

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** proposed private Plan Change 12 to the  
Waipā District Plan by Sanderson Group  
Limited and Kotare Properties Limited for  
the rezoning of Growth Cell T2 from  
'deferred residential zone' to 'residential'

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**STATEMENT OF EVIDENCE OF JOHN BLAIR OLLIVER FOR THE APPLICANT**

**PLANNING**

**15 MARCH 2021**

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## Introduction

1. My full name is John Blair Olliver. I am a planning consultant and I am a founding director of Bloxam Burnett & Olliver Ltd ('BBO'), a firm of consulting engineers, planners and surveyors based in Hamilton.
2. My qualifications are Bachelor of Arts and Diploma of Town Planning. I have 39 years professional planning experience and I am a Member of the New Zealand Planning Institute. I am also a Ministry for the Environment accredited hearings commissioner.
3. My recent experience particularly relevant to this plan change is as follows:
  - (a) As s42A reporting officer for Waikato District Council on a private plan change to rezone land to Residential on Rangitahi Peninsula in Raglan. The site was a master planned development and included significant cultural values and open space and coastal access issues.
  - (b) Providing evidence in support of submissions by Titanium Park Ltd seeking zoning of additional land as industrial at Hamilton Airport. The rezoning addressed strategic planning issues including consistency with Future Proof and the Waikato Regional Policy Statement (RPS) land allocations.
  - (c) Responsibility for preparing a private plan change (Plan Change 10) and Notice of Requirement to the Waipa District Plan to alter designations, amend staging rules and related amendments to plan provisions to authorise changes in access to Hamilton Airport. This involved staged improvements to the transport network as development progressed.
  - (d) Responsibility for preparing a private plan change (Plan Change 2) to the Hamilton City District Plan to rezone land at Te Rapa North for a

mixed use recreational, commercial and residential development known as Te Awa Lakes. This involved issues of consistency with the National Policy Statement on Urban Development Capacity, the RPS, Future Proof and supply and demand for residential and industrial land.

#### **Code of Conduct for Expert Witnesses**

4. I am familiar with the Code of Conduct for Expert Witnesses (Environment Court Consolidated Practice Note 2014) and although I note this is a Council hearing, I agree to comply with this code. The evidence I will present is within my area of expertise, except where I state that I am relying on information provided by another party. I have not knowingly omitted facts or information that might alter or detract from opinions I express.

#### **Scope of evidence**

5. I have been asked to provide planning evidence in support of the plan change. My evidence will cover the following matters:
  - (a) Context and background;
  - (b) An overview of the Plan Change;
  - (c) Statutory provisions;
  - (d) Strategic analysis;
  - (e) Comments on the Section 42A Report;
  - (f) Comments on submissions;
  - (g) Proposed amendments to the plan change; and

- (h) Conclusions.
6. My evidence draws on and should be read alongside the evidence of other witnesses for the Applicant, including:
- (a) Nathan Sanderson (Applicant);
  - (b) John Illingsworth (Applicant);
  - (c) Mark Apeldoorn (Roading and Transport);
  - (d) Jo Soanes (Urban Design and Landscape);
  - (e) Ciaran Murphy (Civil Engineer);
  - (f) Hayden Vink (Stormwater Engineer);
  - (g) Mark Bellingham (Ecology);
  - (h) Norm Hill (Cultural); and
  - (i) Philip Osborne (Economics).
7. Various site visits have been carried out over the course of this project with my most recent site visit being on 26 August 2020.

### **Executive summary**

8. Plan Change 12 (PC12) seeks to rezone Growth Cell T2 of the Waipa District Plan (WDP) from Deferred Residential to Residential, effectively uplifting the deferred status of the current zoning. It is also proposed to insert a structure

plan into the District Plan for the entire Growth Cell T2 area, which outlines a high level overview of the infrastructure requirements of the growth cell and potential development pattern.

9. The underlying proposal and driver of PC12 is the construction of the proposed retirement village development led by Sanderson Group Limited and residential subdivision led by Kotare Consultants Limited, at 10 and 52 Frontier Road.
10. The evaluation of PC12 against the statutory framework of the RMA leads to an assessment against the provisions of the strategic planning instruments, in particular the Waikato Regional Policy Statement, National Policy Statement – Urban Development (NPS-UD), Waipa District Plan (WDP), Waipa 2050 Growth Strategy and Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 ('Settlement Act').
11. PC12 utilises an existing pathway in the WDP to allow the deferral to be uplifted, making the zone 'live' via a private plan change. Because T2 has been allocated to future residential growth since the last District Plan review in 2012, the residential development is anticipated and planned for. It is only the timing that is changed.
12. Population and housing growth predictions in the Future Proof subregion are quickly becoming out of date as economic growth and spillover impacts of Auckland and Hamilton are being felt in Waikato townships. A recent update of population predictions<sup>1</sup> indicates that Waipa District's growth rate is significantly higher than has previously been assumed in the planning documents such as the RPS and Waipa 2050. In addition, the NPS-UD has placed greater emphasis on local authorities being more responsive to plan

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<sup>1</sup> 2020 Update of Population, and Family and Household Projections for Waipa District, 2013-2063, MP Cameron.

changes that provide additional development capacity, even when they are out of sequence.<sup>2</sup>

13. In my opinion, PC12, including the amended plan provisions included in this evidence, meets all the necessary statutory tests and gives effect to the strategic planning framework, rapidly-changing as it is. It is the most appropriate way of achieving the existing objectives in the WDP and is considered the most appropriate way of achieving the purpose of the RMA.
14. I support the recommendation in the s42A report to amend the plan change so that the deferred zoning remains in place on Stage 2 of the Structure Plan area.
15. I have addressed the submissions relevant to planning matters and I conclude that there are no reasons why the proposed plan change could not be approved.

### **Context and Background**

16. Sanderson Group are a family orientated, leading provider of high quality retirement villages in New Zealand. Established in 1987, Sanderson have been involved in a number of retirement village developments in Tauranga, Queenstown, Hamilton and Tamahere. They currently operate the Omokoroa Country Estate in Tauranga, and the Tamahere Country Club is currently under construction.
17. Kotare Properties are a Waikato-based residential subdivision land developer. They have a well-established track record of producing high quality residential living environments. Their most recent development is in Cambridge, namely the Kotare Downs development located on Swayne Road.

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<sup>2</sup> NPS-UD Policy 8.

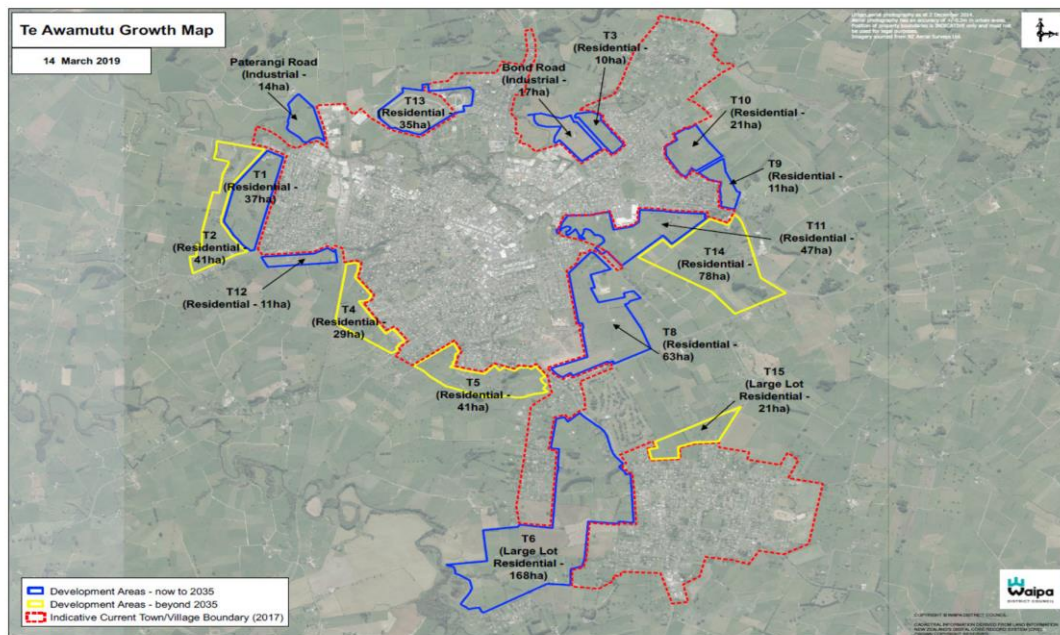
18. Sanderson Group searched for an appropriate site in Te Awamutu to establish a retirement village for approximately three years, as a result of the aging population and increased demand for retirement living options in the Waipa District. The site located at 10 Frontier Road and 52 Frontier Road, at the western extent of Te Awamutu (within Growth Cell T2) was identified by them as an ideal location for the village.
19. When Sanderson Group acquired the site in early 2020 their plans were for a large Country Club of some 200 villas on about 18ha. However, as described in the evidence of Nathan Sanderson, several factors led to Sanderson Group reassessing the risk of a development of that scale. As a result, reluctant to put the whole development on hold, they decided to scale back the retirement village and bring on Kotare as a residential developer for the balance of the land. This allowed for Sanderson and Kotare to share the cost of land, planning and infrastructure and spread the development risk which at the time was elevated by the onset of the pandemic and the associated economic predictions. As a result, the northern part of the 18ha site will be allocated to the proposed retirement village and the southern part to a residential subdivision led by Kotare Properties.

### **Strategic Planning Background**

20. Growth Cell T2 is one of twelve identified residential growth cells in the Waipa District Plan (WDP) for Te Awamutu. There are also two large lot rural-residential growth cells. The growth cells are split into two groups; growth cells which are anticipated to be opened and developed from now to 2035 and growth cells which are anticipated to be opened and developed after 2035. Eight of the growth cells are anticipated to be developed before 2035.
21. The growth cells identified in the WDP derive from the Waipa 2050 District Growth Strategy. The strategy, prepared in 2017, is based on the population projection that Waipa will accommodate an additional 25,000 people in the

District by 2050. Most of the Growth Cells have been included within a Deferred Zone in the District Plan to indicate the intended future land use (i.e. Deferred Residential/Deferred Industrial). The Te Awamutu Growth Map is displayed in Figure 1 below.

#### Te Awamutu



**Figure 1:** Te Awamutu Growth Map

22. Growth Cell T2, located at the western edge of Te Awamutu, is the subject of PC12. This growth cell has been identified for future residential development after 2035. The entirety of Growth Cell T2 is zoned Deferred Residential, meaning that residential development is appropriate in this location, however not in the immediate future. Growth Cell T2 has a total size of 41ha.
23. While Growth Cell T2 has been identified for development after 2035, the WDP anticipates that deferred zone areas can be made 'live' and brought forward to commence development in a growth cell ahead of the forecasted timeframes. The WDP identifies two pathways to bringing forward development. The first is by way of a private plan change to the WDP. The second is obtaining resource consent for a structure plan and subsequently the



Council uplifting the deferred zone by way of Council resolution (Rule 14.4.1.10).

24. Initial discussions with Waipa District Council indicated the approach in Rule 14.4.1.10 had been subject to legal and technical review and was found to be wanting, and Council was proposing to change the WDP to remove this option. They have progressed a plan change to a draft stage (Plan Change 13) for consultation. As a result, any resource consent process would be a non-complying activity.
  
25. As such, the private plan change option is favoured as it provides a comprehensive opportunity to open up a growth cell for development earlier than originally anticipated. Such a plan change is subject to relevant objectives and policies and criteria in Section 14 of the WDP, including:
  - (a) Proving to the satisfaction of Council that there are less than three Open Growth Cells or there is less than three years supply of land that is 'Development Ready' for Te Awamutu;
  - (b) The Deferred Zone will be required to be rezoned via a plan change for its intended future use i.e. Residential in this instance;
  - (c) A structure plan for the entire growth cell, is to be approved by way of a change to the WDP;
  - (d) The Development Infrastructure required to service the Deferred Zone area is either in place, or Council is satisfied that there is a solution to deliver the necessary infrastructure;
  - (e) No amendments are required to the District Plan objectives, policies or rule framework.

26. Sanderson Group and Kotare Properties have made use of the opportunity to rezone the site through PC12, opening it up for residential development to occur now, acknowledging that this is the most efficient way to ensure comprehensive design of the entire growth cell and to allow for development to occur now on the southern portion of the growth cell. The above criteria are assessed in more detail below.

### **Overview of Plan Change**

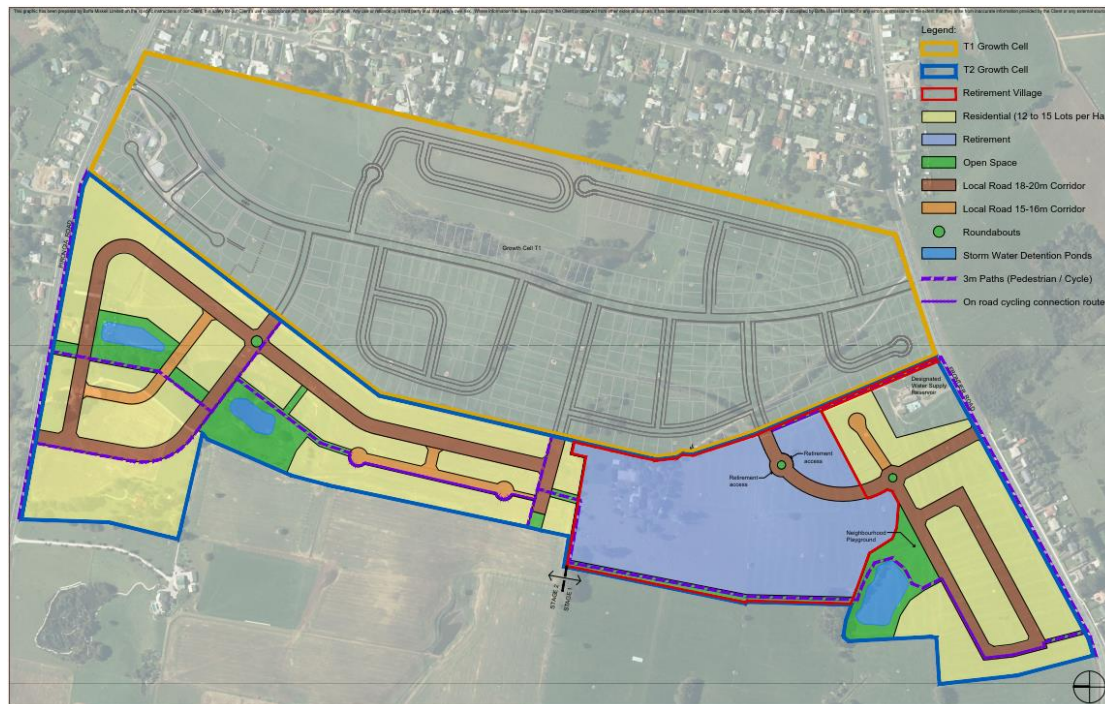
27. The overriding purpose of PC12 is to allow for residential development within Growth Cell T2 to occur now, and to outline the high-level infrastructure and servicing requirements of the growth cell to guide future development.
28. As such, PC12 proposes to rezone the site to Residential, effectively uplifting the deferred status of the current zoning. It is also proposed to insert a structure plan into the District Plan for the entire T2 Growth Cell, which will outline the high level infrastructure requirements of the growth cell and potential development pattern and various site specific performance standards to achieve an appropriate level of amenity and staging across the structure plan area.
29. The overall driver of PC12 is the construction of the proposed retirement village development. However, as described above and in the evidence of Nathan Sanderson and John Illingsworth the objective of building the retirement village is inextricably linked with the Kotare residential development. One will not happen without the other.
30. The subject titles have a joint land area of approximately 18.2ha and make up the southern half of Growth Cell T2. The combined development has been the subject of detailed investigations and concept design. This means that the layout of the T2 development has a higher degree of certainty than many other growth cells that have multiple owners and a less coordinated approach to

development. Both Sanderson Group and Kotare also intend to develop in the short term (i.e. the next two years) so the land will not lie fallow once rezoned. To provide more context regarding the advanced status of the two development proposals:

- (a) A subdivision consent application has been lodged with Waipa District Council for the residential subdivision (Council reference: SP/0125/20). It is currently on hold;
- (b) A land use consent application to establish and operate the proposed Te Awamutu Country Club by Sanderson Group is currently being prepared;
- (c) A bulk earthworks consent application has been lodged with Waipa District Council for the entire 18.2ha development area for the retirement village and subdivision (Council reference: LU/0210/20). It is currently on hold;
- (d) A regional consent application has been granted by the Waikato Regional Council for the following activities:
  - (i) Earthworks in association with joint retirement village/residential subdivision development (Council reference: AUTH142118.01.01);
  - (ii) Diversion and discharge of stormwater in association with joint retirement village/residential subdivision development (Council reference: AUTH142118.02.01).

31. The above resource consents will not be approved by WDC until PC12 is approved. However, the applicants have prepared and lodged the applications ready for processing to save time.

32. The northern half of T2 is not controlled by the applicants but they have discussed the overall development and rezoning with those landowners. The applicants have initiated the necessary investigations and design to support a Structure Plan for the whole of T2, but there is less certainty over the nature and timing of development of the northern half.
33. As a result, the plan change proposes to split the land into two stages. Stage 1, the southern 18.2ha would be available for development immediately following the plan change. Stage 2, the northern balance of the cell, would remain with a 2035 development timeframe.
34. Appendix A of the Request for PC12 sets out the proposed changes to the WDP. I comment on them further in paragraph 102 of this evidence.
35. The following figure sets out the structure plan submitted with the PC12 application.



**Figure 2: Structure Plan**

36. Refer to Figure 3 showing a high level overview of the development proposals on the southern half (Stage 1) of the growth cell, based on the preliminary work on the resource consents for the retirement village and the residential subdivision.



Figure 3: Development Proposals

### **Statutory Provisions**

37. As a private plan change, PC12 is governed by Part 2 of Schedule 1 to the RMA. The request was made pursuant to clause 21(1) of Schedule 1. The WDC decided to accept the plan change request and publicly notify it pursuant to clause 26.
38. Under clause 29(1) of Schedule 1, Part 1 of Schedule 1 (which applies to council-initiated or adopted plan changes) applies with all necessary modifications, meaning there is a degree of commonality between both. This includes provisions for the making of submissions, decisions, and appeals. Other provisions of the RMA, including sections 31, 32, 74 and 75, and Part 2 of the RMA, apply to changes to a district plan, regardless of whether it is a Council-initiated or a private plan change request.
39. In addition to the provisions in the RMA, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 includes mandatory relevant considerations when changing a planning document that applies to the Waikato River and activities within its catchment affecting the Waikato River.

### **Section 31**

40. Under s 31(1) of the RMA, Waipa District Council as a territorial authority has a number of relevant functions for the purpose of giving effect to the RMA in its district, including:
- (a) Establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the Waipa District; and

- (b) Establishment, implementation, and review of objectives, policies and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.
41. The Council is therefore required to consider the plan change application in accordance with its function of achieving integrated management of land use. The use and development of the land for the purposes outlined in PC12 is within the scope of the Council's functions under s31 and integration of effects of the activities with infrastructure and other nearby activities is a key issue addressed by PC12. PC12 contributes to providing development capacity for housing.

### Section 32

42. Under clause 22(1) of Schedule 1 to the RMA, a private plan change request must "contain an evaluation report prepared in accordance with section 32 for the proposed plan change".
43. Section 32 of the RMA requires the evaluation report required under clause 22 above to examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA under subsection (1)(a), and whether the provisions in the proposal (i.e. policies, rules and other methods) are the most appropriate way of achieving the objectives under subsection (1)(b).
44. The evaluation must also consider the efficiency and effectiveness of a proposal, taking into consideration benefits and costs and the risk of acting or not acting.
45. An assessment of the high level alternatives and the costs and benefits of options to achieve the desired outcome is provided in Table 2 of the Request

for PC12 dated October 2020. It concluded that a private plan change was the most efficient and effective alternative.

46. A more specific assessment of alternative plan provisions, and the costs and benefits in respect of each proposed new plan provision is provided in the table at Appendix 1. This information was provided to Council on 18 February 2021 in response to a request for information.
47. An evaluation under section 32(1) must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the proposal (as required by s32(1)(c)). In my opinion, the level of detail included within the request for PC12 and its supporting appendices is appropriate, relative to the scale and significance of the anticipated effects. It is a rezoning proposal within an identified growth cell of the Waipa District where residential development is already identified to occur. It will simply bring forward the timing of some of the development. Therefore, it is not a proposal that comes from 'left field' with a wide range of alternative options. The evaluation provided reflects that.
48. PC12 is an 'amending proposal' under s32(3) because it seeks to amend the existing District Plan. As an amending proposal, the evaluation of the proposal against the "objectives" is limited to new objectives that are part of the proposal and any objectives of the District Plan that are relevant to the proposed new objectives. The proposal does not include any new objectives. PC12 has been designed to be incorporated within the existing structure and framework provided by the objectives and policies in the District Plan. In my opinion, PC12 readily satisfies s32(1)(b) because it is able to be inserted into the District Plan with minimal impact on the existing District Plan itself.



## Section 74

49. Section 74 outlines the matters which must be considered by WDC when changing the District Plan.
50. WDC must change its District Plan “in accordance with”, among other things, its functions under s31 above, the provisions of Part 2, its obligation to “have particular regard” to the s32 analysis discussed above, and any national policy statements or national planning standards.
51. Under s74, the WDC must “have regard to”, among other things, any proposed regional policy statements or proposed regional plans, management plans and strategies prepared under other Acts and any relevant entry on the New Zealand Heritage List.
52. There are no proposed regional policy statements or plans currently notified. In this case, the relevant management plans and strategies include Future Proof, the Waikato-Tainui Environmental Plan – Tai Tumu, Te Pari, Tai Ao and Waipa 2050 Growth Strategy. My findings on these documents are addressed in the following sections below under the Strategic Analysis heading. The only relevant listing on the New Zealand Heritage List is Isla Bank house at the northern end of the PC12 area. Regard has also been given to this item.

## Section 75

53. In addition to setting out what the District Plan must and may state, s75(3) says that the District Plan must “give effect to” (relevantly):
  - (a) any national policy statement;
  - (b) a national planning standard; and
  - (c) any regional policy statement.

54. The National Policy Statement – Urban Development (“NPS-UD”) is relevant to PC12. The relevant regional policy statement is the Waikato Regional Policy Statement (RPS), which became operative in 2016. Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is part of the RPS.
55. The first set of National Planning Standards were introduced in April 2019 and specify the structure and form of subsequent district plans and policy statements. However, the WDP was prepared before the Standards had effect, so they are not able to be implemented through this plan change. If approved this plan change will become part of the WDP which will need to be comprehensively updated in the future as required by the Planning Standards.
56. I consider the above relevant matters below under the Strategic Analysis section of my evidence.

## **Part 2 – Purpose and Principles**

57. The District Plan must be changed in accordance with the provisions of Part 2 of the RMA, being the purpose and principles, with the overriding purpose being ‘to promote the sustainable management of natural and physical resources’ (Section 5 RMA – Purpose). This is also subject to the caveats from the Supreme Court 2014 decision *Environmental Defence Society Inc. vs the New Zealand King Salmon Co Ltd* (King Salmon) which provides guidance as to how Part 2 of the RMA applies to plan changes. Prior to the King Salmon decision an ‘overall judgement’ approach was taken, whereby it was considered whether a plan change gave effect to Part 2, including assessing it individually against the various matters in sections 6, 7 and 8 of the RMA. King Salmon changed the decision-making process for plan changes. It found that there was no need to refer back up the hierarchy of plan provisions to Part 2, because other high-level planning instruments are deemed to have given

effect to Part 2 at the national, regional or local level. The Court also noted that there are three exceptions to this general rule:

- (a) Invalidity, i.e. the higher order document may be illegal.
- (b) Incomplete coverage, i.e. the higher-level document may not fully cover the issue being considered.
- (c) Uncertainty of meaning, i.e. the higher-level document is not clear in its application to the issue.

58. In this case, the relevant higher level planning instruments that are being applied and that give effect to Part 2 are the NPS-UD and the RPS.

**Te Ture Whaimana – Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010**

59. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 ('Settlement Act') gives effect to the Deed of Settlement entered into by the Crown and Waikato-Tainui in relation to Treaty of Waitangi claims in relation to the Waikato River on 17 December 2009. The Settlement Act has the overarching purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations.

60. As part of the RPS, any change to the District Plan must give effect to Te Ture Whaimana.

## Strategic Analysis

### Waikato Regional Policy Statement

61. The RPS aims to achieve integrated management and protection of Waikato's natural and physical resources by identifying and addressing resource management issues within the region. The RPS must give effect to National Policy Statements. However, the RPS was notified in 2010 and became operative in 2016. Therefore, it is quite dated. The NPS-UD of 2020 post-dates the RPS so it does not fully reflect it, and therefore there is a potential issue of 'incomplete coverage'. The main issue of relevance for this development is the management of the Built Environment (Section 6).
62. Section 6 of the RPS aims to ensure that the built environment is planned and coordinated, including coordination with the provision of infrastructure. This section of the RPS ensures that the Future Proof Land Use pattern is implemented through District Plan provisions in order to provide appropriately zoned and serviced land to enable development to occur now and in the future. It is considered that the key policies are as follows:
- (a) Policy 6.1 - ensures that subdivision, use and development of the built environment occurs in a planned and co-ordinated manner;
  - (b) Policy 6.3 – ensures co-ordination of growth and infrastructure;
  - (c) Policy 6.14 – Adopting Future Proof land use pattern.
63. The evidence of Mark Apeldoorn and Ciaran Murphy demonstrates that urban services can be extended and upgraded to service the site. Servicing is to be coordinated with adjacent development of Growth Cell T1, with a road connection through T1. Development within Growth Cell T2 is planned

development as it is anticipated by Waipa 2050 and the WDP. Therefore, it is consistent with Policies 6.1 and 6.3.

64. Policy 6.14 states that new urban development shall be within the urban limits and managed in accordance with the timing in RPS Table 6-1 which allocates high level population growth within the subregion.
65. PC12 is not within Te Awamutu's urban limits as the current urban limit is on the growth cell T1 boundary. It is broadly consistent with the population projections in Table 6-1 which indicate a Te Awamutu population of 15,900 in 2021. The 2018 population was 15,000 (2018 Census). It forms part of the 20% population growth share allocated in the RPS to towns in the region. However, a recent population projection update<sup>3</sup> demonstrates that Waipa District is growing more strongly than assumed in Table 6-1, and will continue to do so. The update indicates that in 2043 the population will be between 75,653 and 82,878 (depending on whether high or medium assumptions are used), compared to Table 6-1 which projects 67,000 at 2041.
66. The objectives and policies of the WDP generally seek to achieve the same outcomes as those of the RPS. Waipa 2050 is a growth strategy prepared in accordance with the Future Proof subregional growth strategy and Policy 6.14 of the RPS is '*Adopting the Future Proof land use pattern*'. All of these documents are broadly consistent. In general, therefore, an exhaustive consideration of the RPS objectives and policies is unnecessary.
67. Section 6 of the RPS addresses the built environment, and contains policies relevant to the rezoning of land to provide for new urban development.
68. The RPS only provides a high level policy direction for residential growth as set out in Table 6-1, leaving the implementation with local and subregional growth strategies and district plans. Despite the site being outside the current urban

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<sup>3</sup> 2020 Update of Population, and Family and Household Projections for Waipa District, 2013-2063, MP Cameron.

limits it is consistent with the Future Proof land use pattern as it has been allocated to residential development via Waipa 2050 which in turn has been developed in accordance with the Future Proof growth strategy. It is only the timing that has changed, and the WDP clearly provides a method (via plan change and relevant guidelines) that enables the removal of the deferral and the implementation of a 'live' zoning. The RPS also recognises the need for flexibility in land use patterns and timing through Policy 6.14 g) which states;

*'where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern'.*

69. Consistency with Future Proof is established through consistency with Waipa 2050 and the use of the WDP plan change process envisaged for deferred zones. Therefore, Plan Change 12 gives effect to the relevant policies of the RPS.

#### National Policy Statement on Urban Development

70. It is considered that the only NPS applicable to the plan change is the NPS on Urban Development (NPS-UD). The NPS-UD came into effect on 10 August 2020 and replaced the National Policy Statement on Urban Development Capacity.
71. The NPS-UD contributes to the Government's Urban Growth Agenda, which is described by the Ministry for the Environment as a programme that aims to remove barriers to the supply of land and infrastructure. The NPS-UD contributes to the Urban Growth Agenda by addressing constraints in the planning system to ensure our system enables growth and supports well-functioning urban environments.

72. PC12 aligns with the objectives of the NPS-UD as it will:
- (a) Contribute to a well-functioning urban environment (Objective 1 of the NPSUD). Well-functioning urban environments are described in Policy 1 as those environments that have or enable a variety of homes that meet the needs (in terms of type, price, and location) of different households; enable Maori to express their cultural traditions and norms; have good accessibility between housing, jobs, community services and natural and outdoor spaces, including by way of active transport; support the competitive operation of land and development markets; support reductions in greenhouse gas emissions; and are resilient to the likely current and future effects of climate change. PC12 will do this through enabling competition in the Te Awamutu market in a location that is adjacent to an existing developing growth cell, readily accessible to the town centre (which provides business, employment and transport options) and reserves, and will provide for greater variety in the price, type and location of housing, particularly by providing a high quality independent retirement living option. The site is not identified as having any predicted future flooding hazards, and therefore is not considered to be susceptible to effects of climate change.
  - (b) Provide for choice and competitiveness in the housing market (Objective 2) and enable more people to live in an area that is near to a centre with many employment opportunities and has higher than average demand for housing (Objective 3). The provision of another separately owned development location in Te Awamutu west will actively promote choice and competitiveness in the housing market. Waipa District is identified as a 'Tier 1' local authority in the NPS<sup>4</sup>. Tier 1 local authorities are experiencing high levels of population growth

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<sup>4</sup> NPS-UD 2020, page 31.

and housing affordability issues, such that they have to pay particular attention to provision of adequate development capacity.

- (c) Develop the land in a manner that responds to the changing needs of people, communities and future generations (Objective 4). PC12 aligns with this objective by introducing retirement living strategically in a location where it complements the traditional residential development around it. The childcare centre proposed for T1 reinforces the multi-generational aspects of the emerging community as outlined in Nathan Sanderson's evidence.
- (d) Provide for development of the land in a manner that takes into account the principles of the Treaty of Waitangi (Objective 5). The evidence of Norman Hill confirms these have been taken into account.
- (e) Be a decision regarding an urban environment that is: integrated with infrastructure planning and funding decisions; strategic over the medium term and long term; and responsive to a proposal that will significantly contribute to the housing market (Objective 6). The evidence of Hayden Vink, Ciaran Murphy and Mark Apeldoorn confirms infrastructure planning is in place and integrated with the Council's funding decisions. As set out in the s42A report the Council has sized infrastructure in the locality to cater for future development of T2. PC12 represents both 'plan-enabled' (ie. zoned) and infrastructure-ready land referred to in the NPS-UD, based on this evidence and the s42A report. PC 12 will contribute significantly to the housing market by supplying approximately an additional 98 retirement units and 101 residential lots.

73. Policy 8 of the NPS-UD is also relevant as it states:

*'Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is:*



- (a) *unanticipated by RMA planning documents, or*
- (b) *out of sequence with planned land release.'*

74. PC12 is anticipated but it is out of sequence with the land release envisaged in the WDP. It will add significantly to development capacity as outlined in this evidence. It will contribute to a well-functioning urban environment in accordance with my assessment of Policy 1. Policy 8 is particularly apposite as it clearly directs that adding capacity is more important (subject to some provisos) than inflexible adherence to planning documents.
75. Plan Change 12 gives effect to these objectives and policies, and is consistent with the NPS-UD.

#### **District Plan**

76. This section assesses the policy fit of this plan change with the WDP. The WDP was made operative on 14 August 2017, therefore is a recent and up to date planning instrument. It incorporates the key outcomes of Waipa 2050, the Waipa District Growth Strategy. However, as with the RPS, it post-dates the NPS-UD.
77. WDC are currently undertaking a plan change to the WDP relating to the process of uplifting deferred zones listed in the WDP, being Plan Change 13. At the time of the District Plan Review, Council introduced the provisions outlined within Section 14 – Deferred Zone of the WDP which provides for Structure Plans to be approved via a resource consent process and the Deferred Zone to then be uplifted by way of a Council resolution. This was an alternative to a Schedule 1 plan change process. As a result of legal problems with this approach, these provisions are to be removed from the District Plan by Plan Change 13, which is currently in draft form being consulted on. As such, the only realistic process available to uplift a deferred zone is via a Plan Change, such as PC12.

78. Rule 14.4.1.10 of the WDP (Uplifting of Deferred Zones) applies principally to the resource consent/Council resolution process that has been found to be legally deficient and is to be removed through Plan Change 13. It includes a set of prescriptive criteria because its purpose is to deliver a live zone by way of a simple Council resolution. Although it refers to a structure plan being approved by way of a plan change, it does not specifically refer to plan changes to uplift the deferral. Similarly, Policies 14.3.1.4 and 14.4.1.5 are predicated on implementation through a Council resolution under Rule 14.4.1.10. However, given they deal with the same issue of removing the deferral, they provide policy guidance to this plan change. They are summarised as follows:
- (a) Proving to the satisfaction of Council that within the relevant town or village there are less than three Open Growth Cells or there is less than three years supply of land that is 'Development Ready' for Te Awamutu;
  - (b) The Deferred Zone will be required to be rezoned for its intended future use, i.e. Residential in this instance (via a plan change);
  - (c) A structure plan for the entire growth cell, is to be approved by way of a change to the Waipa District Plan. PC 12 implements this;
  - (d) The Development Infrastructure required to service the Deferred Zone area is either in place, or Council is satisfied that there is a solution to deliver the necessary infrastructure (this can be outlined at a high level in the structure plan);
  - (e) No amendments are required to the District Plan objectives, policies or rule framework.
79. The following addresses the above matters contained in Rule 14.4.1.10.

80. Currently four of the residential growth cells in Te Awamutu are open, so decisions have previously been made by Council that it is appropriate to open up more than two growth cells. The s42A report summarises the status of the growth cells and following are comments on those growth cells:
- (a) The T1 Growth Cell located between Frontier Road and Pirongia Road and adjacent to T2; Stages 1 and 2 of this development has to date been consented for 41 residential lots. In February 2021 subdivision and land use consents were lodged with WDC for the balance of the site, being Stages 3-12. This includes a childcare centre application. Based on this application the total dwelling yield for T1 will be 402, compared to the 444 assumed for the Growth Cell in the WDP.<sup>5</sup>
  - (b) The T9 Growth Cell located on the northern side of Cambridge Road on the eastern side of Te Awamutu. This is a small growth cell with an estimated yield of only 132 lots and the s42A report confirms current development is nearing completion, with an application for a further 85 lots currently on hold.
  - (c) T3 Growth Cell of 11ha is located between Bond Road and Te Rahu Road. This Growth Cell had about one-third of its zoning uplifted in May 2017 and subdivision consent for 41 residential lots approved in July 2017. To date approximately half of the subdivision has new dwellings on them, indicating very limited capacity. In terms of the remaining two-thirds of the Growth Cell, this is still deferred zoning.
  - (d) Part of the T8 Growth Cell located on Golf Road and Park Road. This Growth Cell had the non-flood areas uplifted in July 2019 and subdivision consent for 99 residential lots was granted.

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<sup>5</sup> ITA Addendum for Frontier Developments by Stantec, Nov 2020, p24.

81. Despite the four growth cells open, it is notable that T3 and T8 have only had parts of the deferrals uplifted, so those growth cells are not fully open. In addition, the yield in T1 will be 42 dwellings less than estimated. Approximately 180 lots have been consented in the open growth cells, of which only a portion have been developed, indicating that the cells are not progressing evenly or quickly. This is unlikely to be keeping pace with the annual household demand of 169 noted in Table 2 below, as their release will be spread out over several years. As noted in the s42A report the capacity is insufficient to meet the estimated 3-year demand of 507 dwellings.
  
82. There is short term demand for additional residential sites and increased range of residential products and price points and locations. In particular, as evidenced by the unsolicited approaches to Sanderson Group outlined in Nathan Sanderson's evidence, and the evidence of Phil Osborne, there is a specific shortfall of retirement living options.
  
83. Waipa 2050 identifies that growth is not expected to be linear through to 2050. A higher proportion of growth is expected in the first 10 years (2017-2027), and will slow after that. This is illustrated for Cambridge and Te Awamutu/Kihikihi urban areas below.

Location	2017 Population	2050 Estimated Population	2050 Households	Annual Household Demand	Annual Land Supply Required
Cambridge	16,100	30,300 (+14,200)	13,500 (+7,000)	212	18ha
Te Awamutu / Kihikihi	13,000	18,400 (+5,400)	8,700 (+3,400)	104	9ha

Location	2017 Population	2027 Estimated Population	2027 Households	Annual Household Demand	Annual Land Supply Required
Cambridge	16,100	23,200 (+ 7100)	9,800 (+3400)	340	28 ha
Te Awamutu / Kihikihi	13,000	15,700 (+2700)	7,000 (+1700)	169	14ha

**Figure 4:** Projected Household demands extracted from Waipa 2050

84. From 2017 until 2027 (10 years), land supply for residential use requires 14ha per year to become available and 169 dwellings per year to be provided in Te Awamutu. Over those 10 years, this equates to approximately 141ha and 1700 dwellings. By 2027 approximately 169ha will need to have been provided to meet anticipated demand, when taking into account the additional 20% supply required by the NPS-UD.<sup>6</sup>
85. However, growth predictions in the Future Proof subregion are quickly becoming out of date as economic growth and spillover impacts of Auckland and Hamilton are being felt in Waikato townships. As I have previously outlined, the recent update of population predictions<sup>7</sup> indicates that Waipa District's growth rate is higher than has previously been assumed in the planning documents. As a result, Future Proof have commissioned Market Economics to undertake an updated (2021) Housing and Business Assessment. The outcomes of that will be known around the middle of the year.

<sup>6</sup> Waipa 2050, page 24.

<sup>7</sup> 2020 Update of Population, and Family and Household Projections for Waipa District, 2013-2063, MP Cameron.

86. In addition, in relation to the need to meet growth demand predictions, there is not a 1:1 relationship between zone-enabled land and development-feasible land, given the multitude of other factors that dictate whether land can be utilised for its zoned purpose. Accordingly, the demand plus 20% metric required by the NPS-UD is only a starting point and substantially more land needs to be zoned than the raw number thereby calculated. Analysis undertaken as part of the Auckland Unitary Plan hearings and by Waikato District Council as part of their current District Plan review,<sup>8</sup> indicated that a 'redundancy factor' of an additional 50-100% of the land area was realistic<sup>9</sup>. Factors impacting actual development-feasible realised yield include landowner intentions, unexpected physical constraints and infrastructure constraints and lengthy timeframes. At a small scale the development outcome for T1 of only achieving 90% of the expected dwelling yield illustrates the point.
87. Growth Cell T2 adds to existing residential options and will ensure there is an ample supply of land taking into account the long lead times for land development and the varied intents and drivers of landowners in the growth cells. Growth Cell T2 adds to the options, ensuring there is healthy competition in the residential land market, which will support improved affordability.
88. PC12 fulfils paragraph 78 (b) and (c), by rezoning the land to residential and including a structure plan for the entire growth cell prior to undertaking development.
89. As set out in Ciaran Murphy's evidence and confirmed in the s42A report, the development infrastructure is either already in place or able to be provided as part of the development, satisfying paragraph 78 (d).

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<sup>8</sup> S42A Framework Report for Waikato District, Dr Mark Davey, 19 January 2021, page 3.

<sup>9</sup> Peer Review of Hearing 25 Zone Extents Framework Report, David Hill, 26 January 2021, page 3

90. As described elsewhere in this evidence, the use of this land for residential development has previously been determined as appropriate and it has been zoned for future residential development. As such, the plan change proposes only minimal and necessary additional rules relating to the land in question to address specific environmental issues. Overall, the plan change is designed to fit into the objective, policy and method frameworks of the WDP, not affecting its overall coherence. No new objectives or policies are proposed. Therefore, 79 (e) is also satisfied.
91. Further to the above, assessment criteria 21.1.14.1 of the District Plan are relevant to the Deferred Zone and development of structure plans for an identified growth cell. Table 3 of the Request for PC12 includes an assessment of PC12 against those relevant assessment criteria.
92. Overall, the proposal is consistent with the assessment criteria. Therefore, it is considered suitable, in the context of the above assessment criteria, for the growth cell to be rezoned and a structure plan inserted into the District Plan.
93. PC12 has been designed to be incorporated within the existing structure and framework provided by the objectives and policies in the District Plan. The additions proposed to the WDP through PC12 are to achieve site specific outcomes in relation to the standard of future development, the interface between the urban and rural interface, effects on surrounding neighbouring properties, staging and to ensure the structure plan is consistent with the existing approach to structure plans in the WDP.

### **Assessment of Environmental Effects**

94. Section 5 of the Updated Request for Plan Change includes a full assessment of environmental effects that I do not repeat here. A number of the identified environmental effects have not been the subject of submissions in opposition. Therefore, I focus on the effects that have been submitted on.

95. Submission 14 by Heritage New Zealand-Pouhere Taonga (HNZ), firstly requested clarification as to whether further investigations or a walkover of the Stage 2 area was required. Correspondence between the project archaeologist (Warren Gumbley) and the HNZ archaeologist (Rachel Darmody) has confirmed this is not necessary.
96. Secondly HNZ sought amendments to PC12 to recognise the 'Isla Bank' heritage item that is on land within the Stage 2 area. The amendments included amending the Heritage schedule in the WDP, which includes Isla Bank, to include the entrance, driveway and surrounding curtilage, as well as the building. It also requested amendments to the Structure Plan to show a development layout that included open space to the east of the property and reference to retention of the entrance gates.
97. These requests create some difficulties as Isla Bank is listed in the schedule of Heritage Items (Appendix N1) of the WDP and that schedule is not the subject of PC12, which is a site-specific rezoning. Therefore, in my opinion changes to Appendix N1 are outside the scope of PC12 and any submissions on it, and amendments should not be made to it. Similarly, I do not support amendments to the structure plan that would create inconsistency with Appendix N1. However, I agree that it would be appropriate to note the location of Isla Bank on the Structure Plan, thereby improving integration of the structure plan with other sections of the WDP. Attached as Appendix 2 is a copy of the Structure Plan with the Isla Bank house notated on it.
98. In summary, based on the evidence of Jo Soanes, Ciaran Murphy, Mark Apeldoorn, Mark Bellingham, Hayden Vink and Philip Osborne, in my opinion the environmental effects of the plan change are acceptable and adequately mitigated by the proposed plan provisions.



### Comments on Section 42A Report

99. I have read the s42A report and agree with it. I have referenced it in several sections of this evidence. The report recommends that the deferred zoning be uplifted only from the Stage 1 area of the Structure Plan, and the Stage 2 area remain as deferred Residential. The PC12 application included a proposed rule that delayed development of Stage 2 until 2035 (Rule 15.4.2.92), but I agree that the recommendation in the s42A report to retain the deferred zoning for Stage 2 is an appropriate alternative method and I support it. In my opinion this alternative method is equally as efficient and effective as Rule 15.4.2.92, but as outlined in the s42A report is more legally robust.

### Comments on Submissions

100. Several submissions in opposition to PC12 have been made. The following table provides comments on the key submission points relating to planning matters.

Submission Point	Comment
Concerns regarding the lack of detail on northern half of growth cell. (Submission no 12)	The structure plan provides a high level overview of development in the northern half (Stage 2) of the growth cell. Any future development will be required to be developed in general accordance with the structure plan. Rule 14.4.1.10 refers to preparing structure plans for the whole growth cell. This approach is consistent with all other structure plans in the WDP. Although development in Stage 2 is to be delayed until after 2035, it is logical to have an overall structure plan in place to demonstrate integration and that development of Stage 1 is appropriate.

<p>Housing types and affordability. (Submission no 17)</p>	<p>Specific housing types will be determined at the time of subdivision, land use consent or building consent. PC12 allows for more land to be available for residential development, therefore promoting section/housing supply which will support improved affordability of housing, as opposed to restricting supply. In this instance, the land will not lie fallow once rezoned, with the applicants having the intention of developing immediately. This is evidenced by the resource consent applications already prepared and obtained by the applicants.</p>
<p>Opposition to the residential subdivision which will occur after rezoning. (Submission no's 8, 16, 19, 21, 28)</p>	<p>The rezoning will allow for restricted discretionary resource consent applications to be made, and granted or declined, for the subsequent residential development of the land. The specific detail relating to the subsequent development of the land will be addressed through the resource consent process, as opposed to through PC12. PC12 however introduces site specific performance standards into the WDP relating to setbacks, building height, landscaping requirements and fencing to achieve a high level of amenity, and to ensure adverse effects on the surrounding neighbouring properties are avoided or otherwise minimised as set out in the evidence of Jo Soanes.</p>
<p>Loss of farming land, urban sprawl, requests to seek rezoning of land back to Rural. (Submission no 5)</p>	<p>The zoning of the site is Deferred Residential, and therefore residential development of the site is inevitable, whether that be now or in the future. This zoning has been implemented as a result of the various growth studies and the outcomes of Waipa 2050 and previous District Plan reviews. It is therefore well established that the land is suitable</p>

	<p>for residential development. The land subject to PC12 forms the western extent of forecasted growth in Te Awamutu, as such any urban development beyond the boundaries of growth cell T2 is not anticipated by the planning documents and would require extensive assessment through a further plan change or plan review process. Only the timing of development of T2 is in question through PC12. The timing of development within T2 has been assessed in detail, including effects on infrastructure, transportation effects and any character and amenity effects, as set out in the evidence.</p>
<p>Legality of Rule 15.4.2.92. (Submission no 12)</p>	<p>See commentary at paragraph 99 of this evidence. I support deletion of this rule.</p>
<p>Disjointed residential environment, not consistent with Te Awamutu Town Concept Plan, Waipa 2050 and WDP. (Submission no 12)</p>	<p>PC12 is consistent with Waipa 2050 and the relevant WDP policies. Growth is allocated to defined growth cells, one of which is the subject of PC12, and therefore environmental effects are as anticipated by the WDP. It is only the timing of those effects that is different. To reduce any potential effects of the earlier development, PC12 does not rezone the Stage 2 area, meaning it will not be developed until after 2035. This enhances consistency with the Waipa 2050 Growth Strategy which envisaged that all of T2 would be developed post-2035. As set out in this evidence there are methods to advance development of growth cells ahead of the dates in the WDP and Waipa 2050. This flexibility is important to ensure ample development capacity given that the growth cells develop at different rates over time, based on market factors and landowner intentions.</p>

	<p>If development of the southern half of T1 was to be developed significantly after T2, then the residential environment could be temporarily disjointed. However, this is considered to be minor and temporary, particularly as the developers have recently lodged a subdivision application for the balance of T1. Careful consideration has been given to ensuring the road layout on the structure plan is consistent with and connects to that of the adjoining T1 development to allow for efficient east to west connections once developed. The childcare centre and commercial development included in the T1 application also complement PC12 by providing local neighbourhood services that will be supported by the residents.</p> <p>The Te Awamutu Town Concept Plan identifies that Waipa 2050 has established a strong vision for the District and its urban areas that, with the aid of the right design tools, will see Waipa's towns grow positively in the future. The Te Awamutu Town Concept Plan is identified as one of those tools. The objectives of the Town Concept Plan include role and identity, land use, buildings/built form, pedestrian and cycle network, traffic and parking, public areas and views and landmarks. As such, the Town Concept Plan has objectives, principles and strategies which support the growth pattern set out in Waipa 2050 to ensure that future development is consistent with what is envisaged for each area. The proposed land use of residential is consistent with Waipa 2050, and the specific design guidelines and urban framework</p>
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	<p>plans are more relevant to be considered/assessed at the time of subsequent resource consents for subdivision and land use. It is therefore considered PC12 is consistent with the Te Awamutu Town Concept Plan and that the more specific provisions within that plan will be assessed at a later date as part of future resource consent processes.</p>
<p>Purchase of properties based on Rural Zoning until 2035. (Submission no's 16,17,19)</p>	<p>As set out in this evidence there are well established methods to advance development of growth cells ahead of the dates in the WDP and Waipa 2050. This flexibility is important to ensure ample development capacity in a timely manner.</p>
<p>Objection to residential subdivision design (lot sizes and frontage of lots to reserves and waterbodies). (Submission no's 12, 28)</p>	<p>The design of subdivision is the subject of the future subdivision consent as opposed to PC12. Subsequent subdivision of the structure plan area will be required to be in accordance with the provisions of the structure plan and the WDP.</p>
<p>Construction effects. (Submission no's 16, 19, 21, 28)</p>	<p>The construction effects associated with future development within the structure plan will be temporary. Further, construction activities will be required to adhere to the relevant WDP standards and New Zealand standards relating to noise, dust, hours of operations, vibration, light, transport, machinery and other potential construction effects. These will be assessed at the time of resource consent application and I expect they will be the subject of consent conditions. John Illingsworth's evidence provides further details of effects mitigation at paragraph 41. There will be no construction effects as a direct result of PC12.</p>
<p>Stage 2 timing of development (to be non-</p>	<p>The development of the Stage 2 area of land will be delayed until at least 2035, as explained in paragraph</p>

<p>complying activity or prohibited if prior to 2035).</p>	<p>99 of this evidence. Any development prior to 2035 within Stage 2 will require a resource consent as a non-complying activity. That is the same as the existing status of the land.</p>
<p>Covenants on all titles allowing only single storey houses. (Submission no 21)</p>	<p>A rule is proposed as part of PC12 to restrict building height for buildings on the future lots which will adjoin Frontier Road to a maximum of 5m. This is proposed to reduce any dominance effects adjacent to Frontier Roads and for the existing properties on the opposite side of Frontier Road. This will also contribute to retaining outlooks to the surrounding area. As a result there is no need for height covenants.</p>
<p>WDP heritage schedule to be amended to include full extent and setting of Isla Bank. Amend concept plan to avoid effects on Isla Bank. (Submission no 14)</p>	<p>See my comments on heritage effects in paragraphs 95 to 97 of this evidence.</p>

### **Proposed Amendments to Plan Change 12**

101. I support the recommended amendments to PC12 included in the s42A report, including the deletion of proposed Rule 15.4.2.92 and retention of a Deferred Residential zone for the Stage 2 area. In addition, I recommend that the Structure Plan be annotated to show the Isla Bank heritage item as shown on the Structure Plan drawing in Appendix 2.

### **Conclusion**

102. In conclusion, PC12 creates an opportunity to increase the capacity of residential land in Te Awamutu in response to stronger than predicted

population growth, specific demand for additional retirement living options and the need to increase choice and competition in the housing market, which will in turn support greater affordability. The plan change is consistent with the relevant planning instruments, in particular the very recent NPS-UD which directs local authorities to increase supply of land for housing as opposed to constraining it. PC12 utilises an existing pathway in the WDP to remove the deferral from the site and create a live zone. In my opinion, because it satisfies all of the requirements of the planning instruments, it is also consistent with the relevant provisions of the RMA, including its purpose and principles.

**John Olliver**

15 March 2021

Appendix 1

Table No. 1

Section 32(3) Assessment of Plan Change 12 (an amending proposal)			
Proposed amendments to WDP (numbering as set out in Appendix 1 of PC12 application document)	Other reasonably practicable options	Efficiency and effectiveness of amending proposal	Reason for provision chosen
<ol style="list-style-type: none"> <li>1. Add to Residential Zone Rule 2.4.2.4 (Setbacks)</li> <li>2. Add to Residential Zone Rule 2.4.2.9 (Building Height)</li> <li>3. Add to Residential Zone Rule 2.4.2.20 (Fencing)</li> </ol>	<ul style="list-style-type: none"> <li>- <b>Do nothing:</b> The additional residential development standards proposed are required to provide a specific development outcome for future development on the site, as identified in the Landscape and Visual Assessment. The standards help to avoid and/or minimise adverse landscape and visual effects on surrounding properties and the locality, that have been identified for this site. Doing nothing (ie. relying only on existing rules in the WDP) will not achieve the necessary outcome for the site (avoid/minimise effects) and therefore this option is not suitable.</li> <li>- <b>Building covenants:</b> Building covenants on titles are an alternative method of specifying development standards. Compliance with land covenants is the responsibility of the land owner, the Council does not ensure compliance. As such, enforcement is</li> </ul>	<p>The benefits associated with these amendments are environmental. They will result in a built amenity which responds well to the existing surrounding environment.</p> <p>There are some minor economic costs associated with reduced development potential for some properties on the edge of the site.</p> <p>It is not considered the amendments proposed will result in any identifiable cultural or social costs or benefits.</p> <p>The chosen options are considered to the most efficient and effective way of achieving the desired outcomes.</p>	<p>The amendments chosen are consistent with the District Plan approach to applying development standards. It is inefficient to introduce a new separate resource consent rule for sites on the perimeters or require covenants to be registered on the titles.</p> <p>The environmental benefits outweigh any minor costs of reduced development potential.</p>

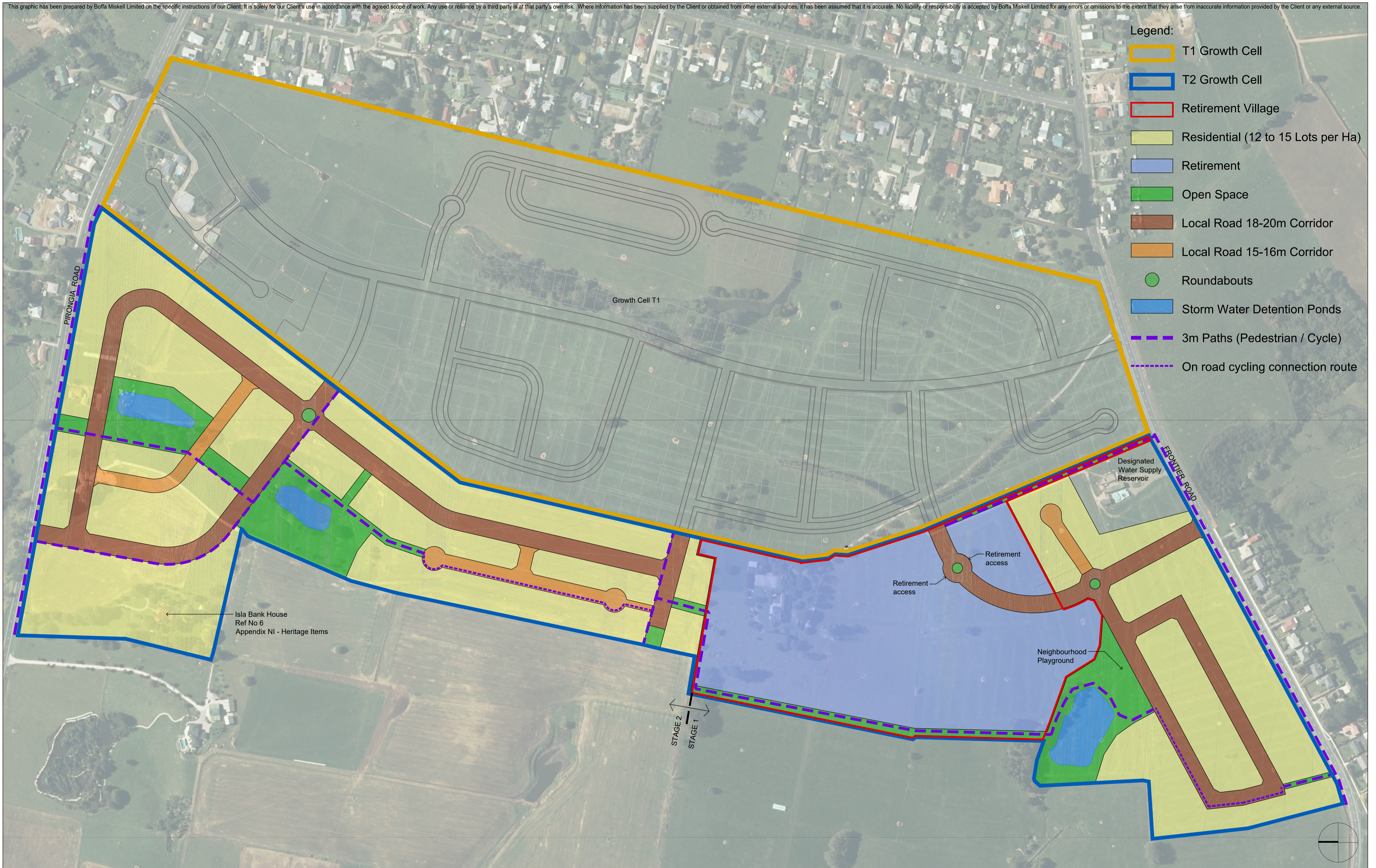


	<p>difficult and less effective than a rule in the District Plan. There is a high degree of public familiarity with development standards in district plans, compared to covenants.</p> <ul style="list-style-type: none"> <li>- <b>Additional resource consent processes:</b> Another option would be to require resource consents on a case-by-case basis for properties around the perimeter of the site. This would be inefficient as it will add resource consent costs and time delays for those sites, as well as uncertainty of outcome.</li> </ul>		
<p>4. Add to Rule 15.4.2.69 (Structure Plan)</p> <p>6. Add new Appendix for Te Awamutu T2 Growth Cell Structure Plan</p>	<ul style="list-style-type: none"> <li>- <b>Do nothing:</b> Doing nothing would result in an inconsistent approach to recording and setting out the details of structure plans in the Waipa District Plan.</li> </ul> <p>No other options have been considered in relation to this proposal.</p>	<p>This proposal will set out the design intent and purpose of the structure plan, resulting in a clear direction for future development and subdivision and consistent approach across the structure plan area. This ensures an efficient approach to the structure plan area, rather than different landowners acting independently which is likely to be more costly. The structure plan description also sets out the purpose of other amendments set out in this table.</p>	<p>This approach is consistent in relation to other structure plans in the Waipa District Plan. The approach chosen provides clear direction for future development and requires coordination between owners.</p>
<p>5. Add new Rule 15.4.2.90 to Part D of Chapter 15 – Infrastructure, Hazards, Development and Subdivision (Te Awamutu T2 Growth Cell</p>	<ul style="list-style-type: none"> <li>- <b>Do nothing</b> The additional landscaping standards help to avoid and/or minimise potential adverse effects on surrounding properties and environment, and enhance overall amenity. Doing nothing will not achieve the same outcome (avoid/minimise effects) and therefore this option is not suitable.</li> <li>- <b>Covenants</b></li> </ul>	<p>The costs and benefits associated with these amendments are largely environmental. The amendments will achieve an environmental outcome which is consistent across the entire structure plan area, resulting in a built amenity which responds to the existing surrounding environment.</p>	<p>This approach is consistent with the District Plan and achieves environmental benefits that outweigh the minor additional development costs.</p>

<p>Structure Plan Area provisions)</p>	<p>Building covenants on titles are an alternative method of specifying development standards. Compliance with land covenants is the responsibility of the land owner, the Council does not ensure compliance. As such, enforcement is difficult and less effective than a rule in the District Plan. There is a high degree of public familiarity with development standards in district plans, compared to covenants.</p>	<p>There is a minor cost associated with the additional landscaping required.</p> <p>The amendments proposed will not result in any identifiable cultural or social costs or benefits.</p>	
<p>Add new Rule 15.4.2.92 deferring Stage 2 development until after 2035</p>	<p>- <b>Do nothing</b> The do nothing option would not add this rule to the District Plan. In that case the Stage 2 area would be able to develop at the same time as Stage 1.</p>	<p>The proposed amendment confines the short term development potential to Stage 1 which is the land owned by Sanderson Group and Kotare Properties. Both of these landowners have specific development plans and they have worked together to integrate them. It is efficient and effective to provide for some limited additional land capacity to meet Te Awamutu's needs, and there is a shortage of retirement facilities.</p> <p>There are no identifiable costs.</p> <p>The landowners in Stage 2 are not ready to develop so the land is likely to remain in rural use for some years. Deferring the Stage 2 land minimises the risk of oversupply and increases consistency with the Growth Cell staging in the District Plan.</p>	<p>The new rule is effective and efficient as it reflects landowner intentions and increases consistency with the Growth Cell staging.</p>

**Appendix 2**  
**Structure Plan**

This graphic has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Client's use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



- Legend:**
- T1 Growth Cell
  - T2 Growth Cell
  - Retirement Village
  - Residential (12 to 15 Lots per Ha)
  - Retirement
  - Open Space
  - Local Road 18-20m Corridor
  - Local Road 15-16m Corridor
  - Roundabouts
  - Storm Water Detention Ponds
  - 3m Paths (Pedestrian / Cycle)
  - On road cycling connection route



REV	DATE	DESCRIPTION
J	23.07.20	Preliminary
K	27.07.20	Preliminary Concept
L	06.08.20	Final Concept
M	28.08.20	Updated Concept
N	18.09.20	Update Northern T2 Growth Cell
O	12.10.20	Clarifications
P	10.03.21	Isla House Note

APPRVD	CLIENT
MPe	Sanderson Group
MPe	
MPe	
MPe	
MPe	
MPe	
MPe	
MPe	
MPe	
MPe	

**CONSULTANTS**

BBO  
STANTEC  
Nicklin CE Ltd Wainui Environmental

**FOR PLAN CHANGE**

**T2 Structure Plan**

T2 Structure Plan

Design MHu	Scale 1:2000 @ A1	Date 06/08/2020
Drawn MHu/MPe	1:4000 @ A3	
Check JSo		

DRAWING NO. **BM200127\_001** REVISION **(P)**