

UNDER

the Resource Management Act 1991
("RMA")

IN THE MATTER

of submissions and further
submissions on the Proposed
Waikato District Plan

**MEMORANDUM OF COUNSEL FOR KĀINGA ORA-HOMES AND
COMMUNITIES**

RE IMPLEMENTATION OF NATIONAL PLANNING STANDARDS

16 June 2021

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REF: Douglas Allan / Alex Devine

May it please the Hearing Commissioners:

1. This memorandum of counsel is filed on behalf of Kāinga Ora-Homes and Communities (“**Kāinga Ora**”) in response to the memorandum filed by Waikato District Council (“**Council**”) on 1 June 2021 seeking feedback on the proposed restructuring of the Proposed District Plan (“**PDP**”).
2. Kāinga Ora have reviewed the restructured PDP package and, with reference to paragraph 16 of the Council’s memorandum, make the following comments:

Cross referencing

3. We consider that the method of cross referencing of rules is a definite improvement avoiding duplication and repetition, the result being that each key chapter now contains/will contain the respective provisions for the issue being managed. The “Road-Map” contained within Appendix B of the Memorandum from Council denotes a simplified structure for each Zone and we support this proposed approach.

Rules Cascades

4. These are now significantly clearer than the Plan as notified, with the implications of non-compliance with a standard being clearer and more logical than originally notified. We support the approach proposed.

Inclusion of Zone Statements before the Objectives and Policies in each Chapter

5. These are no Zone statements included in each Chapter however Part 2 Strategic Direction will be underpinned by an Urban Form and Development Chapter in Part 2 which is intended (as per the Implementation Guidelines from the Ministry for the Environment) to clearly spell out the outcomes required under the National Policy Statement Urban Development 2020 in respect of urban form. So in the apparent absence of a Zone Statement, the higher level matters in a dedicated Urban Form and Development Chapter may well be sufficient. However, the National Planning Standards do not preclude Zone Statements, and we would recommend that these tend to help the lay-person interpret and understand the context and the “mission statement” for the respective zone. While we support the inclusion of the Urban Form

and Development Chapter Part 2 we consider that Zone Statements should be included within the PDP.

Rationalisation of District-wide rules

6. We agree with the approach taken to simplify District-wide rules and remove numerous inconsistencies between these, that appear not to have a solid basis for being included. This will assist with the efficiency of the plan, noting that we have sought a simplified regime in provisions throughout the submissions process to date.

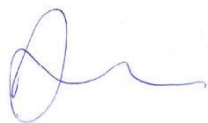
The NPS/GPS mapping module

7. We support the improvements to the mapping system (noting that Intra-Maps has some limitations). Overall the quality of mapping is enhanced, and we support the approach proposed.

Other matters

8. We note that the definitions included are as per the notified version. Kāinga Ora reiterates its earlier position that the Council needs to adopt *all* relevant definitions of the National Planning Standards, not just those that had a specific submission. Kāinga Ora's submission sought the alignment of all definitions in the PDP with the National Planning Standards, therefore no jurisdictional issue arises.
9. If the Council have any questions in relation to our feedback we would be happy to meet to discuss .

Dated this 16th day of June 2021



D A Allan / A K Devine

Counsel for Kāinga Ora-Homes and Communities