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Hamilton City Council

Have Your Say

District Plan Change 12 Submission

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(sent via email to haveyoursay@hcc.govt.nz)

PLAN CHANGE 12 SUBMISSION:

1.0 INTRODUCTION, QUALIFICATIONS AND RELEVANT EXPERIENCE

1.1. My full name is John Claude Manning. I am the director and resource management consultant with Planman Consultants Limited formally incorporating that Company in March 2013.

1.2. Prior to establishing Planman Consultants Limited I held Town Planning roles in Hamilton CIty Council from November 1992 to December 2012. Prior to my roles at Hamilton City Council I was employed in planning roles at Franklin and Rodney District Councils from November 1991 to November 1992.

1.4 My qualifications include a Bachelor of Planning from the University of Auckland, graduated May 1992, and a Bachelor of Social Science from the University of Waikato, graduated in April 1990.

1.5 I have more than 30 years of professional planning experience, with the majority of my experience being gained in Regulatory Roles administering District Plan Provisions, and more latterly, '*on the other side of the fence*' preparing and submitting Resource Consent applications, submitting on Proposed District Plan and District Plan Changes/Variations.

1.6 I have lived in Hamilton for 52 years, living in the Hamilton East and more latterly Hillcrest Suburbs.

2 COMMENT ON EVIDENCE

While I acknowledge that Plan Change 12 (PC12) is the attempt by Hamilton City Council to address the Planning Policy framework to align with the requirements of the National Policy Statement on Urban Development (NPS - UD 2020) and the Resource Management Housing Supply and Other Matters Amendment Act 2021, I do have a number of comments/concerns regarding what I consider has been a rushed and therefore flawed process that is also likely fiscally flawed and which will unduly burden rate payers for the foreseeable future. I support a reduction in red tape, an easing of barriers, and common sense planning provisions. I however am concerned that the proposed changes are a 'Claytons' (the drink you have when you're not having a drink) in that on the face of things certain housing developments will be able to proceed without Resource Consent - however a Resource Consent will still likely be required to identify any infrastructural shortfalls.

The focus of the following submission includes:

- Is there a housing capacity shortfall in Hamilton
- Do the changes promote housing affordability
- Are the changes affordable for the community
- Infrastructure challenges
- Structure Planning - Infill areas, and is increased growth over that previously enabled possible?.
- General Comment on Proposed Residential Development Provisions

3 Is there a Housing Capacity shortfall in Hamilton under current District Plan Provisions.

NPS UD 2020 requires Local Authorities to have well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future. TA's are required to provide sufficient development capacity to meet the differing needs of people within the Community - i.e. ensure that there is sufficient housing supply, or enabling the realization of as much development capacity as possible.

Does Hamilton have a housing shortage that would trigger the need to increase housing supply?. Not sure - the Plan Change 12 process does not appear to include an analysis of housing availability/supply and or the release of capacity that the current planning rules allow. Yes there is homeless in Hamilton, and yes there is a demand for 'Social Housing' - but there are also many would be landlords who choose to leave a house empty (and bank the capital gains that have been prevalent over the last decade) rather than let to tenants. Has Council identified the number of unoccupied dwellings that if incentivized could help alleviate housing shortages - short answer is no.

Further to the above, the Productivity Commission have noted that the provision of infrastructure and the availability of land supply has constrained City Growth. However in Hamilton greenfield areas have been opened up for subdivision and development with the provision of new

infrastructure, and which combined with the existing Infill policies (promoting vastly increased levels of infill growth) have been designed to meet the growth projections in the Waikato Regional Policy Statement (Future Proof) for decades to come.

4 Do the proposed Changes Promote Housing Affordability .

No. Building housing up (2 stories and more) is more expensive on a m^2 than building out, with the per metre rate increasing higher you go. Once you reach 4 levels you need to factor in lifts, and further increased engineering factors all of which add to cost - increasing housing density does not decrease unit cost. I will discuss infrastructure costs below in costs for the community.

5 Are the changes affordable for the community

In the s.32analysis of the proposed Plan Change ME Consulting have undertaken Residential Capacity Modelling. The modelling undertaken identifies potential housing capacity - whilst acknowledging that capacity delivered is likely to be less than those enabled. This opens up the question regarding the cost of upgrading infrastructure. It is unclear how the financial contribution modelling (including development contributions (DC's) and levies) will deal with capacity issues. Is the renewed infrastructure (and associated financial costs) provide for the full development capacity - or for a lesser amount. If DC's etc are levied based on full infrastructure provision, and a lower uptake is undertaken by developers then the additional infrastructure capacity has to be funded by someone (ratepayer). The situation in a Greenfield development is far more simple - you put in new infrastructure for development capacity at the max planned rate with cost paid by developer either on a per Hectare (levies under financial contributions) or per dwelling rate (DC's) or a combination of both.

Rule 24.4 (Financial Contribution (FC)) and the associated Appendix 18. The Rules are overly complicated, while the 10 year projections appears without merit and or is meaningless i.e why a 10 year cost of activity - does not relate to asset replacement (eg pipes are different from trees), and trees have differing maintenance/replacement value (the example of $36 million for amenity 'enhancement' planting in the residential areas over the next 10 years is based on what? - remember that FC can only be used to avoid, remedy, or mitigate adverse effects of the particular development - situations where existing amenity not impacted should/cannot be legally charged etc).

6 Infrastructure Challenges

As pre above, the proposed changes provide a huge challenge regarding the level of infrastructure re provisioning in the infill areas. While it is a relatively easy task to identify funding/infrastructure requirements to meet capacity provisions in greenfield areas, in the infill area the challenge is to what level replacement infrastructure is required (to cater for how much development?). Focusing on Residential Development Policy 4.1.2.2a (i)- (v) of PC12 - notes that any development must:

I. *Provide an adequate level of infrastructure and services appropriate for the proposed development.*

II. *Takes into account and will not compromise the infrastructural needs of anticipated future*

development.

III. *Not occur unless appropriate infrastructure and/or infrastructure capacity is available to service the proposed development.*

IV. *Ensures that the capacity, efficiency, performance and sustainability of the wider infrastructure network is not compromised.*

V. *Uses public infrastructure ahead of private infrastructure where appropriate.*

The 2 highlighted areas in the PC12 Policy above indicate a rushed process that will result in the Claytons' type approvals I previously referenced - you don't need a Resource Consent for your 2nd or third house on the property, but you do need one to prove that the necessary Council infrastructure is available to service your development. Further an 'adequate' level of infrastructure might exist in an infill area for 'some' development - but then subsequently there will be a shortfall. In my view this all points to the need for a infill structure plan or structure plans providing for sequential development in infill areas as and when infrastructure upgrades have taken place (inclusive of Parks/amenity spaces, pedestrian networks as well as the normal 3 waters and roads infrastructure).

7 Structure Planning for Infill areas, and is increased growth over that previously enabled possible?

Discussions on infill Comprehensive Structure Plans and or infill Growth Development Plans or Master Plans (or a variety of other names for facilitating planned infill development within the City) have been discussed within Council for 20 plus years. Rule 4.1.2.2b recognises the need for staging and sequential growth and or compliance with a Structure Plan - but there appears to be no sequential development planning or structure plan for the majority if not all infill areas (the normal residential zoned areas already developed). Further on an individual Policy matter, the Planning Maps do not seem to align with Policy 4.1.2.3a which seeks application of the Medium Density Residential Standards across all relevant residential zones except where particular circumstances apply. The MDRS zone appears to have been applied to land zoned Residential Intensification Density in the ODP. The absence of a Master Plan for sequential infrastructure provision within the residential infill areas of Hamilton is a real concern and will, in my opinion, lead to more ad hoc development without any cohesive style or enhanced outcome.

8 General Comment on Proposed Residential Development Standards

While the amended development standards within PC 12 and the 'permitted' activity standards for upto 3 dwellings complies with the legislative requirements, I consider that there are a lot of 'additional' standards that will likely trip up developments (which will then need to get a Resource Consent) and/or are difficult and costly to administer. Rules around Public Interface, fencing, accessory buildings, vehicle access, parking, storage areas, waste management areas, service areas, outdoor living areas, and outlook space areas, are all well meaning but not overly well thought out and will often trigger compliance issues and or be impractical requiring a Resource Consent

9 SUMMARY

While the type of Planning proposed by PC 12 is likely achievable in terms of servicing provision for undeveloped (greenfield) areas of Hamilton, the situation is vastly different within the Infill areas where Council has not planned for the potential huge upgrade of infrastructure that PC 12 may require. The 'Claytons' type approach where on the face of it Council is facilitating growth in the infill area in line with the legislative requirements, while in reality likely requiring a Resource Consent for identification of infrastructure requirements is in my opinion not good practice and or will not lead to any good outcomes. Council should firstly properly identify the existing housing stock and supply (including vacant properties and greenfield areas open to development) and then prepare a sequential growth plan for infill areas that enable on time servicing. Such infill master plans should be fully costed and then appropriated charged against the anticipated maximum take up of development opportunity.

With regards to the Residential Development Rules to meet the requirements of NPS UD - again while the 'Permitted' activity standards for housing density etc meets the requirements of the legislation, I consider that there are so many other 'fish hooks' in associated Rules that few developments envisaged to be compliant in the legislation with get through without the need for a Resource Consent.

I seek to be heard in support of this submission, and am happy to be heard in combination with any other submitter.

Yours Sincerely

John Manning

Planman Consultants Limited