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23 September 2022

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Attention: Plan Change 26

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Dear Sir/Madam

Waikato Regional Council Submission to Proposed Plan Change 26 – Residential Zone Intensification to the Waipā District Plan

Thank you for the opportunity to make a submission on the Proposed Plan Change 26 – Residential Zone Intensification to the Waipā District Plan. Please find attached the Waikato Regional Council's submission regarding this document. This submission was formally endorsed by the Director Science, Policy and Information under delegated authority on 23 September 2022. Waikato Regional Council looks forward to being involved in further discussion on this subject.

Should you have any queries regarding the content of this document please contact Hannah Craven, Policy Advisor, Strategic and Spatial Planning directly on (07) 8592831 or by email Hannah.craven@waikatoregion.govt.nz.

Regards,

Tracey May
Director Science, Policy and Information

Submission from Waikato Regional Council on Proposed Plan Change 26 – Residential Zone Intensification to the Waipā District Plan

23 September 2022

Introduction

1. Waikato Regional Council (WRC) appreciates the opportunity to make a submission to Proposed Plan Change 26 – Residential Zone Intensification. WRC's primary interest is in relation to the Waikato Regional Policy Statement (WRPS). District Plans, including Plan Changes such as this one, are required to give effect to the WRPS (RMA s75(3)(c)).
2. Overall, we are supportive of the plan change and acknowledge the scope of the change is directed by central government requirements.
3. In this case, the key areas of interest relate to climate change, transport and stormwater in the context of urban intensification.
4. The operative WRPS contains direction to manage urban development in Chapter 6, relating to Objective 3.12. A general development principle is to promote compact urban form, design and location to support climate change and transport outcomes.
5. Every opportunity to avoid short car trips and encourage walking or cycling to activities and services within a local area should be prioritised. We consider this plan change has missed an opportunity to affect real change in relation to integrated land use and transport planning, and the required reduction of transport emissions which are a major contributor to climate change. Embedding climate change policies and requirements into this plan change is critical to supporting the transformational change that is necessary to address the effects of climate change that are now embedded in national and regional policy.
6. We look forward to continuing to strengthen the established collaborative partnership we have with Waipā District Council in our role as a key partner in the integrated land use and transport space.
7. We make specific comments in the table of submission points below.

Table of submission points: WRC submission to Waipa Proposed Plan Change 26

Submission point	Provision	Support/ Oppose	Submission	Relief sought
<i>Te Ture Whaimana</i>				
8.	Various	Support	<p>The WRPS incorporates the objectives and strategies on Te Ture Whaimana, and the upcoming change to the WRPS will recognise Te Ture Whaimana as a qualifying matter. The WRPS requires urban growth to occur in a manner that supports the Vision and Strategy for the Waikato River.</p> <p>We support the increased recognition of Te Ture Whaimana o Te Awa o Waikato and generally support the approach to applying Te Ture Whaimana as a qualifying matter in the plan change. As acknowledged in both the WRC and Waipā District Council submissions on the Resource Management Amendment Act (Enabling Housing Supply), it is critical Te Ture Whaimana is expressly recognised as a qualifying matter. Increased urban densities will exceed the capacity of existing wastewater and stormwater systems which discharge into the sensitive environment of the awa. These systems are already at capacity and cannot function in a manner which gives effect to Te Ture Whaimana without substantial ongoing investment.</p> <p>We support the work Waipā District Council has undertaken to determine three waters infrastructure capacity constraints to manage effects on the river and give effect to Te Ture Whaimana.</p> <p>We support the objectives and policies to protect and improve the health and wellbeing of the Waikato River with development and redevelopment, including the use of the infrastructure constraint overlay to ensure the development can be adequately serviced to avoid adverse effects on the river.</p> <p>We acknowledge Waikato Tainui and other river iwi as having mana whakahaere over the river and are best placed to determine the extent to which the plan change gives effect to Te Ture Whaimana.</p>	Retain provisions requiring development to give effect to Te Ture Whaimana.

<i>Objectives and policies</i>				
9.	2A.3.3 2A.3.3.1 2A.3.3.2 2A.3.3.3	Oppose	These objectives and policies seek to “maintain and enhance” existing elements of residential character. The potential scale of increase in dwellings across the towns of Cambridge, Te Awamutu and Kihikihi would mean that these towns cannot maintain existing amenity. These objectives and policies do not take into account Policy 6 of the NPS-UD which recognises amenity values may change, and that of themselves are not an effect.	Amend 2A.3.3, 2A.3.3.1, 2A.3.3.2 and 2A.3.3.3 to delete reference to “maintain existing amenity” and replace with text that acknowledges that amenity may change over time.
10.	2A.3.5	Oppose	With the potential increase in density on almost all sites within the Medium Density Residential Zone, it will be almost impossible to “maintain” existing amenity values within and around dwellings. These objectives and policies do not take into account Policy 6 of the NPS-UD which recognises amenity values may change, and that of themselves are not an effect.	Amend 2A.3.5 to delete reference to “maintain amenity values” and replace with text that acknowledges that amenity may change over time.
<i>Climate change</i>				
11.	General	Oppose	While we understand the scope of this plan change is in direct response to a mandatory direction from central government to enable housing intensification, we suggest there is a real opportunity to embed other consequential changes that would support the objectives of the plan change, as well as other national priorities and outcomes – particularly with regard to giving effect to national and regional climate change policy. We suggest considerable strengthening of objectives, policies, rules and standards around climate change and carbon emissions reduction goals in the context of housing intensification, particularly with respect to integrated transport and land use planning outcomes. This will assist in achieving ‘well-functioning urban environments’ as defined in Policy 1 of the NPS-UD which requires that planning decisions as a minimum for urban environments: ... (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change.	Add new or amend objectives, policies, rules and standards around climate change and carbon emission reduction goals in the context of housing intensification.
12.	2A.3.7.1	Support in part	We support reference to CPETD principles, multi-modal transport options, integration with existing transport network and retaining trees (that would offset the heat island effect associated with climate change). WRC advises	Retain policy 2A.3.7.1 but amend (c) to read “ maximising <u>considering</u> the potential for

			caution in relation to “maximising the potential for passive solar gain” given the likely effects of prolonged higher temperatures due to climate change ¹ .	passive solar gain; and...” or words to similar effect.
13.	15.3	Support in part	We recommend including an objective and policy to ensure infrastructure is provided as part of subdivision and development in a way that is resilient to the likely current and future impacts of climate change. This is consistent with the definition of well-functioning urban area under the National Policy Statement on Urban Development 2020.	Add an objective and policy to ensure that infrastructure is to be designed and constructed to be resilient to the likely current and future impacts of climate change.
14.	15.4.2.27	Support	We support the requirement for the planting of street trees. Trees mitigate the heat island effect resulting from climate change.	Retain
15.	18.4.2.6	Support in part	We support financial contributions for costs relating to effects but would like recognition of effects relating to climate change.	Amend to “...reflects the cost of avoiding, remedying or mitigating the adverse effects, <u>including from climate change...</u> ” or words to similar effect.
<i>Transport</i>				
16.	1.1.25	Support in part	We recommend that this list also includes reference to policies and priorities that direct investment decisions to transform to a low carbon transport system that delivers emissions reductions and supports urban form that can facilitate this transition.	Add reference to investment decisions to transform to a low carbon transport system, and that support urban form that facilitates the transition.
17.	2A.3.5.2	Support in part	We support this policy as it encourages more use of public walkways and cycleways, resulting in lower carbon emissions. We would also like to see safety considerations to encourage further use.	Amend 2A.3.5.2 to “To ensure that buildings on sites adjoining reserves and public walkways or cycleways do not detract from the amenity, <u>safety</u> , or function of those spaces.”
18.	2A.3.7	Support in part	We support reference to CPTED principles as when they are implemented, they provide actual and perceived safety outcomes, and therefore encourage walking and cycling. We would also like to see reference to multi-modal transport options as part of linking to the transport network.	Amend 2A.3.7 to include “...integrated with the transportation network, <u>including multi-modal transport</u> ”

¹ [Study identifies which big cities will swelter worst in heatwaves | Stuff.co.nz](https://www.stuff.co.nz/news/344444444)

				<u>options.”</u> or words to similar effect.
19.	2A3.8 and associated policies	Support in part	Intensification across the Medium Density Residential Zone will result in many more people living in most areas of Cambridge, Te Awamutu and Kihikihi. Allowing mixed use areas, and expansion of existing commercial zones avoids continued reliance on a car as the main mode of travel. Intensification may solve housing issues but will create transport issues if easy access to day to day needs without using a car is not provided for. Continuing to encourage on-site parking is detrimental to meeting national and regional transport emission goals.	Add objectives, policies and rules that will enable more, or expansion of existing commercial and mixed uses where intensification will be occurring. Delete references to providing on-site parking.
20.	2A.4.1.4(i)	Oppose	Policy 2A.3.8.7 “enables” additions to local shops due to the social and community function they serve, but the related rule requires discretionary consent for additions to existing local shops. The category of the rule does not align with the enabling wording of the policy. It is essential to allow mixed use areas, and expansion of existing commercial zones to avoid continued reliance on a car as the main mode of travel.	Delete rule 2A.4.1.4(i) from the discretionary activity list and add it to the permitted activity list.
21.	Section 16 - Transportation	Oppose	Added intensification across each of the towns is likely to have an impact on the transport network. There are no amendments to Section 16 – “Transportation” to align integrated transport and emissions reduction policies with housing intensification and the objectives of Plan Change 26, despite the Resource Management Amendment Act (Enabling Housing Supply) allowing for the inclusion of objectives and policies in addition to those specified to support the medium density residential zone.	Add new or amend objectives, policies, rules and standards in Section 16 Transportation to address climate change and carbon emission reduction goals in the context of housing intensification.
22.	18.5.1.3(b)	Support in part	We support financial contributions for the transport infrastructure network. Multi-modal transport options should also be considered. Capacity upgrades should only be for the provision of multi-modal transport options. Continued increase in road capacity for private vehicle purposes induces demand and perpetuates reliance on cars as a preferred mode of transport. This will not enable us to meet national and regional emission reduction goals.	Amend to “(b) Transport connections, <u>including for multi-modal transport options, and network improvements, and capacity upgrades.”</u>
23.	18.5.2.18 18.5.2.19 18.5.2.20	Support in part	Provision should be made for financial contributions for transport infrastructure other than for vehicles and pedestrians. This will result in a more rapid uptake of cycling and other modes of active transport due to the	Amend 18.5.2.18 to “A financial contribution may be payable where infrastructure for vehicles, <u>cycling, and pedestrians walking</u>

			infrastructure being available, therefore assisting to meet national and regional emission reduction goals.	that is located..." or words to similar effect, and consequential amendments to rules 18.5.2.19 and 18.5.2.20 and the advice notes as necessary.
24.	Various	Support	We support the continued inclusion of CPTED principles. These principles, when implemented provide actual and perceived safety outcomes, and therefore encourage walking and cycling.	Retain reference to CPTED principles in various provisions.
<i>Infrastructure</i>				
25.	15.4.2.19	Support	We support the requirement for an infrastructure capacity assessment for more than 2 dwellings on a site. This provides the option to enable development to meet the MDRS.	Retain
<i>Stormwater</i>				
26.	2.2.1 and 2A.2.1	Support in part	"Impervious surfaces" is used which does not match the rest of the plan which uses "impermeable surfaces". We consider terminology should be consistent.	Amend issue statement to use "impermeable" instead of "impervious".
27.	2A.2 and 2A.3 – various provisions	Support in part	We are mindful of the potential adverse effects that can result from intensification and an increase in impermeable surfaces. We recommend that provisions in the issues and objectives and policies sections of Section 2A (Medium Density Residential Zone) make explicit the types of issues that could come with increased flow peaks and prolonged flows, e.g.: <ul style="list-style-type: none"> • Increased erosion of waterway channels • Increased flooding risk • Decreased drainage levels of service (specifically the Hautapu and Fencourt drainage districts adjacent to the northern boundary of Cambridge) • Increased temperatures which impact freshwater species • Increased contaminants and decreased water quality. 	Add detail to provisions in the issues and objectives and policies sections of Section 2A to outline potential effects of increased impermeable surfaces.
28.	2A.3.4.5 and 2A.3.4.6	Support	We support the inclusion of minimum permeable surface areas throughout the plan to reduce adverse effects of additional stormwater run-off associated with intensification.	Retain

29.	2A.4.2.54 (f)	Oppose	<p>WRC is generally not supportive of reducing permitted permeable surface areas.</p> <p>The proposed reduction in permitted permeable surface area in the compact housing area overlay (from 30% to 20%) is not supported as it will increase flow volumes into receiving environments that are already significantly degraded through scour and erosion.</p> <p>Without sufficient management, the increased flows may have implications under the National Policy Statement for Freshwater Management 2020.</p> <p>Whilst we understand the pressure to intensify, increasing impermeable surfaces is inconsistent with best practice stormwater management and policies to protect freshwater ecosystems.</p> <p>We recommend any increase in impermeable surfaces is offset by green infrastructure and low-impact stormwater management design technologies. The compact housing area overlay presents an opportunity to promote this.</p> <p>The Waikato stormwater management guideline 2020² could be referenced in the advice note to this rule or elsewhere in the plan (e.g. Rule 15.4.2.25).</p>	<p>Amend rule to require 30% of the net site area to be permeable.</p> <p>Reference the Waikato stormwater management guideline 2020 in the advice note to the rule (and/or other relevant sections of the plan – e.g., Rule 15.4.2.25).</p>
<i>Other comments</i>				
30.	1.1.29	Support in part	<p>The reference to the current Waikato Regional Policy Statement plan change being undertaken by WRC should be more specific and refer to the name of the plan change – Waikato Regional Policy Statement Proposed Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update. Otherwise the reference should at least be dated to 2022.</p>	<p>Replace “the Waikato Regional Policy Statement plan change being prepared by the Waikato Regional Council” with “<u>Waikato Regional Policy Statement Proposed Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy Update</u>”.</p>
31.	1.1.39	Support in part	<p>The provision uses “currently” to refer to current town plans. We recommend the provision instead use dates, i.e., “as of September 2022” to ensure that in the future the plan is read in the appropriate context.</p>	<p>Amend provision as follows: “<u>As of September 2022, there are currently town plans...</u>” or wording to same effect.</p>

² <https://waikatoregion.govt.nz/assets/WRC/WRC-2019/TR20-07.pdf>

32.	Chapter 18	Support	We support Waipā District Council using its powers under the RMA to collect financial contributions for activities including riparian enhancement, wetland creation, protection, restoration and enhancement and other betterment activities to give effect to Te Ture Whaimana.	Retain
33.	21.1.2A.1(a)	Support in part	Incorrect spelling of “affects”.	Amend “effects” to “affects”.
34.	21.1.2A.3(a)(i)	Support in part	Use consistent spelling for words like “optimise”.	Amend spelling.

Further information and hearings

WRC **wishes to be heard** at the hearings for Proposed Plan Change 26 – Residential Zone Intensification in support of this submission and is prepared to consider a joint submission with others making a similar submission.

WRC **could not** gain an advantage in trade competition through this submission.

Submitter details

Waikato Regional Council

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I could not gain an advantage in trade competition through this submission

I am not directly affected by an effect of the subject matter of the submission that:

(a) does not adversely affect the environment; and

(b) does not relate to trade competition or the effects of trade competition.