

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by Hamilton City Council in respect of
the PROPOSED WAIKATO DISTRICT PLAN pursuant to
Clause 6 of Schedule 1 to the Act

**STATEMENT OF EVIDENCE OF ALICE JANE MORRIS FOR HAMILTON CITY
COUNCIL**

Dated 15 October 2019

Hearing 3: Strategic Objectives

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INTRODUCTION

1. My full name is Alice Jane Morris.
2. I am a Principal Planner in the City Planning Unit at Hamilton City Council ('HCC').

EXPERIENCE AND QUALIFICATIONS

3. I hold the qualification of a Bachelor of Regional Planning from Massey University, New Zealand. I have over 28-years planning, and resource management experience and I am a full member of the New Zealand Planning Institute.
4. My experience is as follows:
 - (a) From 1991 to 1999 I was employed by Manukau City Council, holding several positions (graduate planner, senior planner, and team leader) undertaking the assessment of resource consent applications and the provision of general planning advice;
 - (b) From 1999 to mid-2002 I was employed by HCC in both the Resource Consent Team as Land Use Team Leader and in the Strategic Policy Team as Planning Manager;
 - (c) From mid-2002 to mid-2003 I worked for a private planning consultancy as Senior Planner undertaking a variety of planning activities for both the public and private sector;
 - (d) From the latter part of 2003 to the latter part of 2008 I operated my own planning consultancy, mainly contracting to local authorities undertaking the assessment of resource consent applications and

preparation of hearing reports on both policy and regulatory matters;

- (e) From November 2008 to date I have been employed by HCC (Technical Lead, Team Leader, Principal Planner), undertaking the following:
 - (i) The management of the Hamilton City 2001 Proposed District Plan. Managing variations and appeals to resolution that enabled the 2001 Hamilton Proposed District Plan to be fully Operative ('ODP') in July 2012.
 - (ii) The management of submissions and appeals to which HCC were a party, including the Horotiu – Te Rapa North appeals to the 2006 Waikato District Plan (ENV-2007-AKL-000029; ENV-2007-AKL-000032 and ENV-2007-AKL-000035) and Kay Road Country Living zoning (ENV-2007-AKL-000042); Private Plan Change for rural residential zoning in Waipa (ENV-2014-AKL-000119); and submissions to resource consents within the Urban Expansion Policy Area ('UEPA') and non-complying subdivision proposal to the south applied for under the Waikato Operative District Plan.
 - (iii) Prepared and presented the s 42A reports on the Residential Zones, Special Character, Heritage and Structure Plans chapters for the Hamilton City Proposed District Plan and was HCC's planning expert for the appeals relating to those chapters.
 - (iv) The preparation of plan changes to the Hamilton City Operative District Plan 2017:

- Temple View Boundary Adjustment
- Heritage and Character
- Development Plans

EXPERT CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

PURPOSE AND SCOPE OF EVIDENCE

6. The purpose of my statement of evidence is to:
- (a) Provide the planning analysis which supports the submissions made by HCC in its submission dated 9 October 2018 that relate to the strategic objectives set out in the 2019 Waikato Proposed District Plan ('WDPDP');
 - (b) Address the response to the HCC submission points in the s 42A report for Hearing 3.
7. The scope of my evidence:
- (a) Describes and analyses the submission points HCC have made to the proposed strategic objectives and policies set out in Chapter 1 of the WDPDP; and
 - (b) Outlines the importance of providing the wider planning context of sustainable management of resources in accordance with ss

74(2)(c) and 75(2)(f) of the Resource Management Act 1991 ('RMA').

SUMMARY OF EVIDENCE

8. HCC's primary submission seeks "amendments to the WDPDP to enable HCC to have an enhanced level of control and input into strategic land use planning and resource consenting of land uses within a defined area adjacent to the HCC boundary within Waikato District" along with specific matters relating to specific planning provisions in the WDPDP.
9. Hearings 1 and 2 have addressed the relief HCC sought with regard to the issues that should be addressed through the district plan process. The focus of this evidence for Hearing 3 – Strategic Objectives is on the strategic framework of the district plan, where all subordinate planning directions cascade from.
10. In addition to the matters addressed by HCC submission points 535.5, 535.6, 535.10, 535.11, 535.12, 535.13, 535.14, 535.16, 535.17, 535.18, 535.19, 535.26, 535.53 and 535.54, this evidence also addresses the relief HCC seeks through submission point 535.9 and its overarching relief for the management of land uses around its boundaries with Waikato District.

DOCUMENTS AND MATERIAL CONSIDERED

11. In the preparation of my evidence, I have considered the following information:
 - (a) The RMA;
 - (b) National Policy Statement for Urban Development Capacity 2016 ('NPS-UDC');

- (c) Draft National Policy Statement for Urban Development 2019;
- (d) Draft National Policy Statement for Highly Productive Land 2019;
- (e) Operative Waikato Regional Policy Statement ('WRPS');
- (f) The Waikato District Operative District Plan 2011 ('WDODP');
- (g) The WDPDP and Section 32 analysis;
- (h) Relevant submissions by:
 - (i) 1072 Newstead Residents Association
 - (ii) 1087 Ports of Auckland
 - (iii) 1091 GD Jones
 - (iv) 1139 Turangawaewae Trust Board
 - (v) 1149 G Lovegrove & M Peddle
 - (vi) 1152 Jacob Davis
 - (vii) 1157 Gordon Downey
 - (viii) 1164 T Hauki
 - (ix) 1165 P Kee-Huaki
 - (x) 1166 J K Huaki
 - (xi) 1183 Noel Smith
 - (xii) 1182 Newstead Country Preschool

- (xiii) 1190 Te Whakakitenga o Waikato Incorporated
- (xiv) 1202 NZTA
- (xv) 1204 C&N McDean
- (xvi) 1206 Ohinewai Land Ltd
- (xvii) 1208 Rangitahi Ltd
- (xviii) 1269 Housing NZ Corporation
- (xix) 1273 Auckland Transport
- (xx) 1280 D&J Tickelpenny
- (xxi) 1287 Blue Wallace Surveyors Ltd
- (xxii) 1291 Havelock Village Ltd
- (xxiii) 1322 Synlait
- (xxiv) 1333 Fonterra
- (xxv) 1335 G Metcalfe
- (xxvi) 1384 Mercury NZ Ltd
- (i) Opening submissions by Waikato District Council ('WDC') dated 30 September;
- (j) Section 42A reports for Hearings 1, 2, and 3;
- (k) Future Proof Growth Strategy 2009 and the 2017 review;

(l) Statement of evidence of Luke O'Dwyer dated 15 October 2019.

HCC SUBMISSION - STRATEGIC OBJECTIVES

12. In paragraph 1.2 of its primary submission, HCC states that in addition to its submissions on specific provisions in the WDPDP it also seeks *"amendments to the WDPDP to enable HCC to have an enhanced level of control and input into strategic land use planning and resource consenting of land uses within a defined area adjacent to the HCC boundary within Waikato District"*.¹
13. The defined area referred to in paragraph 1.2, is set out in the map entitled "Area of Interest Map", a copy of which is attached to HCC's 2018 primary submission and is included as Attachment 2 to Mr Luke O'Dwyer's statement of evidence dated 15 October 2019. The Area of Interest is the broad area where there is a high potential for land use and subdivision to affect wider strategic planning, including planning for infrastructure needs and on-going maintenance.
14. The approach taken in framing the HCC submission, with a clear strategic focus on the land areas and potential effects on that land area surrounding Hamilton, was articulated through HCC's opening legal submissions to the Hearings Panel by HCC's legal counsel, Mr Lachlan Muldowney, on 30 September 2019. I rely on those statements along with the evidence of Mr O'Dwyer, for the explanation of how the extent of the Area of Interest has been determined.
15. In his evidence, Mr O'Dwyer has outlined the approach taken by HCC in preparing its submission, the matters of focus for HCC, and the input required to manage strategic land activities within this environment. I rely on those explanations in considering the s 42A response to HCC's

¹ Hamilton City Council, submission to the Proposed Waikato District Plan, page 1, para 1.2, 9 October 2018.

relevant submission points being addressed at this Hearing (Hearing 3 – Strategic Objectives).

16. HCC's submission points to the WDPDP's strategic issues and its overall structure were addressed in Hearing 1 and 2.² The majority of HCC's submission points on: the avoidance of the fragmentation and the protection of rural land (Sections 1.4.3.1 and 1.4.3.2, Chapter 1, WDPDP), provisions for compact urban development (Sections 1.5.1, 1.5.2, Chapter 1, WDPDP), cross boundary issues (Section 1.5.3, Chapter 1, WDPDP), and the integrated planning of growth and development have been recommended to be accepted. This indicates substantial alignment with accepted resource management practices.
17. HCC supports the overall approach set out in Chapter 4 – Urban Environment and supports its retention to set the overall strategic objectives for the district's urban environments. Even so, it is important to establish a framework to enable robust justifiable planning decisions and outcomes by having a clear set of strategic objectives that not only consider the sustainable management of the district's resources, but also that activities within the district do not impact on how neighbouring local authorities sustainably manage their resources (s 74(2)(c)). To achieve that, HCC seeks the inclusion of a set of objectives, policies, rules and methods to manage those impacts.
18. The relief sought by HCC is for the strategic direction set out in the WDPDP to be strengthened with the addition of specific strategic objectives and policies that focus on the land interface with urban jurisdictions, particularly Hamilton. The inclusion of specific strategic objectives in both Section 1.12 (as notified or 1.13 as recommended in the s 42A report) and Chapter 4 will provide the planning framework necessary to ensure that land use within the Area of Interest is controlled

² HCC Submission points: 535.1 - 4, 535.32, 535.34- 49, 535.91 - 92

and enabled at a rate which is consistent with, and prioritises HCC's strategic land use plans and urban growth strategies. It will also provide a clear link to the issues as set out in Chapter 1 – Introduction, particularly Sections 1.5.3 Cross-boundary issues, 1.5.4 Urban growth, 1.5.5 Services and general infrastructure and 1.5.6 Transport and logistics of the WDPDP.

19. Paragraph 1.7 of HCC's primary submission provides the scope for such a set of strategic objectives to be incorporated into the WDPDP's overall strategic framework.³ The addition of a strategic objective in Section 1.12 and Chapters 4, 5 and 6 pertaining to the land area surrounding Hamilton, will ensure guidance for both plan users and landowners of what the expectations are for this area. In HCC's case, it will place greater emphasis on considering further land use planning for the area identified as the 'HCC Area of Interest' in addition to the existing provisions for Hamilton's Urban Expansion Area ('UEA') already identified in the WDPDP.⁴
20. The inclusion of a strategic objective framework, and in particular, objectives relating to HCC's Area of Interest, into the relevant chapters of the WDPDP would activate the planning framework to enable the necessary cascade of rules and methods. This approach is not dissimilar to the framework presently in the WDODP for the areas identified as the Urban Expansion Policy Area ('UEPA'). The UEPA is an overlay to protect identified land areas from unplanned urban development and fragmentation of rural land before it is transferred to Hamilton City. Since 2005, these land areas have been identified by both WDC and HCC as future growth areas of Hamilton.⁵ The UEPA framework has also been incorporated into the WDPDP, starting with Objective 5.5.1UEA that states:

³ Para 1.7, HCC Primary submission, page 2, 9 October 2018: "HCC seeks objectives and policies which control the nature, extent and rate of development, including in the rural and non-rural zones, so that a consolidated urban form within the existing HCC boundary is prioritised and achieved, and that urban sprawl is avoided, and that the inefficient use of land and infrastructure is avoided"

⁴ Objective 5.5.1 – Hamilton's Urban Expansion Area

⁵ Hamilton City Council and Waikato District Council – Strategic Agreement on Future Urban Boundaries, 2005

- 5.5.1a) Protect land within Hamilton's Urban Expansion Area for future urban development.

21. Currently that protection occurs through the prohibited activity status of specified land use activities in the Rural Zone within the UEPA overlay (WDODP Rural Zone rules 25.5(f)). The WDPDP significantly weakens that protection by altering the activity status of those activities from prohibited to non-complying.⁶ HCC opposes this amendment under the WDPDP and seeks that the WDODP Rural Zone rules 25.5(f) be retained as the status quo is more consistent with the current and proposed strategic objectives and the RMA (in particular, s 74(2)(c) (consistency with the plans of adjacent territorial authorities) and 75(2)(f) (consideration of the processes for dealing with issues that cross territorial authority boundaries in preparing a plan). Prohibited activity status is justifiable as a proven technique for the preservation of the resource, and should be retained.
22. The UEA, and the UEPA under the WDODP gives effect to the non-statutory agreement between WDC and HCC by providing a statutory mechanism to protect land areas from subdivision and developments that could impact on the future sustainable management of the identified land resource. From the original five land areas identified in the agreement, three have yet to be transferred to Hamilton. These three are known as HT1, WA and R2 (refer to Attachment 4 of Mr O'Dwyer's evidence). HCC's Area of Interest incorporates the UEA areas however, it is not intended to replace the function of the UEA. As set out by Mr O'Dwyer, the Area of Interest serves as the overarching overlay to identify the land area in proximity to Hamilton's territorial boundaries where issues may arise that should be addressed in an integrated and coordinated manner by both Councils while retaining the specific planning provisions for the UEA.

⁶ Matters for Hearing 12 – Country Living and Hearing 21 – Rural Zone

23. Adopting the revised drafting set out in Appendix 2 - Chapter 1 - Introduction of the s 42A report, the following directions, objectives and policies are proposed to be incorporated into the WDPDP to address HCC's primary submission as submission point 535.9. The relief sought is underlined.

(a) In the new section 1.12.2 Strategic directions insert:

(b)(ii) Promote safe, compact, sustainable, good quality urban environments that respond positively to their local context, including across territorial boundaries.

(b)(iii) Focus urban growth in existing urban communities that have capacity for expansion in a manner that integrates with the existing and planned environment within neighbouring territorial boundaries.

(b) At section 1.12.4 add an additional built environment direction as follows:

(d) A district that enables a built environment which integrates with the existing and planned environment within neighbouring territorial boundaries.

(c) In the new section 1.13 Strategic Objectives for the district insert a new objective dealing with the HCC Area of Interest:

Section 1.13.5 Strategic Objective – Hamilton's Area of Interest

(a) Subdivision, use, and development of land within the Hamilton Area of Interest is integrated with the existing and planned environment within the Hamilton City territorial boundary.

(d) Add two additional matters to Objective 4.1.2 Urban growth and development:

(a) Land use and subdivision within the Hamilton Area of Interest supports a compact urban form and avoids non-rural land uses in the rural areas.

- (b) Land use and subdivision within the Urban Expansion Area preserves the land resource for urbanisation and does not compromise any options for that urbanisation.
- (e) Add an additional matter to Policy 4.1.8 Integration and connectivity:

(a)(v) Ensuring development does not compromise the efficient use and development of public infrastructure, including within Hamilton City.

- (f) Re-number section 5.5 as section 5.6 and subsequent sections similarly, while adding a new section 5.5 as follows:

5.5 Hamilton's Area of Interest

5.5.1 Objective – Hamilton's Area of Interest

(a) Land use and subdivision in the rural zone within the Hamilton Area of interest supports a compact urban form and avoids non-rural land uses.

5.5.2 Policy – Activities within the Hamilton Area of Interest

(a) Rural land uses are supported and encouraged

(b) Non-rural land uses are avoided.

- (g) Add an additional matter to Objective 6.1.13:
 - (b) Require infrastructure to be provided in a manner which can be efficiently integrated with existing infrastructure, including within Hamilton City.

- (h) Add a Policy 6.1.17 – Hamilton's Area of Interest

Strategic infrastructure within Waikato District is efficiently integrated with strategic infrastructure within Hamilton City.

- (i) Add a map of the Hamilton Area of Interest to the planning maps.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 5

HCC Submission Point 353.5 - Section 1.12.1 Strategic Direction⁷

⁷ 1.12 Strategic directions and objectives for the district
1.12.1 Strategic direction

HCC Submission Point 353.6 – Section 1.12.3 Built Environment⁸

24. The strategic framework is the first opportunity to set the scene and state the overarching objectives of the district plan along with how the district plan both addresses other statutory documents and the long-term direction for the district. The reasoning given for HCC submission points 535.5 and 535.6, provide the opportunity for further direction to be incorporated into the WDPDP to signal how growth is encouraged and managed. In addition to the direction presently set out in Section 1.12, achieving a compact urban form would be assisted by identifying the anticipated housing typologies and specific settlements that are to grow to avoid growth that is ad hoc and poorly planned.

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- (a) *Waikato District Council as a Future Proof Partner has made a commitment to the Future Proof Strategy which will manage growth for the next 30 years. Settlement patterns are a key tool used within the Future Proof Strategy. They provide the blueprint for growth and development and aim to achieve a more compact and concentrated urban form over time.*
 - (b) *Master plans are an important method for establishing settlement patterns of land use and the transport and services network within a defined area. They can provide a detailed examination of the opportunities and constraints relating to the land including its suitability for various activities, infrastructure provision, geotechnical issues and natural hazards. They should identify, investigate and address the potential effects of urbanisation and development on natural and physical resources.*
 - (c) *Master plans should explain how future development will give effect to the regional policy statement and how any adverse effects of land use and development are to be avoided, remedied or mitigated by proposed plan provisions. This will ensure that all the effects of Proposed District Plan (Stage 1) 1 Introduction 18 July 2018 (Notified version) Page 33 of 34 developments are addressed in advance of development occurring. A master planning is an appropriate foundation for the plan change process required to rezone land.*
 - (d) *The National Policy Statement for Urban Development Capacity 2016 sets monitoring and information requirements for Council to ensure responsiveness and the ability to deliver an adequate supply of development ready land in the right location and at the right time. The intention is to ensure that planning decisions in urban environments are well-informed, timely and responsive to changing population growth demands, market conditions and infrastructure delivery.*
 - (e) *It is expected that a comprehensive set of key indicators on growth drivers, growth management, and the spatial distribution of growth will include:*
 - (i) *Patterns and composition of population change and growth;*
 - (ii) *Balance of growth inside and outside the existing urban area;*
 - (iii) *Shifts in housing preferences, including location and typology;*
 - (iv) *Key bulk infrastructure delivery and funding availability;*
 - (v) *Changes in strategic direction and/or priorities.*
 - (f) *Progress will be measured against the anticipated growth settlement patterns and targets identified in the Future Proof Strategy as well as the indicative timeframes for master plans and infrastructure provisions, changes in the growth patterns reported in the Future Proof Monitoring Report, National Policy Statement on Urban Development Capacity assessments and monitoring requirements.*

⁸ 1.12.3 Built environment

- (a) *A district which provides a wide variety of housing forms which reflect the demands of its ageing population and increases the accessibility to employment and community facilities, while offering a range of affordable options.*
- (b) *A district that encourages and celebrates quality design that enhances and reflects local character and the cultural and social needs of the community.*
- (c) *A district that has compact urban environment that is focused in defined growth areas, and offers ease of movement, community wellbeing and economic growth.*

25. Sections 1.12.1 and 1.12.3 as notified, are informative and provide a high-level outline of the direction of the more focussed objective and policy intention to be implemented to meet resource management obligations. However, its present format is not achieving this. Therefore, the recommendation in the s 42A report for Hearing 3 to reorganise section 1.12 to introduce a new section 1.13 Strategic Objectives is supported.⁹
26. Submission points 535.5 and 535.6, seek greater information being applied to these statements under sections 1.12.1 and 1.12.3 (as notified) to strengthen and better articulate how growth is proposed to be managed; outline the district's intended prioritisation of where growth is to occur; and the manner in which that growth will be achieved (e.g. densities, typologies etc). The relief sought by HCC through submission points 535.5 and 535.6 will enable that detail to be provided, which is presently missing and not able to be obtained by relying on the specific zone objectives and policies. HCC's relief can easily be incorporated into the recommended amendments to section 1.12.1 and 1.12.3 as set out in Appendix 2 of the s 42A report.
27. The assessment in the s.42A (Section 5.1.1 to section 5.1.3, pages 21 – 24) has not considered or addressed the specifics of HCC's relief.¹⁰

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 REPORT - SECTION 13

HCC Submission Point 535.10 – Section 4.1 Strategic Direction – Urban Environment

⁹ Submission #81 Waikato Regional Council

¹⁰ HCC Submission point 535.5: *"Amend section to provide an understanding of the location and forms of development that are sought and how the district will accommodate growth projected in the NPS-UDC"* (HCC Primary Submission, Section A, page 6); Council provided the following reasons for seeking such a decision:

"This section of the Proposed Plan is one of the key opportunities for Waikato District Council (WDC) to signal how it wishes to manage and grow the District. While there are some general references to the FP Growth Strategy, the need for master planning, and the need to consider the NPS-UDC, this section could be strengthened to give the reader better understand any particular geographical focus and what forms of development the Council wish to foster. In particular, how WDC intends on prioritising growth in its towns and villages; how it intends to accommodate the growth projected in the NPS-UDC work, and in what way it is building in commitments to a compact urban form." (HCC Primary Submission, Section A, page 6)

HCC Submission Point 535.11 – Objective 4.1.1 – Strategic¹¹

28. It is noted that Objective 4.1.1 has been recommended to be deleted and replaced by the addition of a new Section 1.13, Objective 1.13.2 in Chapter 1. I am supportive of the overall approach recommended by the s 42A author in respect of separating out the directions from the strategic objectives as there is now greater clarity on what is proposed to be achieved.
29. Nevertheless, amending the text of Objective 4.1.1(b), recommended to be relocated and re-numbered 1.13.2(b), does not address the relief sought by HCC. Although in doing so, there is more clarity and guidance for the application of rules and methods within the corresponding zones there remains a lack of clear direction as to the intended targets and how those are to be determined. To address HCC's submission point, the following is proposed:

Objective 1.13.2(b) should read:

~~The minimum targets for~~ medium and long-term housing targets ~~for sufficient, feasible development capacity~~ for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

30. HCC has sought the modification of the objective and policy framework to ensure there is a clear distinction between what is intended for 'towns' and villages' as applied under the district plan. It is important to clearly establish the strategic direction for these different urban forms.¹² Although Chapter 4 – Urban Environment mentions of the different settlement patterns proposed, there is very little information to clearly differentiate between the types of settlements being provided for.

¹¹ 4.1.1 Objective – Strategic

(a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.
 (b) National Policy Statement on Urban Development Capacity Minimum Targets The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

¹² Section 1.10.2.1 The Relationship with regional plans and documents, WDC PDP, (Stage 1) Notified Version 18 July 2018)

31. As notified, the WDPDP lacks clarity on how these different settlement forms meet the requirements of both the WRPS and the Future Proof Strategy. HCC's submission highlights the present difficulty of the notified WDPDP's use of 'towns' and 'villages' and their interchangeable natures for WDC to achieve the NPS-UDC growth requirements. The settlements within Waikato as a whole are made up of different sized settlements that fall into being classed as either towns or villages depending on their population. For example, while the proposed Village Zone is identified to accommodate NPS-UDC growth expectation, it is in fact designed to accommodate rural-residential urbanisation of the fringes of some of the identified settlements that reflect the rural-residential character of the Country Living Zone under the WDODP presently; and the proposed Country Living Zone under the WDPDP.
32. This present lack of providing separate strategic objectives for 'towns and villages' and rural settlements is compounded when applying the specific objectives and policies for Village Zones (4.3 – Village Zone). Without a clear distinction between these two types of semi-rural urban developments it is considered that the provision of both as presently set out in the WDPDP is contrary to the requirements of the WRPS.
33. It is important to ensure there is clear strategic direction to informing the objectives and policies for each zone and that the application of the plan is robustly applied to avoid confusion about expectations and anticipated outcomes. The growth of the different settlements in the district, and particularly in HCC's Area of Interest must be clearly defined and difference stated. The provision of Village or Country Living Zones will likely generate spill-over demands that have the potential to impact on the infrastructure of Hamilton.¹³ The impacts of people choosing to live

¹³ People may choose to reside in Waikato District due to lowing housing costs while commuting to Hamilton for employment, goods and services and recreational purposes.

in Waikato whilst working in Hamilton is the focus of submission points 535.10 and 535.11.¹⁴

34. These submission points have been tagged to Section 13, of the s 42A report, paragraphs 13.1.1 through to 13.1.3 (pages 34 to 40) where Chapter 4, Urban Environment - 4.1.1 Objective – Strategic is addressed. It has been recommended by the s 42A author that both submission points be rejected as these matters are *“already addressed in objectives and policies elsewhere in Chapter 4 or in other chapters....and no change is required at the strategic objective level”* (Waikato District Council, Section 42A Report, Hearing 3: Strategic Objectives, page 39). I concur with the author that there are specific objectives for the Village, Residential, and Country Living Zones, however the notified text does not address the relief sought by HCC. It is the strategic approach that is necessary to be anchored at this section of the WDPDP’s planning framework.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 14

HCC Submission Point 535.12 – Objective 4.1.2 – Urban growth and development¹⁵

¹⁴ 535.10 seeks to amend 4.1.1 to create a separate strategic direction for towns, and for villages; the reason being: The objective and policy framework within this section does not adequately differentiate between towns and villages. While later in Chapter 4 there are some specific objectives and policies for various places, the overall strategic direction for the two different entitles (of villages and towns) appear interchangeable and both are the primary focus for growth. It is noted that the proposed Village zoning, despite being included within Chapter 4 – Urban Environment objectives and policies, would result in densities and characteristics more in accordance with a rural setting like the Country Living zone. The RPS and the FP Strategy are both strong on the need to limit rural residential development in sensitive locations such as the Hamilton periphery. The Village zoning, in particular in Te Kowhai, is essentially creating a greater enlarged pocket of rural residential development near Hamilton’s boundary and the potential for there to be pressure placed on the City’s infrastructure and services. HCC believed that the strategic direction should be amended to differentiate between the purpose of the town and village zone (and consequently separate objectives and policies) as the two zones create two different forms of development with a different range of effects.

535.11 seeks to amend 4.1.1b) to align with NPS-UDC medium and long-term housing targets with NPS-UDC demand plus buffer during the 2018-2046 period; the reason being: while HCC supports the intent of the objective, it must meet the requirements of the NPS-UDC that set out the District’s minimum targets for sufficient, feasible development capacity for housing for the medium and long-term; and the dwelling targets should accommodate the demand plus a buffer as required by the NPS-UDC.

¹⁵ 4.1.2 Objective – Urban growth and development
(a) Future settlement pattern is consolidated in and around existing towns and villages in the district

35. The proposed rewording by HCC for this objective provides a stronger link to the expectations set out under the Future Proof Growth Strategy, WRPS and the NPS-UDC. As stated in HCC's primary submission, Council is supportive of this objective. Nevertheless, it considers Objective 4.1.2(a) could be further strengthened through the inclusion of a table or map to identify the specific growth areas within the Waikato District.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 15

HCC Submission point 535.13 – Policy 4.1.3(a) – Location of development¹⁶

HCC Submission point 535.14 – Policy 4.1.3(b) - Location of Development¹⁷

36. HCC sought the amendment of Policy 4.1.3(a) by amending the existing text to include the following underlined text:

Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided in a coordinated manner with other developments; and.

37. I consider that HCC's submission points 535.13 and 535.14 have not been adequately considered through the s 42A report. HCC's proposed amendment as set out in paragraph 35 above was rejected, the s 42A author's rationale being that infrastructure is specifically stated in Policy 4.1.4 and there is no need to repeat it in Policy 4.1.3.¹⁸ Policy 4.1.4 is district-centric and does not indicate where the infrastructure is sourced or that it needs to be undertaken in a coordinated manner.¹⁹

¹⁶ 4.1.3 Policy - Location of development

(a) Subdivision and development of a residential, commercial and industrial nature is to occur within towns and villages where infrastructure and services can be efficiently and economically provided.

¹⁷ 4.1.3 Policy - Location of development

(b) Locate urban growth areas only where they are consistent with the Future Proof Strategy Planning for Growth 2017.

¹⁸ Hearing 3 Report, section 13 pages 34 – 40.

¹⁹ 4.1.4 Policy – Staging of development

(a) Ensure that subdivision, use and development in new urban areas is:

(i) located, designed and staged to adequately support existing or planned infrastructure, community facilities, open space networks and local services; and
(ii) efficiently and effectively integrated and staged to support infrastructure, storm water management networks, parks, and open space networks.

38. The explanation provided with the relief sought by HCC for the modification of Policy 4.1.3(a) clearly linked the need for coordination of all other existing and planned infrastructure investments to ensure growth is coordinated.²⁰ Noting that HCC supports its intent, it specifically seeks the retention of the Policy as notified and the s 42A author has recommended no changes to Policy 4.1.4.²¹
39. Infrastructure is a critical element to enable growth. It is also a resource that must be sustainably managed. When that infrastructure is sourced from outside the district, the sustainability of both the land resource of the district and where the infrastructure is sourced from must be addressed. If there is no coordination on infrastructure matters, the sustainability of Hamilton's land resource could be impacted.
40. The additional text proposed by HCC would provide the necessary guidance for plan users of the need to recognise the context within which subdivision and development of land must be undertaken in a manner that recognised and addresses all other existing and planned infrastructure investments that could be impacted by the proposed activities. In recognising the potential effects additional subdivision or development may have on both existing and planned infrastructure allows actual growth to align with and address the matters for consideration through the WRPS and the Future Proof Strategy at this time.²²
41. The addition of the text at the end of Policy 4.1.3(a) will also give greater weight to the intended outcome of Policy 4.1.3(b).

²⁰ HCC Primary Submission, Policy 4.1.3(a), page 7.

²¹ HCC Submission point 535.15 – Policy 4.1.4 - Staging of development

²² Section 6.5, page 33, Future Proof Strategy 2017

42. HCC's request for the inclusion of either a table or map to identify those growth areas would provide the strategic link with the Future Proof Growth Strategy and WRPS.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 17

HCC Submission Point 535.16 – Policy 4.1.5 – Density²³

43. HCC is supportive of the notified wording and considers it should be expanded to address specific residential growth needs by including the full range of densities that are reflective of both greenfield and existing towns anticipated growth.
44. I consider that HCC's submission point 535.16 has not been adequately considered through the s 42A report.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 18

HCC Submission Point 535.17 – Policy 4.1.6 – Commercial and Industrial Activities²⁴

45. HCC seeks the amendment of this Policy to ensure it is read as a policy and provides a clear directive to link back into the objectives for Urban Environment.

²³ 4.1.5 Policy – Density

- (a) Encourage higher density housing and retirement villages to be located near to and support commercial centres, community facilities, public transport and open space.
- (b) Achieve a minimum density of 12-15 households per hectare in the Residential Zone.
- (c) Achieve a minimum density of 8-10 households per hectare in the Village Zone where public reticulated services can be provided

²⁴ 4.1.6 Policy – Commercial and industrial activities

- (a) Provide for commercial and industrial development in the following zones; Area Minimum Targets (number of dwellings) Short to Medium 1-10 years (2017-2026) Long term 11-30 years (2027-2046) Total Waikato District 7,100 12,300 19,400 Proposed District Plan (Stage 1) 4 Urban Environment 18 July 2018 (Notified version) Page 8 of 27
 - (i) Business Town Centre;
 - (ii) Business;
 - (iii) Industrial; and
 - (iv) Heavy Industrial.
- (b) Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of:
 - (i) Tuakau;
 - (ii) Pokeno;
 - (iii) Huntly; and
 - (iv) Horotiu.

46. The recommendations in the s 42A report to separate commercial and industrial developments provides a better directive the policy as stated is still more of a direction rather than a policy.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 28

HCC Submission Point 535.18 – Policy 4.1.16 – Horotiu²⁵

47. Horotiu is identified as one of the strategic industrial land nodes in both the WRPS and the Future Proof Growth Strategy.²⁶ The WDPDP does not identify future industrial land to satisfy the requirements of the NPS-UDC to plan for additional industrial land supply.
48. HCC's submission point 535.18 consists of two parts. Firstly, the amendment of the policy to ensure cross boundary impacts are recognised and secondly, that land around the existing industrial node is safeguarded for future industrial uses.
49. It is prudent to safeguard land of the existing industrial node for future industrial use. It is considered that the existing wording in 4.1.16(iv) only addresses part of the consideration that should be given to the strategic industrial node. Not only should the practical impacts of the establishment of sensitive land uses establishing next to the existing industrial area be addressed but also the need to ensure the long-term development and future growth of this strategic industrial node.²⁷

²⁵ 4.1.16 Policy – Horotiu

(a) Horotiu is developed to ensure:

- (i) Future residential areas are connected to the existing village;
- (ii) Future residential development does not impact on the existing local road network;
- (iii) Reverse sensitivity effects from the strategic transport infrastructure networks are avoided or minimised;
- (iv) The strategic industrial node is protected by having an acoustic overlay on neighbouring sensitive land uses;
- (v) Future roads, parks, pedestrian and cycle networks are developed in accordance with the Horotiu section of the Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan.

²⁶ WRPS, Section 6. Built Environment, Policy 6.3 Coordinating growth and infrastructure and Policy 6.14 Adopting Future Proof Land Use Pattern.

²⁷ Map I, Future Proof Settlement Pattern, page 15, Future Proof Strategy – Summary, November 2017

50. Section 1.5.4 Urban Growth, as stated in the notified version of the WDPDP states:

Section 1.5.4 (c)

It is important that the district's settlement pattern is consistent with the Future Proof Strategy's settlement pattern as set out in the (RPS), with the expectation that any growth within Waikato district is managed within the population and land allocation limits, as included within the WRPS or as addressed by the Future Proof Strategy and any subsequent changes made to the WRSP.

51. This is an important matter to re-focus on when considering the specifics of the strategic objectives for the identified settlement areas in the Waikato as listed in Chapter 1, Section 1.1. Of particular interest to HCC is the planning framework proposed for Horotiu and its surrounding land area for the next 10-year period, and to ensure the accepted growth patterns for land use cities in the Waikato are duly followed by territorial authorities in their planning framework. It is considered that the policy approach set up through Policy 4.1.16 – Horotiu does not provide context with the understood land uses anticipated at Horotiu.
52. It is considered that HCC's proposed amendment to Policy 4.1.16 would ensure there was the appropriate and overarching policy framework to protect both the existing and future industrial land supplies.
53. I consider that HCC's submission point 535.18 has not been adequately considered through the s 42A report.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 29

HCC Submission Point 535.19 – Policy 4.1.17 - Te Kowhai²⁸

²⁸ 4.1.17 Policy - Te Kowhai

(a) *The scale and density of residential development in the Te Kowhai Village Zone achieves;*
 (i) *lower density (3000m2 sections) where the development can be serviced by on site nonreticulated wastewater, water and storm water networks; or*
 (ii) *higher density (1000m2 sections) where the development can be serviced by public reticulated wastewater, water and storm water networks;*

54. HCC is concerned with the type and quantum of growth being proposed at Te Kowhai through the proposed “village zone”. The intent of this zone is not considered to be in accordance with either the existing Future Proof or WRPS requirements; and it is not an identified settlement for growth under the 2017 Planning for Growth Future Proof reviewed strategy.
55. Te Kowhai, along with other villages within Waikato District on the Hamilton City periphery is identified in the Future Proof Growth strategy 2017 for potential further urbanisation.²⁹ As shown on the Future Proof maps, Te Kowhai is identified as ‘an indicative village limit’ until further development analysis is available and the indicative areas are to have a rural-residential density unless reticulated wastewater is available. It is understood that further work by the Future Proof partners would be necessary to determine the most desirable village(s) for this type of expansion.
56. I consider that HCC’s submission point 535.19 has not been adequately considered through the s 42A report.

HCC Submission Point 535.26 – 4.7 Urban Subdivision and development

57. HCC submission point 535.26 gave support in part to the Section 4.7 Urban Subdivision and Development as a whole, seeking the retention of the Objective 4.7.1 and the associated policies subject to modifications that may occur through the hearing of rules and methods at a later stage.

(b) *Open space character, feeling of spaciousness and connections to the rural landscape and walkways that are maintained and extended to new areas.*

(c) *Placement of dwellings to protect the future ability to increase density should public reticulated wastewater and water networks become available.*

(d) *Future roads, parks, pedestrian and cycle networks are developed in accordance with the Te Kowhai section of the Ngaaruawaahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai & Glen Massey Structure Plan.*

²⁹ Future Proof Strategy 2017, Map 2

58. The recommendations in the s 42A report for changes to the objective and associated policies do not materially change HCC's direction as set out in its primary submission.

HAMILTON CITY SUBMISSION POINTS ADDRESSED IN HEARING 3 Report - SECTION 47

HCC Submission Point 535.53– Objective 5.5.1 Hamilton's Urban Expansion Area³⁰

HCC Submission Point 535.54 – Policy 5.5.2(a) Hamilton's Urban Expansion Area³¹

59. Section 47 of the s 42A report supports HCC's submission points 535.53 and 535.54 that seek the retention of Objective 5.5.1.
60. The UEA, as presently undertaken through the corresponding provisions in the WDODP is a key mechanism to ensure the future urban development potential of the land in the identified UEA areas is not compromised by unplanned urban activities or the fragmentation of rural land.
61. Section 47 of the s 42A report supports HCC's submission to amend Policy 5.5.2(a) by deleting the word 'manage' and replacing it with 'avoid'. This amendment provides a clear directive that no urban activities or the fragmentation of land is to occur in these identified areas. It also aligns with the prohibited activity status imposed through the rules pertaining to the UEA. For this reason HCC seeks that the prohibited activity status be retained so far as it relates to non-rural activities within the UEA.

³⁰ Objective 5.5.1 – Hamilton's Urban Expansion Area

(a) Protect land within Hamilton's Urban Expansion Area for future urban development.

³¹ Policy 5.5.2 – Activities within Hamilton's Urban Expansion Area

(a) Manage subdivision, use and development within Hamilton's Urban Expansion Area to ensure that future urban development is not compromised.

CONCLUSION

62. Accordingly, the matters set out in my evidence, and supported through the evidence from Mr O'Dwyer, provides the stage for further consideration of how land immediately surrounding Hamilton must be strategically managed by the inclusion of strategic and focused objectives and policies.
63. The policy framework for one territorial authority must consider the impacts of its strategic land use planning on adjoining territorial authorities.
64. My evidence is focused on achieving a set of strategic objectives that ensures the WDPDP can manage growth in a coordinated manner, starting with a strategic framework that addresses the sustainable management of resources across the territorial boundaries.

Dated 15 October 2019

Alice Jane Morris