Dear Sir/Madam

SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT

Thank you for the opportunity to submit on the Proposed National Policy Statement on Urban Development.

Please find attached the Waikato District Council’s submission, which has been formally approved by the Council on 7th October 2019.

Should you have any queries regarding the content of this submission please do not hesitate to contact [contact information] by email or phone 0800 492 452.

Yours faithfully

[Signature]
[Name]
Introduction

The Waikato District Council (the Council) appreciates the opportunity to make a submission on the Proposed National Policy Statement for Urban Development (NPS-UD).

The Council spans more than 400,000 hectares between Hamilton City and Auckland City. The council comprises of six towns (the largest being Huntly with approximately 7800 people) and multiple villages of various sizes. The Waikato District has strong employment, social and economic relationships with both Hamilton City and Auckland City. The Council recognises the importance of the NPS-UD and supports the inclusion of being part of a Major Urban Centre, however the application of some of the proposed policies in our small townships needs to be better understood.

Concern about the timing of implementing some policies will be challenging due to the hearing timetable of our proposed district plan.

Consultation Questions

Question 1.
Do you support a national policy statement on urban development that aims to deliver quality urban environments and make room for growth? Why/Why not?
- Are there other tools under the RMA, other legislation or non-statutory tools that would be more effective in achieving a quality urban environment and making room for growth?

The council supports a National Policy Statement on Urban Development. Providing more direction to ensure development is concentrated around urban centres and is at an appropriate density, while achieving high quality amenity outcomes, is essential. It is noted that this cannot be achieved without the supporting infrastructure, for which the Productivity Commission’s inquiry into local government funding and financing is crucial to address the infrastructure funding constraints that councils currently face.

Question 2.
Do you support the approach of targeting the most directive policies to our largest and fastest growing urban environments? Why/why not?
- Do you support the approach used to determine which local authorities are categorised as major urban centres? Why/why not?
- Can you suggest any alternative approaches for targeting the policies in the NPS-UD?

The council supports targeting the most directive policies to the Major Urban Centres that are growing the fastest. The Waikato District has strong employment, social and economic relationships with both Hamilton City and Auckland City. The Council recognises the importance of the NPS-UD and supports the inclusion of being part of a Major Urban Centre, however the application of some of the proposed policies in our small townships needs to be better understood. Waikato District currently does not have any townships greater than 10,000 people (urban environment) but in the next 30 years could have up to five towns reach 10,000 people (Tuakau, Pokeno, Te Kauwhata, Huntly or Ngaruawahia). Some of the policies applicable to the major urban centres would be inappropriate for our small towns and villages, so further clarification and definition is required. Some policies i.e. PA6A-PAsC should only apply in the areas...
influenced by a major urban centre (Hamilton or Auckland). In these cases, the influence field should include townships that have critical mass and public transport and potentially be within a certain distance of a major urban centre. Council intends to undertake the housing and business capacity assessment with partner councils for the entirety of the district, regardless of the area influenced by major urban centres, as the benefits of the assessment helps council to understand the different demands and markets across the district.

Question 3. Do you support the proposed changes to FDSs overall? If not, what would you suggest doing differently?

- Do you support the approach of only requiring major urban centres to undertake an FDS? Would there be benefits of requiring other local authorities to undertake a strategic planning process?
- What impact will the opposed timing of the FDS have on statutory and other planning processes? In what ways could the timing be improved?

The council supports the requirement of the Future Development Strategy and the strengthening of the requirements. The realignment of timing to better inform Long Term Plans and Infrastructure Strategies and to have the Future Development Strategy informed by the Housing and Business assessment is both logical and practical. When giving regard to the Future Development Strategy during resource consent processing, it could be challenging to give weight if the document is inconsistent with the Regional Policy Statement. Guidance would be helpful in terms of which document would have primacy for resource consent processing (e.g. the most recent one).

Question 4. Do you support the proposed approach of the NPS-UD providing national level direction about the features of a quality urban environment? Why/why not?

- Do you support the features of a quality urban environment stated in draft objective O2? Why/why not? (see discussion document, page 26)
- What impacts do you think the draft objectives O2-O3 and policies P2A-P2B will have on decision-making (see discussion document, page 26)?

We support enabling quality urban environments that offer access to choice of homes, jobs, social interactions and high quality open space.

Objectives O2-O3 and policies P2A-P2B all talk directly to Council’s vision of creating Liveable, Thriving and Connected Communities and should achieve sound planning outcomes when applied.

When making decisions on consent applications, the requirement for decision makers to have regard to the benefits and costs of the urban development may result in additional costs passed on the applicant, if technical advice is sought as part of the consenting process. The scale and level of detail required as part of the cost-benefit analysis should be relative to the size and complexity of an application.
Question 5. Do you support the inclusion of proposals to clarify that amenity values are diverse and change over time? Why/why not?

- Do you think these proposals will help to address the use of amenity to protect the status quo?
- Can you identify any negative consequences that might result from the proposed objective and policies on amenity?
- Can you suggest alternative ways to address urban amenity through a national policy statement?

Council acknowledges that amenity values differ between individuals and communities, and land use activities (e.g. light industrial areas may require different types and levels of amenity than residential areas). This policy could go some way to move away from the status quo in some communities, however it is likely not strong enough in doing so. Due to the nature of how amenity is viewed by individuals and its subjectivity, being able to measure providing for diversity is always going to be challenging, further guidance around this would be beneficial.

Question 6. Do you support the addition of direction to provide development capacity that is both feasible and likely to be taken up? Will this result in development opportunities that more accurately reflect demand? Why/why not? (see questions A1 - A5 at the end of the form for more questions on policies for Housing and Business Development Capacity Assessments)

Council supports the addition of ‘likely to be taken up’ to put a more realistic lens on the capacity assessment, however this could prove difficult to measure and will be subjective as some land owners might not be forthcoming about their development plans. A standard method is needed to quantify and define the likelihood of take up, so that all local authorities can provide a like-for-like test and comparable results.

Question 7. Do you support proposals requiring objectives, policies, rules, and assessment criteria to enable the development anticipated by the zone description? Why/why not?

- Do you think requiring zone descriptions in district plans will be useful in planning documents for articulating what outcomes communities can expect for their urban environment? Why/why not?
- Do you think that amenity values should be articulated in this zone description? Why/why not?

Council supports the addition of zone descriptors, however the timing of this policy having immediate effect will prove challenging due to the Waikato Proposed District Plan hearings being underway when this is expected to take effect. Policy 5A should apply when implementing the planning standards (April 2024). This would also align to having a decision released on the proposed plan (expected July 2021).

The addition of amenity values could help guide the resource consent process so the outcomes of the type of development are clear. Continuous monitoring to ensure the plan is delivering on the type of development expected in each zone is essential.
Question 8. Do you support policies to enable intensification in the locations where its benefits can best be achieved? Why/why not? (for more detail on the timing for these policies see discussion document, page 53)

- What impact will these policies have on achieving higher densities in urban environments?
- What option/s do you prefer for prescribing locations for intensification in major urban centres? Why?
  - Option 1 (the descriptive approach)
  - Option 2 (the prescriptive approach)
- If a prescriptive requirement is used, how should the density requirement be stated? Please provide a suggestion below (for example, 80 dwellings per hectare, or a minimum floor area per hectare).
- What impact will directly inserting the policy to support intensification in particular locations through consenting decisions have?

Council supports Option 1 - the descriptive approach. Council would like to have some flexibility on where intensification is located in the district. There are many areas unsuitable for intensification in the Waikato, including some small town / village centres that do not have adequate public transport or large catchments. Council supports having intensification in suitable catchments accessible by active transport modes and frequent public transport. The insertion of Policy 6D to apply during the consenting process would prove challenging without having completed the identification of the most suitable areas for higher density development in the Waikato District. Developers could use this tool to achieve higher density development on the outskirts of a town (i.e. next to an expressway inter-change) in particular under P6A where not all of a) - d) need to be met. P6A should state that higher-density should occur in areas that have two or more of the following.

Question 9. Do you support inclusion of a policy providing for plan changes for out of sequence greenfield development and/or greenfield development in locations not currently identified for development?

- How could the example policy better enable quality urban development in greenfield areas (see discussion document, page 37)?
- Are the criteria sufficiently robust to manage environmental effects to ensure a quality urban environment, while providing for this type of development? (see example policy in discussion document, page 37)
- To what extent should developers be required to meet the costs of development, including the costs of infrastructure and wider impacts on network infrastructure, and environmental and social costs (recognising that these are likely to be passed on to future homeowners/beneficiaries of the development)? What impacts will this have on the uptake of development opportunities?
- What improvements could be made to this policy to make development more responsive to demand in suitable locations beyond areas already identified for urban development?

Council seeks further direction on this policy if it was to support it. The enablement of greenfield development areas not identified in future development strategies could result in developments that are not contiguous to existing urban areas. The policies as drafted apply only to greenfield...
developments but could equally also apply to infill or intensification developments which council would support. Infrastructure to support long-term development needs to also consider the short and medium term whilst considering the effects on the existing network. All infrastructure and development costs need to be met by the developer and this should be made clear in the policy, though it should also be made clear that simply ‘paying its way’ is not in itself adequate justification for occurring outside an intended growth sequence, planned growth area or settlement pattern.

Question 10. Do you support limiting the ability for local authorities in major urban centres to regulate the number of car parks required for development? Why/why not?

- Which proposed option could best contribute to achieving quality urban environments?
  - Option 1: removing the ability for local authorities to regulate the requisite number of car parks
  - Option 2: removing the ability for local authorities to set minimum car park requirements
  - Option 3: removing the ability for local authorities to set minimum car park requirements in areas providing for more intensive development.

- What would be the impact of removing car park minimums in just high- and medium- density, commercial, residential and mixed use areas, compared with all areas of a major urban centre?
- How would the 18 month implementation timeframe impact on your planning processes?
- What support should be considered to assist local authorities when removing the requirement to provide car parking to ensure the ongoing management of car parking resources?

Council supports option 3 if these policies are retained. The Waikato District is of such a scale that our towns service large rural catchments that are not covered by public transport. It is not practical to remove on-site car parking requirements in our towns where off-site car parking sites/buildings may not feasible due to the scale and size of our towns. Council supports removing minimum car parking requirements in and around areas that provide for more intensive development and areas that are serviced by public transport, but acknowledges that those travelling into our towns from rural areas not serviced by public transport will still need somewhere to park. This policy would work best in cities that are well serviced by public transport.

Question 11. Do you think that central government should consider more directive intervention in local authority plans?

- Which rules (or types of rules) are unnecessarily constraining urban development?
- Can you identify provisions that are enabling higher density urban development in local authority plans that could be provided for either nationally or in particular zones or areas?
- Should a minimum level of development for an individual site be provided across urban areas (for example, making up to three storeys of development a permitted activity across all residential zones)?
- Given the potential interactions with the range of rules that may exist within any given zone, how could the intent of more directive approaches be achieved?
Council acknowledges that a review of plans should be undertaken to see if some rules are unnecessary and place undue cost on developments. In this review, it would need to be acknowledged that most rules are in place for other important purposes besides increasing urban development capacity; for example, height rules in relation to amenity view shafts in beachside towns such as Raglan, or site coverage rules in areas where there are challenging stormwater issues.

**Question 12. Do you support requirements for all urban environments to assess demand and supply of development capacity, and monitor a range of market indicators? Why/why not?**

Council supports undertaking the Housing and Business assessments and the monitoring indicators, which provide good indications of what the market is doing. Council supports publishing the monitoring indicators at least annually and would like to see Government agencies be more consistent in the data that they provide.

**Taking into account issues of concern to iwi and hapuu (see discussion document, page 48)**

**Question 13. Do you support inclusion of policies to improve how local government works with iwi, hapuu and whaanau to reflect their values and interests in urban planning? Why/why not?**

- Do you think the proposals are an appropriate way to ensure urban development occurs in a way that takes into account iwi and hapuu concerns?
- How do you think local authorities should be directed to engage with Maaori who do not hold mana whenua over the urban environment they are currently living in?
- What impacts do you think the proposed NPS will have on iwi, hapuu and Maaori?

Council supports engaging with iwi and hapuu. Council has strong relationships with partners where Joint Management Agreements are in place and is continuously looking at improved ways to engage with iwi and, more locally, hapuu in the areas in which planning is being undertaken.

**Coordinated planning (see discussion document, page 50)**

**Question 14. Do you support amendments to existing NPS-UDC 2016 policies to include working with providers of development and other infrastructure, and local authorities cooperating to work with iwi/hapuu?**

Council supports working with infrastructure providers; these relationships are a focus for Waikato District and are continuously being developed. Working with iwi, infrastructure providers and government agencies such as the Ministry of Education and the District Health Boards across local authority boundaries is essential to create cohesive planning outcome for communities.

**Question 15. What impact will the proposed timing for implementation of policies have?**
Timing for implementation of some policies could prove challenging for Council, particularly the plan changes for intensification needing to be notified within 18 months. Ideally a decision would be released on the Proposed District Plan before we undertook a variation to it. Council will consider opportunities to include intensification within the scope of responding to submissions, however this may not be achievable. It would be more practical to implement policies when implementing the Planning Standards to reduce costs and workload when undertaking the Schedule 1 process.

**Question 16. What kind of guidance or support do you think would help with the successful implementation of the proposed NPS-UD?**

An update to the guidance document for the Future Development Strategy would be beneficial. Further development and consistency on the data provided for the monitoring indicators is essential.

**Question 17. Do you think there are potential areas of tension or confusion between any of these proposals and other national direction? If so, please identify these areas below and include any suggestions you have for addressing these issues.**

The National Policy Statement for Highly Productive Land needs to have clear direction on how to undertaken the cost-benefit analysis when areas for urban development are in conflict with Highly Productive Land.