Plan Change 12 – Enabling Housing: Application of Policy 3 from the National Policy Statement on Urban Development 2020 in Hamilton

Walkable Catchment Assessment Report

Date: June 2024

Issue and Revision

Revision	Date Issued	Prepared by	Reviewed By	Details
1	3 March 2021	Lana Gooderham Katherine Hu	Ben Petch	First Draft for Internal review
2	9 April 2021	Lana Gooderham Katherine Hu	Ben Petch	Second Draft for Internal Review
3	13 July 2021	Lana Gooderham Katherine Hu	Ben Petch	Final Draft for Internal Review
4	30 August 2021	Lana Gooderham Katherine Hu	Ben Petch	Issued for Independent Review
5	22 December 2021	Lana Gooderham Katherine Hu	Ben Petch	Final report for Sign off
6	6 June 2024	Abbey Schuring Benjamin Haworth	Juliana Reu Junqueira Mark Roberts	Revision for Sign off

Contents

Table of Figures

Executive summary

This report identifies how Policy 3 of the National Policy Statement on Urban Development as shown below in figure 1 applies to Hamilton. To this end the report sets out a policy and spatial analysis of Policy 3 in Hamilton. This will inform the scope of a change to the District Plan, which relates to the intensification requirements of the policy statement.

It is noted that Policy 3(d) was included in the NPS-UD May 2022 update. This was addressed in the 2022 Appendix 3.6 Centres Assessment Report and further reviewed in the 2024 Centres Assessment Report. No other changes were made to Policy 3.

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and

(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and

(c) building heights of at least 6 storeys within at least a walkable catchment of the following:

  (i) existing and planned rapid transit stops

  (ii) the edge of city centre zones

  (iii) the edge of metropolitan centre zones; and

(d) within and adjacent to neighbourhood centre zones, local centre zones, and town centre zones (or equivalent), building heights and densities of urban form commensurate with the level of commercial activity and community services.

Figure 1 Excerpt NPS-Urban Development 2022

Following detailed policy analysis, the following summarises the recommendations from this report. Plan Change 12 addresses the areas of potential non-compliance (☑).

NPS-UD section	Topic	Finding / Change required	Compliance of existing District Pan
3(a)	Enable unlimited building heights and densities in city centre zone	Zoning changes required. Remove height limits from Precinct 2 and Precinct 3, Precinct 1 does not have limits	☑
3(b)	Enable 6 story or greater building heights and densities in metropolitan centre zones	Does not apply, no metropolitan centre zones.	⊖
3(c)(i)	Enable 6 story or greater building heights in a walkable catchment to rapid transit stops	No changes as there are no rapid transit services. Consider how the existing frequent bus network supports longer term vision for a rapid and frequent multi-modal network set out in the Hamilton-Waikato Metro Spatial Plan.	⊖
3(c)(ii)	Enable 6 story or greater building heights in a walkable catchment to edge of city centre zone	Zoning changes required to enable height increases.	☑
3(c)(iii)	Enable 6 story or greater building heights in a walkable catchment to a metropolitan centre zone	Does not apply, no metropolitan centre zones.	⊖

1. Introduction

The National Policy Statement-Urban Development (**NPS-UD**) provides national direction under the Resource Management Act 1991 (**RMA**) to improve the responsiveness and competitiveness of land markets. To do this it requires local authorities to change District Plans to provide for more development capacity in locations that meet certain criteria.

To inform plan changes to the Operative District Plan this report defines those parts of Hamilton that the NPS-UD indicates for intensification. However, it does not make recommendations for rezoning. It outlines the analysis undertaken pursuant to the NPS-UD for the city centre, rapid transit node(s) and the metropolitan centres. The report structure includes the following parts:

- Introduction
- Analysis of the city centre heights and densities
- Measuring the city centre walkable catchment
- Analysis of metropolitan centres

1.1. What is the NPS-UD?

The NPS-UD replaced the National Policy Statement on Urban Development Capacity 2016 (**NPS-UDC**), came into force on 20 August 2020 and was updated in May 2022. The NPS-UD provides national direction under the RMA. It is designed to improve the responsiveness and competitiveness of land and development markets. It requires local authorities to change their District Plans to provide more development capacity in certain locations.

The NPS-UD provides direction to make sure development capacity is provided in accessible places; helping New Zealanders build homes in the places they want – close to jobs, community services, public transport, and other amenities our communities enjoy. Guidance (hereafter referred to as '**MfE Guidance**')[1] has been developed by the Ministry for Environment (**MfE**) to help local authorities understand and interpret the provisions for intensification and in the NPS-UD. This Guidance identifies a link between good accessibility and social, economic, and cultural wellbeing.

Part 2 of the NPS-UD sets out eight objectives, in brief these include:

- Well-functioning urban environments.
- Planning decisions improve housing affordability.
- More people and businesses near centres, areas with high employment opportunities, well-serviced by public transport, high demand for housing or business land.
- Urban environments change over time in response to needs of people, communities and future generations.
- Planning decisions account for the Te Tiriti o Waitangi.
- Decisions that affect urban development are integrated with infrastructure and funding, strategic, and responsive.
- Robust information on urban environments informs planning decisions.
- Urban environments are resilient to climate change, and support mitigation.

[1] Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, 2020, MfE

Policy 1 of the NPS-UD requires planning decisions contribute to well-functioning urban environments. Good accessibility (Policy 1c) is a feature of well-functioning urban environments and can be enhanced by increasing density and building heights (Policy 3 and 5). The intensification policies (Policies 3, 4 and 5), the responsive planning policy (Policy 8) and the removal of minimum parking rates in district plans (Policy 11) are three key provisions contributing to additional housing supply in urban areas.

Hamilton City Council (the **Council**) is identified as a Tier 1 local authority which requires Council to ensure that in city centre, metropolitan centre(s), and areas with high demand, building heights and density of the urban form reflects demand for housing and business space. To ascertain where policies of the NPS-UD apply, a walkability analysis can help Council to determine identify where changes are required to give effect to the intensification provisions.

1.2. Limitations

The analysis and recommendations in this report outlines how Policy 3 (requiring additional development capacity) of the NPS-UD applies in Hamilton but does not address other policies of the NPS-UD.

The analysis points out to a need to better understand qualifying matters as defined in Subpart 6 of the NPS-UD, as stated below. The accessibility analysis does not factor in limiting factors from qualifying matters. In this National Policy Statement, qualifying matter means any of the following:

a) *a matter of national importance that decision-makers are required to recognise and provide for under section 6 of the Act*
b) *a matter required in order to give effect to any other National Policy Statement, including the New Zealand Coastal Policy Statement*
c) *any matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure*
d) *open space provided for public use, but only in relation to the land that is open space*
e) *an area subject to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order*
f) *a matter necessary to implement, or ensure consistency with, iwi participation legislation*
g) *the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement*
h) *any other matter that makes higher density development as directed by Policy 3 inappropriate in an area, but only if the requirements of clause 3.33(3) are met.*

No consideration is given to the feasibility or appropriateness of intensification within those areas identified by this report, in the application of urban design principles, or of the infrastructure to service increased densities. These matters are important to realise the benefits sought by the NPS-UD and are recommended for subsequent planning work.

2. City Centre Heights and Densities

For a Tier 1 urban environment (which includes Hamilton), the NPS-UD directs that:

> *Policy 3(a): in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification.*

The MfE Guidance document defines city centre as below:

> ***"city centre** is the city centre zone as described in Standard 8 (Zone Framework Standard) of the national planning standards (the standards); or a reference to the nearest equivalent zone, for local authorities that have not yet implemented the Zone Framework in the standards (see clause 1.4(4))".*

The Operative District Plan defines the areas within the central city zone as the primary centre for commercial, civic, and social activities, and is the region's cultural and recreational hub. This aligns to the purpose and meaning of city centre under both NPS-UD and National Planning Standard. For the purposes of Policy 3(a) the extent of areas of city centre zone is consistent with the existing central city zone under the ODP.

2.1. City Centre - Findings for Policy 3(a)

This section defines where these policies apply regarding the city centre zone and a walkable catchment thereto will be covered in Section 3 below.

Figure 2 shows the extent of the central city zone from the Operative District Plan; whereas, **Figure 3** below also shows the three identified precincts within the central city zone under the District Plan.

The Operative District Plan currently has density controls (minimum number of residential units required per site) for the central city zone under Rule 7.5.3. This provision does not contradict with Policy 3(a) and no change to the District Plan is required.

Figure 4 shows that the areas currently zoned as Central City – Precinct 2 and Precinct 3 have building height limits as 20m and 13m respectively, as they are within Height Overlay 2 and Overlay 3 areas. To comply with Policy 3(a) of the NPS-UD, Plan Change 12 proposes to remove height limits from the District Plan for Precinct 2 and Precinct 3. Those properties subject to Precinct 1 already have no height limits and no changes are required to heights in that area.

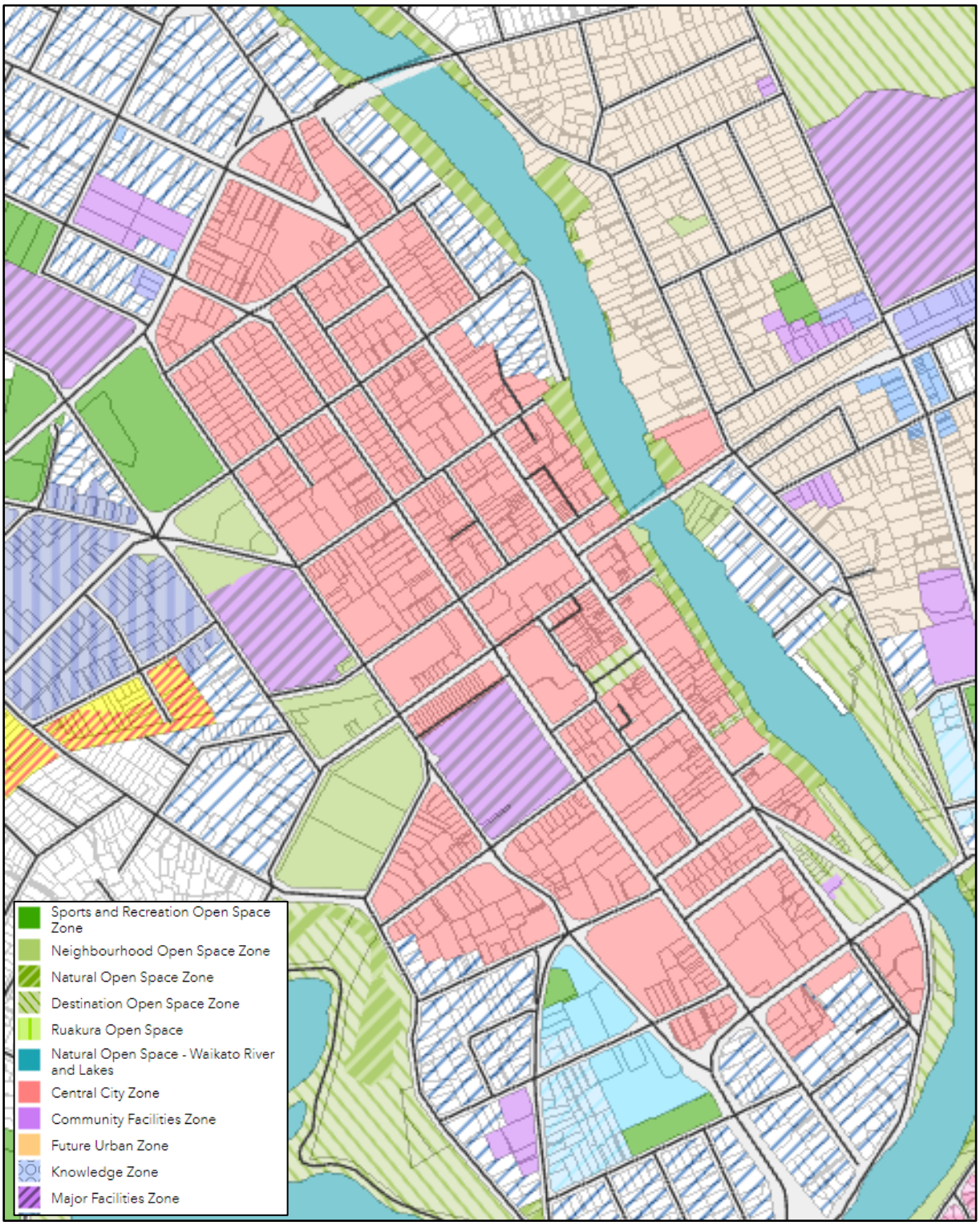

Figure 2 Existing Extent of Central City Zone under Operative District Plan

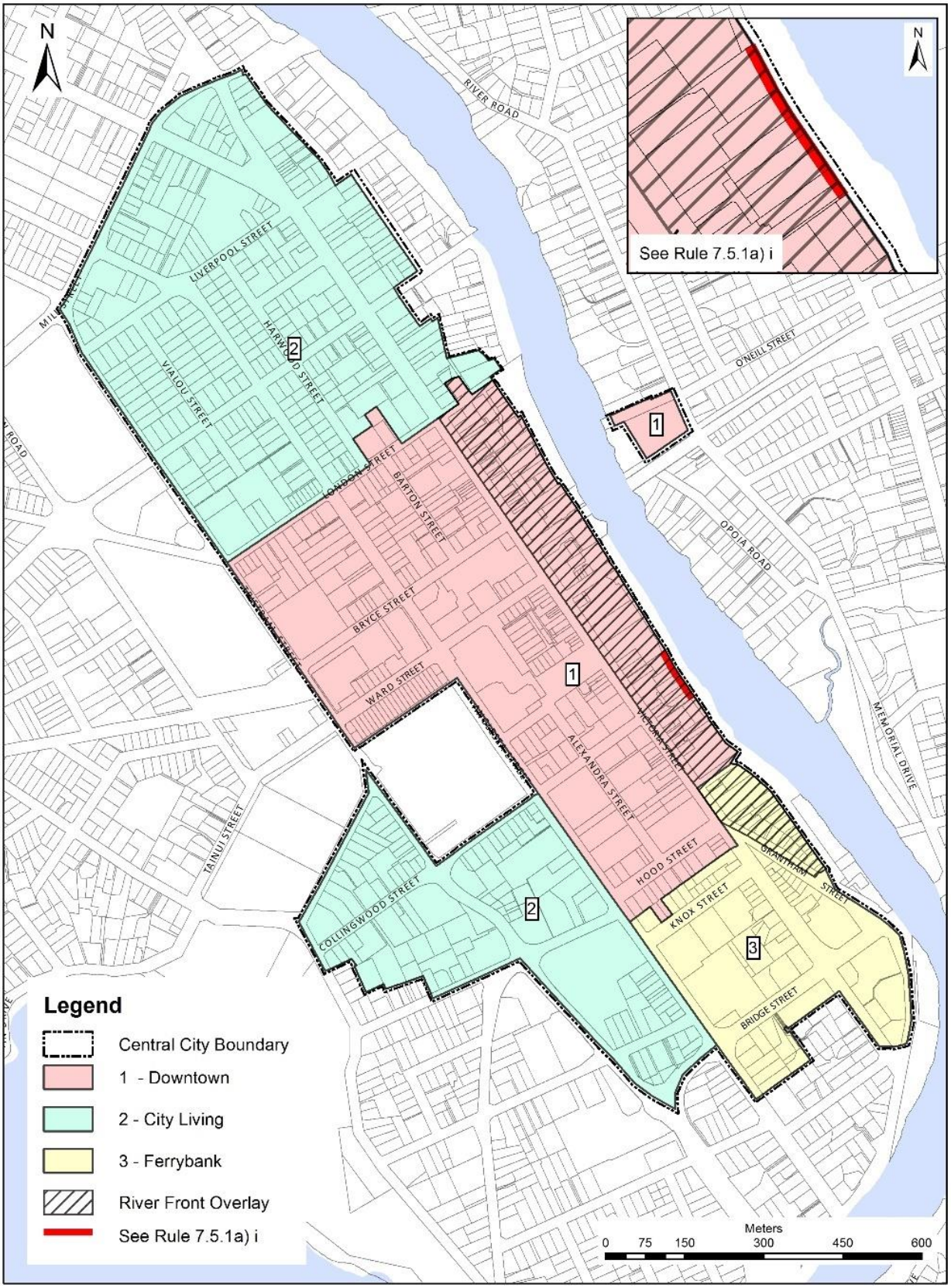

Figure 3 Three identified precincts within the central city zone under the District Plan

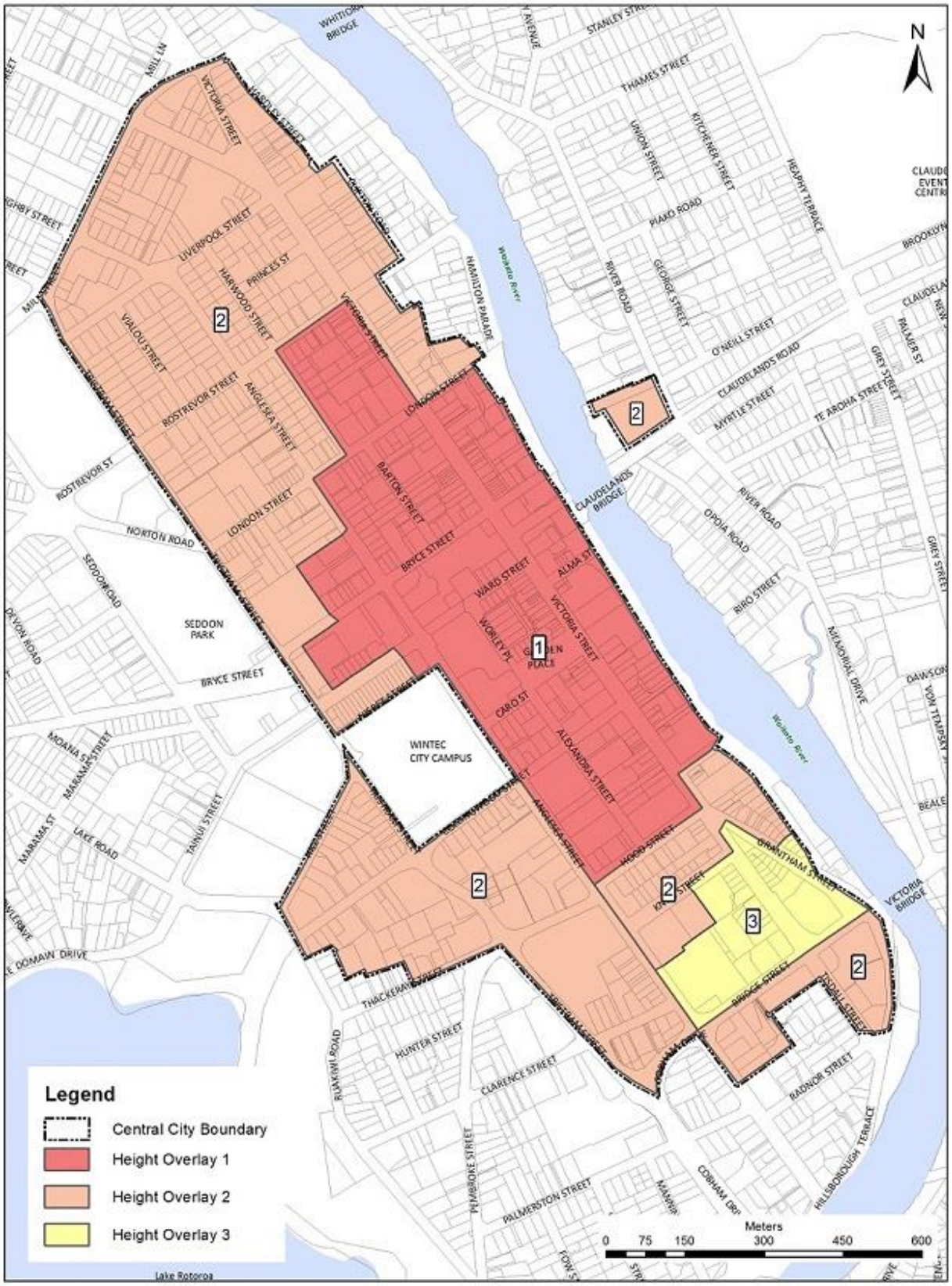

Figure 4 Existing Height Overlays within the central city zone

3. Walkable catchments

Policy 3(c) requires that in Tier 1 urban environments like Hamilton that regional policy statements and district plans must enable building heights of least 6 storeys within at least a walkable catchment of the following:

i. existing and planned rapid transit stops
ii. the edge of city centre zones
iii. the edge of metropolitan centre zones;

3.1. Rapid Transit Stops: Policy 3(c)(i)

To achieve a well-functioning environment, the NPS-UD requires that district plans enable building heights of least 6 storeys within a walkable catchment of existing and planned rapid transit stops. A rapid transit stop is defined by the NPS-UD as '*a place where people can enter or exit a rapid transit service'*.

3.1.1. Methodology for Defining Rapid Transit Nodes under Policy 3(c)

The NPS-UD defines rapid transit services as "any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic". There are currently no existing rapid transit services or stops in Hamilton City based on the definitions contained in the NPS-UD.

There is no transit service in Hamilton that meets the definition of a Rapid Transit Service. The Te Huia Passenger Rail service between Auckland and Hamilton does not meet the definition of a rapid transit service as it is not currently proposed as a frequent service. In addition, the bus routes in Hamilton are in mixed traffic. At the time of writing this report, the most frequent bus services in Hamilton (Orbiter, Comet and Meteor) operate on a 15-minute frequency at specific times.

In respect of planned rapid transit stops, MfE Guidance indicates that 'planned' means those stops that are identified in the Regional Land Transport Plan, although reference may also be had to strategic planning documents. The Waikato Regional Land Transport Plan 2021-2051 (RLTP) does not identify any rapid transit stops or routes for the 2021-2051 period. While the Hamilton Waikato Metro Spatial Plan does refer to rapid transit, only a very long-term schematic network is provided. No specific locations are provided for stops or corridor alignments, particularly as road-based or rail-based solutions are not yet decided. With limited detail it is not tenable to consider zoning decisions for long term strategic infrastructure for the basis of zoning decisions.

Notwithstanding this, the RLTP recognises the long-term transportation vision in the Hamilton-Waikato Metro Spatial Plan (MSP). The MSP identifies a shift to a rapid and frequent multi-modal transport network is a 'key move' for the metro area in the long term. As such, while the RLTP does not currently provide for the establishment of a rapid transit network and associated rapid transit stops, the establishment of this network forms part of the long-term vision for the Hamilton- Waikato Metro area. To the degree to which frequent bus corridors can support a longer-term vision for a rapid transit network they may be suitable to inform zoning decisions.

3.1.2. Findings for Policy 3(c)(i)

Policy 3(c)(i) is not applicable to Hamilton because Hamilton does not have a rapid transit service as defined in the NPS-UD. Consider how the existing frequent bus network supports longer term plans for a rapid transit network.

3.2. City centre zone: Policy 3(c)(ii)

Building height of at least six stories must be enabled within walkable catchments on the edge of city centre zone under NPS-UD Policy 3(c). Applying this policy requires confirming the location of the city centre zone, and then to define and measure a walkable catchment.

Using the MfE Guidance information, the 'edge' of the zone could be defined as the outside edge of the parcels or groups of parcels zoned as city centre zone, including any streets or open space that may be within that area. **Figure 5** shows the walking networks, the city centre zone, as well as the edge of the zone along parcel boundaries defined in the Operative District Plan.

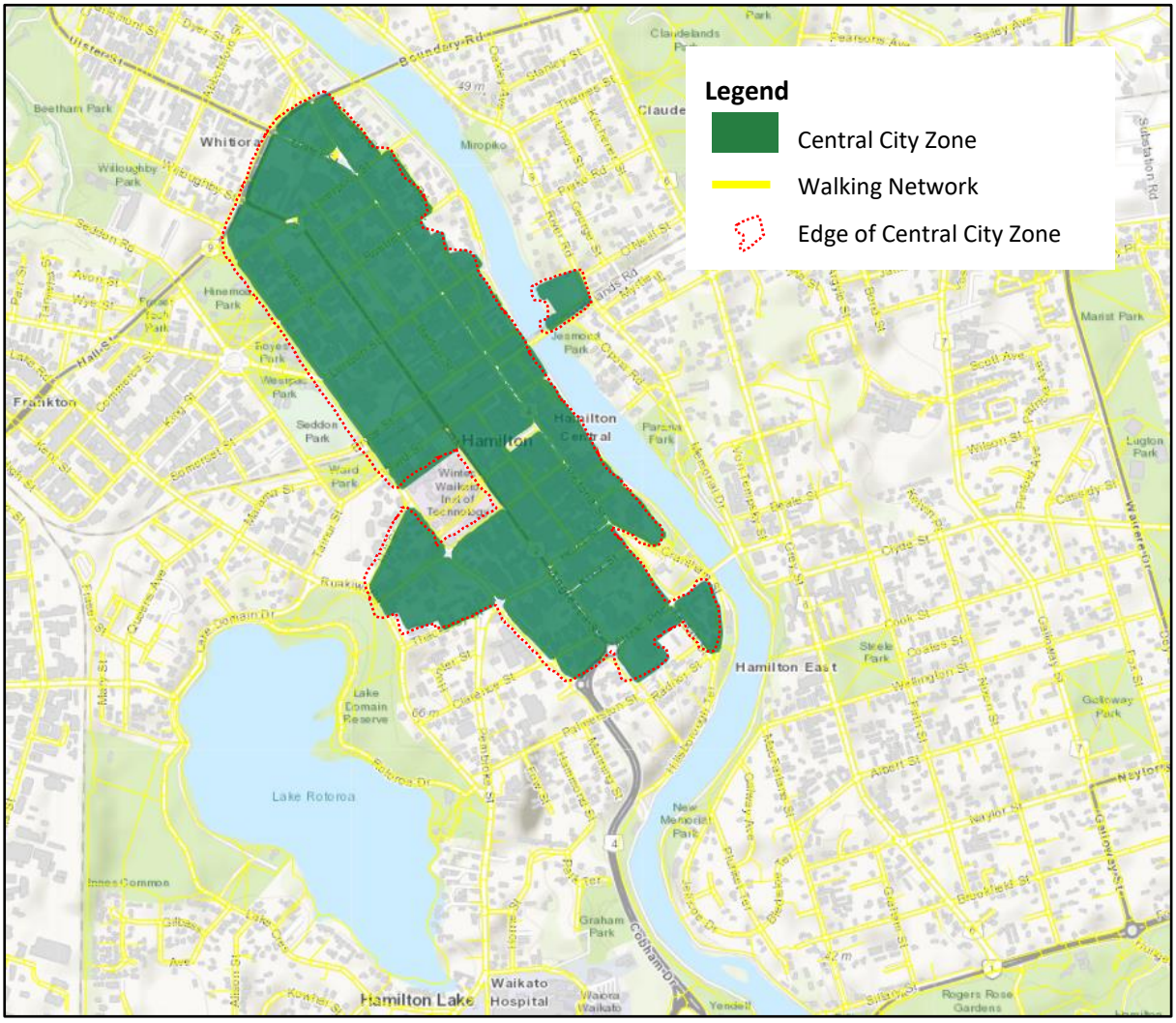

Figure 5 Existing Walking Network, central city zone and the defined edge of central city zone

3.2.1. Walkable catchment to the city centre zone

Neither the NPS-UD or the National Planning Standards define a walkable catchment or walkable distance. The MfE Guidance provides the following explanation of 'a walkable catchment':

- Includes the area that an average person could walk from a specific point to get to multiple destinations.
- Encompasses a walking distance of 400m to 800m, typically associated with a five-minute to ten-minute average walk,
- 400m-800m will be suitable for most Tier 1 urban environments like Hamilton.

The MfE Guidance also acknowledges that the size of a walkable catchment will be affected by many other factors related to the walking experience such as topography, connectivity, urban amenity, and the quality of footpaths. These factors influence how far people are willing to walk to their destinations.

3.2.2. Determining a walkable catchment

Walking speed and distance

NZ Transport Agency Waka Kotahi has developed the Pedestrian Planning and Design Guide[2] (**PPDG**). Council accepts the average walking speed provided (PPDG section 3.4 Walking speed) which states:

> *The vast majority of people walk at speeds between 0.8 metres per second (m/s) and 1.8 m/s (2.9 kilometres per hour (km/h) and 6.5 km/h). A fit, healthy adult will generally travel at a mean speed of 1.5 m/s (15th percentile (15%ile): 1.3 m/s), and the aged and those with mobility impairments travel more slowly, at around 1.2 m/s (15%ile: 1.0 m/s)*

The PPDG suggests most people walk at speeds between 0.8m per second and 1.8m per second. It identifies the average distance travelled in one minute for walking mode is 90m, or 1.5m per second. On this basis a 10-minute walking catchment ranges from 480m to 1080m.

There is no definitive authority on how large a walkable catchment should be, however common transport planning industry practices typically apply a 400m/5min walk or an 800m/10min walk distance and time when assessing catchments. The MfE Guidance refers to the Urban Design Toolkit (Third Edition) and other sources, suggesting that an 800m walking catchment is suitable in most Tier 1 environments.

An 800m walking distance will be used to determine the walkable catchment of the central city zone for the purposes of applying Policy 3(c).

Catchment measurement method

A walking network model was used to spatially define a walking catchment in GIS using the 800m distance. The model includes all footpaths, walking trails and open space connections, and road crossings including allowance for periodic mid-block crossings.

[2] https://www.nzta.govt.nz/resources/pedestrian-planning-guide/

3.2.3. Findings for Policy 3(c)(ii)

Applying the methodology above, Council defined an 800m walking catchment to the central city zone using the walking network model. The output of the walkable catchment is shown in **Figure 6**.

The areas within the 800m walking catchment of the central city zone comprise different zonings which are subject to different height limits under the ODP. To comply with Policy 3(c)(ii) of the NPS-UD, Hamilton City Council is required to enable 6 storey building height as a minimum in the areas within the catchment.

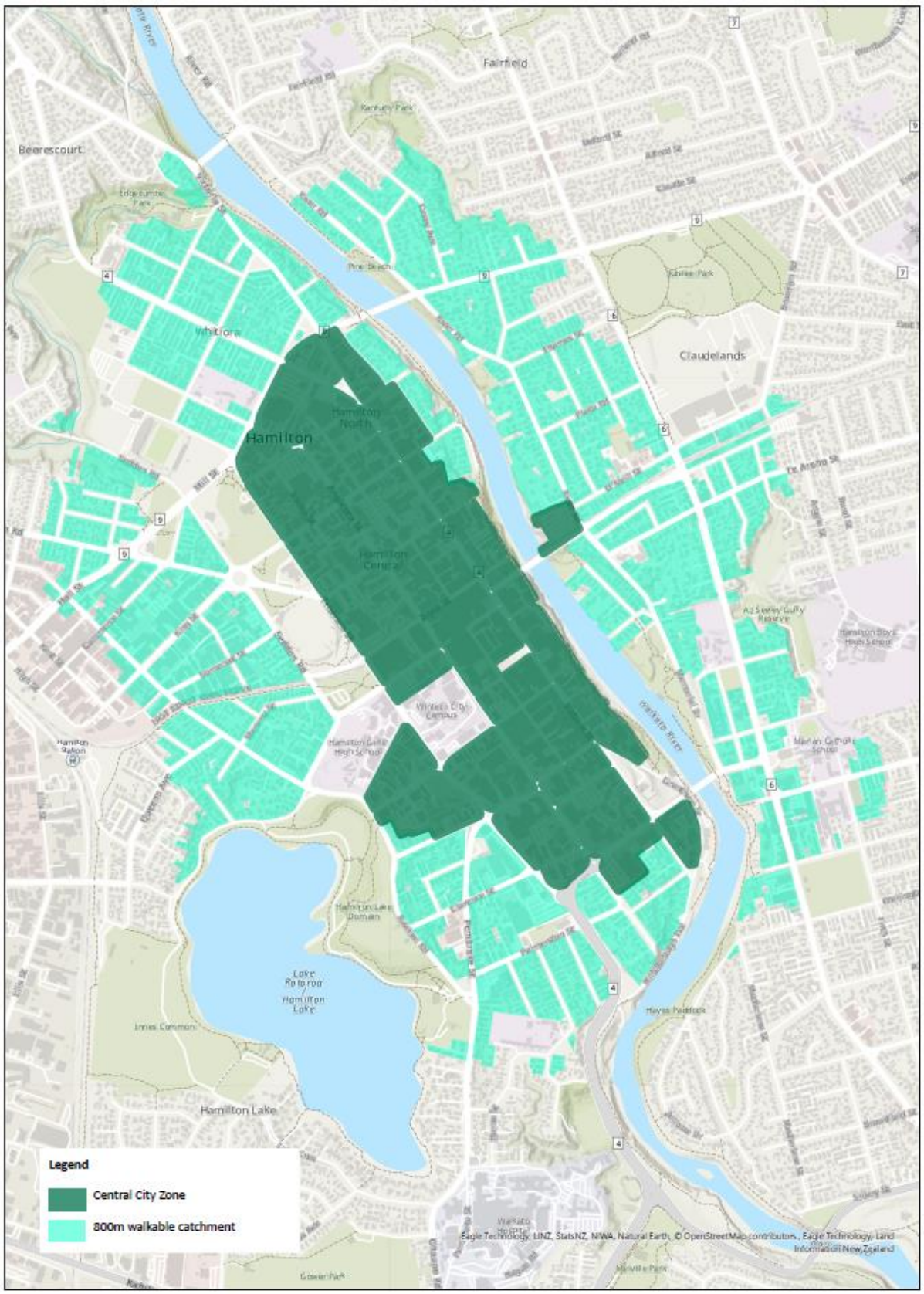

Figure 6 Output for 800m walking catchment as per Policy 3(c)(ii

3.3. Metropolitan Centres: Policy 3(b) and Policy3(c)(iii)

In addition to City Centres, the NPS-UD situates Metropolitan Centres as key enablers of increased density to create well-functioning urban environments. The NPS-UD sets out specific requirements for metropolitan centres in Tier 1 urban environments under Policy 3, as follows:

> *Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:*
>
> *b. in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and…*
>
> *c. building heights of least 6 storeys within at least a walkable catchment of the following:*
>
> *(iii) the edge of metropolitan centre zones*

3.3.1. Methodology for Defining Metropolitan Centres under Policy 3(b)

To how Policy 3(b) applies in Hamilton, it was necessary to determine whether there are any centres within Hamilton City that meet the definition of Metropolitan Centre as outlined in the NPS-UD.

3.3.2. Defining metropolitan centre

The National Planning Standards (2019) define Metropolitan Centres as '*areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments*'. MfE National Planning Standard Guidance[3] states that Metropolitan Centres are intended to be secondary to the City Centre Zone in terms of scale and function, but above that of the Town Centre Zone. This document provides additional guidance on the type and scale of activities that are expected to be provided in this Zone as follows:

> *"Metropolitan centres differ from town centres in that they:*
>
> *1. generally contain medium-high density, vs medium density*
> *2. are sub-regional destinations, rather than serving local needs (e.g., cultural and civic facilities and tertiary education)*
> *3. support high quality public transport with high trip generation*
> *4. serve an important economic function (e.g., provide for head/regional offices vs local offices); have an evening and night economy*
> *5. provide high quality public spaces vs local spaces that are smaller in scale*
> *6. have a strong emphasis on employment with a higher employment-residential ratio than town centres".*

The zoning framework for Hamilton City is outlined in the Hamilton City Operative District Plan and is based on seven types of business zones. These zones range from the City Centre Zone to Neighbourhood Centre Zone. At present, the Hamilton City Operative District Plan does not contain any identified Metropolitan Centre Zones. Notwithstanding this, the District Plan identifies The Base and Chartwell as 'Subregional Centres'. Objective 6.2.1 of the Operative District Plan sets out that "The Base and Chartwell function as sub-regional centres for business activities providing a scale and diversity of retail floorspace, entertainment facilities and limited offices while not undermining the primacy, vitality, viability, function and amenity of the Central City". Of centres in Hamilton, the Base

[3] Guidance for the District Spatial Layers Standard and Zone Framework Standard, MfE, April 2019

and Chartwell are the two which are closest to meeting definition of a metropolitan centre. The locations of the Base and Chartwell as well as their zonings are as shown in **Figure 7** and **Figure 8.**

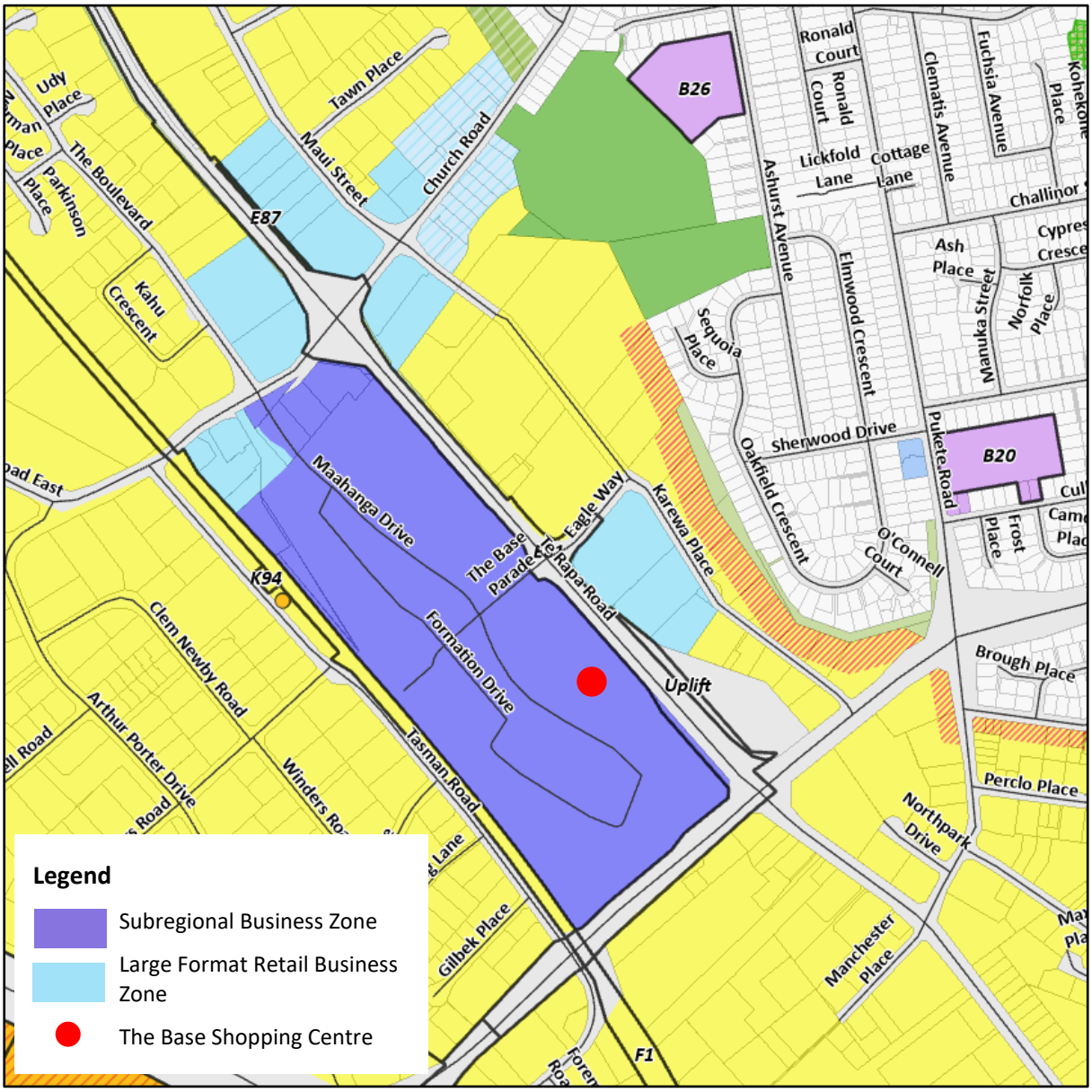

Figure 7 Locality of the Base shopping centre and its zoning under the Operative District Plan

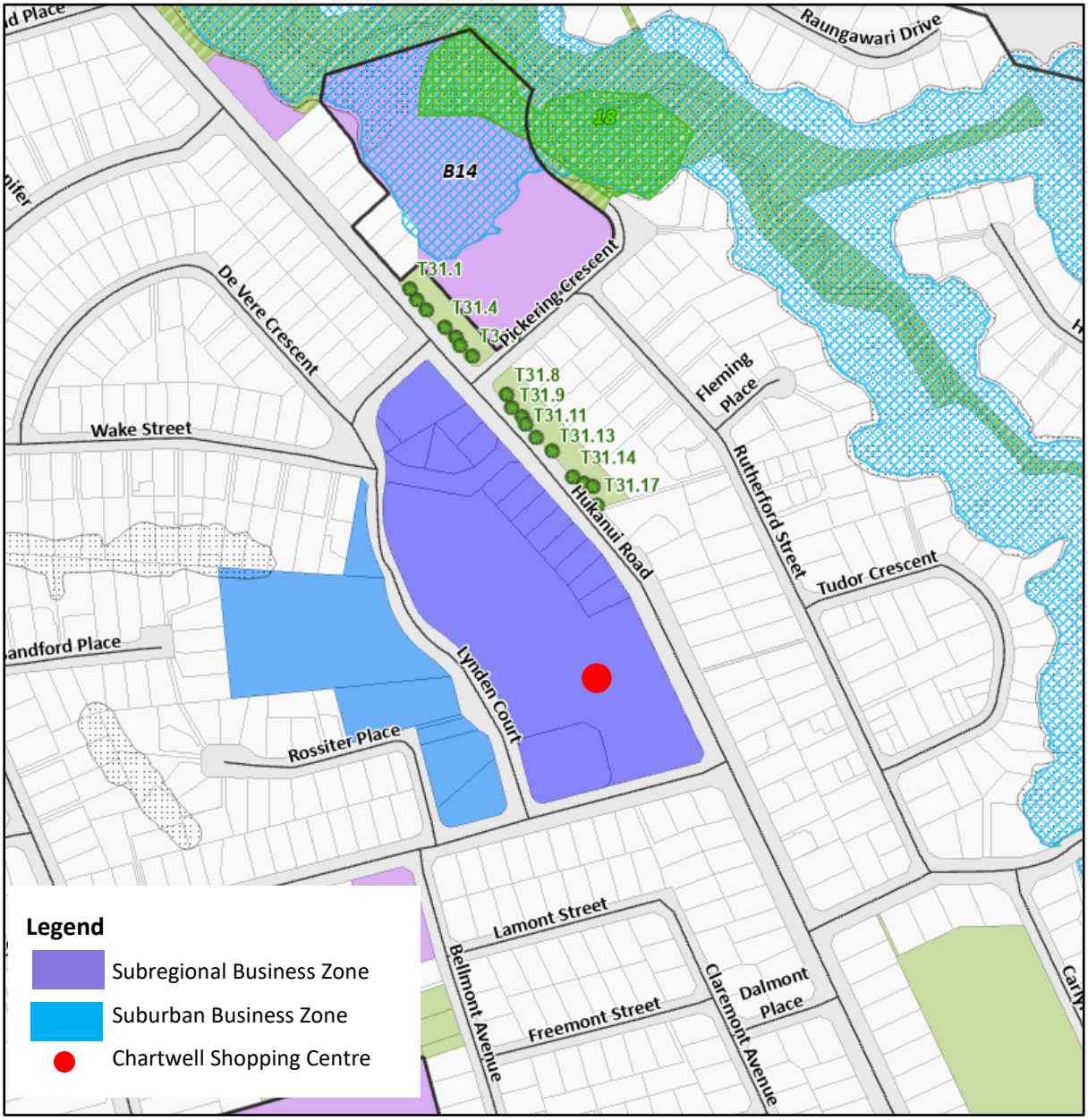

Figure 8 Locality of Chartwell shopping centre and its zoning under Operative District Plan

3.3.3. Are there metropolitan centres in Hamilton for purposes of Policy3(b)

To determine whether The Base and Chartwell met the definition of Metropolitan Centre, these areas were assessed against the criteria identified in the NPS-UD Guidance and with respect to the National Planning Standards definition for Metropolitan Centre.

> *Metropolitan centre zone: Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.*

While both The Base and Chartwell are sub-regional retail destinations, neither centre is a metropolitan centre with respect to the National Planning Standards because of the following.

- They do not provide for residential development.
- There are no public cultural or civic facilities.
- There is no public open space or a communal public space.
- They are nearly exclusively commercial uses, not mixed use and with limited employment opportunities focused on retail and services. A high ratio of employment to residential uses results by default as residential activities are not enabled within the Subregional Centre Zone.
- The Base does not provide for any office activity beyond the level of activity consented as part of the original resource consent and subsequent changes of conditions. Chartwell Shopping Centre does not provide for any office activity other than the office activity ancillary to that of the Shopping Centre. In addition, the Operative District Plan does not anticipate or provide for office activities outside of the Central City and specific Business Zones.

3.3.4. Findings for Policy 3(b) and Policy(c)(iii)

The assessments above demonstrate that most features generally within Metropolitan Centre Zones are not evident in either The Base or Chartwell Shopping Centre, which are the only comparable centre zones in Hamilton ODP. Notwithstanding this conclusion, these areas could potentially change or expand their functions in the long term as the Hamilton-Waikato Metro Spatial Plan signals. However, the NPS-UD assessment is a 'point in time' assessment.

While not required as part of an NPS-UD related plan change, it is recommended that the long-term function of The Base and Chartwell are further considered in processes such as the Future Proof Strategy review process and/or future full District Plan review process. This will enable additional assessment of the future function of this area while being cognisant of the business hierarchy embedded within the District Plan and of the need to develop complete communities that are well-functioning urban environments.

While The Base and Chartwell are not considered to meet the definition of "Metropolitan Centres", these destinations have been considered in the city-wide accessibility analysis, given their high importance in relation to employment, retail and public transport.