Proposed Plan Change 13: Uplifting Deferred Zones

Incorporating

Decisions of Independent Commissioner

Amended decision 20 September 2021

Original notified decision 9 September 2021

Waipā DISTRICT COUNCIL

TOPIC 4: GROWTH CELL C4

1.8.26 The Cambridge Motocross Club occupies an area within the town belt and to the east of the C4 Growth Cell. Occupation and the use of this area of the Town Belt was granted by resource consent (LU/0104/16) in September 2016. A condition of the consent, which was for a period of ten years to the 20th September 2026, was that if a plan change for Residential development of the C4 Growth area became operative after 2021 then the consent would lapse. In their submission the Cambridge Motocross (S3/1) asked that the advancement of the C4 plan change be delayed for seven years.

1.8.27 Submitters Shaun Gaskell (S4/1), Ashley McKnight (S5/1), Cambridge Motocross Club (S3/1) and Loren Stockley (S33/1) submitted in support of the delay for seven years due to the wider amenity associated with the development of the growth cell. Further submissions from Kotare Developments Limited (FS6/1, FS6/2, FS6/3 and FS6/20) opposed these submissions as the conditions in the resource consent signalled the future potential for the neighbouring land to be developed for residential purposes. This would be achieved with the uplifting of the deferred zoning for C4.

1.8.28 In Council's reply from Ms Jo-Anne Cook-Munro, she stated that deferring the uplifting date for the land occupied by Cambridge Motocross, was a matter that could be discussed in the future with the landowner regarding a potential buffer zone but resolving this matter is outside the scope of this plan change. In the absence of any such agreement at this time I **REJECT** submission 3/1 of the Motocross club as the five-year period provided in the above resource consent has expired, **REJECT** submissions 4/1 (Shaun Gaskell), 5/1 (Ashley McKnight), 33/1 (Loren Stockley) and **ACCEPT** Kotare Properties Limited's further submissions FS6/1, FS6/2, FS6/3 and FS6/20.

1.8.29 Five submitters supported PC13 in respect of the uplifting of the deferred zoning for C4, being submitters Gregory McCarthy (S6/1 and S6/2), John and Sarah Bushell (S9/1), John Stork (S11/1), Lorene Stork (S12/1), Margaret Sapwell (S14/1, S14/2 and S14/3) and Kotare Properties Limited (S19/2 and FS6/4, FS6/5, FS6/6, FS6/8, FS6/9, FS6/10 and FS6/11). The reason given by the submitters was the growing pressure in the Cambridge area for land suitable for residential development. I **ACCEPT** the recommendation of the reporting officer in the S42A report and the matters raised in the submissions and further submissions outlined above.

1.8.30 Submitter Raymond Talbot (S15/2) and further submitter Fire and Emergency (FS5/2) oppose the plan change on the grounds that there has not been an adequate assessment of the water and firefighting requirements. These matters will be duly assessed at a later stage of the development when infrastructure is assessed at the consenting process. These submissions are therefore **REJECTED**.

1.8.31 Heritage New Zealand Pouhere Taonga (S16/3) seek a revision of the archaeological assessment for C4. As this will be a matter which will be dealt with at consenting stage, I do not consider that a further assessment is required prior to the uplifting of

the deferred zoning of C4 and this submission is therefore **REJECTED**. The further submission from Kotare Properties (FS6/14) acknowledging this requirement at consenting stage is **ACCEPTED**.

1.8.32 Kotare Properties Limited submission 19/2 supports removal of the deferred zone from the C4 growth cell and is **ACCEPTED**.

1.8.33 In submissions 19/4 to 19/9, Kotare Properties Limited raise a number of issues relating to Appendix S23 – T2 Growth Cell Structure Plan. These matters are discussed in detail in paragraphs 5.5.11 and 5.5.14 of the Section 42A report and I will not repeat them here. In assessing the issues of amending the structure plan for C4 I have considered both the matters raised and the recommendations of the reporting officer and the evidence of Ms Katheryn Drew, planner for Kotare Properties Limited.

1.8.34 The reporting officer states in her report that the submitter had not provided the technical detail necessary to ascertain whether the amendments proposed would be better than the endorsed C4 Structure Plan. She further states that the structure plan has been through an extensive consultation process prior to its adoption by Council.

1.8.35 Ms Drew in her evidence notes that at the time of the structure plan for C4 her client Kotare Properties had no interest in the C4 growth cell and therefore was not an active participant in the process. She further submitted that her client supports the rezoning of the C4 land as it will assist the outcome of a recently lodged subdivision plan lodged with Council. In paragraph 22(c) of her evidence she submits that the technical evidence which the reporting officer found to be lacking in the original submission has now been included in the recently lodged subdivision plan.

1.8.36 Having considered the evidence of both the reporting officer and Ms Drew I find that the expert technical evidence referred to by Ms Drew relating the subdivision cannot form part of the evidence which I can consider here. Neither the reporting officer nor myself have been party to considering this expert evidence and therefore it is my decision that the submissions relating to the amendments to Council's Structure Plan (S19/4 to S19/9) be **REJECTED**, and **ACCEPT** further submissions FS7/1 and FS7/2 by Gregory McCarthy.

1.8.37 As stated in paragraph 5.5.14 of the Section 42A report council officers have considered the amended structure plan and note that any changes can be undertaken in the resource consent process, where details can be thoroughly investigated and considered by the relevant experts.

1.8.38 In her summary following the submitters evidence Ms Thomas referred to Rule 15.4.2.69 (all development and subdivision in areas subject to a structure plan, development plan or concept plan) where she noted that the structure plan is a high-level visionary document and Council will work with the developers to bring in detailed design and confirm locations. She stated that the rule and guidelines are not intended to lock in the developer and Council will work alongside the developers to achieve the best outcome.

1.8.39 Transpower (S25/2) seeks to have an amendment made to the C4 Structure Plan and its text to show the National Grid on the District Planning maps. I accept the Officer's comments in the S42A report that as the grid passes over land adjacent to the land in the C4 Growth Cell there is not a need to make these changes and for that reason, submission 25/2 is **REJECTED**.

1.8.40 Raymond Talbot (S27/1 and S27/2) sought an assessment of earthworks feasibility and amendments to the structure plan. Council staff having reviewed the submissions submitted that the development of the C4 Structure was supported by the required technical reports, including the Council's Consulting Engineer Mr. Richard Bax. The detailed assessment of the bank edge and the necessary technical geological reports will be will be required at the resource consent stage and therefore I **REJECT** submissions (S27/1 and S27/2) and further submissions FS6/16, FS6/17 (Kotare Properties Limited) in opposition are **ACCEPTED**.

1.8.41 Mr Talbot (S27/3) also requested that Council undertake a further ecological report and have it included in the C4 Structure Plan. As the required technical reports were all included in the development of the structure plan for C4 I do not consider that a further report is required. Should a need arise at the consent stage of the development of C4 then a report can then be requested by Council. Accordingly, submission 27/3 is **REJECTED** and further submission FS6/18 in opposition by Kotare Properties Limited is **ACCEPTED**.

1.8.42 Geoff Maunsell (S28/1) seeks modification of the C4 structure plan. Expert traffic evidence was presented at the hearing by Ms Makinson which included traffic evidence from Ms Hills of Direction Traffic Design in support of his submission. In her evidence Ms Hills proposed a new intersection to be included in the Structure Plan which, in her opinion, would improve accessibility to the northern part of the C4 Growth Cell. Council Engineers Mr Bax and Mr Hudson, having considered the evidence of Ms Hills, submitted that the inclusion of this new intersection had been considered at the time the structure plan was developed and in their expert opinions there would be a minimal saving in travel time would be achieved. I have considered the evidence of both Ms Makinson and Ms Hill. For the reasons given by Messrs Bax and Hudson submission 28/1 is **REJECTED**.

1.8.43 Russell Wise (S31/1) opposed on the grounds of removal of habitat and feasibility for development. For the reasons outlined in paragraph 1.8.37 above submission 31/1 is **REJECTED**.

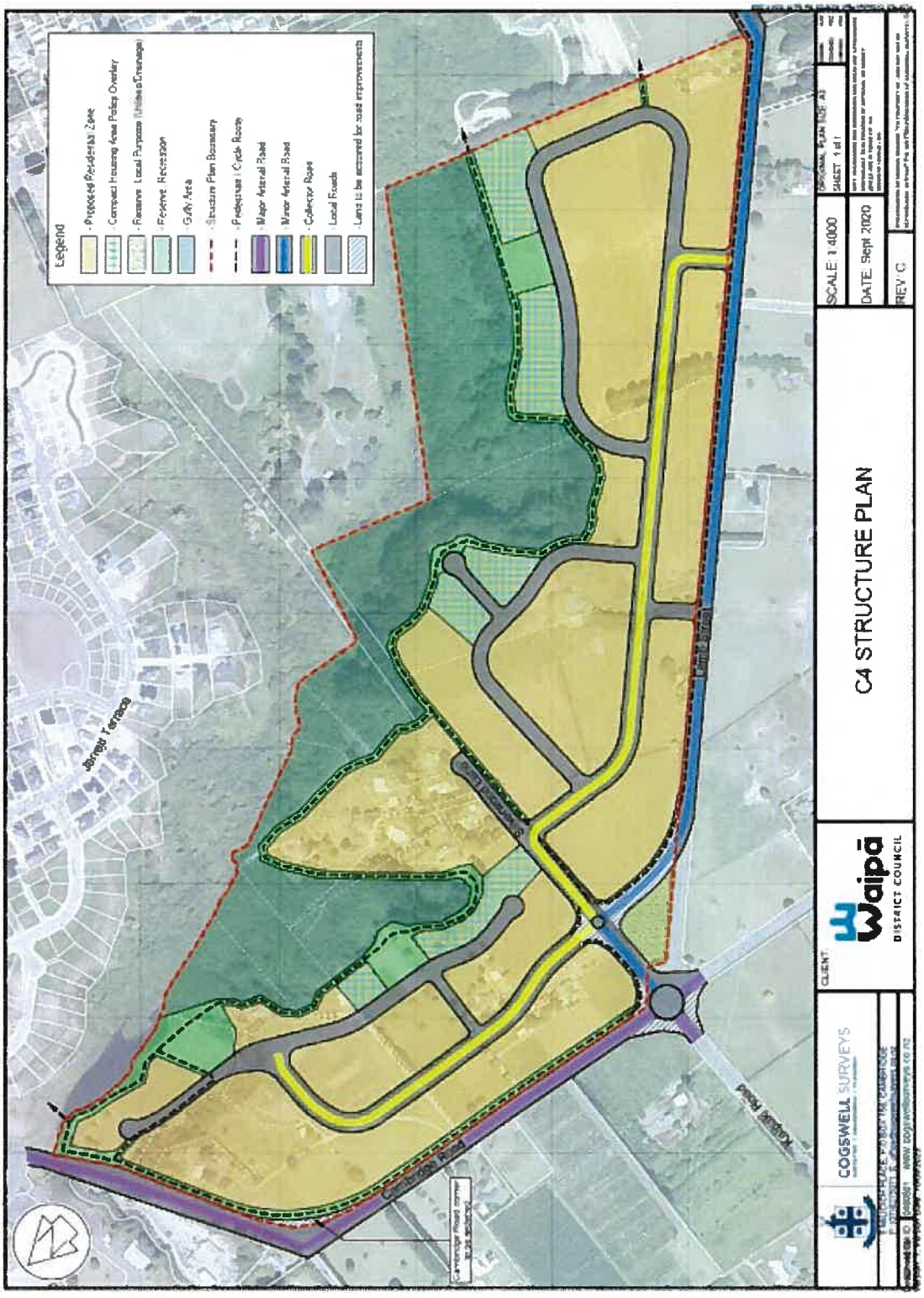
TOPIC 5: CAMBRIDGE NORTH

1.8.44 Cambridge North is the northern portion of Cambridge which extends from the Cambridge Town Belt, northwards to the Waikato Expressway, directly to the east of Victoria and Laurent Roads.

1.8.45 Mr Craig McGarr appeared (via zoom) on behalf of Summerset Villages (Cambridge) Limited (S13/1 and S13/2) and confirmed his client was generally in support of the provisions of Proposed Plan Change 13 in so far as it referred to the Cambridge North

Appendix S23 – Cambridge C4 Growth Cell Structure Plan *(NEW)*

S23.1 Cambridge C4 Growth Cell Structure Plan



S23.2 Background

S23.2.1 The Cambridge C4 Growth Cell comprises approximately 66ha located to the south west of Cambridge township, adjacent to the Leamington neighbourhood. Situated to the east of Cambridge Road and north of Lamb Street, the area consists of approximately 50ha of gently contoured farmland and lifestyle development adjoining a deeply incised gully to the east, beyond which is the Cambridge Park residential area.

S23.2.2 The eastern extent of the C4 growth cell adjoins the Green Belt and presents an extensive frontage to the deeply incised un-named gully extending from the Green Belt towards the Waikato River. Being approximately 20m deep and identified as a Significant Natural Area, the gully itself is not identified for urban development. Nevertheless, it will have a key role in defining the character of future residential development in terms of visual amenity and a focus for community use.

S23.2.3 Land outside of the gully includes two areas of former sand extraction adjacent to the gully slope. Some low density residential development has occurred in a triangular shaped enclave situated between these extraction areas. The enclave is relatively recently established. While it is not anticipated that significant change will occur within this area in the short to medium term, it is included within the Structure Plan area and a transition to higher densities can be expected over the longer term. Elsewhere the balance of the Structure Plan area is predominantly farmed pasture, with a single farm holding being situated to the south of Silverwood Lane and a number of smaller farm and lifestyle blocks being located to the north. Towards the northern end, a steep vegetated slope defines the edge of a lower lying terrace adjacent to an artificial lake. Some historical uncontrolled filling has occurred in this area.

S23.2.4 The landform of the upper terrace consists of a gently rolling contour sloping generally towards the gully. Stands of mature trees are generally located close to existing dwellings or along accessways with the majority of the land being in open pasture with typical post and wire fencing.

S23.2.5 The developable area of the Structure Plan extends to approximately 50ha, part of which is already developed as a low density, lifestyle enclave which is unlikely to change in the short to medium term. Meeting the residential densities required by the Waipā District Plan indicates the long term potential for around 600 new dwellings, with approximately 42% (250 dwellings) being to the north of Silverwood Lane and 58% (350 dwellings) being to the south.

S23.3 Key design principles

S23.3.1 Taking account of the technical assessments undertaken, and the feedback received through community engagement, the following general design principles underpin the proposed Structure Plan.

Local Identity

S23.3.2 Optimising the gully environment as the focal point for recreational provision and vistas. Establishing direct connectivity with and along the gully edge through a continuous linear shared path with direct connections from internal roads and paths. Recognising heritage landmarks and natural features.

Community Cohesion

S23.3.3 Establishing recreational reserves in support of higher density residential development, that provide safe and interesting places for play and integrate as open space areas with the gully.

Connectivity

S23.3.4 Through an internal network of roads and paths that prioritises pedestrian and cycle movement and safety while enabling accessibility for future public transport services. Aligning roads and paths with vistas and connections to the gully edge reserve. Establishing physical access connection to Cambridge Park and the Cambridge Green Belt.

Environmental Responsibility

S23.3.5 Stormwater management concepts prioritise on site disposal, with the conveyance and treatment of storm events via swales integrated into the streetscape design and discharge to the gully via strategically located and ecologically friendly treatment trains. Buffer planting to the Cambridge Road frontage will reduce the visibility of the major arterial road and industrial activities to the north, minimising the potential for reverse sensitivity effects.

S23.4 Open Space Network

S23.4.1 Pivotal to the establishment of local identity, community cohesion and connectivity is the establishment of a coherent framework of open spaces. The gully provides the focal point in terms of vistas and connectivity with the natural environment but it is largely inaccessible and opportunities to provide access to it and through it are likely to be long term. Nevertheless, development within the Structure Plan area provides the opportunity to establish a clear interface between the natural and built environment and provide context within which future decisions can be made regarding investment in wider access.

S23.4.2 To achieve this, the Structure Plan provides for the establishment of a linear shared path along the entirety of the gully edge, utilising land that would otherwise be subject to building line restrictions. The path itself will require a minimum width of 3m but will sit within a linear corridor that will provide opportunities for seating and observation areas, with planted margins on the landward side to assist in stormwater management as well as define the edge of public and private space.

S23.4.3 Wider visual connectivity to the gully and adjoining path will be required to enable passive surveillance and enhance the safety of users. This is to be achieved via an open frontage to parts of the internal road network, footpath connections from residential streets and restrictions on fencing height or design for properties bounding the route.

S23.4.4 The gully edge reserve will anchor two neighbourhood reserves, each between 3,500m^2 to 5,000m^2. The reserves will be located within easy walking distance of residential areas developed to the north and south of Silverwood Lane. Both reserves will connect directly with the gully edge shared path without necessitating the crossing of roads. Passive surveillance of these areas will be achieved by requirements for adjoining development, which may include higher density forms of housing, to have a direct ground floor level outlook to the reserve. If demand emerges for small scale commercial or community activities, a location adjacent to either of the two neighbourhood reserves will support community cohesion and local identity without affecting the viability of the town centre or residential amenity values.

S23.4.5 While the neighbourhood reserves will provide the key elements for recreational purposes, additional open space corridors providing footpath connections between residential streets and swale or rain garden designs for the streetscape design will complement the overall network. Streetscape design of these features will be expected to provide a consistent design theme throughout the Structure Plan area to reinforce local identity and ensure consistent management and maintenance. To ensure that reference points to the historical use of the Structure Plan area are not lost, future development proposals will be expected to consider how existing trees or archaeological features can be incorporated into the reserves network, streetscape design or internal footpath connections.

S23.4.6 Along the Lamb Street and Cambridge Road periphery, a shared path will provide safe pedestrian connectivity to surrounding areas without affecting arterial traffic flows. The path will be established within a planted buffer margin to the Cambridge Road frontage, continuing the design approach established in the Cambridge Park residential area. Along Lamb Street, modification of the existing berm will enable the path to be accommodated within the road corridor, offset from the property boundary to enable visibility from direct property access.

S23.5 Movement Network

S23.5.1 Integrating the Structure Plan area into the wider fabric of the Cambridge township will require alterations to the surrounding road network as well as the creation of new points of connection for passive transport modes. Cambridge Road will continue to serve a major arterial function in the wider transport network and is the main access route to the Matos Segedin Industrial Area. To ensure that traffic from development of the full Structure Plan area and anticipated traffic growth on the network is able to be accommodated safely, widening of the road corridor will be required at the bend in Cambridge Road and a new roundabout will be required at the Kaipaki Road / Cambridge Road intersection. The new roundabout will incorporate the realignment of Lamb Street to provide safe directions of entry and exit. Up to 300 sections may be capable of development prior to the improvements although no new points of entry will be acceptable onto Cambridge Road.

S23.5.2 Subject to the reduction of current speed limits, access from Lamb Street will provide direct property access to frontage properties where sightlines can be achieved, with the balance served from internal roads connecting to two new intersections onto Lamb Street.

S23.5.3 Internally, new roads will be required. The Structure Plan identifies the preferred layout, taking account of engineering requirements and the achievement of high degrees of permeability and connectivity. All streets will be expected to provide for motorised and passive transport modes with a streetscape and pavement design to achieve low vehicle speeds and priority for pedestrian movement. With the potential for new development to have reduced on-site car parking provision, corridor design should provide for parking embayments, with landscaping and lighting design following a consistent theme and integrating with recreational space.

S23.5.4 Maximum permeability will be achieved by the provision of footpath connections provided mid-block between residential streets, aligned to enable accessibility to and visibility of the open space network and gully system.

S23.5.5 Shared path connections at the northern and southern end of the Structure Plan area are critical to achieving integration with Cambridge Park, across the stream, and with the

Green Belt. These connections will require high visibility and prominence in the overall site layout.

S23.6 Stormwater Network

S23.6.1 While the entirety of the Structure Plan area drains towards the gully system, the natural values associated with this system require a sensitive and integrated approach to stormwater management to ensure that opportunities for ecological enhancement are taken. The whole area is suitable for on-lot stormwater soakage. This will manage stormwater from private lots for the 2yr ARI events as close to the point of origin as possible to minimise the need for conveyance and treatment. Future development proposals will be required to demonstrate how this will be achieved, either through engineered devices or through development controls regarding site coverage and permeability.

S23.6.2 Public spaces such as road and reserves will, similarly, be expected to be designed to capture maximum contaminant loads at source. Swales and rain garden designs will provide for soakage or treatment prior to conveyance. Conveyance devices such as overland flow paths and swales will be expected to be designed as part of the overall open space network rather than as engineered corridors.

S23.6.3 Significant storm events will result in flows towards the gully. Two points of collection are proposed, one within the unformed Silverwood Lane corridor and one towards the north of the Structure plan area. Both points of collection will require careful design to address the change in elevation and slope towards the gully floor and incorporate sufficient treatment to ensure that contaminants do not reach the stream and that discharge volumes do not result in erosion or scour of the gully floor. Maximising the opportunity for soakage as part of the overall network will reduce the operational requirements of the treatment and discharge devices.

S23.7 Supporting Documents

S23.7.1 This Structure Plan should be read in conjunction with the following technical reports which are available from Council on request:

(a) Cambridge C4 Structure Plan Context Report, prepared by Mitchell Daysh, dated 9 September 2020 (*Council document number 10469506*);

(b) C4 Growth Cell Transportation Assessment, prepared by Gray Matter, dated 20 December 2019 (*Council document number 10364904*);

(c) C4 Structure Plan – Concept Layout for Internal Intersection, prepared by Gray Matter, dated 10 August 2020 (*Council document number 10452899*);

(d) Geotechnical Report – Preliminary Findings, prepared by Mark T Michell Ltd, dated 3 September 2019 (Council document number 10107014);

(e) Ecological impacts of the proposed C4 Growth Cell, prepared by National Institute of Water & Atmospheric Research Ltd, dated July 2019 (*Council document number 10106941*);

(f) Cambridge C4 Three Waters Assessment, prepared by Te Miro Water, dated September 2020 (*Council document number 10476599*); and

(g) Cambridge, Growth Cell C4 Structure Plan: Preliminary Archaeological Assessment, prepared by Clough & Associates Ltd, dated August 2019 (*Council document number 10106935*).