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25 March 2020

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Dear Sir/Madam

**Waikato Regional Council Submission to Proposed Private Plan Change 7 (PPPC7] to the Hamilton City District Plan**

Thank you for the opportunity to make a submission on the Proposed Private Plan Change 7 (PPPC7] to the Hamilton City District Plan Please find attached the Waikato Regional Council's (WRC's) submission regarding this document. This submission was formally endorsed by the Council's Strategy and Policy Committee under delegated authority on 25 March 2020.

WRC appreciates that this submission is a late submission; this was unavoidable due to the need to have the submission endorsed by a committee of council. The Council looks forward to being involved in further discussion regarding the proposed plan change of this submission.

Should you have any queries regarding the content of this document please contact Miffy Foley, Senior Policy Advisor, Policy Implementation Team directly on (07) 859 0615 or by email [Miffy.Foley@waikatoregion.govt.nz](mailto:Miffy.Foley@waikatoregion.govt.nz).

Regards,

A handwritten signature in black ink, appearing to read "Tracey May". The signature is stylized and cursive.

**Tracey May**  
Director Science and Strategy

## **Submission from Waikato Regional Council on Proposed Private Plan Change 7 (PPPC7] to the Hamilton City District Plan**

**25 March 2020**

### **Introduction**

1. Waikato Regional Council (WRC) appreciates the opportunity to make a submission to Proposed Private Plan Change 7 (PPPC7]. 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 Regional Policy Statement (Resource Management Act 1991, s75(3)(c)).
2. In this case, the key areas of interest relate to:
  - General support for the proposal as it aligns with the Future Proof Strategy and the WRPS.
  - The need to give effect to Te Ture Whaimana to ensure that the natural functioning and health of the catchment is maintained and enhanced.
  - The need to achieve hydraulic neutrality to protect the existing aquatic values.
  - The provision of public transport and multi modal transport options.
  - Consideration of biosecurity.
  - Consideration of climate change and hazards.
3. WRC notes that this plan change is part of a wider process and planning framework for the Rotokauri growth area. WRC has been involved in, and will continue to participate in this process. Staff have had ongoing involvement on technical aspects of the proposal for some time and will continue to engage with Hamilton City Council and the applicant through this plan change, the Rotokauri Greenway Corridor Notice of Requirement, and through the relevant regional consents required for urban development of the area.

### **Submitter details**

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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.

WRC wishes to be heard in relation to this private plan change.

**4. Submission on Proposed Private Plan Change 7 (PPPC7]**

Provision	Support/ Oppose	Submission	Relief sought
<i>General -</i>			
Whole Plan Change	Support	<p>WRC generally supports the rezoning of the subject area which is in accordance with the Future Proof Growth Areas and residential growth allocations as included in the WRPS.</p> <p>WRC also supports the creation of a medium-density residential area within in the Rotokauri North area. This provides for a more compact urban form, encouraging multi-modal transport options and reducing the reliance on private vehicles, consistent with the principles of Future Proof and the WRPS.</p> <p>Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River has an overarching purpose to restore and protect the health and wellbeing of the river for future generations. Given the location of the subject site within the catchment of the Waikato River, Te Ture Whaimana must be given effect to through this private plan change.</p>	For information.
<i>Topic 1 – Protection of existing aquatic values</i>			
	Support with amendments	<p>As per Policy 8.3.8 of the WRPS, district plans shall ensure that the natural functioning and ecological health of freshwater bodies and coastal water is maintained and where appropriate enhanced.</p> <p>In addition, Te Ture Whaimana requires ‘betterment’ of the existing aquatic environment. This is a very stringent test to meet under broader development scenarios particularly with respect to maintaining existing hydrology.</p> <p>The stormwater design goal for the subject area should be to achieve and demonstrate ‘hydraulic neutrality’ in a pre-versus post built scenario. There is no clear information on pre and post development with regard to ‘hydraulic neutrality’ and potential downstream impacts, including possible backflow impacts on adjacent WRC land drainage assets.</p>	<p>Add an objective and policy to the proposed structure plan to highlight the particular issues of this catchment and the need to maintain the current hydrology to protect the existing aquatic values.</p> <p>Clarify how hydraulic neutrality is to be achieved post development.</p>

		<p>Protecting existing aquatic values in the wider Rotokauri development area will be dependent on maintaining the existing hydrology (frequency, magnitude, duration and direction of flows) of the broader drainage network. As a broader system with low topographical relief, after periods of high rainfall flows can at times (every five years or so) reverse up the Ohote stream and flow into, rather than out of Lake Rotokauri. Runoff from the northern development will enter the Ohote stream whereas the southern Rotokauri development area will drain directly to Lake Rotokauri via the Exelby Road culvert. During such times Lake Rotokauri may be a sink for all these flows which will likely raise lake levels and prevent this reverse flow.</p> <p>Giant kokopu, an iconic endemic fish species (and typically part of the whitebait catch), are known to rear in lake Rotokauri and developed larvae appear to use reversing lake flows to exit the system and populate the wider Ohote and Waipa systems. The broader area is also known to support black mudfish which tend to reside in the damp and more ephemeral channels and remnant wetland pockets where predatory fish such as eels cannot persist year round.</p> <p>Attenuating and off line percolation of runoff flows from impervious surfaces (through suitably sized, sensitive stormwater design) should be a top priority to minimize the change (frequency, magnitude, duration of peak flows) in existing hydrology as such changes can impact on various life-history aspects (e.g. spawning, migration) of these aquatic organisms.</p>	
<i>Topic 2 - Biosecurity</i>			
	Support with amendment	<p>WRC has a number of responsibilities under the Biosecurity Act 1993, and Biosecurity Law Reform Act 2012 which include a requirement to prepare a regional pest management plan.</p> <p>There is potential for a number of activities to exacerbate the spread of pest plants and diseases, e.g. earthworks and filling. The spread of such pests and diseases poses a risk to the regional economy as well as indigenous biodiversity. While the Regional Pest Management Plan provides controls around the management of pests and diseases, it is important to recognise that activities controlled by the district may also have implications in terms of biosecurity.</p>	Insert provisions in the plan change which include assessment criteria for earthworks and fill activities to allow the consideration of effects on pest and disease management.

		<p>While the subject area currently has no identified plant pests, to ensure that there is no unintended infestation of the site, WRC would like provisions to control pest plans included in the plan change. This may be managed through inclusion of assessment criteria for earthworks and fill activities to allow the consideration of effects on pest and disease management.</p> <p>The Environment Court, through decisions on the Thames-Coromandel District Plan, has clarified that kauri dieback disease is a biodiversity issue that is a relevant district plan matter. Therefore, there is an opportunity to protect against the spread of pests through the inclusion of issues, objectives, policies and rules in the district plan.</p>	
<i>Topic 3 – Public Transport</i>			
N/A	Support	<p>WRC acknowledges the early engagement with the consultant (Commute) to discuss the proposed internal roading layout for the Rotokauri North area and potential implications for public transport. We note that some of the concerns raised by WRC have been addressed in the integrated transport assessment (ITA).</p> <p>In relation to public transport, WRC makes the following points:</p> <ul style="list-style-type: none"> <li>• Currently there are very limited public transport services available near Rotokauri North area. However, it is the Council's intention to extend the current bus network to the Rotokauri growth cell (including Rotokauri North area) as the area continues to develop and a viable roading network is put in place.</li> <li>• We support the recommended measures set out in the ITA (Table 13-1 Implementation Plan), particularly the upgrade of intersections along SH39 and the roundabout between SH39 and Te Kowhai Road. We believe these improvements are critical to allow safe and efficient access of bus vehicles.</li> <li>• We also support the recommendation that the provision of a public transport service will be considered by the Council after 1000 dwellings have been constructed (Table 13-1). However, this is also subject to a viable roading network being established to allow the efficient and effective operation of public transport.</li> </ul>	For information.

<i>Topic 4 – Walking and cycling</i>			
N/A	Support with amendments	<p>Generally, the ITA is based on an assumption of status quo split of transport modes and does not have sufficient accommodation for walking and cycling. Specifically figures in the ITA (Fig 6.4, 6.5, 6.6, 6.7 etc.) do not show how cycling is being handled at intersections.</p> <p>Generally, the ITA is based on an assumption that the same proportions of people as today will be driving, walking and cycling. However, over the next 50-100 years these proportions can be expected to change significantly due to:</p> <ul style="list-style-type: none"> <li>• A policy focus to improve transport choice with more investment in public transport, walking and cycling and mode shift as outlined in the Government Policy Statement on Land Transport, the Waikato Regional Land Transport Plan, and Access Hamilton.</li> <li>• E-bikes and other similar technologies extending the distances people will be able to travel without cars.</li> <li>• The need to reduce carbon emissions to manage climate change.</li> </ul> <p>It would be useful to include consideration of how students will travel to schools.</p>	<p>Clarify how walking and cycling are being handled throughout the development, particularly at intersections and connections outside the subject area.</p> <p>Consider if the level of walking and cycling provision is sufficient to cater for increased mode shift to active modes in the future.</p>
<i>Topic 5 – Climate change and hazards</i>			
N/A	Support with amendments	<p>As per Implementation method 4.1.13, district plans shall, recognise and provide for the projected effects of climate change.</p> <p>The information supporting the plan change does not provide clear information relating to the climate change scenarios used as part of all assessments (flooding and stormwater, catchment management). There has been no input from local and group CDEM on the proposed development areas and impact on emergency management.</p>	<p>Clarification as to the climate change scenarios used as part of the assessments for flooding, stormwater and catchment management.</p>

### **3.0 FURTHER INFORMATION AND HEARINGS**

- 3.1 WRC **wishes to be heard** at the hearings for Proposed Private Plan Change 7 (PPPC7] in support of this submission and is prepared to consider a joint submission with others making a similar submission.
- 3.2 WRC **could not** gain an advantage in trade competition through this submission.