

Sanderson Group Limited and Kotare Properties Limited

Growth Cell T2 Rezoning

Request for Plan Change 12


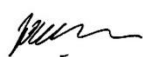

October 2020





Document control

Project identification	
Client	Sanderson Group Ltd and Kotare Properties Ltd
Client representative	Nathan Sanderson, Development/Project Manager
BBO details	Bloxam Burnett & Olliver (BBO) Level 4, 18 London Street, Hamilton 3240
BBO representative	John Olliver, Director or Emily Patterson, Intermediate Planner
BBO rep. contact details	0274822637 / 0278454321 jolliver@bbo.co.nz / epatterson@bbo.co.nz
Job number/s	145570.03
Job name	Growth Cell T2 Rezoning
Contract numbers	N/A
Report name and number	Request for Plan Change No 12
Date / period ending	October 2020
File path	K:\145570 Sanderson Group Retirement Village\03 Te Awamutu Retirement Village\Planning\WDC Plan Change 12\PC12 Notification Version\Plan Change Application - Rezoning Growth Cell T2 Final16102020.docx

Report status			
Status	Name	Signature	Date
Report prepared by	Emily Patterson		14/10/2020
Checked by	John Olliver		14/10/2020
Approved for issue	John Olliver		14/10/2020



Document history			
Version	Changes	Signature	Issue date
V1	For lodgement		11/08/20
V2	Updates to text for Notification Version		14/10/2020





Table of contents

1.	Introduction.....	1
1.1	Background.....	1
1.2	Description of the Proposal and Purpose of Plan Change 12.....	4
1.2.1	Te Awamutu Country Club Retirement Village.....	5
1.2.2	Residential Subdivision.....	6
1.3	Description of the Site and Locality.....	6
1.3.1	Site.....	6
1.3.2	Locality.....	10
2.	Section 32 Evaluation.....	11
2.1	Issues with current situation.....	11
2.2	Alternatives Considered.....	12
2.3	Evaluation of Benefits and Costs.....	12
2.4	Reasons for Option Chosen.....	18
3.	Proposed Amendments to the Operative Waipa District Plan.....	19
3.1	Proposed Amendments.....	19
3.2	Planning maps.....	19
3.3	Structure Plan.....	19
3.4	Additional Rules.....	19
3.5	Other Consents and Authorisations Required.....	20
4.	Statutory Framework.....	21
4.1	Legal Framework for Plan Change Request.....	21
4.1.1	Part 2.....	21
4.1.2	Section 31.....	23
4.1.3	Section 32.....	23
4.1.4	Sections 74 and 75.....	24
5.	Assessment of Environmental Effects.....	25
5.1	Existing Environment and Permitted Baseline.....	25
5.2	Landscape and Visual Effects.....	25
5.3	Infrastructure Effects.....	27
5.3.1	Wastewater.....	27
5.3.2	Water Supply.....	28
5.3.3	Stormwater.....	28
5.3.4	Roading.....	28
5.3.5	Utilities.....	29
5.3.6	Conclusion on Infrastructure Effects.....	29
5.4	Transportation Effects.....	30
5.5	Ecological Effects.....	31
5.6	Archaeological Effects.....	32
5.7	Geotechnical Effects.....	34
5.8	Contamination Effects.....	34



5.9	Positive Effects.....	35
5.10	Cultural Effects.....	35
5.11	Historic Heritage Effects	36
5.12	Conclusion on Environmental Effects.....	38
6.	Consultation.....	39
6.1	Waipa District Council	39
6.2	Waikato Regional Council	39
6.3	Tangata Whenua.....	39
6.4	Nearby Landowners and Residents	39
7.	Planning Assessment.....	41
7.1	Vision and Strategy for the Waikato River	41
7.2	District Plan and Waipa 2050	42
7.3	National Policy Statements.....	46
7.4	Regional Policy Statement	48
7.5	Waikato Tainui Environmental Management Plan – Tai Tumu Tai Pari Tai Ao	49
8.	Notification	51
9.	Conclusion	52
Appendix A – Proposed District Plan Amendments		
Appendix B – Record of Titles		
Appendix C – Landscape and Visual Assessment prepared by Boffa Miskell		
Appendix D – Infrastructure Report prepared by Nicklin CE		
Appendix E – Stormwater Management Plan prepared by Wainui Environmental		
Appendix F – Integrated Transportation Assessment prepared by Stantec		
Appendix G – Ecological Impact Assessment prepared by Ecology New Zealand		
Appendix H – Archaeological Assessment prepared by Warren Gumbley Archaeologists		
Appendix I – Geotechnical Desktop Report prepared by CMW Geosciences		
Appendix J – Preliminary Site Investigation and Detailed Site Investigation prepared by HAIL Environmental		
Appendix K – Written Approvals		
Appendix L – Cultural Impact Statement		
Appendix M – Copy of Regional Council Resource Consent		



1. Introduction

This report supports an application to the Waipa District Council (WDC) for a Plan Change to the Operative Waipa District Plan (WDP) pursuant to Schedule 1 of the Resource Management Act 1991 (RMA).

The application is being made on behalf of Sanderson Group Limited (Sanderson Group) and Kotare Properties Limited (Kotare). This plan change will be Plan Change 12 (PC12) to the WDP, and is a private plan change to request the rezoning of an area of land located at the western extent of Te Awamutu. The area of land is identified as Growth Cell T2 in the WDP.

Growth Cell T2 contains approximately 38ha of land, all of which is currently zoned Deferred Residential in the District Plan, meaning residential development is appropriate in this location, however not in the immediate future. Specifically, this growth cell has been identified in the WDP for future residential development after 2035.

Sanderson Group has identified a portion of land within Growth Cell T2 as being a prime location to establish a retirement village and wish to commence construction as soon as possible. In coordination with the retirement village, Sanderson Group have also entered into an agreement to sell part of the land to local developers, Kotare Properties, to undertake an approximately 105 lot residential subdivision. The WDP provides an opportunity to open up identified growth cells for development earlier than originally anticipated, and this is required to be undertaken via a plan change to the WDP. As such, Sanderson Group, in conjunction with Kotare, are seeking to rezone the growth cell to allow for residential development of approximately half of the Growth Cell to occur now.

This report sets out the proposal in detail and undertakes the relevant assessment for the proposed rezoning. The remaining parts of Section 1 below set out the background, a description of the proposal, the purpose of the plan change and a description of the site and locality, to provide context to the assessment contained in the remaining sections of this report.

1.1 Background

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 with retirees moving into the homes progressively, as buildings are completed. The Tamahere Country Club is on a site adjoining Tamahere Drive in the Waikato District and is very similar in size and style to the proposed Te Awamutu Country Club. Sanderson Group also led the construction and early operation phases of the Queenstown Country Club located in Queenstown, Cascades Retirement Village located in Hamilton, and Bayswater, The Avenues, Bethlehem Country Club, Bethlehem Shores and Bethlehem Views in Tauranga.

As would be expected with New Zealand's aging population the concept of retirement villages is evolving rapidly alongside changing concepts of retirement. Key changes are;

- The increasingly active lifestyles of older people meaning they value proximity to recreational and cultural activities;
- The role of older people as part of supporting the extended family means proximity to schools and preschools is valued;
- Their propensity to travel widely, meaning that a 'lock it and leave it' facility is required;



- Strong demand to stay in the locality where they have lived and where they have social connections, thereby meaning demand is spread across cities, townships and rural areas, rather than just assuming that rural people will have to move into the city;
- A desire for continuum of care from independent units through to full hospital care on a single site so residents do not have to move as their independence and self-sufficiency reduces;
- A desire for sufficient space for the extended family or friends to come and stay;
- A desire to maintain a high level of amenity and quality in their living environment, similar to the family homes they have left.

Sanderson Group is at the forefront of these changes and is adapting and innovating to meet them. Te Awamutu Country Club will be a village that offers a continuum of care ranging from independent living through to aged care services.

They have identified a demand for the type and quality of age care facilities offered by them in the Waikato. Following commencement of the Tamahere Country Club, the Waikato population has shown a strong interest for a Sanderson Group retirement village to be established in Te Awamutu, with inquiries seeking a Te Awamutu location.

This is not surprising given the aging population of the Waipa District. In 2006 14% (5950 people) of Waipa's population was over 65. By 2031 27% (16,582 people) will be over 65, leading to increasing demand for a range of retirement living options.

Therefore, Sanderson Group have been searching for an appropriate site for approximately 3 years. They have been unable to find a suitable site in the already-zoned area of Te Awamutu or in any of the open growth cells as they require a large area of land and a suitable shape for an efficient development. The site located at 10 Frontier Road and 52 Frontier Road, at the western extent of Te Awamutu (within Growth Cell T2) has been identified as an ideal location for the village. When Sanderson Group acquired the site in early 2020 their plans were for a larger Country Club of some 200 villas on about 20ha. However, the onset of the Covid-19 pandemic in March led to Sanderson Group reassessing the risk of a development of that scale in an uncertain economic environment. 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. This allowed for Sanderson and Kotare to share the cost of land, planning and infrastructure. The northern half of these properties will be allocated to the proposed retirement village and the southern half for a residential subdivision led by Kotare Properties.

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. Kotare was selected by Sanderson group due to the quality of their developments and Sanderson had a strong preference to ensure they retained a high quality of the development leading into the retirement village. Sanderson Group and Kotare are working together to design and develop their respective land areas in an integrated way so that high quality outcomes are achieved in terms of servicing, open space, access and connectivity. Together they will be responsible for development of approximately half of Growth Cell T2.

Growth Cell T2 is one of several identified growth cells in the Waipa District. Appendix S1 of the Waipa District Plan contains information about all growth cells in the District. These are split between two groups; growth cells which are intended to be opened and developed from now to 2035 and growth cells which are intended to be opened and developed after 2035.

The growth cells identified in Appendix S1 derive primarily from the Waipa 2050 District Growth Strategy, a long term, integrated approach to managing growth in the District, based on the population projection that Waipa will have 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

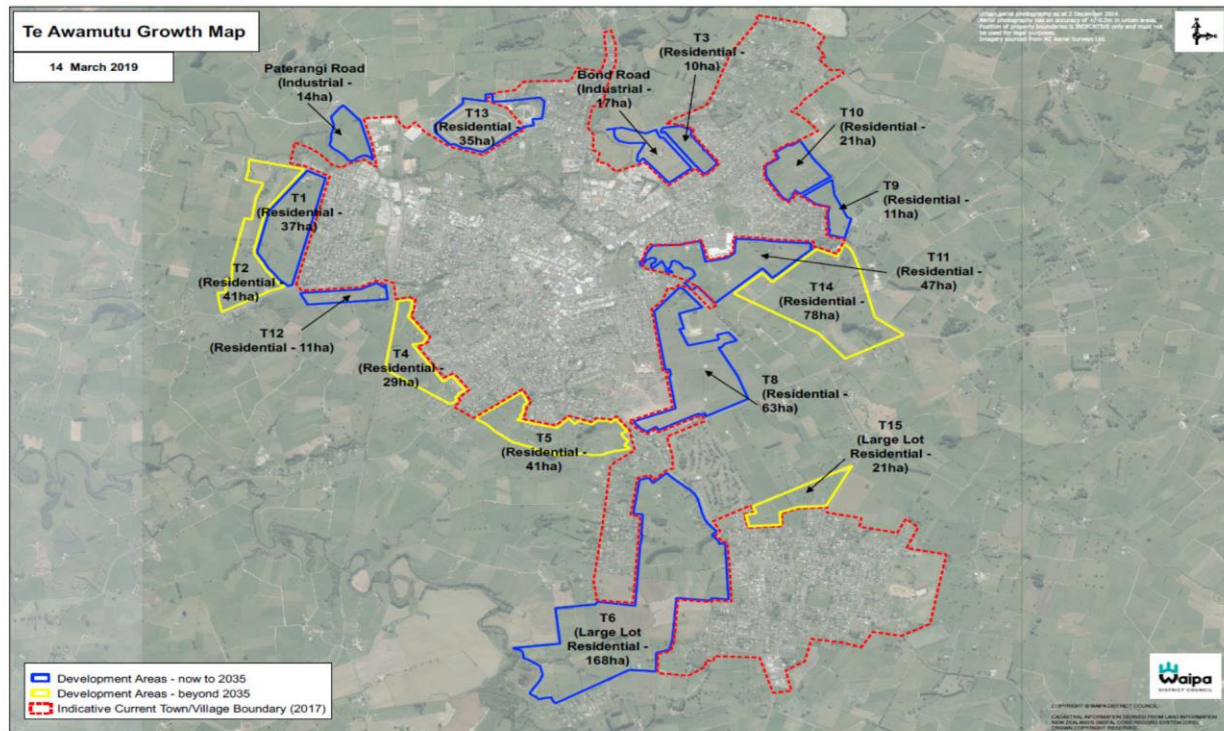


Figure 1: Te Awamutu Growth Map (extracted from Appendix S1 of the Waipa District Plan)

As displayed above, there are a total of 16 growth cells in Te Awamutu, two of which are Industrial and 14 are Residential. Of the 14 residential growth cells, there are two which are anticipated for large lot residential development and 12 anticipated for standard residential development. The growth cells are further split into areas that can be developed from now to 2035 (areas outlined in blue in **Figure 1** above) and 2035 onwards (areas outlined in yellow in **Figure 1** above).

As aforementioned, Growth Cell T2 is the subject of this plan change request, located at the western edge of Te Awamutu. 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 as shown in Appendix S1, made up of ten properties, and has a dwelling capacity of approximately 492 dwellings in total.

Growth Cell T2 adjoins Growth Cell T1 which is currently under development with subdivision approved and earthworks under way at the northern extent of the site adjoining Pirongia Road.

While Growth Cell T2 has been identified for development after 2035, the WDP provides an opportunity to open up a growth cell for development earlier than originally anticipated. This is required to be undertaken via a plan change to the Waipa District Plan, and is subject to assessment against several rules and criteria, including:

- 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;
- The Deferred Zone will be required to be rezoned for its intended future use, i.e. Residential in this instance (via a plan change);



- A structure plan for the entire growth cell, is to be approved by way of a change to the Waipa District Plan;
- 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);
- No amendments are required to the District Plan objectives, policies or rule framework.

Sanderson Group and Kotare Properties propose to make use of the opportunity to rezone the site, opening it up for residential development to occur now. The relevant District Plan requirements are addressed in the following reporting.

1.2 Description of the Proposal and Purpose of Plan Change 12

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.

As such, PC12 proposes to rezone the site to Residential Zone, 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 will outline a high level overview of the infrastructure requirements of the growth cell and potential development pattern.

The underlying proposal and driver of PC12 is the construction of the proposed retirement village development and residential subdivision at 10 and 52 Frontier Road. The subject titles have a joint land area of approximately 18.2ha and make up the southern half of Growth Cell T2. The proposed combined development will take up half of the growth cell and both the retirement village and the subdivision have already 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. 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.

The northern half of T2 is not controlled by the applicants but they have discussed the overall development and rezoning with those landowners. The northern half of the land is similar in topography and aspect so is also suitable for residential development. 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.

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.

Refer to **Figure 2** below which displays a concept design for the two developments. The following describes the two development proposals.





Figure 2: Proposed Retirement Village and Residential Subdivision

1.2.1 Te Awamutu Country Club Retirement Village

It is proposed to construct a retirement village, namely the Te Awamutu Country Club (Country Club), on the northern part of the 18.2ha block of land at 10 and 52 Frontier Road. The retirement village will comprise approximately 9.56ha of land and includes the following development/amenities:



- Approximately 98 standalone retirement villas;
- A care facility including a dementia unit;
- A club house including a café that will be open to the public;
- A health spa; and
- Recreational amenities including a croquet lawn and bowls green, walkways and cycleways.

The main access to the Country Club will be from the T1 Growth Cell development to the east. The road connection is integrated with a main road through T1 that forms part of the T1 Structure Plan and has been the subject of a development plan approved by WDC. However, the timing of the construction of the road access through T1 is uncertain as it is in a later stage of T1 development, so initial road access to the Country Club will be provided from Frontier Road through the Kotare residential subdivision.

Construction of a retirement village within the residential zone of the WDP requires a resource consent application, which is likely to be a restricted discretionary activity. The proposed retirement village will therefore be designed and assessed in more detail in the subsequent resource consent application.

1.2.2 Residential Subdivision

The balance of the subject titles (approximately 8.95ha) will be developed as a residential subdivision. The subdivision includes the following:

- Approximately 105 residential lots;
- A stormwater reserve, including a stormwater treatment wetland, to vest in Council;
- A recreation reserve to vest in Council;
- Various pedestrian and cycle paths to vest in Council;
- Roding infrastructure;
- Three waters infrastructure; and
- Telecommunications, electricity and natural gas supply connections.

Once zoned Residential the subdivision will require resource consent under the WDP. The proposed subdivision will therefore be set out in more detail in the subsequent resource consent application.

The information on the retirement village and the residential subdivision contained in this application is indicative only, and its purpose is to provide an indication of the likely development form for the southern half of the site.

1.3 Description of the Site and Locality

1.3.1 Site

Growth Cell T2 has an area of 41ha as notated in Appendix S1 of the WDP, but our more detailed investigations indicate it is approximately 38ha in area. It is located at the western fringe of Te Awamutu, bounded by Pirongia Road to the north and Frontier Road to the south. The cell is made up of ten separate Records of Title. The legal descriptions and details of each of the properties are set out in **Table 1** below.



Table No. 1

Properties within Growth Cell T2							
Physical Address		Legal Description		Title Ref	Area	Area of site within Growth Cell T2	Owners
52 Frontier Road		Lot 1 DP 487281		696840	15.6786ha	15.6786ha	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
10 Frontier Road		Lot 2 DP 487281		696841	2.5307ha	2.5307ha	Raewyn Dale Spiers, Rodney James Spiers
N/A		Lot 7 DP 461400		607016	9.3ha	2.8334ha	Peter Hugh Thompson, Steven Bruce Thompson, Tracy Lee Thompson, Yvonne Margaret Thompson
1/51 Pirongia Road & 65 Pirongia Road		Lot 2 DP 534367		880623	11.7887ha	5.9648ha	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
N/A		Lot 3 DP 478844		880623	0.788ha	0.788ha	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
2/51 Pirongia Road		Lot 1 DP 534367		880622	0.7288ha	0.1617ha	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
67 Pirongia Road		Lot 1 DP 514120		796970	1.6389ha	1.6389ha	Graeme James Blackstock, Kevin Ross Blackstock
39 Pirongia Road		Lot 1 DP 327266		110811	0.9743ha	0.9743ha	Blenddyn Thomas Sterling, Elizabeth Ann Sterling
N/A		Lot 2 DP 457600		880623	4.0637ha	4.0637ha	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
28 Frontier Road		Sec 1 SO466626		630859	0.9046ha	0.9046ha	Waipa District Council

Recent search copies of the Records of Title are contained in **Appendix B**.

The location of Growth Cell T2 and surroundings is displayed on the following aerial.



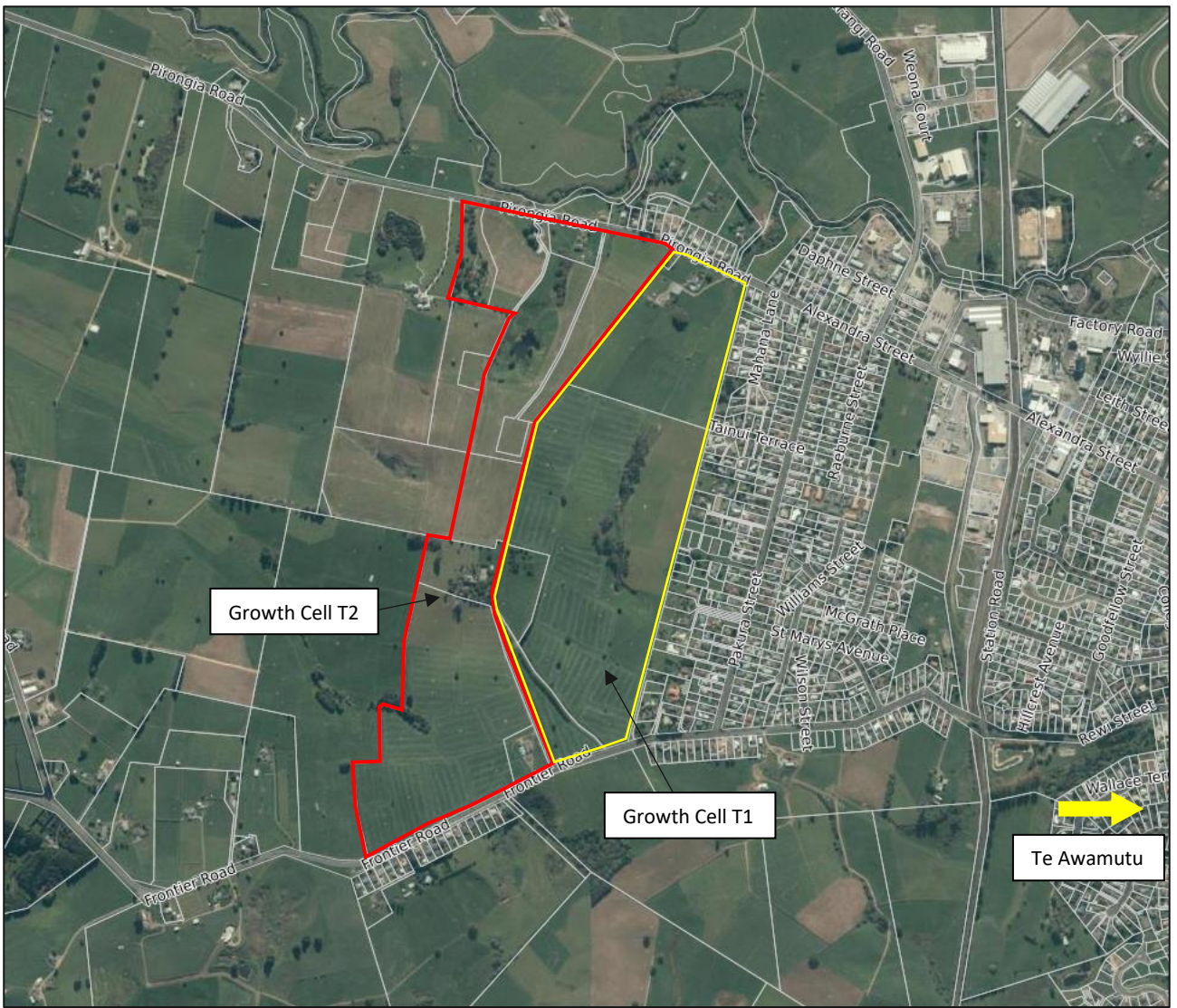


Figure 3: Locality of Growth Cell T2





Figure 4: Drone photo taken from the centre of Growth Cell T2 looking north towards Pirongia Road



Figure 5: Drone photo taken from the centre of Growth Cell T2 looking south towards Frontier Road

As displayed in the above photographs, the properties within Growth Cell T2 are currently mainly used as pastureland for dairy farming, with a scattering of single residential dwellings and garages or sheds.

A WDC water reservoir is located on the southwestern corner of the site. It is designated as D157 in the WDP and will not be affected by the plan change.



The site topography consists of rolling hills with moderate to steep slope angles, and incised gullies. There are two gully areas present within the site boundaries, one in the north and one in the south-west. The northern gully drains to the northeast and is steeply incised at its southern end, with moderate to gentle gully sides towards the north and draining out to a relatively flat plain. The south-western gully is moderately incised and drains to the north west. Only the head of the gully system lies within the site.

Previous land uses on the site are similar to the existing use of the site, being pasture. The only significant physical change has been to the northern gully, including farm dams/access tracks being constructed across the gully and the removal of a number of trees within and surrounding the gully.

The growth cell contains no recorded archaeology sites. There is one recorded heritage item on the site, as shown on the District Plan maps. This heritage item is located at 67 Pirongia Road and is named “Isla Bank”, described as a Twin bay villa from 1907-1909. This heritage item has a Heritage New Zealand Class of 2 and a District Plan Heritage Category of B. No changes are proposed to this heritage item, or its listing in the District Plan.

The north-western corner of the growth cell is subject to the Cultural Landscape Area Alert which is located around the Mangapiko Stream. Only a very small section of the site is subject to this overlay. No changes to the overlay will be made and no development within that area is currently proposed. Additional consultation with iwi will be required in the future at the time of development of that northern part of the Cell.

1.3.2 Locality

The growth cell sits on the western edge of Te Awamutu. The Growth Cell T1 development area which is currently under construction is located directly east of the site. This growth cell is 37ha in area and has a dwelling capacity of approximately 444 residential units. Further east of the site is a well-established residential area and the rest of the Te Awamutu settlement.

To the north on the opposite side of Pirongia Road is a stretch of residential properties containing dwellings, located in a ribbon pattern adjacent to the road. Further north of these properties is the Specialised Dairy Industrial Area, the Mangapiko Stream, the Te Awamutu Landfill and effluent disposal area (designated ‘D80 Processing and disposal of waste materials’ in the WDP) and large rural land holdings.

To the west of the site there are a number of large rural land holdings accommodating farming activities such as cropping and grazing. To the south on the opposite side of Frontier Road is another stretch of residential properties containing dwellings, located in a ribbon pattern adjacent to the road. Further south are large rural land holdings used for farming activities.

The locality is therefore largely rural with the exception of the urban development to the east within the Te Awamutu urban limits, and a mix of land uses north of the growth cell and the strip of residential development on Frontier Road.

There are good connections to the site from Te Awamutu town centre as both Pirongia and Frontier Roads connect to it. To the west both Pirongia and Frontier Roads also lead to the Pirongia township.



2. Section 32 Evaluation

Section 32 of the RMA is a key component of the policy development process for all District Plan matters, including private plan changes. It requires an analysis of policy options, including an options assessment and consideration of costs and benefits, before settling on the preferred option. This report records the section 32 evaluation that has been carried out to date, but it recognizes that it is an iterative process that will continue through the plan change lodgement, submission and hearing process.

2.1 Issues with current situation

The first step of the evaluation is to identify the issues that the plan change is intending to address. That is, the reason why the existing zoning of the site is not appropriate. Section 1.2 above has outlined the purpose of the plan change, which is to enable residential development within Growth Cell T2 to occur now, and to outline, via insertion of a structure plan into the WDP, the high-level requirements of the growth cell to guide future development. In order to allow for the residential development, the site needs to be rezoned. The reasons why the existing zoning and policy direction for the site is not appropriate include the following:

- Growth Cell T2 is not scheduled for development until at least 2035. Until the site is rezoned, any development on the site is subject to the Rural Zone rules. The Rural Zone generally only allows for rural development and subdivision. Minimum lot area in the Rural Zone is 40ha, and permitted residential development includes one principal dwelling, one secondary dwelling per title and one farm workers dwelling that is relocatable on titles of at least 40ha in area. Subdivision that does not comply with the minimum lot size rules and residential development which is not in accordance with the permitted activities for the Rural Zone, including retirement villages and rest homes are non-complying activities. Residential development would also be a non-complying activity;
- The retirement village requires a large, regular-shaped site of about 10ha, with an attractive aspect and preferably a rural outlook in order to establish a Country Club of quality and desirability that Sanderson Group requires to achieve its objectives. Sites of that size and configuration were not able to be identified elsewhere in Te Awamutu. Based on experience in Tamahere where the demand for villas exceeded expectations, and unsolicited enquiries about a Te Awamutu location, there is unsatisfied demand for quality retirement living in Te Awamutu. Experience in Tamahere and elsewhere is that Waikato retirees have family connections with the townships and the rural areas around them and therefore wish to live in the locality. There are often family members nearby and they do not wish to move away from their local area into a large urban area where most retirement villages are located. There are very limited options for retirement living in Te Awamutu.
- When Sanderson Group acquired the site in early 2020 their plans were for a larger Country Club of some 200 villas on about 20ha. However, the onset of the Covid-19 pandemic in March led to Sanderson Group reassessing the risk of a development of that scale in an uncertain economic environment. As a result they decided to scale back the retirement village and bring on Kotare as a residential developer for the balance of the land. Based on their recent experience in Cambridge, Kotare were confident that there was a market for quality residential development on medium sized lots in Te Awamutu. Both parties also identified synergies between the two developments, such as opportunities for family members to live close by and efficiencies of a combined approach to infrastructure such as walking and cycling paths and stormwater ponds. Therefore, the overall land needs for the combined development remained at about 20ha, which could not be readily accommodated elsewhere in Te Awamutu.
- Council staff have indicated, during pre-lodgement consultation, that non-complying resource consents are not the preferred process; rather a plan change to rezone the site to make it appropriate for residential development is preferred.



- The growth cell is not yet serviced with urban infrastructure, and urban infrastructure in rural environments is not WDC’s desired outcome. However, there is urban infrastructure nearby with development under way in the adjacent T1 Growth Cell. An urban zoning would provide a basis for extension of urban services to connect to it.
- Ample capacity and choice of residential zoned land, leading to a competitive market in section supply, is preferred to support improved affordability of housing, as opposed to restricting supply.

The following sections set out the options considered to achieve the purpose of the plan change in this location and summarises the reasons for the option chosen.

2.2 Alternatives Considered

Having come to the conclusion that the existing Deferred Residential/Rural zoning is no longer appropriate, several options were considered to address the issue, as follows. For completeness, the do-nothing option was also considered.

- Do nothing;
- Lodge non-complying activity resource consents;
- Wait until 2035, when land within Growth Cell T2 was scheduled to be developed;
- Wait for the next Waipa District Plan review and make submissions to seek the rezoning; and
- Rezone the land by private plan change.

In accordance with s32(1)(c), this evaluation is to a level of detail that corresponds to the scale and significance of effects anticipated by the proposed plan. The level of detail is therefore informed by the assessment of effects contained in section 5 of this report. Those effects are in turn informed by the existing environment. They establish a baseline against which to assess effects. As set out in section 5 of this report the baseline is set by the non-fanciful activities that could be established on the site under the existing zoning, including ancillary residential activities. This means that the effects are moderate or minor.

Similarly, the significance of the effects refers to the importance of those effects in the context of the planning framework. In this case, the land is already earmarked for residential use as a result of its Deferred Residential zone. There is no strategic need for the land to be maintained with its current deferral. On the contrary there are strategic benefits in providing additional land, particularly to meet an evident need for additional retirement living. In this regard, the proposed rezoning presents no conflict with the WDP or the Waikato Regional Policy Statement (RPS).

2.3 Evaluation of Benefits and Costs

The following table evaluates the five principal alternatives under s32, identified in Section 2.2 above.

Table No. 2

Costs and Benefits Evaluation for proposed Plan Change 12		
Alternative	Costs	Benefits
1. Do nothing, i.e. do not rezone site or undertake residential development in this location.	<u>Environmental</u> <ul style="list-style-type: none"> • There are no identifiable environmental costs. <u>Economic</u> <ul style="list-style-type: none"> • Loss of potential future job opportunities for operation of 	<u>Environmental</u> <ul style="list-style-type: none"> • No change to the current landscape character. <u>Economic</u> <ul style="list-style-type: none"> • No costs associated with the plan change process, resource



	<p>the retirement village and construction of both the retirement village and the residential subdivision.</p> <ul style="list-style-type: none"> • Loss of needed capacity to accommodate retirement living. • Lack of competition in the housing market due to a few landowners holding large areas of land. <p><u>Social</u></p> <ul style="list-style-type: none"> • A lack of retirement village accommodation would remain in Te Awamutu, with large waitlists and limited options meaning retirees need to move away from their local community to find accommodation. • Sanderson or Kotare will not be able to undertake development or achieve desired outcome and would likely look elsewhere. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • There are no identifiable cultural costs. 	<p>consent process or development.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> • Rural outlook of surrounding land is retained so surrounding land owners and occupiers will not experience an increase of density and establishment of urban environment earlier than originally anticipated. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • There are no identifiable cultural benefits.
<p>2. Lodge non-complying activity resource consents to establish a retirement village and undertake a residential subdivision</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • Residential development would not be in keeping with the rural zoning and use of the balance of the site. • Approval of non-complying resource consents may result in the establishment of a precedent, in that the balance of Growth Cell T2 land may be developed via non-complying resource consents and not rezoned. • A consistent approach to development across the entire growth cell would not be achieved and development would likely be disconnected and inefficient. • Piecemeal development within the Rural zone may lead to reverse sensitivity 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • There may be some beneficial improvements to infrastructure, such as roading. <p><u>Economic</u></p> <ul style="list-style-type: none"> • If approved, resource consents would allow for residential development to occur and sale of lots in the area. <p><u>Social</u></p> <ul style="list-style-type: none"> • The delivery of developable sections and development of housing would provide additional housing supply for Te Awamutu providing a social benefit. • The residential subdivision and retirement village will provide a wider mix of housing options in Te Awamutu. • Retirement village will offer more options to retirement living in the surrounding



	<p>effects on farming operations.</p> <ul style="list-style-type: none"> • With individual resource consents for development, there is risk of ‘piecemeal’ development layouts that can detract from the overall intention and comprehensive approach sought via a Structure Plan. • There is the potential for the provision of key transport infrastructure to be delayed if there are piecemeal transport assessments undertaken for individual development projects. Piecemeal transport infrastructure may not consider bigger picture and not be able to accommodate total development capacity of the growth cell. <p><u>Economic</u></p> <ul style="list-style-type: none"> • The risk of a Non-Complying Activity resource consent application being declined are high. Therefore, the cost of the application process may not be recoverable. • As resource consents need to be based on specific development proposals, a Non-Complying Activity consent application requires a higher level of design than a plan change and there are additional upfront design and consenting costs. • As a Non-Complying Activity consent is restricted by a specific design and a consent lapse period it is highly likely that design rework and subsequent consent 	<p>locality, including a continuum of care.</p> <ul style="list-style-type: none"> • Creation of job opportunities. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • There are no identifiable cultural benefits.
--	---	--



	<p>changes will be needed, adding compliance costs.</p> <p><u>Social</u></p> <ul style="list-style-type: none"> • Council’s preliminary feedback and direction have indicated that resource consents are not the preferred route to take to achieve the proposed development. • The social benefits of a coordinated approach to provision of community infrastructure such as open space and transport networks, would be reduced. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No identifiable cultural effects. 	
<p>3. Wait until 2035, when development of the land is scheduled.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • There are no identifiable environmental costs. <p><u>Economic</u></p> <ul style="list-style-type: none"> • This alternative carries additional holding costs and lost opportunity costs of being unable to develop the land for another 15 years. • Job opportunities in the short to medium term, particularly in a post Covid-19 economic downturn, would be lost. <p><u>Social</u></p> <ul style="list-style-type: none"> • Existing limited choice of housing, and particularly retirement village housing, will remain in Te Awamutu. • Potential loss of the proposed high quality retirement living option in Te Awamutu, as a result of deciding to establish elsewhere. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No identifiable cultural costs. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • There is an assumption that urban infrastructure will be extended to the site by then. <p><u>Economic</u></p> <ul style="list-style-type: none"> • Rezoning could occur through Council lead plan change and minimise the total costs of development on the applicants. <p><u>Social</u></p> <ul style="list-style-type: none"> • Development would be in keeping with the existing anticipated timing of development in this location. Resulting in the potential for neighbouring landowners and occupiers being more comfortable with residential/urban development occurring on the site. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • No identifiable cultural benefits.
<p>4. Pursue rezoning through District Plan Review</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • There are no identifiable environmental costs. <p><u>Economic</u></p> <ul style="list-style-type: none"> • The next District Plan review is likely to be approximately 7 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> • Including the proposal in the next District Plan review would provide the opportunity to holistically consider the site and set objectives, policies, rules



	<p>years away. Therefore, this alternative carries additional holding costs and lost opportunity costs of being unable to develop the land for at least 7 years (most likely more than 7 years until District Plan is made fully operative).</p> <p><u>Social</u></p> <ul style="list-style-type: none"> The development would still occur sooner than the anticipated date for development in this location (i.e. approximately 2027 rather than 2035). <p><u>Cultural</u></p> <ul style="list-style-type: none"> There are no identifiable cultural costs. 	<p>and design guidelines that guide future development alongside the other considerations of the review. This would ensure any effects on the environment can be appropriately assessed and managed.</p> <p><u>Economic</u></p> <ul style="list-style-type: none"> If undertaken as a collaborative process, including the proposal in the next District Plan Review would likely share a large proportion of the costs with WDC providing an economic benefit to the applicant. If included in the District Plan Review, it would allow the area to be eventually developed in accordance with the proposed provisions. Creation of job opportunities <p><u>Social</u></p> <ul style="list-style-type: none"> The development would provide additional housing supply for Te Awamutu, closer to when development was originally anticipated to occur in this location. <p><u>Cultural</u></p> <ul style="list-style-type: none"> There are no identifiable cultural benefits.
<p>5. Rezone through private plan change</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> There are no identifiable environmental costs. <p><u>Economic</u></p> <ul style="list-style-type: none"> There are significant application and compliance costs associated with a private plan change that do not arise with the do nothing option, but they are likely to be less than the non-complying activity option as the District Plan includes a clear framework for the plan change. <p><u>Social</u></p> <ul style="list-style-type: none"> There are no identifiable social costs. <p><u>Cultural</u></p> <ul style="list-style-type: none"> There are no identifiable cultural costs. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> The private plan change provides the opportunity to holistically consider the site and set objectives and policies that will guide future development. This will ensure any effects on the environment can be appropriately managed. The private plan change is consistent with Waipa 2050 and WDP policy which is to allocate growth to defined growth cells, and therefore environmental effects are as anticipated; it is only the timing of those effects that is different. <p><u>Economic</u></p>



	<ul style="list-style-type: none"> • A private plan change is likely to be the most expedient option in terms of obtaining an outcome for Sanderson and Kotare, and enabling development to meet short and medium term needs. It is consistent with WDP policy, so is less likely to incur significant transaction costs than other options. • The timeframes of development will enable greater competition and choice in the housing market of Te Awamutu, potentially supporting affordability. • The plan change can be based on concept design rather than the more detailed design and attendant costs required for resource consents. • Job opportunities for the operation of the retirement village and the construction of both the village and the subdivision will be realised in the short-medium term. <p><u>Social</u></p> <ul style="list-style-type: none"> • Development of housing will provide additional housing supply for Te Awamutu, including additional options for retirement living. • Retirees will avoid the social cost of having to move elsewhere to find suitable accommodation. <p><u>Cultural</u></p> <ul style="list-style-type: none"> • The plan change creates an opportunity to incorporate wetlands in the designs of the village and the residential subdivision, and to use appropriate road names as recommended in the CIA.
--	--

The above table covers land use alternatives and process options. On the basis of above, Option 5 was chosen, being to rezone the site through a private plan change.



2.4 Reasons for Option Chosen

Rezoning of the land (Option 5 in **Table 2** above) is considered the most appropriate planning method to address the issues associated with the limitations associated with the existing zoning. Rezoning of the land properly enables and supports residential land use to occur in the immediate future, that is not currently catered for adequately within the existing deferred zoning of the properties. Insertion of a structure plan into the District Plan allows for infrastructure requirements to be considered in light of the larger development area to ensure that the land can be appropriately serviced, and the rezoning for residential purposes will assist in the provision of additional dwellings and a range of housing options, particularly for retirement living. Rezoning of the land also allows appropriate provisions to be developed and implemented to ensure that development is of a high quality and provides a high level of liveability.

Other options of Non-Complying Activity consents or waiting for the next District Plan review potentially could deliver the same outcome as Option 5, but they are inferior in terms of efficiency of process and do not provide the same long-term certainty to the landowners and other stakeholders. With a plan change, the intended land use outcomes can be properly and spatially defined and tested for acceptance by the community in a comprehensive manner.

Quite apart from the high risk of an unsuccessful Non-Complying Activity application, that also requires a substantial amount of costly upfront design to achieve the certainty required for a resource consent. The district plan review alternative represents a potential 10+ year delay. Only the private plan change alternative involves an efficient and effective process that also has the ability to address the elements of uncertainty associated with the early stage of design of the project. A plan change allows for District Plan rules to be designed to capture and address the detailed environmental effects, at the appropriate stage when sufficient design has been undertaken.

As part of the plan change, rules are proposed to create two stages of development. Stage 1 is the southern half that includes the retirement village and the Kotare residential subdivision, while Stage 2 is the balance of the cell to the north. This reflects landowner intentions as the landowners in Stage 1 are ready to develop the retirement village and residential subdivision as described. It will result in the delivery of some 203 residential units, 41% of the approximately 492 units identified in the Growth Cell, including the establishment of the retirement village to meet that identified need.

In the northern Stage 2 area of the growth cell, comprising some 20ha, the landowners are not ready to develop and the existing farming operations are expected to continue for some time.

The retirement village boundary creates a logical boundary between Stages 1 and 2.

Delaying development of the Stage 2 area until 2035 increases consistency with the Waipa 2050 Growth Strategy which envisaged that all of T2 would be developed post-2035. As set out in this report there are methods to advance development of growth cells ahead of the dates in the WDP. 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. In this case it also recognises the immediate need to provide a large site for the Sanderson Group retirement village.

This report includes enough investigation and assessment work to confirm that the whole of the growth cell is suitable for development, infrastructure can be made available, and that the two stages will be integrated. Therefore, there is justification to remove the Deferred zoning, but to introduce a staging rule that effectively delays development of that area until 2035. That is effective and efficient as it reduces any risk of oversupply of residential land in the short-medium term and avoids the costs and time associated with initiating another plan change to release Stage 2 for development in the future.



3. Proposed Amendments to the Operative Waipa District Plan

3.1 Proposed Amendments

There are limited changes proposed to the District Plan as a result of PC12. Changes are limited to:

- A change to the zoning on planning maps 7 and 38 within the WDP;
- The addition of a structure plan, including purpose, design objectives and design measures, and a description of the structure plan into Volume 2 of the WDP as Appendix S23;
- Additional rules directly relating to Growth Cell T2 area in Section 2 – Residential Zone and Section 15 – District-wide provisions of the District Plan to address specific landscape and visual impacts and provide for the staging.

These amendments are included as **Appendix A** to this report.

No changes are proposed to the existing District Plan objectives and policies. Because of this approach it is possible to implement the rezoning without any need to address or amend any wider Plan provisions, such as in the Strategic Framework. The plan change does not affect the internal consistency of the District Plan.

3.2 Planning maps

The planning maps required to be changed include the Zoning Maps 7 and 38, to remove the deferred overlay off the Residential Zone, and extend the Urban Limits to include Growth Cell T2's future residential area.

3.3 Structure Plan

A preliminary structure plan has been prepared, along with a description of the structure plan to be inserted into the District plan appendices as Appendix S23. These documents are attached to this report in **Appendix A**. The description of the structure plan includes objectives and sets out the purpose of the structure plan, the key elements and the design measures to ensure good environmental and development outcomes.

3.4 Additional Rules

The following additional rules applying only to growth cell T2 are proposed;

- A buffer planting area zone along the western boundary, where residential development adjoins the rural area. This is not required for the retirement village site where an open space area / swale will adjoin the boundary and is shown on the structure plan.
- A generous building offset along the rural (western) boundary.
- A limit on fencing height of 1.2m along the Frontier Rd and Pirongia Road boundaries.
- A limit on building height of 5m along the Frontier Road and Pirongia Road boundaries.
- A specimen tree planting requirement along the Frontier Road and Pirongia Road frontages.
- A staging provision allowing for immediate development of Stage 1 and retaining a 2035 timeframe for Stage 2.

These rules result largely from visual and landscape issues at the site interfaces as identified in the Landscape and Visual Assessment by Boffa Miskell in **Appendix C** and the resulting recommendations. The specific rules are included in **Appendix A**.



3.5 Other Consents and Authorisations Required

All forms of subdivision within the District Plan require a resource consent. Further to this, retirement villages and rest homes require a land use consent to be able to establish within the Residential Zone. Therefore, the proposed retirement village and residential subdivision and any other future subdivision of the growth cell will require further land use consents and subdivision consents to be granted by WDC before development can proceed.

Further to this, regional consents will be required, at least for earthworks and stormwater disposal.

A resource consent application has been lodged with Waikato Regional Council for earthworks and stormwater disposal associated with development of the retirement village and residential subdivision on the southern half of the growth cell.



4. Statutory Framework

4.1 Legal Framework for Plan Change Request

The Plan Change process is subject to the provisions in the RMA, including Part 2 (the Purpose and Principles) Section 31 (Functions of Territorial Authorities), Section 32 (requirements for preparing and publishing evaluation reports), Section 73 (Preparation and change of District Plans), Section 74 (Matters to be considered by Territorial Authority) and Part 2 of Schedule One (Requests for changes to plans). Part 2 of Schedule One links the private plan change process back to the provisions of Part 1 of Schedule 1 (Council initiated plan changes) via clause 29, meaning there is a degree of commonality between both.

However, the framework needs to be applied correctly so that the assessments and information contained in this report are used to draw the right conclusions. In particular, the Supreme Court 2014 decision *Environmental Defence Society Inc. vs the New Zealand King Salmon Co Ltd*¹ 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 (in that case the New Zealand Coastal Policy Statement) are deemed to have given effect to Part 2 at the national, regional or local level.

However, 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.

In this case, the relevant higher level planning instruments that are being applied are the National Policy Statement – Urban Development (NPSUD), Regional Policy Statement (RPS) and the WDP.

4.1.1 Part 2

All plan changes are subject to the Purpose and Principles of the RMA (sections 5-8) with the overriding purpose being ‘to promote the sustainable management of natural and physical resources’. This is of course also subject to the *King Salmon* caveats discussed in section 4.1 above. Sustainable management is defined as:

‘managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.’*

The plan change is considered to achieve the overall purpose of the RMA. This location is already considered appropriate for residential development, as outlined in the District Plan through the deferred residential zoning and identification in the District Growth Strategy. The plan change allows for the entire growth cell to be considered in one stage, therefore maximises opportunities to appropriately manage the use, development and protection of the natural land resource. The evaluation of costs and benefits in section 2.3

¹ NZSC 38, (2014) NZLR 593



of this report outlines how the social, economic and cultural wellbeing of people and communities are provided for.

- The plan change will allow for early development of the retirement village and residential subdivision, providing for the short and medium term demand for housing and for a range of housing choices, both in type and location. In particular the retirement village provides additional choice in that segment of the market.
- The growth cell has a dwelling yield of 492 dwellings. The proposed immediate development will provide for approximately 203 dwellings.
- Adverse effects of the rezoning can be avoided, remedied or mitigated and are considered to be no more than minor. Refer section 5 of this report for the assessment of effects.
- Integrated development is achieved as the structure plan identifies the infrastructure requirements along with ensuring an attractive and efficient layout of future development and maintaining amenity and the rural interface. This approach provides an opportunity for the development to be staged, with the southern Stage 1 being released immediately, and the northern Stage 2 not being released until 2035.

Section 6 includes Matters of National Importance that are required to be recognised and provided for. Only the following are considered to be relevant to this plan change:

- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
- (f) the protection of historic heritage from inappropriate subdivision, use, and development.

Consultation with tangata whenua is under way and a Cultural Impact Assessment (CIA) has been prepared to demonstrate consistency with item (e). A copy is included as Appendix L. Cultural issues are discussed in more detail in section 5, assessment of environmental effects.

In terms of (f) the recorded heritage item on the northern half of the site will not be removed or altered as a result of this plan change. The houses' listing in the District Plan and with Heritage New Zealand will remain, therefore further consideration will be required when further development of the growth cell occurs. This issue is also discussed in more detail in section 5.

There are matters in Section 7, Other Matters, and Section 8, Treaty of Waitangi, that are relevant to this plan change. The relevant parts are set out below.

Section 7 lists Other Matters to which particular regard must be had to. The relevant matters are:

'(a) kaitiakitanga:

(aa) the ethic of stewardship:

(b) the efficient use and development of natural and physical resources:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:'

The proposal is considered to be an efficient use of land, allowing for residential development to occur in a location earmarked for future residential development. Appropriate infrastructure will be provided to maximise the development potential of the land and to ensure that environmental effects are avoided in the first instance and thereafter mitigated on the surrounding environment. Further to allowing for development of the growth cell, the plan change provides for the restoration and enhancement of the existing gully areas and creation of multipurpose wetlands allowing for stormwater management, recreation opportunities and creating a high level of amenity in what will otherwise be a largely built environment.



Section 8 requires that;

'all persons exercising functions and powers under it, in relation to managing the use, development and management of natural resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).'

This section places an obligation on decision makers to act in accordance with it. The principles have been taken into account in preparation of the CIA as discussed more fully in section 5 of this report.

4.1.2 Section 31

Section 31 sets out the functions of territorial authorities under the RMA. In particular, it identifies the functions of a Council at Section 31(1)(a) as including:

'The 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 district.'

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 this application is clearly 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 the plan change.

4.1.3 Section 32

Section 32 of the RMA imposes on Council a duty before making a decision on a plan change application to carry out an evaluation. An evaluation under Section 32 is provided in Section 2 of this report. The relevant parts of Section 32 are:

- (1) *An evaluation report required under this Act must –*
 - (a) *Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by*
 - i. *Identifying other reasonably practicable options for achieving the objectives; and*
 - ii. *Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - iii. *Summarizing the reasons for deciding on the provisions; and*
 - (c) *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 implementation of the proposal.*

- (2) *An assessment under subsection (1)(b)(ii) must –*
 - (a) *Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
 - i. *Economic growth that are anticipated to be provided or reduced; and*
 - ii. *Employment that are anticipated to be provided or reduced; and*
 - (b) *If practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*



- (3) If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to –
- (a) The provisions and objectives of the amending proposal; and
 - (b) The objectives of the existing proposal to the extent that those objectives –
 - i. Are relevant to the objectives of the amending proposal; and
 - ii. Would remain if the amending proposal were to take effect
- (6) In this section, -
- objectives** means, -
- (a) For a proposal that contains or states objectives, those objectives;
 - (b) For all other proposals, the purpose of the proposal
- Proposal** means a proposed standard, statement, regulation, plan or change for which an evaluation report must be prepared under this Act
- Provisions** means, -
- (a) For a proposed plan or change, the policies, rules or other methods that implement, or give effect to, the objectives of the proposed plan or change;
 - (b) For all other proposals, the policies, or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

As set out in Section 2 of this report this plan change is an ‘amending proposal’ in accordance with s32(3). The evaluation contained in section 2 does not stand alone. In terms of assessing the appropriateness of the objectives in achieving the purpose of the RMA, considering reasonably practicable options for achieving the objectives and assessing the efficiency and effectiveness of the chosen option, the evaluation relies on the various assessments in this report, particularly:

- The assessment of environmental effects in section 5.
- The statutory assessment against the NPS-UD contained in section 7.5.
- The assessment against Part 2 contained in section 7.3.

4.1.4 Sections 74 and 75

Sections 74 and 75 set out matters to be considered by Council when changing its district plan and set out the prescribed contents and purposes of district plans. As this is a site-specific plan change anticipated by the WDP it has minimal impact on the WDP as a whole and does not affect its contents.

Section 75 requires that the plan change must ‘give effect to’ any national policy statement, a national planning standard and any regional policy statement. The National Policy Statement-Urban Development (NPS-UD) is the only relevant NPS.

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.

Under Section 74 a plan change must have regard to any management plans and strategies prepared under other Acts. In this case the relevant plans and strategies include Future Proof, the Waikato-Tainui Environmental Plan- Tai Tumu, Te Pari, Tai Ao and Waipa 2050. These documents are assessed in section 7 below.



5. Assessment of Environmental Effects

5.1 Existing Environment and Permitted Baseline

Under clause 22 of Schedule 1 to the RMA a request for a plan change must include a description of environmental effects that are anticipated. These effects are to be described in such detail as corresponds with the scale and significance of the effects and taking into account clauses 6 and 7 of Schedule 4. These sections specify the information required in an Assessment of Environmental Effects (AEE).

These effects are to be described in such detail as corresponds with the scale and significance of the effects and taking into account clauses 6 and 7 of Schedule 4.

Assessments of environmental effects in the context of resource consents have established the principles of an assessment being undertaken taking into account certain specified 'baseline' development. Essentially, an assessment can disregard effects associated with activities that are permitted by the District Plan (the 'permitted baseline') and only deal with effects over and above those permitted effects. A permitted baseline is not directly relevant to plan changes and in this case the provisions of the Rural Zone would provide the basis of any assessment.

However, while there is no permitted baseline of any significance, it is relevant that residential development in this location is anticipated through the existing deferred residential zoning and inclusion in the Waipa Growth Strategy. Residential development is anticipated in this location and only the timing of development is different. As such, while the following effects assessment considers the effects of residential development in this location, they are the same effects on neighbours and other interested parties as have been anticipated by the planning documents. The only difference is that they are occurring earlier than planned.

When assessing effects on the environment, the 'environment' also includes the state of the future environment as it might be modified by the implementation of resource consents that have been granted, assuming that those consents are actually likely to be implemented. Therefore, the adjoining development within Growth Cell T1 needs to be considered as part of the baseline in the following assessments of effects. That growth cell has an overall comprehensive development consent and subdivision consent for 41 lots. The assessment of effects is on the basis of full urban development of T1.

The key environmental effects that need to be considered as part of the Plan Change relate to:

- Landscape and visual amenity effects;
- Infrastructure effects;
- Transportation effects;
- Ecological effects;
- Archaeological effects;
- Geotechnical effects;
- Contamination effects;
- Cultural effects;
- Effects on Historic Heritage; and
- Positive effects.

5.2 Landscape and Visual Effects

The plan change will undoubtedly lead to significant changes to the outlook of the surrounding locality and changes will occur sooner than anticipated, with the original timing being post 2035. While it has been long signalled that the growth cell will experience a change in land use from rural to urban in the future, landscape



and visual effects associated with this plan change (and the subsequent residential development) are an important factor to consider. As such, an assessment of the landscape and visual effects of residential development have been undertaken by Boffa Miskell. The Landscape and Visual Assessment Report (LVA) is included in **Appendix C** of this report. Boffa Miskell have also prepared the Structure Plan for the growth cell and is included in the report in **Appendix C**, as well as in **Appendix A**. The LVA largely recognises that residential development in this location is anticipated.

Future subdivision of the site will require resource consent and any future development will be subject to the rules of the Residential Zone, therefore WDC will be provided with an opportunity to review future development in the event of it not complying with the rules or lining up with the policy direction of the residential zone. Generally, the visual amenity effects of the development are split into two categories, being views from the immediate vicinity and wider context views. Specific visual and amenity effects will depend on more detailed master planning and development proposals.

From the immediate vicinity the level of effects is considered to be low for less sensitive viewers (such as visitors to Te Awamutu or road users), and moderate-low for more sensitive immediate viewing audiences (such as neighbours). For less sensitive viewers, the residential development will seamlessly integrate with the existing residential development in T1 to the east and will form an attractive gateway into Te Awamutu. In relation to the immediate viewing audience, the primary visual effect will be the loss of the existing rural outlook from their properties, however this is anticipated in this location to eventually occur, and therefore effects will be short term and minor.

From the wider context, views from the east will be screened by the high point of the site being along the eastern boundary. Views from the farmland to the west will be softened by the use of building setbacks and planting requirements and as outlined above, the changes to urban land use are anticipated by the existing zoning of the site.

The plan change will lead to a change in the character of the landscape, however the site will retain a response to the natural landscape and environmental features. The development outcomes are considered to be in line with the expectations of the WDP for the following reasons:

- The stormwater ponds will provide restoration and enhancement of the identified water bodies/gullies on the site and provide for integrated open space and recreational opportunities;
- The site contains very little vegetation and no significant vegetation of ecological value or mature native trees;
- Design and planning of the rural/urban interface on the western boundary of the growth cell will include a range of setbacks and planting (as per the recommendations of the LVA set out below); and
- The wider landscape context will not be altered (backdrop of Mount Pirongia).

The LVA makes a number of recommendations to ensure that landscape and amenity values in the surrounding environment are maintained, particularly along Frontier Road where development will adjoin existing residential properties and the western boundary adjoining the rural zone. These recommendations include;

- A buffer planting zone, building setbacks and shared pathways along the western boundary of the growth cell;
- Height restrictions for buildings and fencing along Frontier Road and Pirongia Road; and
- Requirements for specimen tree planting along Frontier Road and Pirongia Road.

Further to the above, landscape plan requirements are also recommended to be included in the District Plan for subdivision applications and when building on lots within the growth cell. The above recommendations will be included in the District Plan as rules where appropriate. Refer to **Appendix A** which sets out the proposed amendments to the District Plan. These provisions will ensure that development responds to the



surrounding existing environment and to the existing character and amenity associated with the wider Te Awamutu Residential Zone.

In summary, the site is well placed to accommodate urban built form. Subject to implementation of the recommendations of the LVA, landscape and visual effects are considered to be short term, limited to the adjoining neighbours and no more than minor.

5.3 Infrastructure Effects

A key constraint of the growth cell, and an important factor in ensuring efficient use of land is the current lack of urban infrastructure to service residential development. The District Plan outlines that integrated development will be achieved by development occurring in planned locations and in an integrated manner, that is for the structure plan to outline the infrastructure requirements for future development in this location. While the growth cell is identified as suitable for residential development, this plan change results in the timing of development not being consistent with the timeframes originally anticipated for this location. Therefore, infrastructure requirements need to be assessed, to determine if there is a workable solution utilising the existing infrastructure or if new infrastructure is required. In this instance, there are some existing services available in the locality that are available for connection and extension into the development area.

Nicklin CE have been engaged to undertake infrastructure design and assessment for the growth cell. A report has been prepared by Nicklen CE, and is attached within **Appendix D** of this report. The following sets out a summary of the servicing proposed for the growth cell, for more detail refer to the report and plans within **Appendix D**.

There is more detail available for the southern half of the growth cell as a result of the development proposals for the retirement village and the subdivision, than for the north. For this reason, Nicklin CE have split their assessment into two areas described as T2 north and T2 south.

5.3.1 Wastewater

For T2 south, there are three main components to the wastewater system, being gravity reticulation network, wastewater pumping station and a rising main.

The gravity fed reticulation system is proposed to be constructed over the site conveying wastewater from lots to the new pump station located adjacent to the wetland on the site. The pump station will pump wastewater through the new rising main that will be constructed from the pump station to the eastern boundary then travel north to Pirongia Road. The rising main will continue east down Pirongia Road to connect to an existing manhole and existing gravity reticulation that will convey the wastewater to the nearby Te Awamutu Wastewater Treatment Plant. The existing manhole was previously designed to be the receiving infrastructure for the T1 and T2 growth cells.

The wastewater pump station and rising main will be constructed to the Regional Infrastructure Technical Specifications (RITS) standards and will be vested in Council. Easements will be required over the rising main. All infrastructure within the retirement village will be privately owned and will connect to the public system via roads and reserves.

For T2 north, the wastewater network will be similar to that of T2 south, containing a gravity reticulation network, and a pump station to pump wastewater to Stage 3 of the adjoining development within growth cell T1. If Stage 3 of T1 is not completed prior to development of T2 north, other options of new rising mains along Pirongia Road or new infrastructure to the Te Awamutu Wastewater Treatment Plan are viable.



As such, there is a viable solution for wastewater reticulation within the growth cell and discharge to the existing wastewater network and treatment plant. As such, it is considered there are no effects relating to wastewater.

5.3.2 Water Supply

A water supply assessment was undertaken by WSP-Opus for the entire growth cell. It was concluded that there is adequate water supply in the Council system for the growth cell. It is likely that supply will be obtained via a water main in Frontier Road for T2 south. It is anticipated that the infrastructure and roading for the T1 growth cell will be completed prior to development of T2 north, therefore further consideration will be given to T2 north connections at the time of development of that area.

A booster pump is required to provide adequate pressure for the demands within growth cell T1 and T2. The booster pump is being developed by Waipa District Council and will likely be located on the adjacent water reservoir containing the existing water tower. Detailed design of the reticulation and booster pump will be provided at a later date following further reporting from Council and WSP-Opus.

Overall, adequate supply is available in the locality and adequate water pressure will be provided from a booster pump being designed by WDC.

5.3.3 Stormwater

Wainui Environmental have considered stormwater management for the growth cell and have provided a report outlining the stormwater philosophy and design. Refer to the Stormwater Management Plan in **Appendix E** for a copy of the report.

Stormwater treatment will be via one of two strategies for T2 south:

- Open swale system; or
- Centralised wetland.

Reticulated infrastructure will convey stormwater to the treatment devices and will then be discharged into the downstream receiving environment. The catchment makes its way to the Mangapiko Stream. Secondary overland flow paths will be provided within the road network and will be safely conveyed to the downstream watercourses.

T2 north comprises a separate sub catchment area which drains northward to the Mangapiko Stream. The Stormwater Management Plan within **Appendix E** is focussed on the T2 south area where there is more detail available relating to specific developments, however this report is also relevant to the T2 north area in so far as it relates to the best practise design guidelines and overall stormwater management philosophy. The SMP states that those guidelines and philosophies will be used to guide the future design of an appropriate stormwater management regime for T2 north at the time of development.

The SMP concludes that there is a workable solution for treatment and disposal of stormwater for the entire growth cell and provides further detail regarding the stormwater management regime for the southern portion (as a result of more detailed design outcomes being available). As such, it is considered that stormwater effects will be managed appropriately to ensure less than minor effects on the environment.

5.3.4 Roothing

Roothing infrastructure on the site has been designed with inputs from Nicklin CE, Boffa Miskell and Stantec, and has also been influenced by the adjoining T1 development in relation to the connection points at the common boundary of the two growth cells.



Roading layout for T2 south is displayed on the concept plan prepared by Nicklin CE. This layout comprises three main roads (with three different road cross-section concepts), including:

- Road 1: Main road through the development area providing a connection to Frontier Road and the adjoining T1 development. This road will be 20m wide. The road includes two roundabouts, one connecting the three roads and one providing access to the retirement village. This road will also provide property access.
- Road 2: Cul-de-sac providing property access. This road will be 15m wide.
- Road 3: Loop road providing property access and access to the reserve. This road will be 18m wide.

These roads will be vested in Council. More detailed design will be undertaken at the resource consent stage, in consultation with WDC. Refer to the Nicklin CE plan set within **Appendix D** for preliminary details on the road layout.

Further to the above, Frontier Road is proposed to be upgraded to urban standards. Detailed design of the upgrading works will be undertaken in due course, in consultation with WDC.

A preliminary roading layout for T2 north area is displayed in the Structure Plan in **Appendix A**. This network includes connection to Pirongia Road and two connections to the adjoining T1 growth cell. Walkways and cycleways are also proposed linking roading and reserves and providing recreational connectivity. Two road cross-section concepts are provided, including an 18m-20m corridor and a 15-16m corridor.

In summary, appropriate roading infrastructure can be provided throughout the growth cell to provide connectivity within the growth cell, to adjoining roads, the rest of Te Awamutu and the wider Waipa District. Transportation effects have been assessed and further commentary has been made in the Integrated Transportation Assessment within **Appendix F** and in Section 5.4 below.

5.3.5 Utilities

Confirmation has been obtained from Waipa Networks, Ultrafast Fibre, and First Gas that the T2 south development can be serviced via the existing networks in the locality. Infrastructure design for those services will be undertaken by the providers in due course. T2 north will be able to be serviced via connections to T1 infrastructure, alternatively in the event of T2 north being developed prior to T1 development, infrastructure is available from Pirongia Road.

In relation to existing infrastructure within Pirongia and Frontier Roads, the location of existing services will need to be identified and approvals obtained for works in the vicinity of the infrastructure.

Overall, electricity, gas and telecommunications infrastructure is available to connect to and will be extended into the site.

5.3.6 Conclusion on Infrastructure Effects

The above commentary and report within **Appendix D** outlines the key infrastructure concepts regarding supply and design, and demonstrates the availability of services and feasibility of infrastructure in this location. As such, infrastructure effects are considered to be benign.



5.4 Transportation Effects

Transport networks are significant pieces of infrastructure that can have adverse effects on people, development and the environment. Conversely, development can have adverse effects on the adjoining transport network if attention to matters such as the provision of suitable access, parking, manoeuvring areas and loading spaces have not been considered. Attention at the early stages of the planning and development processes can ensure that these effects are mitigated and that land use and transport are integrated to ensure that a safe and efficient roading network is provided.

A new section of roading network is proposed to service the growth cell and provide connections to the existing road network and adjacent T1 growth cell development. The roading layout is included in the Structure Plan within **Appendix A**. Upgrades are also proposed to the existing Frontier and Pirongia Roads.

An Integrated Transportation Assessment (ITA) has been prepared by Stantec for the Plan Change to assess the traffic and transportation effects associated with the proposed rezoning and structure plan layout. The ITA is attached in **Appendix F**.

The ITA considers the effects of the rezoning and subsequent development on the surrounding network, taking into account traffic volumes, intersection operation, visibility, intersection spacing and road safety effects. The following summarises the assessment and recommendations.

Traffic volumes in the locality will increase as a result of development of the growth cell. There are also other sources of traffic growth that are required to be included in the assessment to accurately assess the effects. These include:

- The consented T1 growth cell development;
- Other background traffic growth (Council data suggests annual growth rate of 3.8% per annum).

Taking into account future development of growth cell T2 and the above other sources of traffic growth traffic volumes are predicted to increase on:

- Frontier Road from the existing 1,500-1,600 vpd to 3,000-4,200 vpd. The ITA concludes that a daily volume of 3,000-4,200 vpd is well within the expected and acceptable range as a future collector road and can be suitably accommodated subject to the proposed upgrades along the Structure Plan frontage; and
- Pirongia Road from the existing 2,660 vpd to 5,300-6,550 vpd. The ITA concludes that 5,300-6,550 vpd is well within the expected and acceptable range for a collector road and can be suitably accommodated, subject to the proposed upgrades along the Structure Plan frontage.

Traffic volumes can therefore be accommodated within the existing road network, subject to the proposed upgrades of both Frontier and Pirongia Roads along the Structure Plan frontage.

New intersections are proposed on both Frontier Road and Pirongia Road into the site. The new intersections have been modelled in SIDRA (intersection modelling program) using all sources of traffic growth outlined above in the modelling. Overall a high degree of efficiency and minimal delay outcomes are expected with the proposed intersection forms, with both the intersections (at the new local road and Frontier Road and the new local road and Pirongia Road) being able to operate within its capacity during the morning and evening peaks.

The ITA adopted a required sight distance of 123m in a 60km/h speed environment. Visibility at the new intersections on Frontier Road and Pirongia Road have been assessed to be in excess of 123m in both directions at each intersection. As such, visibility is adequate and effects are less than minor.



The new intersections on Frontier Road and Pirongia Road are appropriately placed to ensure separation from the nearest intersection achieves compliance with standards. On both roads, the nearest intersection is the intersection into the T1 growth cell. On Frontier Road the two intersections are located 250m apart, complying with the required separation of 60m. On Pirongia Road the two intersections are located over 500m apart, complying with the required separation of 90m. Intersections within the Structure Plan are also placed to comply with the required separation distances.

The proposed roading network and upgrades to the existing network are considered to provide a safe road environment for the following reasons:

- A network of shared paths are provided throughout the network to ensure the safe movement of people and vehicles;
- Intersections have been placed to comply with sight distances and separation requirements;
- Rural and urban threshold features are proposed to create a clear transition between rural and urban areas, including a right turn bay on Pirongia Road;
- Upgrade of Frontier and Pirongia Road to full urban standards are proposed; and
- A reduction in the speed limit is proposed along Frontier and Pirongia Roads in the vicinity of growth cell T2.

The shared path network is a mixture of on road cycling routes and off-road shared pedestrian/cycle paths also utilising the proposed open spaces, as shown on the structure plan. Connectivity is enhanced by the three road connections to the adjacent T1 area meaning that in the long term the two growth cells will be fully integrated with seamless connections between them.

While the majority of the pedestrian and cycle paths will be on land that will vest in Council as either roads or reserves, the path along the western boundary of the retirement village will be privately owned, as will other infrastructure within the retirement village. Sanderson Group will provide for public access along this path as connectivity to walking and cycling paths is a key factor in the marketability and success of their retirement villages. However, due to security issues that access may not be publicly available 24 hours a day. The detail of the management of that path, and other aspects of public accessibility within the village, are matters that should be addressed at resource consent stage, as they can be subject to consent conditions.

The ITA concludes that the planned transport networks and upgrades to the existing network are appropriate to accommodate the activities generated by the rezoning of the growth cell. The traffic and transport elements of the plan change have been appropriately established within the proposed structure plan. The network will ensure a safe and efficient road environment and integration of the T2 growth cell with the wider Te Awamutu area. As such, the transportation effects of the rezoning are considered to be less than minor and appropriately managed through the design.

5.5 Ecological Effects

An Ecological Impact Assessment (EIA) has been prepared by Ecology New Zealand for the proposed plan change. The assessment considers the overall suitability for urban development, further specific and detailed ecological management requirements will be addressed through subsequent resource consents required for development of the site. A copy of the EIA is included in **Appendix G** of this report.

The EIA concludes that:

- Development on the site will only result in removal of exotic and pest plant dominated vegetation and low ecological value natives on the site. Further no vegetation of high botanical significance will be removed. No specific mitigation in relation to vegetation clearance is required.
- Impacted vegetation on the site may cause impacts on nesting birds and their eggs during breeding season. Vegetation is noted to only support common native and exotic species. Vegetation removal



should be undertaken outside of bird breeding season (October to April), otherwise inspections by an ecologist may be required prior to removal.

- Loss of vegetation may result in a loss of potential habitat and resources for lizards. Vegetation clearance also has potential to result in lizard mortalities. Survey for lizard species should be undertaken and Lizard Management Plan prepared if lizards are present.
- No bat roost habitat has been identified on the site. However, conservatively there may be indirect impacts on long-tailed bats (i.e. loss of commuting and foraging across the site, disturbance or avoidance of the site from artificial lighting). Further survey work is proposed to assess potential effects on bats and potential mitigation or management of the effects. Further survey work should be undertaken in November to April to provide more certainty of information, and this will be an input to the subsequent resource consent applications. Provision of better feeding habitat within the stormwater pond design and incorporation of low lumen, directional lighting design are potential mitigation measures.
- Potential for there to be a loss of aquatic habitat and wetland habitat and potential mortality of native fish during stream works. Targeted fish surveys should be undertaken and a Fish Management Plan prepared if fish are encountered.

Overall, with the implementation of appropriate ecological management in accordance with usual practice at the time of resource consent applications any potential effects of the plan change can be adequately managed to be no more than minor. No site-specific plan provisions are required.

5.6 Archaeological Effects

An archaeological assessment of the entire Growth Cell T2 area has been undertaken by Warren Gumbley Archaeologists. The assessment is split into two reports, one for the southern portion of the growth cell containing the residential subdivision and retirement village, and one for the balance of the growth cell to the north. Both reports are attached within **Appendix H** of this report.

No archaeological sites have been recorded on or adjacent to growth cell T2. However, it is noted in the reports that there has been no systematic archaeological survey surrounding the growth cell and all recorded archaeological sites locally have been recorded on an ad hoc basis. The only systematic survey was carried out in 1980 and was focused on the Puniu River which is located approximately 1.5km to the south of the growth cell. Despite the absence of systematic archaeological survey, archaeological sites follow generally distinctive patterns strongly clustered to the Puniu River and Mangapiko Stream.

The closest site is the pa site recorded as S15/86, S15/233 and the Otawaho Pa (S15/332). These pa sites are displayed in the following figure. The proposed rezoning and structure plan will not disturb or destroy any of these pa.



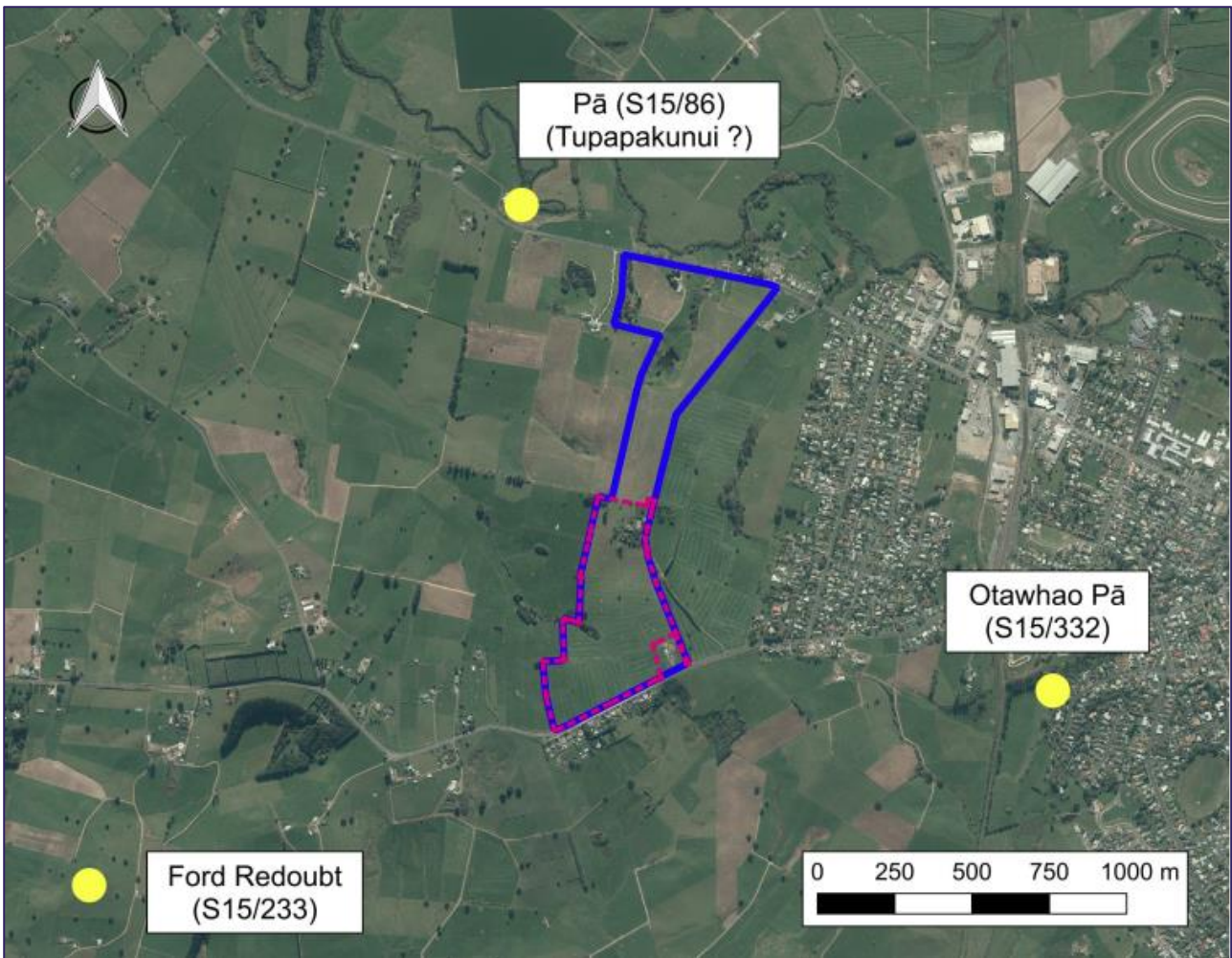


Figure 6: Recorded Archaeological Sites in the locality

A review of historic maps and aerial photographs was also undertaken by Warren Gumbley. Historic aerial photographs show the growth cell was previously used for farming activities, a dwelling and associated out-buildings.

A site investigation was undertaken for the southern half of the growth cell and no evidence of archaeology was noted. A site investigation was not undertaken for the northern half of the growth cell. The archaeological report for this area notes that potential for archaeological sites within this area is considered to be low, however there is slightly increased potential for archaeological remains within proximity to Mangapiko Stream and the pa recorded as S15/86.

Overall, the proposed rezoning will not have any archaeological effects. It is expected, as is standard practice, that at the time of resource consent application for future development consent conditions relating to accidental discovery will be imposed. However, there is no evidence that warrants specific recording of sites or specific rules in the structure plan relating to archaeology.



5.7 Geotechnical Effects

CMW Geosciences (CMW) was engaged to undertake a geotechnical desktop assessment relating to broad development suitability of growth cell T2 for residential development and to identify any geotechnical hazards affecting the site. The report is attached within **Appendix I**.

The geotechnical report concludes that the site is geotechnically suitable for the proposed rezoning and subsequent residential development. While the site has been considered as suitable for residential development, the assessment undertaken to date is limited to a desktop assessment and at the time of development of the site further geotechnical investigations are required to provide a full understanding of the geotechnical hazards and risks across the site. The following additional assessment and investigations will be required (as a minimum):

- Sampling and testing of surface soils;
- CPT investigations are required in conjunction with geotechnical design to appropriately mitigate and manage the liquefaction risk.
- Steeper slopes across the site (particularly near gullies) require detailed geotechnical investigation and assessment to determine the slope stability/instability. Further, specific slope stability analysis required in areas where currently active or historic instabilities are noted.
- Areas of uncontrolled fill require investigation to determine nature, depth and extent of fill.
- Where soft and compressible soils are present, further detailed geotechnical investigations (test pits, boreholes, CPTs) would be required.

Further testing will be undertaken at the time of resource consents for subdivision and development of the site. It is considered that the proposed plan change will not have any geotechnical effects.

5.8 Contamination Effects

A Preliminary and Detailed Site Investigation has been prepared for the southern half of the growth cell, directly relating to the retirement village and residential subdivision. The PSI and DSI concludes the following:

- Mean concentrations of heavy elements in surface soils are below applicable standards across the site;
- Asbestos fibres are not present;
- Offal pits may be present near the former dairy shed adjoining the southern eastern boundary that may contain non-organic wastes;
- Elevated lead and zinc are present.

Overall, due to the potential for waste disposal pits to be encountered on the site during bulk earthworks it is recommended that contingency measures are adopted into earthworks management plans to manage the risks associated with these wastes if encountered.

A contamination assessment for the northern portion of the site has not yet been undertaken however as a result of the land uses across the balance of the growth cell being much the same as the investigated portion, the results and recommendations are likely to be similar.

These matters will be addressed at resource consent stage for bulk earthworks and future development on the site. As such, the effects associated with contamination on the site are considered to be less than minor.



5.9 Positive Effects

This plan change will allow for residential development in a location that has been earmarked for future residential development in the District Plan. As such, despite the timing being out of keeping with the District Plan expectations, development of the growth cell at this point in time will assist in the shortfall of housing and retirement living options in the locality. This will introduce additional competition in the market and contribute to housing supply which will subsequently have positive implications on housing affordability.

The plan change also allows Sanderson and Kotare to subdivide and develop in accordance with their desired timeframes.

5.10 Cultural Effects

Attached as **Appendix A** is a copy of the Cultural Impact Assessment (CIA) prepared by Norman Hill of Epiha Consultants. The CIA records that mana whenua are Ngati Apakura and Ngati Hikairo and the three iwi with identified interests in the area are Ngati Maniapoto, Raukawa and Waikato-Tainui. These iwi are represented by post-settlement governance entities, being Maniapoto Maori Trust Board, Raukawa Settlement Trust and Te Whakakitanga o Waikato Incorporated, respectively.

The CIA confirms that the area is of historic, cultural and spiritual significance to iwi. It notes that the Mangapiko Stream at the northern end of the site is a watercourse of significance to iwi and the heritage overlay in the WDP confirms mana whenua expectations that the appropriate protocols (tikanga and kawa) are followed throughout the project.

It also confirms the relevance of iwi management plans produced by the relevant iwi, being Te Rautaki Taiao a Raukawa, Ko Ta Maniapoto Mahere Taiao and Tai TumuTai Pari Tai Ao. It notes that PC 12 will not lead directly to development of the land and that subsequent resource consent applications will be the methods whereby the recommendations for environmental and cultural initiatives will be implemented.

The CIA includes six recommendations as follows;

Recommendation 1: To establish, grow and maintain relationships with mana whenua by entering into working or formal relationships with mana whenua to oversee the implementation of the project and the relevant conditions and undertakings. This could also include facilitating economic and social development opportunities for mana whenua.

Recommendation 2: Ensure that cultural protocols are established for, but not limited to: (a) observing tikanga before works commence. (b) The placement of cultural features within the development.

Recommendation 3: That an accidental discovery protocol (ADP) be implemented as part of any future consent is granted/or work undertaken.

Recommendation 4: That any contractors involved in earthworks be given appropriate guidance on mana whenua tikanga and protocols including an understanding of the ADP which may be delivered by a mana whenua representative or designate, and that agreement is duly noted.

Recommendation 5: A cultural health indicator framework for water quality standards and water quantity take in relation to Mangapiko Stream be applied.

Recommendation 6: A partnership Kawenata be developed, agreed, and signed by mana whenua and Sanderson Group Ltd and Kotare Properties.



In addition, it proposes that the wetland be developed to encourage wildlife and road names be chosen to commemorate the origins of the site. These recommendations are accepted by the applicants and will be implemented through the subsequent resource consenting, design and construction phases.

5.11 Historic Heritage Effects

As identified in this report, the site contains a heritage item at the northern end near Pirongia Road, located on the property at 67 Pirongia Road. The heritage item is a house named Isla Bank and is listed in the District Plan and the New Zealand Heritage List. The District Plan listing is as follows:

Map #	Ref #	Site Name	Address	Style	Description	HNZ Class	Legal Description	DP Cat
TE AWAMUTU								
38	6	House (Isla Bank)	67 Pirongia Road	Villa	Twin bay villa, 1907-1909	2	LOT 1 DPS 514120 (RT 796970), South Auckland Land District	B

Figure 7: Extract of Waipa District Plan

Isla Bank is listed in the New Zealand Heritage List as a Category 2 Historic Place. The listing number is 4328 and was listed on 5 September 1985. The Isla Bank house is shown in the following image.



Figure 8: Isla Bank

The location of Isla Bank is shown in the following aerial image. The property boundaries are outlined in red:





Figure 9: Aerial View Isla Bank Property

The plan change does not propose any changes to the heritage building on the site, the building's listing in the District Plan and identification on the District Plan maps, or the listing on the New Zealand Heritage List. The proposed roading layout shown on the structure plan avoids any impact on the property.

As such, the plan change will not have any direct physical effects on Isla Bank and the house will continue to be protected under the District Plan.

Heritage NZ have raised the issue of potential effects on the setting of the building, including the tree-lined driveway. Neither the District Plan nor the Heritage NZ listing identify the setting as part of the item to be protected. The building is contained in a separate title of 1.6389ha (Lot 1 DP 514120).

Rule 22.4.1.1 (I) of the WDP requires a discretionary activity consent for construction of new buildings and relocated buildings within the surroundings of a listed heritage item and Objective 22.3.3 seeks to ensure that *'any development undertaken within the surroundings of a heritage item [does] not detract from the heritage item'*. The WDP defines 'surroundings' as meaning *'for the purpose of listed heritage items, the land immediately surrounding the listed item including any closely associated buildings, gardens, monuments and structures, but excluding any immediately adjacent open fields'*.

Therefore, the WDP has already addressed effects on heritage items on a District-wide basis and implemented objectives and rules that will apply to any future resource consents to develop close to or around the building. If the Stage 2 structure plan area is developed it will be the Isla Bank landowner's decision as to the extent to which (if at all) their land is incorporated into the wider development plans.

Therefore, there is no need to implement any site specific rules in PC12 to protect the heritage item.



5.12 Conclusion on Environmental Effects

The environmental effects described in this report are consistent with the effects anticipated when the land was given a Deferred Residential zone and are broadly in line with those expected with the urbanisation of rural land.

There are no environmentally sensitive features of the land that require any different approach to other residential growth cells on the outskirts of Te Awamutu. Importantly, urban services can be extended and upgraded to service the site, largely extending westward from the adjacent T1 cell and along the existing Pirongia and Frontier Roads. The only issues requiring a slightly different approach are the landscape and visual effects of interfaces with existing rural and residential neighbours, that are addressed by additional rules.



6. Consultation

6.1 Waipa District Council

Multiple meetings have been held with WDC planning, engineering and recreation staff, and drafts of the structure plan and development plans have been shared with them. A collaborative approach has allowed for issues such as water and wastewater servicing and transport infrastructure to be advanced to the point where there is broad agreement in principle.

The applicants appreciate the constructive approach taken by WDC staff to date. Ongoing engagement is proposed.

6.2 Waikato Regional Council

Resource consent authorisations are required under the WRP for the bulk earthworks activities associated with site development and the permanent discharge of stormwater from the development site. A preapplication meeting was undertaken with key WRC staff in July 2020 to outline the proposed activities and associated environmental management methods including erosion and sediment control management for the earthworks and stormwater quality and quantity control for the permanent site discharges. The proposed management methods have been developed in accordance with the WRCs best practice guidelines for earthworks and stormwater management and were well received at this meeting by WRC with no specific concerns raised.

The required earthworks and stormwater consent applications were lodged with the WRC for processing in the name of the joint Applicants Sanderson Group and Kotare Properties and they were approved in September 2020. Copies of these consents are included in **Appendix M**. These approvals are a separate process to this plan change as they deal only with the environmental effects of the earthworks and the stormwater discharge. However, they confirm that the site is suitable for urban development taking into account stormwater and earthworks matters. The consents include conditions requiring a wetland planting plan for the stormwater pond, an accidental discovery protocol in the case of disturbance of archaeological items and a dust management plan.

A further regional consent application will be required for a temporary short term water take to allow sufficient volume for dust suppression during earthworks and a permanent long term water take for irrigation of the retirement village. A resource consent application will be prepared and lodged with regional council prior to undertaking any works relating to the water take.

6.3 Tangata Whenua

Waikato-Tainui have been advised of the plan change and comments sought. Information resulting from engagement with tangata whenua is included in the CIA at **Appendix L**.

6.4 Nearby Landowners and Residents

All neighbouring landowners have been contacted to advise them of the proposed development. Meetings and discussions have been held with many of them. As a result seven written approvals from neighbours have been received. They are included in **Appendix K**.

Some neighbours, particularly those on Frontier Road have raised concerns about the land use change, with particular reference to the residential subdivision. They are concerned that the land use change will happen much earlier than the 2035 date in the WDP. This will lead to the loss of their rural outlook sooner than



expected, and earlier visual impacts of houses on the other side of Frontier Road. In addition to this, neighbouring properties are concerned with effects of stormwater, flooding and increased traffic on Frontier Road. The proposed plan rules setting a lower height limit and requiring landscaping and lower fencing along that frontage will assist in mitigating those effects.

Many of their concerns such as vibration and noise relate to the construction phase of development which are matters that can be addressed through conditions on subsequent resource consents. The WRC earthworks consent that has been granted includes a condition requiring no objectionable dust discharges beyond the site, and a requirement for a dust management plan to be prepared and implemented.



7. Planning Assessment

7.1 Vision and Strategy for the Waikato River

The Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato) forms part of the Waikato RPS and responds to four fundamental issues in respect of the River, as follows:

- The degradation of the Waikato River and its catchment has severely compromised Waikato River iwi in their ability to exercise mana whakahaere or conduct their tikanga and kawa;
- Over time, human activities along the Waikato River and land uses through its catchments have degraded the Waikato River and reduced the relationships and aspirations of communities with the Waikato River;
- The natural processes of the Waikato River have been altered over time by physical intervention, land use and subsurface hydrological changes. The cumulative effects of these uses have degraded the Waikato River; and
- It will take commitment and time to restore and protect the health and wellbeing of the Waikato River.

While the development site does not discharge directly to the Waikato River, the site will have stormwater discharges into land and watercourses within the Waipa catchment.

The following strategies to meet the above objectives have also been considered as part of this rezoning:

- Ensure that the highest level of recognition is given to the restoration and protection of the Waikato River;
- Encourage and foster a 'whole of river' approach to the restoration and protection of the catchment, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River; and
- Ensure that the cumulative adverse effects on the Waikato River of activities are appropriately managed.

This is a plan change and therefore does not lead directly to development. The effects on the catchment and the river are more appropriately addressed in the context of subsequent resource consents and conditions of consent. However, the land use change is likely to lead to some improvements in water quality. Firstly, the current dairy farm will be retired, creating potential for reduced runoff of nutrients. The plan change includes a Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) of soil contamination. While no specific sources of contamination were identified above acceptable levels, recommendations were made to remove any contaminated material if encountered during earthworks. The plan change includes a comprehensive stormwater management plan approach that will implement treatment swales and wetlands in accordance with WRC's Low Impact Design Matrix, which is a best practice stormwater management. This will avoid any adverse effects within the downstream receiving environment and will result in a positive outcome for the receiving environment, and therefore for the river.

Therefore, the plan change is consistent with the Vision and Strategy.



7.2 District Plan and Waipa 2050

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.

Growth Cell T2 is one of several identified growth cells in the Waipa District. Appendix S1 of the Waipa District Plan contains information about all growth cells in the District. These are split between two groups; growth cells which are intended to be opened and developed from now to 2035 and growth cells which are intended to be opened and developed after 2035.

The growth cells identified in Appendix S1 derive primarily from the Waipa 2050 District Growth Strategy, a long term, integrated approach to managing growth in the District, based on the population projection that Waipa will have 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** of this report.

As displayed above, there are a total of 16 growth cells in Te Awamutu, two of which are Industrial and 14 are Residential. Of the 14 residential growth cells, there are two which are anticipated for large lot residential development and 12 anticipated for standard residential development. The growth cells are further split into areas that can be developed from now to 2035 (areas outlined in blue in **Figure 1**) and 2035 onwards (areas outlined in yellow in **Figure 1**).

As aforementioned, Growth Cell T2 is the subject of this plan change request, located at the western edge of Te Awamutu. 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 as identified in Appendix S1 of the WDP, made up of a number of properties, and has a dwelling capacity of approximately 492 dwellings in total.

Growth Cell T2 adjoins Growth Cell T1 which is currently under development with subdivision of stages 1 and 2 approved and earthworks under way.

While Growth Cell T2 has been identified for development after 2035, the Waipa District Plan provides an opportunity to open up a growth cell for development earlier than originally anticipated. This is required to be undertaken via a plan change to the Waipa District Plan, subject to meeting a number of requirements in Rule 14.4.1.10 of the WDP, including:

- 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;
- The Deferred Zone will be required to be rezoned for its intended future use, i.e. Residential in this instance (via a plan change);
- A structure plan for the entire growth cell, is to be approved by way of a change to the Waipa District Plan;
- 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);
- No amendments are required to the District Plan objectives, policies or rule framework.

Sanderson Group and Kotare Properties propose to make use of the opportunity to rezone the site opening it up for residential development to occur now. The following addresses the four bullet points above.



Currently four of the residential growth cells in Te Awamutu are open as follows:

- a) The T1 Growth Cell located between Frontier Road and Pirongia Road on the western side of Te Awamutu. Stage 1 and 2 of this development has been consented for 41 residential lots.
- b) The T9 Growth Cell located on the northern side of Cambridge Road on the eastern side of Te Awamutu. Subdivision consent has been applied for to subdivide this site into 85 residential lots. The application is currently on hold at the request of the applicant.
- c) Part of the T3 Growth Cell located between Bond Road and Te Rahu Road. This Growth Cell had its zoning uplifted in part 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. In terms of the remaining part 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 98 residential lots.

Despite the number of growth cells open, there are limited options in terms of actual sections developed and for sale. Approximately 180 lots have been consented in the open growth cells, of which only a portion have been developed. This is unlikely to be keeping pace with the annual household demand of 169 noted in Table 2 below. There is 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, there is specific demand for additional retirement options.

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.

TABLE 1: CAMBRIDGE & TE AWAMUTU / KIHIKIHI HOUSEHOLD DEMAND 2017-2050					
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

TABLE 2: CAMBRIDGE & TE AWAMUTU / KIHIKIHI HOUSEHOLD DEMAND 2017-2027					
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 10: Projected Household demands extracted from Waipa 2050



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 the next 3 years, this equates to approximately 42ha and 507 dwellings. By 2027 approximately 169ha will need to have been provided to meet anticipated demand, when taking into account the additional 20% required by the NPS-UD.²

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. T2 adds to the options, ensuring there is healthy competition in the residential land market, which will support improved affordability.

This plan change fulfils bullet points two and three, by rezoning the land to residential and including a structure plan for the entire growth cell prior to undertaking development.

As set out in the infrastructure report the development infrastructure is either already in place or able to be provided as part of the development, satisfying bullet point four.

As described elsewhere in this plan change, the use of this land for residential development has previously been determined as appropriate and has been zoned to allow for future residential development. As such, the plan change proposes only minimal and necessary additional rules relating only to the land in question. Overall, the plan change is designed to fit into the objective, policy and method frameworks of the WDP, not affecting its overall coherence. Therefore, the fifth bullet point is also satisfied.

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. The following sets out an assessment of the plan change against these criteria.

Table No. 3

Assessment against Waipa District Plan Assessment Criteria		
Assessment Criteria No.	Criteria	Comment
21.1.14.1 – Structure Plans for an entire Deferred Zone area identified on the Planning Maps	a) The extent to which the structure plan and/or its staging is consistent with the programmed growth allocation and/or staging in the Waipa District Growth Strategy and the Waikato Regional Policy Statement. If it is not consistent, then the extent to which the criteria for alternative land release has been met.	The staging of this plan change and structure plan is not in accordance with the staging in Waipa 2050 as outlined in section 7.2.. There are criteria for alternative land release set out in Policy 6.14.3 of the RPS. They anticipate that the land release assumptions in the RPS may be varied through district plans and structure plans, with a focus on ensuring land development is coordinated with infrastructure provision. However, those higher level criteria have effectively been converted into these more detailed WDP assessment criteria, together with Rule 14.4.1.10. Therefore, there is no need to revisit the RPS criteria. This assessment demonstrates that the WDP criteria are met.
	b) The extent to which the infrastructure needs for the site have been met and any network	Infrastructure needs for the site have been assessed by Nicklin CE, Wainui Environmental and Stantec (refer to Appendix D, Appendix E and Appendix F for each of those assessments).

² Waipa 2050, Table 7, p24



<p>and/or capacity constraints have been addressed.</p>	<p>Overall, as set out in each of the assessment reports and in the above reporting, there are viable infrastructure solutions for wastewater, water supply, stormwater, roading, telecommunications, electricity and gas. The growth cell will be able to be appropriately serviced without resulting in adverse effects on the environment or surrounding landowners and occupiers.</p>
<p>c) The extent to which the stormwater system for the site has taken into account a catchment management approach and provides for the anticipated level of service. Guidance on stormwater design is provided in the Regional Infrastructure Technical Specifications.</p>	<p>The proposed stormwater treatment and disposal for the growth cell is split into two subcatchments (north and south) and it is demonstrated by Wainui Environmental in their Stormwater Management Plan (refer Appendix E) that an appropriate stormwater management regime can be achieved for each subcatchment of the growth cell. Stormwater design is consistent with the Regional Infrastructure Technical Specifications.</p>
<p>d) The extent to which the structure plan provides for multimodal transport options, within the area as well as connections to routes, facilities and sites outside of the structure plan area.</p>	<p>The structure plan has evolved through a comprehensive, integrated, multidisciplinary design process. Provision has been made for multimodal transport options. A main road network is outlined in this structure plan which connects to Pirongia Road in the north, Frontier Road to the south and the road network within growth cell T1 to the east. A supporting cycle and pedestrian network is provided throughout. Overall, the structure plan has been designed to have a clear and legible structure with pedestrian and cycle connections through the site.</p>
<p>e) The extent to which the structure plan provides for the key elements of character of the area in which it is located and provides for the valued characteristics of the area.</p>	<p>The structure plan identifies the surrounding locality, including the rural/urban interface to the east, and responds to key characteristics of Te Awamutu. The structure plan will allow for seamless integration with the existing urban areas of Te Awamutu and provide appropriate treatment along the rural/urban interface to ensure a positive relationship with the surrounding rural area to the west.</p>
<p>f) The extent to which the relationship of Māori with their ancestral lands, water sites, wāhi tapu, and other taonga has been recognised and provided for.</p>	<p>Consultation with iwi has been undertaken and the relationship of tangata whenua with the site is addressed in the CIA in Appendix L.</p>
<p>g) The extent to which the structure plan protects indigenous biodiversity of the</p>	<p>The Ecological Impact Assessment confirms that indigenous biodiversity will not be affected by the rezoning. The only identified heritage site on the site (Isla Bank – house) will not be affected</p>



	area and/or heritage sites or features.	by the rezoning. The house will retain its heritage protection under the District Plan and with Heritage New Zealand and therefore will need to be considered at the time of development of any of the northern half of the Cell.
	h) The extent to which the structure plan is consistent with the outcomes and principles contained in the relevant Waipa District Town Concept Plan.	The proposed structure plan and rezoning is considered to be consistent with the Te Awamutu Town Concept Plan as the proposal is for residential development in a location which is earmarked for residential development. Infrastructure is able to be developed to service the entire growth cell. Connections within the growth cell and to surrounding areas are provided for in the structure plan. Upgrades to both Pirongia Road and Frontier Road are proposed to create attractive and safe gateways into Te Awamutu.
	i) The extent to which any risks associated with natural hazards or any geotechnical issues, contaminated sites, and or hazardous substance can be managed.	The growth cell has been subject to various geotechnical and contamination assessment to ensure site suitability, and no significant hazards have been identified. Overall, the site is considered to be suitable for residential development.
	j) The extent to which the proposed land use will result in a reverse sensitivity effect and any proposals to mitigate that effect.	The rezoning will not result in any reverse sensitivity effects. Potential effects at the western boundary interface with rural land are mitigated by the additional building setbacks.

Overall, the proposal is consistent with the above assessment criteria and the above matters have been included in the structure plan where appropriate. 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.

7.3 National Policy Statements

National Policy Statements (NPS) are prepared under the RMA. They establish objectives and policies for matters of national significance relevant to achieving the purpose of the RMA. All District and Regional Plans are to give effect to NPS in their plans and policies.

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 the 10 August 2020 and replaces the National Policy Statement on Urban Development Capacity.

It includes several objectives that are relevant to this plan change. They are;

Objective 1; New Zealand has 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



Objective 2; Planning decisions improve housing affordability by supporting competitive land and development markets.

Objective 4; New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people and communities and future generations.

Objective 6; Local authority decisions on urban development that affect urban environments are;

- (a) Integrated with infrastructure planning and funding decisions; and*
- (b) Strategic over the medium term and long term; and*
- (c) Responsive, particularly in relation to proposals that would supply significant development capacity.*

These objectives are supported by several relevant policies that refer to enabling a variety of homes (Policy 1(a)), supporting the competitive operation of land and development markets (Policy 1(c)) and being responsive to plan changes that would add significant development capacity, even when it is out of sequence with planned land release (Policy 8).

Policy 8 is particularly 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.

This policy directs that adding capacity is more important (subject to some provisos) than inflexibly adhering to the development sequences in planning documents.

These objectives and policies provide support for Plan Change 12 as they emphasise the importance of increasing development capacity, supporting additional competition, encouraging choice of housing types and locations, and responding to opportunities even when the sequence and timing of development does not match the assumptions in the planning documents. The emphasis is one of erring on the side of more capacity rather than less capacity. The need for a strategic approach has been satisfied by the implementation of Waipa 2050.

In addition, Policy 6(b) is relevant. It states;

When making planning decisions that affect urban environments, decision makers have particular regard to the following matters;

...(b) that the planned urban built form in those RMA planning documents may involve significant changes to an area and those changes;

(i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities and future generations, including by providing increased and varied housing densities and types; and

(ii) are not, of themselves, an adverse effect...

The development of T2 represents planned urban built form, as it is anticipated by Waipa 2050 and Appendix S1 to the WDP. It will involve a change to the current environment, and that change will have some adverse effects on some people. However, for others such as future residents and the wider community it will improve amenity values by providing additional housing choice plus upgraded infrastructure and additional reserves and cycleways/walkways. In this respect the NPS supports change and growth within urban areas,



indicating that when that change is flagged and anticipated, as in this case, it should not be considered an adverse effect. That is to say individual environmental effects still need to be addressed, but the land use change itself from rural to urban is not an effect.

Plan Change 12 gives effect to these objectives and policies, and is consistent with the NPS-UD.

7.4 Regional Policy Statement

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, although the NPS-UD post-dates the RPS so it does not reflect it. The main issue of relevance for this development is the management of the Built Environment (Section 6).

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.

- Policy 6.1 - ensures that subdivision, use and development of the built environment occurs in a planned and co-ordinated manner.
- Policy 6.3 – ensures co-ordination of growth and infrastructure.
- Policy 6.14 – Adopting Future Proof land use pattern.

The Infrastructure Report at **Appendix D** and the ITA at **Appendix F** demonstrate that urban services can be readily extended and upgraded to service the site, and is coordinated with adjacent development of T1. 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.

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 population growth at a high level.

Plan Change 12 is not within Te Awamutu's urban limits as the current urban limit is on the T1 boundary. However, it is broadly consistent with the population projections in Table 6-1 which indicate a population of 15,900 in 2021. Current population growth is slightly less than anticipated in the RPS/Future Proof with the 2018 population estimated at 14,000. It forms part of the 20% split allocated to towns in the region.

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 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) that enables the removal of the deferral and the implementation of a 'live' zoning.

Therefore, Plan Change 12 gives effect to the relevant policies of the RPS.



7.5 Waikato Tainui Environmental Management Plan – Tai Tumu Tai Pari Tai Ao

This plan is designed to enhance Waikato-Tainui participation in resource and environmental management. It is developed out of Whakatapuranga 2050, a 50-year long development approach to build the capacity of Waikato-Tainui. The vision of the Environmental Plan is not only to maintain the environment, but also to restore or enhance the quality of natural and physical resources.

The goal of Waikato-Tainui is to ensure that the needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach of environmental enhancement.

Section B, Chapter 6 sets out the consultation and engagement expectations of Waikato-Tainui. These have been satisfied through the engagement described in the CIA at **Appendix L**.

Section D of the plan addresses specific elements of natural resources and the environment and sets out specific issues, objectives, policies and methods for specific environmental areas. The following table comments on the relevant aspects.

Environmental Element Chapter	Comments
Te Wai Maori – Fresh Water	<p>The plan change provides for a reduction of nutrients as a result of the retirement of the dairy farm. Alongside enhancement plantings within open space areas and the wetland areas and a Low Impact Design approach, water quality is expected to improve with the retirement of farming.</p> <p>Construction effects will be addressed via erosion and sediment control and a strict monitoring regime, as set out in the conditions of the WRC resource consents in Appendix M.</p> <p>Wastewater and water supply will be by connection to the WDC systems so there are no impacts on those aspects.</p>
Nga Repu – Wetlands	<p>As described in the Stormwater Management Plan at Appendix E the site currently contains an artificial farm pond that will be converted to a wetland for both extended detention and water quality treatment purposes. There are no existing wetlands on the site or nearby.</p>
Whenua – Land	<p>The site is currently dairy farmed.</p> <p>Development will retire land from dairying and provide an opportunity to enhance the site through planting and the management of stormwater. All development will be managed by best practice erosion and sediment control measures.</p> <p>There is minimal contamination on the site and this will be managed or removed using best practice.</p>
He Mahinga Ika – Fisheries	<p>As the only waterways on the site are farm ponds and ephemeral or artificial drains effects on fisheries are limited. Investigations of drains may be required at resource consent stage.</p>



Te Ararangi – Air	The only issue relating to air will be potential dust discharges during construction. These will be managed through resource consent conditions.
Ngaa Whakaritenga Moo Ngaa Whenua O Waikato-Tainui – Land Use Planning	The overall development of the site will provide opportunities for environmental enhancement, particularly within the proposed open space network and stormwater treatment wetland. It has land use planning benefits by increasing the range of housing opportunities.
Waihanga Matua – Infrastructure	The provision of infrastructure will be a component of the development as this is a greenfield site, but it is adjacent to existing development already under way in T1. Generally infrastructure will be extended to the site. And roads will be upgraded.

Overall Plan Change 12 is well aligned with the objectives of the Waikato-Tainui Environmental Plan.



8. Notification

Plan Changes are subject to a notification process, as set out in Schedule 1 of the RMA. Clause 5A of Schedule 1, enables private plan changes to be subject to limited notification. The test for limited notification (as set out in Clause 5A(2)) is that the local authority may limited notify a private plan change but only if it is able to identify all the persons directly affected by the proposed change.

In this case the applicant agreed that the plan change would be publicly-notified.



9. Conclusion

Plan Change 12 provides additional residential land capacity in Te Awamutu, and also provides for a large retirement village that would otherwise have difficulty finding a suitable site in Te Awamutu. The residential development of the land has been flagged for many years by the current deferred zoning and is therefore an anticipated form of development. It is only the timing that has been brought forward.

The plan change gives effect to the NPS-UD and the RPS as it is broadly consistent with the Future Proof land use pattern, and represents additional development capacity and market choice. The NPS-UD encourages additional development capacity to support a competitive land market.

The plan change has few adverse effects, and the minor landscape and visual effects can be mitigated by way of additional rules that apply to the interface with other land.



Appendix A – Proposed District Plan Amendments



Appendix B – Record of Titles



**Appendix C – Landscape and Visual Assessment prepared by
Boffa Miskell**



Appendix D – Infrastructure Report prepared by Nicklin CE



**Appendix E – Stormwater Management Plan prepared by
Wainui Environmental**



Appendix F – Integrated Transportation Assessment prepared by Stantec



Appendix G – Ecological Impact Assessment prepared by Ecology New Zealand



Appendix H – Archaeological Assessment prepared by Warren Gumbley Archaeologists



Appendix I – Geotechnical Desktop Report prepared by CMW Geosciences



Appendix J – Preliminary Site Investigation and Detailed Site Investigation prepared by HAIL Environmental



Appendix K – Written Approvals



Appendix L – Cultural Impact Statement



Appendix M – Copy of Regional Council Resource Consent

