



Waipā District Plan Plan Change Submission Form

Form 5

Clause 6 of the First Schedule to the Resource Management Act 1991

Send to: Waipā District Council, Private Bag 2402, Te Awamutu 3840

Phone: 0800 924 723 | Online: www.waipadc.govt.nz/planchanges | Email: districtplan@waipadc.govt.nz

Please attach additional sheets if there is not enough space for your submissions. If you do not wish to use this form, please ensure that the same information required by this form is covered in your submission.

COUNCIL USE ONLY	
Date received	
Document ref:	

Note: You must fill in **ALL** sections of this form.

Submissions close **5pm Friday, 30 September 2022.**

1. Submitter details	
Full name of submitter:	Triple 3 Farm Ltd / David + Barbara yzenoorn
Contact name if different from above:	David
Contact phone number(s)	[Redacted]
Email address:	[Redacted]
Address for service: <i>(required if no email address is provided)</i>	[Redacted]

We will serve all formal documents electronically via the email address provided above. Where there is no email address provided the documents will be posted to the above address.

2. This is a submission on the following proposed plan change to the Waipā District Plan	
Plan Change 26 – Residential Zone Intensification	

3. Trade competition		
Select one	<input type="radio"/> I could <input checked="" type="radio"/> I could not	gain an advantage in trade competition through this submission.
Select one	<input type="radio"/> I am <input checked="" type="radio"/> I am not	directly affected by an effect of the subject matter that – (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition

4. Attendance at Council hearing		
Select one	<input checked="" type="radio"/> I do <input type="radio"/> I do not	wish to be heard (attend and speak at the Council hearing) in support of my submission
If others make a similar submission, I will consider presenting a joint case with them at the hearing.		<input checked="" type="radio"/> Yes <input type="radio"/> No

5. The specific provisions of the plan change my submission relates to are: (give details)

Select one	<input type="radio"/>	I SUPPORT	See Attached
	<input type="radio"/>	I SUPPORT IN PART	
	<input checked="" type="radio"/>	I OPPOSE	


6. My submission is: (please include the reasons for your view)

see Attached

7. I seek the following decision/s from Council: (give precise details – e.g. what you would like the wording of a specific provision (or map) to be changed to)

See Attached

8. Signature of submitter (note: a signature is not required if you make your submission by electronic means, however please type your name below)

Signature of submitter: (or person authorised to sign on behalf of submitter)		Dated 30/9/2022
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To Waipa District Council

Plan Change 26 Submission

Submitter: Triple 3 Farm Limited, David and Barbara Yzendoorn

Description: Triple 3 Farm Ltd is the owner of a dairy farm located at [REDACTED]
View Hamilton

Operative Status: zoned rural

Submission – Plan Change 26 – Residential Zone Intensification

The submitter opposes the Plan Change 26 zoning over 333 Tuhikaramea Rd and seeks that it is rezoned residential, either fully or partly

1. Refer: Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. Intensification requirements in non-residential zones.
This Plan Change covers Residential Zone and has omitted to include Non-Residential zones
2. ***Section 77N: Duty of specified territorial authorities to give effect to policy 3 or policy 5 in non-residential zones***
 - (1) *When changing its district plan for the first time to give effect to policy 3 or policy 5, and to meet its obligations under section 80F, a specified territorial authority must use an IPI and the ISPP.*
 - (2) *In carrying out its functions under subsection (1), the territorial authority must ensure that the provisions in its district plan for each urban non-residential zone within the authority's urban environment give effect to the changes required by policy 3 or policy 5, as the case requires.*
 - (3) *In carrying out its functions under subsection (1), a specified territorial authority—*
 - (a) *may create new urban non-residential zones or amend existing urban non-residential zones:*
 - (b) *may modify the requirements set out in policy 3 to be less enabling of development than provided for by policy 3, if authorised to do so under section 77O.*
3. *Section 77N of the RMA (as incorporated through the Housing Supply Amendment Act 2020) allows for territorial authorities to amend non-residential zones and establish new zones in order to achieve Policy 3 and 5 of the NPS-UD when undertaking plan changes. Refer to the excerpt above.*
4. It may also be worth noting that section 77G(4) also states that Council's can create new residential zones to give effect to Policy 3 and 5:

5. Section 77G: Duty of specified territorial authorities to incorporate MDRS and give effect to policy 3 or 5 in residential zones

- (1) Every relevant residential zone of a specified territorial authority must have the MDRS incorporated into that zone.
- (2) Every residential zone in an urban environment of a specified territorial authority must give effect to policy 3 or policy 5, as the case requires, in that zone.
- (3) When changing its district plan for the first time to incorporate the MDRS and to give effect to policy 3 or policy 5, as the case requires, and to meet its obligations in section 80F, a specified territorial authority must use an IPI and the ISPP.
- (4) In carrying out its functions under this section, a specified territorial authority may create new residential zones or amend existing residential zones.
- (5) A specified territorial authority—
- (a) **must include the objectives and policies set out in clause 6 of Schedule 3A:**
- (b) **may include objectives and policies in addition to those set out in clause 6 of Schedule 3A, to—**
- (i) **provide for matters of discretion to support the MDRS; and**
- (ii) **link to the incorporated density standards to reflect how the territorial authority has chosen to modify the MDRS in accordance with section 77H.**
- (6) A specified territorial authority may make the requirements set out in Schedule 3A or policy 3 less enabling of development than provided for in that schedule or by policy 3, if authorised to do so under section 77I.
- (7) To avoid doubt, existing provisions in a district plan that allow the same or a greater level of development than the MDRS do not need to be amended or removed from the district plan.
- (8) The requirement in subsection (1) to incorporate the MDRS into a relevant residential zone applies irrespective of any inconsistent objective or policy in a regional policy statement.

6. Policy 5 of the NPSUD seeks that the potential for intensification is maximised around urban centres, and whilst 333 Tuhikaramea Rd, Templeview is within 2.5km of the Dinsdale shopping centre, it is also about 1.5km from local shopping at Gibson Rd / Tuhikaramea Rd. As such, it is within an easily walkable catchment suitable for intensification. It will go some way to achieving the objectives and policies set out in the NPS-UD and also in the strategic framework for Waipa District Council.
7. The property is located on a public transport bus route to and from Templeview. The leaflet headed "National Policy Statement on Urban Development 2020 Intensification" states "All other locations – enable building heights and density commensurate to the level of accessibility ..." Attachment 1
8. Three waters
The property is currently serviced with fresh reticulated water via Hamilton City Council. The property is located adjacent to the Hamilton City Council reticulated wastewater line that services Templeview with the line being at the roadside.
9. Partial rezoning to residential would include the area of land approximately 3.5 hectares in size that adjoins Tuhikaramea Rd. Overview plan - attachment 2

Attachment 1

Ministry for the
Environment
Mānuka Mo Te Taiao

National Policy Statement on Urban Development 2020

Intensification

This is part of a series of seven fact sheets that give an overview of the National Policy Statement on Urban Development (NPS-UD). This fact sheet provides information on objective 3, policies 3, 4 and 5 and subpart 6 of Part 3.

These provisions come into force on commencement of the NPS-UD.

Purpose

The NPS-UD intensification provisions seek to enable intensification through council plans in appropriate locations, such as:

- places in or close to urban centres where people can access many jobs, services and amenities
- places that are well-served by public transport
- other areas with high demand for housing and business space.

Greater intensification would mean urban areas have increased land-use flexibility and more competitive land markets – for both existing urban areas and greenfield developments. The intensification policies will help to decouple land prices from housing costs by removing barriers to high-density developments and enabling more housing in areas where people want to live (places that tend to have the highest land values). This will mean more people can readily access housing in the places they want to live, and our communities will have more affordable housing and better access to jobs, amenities and services.

Rigid controls in locations subject to the intensification provisions increase the price of housing everywhere, and reduce the supply of higher density development. This is a particular issue in places close to urban centres where people can access many jobs, services, and amenities – and in areas where they can easily access these places by walking, cycling, or using public transport.

Enabling intensification in areas with many employment opportunities, services and amenities will make it easier for people to live within walking and cycling distances of these destinations. Similarly, intensification in areas well-served by public transport will increase the number of people using these services, therefore enabling these services to be improved. This positive relationship between intensification and active and public transport helps create well-functioning urban environments.

What has changed from the National Policy Statement on Urban Development Capacity?

The intensification policies are new to the NPS-UD.

Requirements

To enable intensification in urban areas, many local authorities will be required to implement new policies under the NPS-UD and make changes to their planning documents. The intensification policies include both prescriptive and descriptive components, which will be subject to local decision-making. The requirements and timeframes for tier 1, 2 and 3 local authorities are different, and summarised in table 1.

Table 1: Implementation timeframes and requirements for tier 1, 2, and 3 local authorities

	Tier 1	Tier 2	Tier 3
Implementation timeframes	Plans must give effect to the intensification policies as soon as practicable and not later than two years after the NPS-UD commencement date.		Plans must give effect to the intensification policies as soon as practicable .
Implementation requirements	Provide for and enable the benefits of urban intensification through regional policy statements and district plans (eg, insert objective(s) to ensure they support intensification).		
	City centre zone – enable building heights and density to realise as much development capacity as possible.	Enable building heights and density commensurate to the level of accessibility and relative demand.	Enable building heights and density commensurate to the level of accessibility and relative demand.
	Metropolitan centre zone – enable building heights of at least 6 storeys.		
	Walkable catchments – enable building heights of 6 storeys within walkable catchments of rapid transit stops, city centre zones and metropolitan centre zones.		
	<u>All other locations – enable building heights and density commensurate to the level of accessibility and relative demand.</u>		

Things to be aware of

Tier 1 local authorities will have to undertake detailed analysis and policy development to effectively implement these requirements. As well as understanding demand for higher densities in parts of their urban areas, local authorities will also need to:

- determine how to measure accessibility and determine walkability
- determine what heights and densities are appropriate for locations based on both demand and overall accessibility
- realise intensification while achieving well-functioning urban environments.

For tier 1 local authorities, maximum capacity must be enabled in city centre zones. They must also enable development of at least six storeys in metropolitan centre zones and within walkable distances of rapid transit stops, and the edge of city centre and metropolitan zones. In these locations, six storeys is not a target, but is a minimum for what must be enabled in plans. If assessments show that both demand and access are high in these areas, councils should enable heights and densities that reflect this.

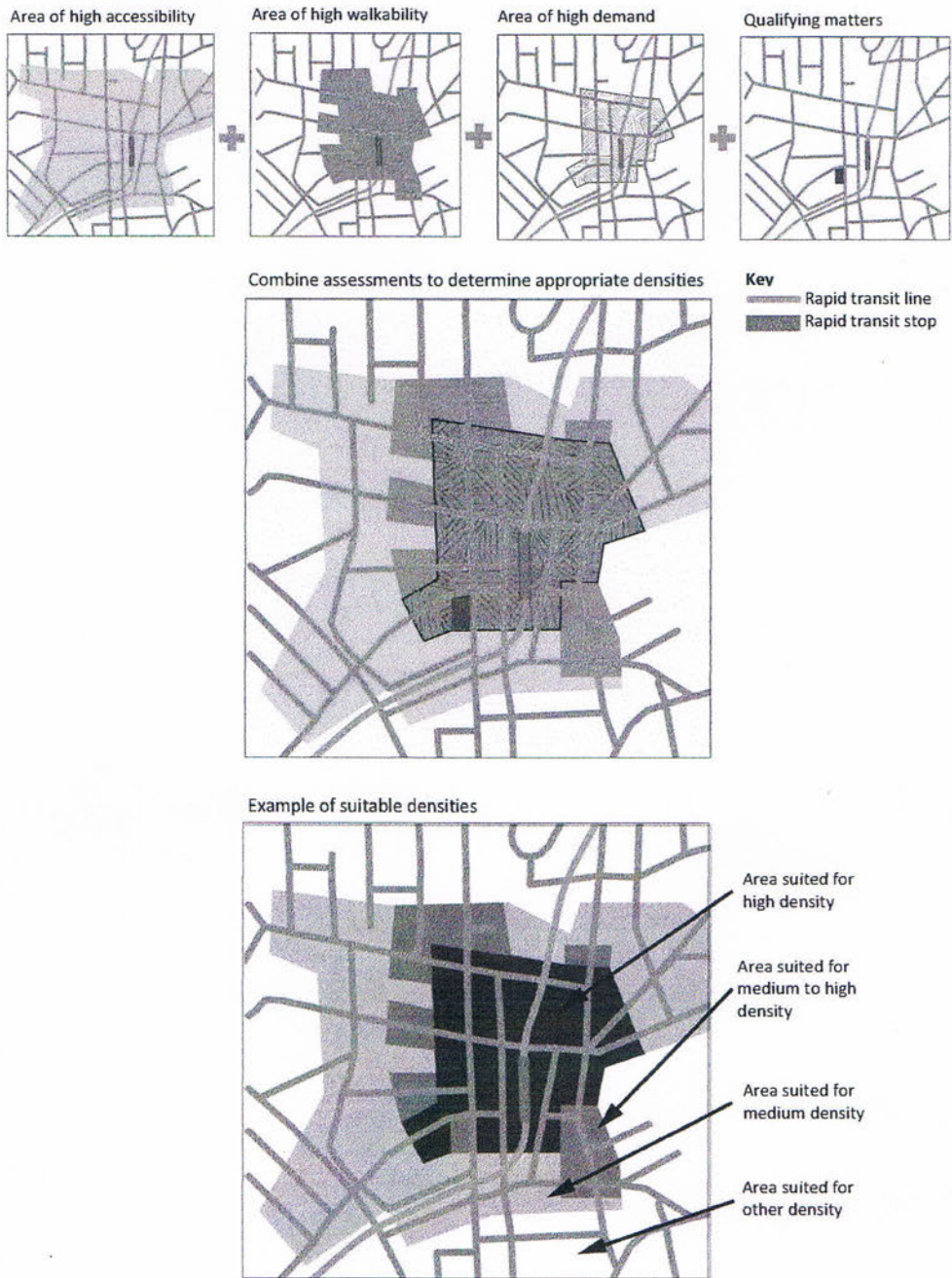
Tier 1 local authorities will also need to link height/density limits with accessibility, by allowing for greater density in areas where people can easily access many jobs, services and amenities. Zoning for higher densities is expected in areas that have strong demand for housing and have high accessibility. Areas with the highest accessibility tend to be places where people can easily reach jobs and amenities by walking, cycling, or using public transport.

Where high levels of intensification may not be appropriate, all tier 1 local authorities will also need to understand how to accommodate intensification or greater density in areas where qualifying matters apply (Policy 4, and clauses 3.32 and 3.33 of Part 3), noting that a:

- qualifying matter does not mean that intensification is not enabled, but rather intensification is enabled to the maximum degree possible, whilst protecting and providing other qualifying matters (inclusive of section 6 matters in the Resource Management Act 1991)
- high evidential standard at a site-specific level is required to apply a qualifying matter – a blanket overlay without this detailed analysis is not appropriate.

Once the components of the intensification assessment have been determined, including demand, accessibility, and qualifying matters, they can be combined to determine the areas that are most appropriate for intensification, and to what level, as shown in figure 1.

Figure 1: Matters to consider when determining heights and densities, and resulting example of suitable densities



Development outcomes for zones should be consistent with intensification policies

As well as giving effect to the intensification requirements, territorial authorities will also need to ensure that development outcomes described for zones in their district plans are consistent with the intensification policies (subpart 7 of Part 3 – Monitoring Development Outcomes). Monitoring the consistency of the development outcomes with the intensification outcomes is required to ensure district plan provisions, specifically rule frameworks, do not unnecessarily undermine development outcomes. Further guidance on assessing development outcomes for zones is being developed and will be made available on the [Ministry for the Environment’s website](#).

Outcomes

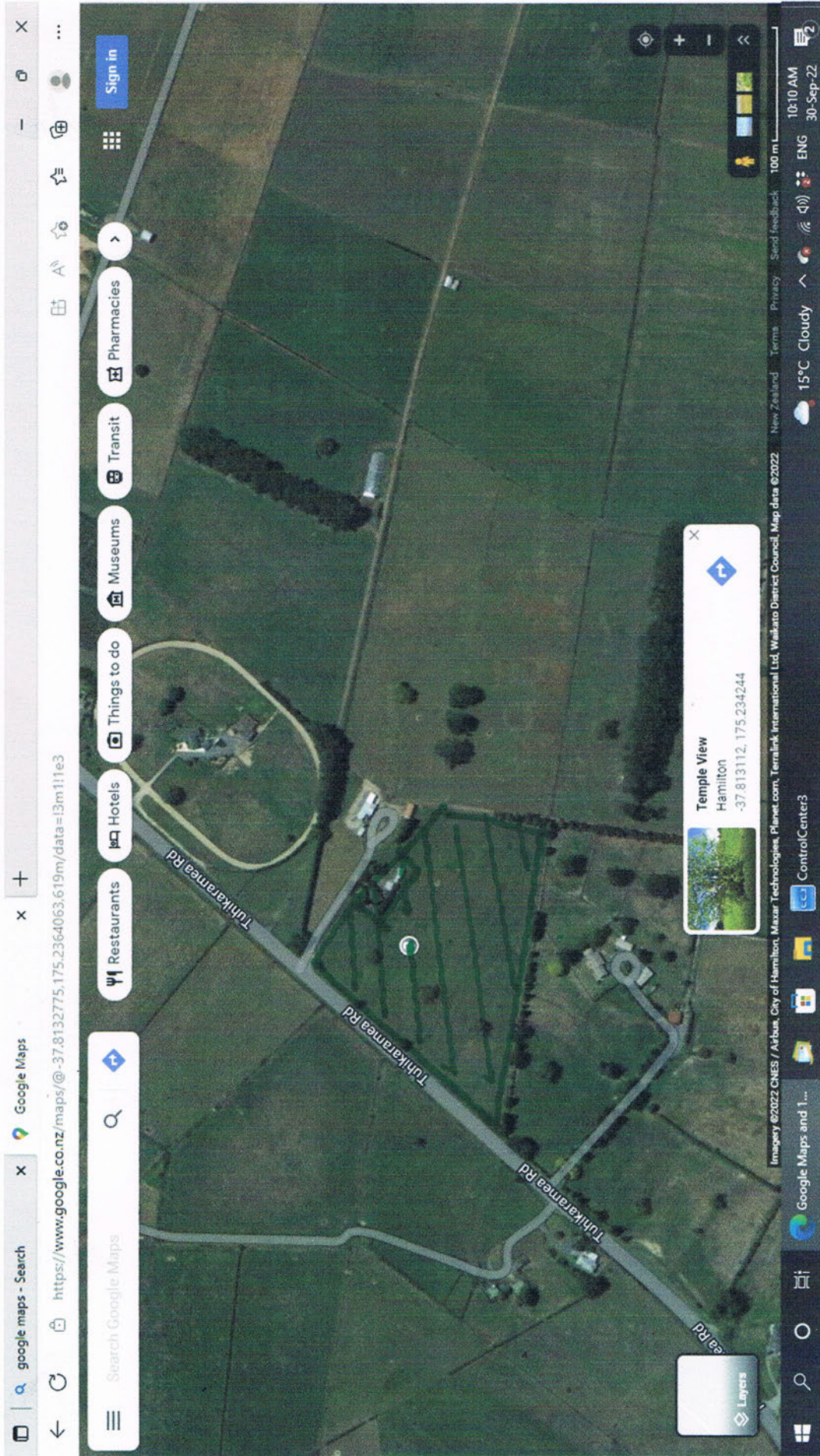
Outcomes we expect to see through the implementation of the intensification policies include:

- well-functioning urban environments (as defined in Policy 1)
- enough housing that lets people live affordably while being close to the places they most need and want to access – eg, places for work, education, healthcare, and recreation
- housing in locations where people can easily access other urban areas with high concentrations of jobs or services, particularly by way of public transit
- enabling plan frameworks to support development in areas where demand and accessibility is high.

Additional support

Further intensification guidance (including practical examples) will be provided on understanding and determining walkability, accessibility, appropriate heights and densities and how to implement and apply the qualifying matters. This guidance will be made available on the [Ministry for the Environment’s website](#).

Attachment 2



3.5 hectare land area marked 