato District Plan

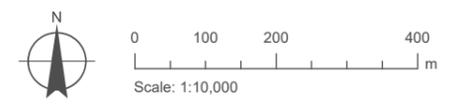
Amended Zoning Plan



- Legend**
- Medium Density Residential
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Rezoning Requests - Hearing 25



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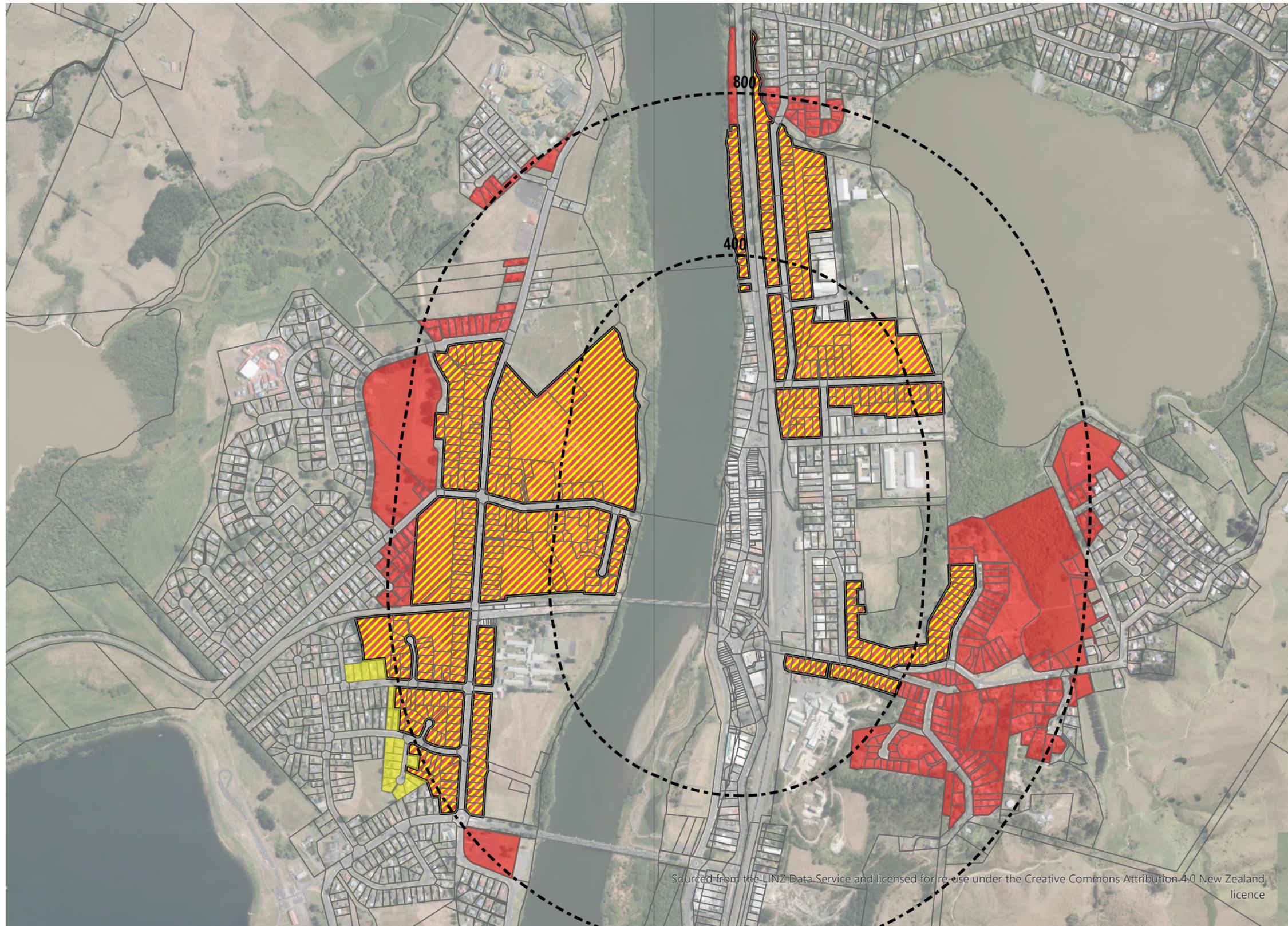
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Proposed Waikato District Plan

Out-of-scope MDR Upzoning

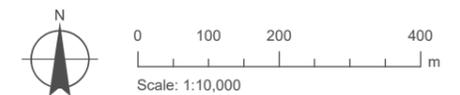


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)
-  Out of Scope Upzoning

Huntly

Rezoning Requests - Hearing 25



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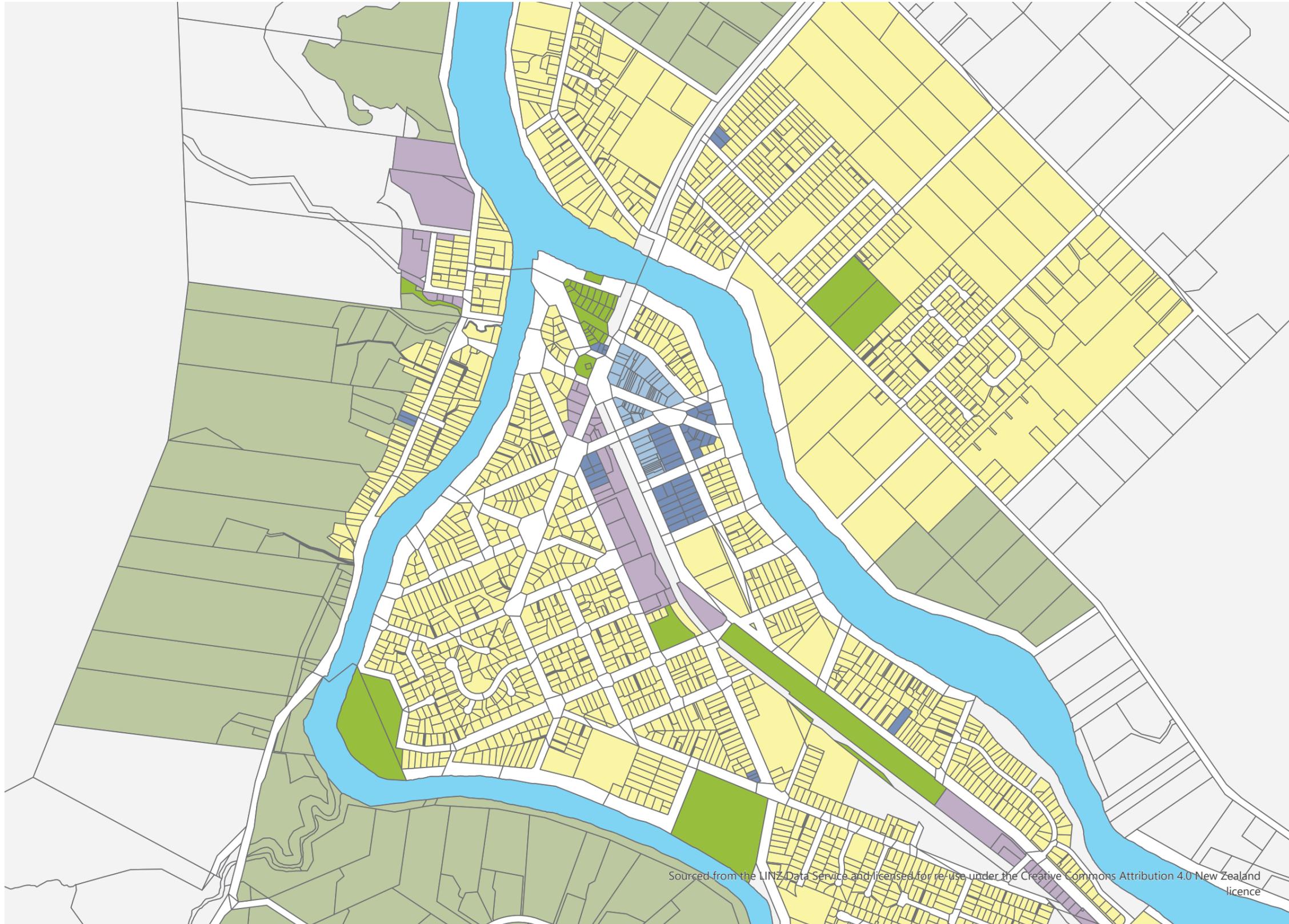
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05

Ngaruawahia

Proposed Waikato District Plan

Proposed zoning (as notified)

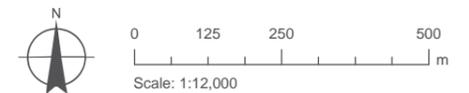


Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Ngaruawahia

Rezoning Requests - Hearing 25



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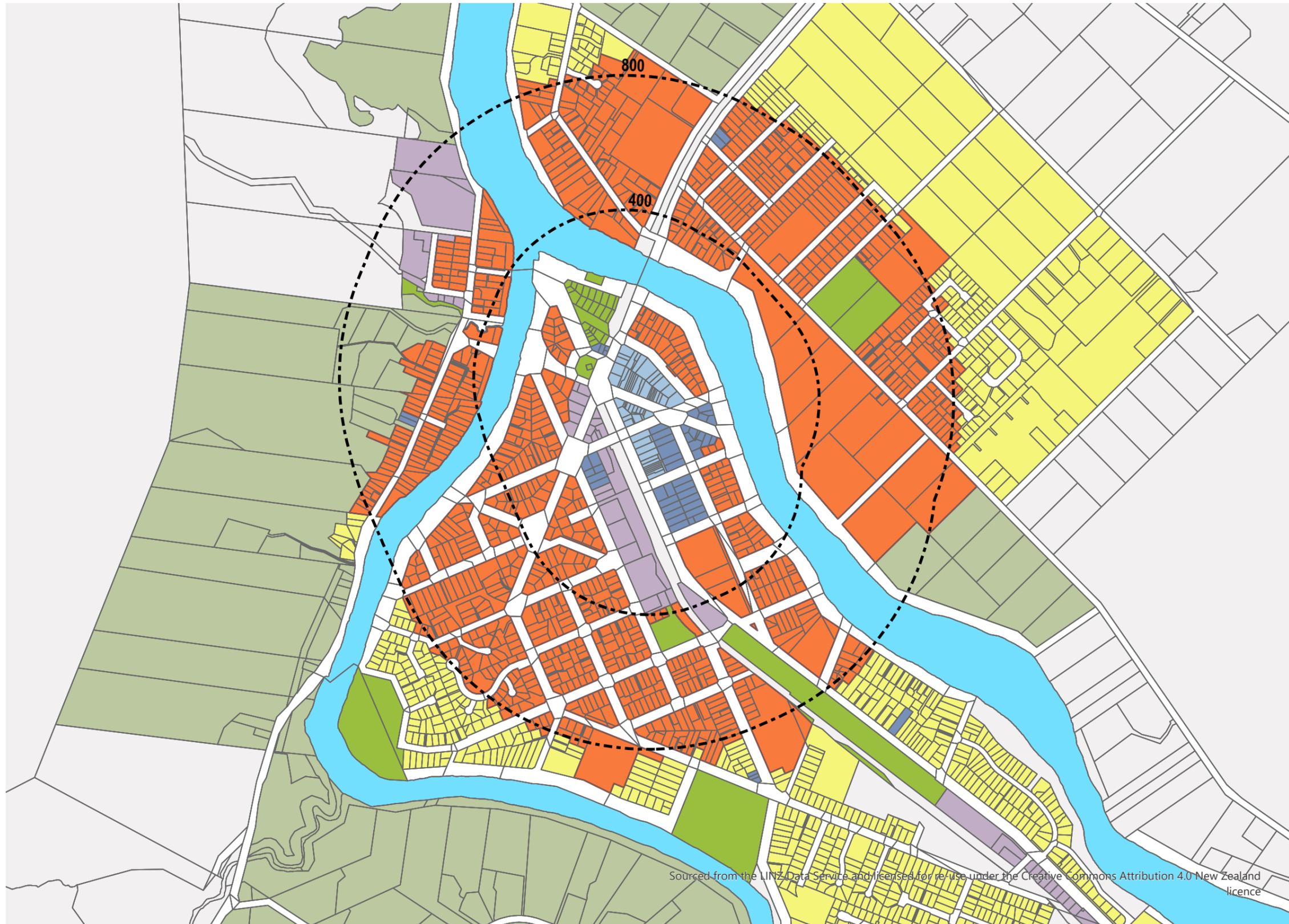
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Proposed Waikato District Plan

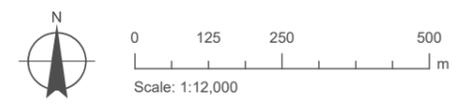
Original MDR Zone request



- Legend**
- 400m Radial Catchment
 - 800m Radial Catchment
 - Original MDR Rezoning Extent (2018)
 - Business
 - Business Town Centre
 - Country Living
 - Heavy Industrial
 - Industrial
 - Outside District
 - Rangitahi Peninsula
 - Reserve
 - Residential
 - Road
 - Rural
 - Village
 - Water

Ngaruawahia

Rezoning Requests - Hearing 25



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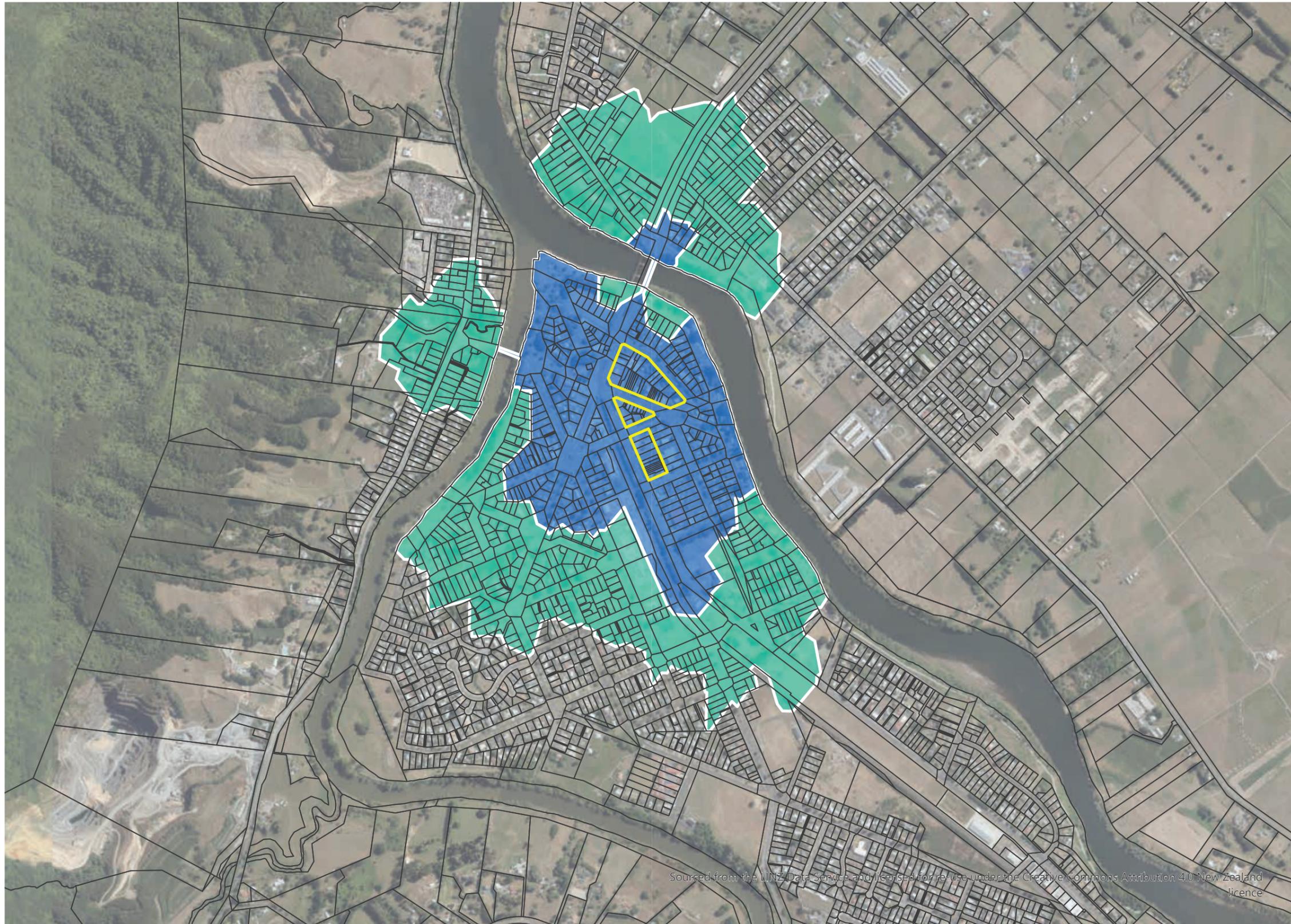
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Proposed Waikato District Plan

Accessibility analysis - walk catchments

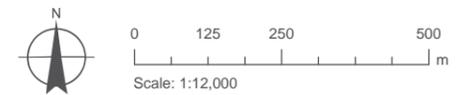


Legend

-  Cadastral Boundaries
-  Town Centre Zone Extent
-  800m Walking Catchment
-  400m Walking Catchment

Ngaruawahia

Rezoning Requests - Hearing 25



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Proposed Waikato District Plan

Accessibility analysis - slope

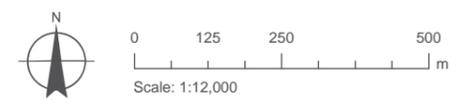


Legend

- Cadastral Boundaries
- Gradient
 - 1:10
 - 1:8
 - 1:5
 - 1:4
 - 1:2
 - 1:1.01

Ngaruawahia

Rezoning Requests - Hearing 25



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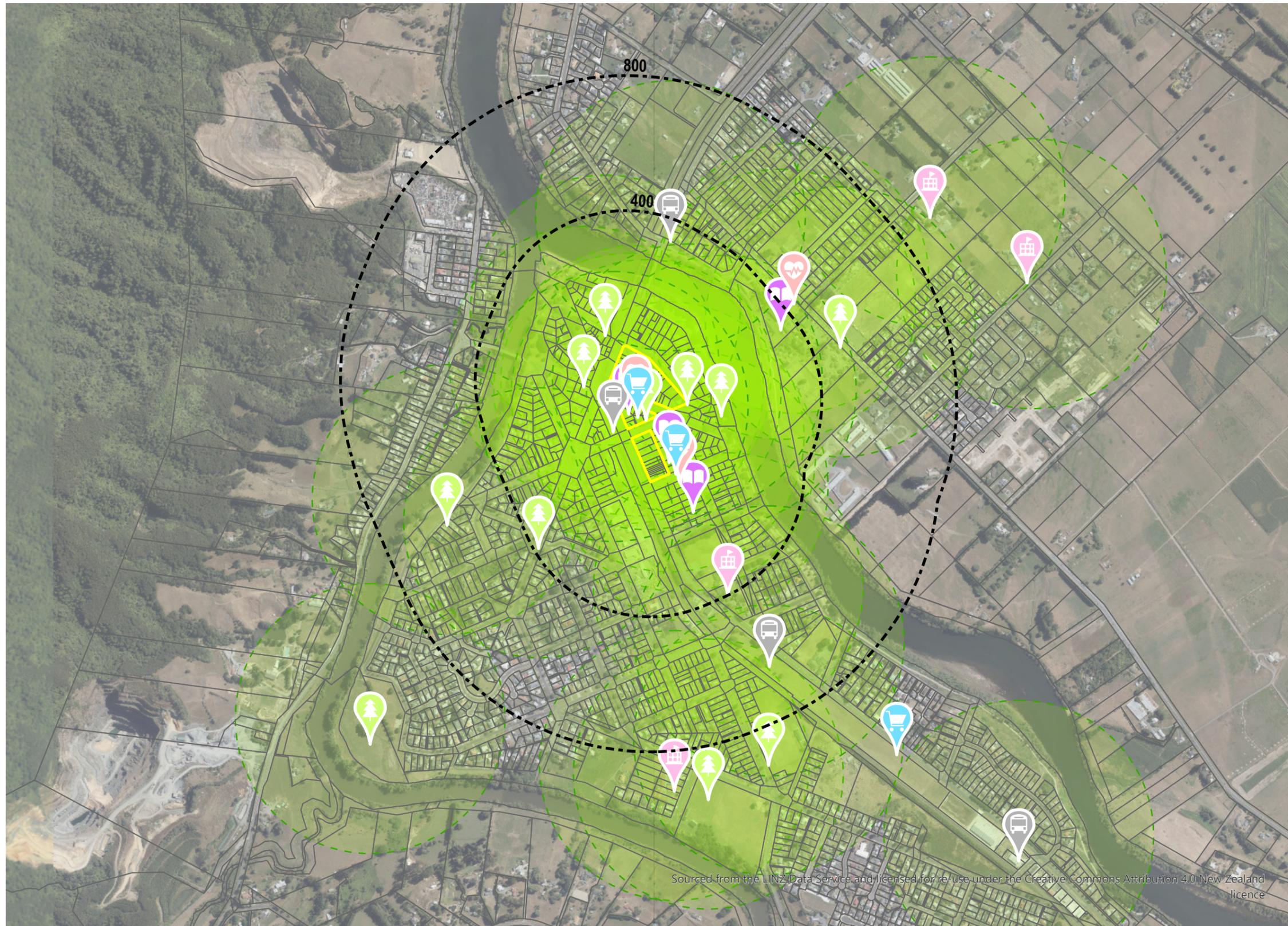
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Proposed Waikato District Plan

Amenities Heat Map

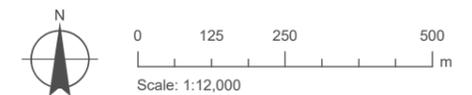


Legend

-  Town Centre Zone Extent
-  Public Schools
-  Community Facility
-  Medical Facility
-  Park
-  Transit Stop
-  Supermarket
-  400m Radial Buffer

Ngaruawahia

Rezoning Requests - Hearing 25



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Proposed Waikato District Plan

Natural hazards

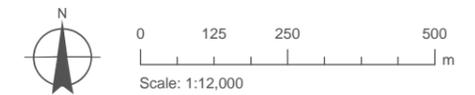


Legend

-  Cadastral Boundaries
-  Proposed high risk flood area
-  Proposed flood plain management area

Ngaruawahia

Rezoning Requests - Hearing 25



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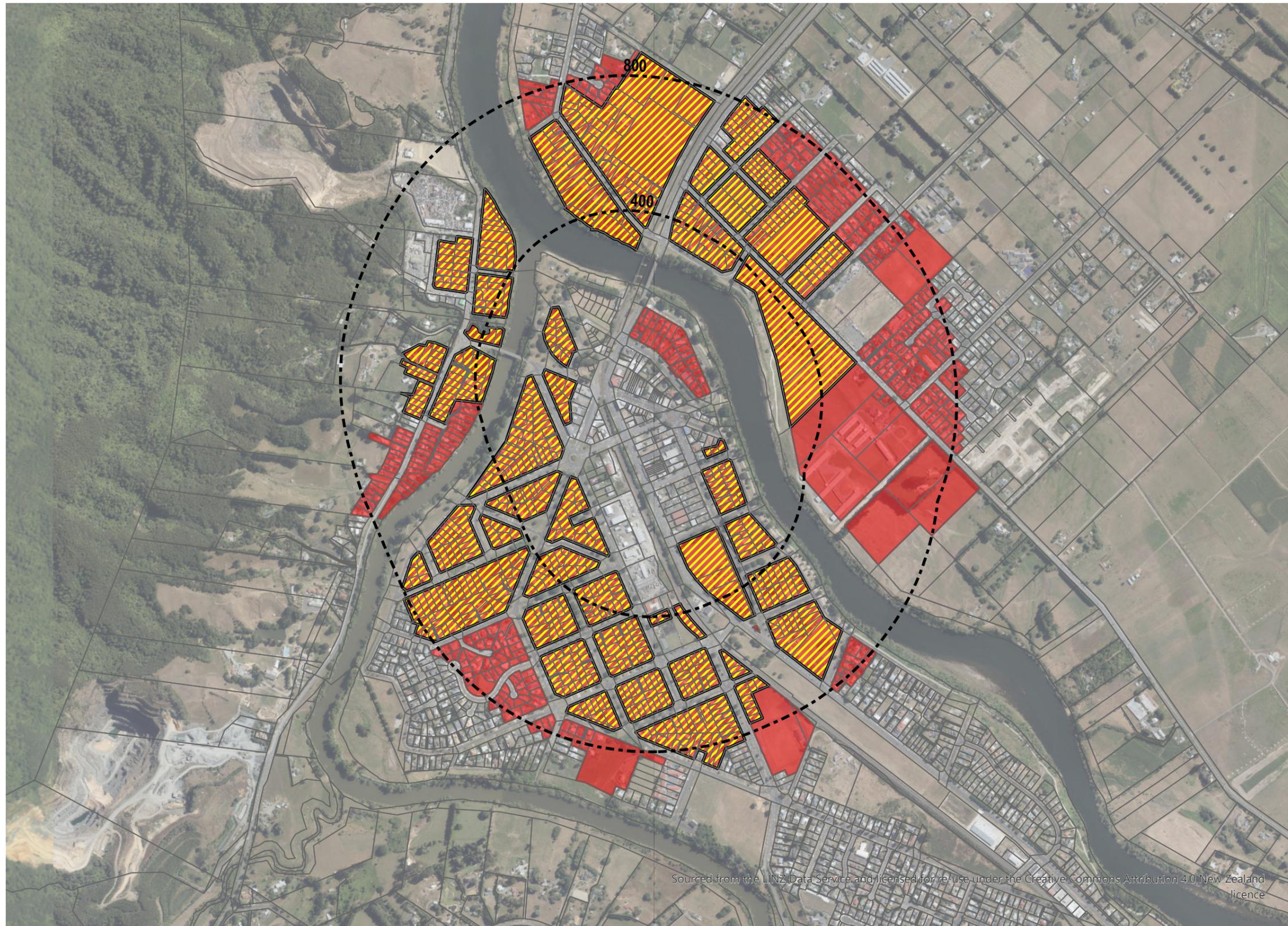
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Proposed Waikato District Plan

MDR Zone extent comparison

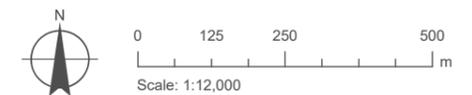


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)

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Rezoning Requests - Hearing 25



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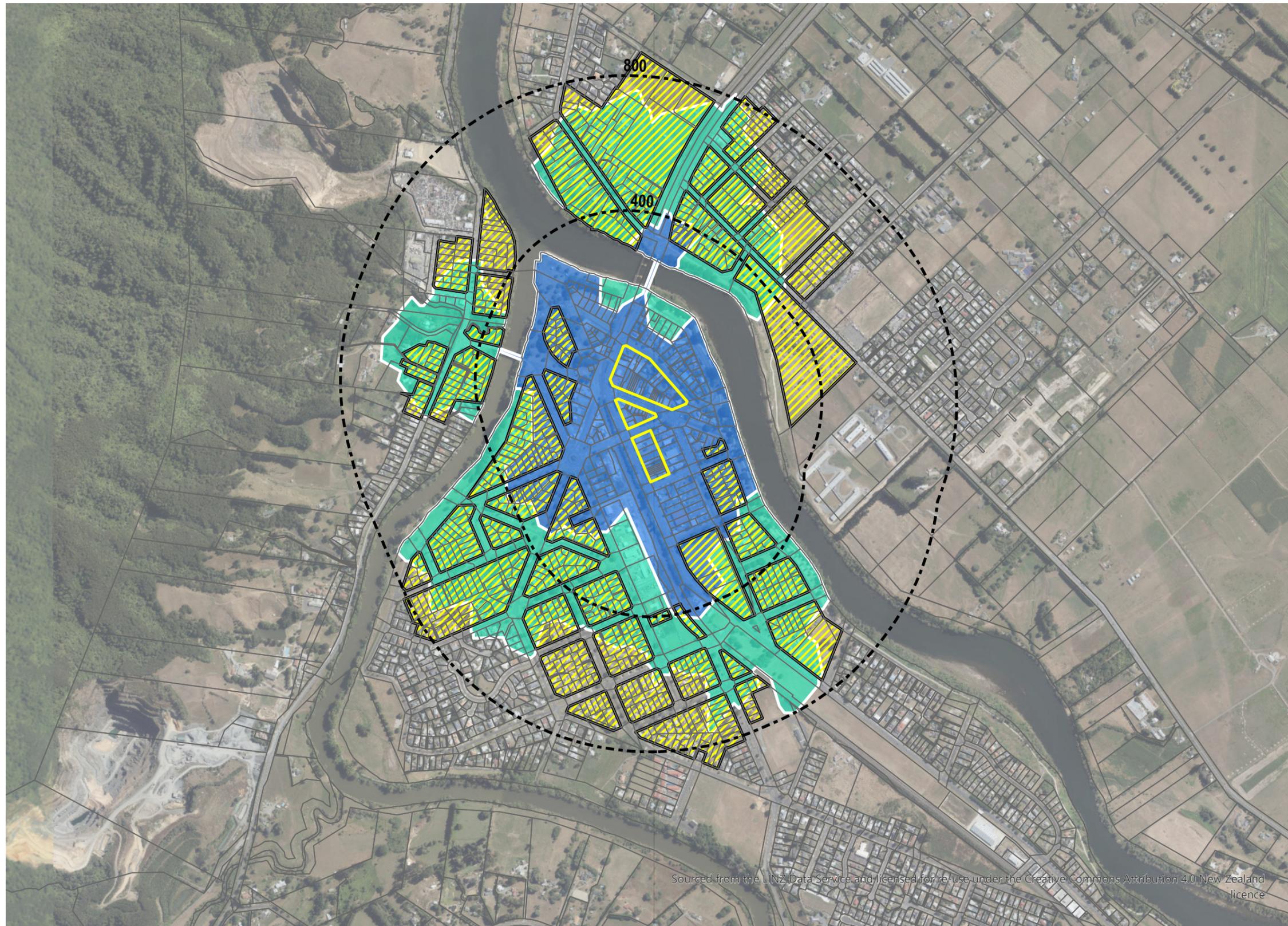
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Proposed Waikato District Plan

Walk catchment comparison with amended zone extent

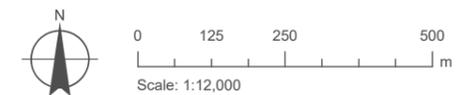


Legend

-  Amended MDR Zoning Extent (2020)
-  Town Centre Zone Extent
-  800m Walking Catchment
-  400m Walking Catchment

Ngaruawahia

Rezoning Requests - Hearing 25



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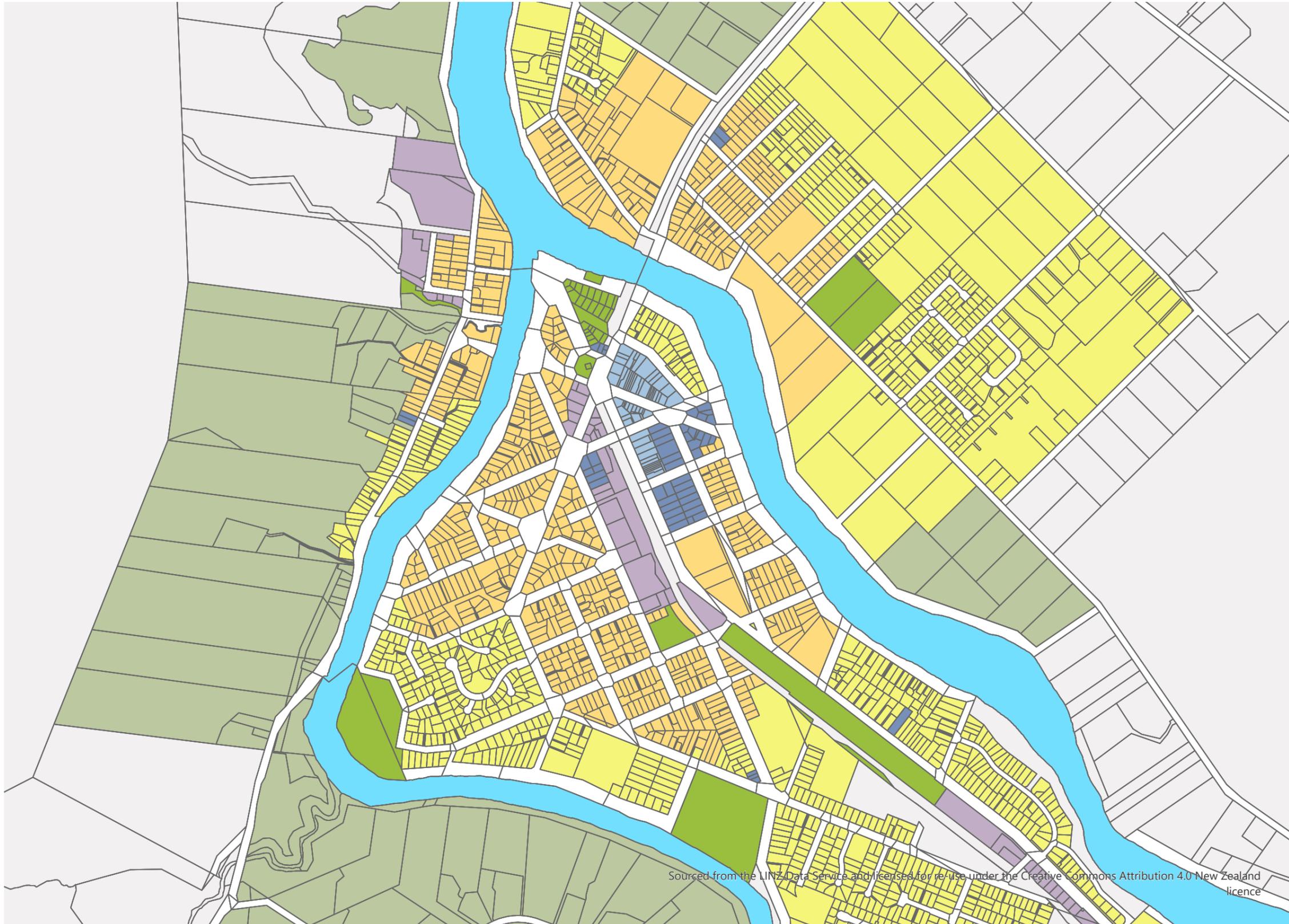
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Proposed Waikato District Plan

Map Title

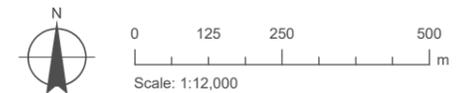


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Ngaruawahia

Rezoning Requests - Hearing 25



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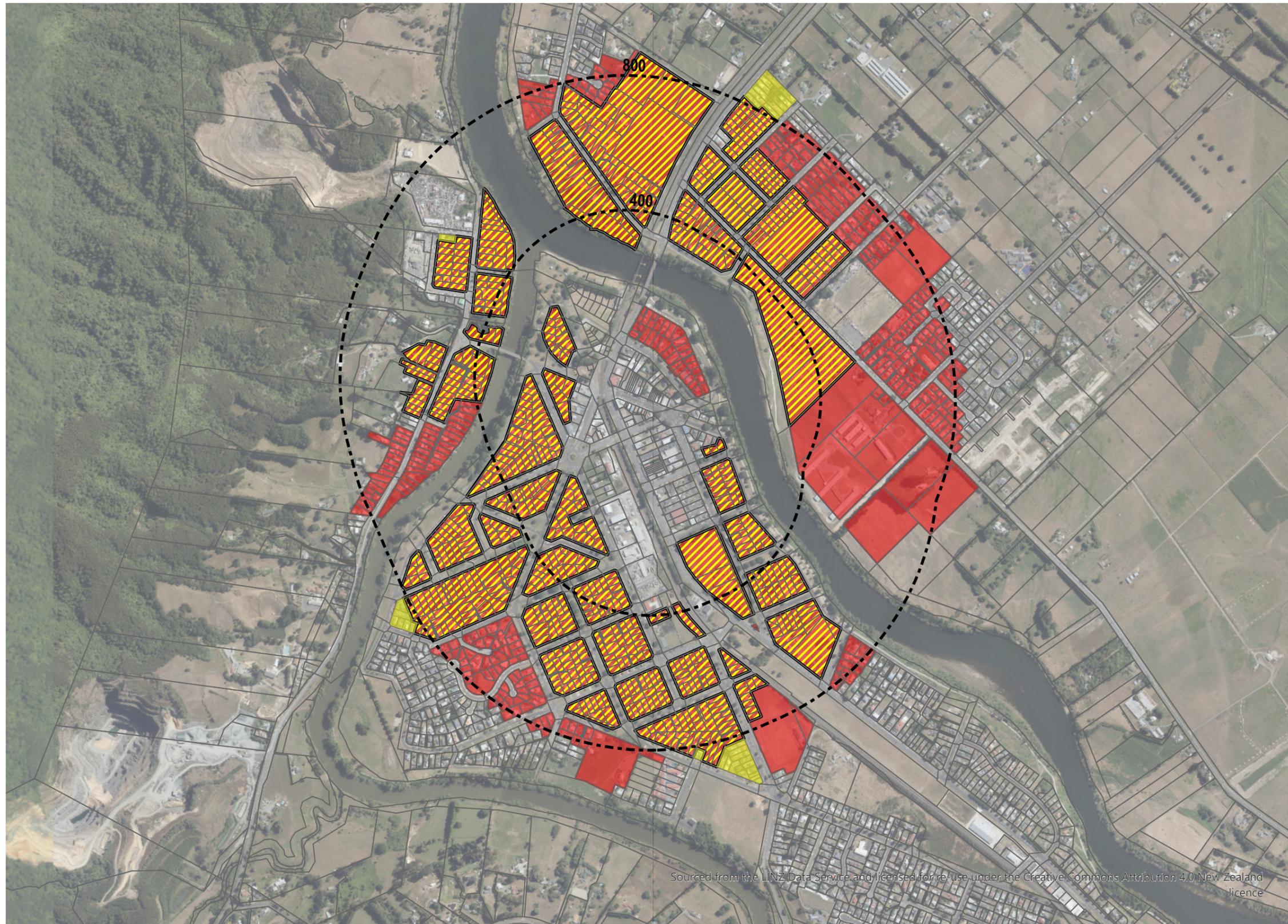
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Proposed Waikato District Plan

Out-of-scope MDR Upzoning

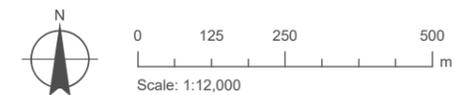


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)
-  Out of Scope Upzoning

Ngaruawahia

Rezoning Requests - Hearing 25



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06

Raglan

Proposed Waikato District Plan

Proposed zoning - as notified



Legend

- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

Raglan

Rezoning Requests - Hearing 25



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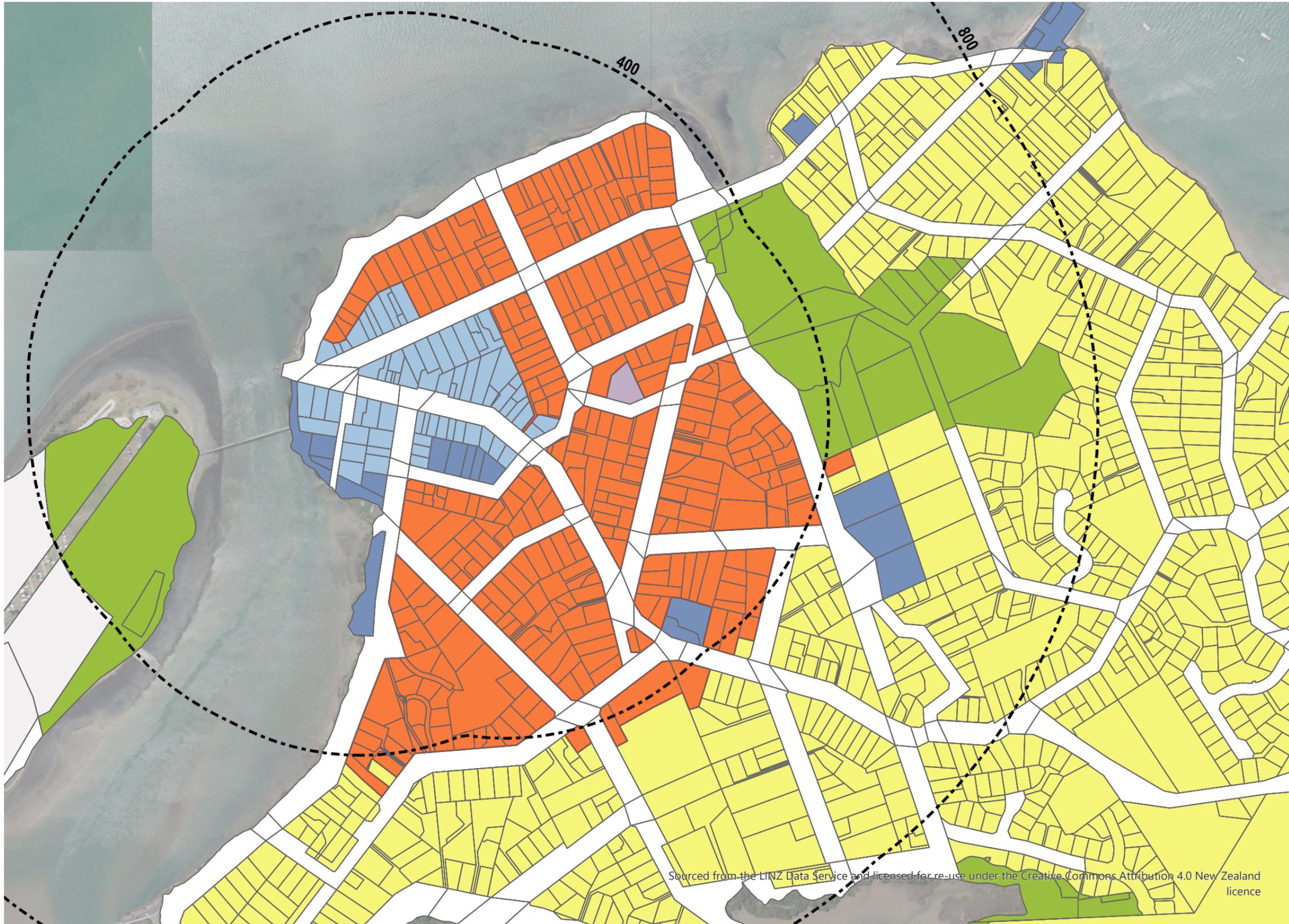
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Proposed Waikato District Plan

Original MDR Zone request

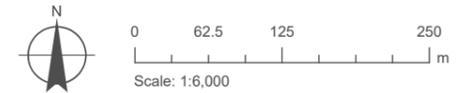


Legend

-  400m Radial Catchment
-  800m Radial Catchment
-  Original MDR Rezoning Extent (2018)
-  Business
-  Business Town Centre
-  Country Living
-  Heavy Industrial
-  Industrial
-  Outside District
-  Rangitahi Peninsula
-  Reserve
-  Residential
-  Road
-  Rural
-  Village
-  Water

Raglan

Rezoning Requests - Hearing 25



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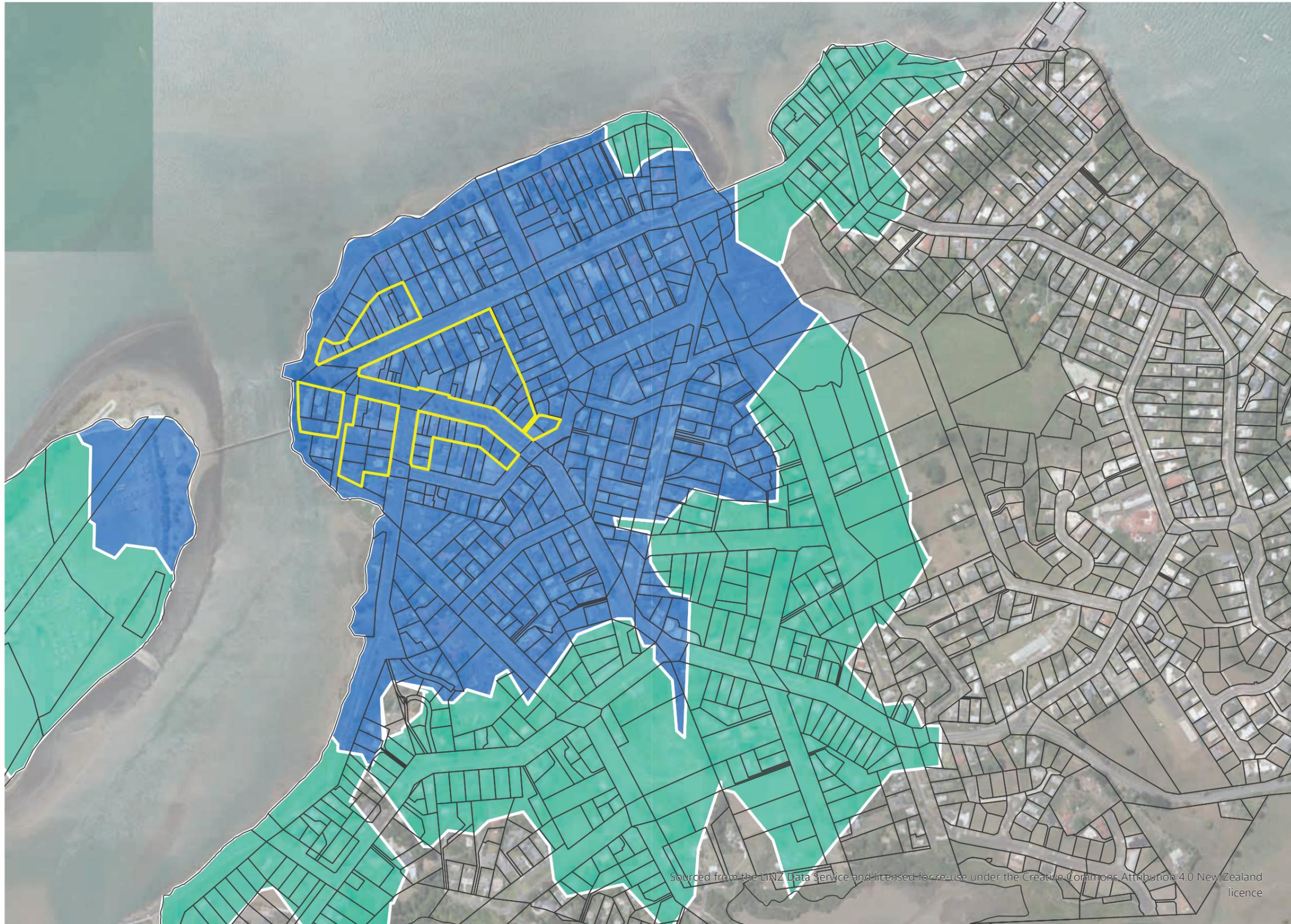
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Proposed Waikato District Plan

Accessibility analysis - walk catchments

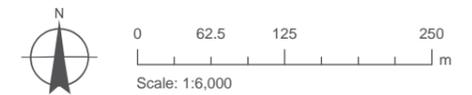


Legend

- Cadastral Boundaries
- Town Centre Zone Extent
- 800m Walking Catchment
- 400m Walking Catchment

Raglan

Rezoning Requests - Hearing 25



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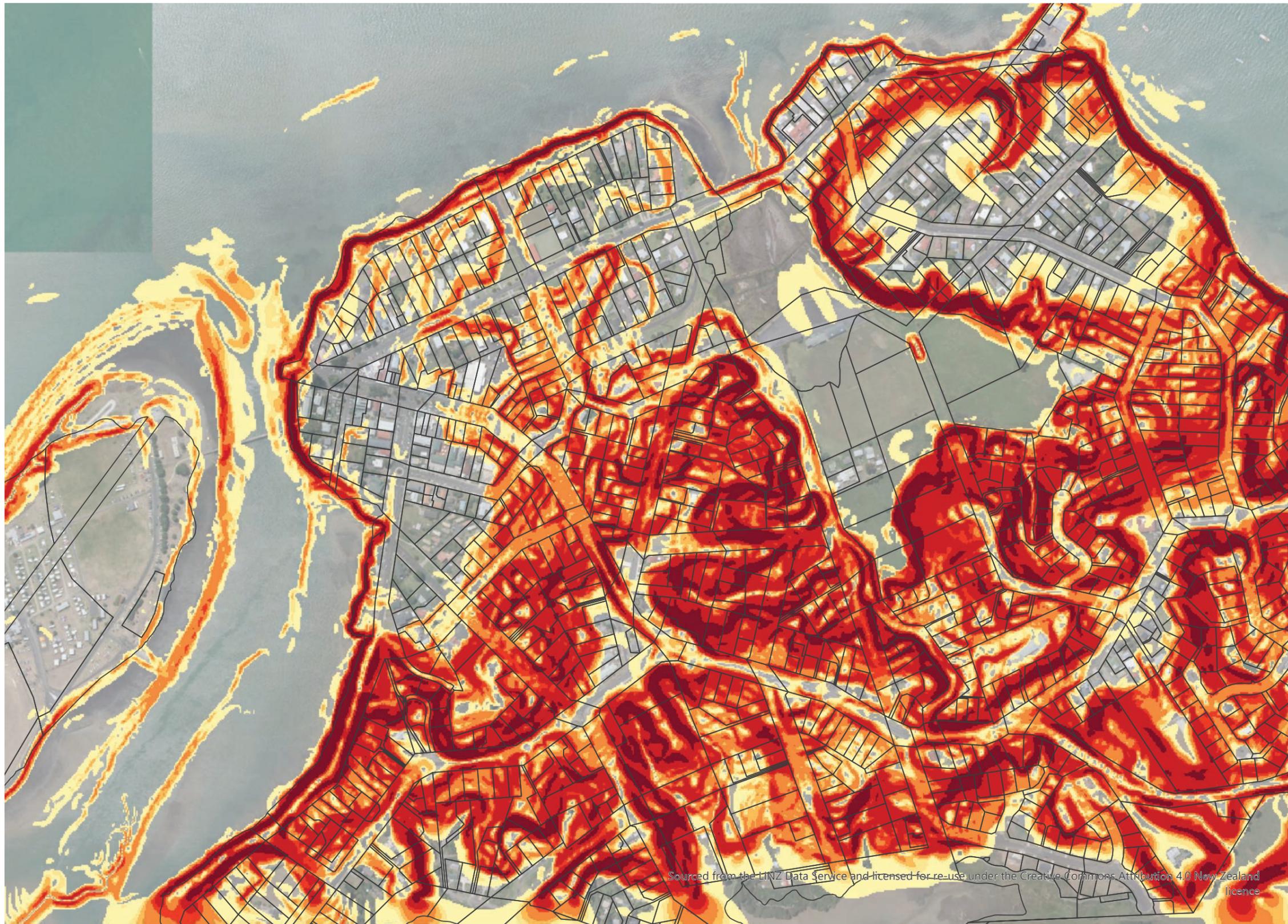
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Proposed Waikato District Plan

Accessibility analysis - slope



Legend

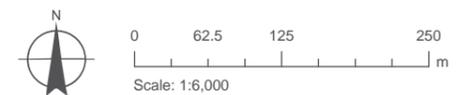
 Cadastral Boundaries

Gradient

-  1:12
-  1:10
-  1:8
-  1:5
-  1:4
-  1:2
-  1:1.01

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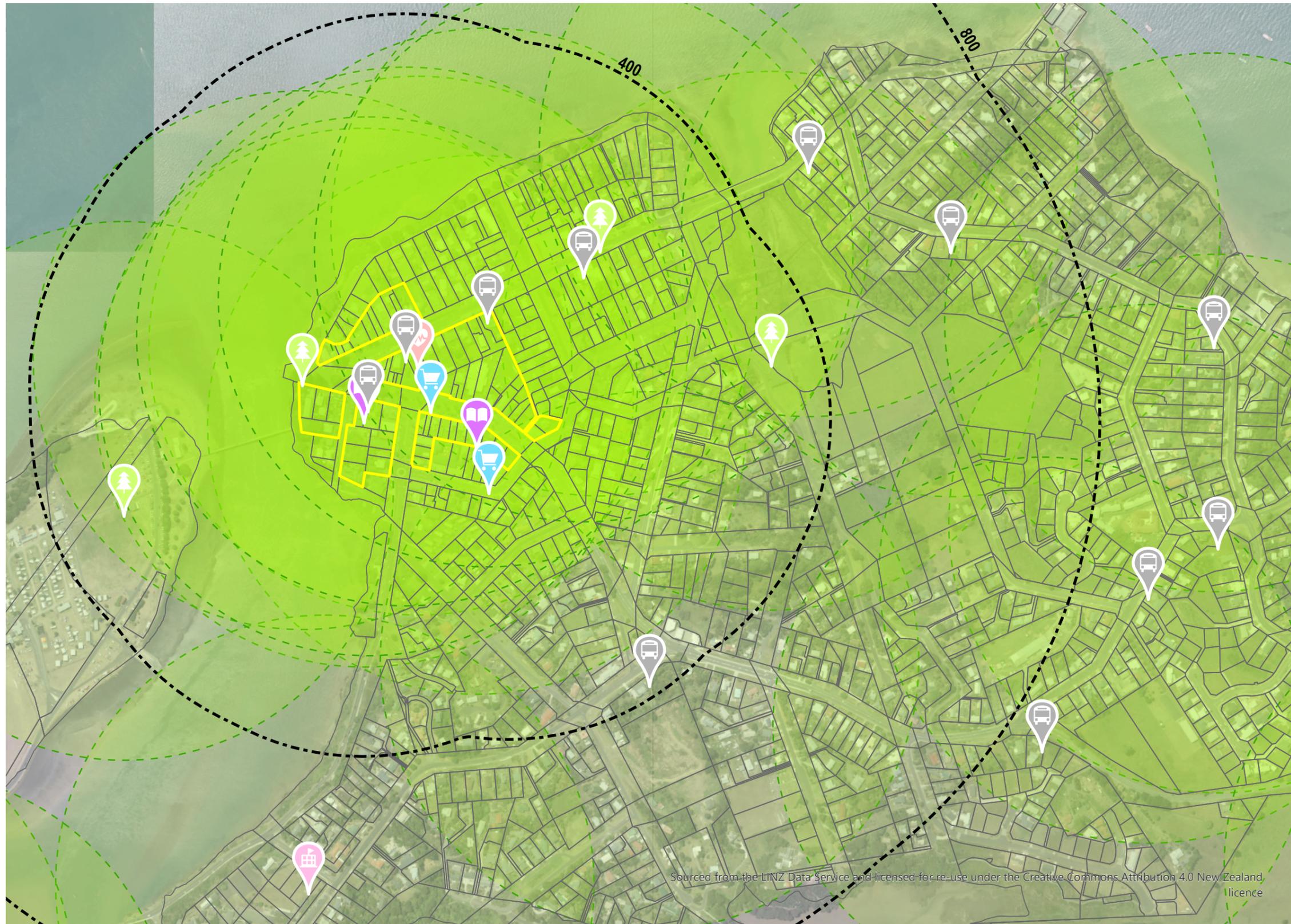
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Proposed Waikato District Plan

Amenities Heat Map

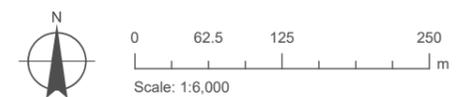


Legend

-  Town Centre Zone Extent
-  Public Schools
-  Community Facility
-  Medical Facility
-  Park
-  Transit Stop
-  Supermarket
-  400m Radial Buffer

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Rezoning Requests - Hearing 25



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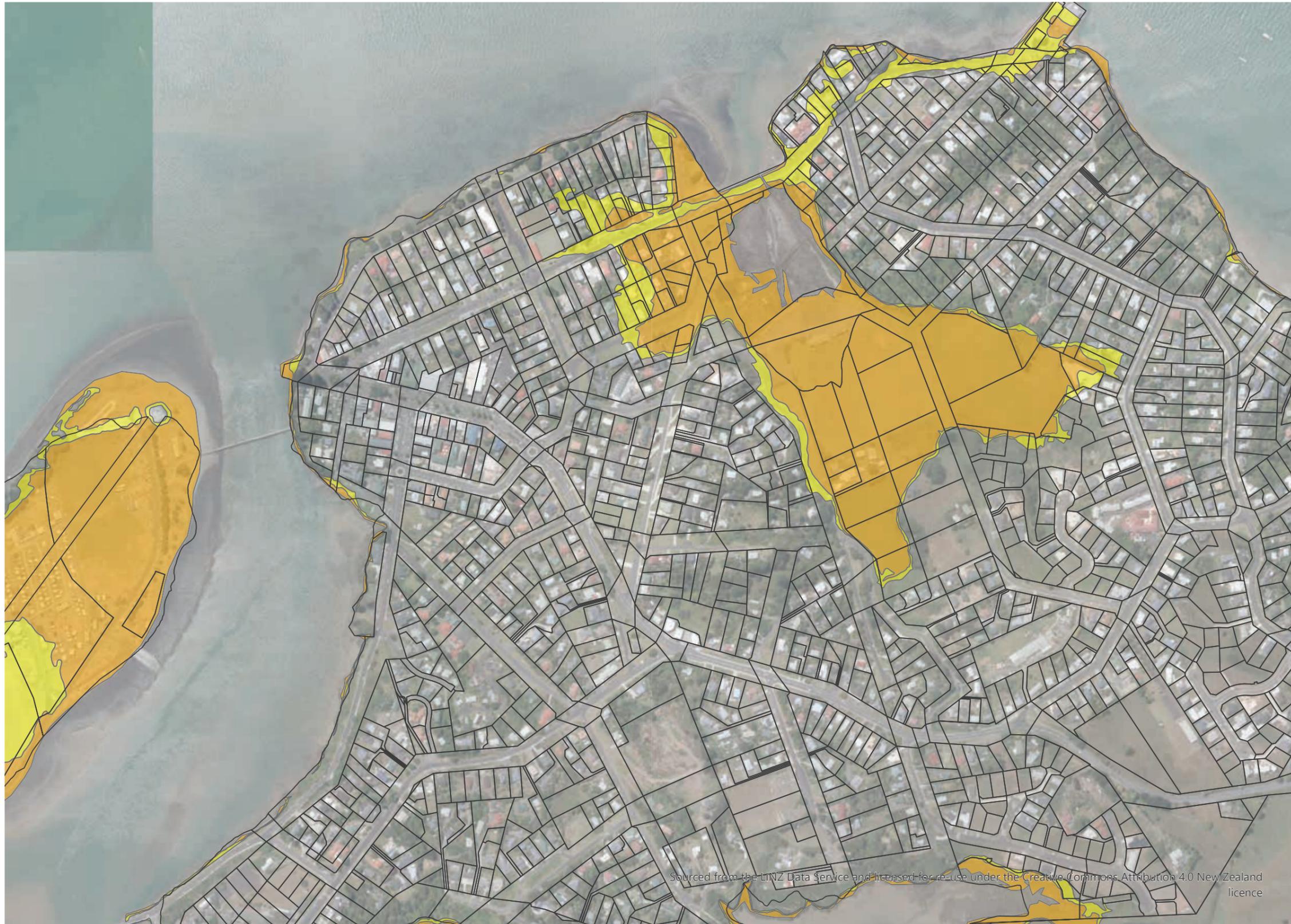
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Proposed Waikato District Plan

Natural hazards

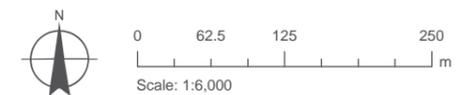


Legend

-  Cadastral Boundaries
-  Proposed high risk coastal hazard inundation area
-  Proposed coastal sensitivity area inundation

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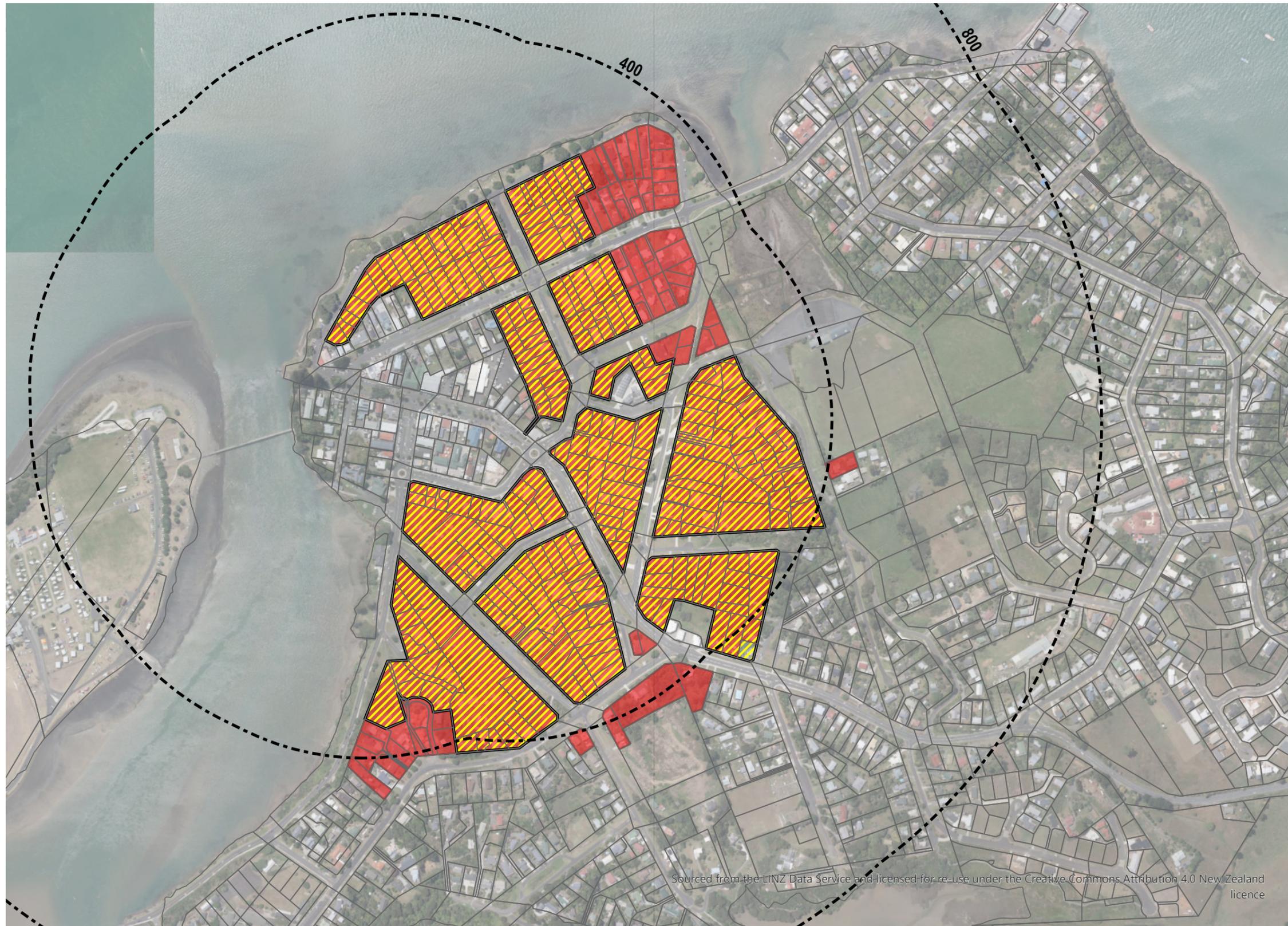
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Proposed Waikato District Plan

MDR Zone extent comparison

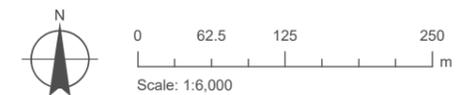


Legend

-  Amended MDR Zoning Extent (2020)
-  Original MDR Rezoning Extent (2018)

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Rezoning Requests - Hearing 25



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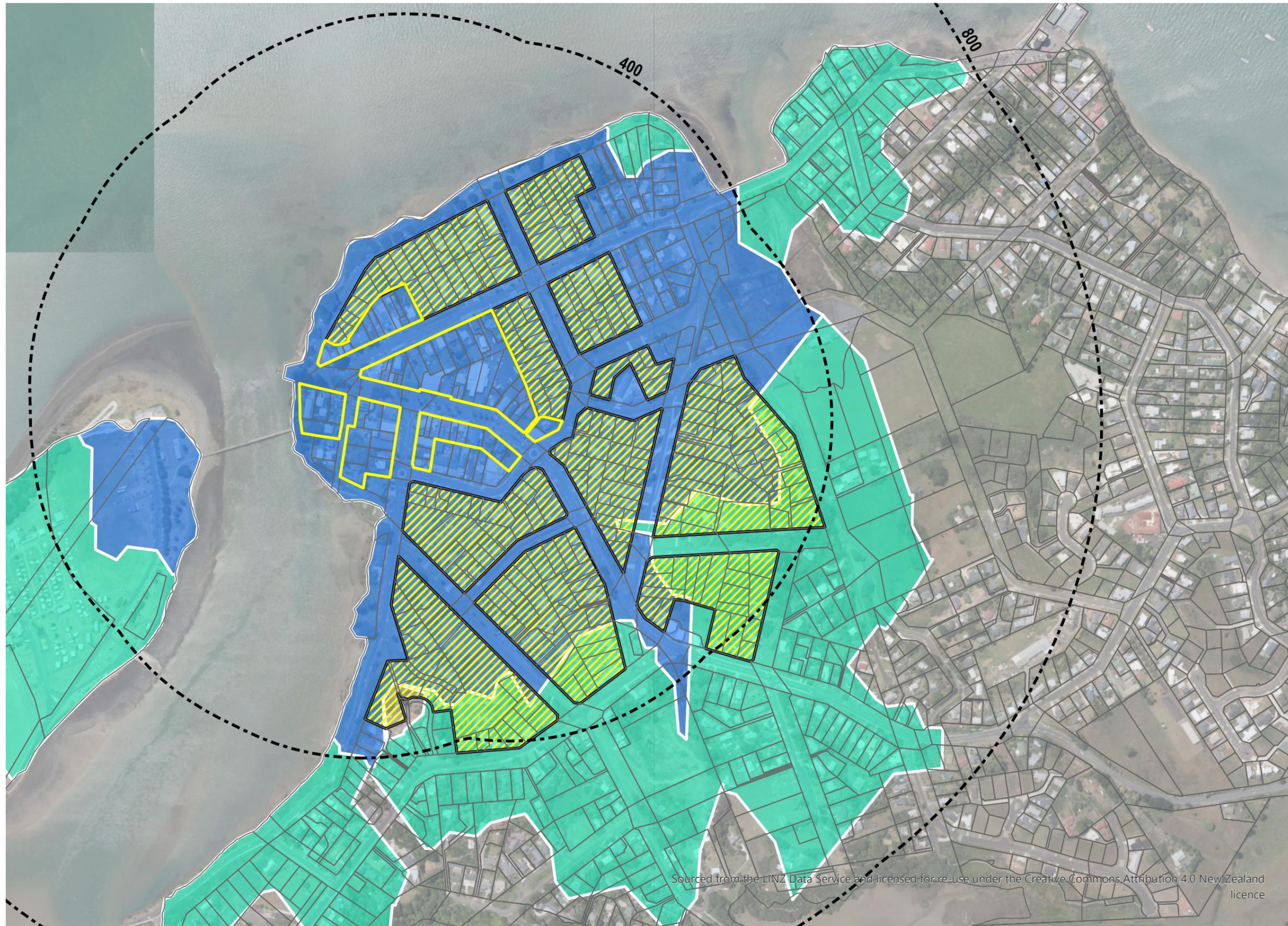
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Proposed Waikato District Plan

Walk catchment comparison with amended zone extent

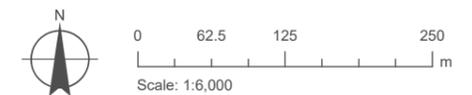


Legend

-  Amended MDR Zoning Extent (2020)
-  Town Centre Zone Extent
-  800m Walking Catchment
-  400m Walking Catchment

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Rezoning Requests - Hearing 25



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Proposed Waikato District Plan

Amended Zone Map

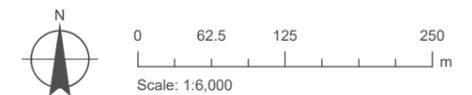


Legend

- Medium Density Residential
- Business
- Business Town Centre
- Country Living
- Heavy Industrial
- Industrial
- Outside District
- Rangitahi Peninsula
- Reserve
- Residential
- Road
- Rural
- Village
- Water

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Appendix 6: Feasibility Assessment (prepared by Property Economics)

APPENDIX 1: PROPERTY ECONOMICS WAIKATO DISTRICT RESIDENTIAL COMMERCIAL FEASIBILITY MODELLING

Figure 1: PROPERTY FEASIBILITY MODELLING OUTLINE

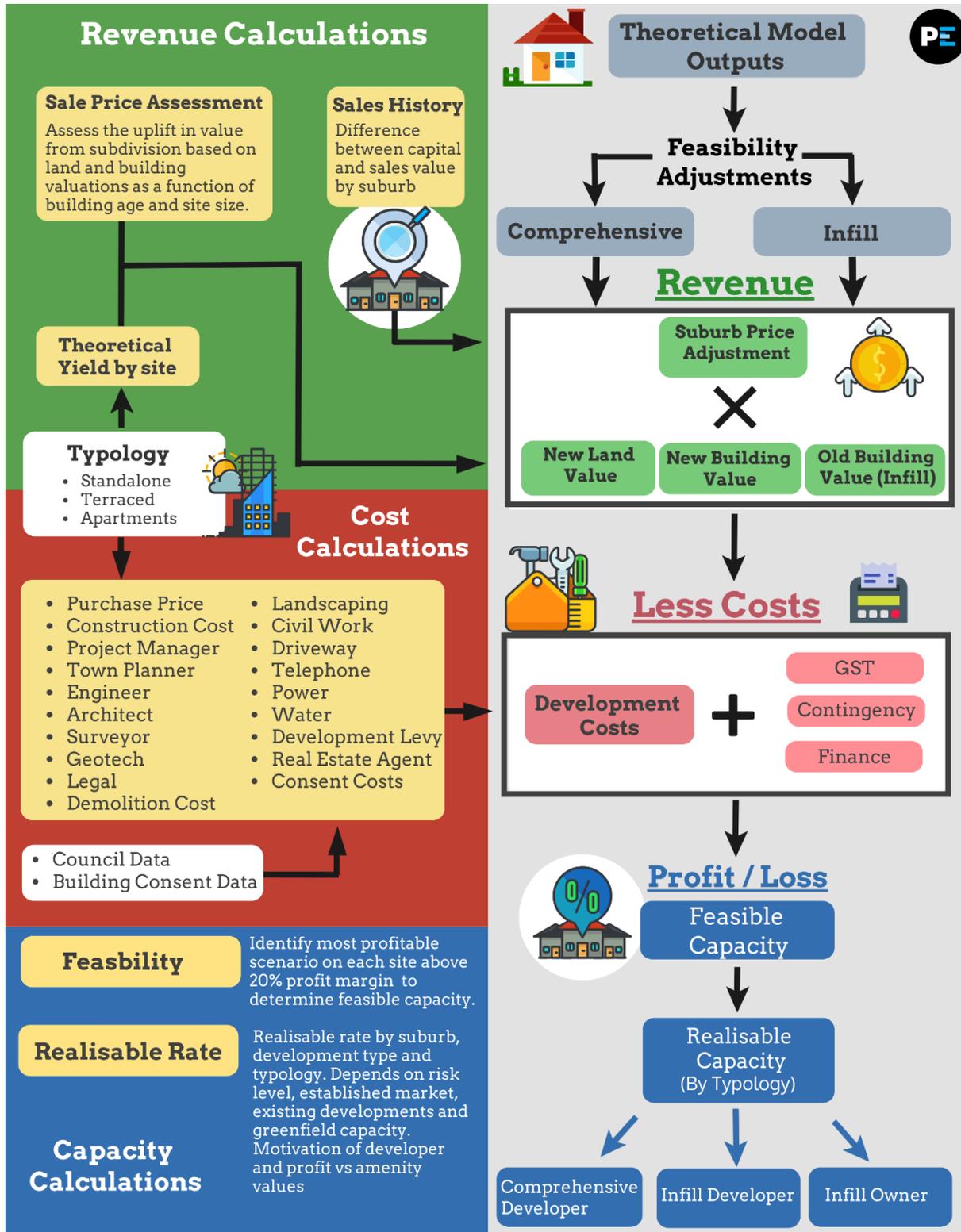


Table 2 below summarises some of the high-level results of the enabled modelling for the MDRZ¹⁹. The results from this assessment illustrate the broad level of theoretically enabled housing choices under the proposed Kainga Ora submission zone. With reference to the “Kainga Ora Submission”, the figures in the right hand column represent the number of dwellings that would be enabled under the MDRZ provisions if all of the land now proposed to be zoned MDRZ were used for the corresponding housing typologies in the left hand column. The figure of 3,154 in the “Notified” row represents the numbers of dwellings that would be enabled on that land under the GRZ based on the minimum permitted site size.

Table 12: MDRZ Enabled Capacity Notified and Kāinga Ora Submission

| Proposed Medium Density Zone | Theoretical Capacity |
|-------------------------------------|-----------------------------|
| Kainga Ora Submission | |
| 1 Bed - House | 12,293 |
| 2 Bed - House | 9,665 |
| 3 Bed - House | 7,107 |
| 4 Bed - House | 5,824 |
| 1 Bed - Duplex/Terrace | 14,378 |
| 2 Bed - Duplex/Terrace | 16,192 |
| 3 Bed - Duplex/Terrace | 12,581 |
| 4 Bed - Duplex/Terrace | 9,378 |
| 1 Bed - Walkup | 26,420 |
| 2 Bed - Walkup | 21,003 |
| Notified | 3,154 |

Table 3 illustrates the potential level of commercially feasible development specially for the proposed MDRZ. With reference to the “Kainga Ora Submission”, the figures in the right hand column represent the maximum number of dwellings in the specified housing typologies that would be commercially feasible on the land under the MDRZ provisions. The figure of 1,323 in the “Notified” row represents the numbers of dwellings that would be commercially feasible on that land under the GRZ. The potential 1,323 feasible dwellings estimated under the notified plan is significantly less than the potential feasible outcome through the Kāinga Ora submission. It is important to note that the Kāinga Ora submission is likely to result in a mix

¹⁹ This includes the highest profitability from both infill and redevelopment or comprehensive dwellings.

of the dwelling typologies outlined in the tables²⁰. This is explored later in this evidence when considering the likely 'uptake' by typology based on the expected demand.

Table 13: MDRZ Feasible Capacity Notified and Kāinga Ora Submission

| Proposed Medium Density Zone | Feasible Capacity |
|-------------------------------------|--------------------------|
| Kainga Ora Submission | |
| 1 Bed - House | 2,462 |
| 2 Bed - House | 1,747 |
| 3 Bed - House | 1,907 |
| 4 Bed - House | 2,189 |
| 1 Bed - Duplex/Terrace | 4,298 |
| 2 Bed - Duplex/Terrace | 3,010 |
| 3 Bed - Duplex/Terrace | 2,804 |
| 4 Bed - Duplex/Terrace | 3,005 |
| 1 Bed - Walkup | 693 |
| 2 Bed - Walkup | 3,856 |
| Notified | 1,323 |

It is clear from the assessment that the dwelling typologies facilitated through the Kāinga Ora submission do in fact exhibit a degree of commercial feasibility. Additionally, this feasibility is likely to improve over time with improvements to centralised amenity, as well as proportional reductions in improvement values²¹. It is of interest to note that market conditions do not necessarily need to shift considerably for this zone to cater for a significant level of future demand (as they currently exhibit strong feasibility rates and high nominal outcomes).

Given that it is not possible that each site scenario results in differing typologies (and capacity) it is important to understand which outcome is most likely within the market. Intensive development options such as apartments are likely to result in high levels of possible development capacity however market conditions may result in lower density options that markedly reduce overall capacity. It is therefore important to understand what the market is likely to be developed. In assessing this realised capacity projected demand is reconciled with the capacity options.

²⁰ Note that the 'walkup' typology, as defined by Kainga Ora is comparable to apartments.

²¹ Through time the value of existing buildings falls, reducing the overall costs of redevelopment and intensification.

Table 4 illustrates the level of demand (19,500 dwellings) by household structure. Each household structure has a preference composition that relates to housing typologies expressed through the market²². This shows a clear preference for stand alone product within the District that is likely to persist through the NPS UD 30-year period. While an increasing proportion of future trended demand, attached dwellings are likely to make up 23% of additional demand for housing in the Waikato District.

Table 14: Expected Housing Typology Preferences by Household Structure (District)

| DEMAND | Typology / Bedrooms | Couple-without-children | Two-parent | One-parent | Other Multi-person | One-person | Total |
|-------------------|---------------------|-------------------------|------------|------------|--------------------|------------|--------|
| | Total | 8,405 | 2,690 | 1,681 | 336 | 6,388 | 19,500 |
| PREFERENCE | Typology | | | | | | |
| | Standalone | 79% | 93% | 94% | 79% | 61% | 77% |
| | Terraced | 16% | 4% | 4% | 21% | 34% | 19% |
| | Apartment | 4% | 3% | 2% | 0% | 4% | 4% |
| Standalone | 1 | 1,320 | 0 | 0 | 0 | 1,743 | 3,063 |
| | 2 | 4,620 | 249 | 628 | 66 | 1,937 | 7,500 |
| | 3 | 660 | 2,238 | 628 | 132 | 194 | 3,852 |
| | 4 | 0 | 267 | 314 | 66 | 0 | 647 |
| Terraced | 1 | 267 | 0 | 0 | 0 | 971 | 1,239 |
| | 2 | 936 | 11 | 27 | 18 | 1,079 | 2,070 |
| | 3 | 134 | 81 | 27 | 35 | 108 | 384 |
| | 4 | 0 | 21 | 13 | 18 | 0 | 52 |
| Apartment | 1 | 220 | 0 | 0 | 0 | 201 | 421 |
| | 2 | 112 | 81 | 34 | 0 | 54 | 280 |

The final stage of assessment is to reconcile this demand, over time, by the feasible capacity over the same periods. In terms of the process, for reasons of conservatism, the first dwellings assessed and subsequently removed from further analysis are the more land extensive standalone and larger dwellings. For example, the removal of the top feasible 650 4bedroom dwellings removes thousands of feasible apartments and terraced homes.

The following assessment apportions the demand, by typology in the table above with the capacity across the district under the Kainga Ora submission to better understand the likely

²² This is assessed overtime through census data, indicating the changes in preferences for household groups in given areas. This trend is then extrapolated and reconciled with other markets.

'up-take' of feasible development. This allows the identification of a potential development composition and greater understanding of the resulting development and over sufficiency of capacity. Reconciling the demand with feasible capacity, with this systematic approach, and apportioning the remaining demand through the same composition, results in the following table. This indicates that the feasible dwelling capacity modelled from the Kāinga Ora submission not only meets the level of expected demand by typology but provides for further growth than that expected over this period. The 27,000 dwellings represents the total feasible dwelling, by typology, with the highest profit margins that meets the districts demand profile. The Kainga Ora submission not only meets this but conservatively results in an excess of capacity under the Councils previous demand projections, while still meeting the more recent updated estimates.

Table 15: Demand Reconciled Feasible Capacity ('Uptake Rate' 30 years)

| Proposed Medium Density Zone | Total Capacity* | Demand | Expected Residue** |
|------------------------------|-----------------|---------------|--------------------|
| 1 Bed - House | 4,504 | 3,063 | 1,441 |
| 2 Bed - House | 10,694 | 7,500 | 3,194 |
| 3 Bed - House | 5,223 | 3,852 | 1,371 |
| 4 Bed - House | 1,020 | 647 | 373 |
| 1 Bed - Duplex/Terrace | 1,576 | 1,239 | 337 |
| 2 Bed - Duplex/Terrace | 2,633 | 2,070 | 563 |
| 3 Bed - Duplex/Terrace | 492 | 384 | 108 |
| 4 Bed - Duplex/Terrace | 67 | 52 | 15 |
| 1 Bed - Walkup | 538 | 426 | 112 |
| 2 Bed - Walkup | 354 | 280 | 74 |
| Total | 27,100 | 19,508 | 7,592 |

*Based on expected demand composition

**Based on 19,500 longterm demand

A key factor of the Kāinga Ora submission is the provision of this capacity within a less extensive geographic area (while retaining the associated levels of amenity), the result of this approach is smaller sites. While this approach may increase the value of land per square metre the smaller sites size typically result in lower overall site costs. Table 6 outlines the property pricing resulting from the feasible capacity (by reconciled typology) within the model, for both the Kāinga Ora submission and the standardised notified plan outputs. Across the Waikato District the adoption of the Kāinga Ora submission is likely to drop the average feasible development price from \$630,000 to just under \$560,000. These prices represent current values at a sales value that not only mirrors the current market but also provides for

a feasible level of profit. The price reduction reflects reductions in costs and in the short term it may be developers who benefit through increased profit margins. In the long-term, however, the improved feasibilities are likely to result in those cost reductions being passed on to buyers through a competitive market and more affordable housing choices for the Waikato community.

Table 16: Estimated Feasible Development Capacity Price Bands

| | Kainga Ora | Notified Plan |
|-----------------------|------------|---------------|
| Less than \$500,000 | 35% | 15% |
| \$500,000 - \$750,000 | 39% | 45% |
| \$750,000 - \$1m | 21% | 29% |
| Greater than \$1m | 5% | 10% |