

Proposed Plan Change 13: Uplifting Deferred Zones

Incorporating

**Decisions of Independent
Commissioner**


Amended decision 20 September 2021

Original notified decision 9 September 2021

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Report Information

Author:	Michael Lester Independent Commissioner
Approved by:	 <p style="text-align: right;">1 Sept 2021</p>
Date publicly notified	9 September 2021
Date publicly re-notified	20 September 2021

Executive Summary

As part of a general review of the Waipā District Plan ('District Plan'), Council identified a technical and legal issue with the current process of uplifting the Deferred Zones as outlined in Section 14 of the District Plan. In order to address this matter, Council staff have undertaken Proposed Plan Change 13 – Uplifting Deferred Zones.

Proposed Plan Change 13 was publicly notified on 22 March 2021 with the close of submission period ending on 21 April 2021. The period for further submissions commenced on 3 May 2021 and closed on 14 May 2021. During the submission period a total of 30 submissions were received and during the further submission period a total of eight further submissions were received.

The hearing was held on 16 June 2021. After hearing from submitters, the Independent Commissioner closed the hearing on 9 July 2021 having received the further information requested relating to the resource consent decision (SP/0179/20 – 3MS of Cambridge GP Limited) which was pending at the time of the hearing, and related to a property in the C2 growth cell proposed to be partly rezoned to Reserve Zone by Proposed Plan Change 13.

The hearing was reopened on 10 August 2021 as a result of a joint memorandum received from 3MS of Cambridge GP Limited and Waipā District Council. The memorandum sought that the decision on Proposed Plan Change 13 remove the requirement for reserve areas within the 3MS land contained within the C2 growth cell.

In the interest of procedural fairness, the joint memorandum was brought to the attention of the submitters who made submissions in relation to Growth Cell C2 - Xiaofeng Jiang & Liping Yang, Hayden Woods and Susanne Dargaville. The submitters had five (5) working days to respond the information in the joint memorandum. Further comments from Xiaofeng Jiang and Liping Yang and from Hayden Woods were received within the timeframe allowed. Susanne Dargaville advised that because of work commitments she was unable to provide further comments.

A joint memorandum responding to the comments from the submitters was provided to me on 27 August 2021 by the solicitor for Council and the solicitor for 3MS of Cambridge GP Limited.

After considering the additional information, the hearing was formally closed on Tuesday, 31 August 2021.



A

Part A – Decision Report Uplifting Deferred Zones

Part A – Decision Report

1 Introduction and Decision

1.1 Introduction

1.1.1 Having received the Section 42A report and the Section 32A report, together with the submissions, further submissions and expert evidence prior to the hearing, I undertook site visits on 15 June 2021. I also undertook three site visits on properties following the hearing on 17 June to better acquaint myself with the issues raised at the hearing.

1.2 Decision

1.2.1 That pursuant to Clause 29(4) of Schedule 1, Clause 10, of the Resource Management Act 1991, Proposed Plan Change 13 of the Waipā District Council’s Operative District Plan is **APPROVED** subject to the modifications as set out in this decision, and the submissions and further submissions be accepted, accepted in part or rejected in accordance with my decision.

1.2.2 The reasons for my decision are that Proposed Plan Change 13 will:

- (a) Assist Council in achieving the purposes of the Resource Management Act 1991.
- (b) By uplifting the Deferred zoning from the Growth Cells planned to be uplifted in 2035, provide for the earlier development of these growth cells. This will provide the opportunity for development for increased residential properties to satisfy the increased demand prior to 2035.

1.3 Format of Decision Report

1.3.1 The decision report contains three parts.

1.3.2 Part A contains:

- Introduction and decision.
- Overview of Proposed Plan Change 13.
- Statutory context.
- Submission analysis and decisions on submissions.

1.3.3 Part B contains:

- Decision on submissions and further submissions.

1.3.4 Part C contains:

- Tracked change version of the District Plan amendments.

1.4 Hearing

1.4.1 Proposed Plan Change 13 was heard on 16 June 2021 by Independent Commissioner Michael Lester.

1.4.2 The following record of attendance is provided as a minute of the hearing:

Submitters

Attendee	On behalf of
Ben Frost	Benjamin Jay Frost
Brendon McVeigh	Cambridge Motocross
Brian Stevenson	Papamoa TA Limited Partnership
Bronwyn Rhynd	Papamoa TA Limited Partnership
Cameron Coombes	Coombes Farms Limited and C&C Coombes
Carolyn McAlley	Heritage New Zealand
Charlotte Muggeridge	Papamoa TA Limited Partnership
Charlotte Muggeridge	JL Hatwell & ML Johnston
Christina Walker	Geoff Maunsell
Ciaran Murphy	Kotare Properties Limited
Craig McGarr	Summerset Villages (Cambridge) Limited
Craig Sharman	Fire and Emergency New Zealand
Craig Shearer	TA Projects Limited
Dr Joan Forret	Coombes Farms Limited and C&C Coombes
Eleanor Sturrock	Heritage New Zealand
Geoff Maunsell	Geoff Maunsell
George Jensen	Fire and Emergency New Zealand
Greg McCarthy	Gregory McCarthy
Hamish Ross	Papamoa TA Limited Partnership
Jane Yates	Jim Mylchreest
Jim Mylchreest	Jim Mylchreest
John Illingsworth	Kotare Properties Limited
Jude Eades	Cambridge Motocross
Judith Makinson	Geoff Maunsell
Kathryn Drew	Kotare Properties Limited
Kathryn Drew	Coombes Farms Limited and C&C Coombes
Mark Chrisp	3MS of Cambridge GP Limited

Attendee	On behalf of
Mark Crisp	Gregory McCarthy
Matt Smith	3MS of Cambridge GP Limited
Ray Talbot	Raymond E Talbot
Sean Haynes	JL Hatwell & ML Johnston
Sheree Coombes	Coombes Farms Limited and C&C Coombes
Tracey Morse	Papamoa TA Limited Partnership
Tracey Morse	JL Hatwell & ML Johnston

Waipā District Council Team

Staff member name	In capacity as
Tony Quickfall	Manager District Plan and Growth
Hayley Thomas	Reporting Planner
Bryan Hudson	Manager Transportation
Jo Cook-Munro	Senior Policy Advisor, Reporting Planner for Topic 4
Wendy Embling	Consultant Legal Advisor
Tony Coutts	Senior Development Engineer
Richard Bax	Consultant Engineer
Emma Norman	Planner (observer)

Tabled Evidence

ID#	Name of document	Tabled by
A	Scope of submissions	Hayley Thomas
B	Submissions of Counsel	Papamoa TA Limited Partnership
C	Ben Frost	Ben Frost
D	Submissions of Counsel	JL Hatwell & ML Johnston
E	Hearing presentation notes	3MS of Cambridge GP Limited
F	Hearing presentation notes	Greg McCarthy
G	Hearing presentation notes	Greg McCarthy
H	Waipā Hearing C4	Geoff Maunsell
I	Presentation	Geoff Maunsell
J	Submissions of Counsel	Coombes Farms Limited and C&C Coombes
K	Evidence of Cameron Coombes	Coombes Farms Limited and C&C Coombes
L	Statement of further submission	Jim Mylchreest
M	Submissions by Counsel	Waipā District Council

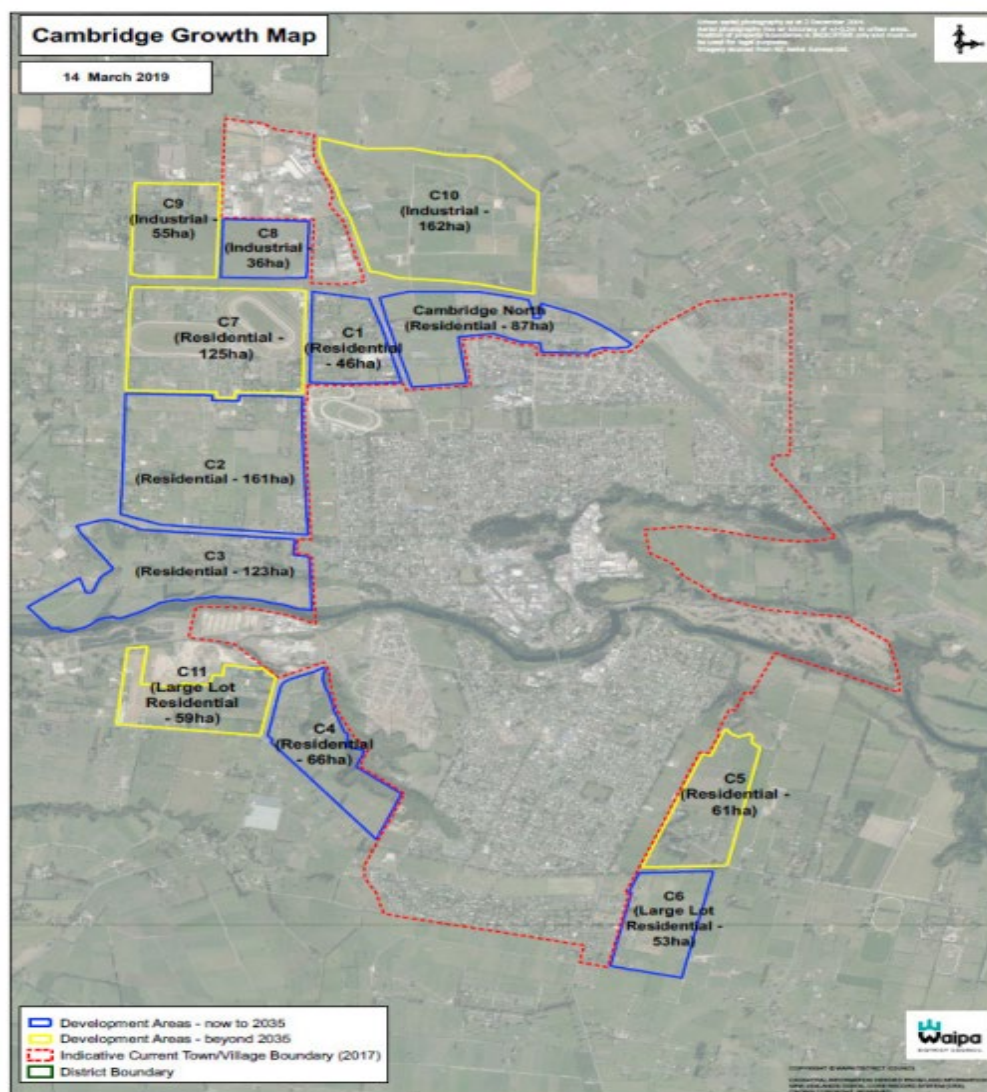
- 1.4.3 At the hearing on 16 June 2021, the Commissioner adjourned the decision. A minute was issued on 28 June 2021 stating that the hearing remained adjourned. The reason given was that a decision is pending on a subdivision consent SP/0179/20 for subdivision of the “C2” pre-2035 growth cell. This subdivision consent proposes an alternative layout and land use to that shown in the Reserve Zone proposed under Proposed Plan Change 13 for the subdivision application site. As such, the subdivision consent decision may inform the decision on Proposed Plan Change 13, as it relates to the proposed Reserve Zone on the land.
- 1.4.4 The Commissioner indicated that he wanted time to consider any impact of the subdivision consent decision on Proposed Plan Change 13, once the subdivision decision is released. The Commissioner also reserved the right to seek further information to assist him in making a fully informed decision on Proposed Plan Change 13.
- 1.4.5 A second minute was issued by the Commissioner on 9 July 2021. The purpose was to confirm the Commissioner has reviewed the subdivision consent decision and considered the impact on Proposed Plan Change 13. Notice was given to all parties that the hearing is now formally closed. The Commissioner also indicated that a decisions report would be circulated to all parties by the end of August 2021.
- 1.4.6 A Memorandum of Counsel was sent to the Commissioner on 9 August 2021 from Waipā District Council’s Legal Counsel. The memorandum sought that the Commissioner reopen the hearing on Proposed Plan Change 13 so that a briefing on subdivision consent SP/0179/20 could be presented to him. Both Waipā District Council and the applicant (3MS of Cambridge GP Limited) felt the new information expressed the view that the new information on the consent would have a bearing on the decision made by the Commissioner on Proposed Plan Change 13.
- 1.4.7 A joint memorandum was received from 3MS of Cambridge GP Limited and Waipā District Council on 12 August 2021. The memorandum sought that the decision on Proposed Plan Change 13 should remove the requirement for reserve areas within the 3MS land contained within the C2 growth cell.
- 1.4.8 A minute was then issued on 12 August 2021 advising that the hearing for Proposed Plan Change 13 had been reopened on 10 August to consider a joint briefing from the Council and applicant on subdivision consent SP/0179/20.
- 1.4.9 In the interest of procedural fairness, the joint memorandum was brought to the attention of the submitters who made submissions in relation to Growth Cell C2 - Xiaofeng Jiang & Liping Yang, Hayden Woods and Susanne Dargaville. The submitters had five (5) working days to respond to the information in the joint memorandum.
- 1.4.10 Further comments from Xiaofeng Jiang and Liping Yang and from Hayden Woods were received within the timeframe allowed. Susanne Dargaville advised that because of work commitments she was unable to provide further comments.

- 1.4.11 A joint memorandum from Waipā District Council and 3MS of Cambridge GP Limited was received on 27 August 2021. The purpose of the memorandum was to respond to the comments received from submitters.
- 1.4.12 The hearing was formally closed through a minute issued by the Commissioner on 31 August 2021.

1.5 Overview of Proposed Plan Change 13

- 1.5.1 Maps of the growth cells affected by Proposed Plan Change 13 are in Appendix S1 – Future Growth Cells of the Waipā District Plan. These are shown in figures 1 and 2 below.

Cambridge



Waipā District Plan
Appendix S1 – Future Growth Cells

Figure 1: Cambridge Growth Cells – pre and post 2035

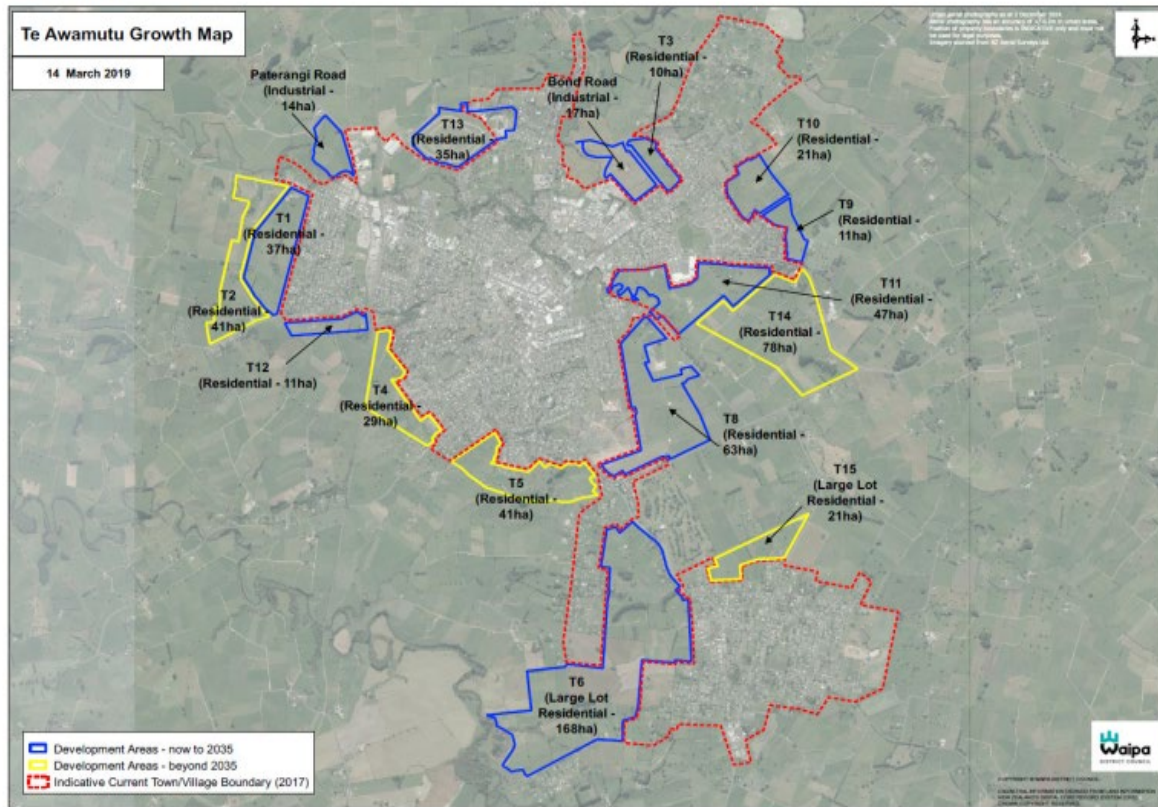


Figure 2: Te Awamutu Growth Cells – pre and post 2035

1.5.2 Proposed Plan Change 13 seeks changes to the following sections of the Waipā District Plan:

- Section 2 – Residential Zone
- Section 3 – Large Lot Residential Zone
- Section 14 – Deferred Zone
- Section 15 – Infrastructure, Hazards, Development and Subdivision
- Section 21 – Assessment Criteria and Information Requirements
- Appendix S1 – Future Growth Cells
- Appendix S2 – Cambridge North Structure Plan and Design Guidelines
- Appendix S8 – Ōhaupo South Structure Plan (*Deleted*)
- Appendix S9 – Bruntwood Large Lot Residential Area Concept Plan (*Deleted*)
- Appendix S14 – Te Awamutu South Structure Plan and Design Guidelines (*Deleted*)
- Appendix S17 – Te Awamutu T1 Growth Cell Structure Plan

- Appendix S23 – Cambridge C4 Growth Cell Structure Plan (*NEW*)
- Appendix S24 – Te Awamutu T6 Growth Cell Structure Plan (*NEW*)
- Appendix S25 – Te Awamutu T11 Growth Cell Structure Plan (*NEW*)
- Planning Maps

1.6 Submissions and further submissions

1.6.1 Thirty submissions and 8 further submissions were received on Proposed Plan Change 13.

1.6.2 The submissions and further submissions were grouped into the following topic areas:

- Topic 1 – All of Plan
- Topic 2 – Appendices
- Topic 3 – Growth Cells C2/C3
- Topic 4 – Growth Cell C4
- Topic 5 – Cambridge North
- Topic 6 – Growth Cell T6
- Topic 7 – Growth Cell T11
- Topic 8 – Growth Cell (Other)
- Topic 9 – Uplifting of the Deferred Zone

1.7 Statutory context

RESOURCE MANAGEMENT ACT 1991

1.7.1 The Resource Management Act 1991 ('the Act') seeks to promote the sustainable management of natural and physical resources through:

“Managing the use, development and protection of natural and physical resources in a way and 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 (section 5).”*

- 1.7.2 The purpose of the Act is only achieved when the matters in (a) to (c) above have also been adequately provided for within a District Plan. Council has a duty under Section 32 to examine whether a proposed objective and its provisions are the most appropriate way of achieving the purpose of the Act.
- 1.7.3 In order to achieve the purpose of the Act, Council must enable people and communities to provide for their economic, social, and cultural well-being and for their health and safety. In respect of Proposed Plan Change 13, the purpose of the Act is promoted by encouraging development to occur in planned growth areas which will have a positive environmental effect on the rate of development within the Waipā District.
- 1.7.4 In achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to the use, development and protection of natural and physical resources, are required to recognise and provide for the matters of national importance identified in section 6 of the Act. This includes preservation of the natural features, landscapes and significant vegetation, enhancement of public access, provision for the relationship of Maori to their ancestral lands and taonga, protection of historic heritage and customary rights, and management of risks from natural hazards.
- 1.7.5 Throughout the Waipā 2050 Growth Strategy development, Council took into account these matters of national importance to ensure growth cells within the District were in the most appropriate locations. Proposed Plan Change 13 does not change the location of the growth cells, which will continue to align with the matters outlined in section 6. Additionally, it is noted that each growth cell will be subject to further consideration at the time of subdivision and/or development.
- 1.7.6 Section 7 of the Act identifies other matters that particular regard is to be given to, including, but not limited to kaitiakitanga, efficient use and development of natural and physical resources, enhancement of amenity values and enhancement of the quality of the environment. With regard to Proposed Plan Change 13, the uplifting of the Deferred Zone in the identified pre-2035 Growth Cells aligns with the matters outlined in section 7, in that residential development is provided for in select locations, and not in the wider rural environment of the District.
- 1.7.7 Section 8 of the Act requires that the principles of the Te Tiriti o Waitangi (the Treaty of Waitangi) be taken into account. It is considered that Proposed Plan Change 13 does not contravene the principles of the Treaty in any way.
- 1.7.8 In my consideration of Proposed Plan Change 13, I am satisfied that the plan change has been formulated to achieve and does achieve the purpose and principles of the Act in Part 2, and in accordance with section 32 of the Act.

NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

- 1.7.9 The National Policy Statement on Urban Development 2020 ('NPS-UD 2020') was gazetted on 23 July 2020 and has legal effect from 20 August 2020. The NPS-UD 2020

has identified the Waipā District as a high-growth urban area and a tier 1 local authority.

1.7.10 The NPS-UD 2020 recognises the national significance of:

- *“having 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” and*
- *“providing sufficient development capacity to meet the different needs of people and communities.”*

1.7.11 Council must give effect to the NPS-UD 2020 and Proposed Plan Change 13 is aligned with the provisions of the statement in that it enables development in areas identified for growth.

1.7.12 The National Policy Statement on Urban Development 2020 replaces the National Policy Statement on Urban Development Capacity 2016 which was designed to ensure there is sufficient land available for future housing and business needs. Proposed Plan Change 13 builds on the amendments made under Plan Change 5 – Waipā 2050 Growth Strategy, which implemented the principles of the National Policy Statement on Urban Development Capacity 2016.

1.7.13 I am satisfied that Proposed Plan Change 13 gives effect to the NPS-UD 2020 through continuing to enable urban development to occur in identified growth cells which provide for a variety of communities and meets the development capacity recognised in the District Growth Strategy.

WAIKATO REGIONAL POLICY STATEMENT

1.7.14 Te Tauākī Kaupapahere Te-Rohe O Waikato – the Waikato Regional Policy Statement (‘the RPS’) provides an overview of the resource management issues in the Waikato Region, and the ways in which integrated management of the Region’s natural and physical resources will be achieved. It provides policies and a range of methods to achieve integrated outcomes for the region across resources, jurisdictional boundaries and agency functions, and guides development of sub-ordinate plans (regional as well as district) and consideration of resource consents.

1.7.15 The RPS outlines 27 objectives on key regional issues. The most relevant to Proposed Plan Change 13 is Objective 3.12 Built Environment, which states:

“Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a) promoting positive indigenous biodiversity outcomes;*
- b) preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;*

- c) *integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- d) *integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;*
- e) *recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
- f) *protecting access to identified significant mineral resources;*
- g) *minimising land use conflicts, including minimising potential for reverse sensitivity;*
- h) *anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
- i) *providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;*
- j) *promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and*
- k) *providing for a range of commercial development to support the social and economic wellbeing of the region.”*

1.7.16 The Waipā District Plan is a key resource to enable the District to meet the abovementioned objective. Proposed Plan Change 13 seeks to ensure Waipā District can continue to provide development of the built environment in a sustainable manner through legally correct processes.

1.7.17 In addition to RPS Objective 3.12, is RPS Objective 3.27 Minimum housing targets for the Future Proof area, which was inserted into the RPS as directed by the National Policy Statement on Urban Development Capacity on 19 December 2018. This objective states:

“The minimum targets for sufficient, feasible development capacity for housing in the Future Proof area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity (NPS-UDC) 2016.”

Area	Minimum Targets (number of dwellings)		
	Short to Medium 1-10 years (2017-2026)	Long term 11-30 years (2027-2046)	Total
Waipā District	5,700	8,200	13,900

1.7.18 I am satisfied that the provisions of Plan Change 13 are consistent with and comply with Objective 3.12 and Objective 3.27 of the Waikato Regional Policy Statement.

OPERATIVE WAIPĀ DISTRICT PLAN

- 1.7.19 As part of a general review of the Waipā District Plan ('District Plan'), Council identified a technical and legal issue with the current process of uplifting the Deferred Zones as outlined in Section 14 of the District Plan. The main purpose of Proposed Plan Change 13 is to update the District Plan to reflect best practice with regards to the process of uplifting the Deferred Zone.
- 1.7.20 Council staff considered and assessed six options in order to remedy the abovementioned issue. The preferred option as a result of Council's Section 32 analysis, involves removing the ability to uplift any Deferred Zone via a Council resolution, rezoning the pre-2035 Growth Cells to their live zoning, and requiring all post 2035 Growth Cells to undergo a plan change process to uplift the Deferred Zoning.
- 1.7.21 In addition to the resolution of the process for uplifting the Deferred Zones, Proposed Plan Change 13 also seeks to update the District Planning Maps for two Growth Cells which have approved Structure Plans, however remain incorrectly shown as Deferred Zones, and incorporate three recently endorsed Structure Plans. This is to take advantage of Proposed Plan Change 13 to update the planning maps and District Plan appendices in areas where development is underway or has been approved, to reflect the land use and stage of development.
- 1.7.22 The changes to the District Plan to implement Proposed Plan Change 13 are as follows:
- Section 14 – Removal of reference to uplifting Deferred Zones via Council resolution, including removal of objectives, policies and rules;
 - Section 15 – Inclusion of a new objective and policy regarding subdivision and development in the Deferred Zone, removal of Rule 15.4.2.61, and amendments to Rule 15.4.2.69;
 - Removal of Appendices S8, S9 and S14 as these areas are developed and the Structure Plans are no longer required;
 - Update to Appendix S17 T1 Growth Cell to reflect the resource consent for the master plan approved via resource consent (Council reference LU/0012/19);
 - Incorporation of the Te Awamutu T6 Structure Plan, Te Awamutu T11 Structure Plan and Cambridge C4 Structure Plan which have been endorsed by Council into Growth Management Structure Plans and Concept Plans as new appendices, including consequential amendments to Section 2 – Residential Zone and Section 3 – Large Lot Residential Zone to include provisions regarding the neighbourhood centre in T11;
 - Removing the Deferred Zone from all pre-2035 Growth Cells and the Te Miro Growth Cell 2 on the District Plan Planning Maps; and
 - Rezoning the vested reserve areas within the Cambridge C2 Growth Cell as Reserve Zone.

1.8 Submission analysis and decisions on submissions

1.8.1 The analysis of submissions has been done using the topic areas as defined in the Section 42A report.

TOPIC 1: ALL OF PLAN

1.8.2 Mr John Sharman (S2/1) raised issues regarding the strategic effects of growth relating to traffic and amenity effects across the district. The Section 42A report outlines that the National Urban Planning requirements are to provide for growth and this is reflected in Council's Growth Strategy and the Waikato Regional Policy Statement. Further comments in the submission relating to traffic noise and amenity effects will be addressed through other Council processes and I agree that this submission should be **REJECTED**.

1.8.3 Fire and Emergency in their submission (S7/1 and S7/2) support the proposed changes of Proposed Plan Change 13 (PC13) and the proposed process for uplifting Deferred zones, as it will provide them with the ability to make submissions on future plan changes. Recent changes in Plan Change 16 will also address the issues raised by Fire and Emergency. I therefore **ACCEPT the submissions IN PART**.

1.8.4 Mr Craig Shearer on behalf of submitter TA Projects Limited (submitter number S30 and FS2/1) supports the recommendations in the section 42A report. The submission is therefore **ACCEPTED**.

1.8.5 Mr Raymond E Talbot (S15/1, FS1/1 and FS5/1) raises issues of fire hydrant testing for an area of existing development. This is out of scope of this plan change and is therefore **REJECTED**. The requirements for infrastructure are dealt with at the time of subdivision. The matter raised regarding development contributions is not a subject of this plan change but is dealt with triennially in the Long-Term Plan and therefore is also **REJECTED**.

1.8.6 Heritage New Zealand Pouhere Taonga (S16/1 and S16/2) request that a cultural assessment be carried out prior to the uplifting of the Deferred Zoning. While I **ACCEPT this submission in PART**, I note that further consenting processes will be required to undertake any development at the time of subdivision, and that further protection is provided by the Heritage New Zealand Pouhere Taonga Act 1914.

1.8.7 Kotare Properties Limited (S19/3) submit that the urban area maps should be amended to include the areas which have the deferred zoning removed. This is **ACCEPTED**.

TOPIC 2: APPENDICES

1.8.8 Mr Hayden Woods (S1/2 to S1/4), while opposing Proposed Plan Change 13, appears to support it in his submission. He asks for the deletion of the structure plans for Bruntwood, Ōhaupo and Te Awamutu South (S1/2) as they have already been developed. He seeks the amendment of the structure plan for T1 (S1/3) to reflect the

updated masterplan and the inclusion of the T6, T11 and C4 structure plans into the District Plan. I agree that the structure plan for T1 should be amended and **ACCEPT IN PART** these submissions.

- 1.8.9 Susan Dargaville (S8/2) fails to give reasons in her submission for retaining all green belts and her submission is therefore **REJECTED**.
- 1.8.10 Frontier Developments (S17/1) asks for the current Master Plan submitted under resource consents LU/0012/19.01 and SP/0171/20 to be incorporated into PC13 and this is **ACCEPTED**.
- 1.8.11 3MS of Cambridge GP Limited (S20/6) requests a minor correction to Appendix S1 relating to the Cambridge / Hautapu Industrial Growth Cell C10 - Bardowie Industrial Precinct Structure Plan to read “unserviced” in place of the word “serviced”. This submission is **ACCEPTED**.

TOPIC 3: GROWTH CELL C2/C3

- 1.8.12 The Cambridge Growth Cells C2 and C3 are located to the west of Cambridge, north of the Waikato River.
- 1.8.13 The following submitters supported PC13 and the uplifting of the Deferred Zoning for C2 and C3 to Residential Zoning - Brian Perry Charitable Trust (S10/1) (C2 only), 3MS of Cambridge GP Limited (S20/1 and S20/2) (3MS), Xiaofeng Jiang and Liping Yang FS3/1 (as to C2) and John Collison (S22/2 and FS22/3).
- 1.8.14 At the time of the hearing for PC13, 3MS had a resource consent application (SP/0179/20) that had been heard by Independent Commissioners, but a decision had not been released. The subsequent release of that decision, turning down the application, was received prior to the closing of the hearing for PC13. In 3MS submission 20/4, they requested that the whole of the areas shown in the Structure Plan be rezoned as Residential rather than a combination of Residential Zone and Reserve Zone. This request was based on the resource consent application that they had filed for subdivision, referred to above, to achieve consistency with that application. This submission was supported by Xiaofeng Jiang and Liping Yang (FS3/4).
- 1.8.15 Following the reopening of the hearing, as outlined earlier in this decision, I have considered the matters raised in the joint memorandum from 3MS and Waipā District Council, and the submitters. I acknowledge that following the decision to decline the resource consent outlined above in 1.8.14, an appeal was filed with the Environment court which has been followed by mediation between 3MS and Council. As a result of these mediation negotiations, Council has agreed that it is not in their interest to pursue the reserve zonings within the 3MS subdivision land. The reasons given by Council are that they have no interest in buying the reserve land and should the land be retained as Reserve then neither Council or 3MS will be required to develop it as a public reserve. Council further submit that the provision of reserves is contained within their reserve management strategy which can accommodate the community’s requirements in other areas. Council also state that under the legal test set out in the

section 32 of the RMA the most efficient use of the land would be to zone the land for residential use. Council also submit that should the land be zoned as reserve then this would impede the ability to resolve the 3MS appeal and would frustrate Council's ability to commence the urbanisation of the C2 growth Cell. Council regard this as central to the outcome of PC13.

- 1.8.16 In his reply to the joint memorandum, submitter Mr Woods states that in his opinion reserves are essential for Cambridge's character and provide a much-needed amenity for residents. In his opinion to not provide and maintain the reserve area would be a breach of Council's responsibility.
- 1.8.17 Having considered the matters outlined in 1.8.14 to 1.8.16 inclusive I **ACCEPT** the matters raised in Councils and 3MS joint memorandum to remove the areas proposed to be zoned "Active Reserve" on the 3MS properties within the C2 Growth Cell (namely, Planning Map 4, Planning Map 23 and Planning Map 24) and that the whole of the areas owned by 3MS be zoned residential.
- 1.8.18 I agree to the 3MS submission 20/1 supporting the uplift of the deferred zoning and FS3/1 Jiang and Lang in support are **ACCEPTED**.
- 1.8.19 3MS submission 20/2 seeks to amend the urban limits in the District Plan to show the C2, C3 and C4 growth areas as being within the urban limits. The current urban limits do not accurately reflect the extent of the urban area as denoted by the growth cells. The Cambridge C4 Growth Cell is located to the west of Leamington and south of the Waikato River. Submission 20/2 and FS3/2 (Jiang and Lang in Support) and FS6/15 (Kotare Properties in Support) are therefore **ACCEPTED**.
- 1.8.20 Finally, 3MS submissions 20/3 seeks no specific relief but seeks that Council enable development in the C1, C2 and C3 growth cells. This work is ongoing and submissions 20/3 and FS3/3 (Jiang and Lang in support) are **ACCEPTED**.
- 1.8.21 Submission 1/6 (Hayden Woods) supports in part and seeks to rezone the vested reserve areas as reserve zone on the 3MS land. For reasons set out previously, I am not of a mind to accept that the Reserve Zone should be included in the 3MS Residential zone, so submission 1/6 is **REJECTED**.
- 1.8.22 Susan Dargaville (S8/1) fails to give reasons in her submission for retaining all green belts and her submission is therefore **REJECTED**.
- 1.8.23 Brian Perry Charitable Trust (S10/1) supports uplifting the deferred zone and is **ACCEPTED**.
- 1.8.24 John Collinson's submissions (S22/2 and S22/3) are in support of the deferred zoning uplift and are **ACCEPTED**.
- 1.8.25 Transpower (S25/1) seeks no relief but supports the uplift and as such, the submission is **ACCEPTED**.

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

Deferred Residential zone being amended to become a live residential zone. While not being explicate in the changes requested, Council has considered amendments to Appendix S2 – Cambridge North Structure Plan and Guidelines, details of which are set out below:

S2.6.2 *The intention is that the stages do not necessarily have to follow a strict sequence or order. For that reason they have not been numbered but rather they have a colour description – refer to Figure 1 below. ~~In order for an area to be released for development a Development Agreement will need to be entered into with Council and the land rezoned through a Council resolution (as per the provisions of the Proposed Waipa District Plan).~~*

S2.6.3 *~~In order for an area to be re-zoned and released for residential development, a Development Agreement will need to be entered into with Council and the land rezoned through a Council resolution (as per the provisions of the Proposed Waipa District Plan). The Development Agreement will be entered into by Council and the developer which clearly outlines the nature and timing of any necessary infrastructure, and how this infrastructure is to be developed and funded. The agreement will need to be clear as to whether the infrastructure is implemented prior to development or part of the development process. Funding and timing of all infrastructure required to service further development within Cambridge North will be specified in the Developers Agreement. The individual growth area and development capacity of each stage is outlined in the Table that follows Figure 1, along with the infrastructure required to service that growth area. The stormwater infrastructure described represents the requirements of a comprehensive, technically robust stormwater management solution for CNRA. The solution is not necessarily the only technically viable solution and it is possible that alternative solutions that achieve the required levels of service described in the technical assessments and investigations undertaken to support the updated Structure Plan are available.~~*

S2.7.2.1 *It is the responsibility of Council to:...*

~~(f) — Facilitate Council resolution that the land can be rezoned to residential purposes once the threshold tests have been passed.~~

1.8.46 The submitter also requests in submission S13/3 that all references to deferred zone be deleted from Section 2 – Residential Zone. The officers have reviewed section 2 and recommended the following deletion in 2.1.7.

2.1.7 *There are specific provisions that apply to the St Kilda Residential Area, the Cambridge Park Residential area, and the C1 and C2/C3 Structure Plan areas. These areas have particular design outcomes that were developed through a structure planning processes and are integral to the overall development of the area. In addition to these areas, there are new growth areas such as the Te Awamutu South residential area. ~~The deferred status of the area identified on the Planning Maps as the Cambridge North Deferred Residential Zone is also subject to the provisions of Section 14 – Deferred Zones.~~*

1.8.47 I **ACCEPT** submissions 13/1, 13/2, 13/3 and the amendments to Appendix S2 – Cambridge North Structure Plan and Guidelines and Section 2 outlined above in paragraphs 1.8.45 and 1.8.46.

- 1.8.48 Submission 13/4 requests that the Noise Effects Area be deleted from Planning Map 24. As noted in the Section 42A Report this area was *“The Cambridge North noise effects area was identified as part of the preparation of the structure plan for this area. The area identified will experience high traffic levels and associated traffic noise”* (paragraph 5.6.5).
- 1.8.49 At the time that this provision was placed in the structure plan Mr Richard Bax, Council’s Consultant Engineer, advised the hearing that the adjoining road was State Highway 1B. That is no longer the case following the construction of the motorway bypass. This has resulted in a reduction in the density of traffic on the road and I am of the opinion that it no longer justifies having the road noise effects area policy overlay which affects this area included in the structure plan. I therefore **ACCEPT** this point in the submission 13/4 of Summerset Villages Cambridge Limited.
- 1.8.50 I also **ACCEPT** the amendments to the Cambridge North Structure Plan outlined in submissions S13/5 to S13/8 as outlined in 5.6.6 of the S42A report.

TOPIC 6: GROWTH CELL T6

- 1.8.51 The Te Awamutu T6 Growth Cell is located to the south of Te Awamutu, west of Kihikihi and commonly referred to as the ‘St Leger’.
- 1.8.52 Mr Jim Mylchreest S21/1, acting in his private capacity, while supporting the general intent of the plan requested that there be amendments to Appendix S24 – Te Awamutu T6 Growth Cell Structure Plan to reduce the standards of the collector road to align with other roads in the district, in particular large lot residential. He also submitted that the collector road should be realigned to fit the contour of the land.
- 1.8.53 I made a walk over site visit of the land following the hearing, and while having sympathy with the submitter in relation to the contour of the land, I am also mindful of the process undertaken by Council prior to the acceptance of the T6 Structure plan. As outlined in the Section 42A report, the T6 structure plan was completed following consultation with landowners, the community and Mana Whenua and consideration of appropriate technical information. In the absence of further technical information to support the submitter’s request for amendments I **REJECT** submission 21/1.
- 1.8.54 Headland Trust (FS4/1) while supporting S21/1 also request a number of further issues not raised in S21/1. In doing so they are out of scope of this plan change as any further submission must only relate to issues raised in an original submission. This is clearly set out in the Resource Management Act 1991 and for that reason this further submission FS4/1 is **REJECTED**.
- 1.8.55 At the Hearing, Ms Charlotte Muggeridge, Ms Tracey Morse and Ms Bronwyn Rhynd presented expert evidence on behalf of submitter Papamoa TA Limited Partnership (S26/1). In their evidence they sought to have sections of the structure plan, which they considered not practical for future development, changed. These included removing two 18m local roads, removing the stormwater reserve area north of the stream and once these have been completed adding an overlay to the plan. From

their submissions the major reasons for the change in the stormwater reserve area was to facilitate and benefit the residential development of the area.

- 1.8.56 As referred to earlier in this decision, the Structure plan for the T6 area was the subject of intense scrutiny by Council and its expert consultants, including a three waters assessment from consultants Tonkin and Taylor Limited. As the expert evidence was brought forward by the submitter at the hearing and was not part of the original submission there has been no opportunity for it to be considered by Council experts. I am therefore not of a mind to change the recommendation in the Section 42A report to **REJECT** submission 26/1.
- 1.8.57 The submitter S26/2 also seeks an amendment to Rule 15.4.2.1(j) regarding the application of the average lot size provision for large lot residential sites in Rukuhia, Ngāhinapōuri, Ōhaupō, St Ledger and Leamington at the time of subdivision. As this was not considered in the Section 32 report it is out of the scope of Proposed Plan Change 13 and is **REJECTED**.

TOPIC 7: GROWTH CELL T11

- 1.8.58 The Te Awamutu T11 Growth Cell is located to the east of Te Awamutu, south of Cambridge Road, and north of Golf Road.
- 1.8.59 VR &SP Hoebergen & S Yeates (S18/1 and S18/2) seek to have the pathway cutting through 1093 Park Road moved to another boundary, as it effects their land use and the movement of stock. In the Section 42A report, at paragraph 5.8.1, Ms Thomas states that after considering the submission and while accepting that on the Concept Plan the pathway is shown as an exact location, Council regards it as only being indicative of its location. Ms Thomas states that at the time of development, the location would be arrived at after consultation with the developer, as it is in her opinion, desirable that a pathway form part of the development of Growth Cell T11. As the identity of the pathway's location will be settled at a later date, I **REJECT** submission 18/1.
- 1.8.60 In S18/2 of their submission they ask that the use of the area adjacent to the Mangaohoi Stream not be used for a walkway. This is rejected by Ms Thomas in paragraph 5.8.2 of the Section 42A report as the area has been identified as a Flood Zone and is unsuitable for development and the use for a walkway is a more suitable use of the land. I accept the officer's conclusion and **REJECT** submission 18/2.
- 1.8.61 Messrs JL Hatwell and ML Johnston (S23/1) seek amendments to the provisions of Section 2 - Residential Zone to provide for Early Childhood Services (ECE). The submitters were represented by Ms Muggeridge, Solicitor, Mr Haynes and Ms Morse planning consultants. In their evidence they outlined the proposed development of their client's section of Growth Cell T11 which would accommodate over 300 sections and a commercial area. They submit that section of the market which the sections would accommodate would be predominately young families. They sought that provision for an ECE in the future development should be included as a Restricted

Discretionary Activity in the plan, Rule 2.4.1.3(i), rather than its current status as a Discretionary Activity.

- 1.8.62 Ms Thomas in her S42A report states that while an ECE may fit the criteria of a Restricted Discretionary Activity, Rule 2.4.1.1(e) provides for Education facilities, pre-schools and child care activities as a Discretionary Activity. In her opinion this activity status will provide Council with a greater ability to assess the facility at the time of the consenting process.
- 1.8.63 While acknowledging the reasoning of Ms Thomas, I support the evidence of the submitter to change the activity status of the establishment of an ECE to that of a Restricted Discretionary Activity and that an ECE be included in Rule 2.4.1.3(i).
- 1.8.64 By changing the status of an ECE, Council is acknowledging that there is a likelihood that there may well be a need for an ECE as part of the development of the 300 section development. If the matters of discretion outlined in 2.4.1.3 are unable to be complied with or covered by conditions of consent then Council retains the right to refuse the application. I **ACCEPT** submissions S23/1 and S23/3.
- 1.8.65 Submissions 23/2 and 23/4 to 23/6 seek changes to the Appendix S25 – Te Awamutu T11 Growth Cell Structure Plan including a revised structure plan, which takes into account the work already done by the submitters on the site, in preparation for the filing of a resource consent application. This application had not been filed at the date of the hearing and while the consultants referred to the application in the submission, they have not presented their findings to Council staff for their assessment. I **REJECT** submissions 23/2, 23/4, S23/5 and 23/6 as Council has not been able to assess the technical information referred to by the submitter.
- 1.8.66 The submitter also seeks to have any reference to Design Guidelines removed from the structure plan (submissions 23/7 and 23/8). It is their submission that the design guidelines they have created, will best support the development of the site and will best support the advances that have been made by the developer.
- 1.8.67 As I outlined earlier in this decision, the structure plan is a high-level plan which has been researched, analysed and consulted upon, before being adopted by Council. This does not make it a document which can never be varied at the time of future development. As stated by Ms Thomas at the hearing, the attitude of Council Rule 15.4.2.69 (Subdivision in accordance with Structure Plan), provides flexibility for Council to work with developers to achieve results which will be best suited to each development. At the hearing, Ms Thomas stated that Council staff are wanting “*to work with developers to achieve a good outcome*” and that “*this rule is not there to lock anyone into anything. The guidelines are there and we will work with you.*”
- 1.8.68 I **REJECT** the submissions 23/7 and 23/8 as I consider that there is no need to change the Structure Plan which is a high-level document, and when the subdivision application is filed and processed by Council, the Council will work alongside the developer to achieve a satisfactory outcome.

TOPIC 8: GROWTH CELL (OTHER)

- 1.8.69 3MS of Cambridge GP Limited (S20/5) requests Council to retain the C7 Growth cell within the Deferred zone as they submit that it appears, by Council maps, to be within the Residential Zone. Council have reviewed the maps and confirm that the C7 zone area is shown to be in a deferred zone. Submission 20/5 is **ACCEPTED**.
- 1.8.70 Submitters Gary and Adele Saywell (S24/1) and Transpower (S25/3) support uplifting the deferred zoning and these submissions are **ACCEPTED**.
- 1.8.71 Submitters Coombes Farms Limited, C & S Coombes (S29/1 and S29/2) submit that while they support PC13 in part, they wish to swap land in the N2 Growth Cell zoned 2035 Deferred Large lot Residential, with a similar area of land in the N3 Growth Cell currently zoned Deferred Large Lot Residential post-2035. The submitters own the majority of the land in N3 and all the land in N2.
- 1.8.72 In order to achieve such a land swap, the question of whether to do so would be within the scope of Proposed Plan Change 13. Mr Coombes in his submission at the hearing, referred to the use of the two parcels of land and stated that the land in N2 was proximate to his dairy operation and the land in N3 was not as productive and was further from the hub of his operation. I do not question his statements but I must consider whether to make the swap would be within the scope of this Plan Change.
- 1.8.73 In an extensive opinion Dr Forret, acting for the submitters, outlined the case law relating to the issue of scope. She relied upon two High Court cases, being *Palmerston North City Council v Motor Machinists Limited* (2013) NZHC 1290 and the earlier case of *Clearwater Resort Limited v Christchurch City Council* (2003) AP34/02.
- 1.8.74 In the *Motor Machinists* decision, Kos J set out the two limbs which must be satisfied for a submission to be “on” the proposed plan change. The first limb is that the submission must reasonably be said to fall within the ambit of the plan change. In applying the first limb to the subject of this submission Dr Forret states that in her opinion the swapping of the two parcels of land is an “*incidental or consequential*” extension of PC13 and therefore should be considered as “on” the plan change. She then supports her argument by referring to the case of *Bluehaven Management Limited v Western Bay of Plenty District Council* (2016) NZEnvC 191 where the court held that the *Motor Machinists* decision should not be applied in a way that is too narrow. While the requirement for matters to be considered in the S32 Report will undoubtedly assist in evaluating the validity of a submission it may not always be appropriate to be elevated to a judicial threshold.
- 1.8.75 Dr Forret then addressed the second test from the *Motor Machinists* decision as to whether there will be a real risk that persons will be potentially affected by a potential change included in a submission and so have been denied the opportunity to participate in the plan change. She submits that the courts have looked to see whether the submission is “*out of left field*” and it is her opinion that this submission could not be considered as being “*out of left field*”. She also submitted that because

the change was included in their original submission any affected parties had the opportunity to comment by way of further submissions.

- 1.8.76 In conclusion Dr Forret states that should the land swap not be approved then the Coombes support the N2 deferred zone uplift.
- 1.8.77 Council obtained a legal opinion from Ms Embling, Solicitor for Council, regarding the scope of the issues raised in the Coombes submission. Ms Embling agreed with Dr Forret that the case law pertaining to the issue of scope was that raised in Dr Forret's evidence. She highlighted that the rezoning the land in Growth Cell N3, currently post 2035 from deferred Large Lot Residential to Large Lot residential was not publicly notified with the plan change and was not considered in the Section 32 report. As such she considered it was outside the scope of Proposed Plan Change 13. She did not agree with the assessment of Dr Forret, that this change by way of a swap of parcels of land within the plan change was "*incidental or consequential*".
- 1.8.78 Moving to the second limb outlined above, Ms Embling submitted that the test is whether there is a real risk that people affected by the plan change would be denied an effective opportunity to participate in the plan change process. In support of her opinion Ms Embling referred to the Court's decision in the *Motor Machinists case* where the Judge stated that: "*Unlike the process that applies in the case of the original proposed plan change, persons directly affected by additional changes proposed in submissions do not receive direct notification. Rather, they are dependent on seeing public notification that a summary of submissions is available, translating that awareness into reading the summary, apprehending from that summary that it actually affects them, and then lodge a further submission.*"
- 1.8.79 Having considered the evidence presented both by the Dr Forret and Ms Embling I am of the opinion that the swap of the parcels of land relating to their zoning is out of scope and cannot be considered in Proposed Plan Change 13. I support the opinion of Ms Embling as I do not consider that the swap is "*consequential or incidental*" to Proposed Plan Change 13. In addition, I agree with Ms Embling that to agree to the land swap would have denied affected parties the chance to consider and submit on the land swap. I therefore **REJECT** the submissions of the Coombes (S29/1 and S29/2).
- 1.8.80 Mr Frost (FS8/1 and FS8/2) seeks retention of the areas contained in N2 as per Proposed Plan Change 13. This submission is **ACCEPTED**.
- 1.8.81 TA Projects Limited (S30/5) seeks the removal of the structure plan area from the planning maps. As the property is solely owned by the submitter there is no necessity for a structure plan therefore this submission to remove the notation from the planning maps is **ACCEPTED**.

TOPIC 9: UPLIFTING DEFERRED ZONES

- 1.8.82 Hayden Woods (S1/1 and S1/5) objects to the uplifting of Deferred Zones by Council resolution as he states, to do so, will take away any regulatory authority from Council. In his opinion this will hand the authority from Council to the staff. This submission is

flawed as in the future a plan change will be required to uplift the deferred zoning for the post 2035 Growth Cells. As such, at the time of that plan change, the Council will remain as part of the process. Submissions 1/1 and 1/5 are **REJECTED**.

- 1.8.83 Having considered the issues raised I **ACCEPT** submissions and further submissions of TA Projects Limited (30/1, 30/2, 30/3, 30/4, and FS2/2), Kotare Properties (19/1), and John Collinson (22/1).



B



Part B – Decisions on Submissions

Part B – Decisions on submissions

Topic 1: All of Plan

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
2/1	John Sharman	General	Support In Part	There should be an immediate review of the plan in terms of the impact of new traffic and the noise and pollution caused, and to consider a bypass as one mitigation. The character of Cambridge must be preserved for the future and planning must have this as the centre of the plan. The same goes for TA.	Reject	REJECT
7/1	Fire and Emergency New Zealand	General	Support In Part	Fire and Emergency seeks ongoing collaboration with Council to ensure that water pressures in the district's urban areas are maintained in accordance with the Code of Practice. For those large lot residential growth cells that will not be serviced by the Council reticulated water supply network, Fire and Emergency encourages Council to promote to landowners and developers (i.e. through the pre-application process) that early engagement should occur with Fire and Emergency as part of the resource consent process to discuss how best to achieve compliance with the Code of Practice.	Accept in Part	ACCEPT in part
7/2	Fire and Emergency New Zealand	General	Support In Part		Accept in Part	ACCEPT in part
FS2/1	TA Projects Limited	General	Oppose in Part	Retain the current proposed provisions.	Accept in Part	ACCEPT
15/1	Raymond E Talbot	General	Oppose	I seek the provision of fire hydrant testing for the fire hydrants in Hyatt Close, which are amongst the most elevated in supply network (60.0m RL).	Reject	REJECT
FS1/1	Raymond E Talbot	General	Oppose	Test all elevated Fire Hydrants (above 55m RL) to Appendix G - SNZ PAS 4509-2008. (Copy attached)	Reject	REJECT

Proposed Plan Change 13: Uplifting Deferred Zones
Decisions of Independent Commissioner

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				<p>Model existing validated water supply mains network with calibration from Fire Hydrant Testing.</p> <p>Use calibrated model to measure effects of new sub-division cells to ensure no Public hazards from sub-standard fire main pressure.</p> <p>Provide cost estimates for Water Treatment Plants and Trunk Mains to provide a compliant Fire Main for existing residents and Future Plan Change Cells.</p> <p>Provide an Audited Developers Financial Contributions Report to inform of the actual contributions required to provide the Capital Infrastructure requirements for the Plan Change.</p>		
FS5/1	Fire and Emergency New Zealand	General	Support	Fire and Emergency agree that fire hydrant testing should be undertaken by Council for fire hydrants in the reticulated areas that will be impacted by the new growth cells. This will assist in determining what upgrades are needed across the district, prior to development commencing.	Reject	REJECT
16/1	Heritage New Zealand Pouhere Taonga	General	Support In Part	HNZPT seeks, with regard the other structure plan locations, that these areas are assessed by archaeologists to confirm or otherwise the presence of archaeology and that they make recommendations as to appropriate management methods. It may be that the Structure Plans and related provisions have to be revised depending on the outcome of this work.	Accept in Part	ACCEPT in part
FS6/12	Kotare Properties Limited	General	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential as part of the PC13.	Accept in Part	ACCEPT in part

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
16/2	Heritage New Zealand Pouhere Taonga	General	Support In Part	HNZPT seeks that a Cultural Impact Assessment is undertaken, and this information used to inform the Structure Plans and related provisions. It may be that the structure plans and related provisions must be revised depending on the outcome of this work.	Accept in Part	ACCEPT in part
FS6/13	Kotare Properties Limited	General	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential as part of the PC13.	Accept in Part	ACCEPT in part
19/3	Kotare Properties Limited	Planning Maps	Support In Part	Kotare is of the opinion that as part of the zoning change, Council should also be undertaking a consequential change to the Urban Limit boundaries noted on the planning maps.	Accept	ACCEPT

Topic 2: Appendices

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
1/2	Hayden Woods	Appendix S1	Oppose	Delete the structure plans for Ōhaupo, Bruntwood, and Te Awamutu South as these areas have been developed and the structure plans are no longer required.	Accept in Part ¹	ACCEPT in part
1/3	Hayden Woods	Appendix S17	Oppose	Amend the structure plan for growth cell T1 to reflect the updated masterplan.	Accept in Part ²	ACCEPT in part

¹ While the submitter has opposed the Plan Change, the content of the submission indicates support for the removal of the structure plans.

² While the submitter has opposed the Plan Change, the content of the submission indicates support for the updating of the T1 Master Plan.

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
1/4	Hayden Woods	Appendix S23, Appendix S24	Oppose	Add the Te Awamutu T6 Structure Plan, Te Awamutu T11 Structure Plan and Cambridge C4 Structure Plan.	Accept in Part ³	ACCEPT in part
8/2	Susanne Dargaville	Appendix S17	Oppose	To maintain all of the current green belts that exist and any of the public reserves, especially those areas of land that have been designated or gifted to the Council for public use from current and past citizens of Cambridge. These must remain as open green areas.	Reject	REJECT
17/1	Frontier Development Limited	Appendix S17	Support In Part	Frontier Estates would like to have the current Master Plan (attached for reference) submitted under the latest resource consents LU/0012/19.01 and SP/0171/20 to be incorporated with this plan change.	Accept	ACCEPT
20/6	3MS of Cambridge GP Limited	Appendix S1	Support In Part	For the C10 Industrial Growth Cell, the final sentence in the table should read (amendments underlined): The industrial area is covered by the Bardowie Industrial Precinct Structure Plan while the Rural area of the growth cell is not covered by a structure plan and is currently <u>un</u> serviced.	Accept	ACCEPT

Topic 3: Growth Cell C2 / C3

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
1/6	Hayden Woods	Planning Maps	Support In Part	Rezone the vested reserve areas within the Cambridge C2 Growth Cell as Reserves Zone.	Reject	REJECT

³ While the submitter has opposed the Plan Change, the content of the submission indicates support for the addition of the structure plans.

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
8/1	Susanne Dargaville	Planning Maps	Oppose	To maintain all of the current green belts that exist and any of the public reserves, especially those areas of land that have been designated or gifted to the Council for public use from current and past citizens of Cambridge. These must remain as open green areas.	Reject	REJECT
10/1	Brian Perry Charitable Trust	Planning Maps	Support	Uplift the deferred residential zone for Peake Road, C2.	Accept	ACCEPT
20/1	3MS of Cambridge GP Limited	Planning Maps	Support	Rezone the C2 and C3 Growth Cells from Deferred Residential Zone to Residential Zone as proposed by Plan Change 13.	Accept	ACCEPT
FS3/1	Xiaofeng Jiang & Liping Yang	Planning Maps	Support	Approve the residential zoning of C2 growth cell.	Accept	ACCEPT
20/2	3MS of Cambridge GP Limited	Planning Maps	Support In Part	Amend the Urban Limits of Cambridge to include the C2 and C3 Growth Cell as these growth cells are clearly anticipated to be developed for residential purposes and be within the Cambridge urban area.	Accept	ACCEPT
FS3/2	Xiaofeng Jiang & Liping Yang	Planning Maps	Support	Amend the District Plan.	Accept	ACCEPT
FS6/15	Kotare Properties Limited	Planning Maps	Support	Kotare seeks that Council accept this submission and consequently amend the urban limits, as shown on the planning maps, to include the residential growth cells that are being rezoned as part of PC13 (i.e. C2, C3 and C4).	Accept	ACCEPT
20/3	3MS of Cambridge GP Limited		Support In Part	No decision requested.	Accept in Part	ACCEPT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
FS3/3	Xiaofeng Jiang & Liping Yang	Planning Maps	Support	Approve the Plan Change.	Accept in Part	ACCEPT
20/4	3MS of Cambridge GP Limited	Planning Maps	Support In Part	Amend the Planning Maps to remove the areas proposed to be zoned "Active Reserve" on the 3MS properties within the C2 Growth Cell (namely, Planning Map 4, Planning Map 23 and Planning Map 24). 3MS seeks that that the entire extent of its property be zoned Residential Zone rather than a combination of Residential Zone and Reserves Zone.	Accept	ACCEPT
FS3/4	Xiaofeng Jiang & Liping Yang	Planning Maps	Support	Remove reserve zoning from Map 24.	Accept	ACCEPT
22/2	John Collinson	Planning Maps	Support	That Waipa District Council approve PC13.	Accept	ACCEPT
22/3	John Collinson	Planning Maps	Support	That Waipa District Council approve PC13.	Accept	ACCEPT
25/1	Transpower New Zealand Limited	Section 11	Support	No decision requested.	Accept in Part	ACCEPT

Topic 4: Growth Cell C4

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
3/1	Cambridge Motocross	Appendix S23	Oppose	Delay the advancement of C4 for 7 years.	Reject	REJECT
FS6/1	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
4/1	Shaun Gaskell	Appendix S23	Oppose	Delay the advancement of C4 for 7 years.	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
FS6/2	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
5/1	Ashley McKnight	Appendix S23	Oppose	Delay the advancement of C4 for 7 years.	Reject	REJECT
FS6/3	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
6/1 6/2	Gregory McCarthy	Planning Maps	Support	Council approve the Plan Change as notified.	Accept	ACCEPT
FS6/4 FS6/5	Kotare Properties Limited	Planning Maps	Support	Kotare support the rezoning of the C4 growth cell from deferred Residential to Residential and the inclusion of the C4 growth cell structure plan (Appendix 23), subject to amendments being made to the Structure Plan as sought in submission point 19/4. Kotare seeks that Council accept this submission.	Accept in Part	ACCEPT in part
9/1	John & Sarah Bushell	Appendix S23	Support	Bring forward the advancement of the C4 Plan.	Accept	ACCEPT
FS6/6	Kotare Properties Limited	Appendix S23	Support	Kotare support the rezoning of the C4 growth cell from deferred Residential to Residential and the inclusion of the C4 growth cell structure plan (Appendix 23), subject to amendments being made to the Structure Plan as sought in submission point 19/4. Kotare seeks that Council accept this submission.	Accept in Part	ACCEPT in part
11/1	John B Storck	Appendix S23	Support	An early ratification of Zone Change of C4 to enable development of additional amenities for residents of Cambridge.	Accept in Part	ACCEPT in part
FS6/7	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission.	Accept	ACCEPT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
12/1	Lorene Storck	Appendix S23	Support	I support the Plan Change 13 uplifting deferred zones to enable the C4 initiative to go ahead as soon as possible.	Accept	ACCEPT in part
FS6/8	Kotare Properties Limited	Appendix S23	Support	Kotare requests that Council support this submission as it supports the rezoning of the C4 Growth Cell.	Accept	ACCEPT
14/1 14/2 14/3	Margaret Sapwell	Section 14	Support	I ask the Council to support the Plan Change 13 - Uplifting of Deferred Zones, add the Structure Plan for C4 and uplift the pre-2035 Deferred Zones.	Accept	ACCEPT
FS6/9 FS6/10 FS6/11	Kotare Properties Limited	Section 14	Support	Kotare support the rezoning of the C4 growth cell from deferred Residential to Residential and the inclusion of the C4 growth cell structure plan (Appendix 23), subject to amendments being made to the Structure Plan as sought in submission point 19/4. Kotare seeks that Council accept this submission.	Accept	ACCEPT
15/2	Raymond E Talbot	Appendix S23	Oppose	The assessment and determination of the C4 Cell cannot be made until the existing network has been tested.	Reject	REJECT
FS5/2	Fire and Emergency New Zealand	Appendix S23	Support	No decision requested.	Reject	REJECT
16/3	Heritage New Zealand Pouhere Taonga	Appendix S23	Support In Part	HNZPT seeks that the archaeological assessment for Growth Cell C4 is revised by archaeological experts that are experienced with this archaeological landscape and site types so that the nature of the archaeological resource can be correctly ascertained and the potential of the effects of proposed development correctly ascertained. It may be that the Structure Plan and	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				related provisions must be revised depending on the outcome of this work.		
FS6/14	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission as the PC13 submission period is not the right forum for raising these concerns.	Accept	ACCEPT
19/2	Kotare Properties Limited	Planning Maps	Support	Kotare support the zoning change demonstrated on the planning maps as it relates to the C4 growth cell, specifically Maps 23 and 26.	Accept	ACCEPT
19/4	Kotare Properties Limited	Appendix S23.1	Support in Part	Amend the C4 Structure Plan in Appendix 23 to the C4 Structure Plan – Proposed Alterations for PC13 attached to this submission.	Reject	REJECT
FS7/1	Gregory McCarthy	Appendix S23.1	Oppose	The request in Submission Point 19/4 to change the Structure Plan should be declined.	Accept	ACCEPT
19/5	Kotare Properties Limited	Appendix S23.3	Support In Part	Amend S23.3.2 to read as follows: 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.	Reject	REJECT
19/6	Kotare Properties Limited	Appendix S23.3.5	Support In Part	Amend S23.3.5 to remove reference to swales as the preferred treatment method. Suggested alternative wording is as follows: 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	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				industrial activities to the north, minimising the potential for reverse sensitivity effects.		
19/7	Kotare Properties Limited	Appendix S23.4.4	Support In Part	Update the language in S23.4.4, and if necessary amend the Structure Plan, to reflect what Council wants to achieve in terms number and location of reserves.	Reject	REJECT
19/8	Kotare Properties Limited	Appendix S23.5.3	Support In Part	If the Kotare Structure Plan is not adopted, amend paragraph S23.5.3 to read as follows: S23.5.3 Internally, new roads will be required. The Structure Plan identifies the preferred <u>a conceptual</u> layout, taking account of engineering requirements and the achievement of high degrees of permeability and connectivity....	Reject	REJECT
FS7/2	Gregory McCarthy	Appendix S23.5.3	Oppose	The request in Submission Point 19/8 to amend the wording of paragraph S23.5.3 should be declined.	Accept	ACCEPT
19/9	Kotare Properties Limited	Appendix 23.6.3	Support In Part	Amend 23.6.3 to read as follows: S23.6.3 Significant storm events will result in flows towards the gully. Two <u>Three</u> points of collection are proposed, one within the unformed Silverwood Lane corridor and one <u>two</u> towards the north of the Structure plan area <u>Silverwood Lane</u> . Both <u>All</u> 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	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				operational requirements of the treatment and discharge devices.		
25/2	Transpower New Zealand Limited	Appendix S23	Support In Part	Amend the Appendix S23 – Cambridge C4 Growth Cell Structure Plan map to identify the National Grid lines; AND Insert a reference to the National Grid after paragraph S23.2.4 as follows: <u>The National Grid high voltage transmission lines traverse land adjoining C4 Growth Cell. Provisions within the District Plan relating to the National Grid will apply to parts of land within C4 Growth Cell.</u>	Reject	REJECT
27/1	Raymond E Talbot	Appendix S23	Oppose	Before considering the proposed plan change, a detailed assessment of the 21m level differential is essential. Without this assessment, residential area cannot be established. Requirements for bulk earthworks and/or retaining walls is required.	Reject	REJECT
FS6/16	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
27/2	Raymond E Talbot	Appendix S23	Oppose	I seek a revised C4 Structure Plan that incorporates the proposed solution for addressing the 21m level difference.	Reject	REJECT
FS6/17	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
27/3	Raymond E Talbot	Appendix S23	Oppose	The Ecological Report needs to include tree species survey to establish Translocation Proposals.	Reject	REJECT
FS6/18	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
28/1	Geoff Maunsell	Appendix S23	Support In Part	An alternation to the C4 Structure Plan providing an additional access from Cambridge Road to the northern portion of the C4 growth cell.	Reject	REJECT
31/1	Russell Wise	Appendix S23	Oppose	No decision requested.	Reject	REJECT
32/1	Cambridge Motorcycle Club	Appendix S23	Oppose	Delay the advancement of C4 for 7 years.	Reject	REJECT
FS6/19	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT
33/1	Loren Stockley	Appendix S23	Oppose	Delay the advancement of C4 for 7 years.	Reject	REJECT
FS6/20	Kotare Properties Limited	Appendix S23	Oppose	Kotare requests that Council reject this submission and rezones the C4 Growth Cell to residential.	Accept	ACCEPT

Topic 5: Cambridge North

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
13/1	Summerset Villages (Cambridge) Limited	Map 24	Support In Part	That the replacement of the Cambridge North Deferred Residential zone with a live Residential zoning be confirmed.	Accept	ACCEPT
13/2	Summerset Villages (Cambridge) Limited	Appendix S2	Support In Part	That Appendix S2 – Cambridge North Structure Plan and Design Guidelines be amended to reflect the live zoning. In particular, amend section S2.6 and S2.7 and related figures and tables.	Accept in Part	ACCEPT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
13/3	Summerset Villages (Cambridge) Limited	Section 2	Support In Part	Amend the Residential zone provisions to delete all references to matters pertaining to a deferred zone, where such a zone is to be uplifted. For example, section 2.1.7.	Accept in Part	ACCEPT
13/4	Summerset Villages (Cambridge) Limited	Map 24	Support In Part	Amend Map 24 to delete the Road Noise Effects Area as it relates to the Summerset land located within the Deferred Residential zone land, and reminder of Map 24 as it relates to land fronting Laurent / Victoria Road.	Reject	ACCEPT
13/5	Summerset Villages (Cambridge) Limited	Appendix S2	Support In Part	Amend the Cambridge North Structure Plan to remove the indicative local road layout from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown).	Accept	ACCEPT
13/6	Summerset Villages (Cambridge) Limited	Map 24	Support In Part	Amend Map 24 to remove the indicative local road layout from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown).	Accept	ACCEPT
13/7	Summerset Villages (Cambridge) Limited	Appendix S2	Support In Part	Amend the Cambridge North Structure Plan to remove the extent of reserve zone and indicative walkway / cycleway located from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown).	Accept	ACCEPT
13/8	Summerset Villages (Cambridge) Limited	Map 24	Support In Part	Amend Map 24 to remove the extent of reserve zone and indicative walkway / cycleway located from 60 and 80 Laurent Road, as well as from 100 and 102 Laurent Road (to the extent that it is shown).	Accept	ACCEPT

Topic 6: Growth Cell T6

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
21/1	Jim Mylchreest	Appendix S24	Support In Part	I seek: a) reduce the standards of the collector road to the same as other roads within the district and in particular large lot residential zones: and b) have the same bulk and location requirements as contained in the current District Plan.	Reject	REJECT
FS4/1	Headlands Trust	Appendix S24	Support	Headlands Trust seeks: 1. To have the T6 Collector road relocated to follow the valley to the east of where it is shown where possible. 2. To have the parking lane removed from the T6 Collector road. 3. To reduce the formed footpaths to only one side of all roads within the T6 zone to maintain the rural feel. 4. To reduce the width of the collector road to reflect the removal of one of the footpaths and the parking lane as above. 5. To reduce the number of streetlights used within the T6 zone to street corners only.	Reject	REJECT
26/1	Papamoa TA Limited Partnership	Appendix S24	Support In Part	As such, the Submitter requests that the structure plan for the T6 growth cell as it relates to 164 St Leger Road be amended to remove the two 18m local roads; remove the stormwater reserve area north of the stream that runs east/west through the property that is located beyond the 23m buffer of the stream; and upon removal of the local roads and stormwater reserve area, an overlay should be added to the plan that identifies that any application for resource consent to develop the property is subject to stormwater management calculations and design in relation to demand for additional stormwater	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				reserve/s, transportation assessment for road layout, and urban design for overall development layout.		
26/2	Papamoa TA Limited Partnership	Section 15	Support In Part	To remove the requirement for an average lot area for subdivision of properties within the Large Lot Residential Zone, i.e. delete both Rules 15.4.2.1(j)(i) and 15.4.2.1(j)(ii). The Submitter seeks this is applied to the subdivision rule within the T6 growth cell, as a minimum, i.e. they would not object to this being amended to apply universally to the Large Lot Residential Zone across the District.	Reject	REJECT

Topic 7: Growth Cell T11

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
18/1	VR & SP Hoebergen & S Yeates	Appendix S25	Support In Part	Pathway to be moved to along boundary.	Reject	REJECT
18/2	VR & SP Hoebergen & S Yeates	Appendix S25	Support In Part	No decision requested.	Reject	REJECT
23/1	JL Hatwell & ML Johnston	Rule 2.4.1.3(i)	Support In Part	The proposed wording for Rule 2.4.1.3(i) be amended to include an additional activity, <u>2.4.1.3(i)(d) – early childcare education services.</u>	Reject	ACCEPT
23/2	JL Hatwell & ML Johnston	Rule 2.4.2.54	Support In Part	The proposed wording for Rule 2.4.2.54 be amended as follows (strikethrough representing deleted text and underline representing added text): (e) – All new commercial buildings shall be constructed on the road boundary of the site.	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
23/3	JL Hatwell & ML Johnston	Rule 2.4.2.54	Support In Part	The proposed wording for Rule 2.4.2.54 be amended as follows (strikethrough representing deleted text and underline representing added text): (h) – All buildings fronting a road or reserve <u>excluding those intended for use by a business established in accordance with Rule 2.4.1.3(i)(d) above for early childcare education services</u> shall have an active frontage, incorporating 70% <u>visually</u> permeable, glazed show frontage at ground floor. Active frontages shall also include wide double doorways to allow for easy pedestrian access.	Reject	ACCEPT
23/4	JL Hatwell & ML Johnston	Appendix S25.1	Support In Part	That the plan provided under S25.1 – Te Awamutu T11 Growth Cell Structure Plan be amended to align with the attached plan.	Reject	REJECT
23/5	JL Hatwell & ML Johnston	Appendix S25.6.3	Support In Part	That the proposed wording for S25.6.3 be amended as follows: The Structure Plan will have a 20m <u>25m</u> green boulevard/tree framed collector road through the sites which become the main spine road for vehicles, pedestrians, and cyclists. The 18m <u>to 16m</u> local roads accommodate pedestrian facilities on one side and the option for stormwater conveyance <u>(which could include raingardens or through a vegetated swale down the other side).</u>	Reject	REJECT
23/6	JL Hatwell & ML Johnston	Appendix S25.6	Support In Part	That the example image for the typical 18m street be amended to align with the above wording (i.e. have a heading of 18m-16m Local Road, removing reference on the Plan View to the width, 7m, for the carriageway, and amending the Section View to have an overall road width of 18m-16m).	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
23/7	JL Hatwell & ML Johnston	Appendix S25.7.4	Support In Part	That the proposed wording for S25.7 – Built Form be amended as follows: S25.7.4 – The Design Guidelines provide a framework which will lead to positive outcomes for the landowners and the wider community. This encourages original design which considers the unique opportunities of the site and development areas.	Reject	REJECT
23/8	JL Hatwell & ML Johnston	Appendix S25.9	Support In Part	That the proposed wording for S25.9 – Supporting Documents be amended as follows: (b) Te Awamutu T11 Growth Cell Design Guidelines, prepared by Boffa Miskell, dated 25 June 2020, (Council document number 10411038).	Reject	REJECT

Topic 8: Growth Cell (Other)

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
20/5	3MS of Cambridge GP Limited	Planning Maps	Support In Part	3MS seeks that this area be zoned Deferred Residential Zone, and the Structure Plan Area annotation be removed as per the existing situation.	Accept in Part	ACCEPT
24/1	Gary & Adele Saywell	Planning Maps	Support	No decision requested.	Accept	ACCEPT
25/3	Transpower New Zealand Limited	Planning Maps	Support	No decision requested.	Accept	ACCEPT
29/1	Coombes Farms Limited, C & S Coombes	Planning Maps	Support In Part	Coombes seek that 18ha of the N3 growth cell is rezoned from deferred residential to residential and that the N2 growth cell is retained as a Deferred Large	Reject	REJECT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
				Lot Residential Zone. The balance of the N3 growth cell would also retain its Deferred Large Lot Residential Zone status.		
FS8/1	Benjamin Jay Frost	Planning Maps	Oppose	Retain N2 as the area to be uplifted through Proposed Plan Change 13.	Accept	ACCEPT
29/2	Coombes Farms Limited, C & S Coombes	Map 34	Support In Part	Amend planning Map 34 so that the N2 growth cell zoned Deferred Large Lot Residential and that a portion of the N3 growth cell, as per the Land Swap Plan is rezoned Large Lot Residential.	Reject	REJECT
FS8/2	Benjamin Jay Frost	Map 34	Oppose	Retain N2 as the area to be uplifted through Proposed Plan Change 13.	Accept	ACCEPT
30/5	TA Projects Limited	Map 37	Support In Part	Amend Maps 37 – Te Awamutu / Kihikihi Overview and 39 - Te Awamutu East, by deleting the “Structure Plan” designation from Cell T3 at 836 Bond Road, Te Awamutu. There may be similar designations to be removed from other cells in the Te Awamutu area to align with PC13.	Accept	ACCEPT

Topic 9: Uplifting of the Deferred Zone

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
1/1	Hayden Woods	Section 14	Oppose	No decision requested.	Reject	REJECT
FS2/2	TA Projects Limited	Section 14	Oppose in Part	Decline that part of the submission relating to the pre-2035 Growth Cells.	Accept	ACCEPT

Submission / Point	Submitter Name	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	Decision requested	Recommendation	Decision
1/5	Hayden Woods	Planning Maps	Oppose	No decision requested.	Reject	REJECT
19/1	Kotare Properties Limited	Appendix S23	Support	Kotare support the removal of the deferred zoning from the pre-2035 growth cells.	Accept	ACCEPT
22/1	John Collinson	Planning Maps	Support	That Waipa District Council approve PC13.	Accept	ACCEPT
30/1	TA Projects Limited	Section 14	Support	Amend Section 14 – Deferred Zone as proposed in PC 13 to ensure the properties in the “Te Awamutu Residential Growth Cells – anticipated now to 2035” are removed from the Deferred Zone in the Operative District Plan and instead are moved into the land zoned “Residential”.	Accept	ACCEPT
30/2	TA Projects Limited	Section 14	Support	Amend Section 14 – Deferred Zone as proposed in PC 13 to require a plan change process as a pre-requisite for re-zoning post-2035 deferred land into an operative zoning.	Accept	ACCEPT
30/3	TA Projects Limited	Appendix S1	Support In Part	Amend Appendix S1.1.1 as proposed in PC 13 as follows: <u>Pre-2035 Growth Cells have been zoned according to the intended future land use, while Post-2035 Growth Cells, and most have been included within a Deferred Zone in this District Plan to indicate the intended future land use and to ensure that the future use of these Post 2035 Growth Cells is not compromised by present day development.</u>	Accept	ACCEPT
30/4	TA Projects Limited	Appendix S1	Support In Part	Amend the table on pages 28,29, Te Awamutu Residential Growth Cells – anticipated now to 2035 as proposed in PC13.	Accept	ACCEPT



C



**Part C – Recommended tracked
changes to the Waipā District Plan**

Part C - Tracked Changes to Waipā District Plan

Note:

- Text from the Waipā District Plan is included in the same colour and text as the notified version of the proposed plan change.
- Further amendments as a result of decisions made by the Hearings Panel are shown in red underline or ~~red strikethrough~~.
- Consequential renumbering of some provisions in the District Plan may be required as a result of accepting or rejecting submissions on the proposed plan change.

Section 2 – Residential Zone

2.1.7 There are specific provisions that apply to the St Kilda Residential Area, the Cambridge Park Residential area, and the C1 and C2/C3 Structure Plan areas. These areas have particular design outcomes that were developed through a structure planning processes and are integral to the overall development of the area. In addition to these areas, there are new growth areas such as the Te Awamutu South residential area. ~~The deferred status of the area identified on the Planning Maps as the Cambridge North Deferred Residential Zone is also subject to the provisions of Section 14 – Deferred Zones.~~

2.4.1.3	Restricted discretionary activities
	The following activities shall comply with the performance standards of this zone
(i)	<p><u>Neighbourhood Centre within the T11 Growth Cell Structure Plan Area, located in general accordance with the T11 Growth Cell Structure Plan and limited to the following activities:</u></p> <p>(a) <u>Café, dining and ancillary activities</u> (b) <u>Commercial retail and service activities</u> (c) <u>Commercial offices or residential activities, limited to above ground floor</u> (d) <u>Early childcare education facilities</u></p> <p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ▪ <u>Building location, bulk and design; and</u> ▪ <u>Visual and amenity effects on surrounding properties; and</u> ▪ <u>Location of parking areas and vehicle manoeuvring; and</u> ▪ <u>Impacts on surrounding open space amenity and pedestrian safety; and</u> ▪ <u>Location, colour, size and content of signs; and</u> ▪ <u>Infrastructure effects; and</u> ▪ <u>Alignment with any relevant Urban Design Guidelines approved by Council.</u> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21.</u></p>

Rule – Neighbourhood Centre within the T11 Growth Cell Structure Plan area

2.4.2.54 The neighbourhood centre within the T11 Growth Cell Structure Plan Area shall comply with the following:

- (a) Be located in general accordance as shown on the T11 Growth Cell Structure Plan.
- (b) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week.
- (c) The maximum height of buildings shall be 14m.

- (d) Each individual retail and services tenancy should have a floor area of not more than 250m² Gross Floor Area (GFA) (excluding community amenities and facilities, administration offices, and professional offices).
- (e) All new commercial buildings shall be constructed on the road boundary of the site.
- (f) All street frontages shall have a minimum 3m wide continuous covered veranda to allow for weather protection.
- (g) All commercial buildings shall have a minimum 3m setback from all adjoining residential zone, reserves and public open space boundaries.
- (h) All buildings fronting a road or reserve, **excluding those intended for used by a business established by 2.4.1.3(i)(d) for early childcare education services**, shall have an active frontage, incorporating 70% permeable, glazed shop frontage at ground floor. Active frontages shall also include wide double doorways to allow for easy pedestrian access.
- (i) Where a site adjoins the Residential Zone, no building or stored materials should penetrate a recession plane at right angles to the Residential Zone boundary inclined inwards at an angle of 45° from 2.7m above ground level.
- (j) Any storage or service area (including mechanical, electrical and utility equipment, refuse, and recycling activities) not enclosed within a building or where a shipping container is being used for storage, shall be fully screened by landscaping or solid walls or fences not less than 1.8m in height.
- (k) Walls and fences over 1.8m in height shall be setback a minimum of 5m from the road boundary unless a landscaping strip of a minimum of 2m wide is provided on the external side of the fence.
- (l) Walls and fences along any road or reserve shall not exceed 1.6m in height, except where at least 40% of the fence is visually permeable, in which case the fence may be constructed to a maximum height of 1.8m.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Section 3 – Large Lot Residential Zone

Policy - Non-residential activities in structure plan areas

3.3.7.7 To recognise the potential for new local shops within structure plan areas, that service the needs of the surrounding community, such as the Commercial Overlay within the T6 Growth Cell Structure Plan Area. Retail activities or services provided within these locations shall provide for the daily needs of people and be located within a walkable catchment.

3.4.1.3	Restricted discretionary activities The following activities shall comply with the performance standards of this zone
(d)	<u>Neighbourhood Centre within the T6 Growth Cell Structure Plan Area, located in general accordance with the T6 Growth Cell Structure Plan and limited to the following activities:</u> <ul style="list-style-type: none"> (a) <u>Café, dining and ancillary activities</u> (b) <u>Commercial retail and service activities</u> (c) <u>Commercial offices or residential activities, limited to above ground floor.</u>

3.4.1.3	Restricted discretionary activities
	The following activities shall comply with the performance standards of this zone
	<p>Assessment will be restricted to the following matters:</p> <ul style="list-style-type: none"> ▪ <u>Building location, bulk and design; and</u> ▪ <u>Visual and amenity effects on surrounding properties; and</u> ▪ <u>Location of parking areas and vehicle manoeuvring; and</u> ▪ <u>Impacts on surrounding open space amenity and pedestrian safety; and</u> ▪ <u>Location, colour, size and content of signs; and</u> ▪ <u>Infrastructure effects; and</u> ▪ <u>Alignment with any relevant Urban Design Guidelines approved by Council.</u> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21.</u></p>

Rule – Neighbourhood Centre within the T6 Growth Cell Structure Plan area

3.4.2.36 The neighbourhood centre within the T6 Growth Cell Structure Plan Area shall comply with the following:

- (a) Be located in general accordance as shown on the T6 Growth Cell Structure Plan.
- (b) The maximum hours of operation shall be 7.00am to 10.00pm, seven days a week.
- (c) Buildings shall not exceed 14m in height and shall be no more than three floors within the Centre.
- (d) The architecture should have a pedestrian scale, with large and welcoming doors and openings adjacent to public space. Buildings with large blank walls on the first level are not permitted.
- (e) The built form is designed to allow flexible use of spaces, so the character of the area can develop and adapt over time.
- (f) Each individual retail and services tenancy should have a floor area of not more than 250m² Gross Floor Area (GFA) (excluding community amenities and facilities, administration offices, and professional offices).
- (g) All commercial building street frontage shall be constructed to a 0m front lot boundary.
- (h) All street frontages should have a minimum 3m wide continuous covered veranda to allow for weather protection.
- (i) All commercial buildings should have a minimum 3m setback from all adjoining residential zone, reserves and public open space boundaries.
- (j) All buildings fronting a road or reserve should have an active frontage, incorporating 70% permeable, glazed shop frontage at ground floor. Active frontages should also include wide double doorways to allow for easy pedestrian access.
- (k) Where a site adjoins the Residential Zone, no building or stored materials should penetrate a recession plane at right angles to the Residential Zone boundary inclined inwards at an angle of 45° from 2.7m above ground level.
- (l) Any storage or service area (including mechanical, electrical and utility equipment, refuse, and recycling activities) not enclosed within a building or where a shipping container is being used for storage, should be fully screened by landscaping or solid walls or fences not less than 1.8m in height.

- (m) Walls and fences over 1.8m in height should be setback a minimum of 5m from the road boundary unless a landscaping strip of a minimum of 2m wide is provided on the external side of the fence.
- (n) Walls and fences along any road or reserve should not exceed 1.6m in height, except where at least 40% of the fence is visually permeable, in which case the fence may be constructed to a maximum height of 1.8m.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Section 14 – Deferred Zone

14.1.2 The areas that have been identified as being suitable for conversion from the current land use to a new land use post-2035, in alignment with the District Growth Strategy, are referred to in the Plan as Deferred Zones, and are identified on the Planning Maps. Deferred Zones, with the exception of the Cambridge North Deferred Residential Zone, have an objective, policy and rule framework which generally reflects existing land use and zoning, but recognises that the area is intended to evolve over time. While post-2035 is beyond the life of this District Plan, the Deferred Zones highlight the future anticipated land use and seek to ensure these areas are protected from inappropriate development. In Deferred Zones, it is critical that current land use practices do not conflict with the intended future land use, including its ability to be adequately serviced. In most cases, the provisions of the Rural Zone apply, except for the Deferred Commercial Zone at Carters Flat, where the current land use is industrial.

14.1.3 In the Deferred Zones, the future intended zoning and its objective, policy and rule framework will be generally introduced through a plan change process. That plan change will need to be comprehensively designed and co-ordinate with infrastructure provision. Where a proposal does not require any amendments to the District Plan objectives, policies and rule framework, provision has been made in the District Plan for the Deferred Zone to be uplifted by way of Council resolution provided that the relevant rules have been complied with. It is anticipated that development in Deferred Zones will occur in a planned and integrated manner through a structure plan process that is introduced into the District Plan as part of a Plan Change. The Town Concept Plans 2010 and matters listed in Section 21 - Assessment Criteria and Information Requirements provide guidance on the key matters to consider. It is noted that this includes giving effect to the strategies contained in the Waikato River [C16] Te Ture Whaimana - Vision and Strategy for the Waikato River.

~~14.1.4 The Cambridge North Deferred Residential Zone has a separate status. The objectives, policies, rule and structure plan framework has been formulated for this area, and forms part of this Plan. However, for this future Residential Zone to become operative, a separate plan change process is not required. Instead, Council must resolve to make these future residential provisions operative once it is satisfied that all of its infrastructure requirements are met and in place.~~

~~*Policy – Structure planning*~~

~~14.3.1.3 To provide a framework for new growth areas through a comprehensive and integrated structure planning process.~~

Policies - Process for rezoning land and Structure Planning

- ~~14.3.1.4~~ All Deferred Zones are able to be rezoned for their intended future use, subject to Policy 14.3.1.5 below, provided it is in accordance with the timing, location and extent of the growth cells as outlined in Appendix S1 of the Plan, no amendments to the District Plan objectives, policies or rule framework are required, the process in Policy 14.3.1.5 has been followed, and adverse effects are avoided, remedied or mitigated. In respect of the timing for the release of growth cells, there is provision within the rule framework for the release of additional growth cells where Council is satisfied there is less than three years supply of development ready land in any town or village within the district.
- ~~14.3.1.5~~ To provide for the rezoning of deferred land to its intended future use where it is consistent with the provisions in the Regional Policy Statement relating to sub-regional growth.
- ~~14.3.1.6~~ Deferred Zones (except as identified in Policy 14.3.1.7) will be rezoned for their intended future use by way of a plan change, or by Council resolution.
- ~~14.3.1.6A~~ To enable a comprehensive and integrated structure planning process as part of a plan change to ensure growth areas have an appropriate development framework in place.
- ~~14.3.1.7~~ The Cambridge North Deferred Residential Zone, the Deferred Reserves Zone within the Cambridge North Structure Plan Area, and the Cambridge North Neighbourhood Centre Deferred Commercial Zone located within the C1 Growth Cell (in relation to Cambridge North Neighbourhood Centre) will be rezoned in whole or in part for its intended future residential, commercial and/or recreation use pursuant to Council resolution only once Council is satisfied that:
- (a) There is a development agreement in place with Council and the developer which clearly outlines the nature and timing of any necessary infrastructure, and how this infrastructure is to be developed and funded. The development agreement must be clear as to whether the infrastructure is implemented prior to development or as part of the development process;
- and
- (b) In the case of the Cambridge North Residential Area, there is a demonstrated plan in place by the developer that identifies how a minimum density of 12 dwellings per hectare will be achieved over the area to be rezoned.

~~Advice Note: For clarity, the infrastructure provisions identified within the Cambridge North Structure Plan outline one possible solution for servicing development within this area. An alternative solution is able to be offered by the developer; however it is the developer's responsibility to justify that alternative. In doing so they must satisfy Council that the alternative is adequate not only for the development proposed but also for other developments within the Cambridge North Residential Area.~~

14.4.1.4	Discretionary activities
(a)
(b)	Structure plans for an entire Deferred Zone area identified on the Planning Maps.
14.4.1.5	Non-complying activities
(d)	Failure to comply with Rule 14.4.1.8 — Cambridge North Deferred Residential Zone, Deferred Reserves Zone within the Cambridge North Structure Plan Area and the Deferred Commercial Zone for the Cambridge North Neighbourhood Centre.

14.4.1.5	Non-complying activities
(e)	Structure plans for parts of a Deferred Zone identified on the Planning Maps.
(f)	Failure to comply with Rule 14.4.1.9 – Uplifting of Deferred Zones other than specified in Rule 14.4.1.8.

Rule – Cambridge North Deferred Residential Zone, Deferred Reserves Zone within the Cambridge North Structure Plan Area and the Deferred Commercial Zone for the Cambridge North Neighbourhood Centre

~~14.4.1.8 – In the Cambridge North Deferred Residential Zone, Deferred Reserves Zone within the Cambridge North Structure Plan Area, and the Deferred Commercial Zone for the Cambridge North Neighbourhood Centre, the rules of the Deferred Zone will apply until such time as Council has resolved pursuant to Policy 14.3.1.7 that the Residential, Reserves or Commercial Zone rules shall apply and development may proceed within that specified area. After the resolution is made by Council, the full provisions of the relevant zone, being either Section 2 – Residential Zone, Section 5 – Reserves Zone, or Section 6 – Commercial Zone and Parts E and F of this Plan will apply to the specified area.~~

Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

Rule – Deferred Zones within the C1 and C2/C3 cells west of Cambridge

~~14.4.1.9 – In the C1 and C2/C3 growth cells located to the west of Cambridge, the uplifting of deferred zoning shall occur in the staged order as shown in Appendix S19 – Cambridge C1 and C2/C3 Structure Plan – Figure 22. The staged uplift of the deferred zoning shall be subject to the following:~~

Stage	Triggers
Stage 1	(a) – A Structure Plan has been approved for the C1 and C2/C3 areas; and (b) – A stormwater discharge permit has been granted by the Waikato regional Council that allows stormwater to be discharged to ground and to the Waikato River from the C1 and C2/C3 growth cell areas, except for those parts of the C3 growth cell that will have a standalone stormwater system, being: (i) – Land to the east of the Te Awa Lifecare Village. (c) – Development Infrastructure required to service Stage 1 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.
Stage 2	(a) – Development Infrastructure required to service Stage 2 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.
Stage 3	(a) – Development Infrastructure required to service Stage 3 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.

For the purposes of this rule:

- ~~(a) – For the avoidance of doubt, the C1 and C2/C3 cells are solely reliant on Rule 14.4.1.9 for the uplifting of deferred zoning in this area, and Rule 14.4.1.10 does not apply.~~
- ~~(b) – The uplift of Stages 2 and 3 are not dependent on development reaching a certain capacity in Stages 1 and 2 respectively. Provided the triggers in Rule 14.4.1.9 are met, there shall be no impediment to uplifting the deferred zoning in any stages.~~

- ~~(c) — The uplifting of deferred zoning does not need to occur across all stage areas at the same time. By way of example, if one area earmarked as Stage 2 meets the required triggers, the deferred zoning can be uplifted in isolation from any other Stage 2 area.~~

~~Rule – Uplifting of Deferred Zones, other than that specified in 14.4.1.8 and 14.4.1.9~~

~~14.4.1.10 — In the Deferred Zones on the Planning Maps the rules of the Deferred Zone will apply until:~~

- ~~(a) — The precondition that no amendments are required to the District Plan objectives, policies, or rule framework has been met; and~~
- ~~(b) — A structure plan, has been approved:~~
- ~~(i) — By way of a change to the Waipa District Plan; or~~
- ~~(ii) — For the whole of the Deferred Zone area in accordance with a resource consent granted under Rule 14.4.1.4(b), or~~
- ~~(iii) — For part of the Deferred Zone area in accordance with a resource consent granted under Rule 14.4.1.5(e) identified in the Planning Maps; and~~
- ~~(c) — 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; and~~
- ~~(d) — In the case of Deferred Residential Zone or Deferred Large Lot Residential Zone areas identified on the Planning Maps, it is proven to the satisfaction of Council that within the relevant town or village in either the Deferred Residential Zone or the Deferred Large Lot Residential Zone there is:~~
- ~~(i) — In the case of Te Awamutu and the rural villages only (but not Cambridge), less than three Open Growth Cells; or~~
- ~~(ii) — In the case of Cambridge only, any of the growth cells identified on the Cambridge Growth Map in Appendix S1 as ‘Development Areas — now to 2035’ (being the continuation of the Cambridge North, C1, C2/C3, C4 and C6) can be released for development provided that the other requirements of this rule have been satisfied; or~~
- ~~(iii) — Notwithstanding (i) and (ii) above, where Council is satisfied there is less than three years supply of land that is Development Ready for either Cambridge, Te Awamutu or any of the rural villages, additional development areas as identified in Appendix S1 as ‘Development Areas — beyond 2035’ may be released for development for that settlement; and~~
- ~~(e) — Council has made a formal Council resolution to remove the Deferred Zone, and to allow development to proceed in accordance with the resolved new zone(s); and~~
- ~~(f) — For the ‘Indicative Motorway Service Centre Area’ shown on Zone Map 22 only a development plan has been approved.~~
- ~~(g) — Structure plans for Deferred Zones can be initiated and prepared by Council, a landowner / developer, or a combination thereof.~~

~~After the resolution is made by Council, the full provisions of the relevant zone(s) and district wide provisions shall apply.~~

~~After the resolution is made by Council, the full provisions of the relevant zone(s) and district wide provisions shall apply.~~

Advice Notes:

- ~~1. 'Development Ready' means land which is identified in the District Plan for Future Development Capacity which has not had a section 224 issued on it.~~
- ~~2. 'Future Development Capacity' means land identified for either Residential or Large Lot Residential Use.~~
- ~~3. 'Open Growth Cell' means a Growth Cell or part of a Growth Cell identified in Appendix S1, which has had the deferred status uplifted and less than 70% of the land identified for Future Development Capacity has a section 224 issued on it.~~
- ~~4. 'Development infrastructure' means network infrastructure for water supply, wastewater, stormwater, and land transport as defined in the Land Transport Management Act 2003, to the extent that it is controlled by local authorities.~~
- ~~5. The calculation of three years supply of land includes a 20% surplus against forecast demand, in accordance with the National Policy Statement on Urban Development Capacity.~~
- ~~6. 'Rural villages' means the settlements of Ohaupo, Ngahinapouri, Pirongia, Pukeatua, Te Miro, Karapiro, Rukuhia and Te Pahu.~~

~~Activities that fail to comply with this rule will require a resource consent for a non-complying activity.~~

Section 15 - Infrastructure, Hazards, Development and Subdivision

Policy - Structure planning

15.3.15.1 ...

Objective – Subdivision and Development within Deferred Zones

15.3.15A To ensure the future intended land use within the Deferred Zones are protected from inappropriate development and subdivision.

Policies – Subdivision and Development within Deferred Zones

15.3.15A.1 To enable boundary adjustments and boundary relocation subdivisions within the Deferred Zones where the future use of the site is not compromised.

15.3.15A.2 To avoid development and subdivision of land within Deferred Zones where it may compromise the future intended use of the land.

Rule – Development within a Deferred Zone

~~15.4.2.61 No development or subdivisions shall occur unless a structure plan for the comprehensive and integrated development of the zone has been approved by Council and incorporated into the District Plan by way of a plan change or approved by way of a resource consent.~~

~~Activities that fail to comply with this rule will require a resource consent for a discretionary activity.~~

Rule - All development and subdivision in areas subject to a Structure Plan, Development Plan or Concept Plan

15.4.2.69 All development and subdivision within an area subject to an approved structure plan, development plan or concept plan shall be designed in general accordance with the requirements of that structure plan, concept plan or development plan. For the avoidance of doubt, the following areas are subject to concept plans, development plans and/or structure plans:

(a)	Cambridge North Structure Plan and Design Guidelines	Appendix S2
(b)	Cambridge Park Structure Plans and Design Guidelines	Appendix S3
(c)	St Kilda Structure Plan	Appendix S4
(d)	Hautapu Industrial Structure Plan and Landscape Guidelines	Appendix S5
(e)	Te Awamutu Large Format Retail Site Plan	Appendix S6
(f)	Karāpiro Large Lot Residential Structure Plan Area	Appendix S7
(g)	Ohaupo South Structure Plan	Appendix S8
(h)	Bruntwood Large Lot Residential Area Concept Plan	Appendix S9
(i)	Airport Business Zone Structure Plan	Appendix S10

Advice Note: Refer to Rules 15.4.2.87 to 15.4.2.90 for all subdivision and development in the Airport Business Zone Structure Plan.

(j)	Piquet Hill Structure Plan	Appendix S11
(k)	Bond Road North Industrial Area	Appendix S12
(l)	Houchens Road Large Lot Residential Structure Plan Area	Appendix S13

Advice Note: Refer to Rules 15.4.2.70 to 15.4.2.86 for all subdivision and development in the Houchens Road Large Lot Residential Structure Plan Area.

(m)	Te Awamutu South Structure Plan and design guidelines	Appendix S14
(n)	Cambridge North Neighbourhood Centre Concept Plan	Appendix S15
(o)	Narrows Concept Plan	Appendix S16
(p)	Te Awamutu T1 Growth Cell Structure Plan	Appendix S17
(q)	Leamington Large Lot Residential Zone Structure Plan	Appendix S18
(r)	Cambridge C1, and C2 / C3 Structure Plans	Appendix S19
(s)	Bardowie Industrial Precinct Structure Plan	Appendix S20
(t)	Ngahinapouri Structure Plan	Appendix S21
(u)	T8 Structure Plan	Appendix S22
<u>(new)</u>	<u>T6 Structure Plan</u>	<u>Appendix S (NEW)</u>
<u>(new)</u>	<u>T11 Structure Plan</u>	<u>Appendix S (NEW)</u>
<u>(new)</u>	<u>C4 Structure Plan</u>	<u>Appendix S (NEW)</u>
(t)	Deferred Zones, for the intended future zones identified on the Planning Maps (Subject to resource consent or plan change)	

Section 21 - Assessment Criteria and Information Requirements

21.1.2 Residential Zone

Residential Zone Assessment Criteria	
Restricted Discretionary Activities	
21.1.2.17	...

Residential Zone Assessment Criteria		
(NEW)	<u>Neighbourhood Centre within the T11 Growth Cell Structure Plan Area</u>	<p>The extent to which the proposed Neighbourhood Centre within the T11 Growth Cell Structure Plan area, including access, parking, outdoor dining and any ancillary activities:</p> <ul style="list-style-type: none"> (a) <u>Are compatible with the surrounding neighbourhood context.</u> (b) <u>Provide parking facilities that do not visually dominate the public realm or create obstructions in the pedestrian environment.</u> (c) <u>Maximise outlook onto adjacent streets and/or public open spaces.</u> (d) <u>Include universal access design principles.</u> (e) <u>Utilises landscaping to integrate the development into the surrounding open space context, and enhance the amenity of the site.</u> (f) <u>Avoids signs that are overly dominant (including back lit and neon signs) and are of a colour, size and location that integrate with the proposed building.</u> (g) <u>Will generate traffic or parking movements that can be adequately managed.</u> (h) <u>Can be adequately serviced.</u>

21.1.3 Large Lot Residential

Large Lot Residential Zone Assessment Criteria		
Restricted Discretionary Activities		
21.1.3.12	...	
(NEW)	<u>Neighbourhood Centre within the T6 Growth Cell Structure Plan Area</u>	<p>The extent to which the proposed Neighbourhood Centre within the T6 Growth Cell Structure Plan area, including access, parking, outdoor dining and any ancillary activities:</p> <ul style="list-style-type: none"> (a) <u>Are compatible with the surrounding neighbourhood context.</u> (b) <u>Provide parking facilities that do not visually dominate the public realm or create obstructions in the pedestrian environment.</u> (c) <u>Maximise outlook onto adjacent streets and/or public open spaces.</u> (d) <u>Include universal access design principles.</u> (e) <u>Utilises landscaping to integrate the development into the surrounding open space context, and enhance the amenity of the site.</u> (f) <u>Avoids signs that are overly dominant (including back lit and neon signs) and are of a colour, size and location that integrate with the proposed building.</u> (g) <u>Will generate traffic or parking movements that can be adequately managed.</u> (h) <u>Can be adequately serviced.</u>

21.1.14 Deferred Zones

There are no Assessment Criteria for the Deferred Zone.

Deferred Zones Assessment Criteria		
Discretionary Activities		

Deferred Zones Assessment Criteria		
<i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i>		
21.1.14.1	Structure plans for an entire Deferred Zone area identified on the Planning Maps	<p>The application of the assessment criteria to any application for a structure plan will depend on the anticipated land use, by way of example the infrastructure needs for the Large Lot Residential Zone are different than those for a Residential Zone. The criteria below are therefore a guide to the matters to be considered.</p> <p>(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.</p> <p>(b) The extent to which the infrastructure needs for the site have been met and any network and/or capacity constraints have been addressed.</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>(d) The extent to which the structure plan provides for multi-modal transport options, within the area as well as connections to routes, facilities and sites outside of the structure plan area.</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>(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>(g) The extent to which the structure plan protects indigenous biodiversity of the area and/or heritage sites or features.</p> <p>(h) The extent to which the structure plan is consistent with the outcomes and principles contained in the relevant Waipa District Town Concept Plan.</p> <p>(i) The extent to which any risks associated with natural hazards or any geotechnical issues, contaminated sites, and or hazardous substance can be managed.</p> <p>(j) The extent to which the proposed land use will result in a reverse sensitivity effect and any proposals to mitigate that effect.</p>

21.1.15 Infrastructure, Hazards, Development and Subdivision

Infrastructure, Hazards, Development and Subdivision Assessment Criteria		
Discretionary Activities		
<i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i>		
21.1.15.43	Subdivision and development within Structure plans areas	(a) ...

21.2.14 **Deferred Zones**

There are no additional information requirements for the Deferred Zone.

<u>Deferred Zones Information Requirements</u>		
21.2.14.1	Structure plans for an entire Deferred Zone area identified on the Planning Maps	<p>The application of the information requirements to any application for a structure plan will depend on the anticipated land use, by way of example the infrastructure needs for the Large Lot Residential Zone are different than those for a Residential Zone. The requirements listed below are therefore a guide to the matters to be considered and early discussion with Council staff is encouraged.</p> <p>(a) The type and location of land uses (including residential, commercial, industrial and recreational land uses, and community facilities where these can be anticipated), that will be permitted or provided for, and the density, staging and trigger requirements.</p> <p>(b) Information as to how the density target of 12 to 15 dwellings per hectare will be met.</p> <p>(c) The location, type, scale, funding and staging of infrastructure to service the area, including network and capacity considerations.</p> <p>(d) Anticipated water requirements and sources of water for public water supply. (Noting: In some areas of the District there are capacity constraints).</p> <p>(e) How stormwater will be managed having regard to a total catchment management approach and low impact design methods.</p> <p>(f) Multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced.</p> <p>(g) How key elements of character will be maintained. (Note: refer to the objectives and policies of the Residential Zone and Large Lot Residential Zone and the relevant Town Concept Plan for guidance on these factors).</p> <p>(h) How existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, and significant view catchments (including to these features) will be managed. (Refer to the relevant Town Concept Plan for guidance).</p> <p>(i) Potential natural hazards and how the related risks will be managed.</p> <p>(j) Information on any geotechnical issues on the site and how any related risks are proposed to be managed.</p> <p>(k) Potential issues arising from the storage, use, disposal and transport of hazardous substance in the area and any contaminated sites and describes how related risks will be avoided, remedied or mitigated.</p>

<u>Deferred Zones Information Requirements</u>	
	<p>(l) Any significant mineral resources in the area and any provision (such as development staging) to allow their extraction where appropriate.</p> <p>(m) How the relationship of tāngata whenua with their culture and traditions with their ancestral lands, water sites, wāhi tapu, and other taonga has been recognised and provided for. Outcomes from consultation with tāngata whenua must be included with the application.</p> <p>(n) Identification of any existing land uses in the area that may be affected by the development and proposals to avoid, remedy or mitigate any effects.</p>

Growth Management Structure Plans and Concept Plans Appendices

The following Structure Plans will be removed from the District Plan Appendices:

- Ohaupo South Structure Plan (Appendix S8);
- Bruntwood Large Lot Residential Area Concept Plan (Appendix S9); and
- Te Awamutu South Structure Plan and design guidelines (Appendix S14).

The Te Awamutu T1 Growth Cell Structure Plan (Appendix S17) is to be updated to reflect the resource consent for the master plan of the T1 area which was approved via resource consent in 2019 (Council reference LU/0012/19).

The following Structure Plans will be included in the District Plan Appendices as shown on the following pages:

- Te Awamutu T6 Structure Plan which was endorsed at the Council meeting on 7 April 2020;
- Te Awamutu T11 Structure Plan which was endorsed at the Council meeting on 7 April 2020; and
- Cambridge C4 Structure Plan which was endorsed at the Council meeting on 29 September 2020.

Appendix S1 – Future Growth Cells

S1.1 Introduction

- S1.1.1 The growth cells identified in this Appendix derive primarily from the Waipa 2050 District Growth Strategy. Pre-2035 Growth Cells have been zoned according to the intended future land use, while Post-2035 Growth Cells, and most have been included within a Deferred Zone in this District Plan to indicate the intended future land use and to ensure that the future use of these Post-2035 Growth Cells is not compromised by present day development. The Deferred Zones are the Deferred Residential Zone, Deferred Large Lot Residential Zone, Deferred Reserves Zone, Cambridge North Deferred Residential Zone, Deferred Commercial Zone and Deferred Industrial Zone.
- S1.1.2 The tables and maps that follow provide information on the location and extent of each of the growth cells, and a broad timing for each of either ‘anticipated now to 2035’ or ‘anticipated beyond 2035’. This timing ~~for the release~~ of each growth cell is based on growth projections within the Waipa 2050 District Growth Strategy and calculation of available land supply. The indicated timing for the release of each growth cell is intended to provide certainty to the community as to future land supply.
- S1.1.3 The locations of the Deferred Zones and future ~~growth areas~~ Growth Cells are identified on the maps contained in this Appendix. They are also shown in the Waipa 2050 District Growth Strategy which can be viewed at Waipa District Council offices. Details of the area and anticipated dwelling capacity within each growth cell are also included within the accompanying tables. The dwelling capacity within each growth cell is approximate only, and subject to further detail design at the time of subdivision. The uplifting of a Deferred Zone to enable the future intended land use for post-2035 Growth Cells to proceed can ~~occur by way of Council resolution (refer to Section 14 – Deferred Zone)~~ only occur via a Plan Change process. It is intended that any Plan Change for the Post-2035 Growth Cells includes a Structure Plan process to demonstrate how the area is to be serviced.
- S1.1.4 Often, there will be infrastructure requirements that will precede land being made available for development. Where Council intends to fund the upfront cost of this infrastructure then it will identify this through its 10 Year Plan (LTP). The 10 Year Plan is reviewed in full every 3 years. Where the infrastructure is not identified in Council’s 10 Year Plan, then there may be the opportunity for the infrastructure to be privately funded, subject to a ‘Developer Agreement’ being in place between the private party and Council.
- S1.1.5 The information contained in this Appendix is largely consistent with that contained within the Waipa 2050 District Growth Strategy. The different capacities identified in the tables reflect the work undertaken within the Waipa 2050 Growth Strategy and Town Plans. The capacities shown for the Town Plans are generally greater and provide guidance on the increased density that can be achieved as a result of applying the 12-15 dwellings per gross hectare density target. Where there is inconsistencies with the Waipa 2050 District Growth Strategy, it is due to the District Plan being updated to reflect plan changes or resource consent processes that have occurred since the District Growth Strategy was released.
- S1.1.6 Specific provisions have been developed for the Hamilton Airport Strategic Node (which includes land not previously identified in the Waipa District Growth Strategy 2009). A Comprehensive Development Plan is a prerequisite for development in the Titanium Park - Northern Precinct and Industrial Zone (Raynes Road) to ensure that development is integrated with infrastructure. In addition, a further area of land to the west of Hamilton

Airport has been identified which in future maybe developed as part of the Hamilton Airport Strategic Node.

Cambridge Residential Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
...		
C4	66ha	<ul style="list-style-type: none"> This growth cell is intended for residential development as an alternative along with C5 and C11, for development on the Leamington side of Cambridge. Development shall be undertaken in accordance with the relevant structure plan contained within this District Plan. The growth cell has a dwelling capacity of approximately 790 dwellings.
C6	53ha	<ul style="list-style-type: none"> This growth cell is intended-zoned for large lot residential development, and has a Structure Plan in place and is actively being developed. The growth cell has a dwelling capacity of approximately 160 dwellings.

The above growth cells make provision for 536 hectares of residential land with a dwelling capacity of approximately 5900 dwellings.

Cambridge / Hautapu Industrial Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
C10	162ha	<ul style="list-style-type: none"> Intended for industrial development, the C10 growth cell comprises of a 56.7ha area of Industrial Zone (with an associated Structure Plan that was approved through a private plan change process) that is actively being developed, and a 125.3ha area zoned Rural. The industrial area is not covered by the Hautapu-Bardowie Industrial Precinct Structure Plan while the Rural area of the growth cell is not covered by a structure plan and is currently unserviced. and is seen as a useful alternative to C9.

The industrial provision of 85 hectares of industrial land will be sufficient to meet the Future Proof anticipated demand until 2061.

Te Awamutu Residential Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
T1	37ha	<ul style="list-style-type: none"> This is identified for residential development, and has a structure plan in place and is actively being developed. The growth cell has a dwelling capacity of approximately 444 dwellings.
T6	168ha	<ul style="list-style-type: none"> This growth cell has been identified as a location for non-serviced (water only) large lot residential development, providing an alternative form of living choice to other greenfield developments in Te Awamutu. Development shall be undertaken in accordance with the relevant structure plan contained within this District Plan.

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
		<ul style="list-style-type: none"> The growth cell has a dwelling capacity of approximately 504 dwellings and due to the nature of the development and available capacity is expected to be developed over a larger time period than other growth cells.
T8	62ha	<ul style="list-style-type: none"> This growth cell has been identified as a residential growth cell but requires a structure plan <u>is zoned for residential development, has a structure plan in place and is actively being developed.</u> The growth cell has a dwelling capacity of approximately 552 dwellings.
T9	11ha	<ul style="list-style-type: none"> This <u>a residential growth cell is subject to a structure plan, and development shall be undertaken in accordance with the relevant structure plan contained within this District Plan.</u> The growth cell has a dwelling capacity of approximately 132 dwellings.
T10	21ha	<ul style="list-style-type: none"> This <u>a residential growth cell is subject to a structure plan, and development shall be undertaken in accordance with the relevant structure plan contained within this District Plan.</u> The growth cell has a dwelling capacity of approximately 252 dwellings.
T11	47ha	<ul style="list-style-type: none"> This growth cell has been identified as a residential growth cell. <u>Development shall be undertaken in accordance with the relevant structure plan contained within this District Plan.</u> The growth cell has a dwelling capacity of approximately 432 dwellings and represents an opportunity for housing in proximity to a commercial node which provides necessary social infrastructure shopping / medical etc.
The above growth cells make provision for 375 hectares of residential land, with a dwelling capacity of approximately 2,988 dwellings.		

Ōhaupo Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
O1	17ha	<ul style="list-style-type: none"> This growth cell is considered to be the next logical growth area, is zoned for Large Lot Residential and has a Structure Plan in place <u>is actively being developed.</u> The growth cell has a dwelling capacity of approximately 51 dwellings.

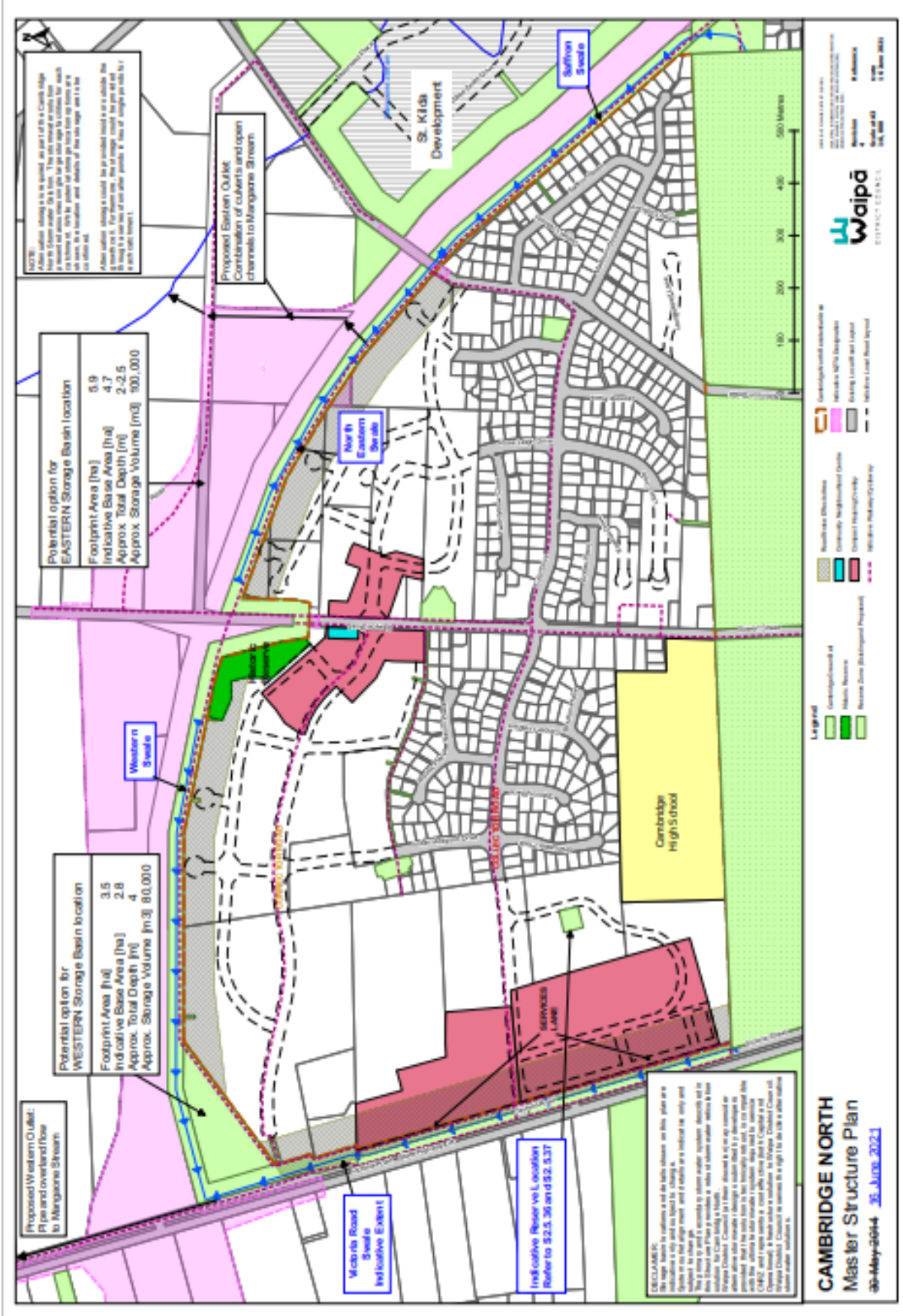
Ngahinapouri Residential Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
N1	20ha	<ul style="list-style-type: none"> This growth cell is intended for <u>zoned Large Lot Residential, has a structure plan in place and is actively being developed. Development shall be undertaken in accordance with the relevant structure plan contained within this District Plan.</u>

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
		<ul style="list-style-type: none"> The growth cell has a dwelling capacity of approximately 60 dwellings.

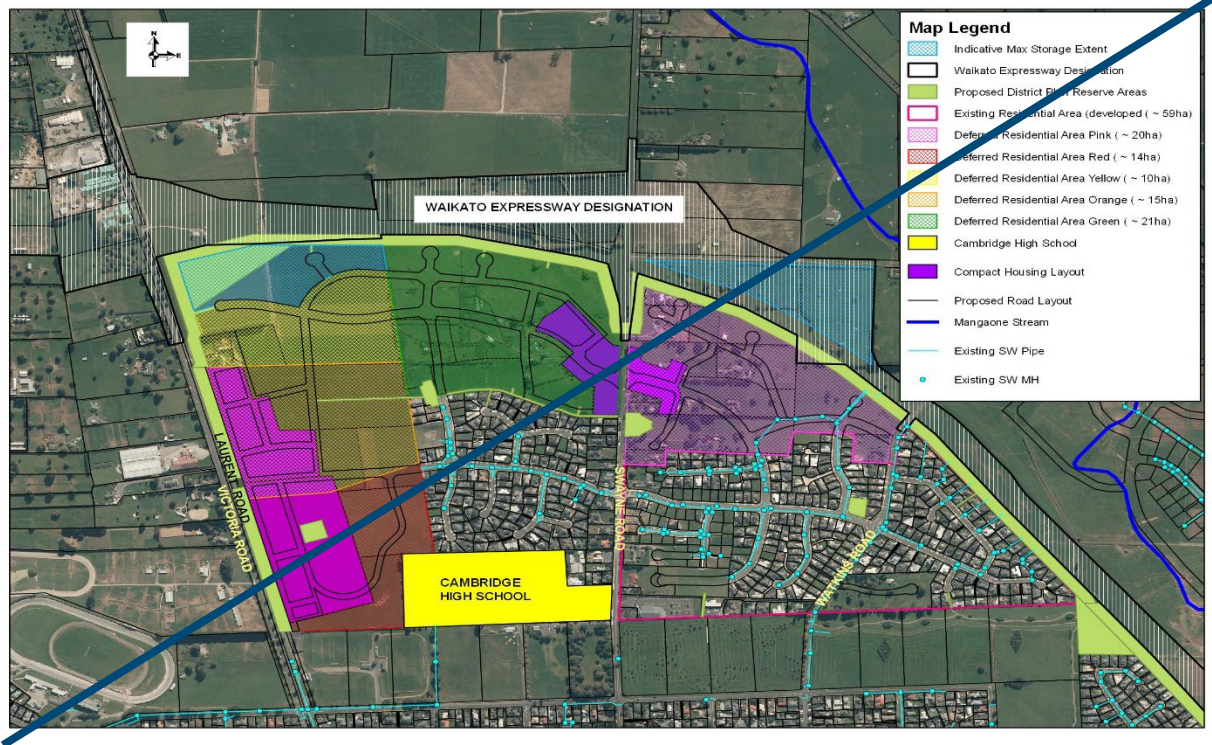
Te Miro Residential Growth Cells – anticipated now to 2035

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
TM2	2.4ha	<ul style="list-style-type: none"> This growth cell is intended-zoned for Large Lot Residential, <u>has an approved structure plan and is actively being developed pursuant to the approved resource consent.</u> The growth cell has a dwelling capacity of approximately 5 dwellings.



S2.6.2 The intention is that the stages do not necessarily have to follow a strict sequence or order. For that reason they have not been numbered but rather they have a colour description – refer to Figure 1 below. In order for an area to be released for development a Development Agreement will need to be entered into with Council and the land zoned through a Council resolution (as per the provisions of the Proposed Waipa District Plan).

S2.6.3 In order for an area to be re-zoned and released for residential development, a Development Agreement will need to be entered into with Council and the land re-zoned through a Council resolution (as per the provisions of the Proposed Waipa District Plan). The Development Agreement will be entered into by Council and the developer which clearly outlines the nature and timing of any necessary infrastructure, and how this infrastructure is to be developed and funded. The agreement will need to be clear as to whether the infrastructure is implemented prior to development or part of the development process. Funding and timing of all infrastructure required to service further development within Cambridge North will be specified in the Developers Agreement. The individual growth area and development capacity of each stage is outlined in the Table that follows Figure 1, along with the infrastructure required to service that growth area. The stormwater infrastructure described represents the requirements of a comprehensive, technically robust stormwater management solution for CNRA. The solution is not necessarily the only technically viable solution and it is possible that alternative solutions that achieve the required levels of service described in the technical assessments and investigations undertaken to support the updated Structure Plan are available.



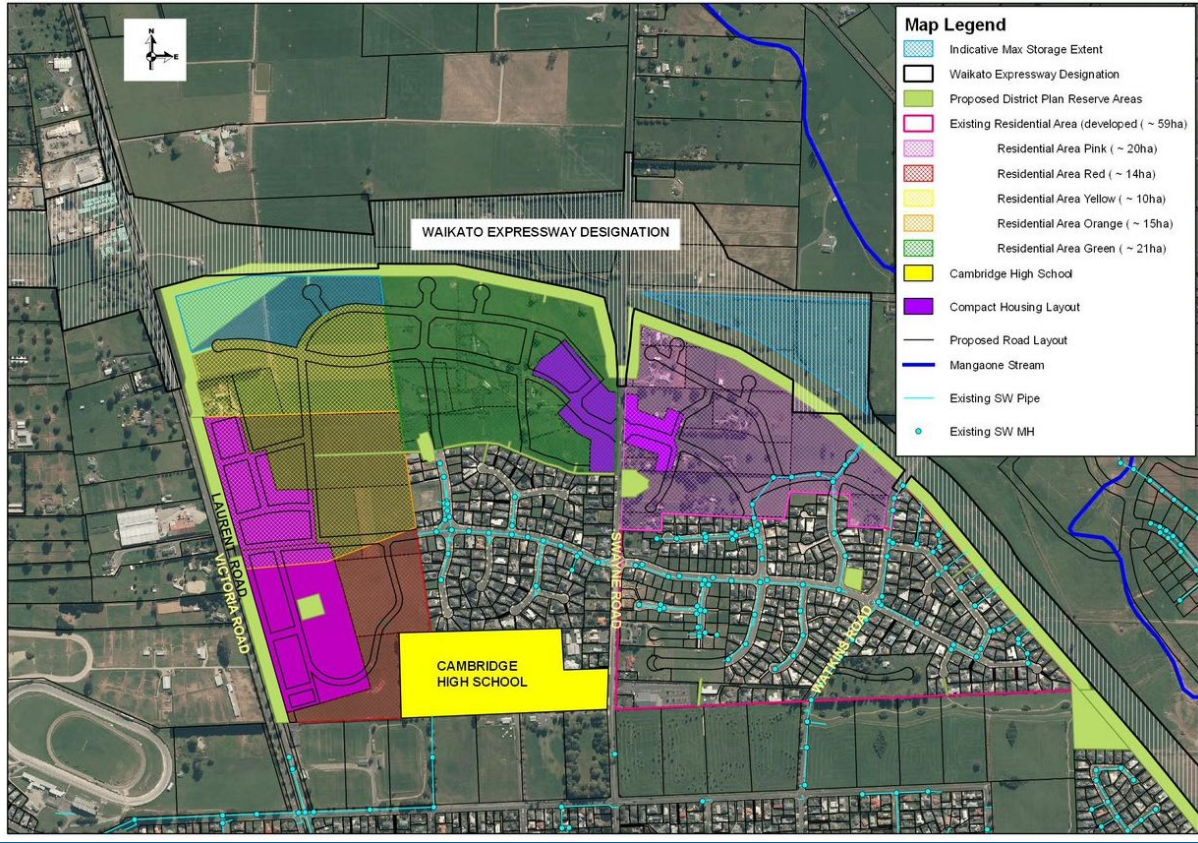


Figure 1 – Cambridge North Residential Zone – Existing and Future Development Area

S2.7.2.1 It is the responsibility of Council to:...

- (f) — Facilitate Council resolution that the land can be rezoned to residential purposes once the threshold tests have been passed.

Appendix S17 - Te Awamutu T1 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 3,500m² to 5,000m². 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.

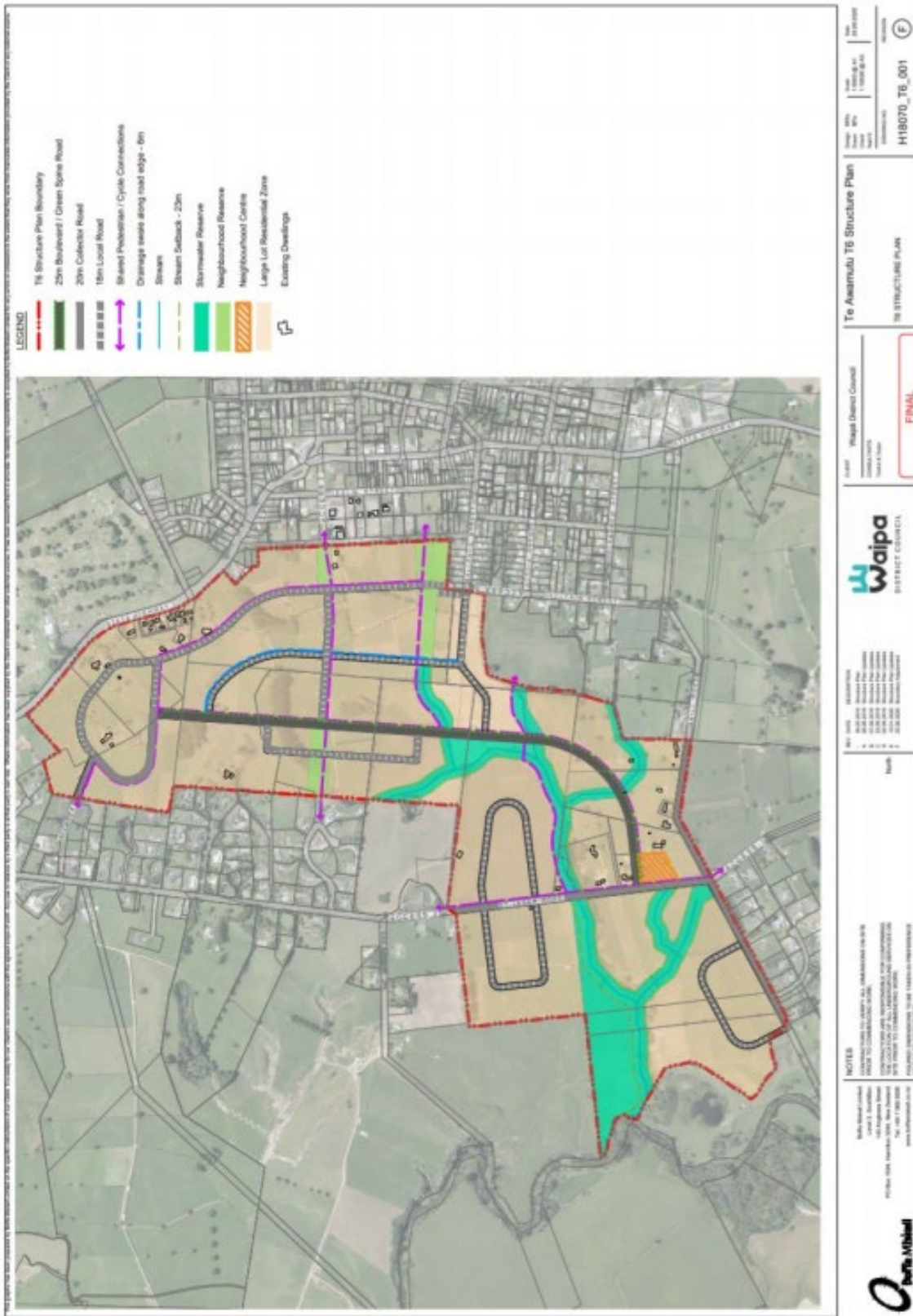
S23.7 Supporting Documents

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).

Appendix S24 – Te Awamutu T6 Growth Cell Structure Plan (NEW)

S24.1 Te Awamutu T6 Growth Cell Structure Plan



S24.2 Background

S24.2.1 The T6 growth cell is a 168ha area of land located to the west of State Highway 3 between Te Awamutu and Kihikihi. The T6 growth cell is predominantly characterised by rolling pasture and farmland, some clumps of large exotic trees as well as some bushy largely exotic riparian vegetation along the gully and streams draining the site. There are a few existing houses on large lots in the south of site off Brill Road as well as in the north adjacent State Highway 3. There is a large natural gully system which runs through the centre of the site and drains the surrounding farmland to the Puniu River to the south.

S24.2.2 This area has been identified in the Waipā District Plan as suitable for Large Lot Residential development which reflects the semi-rural character of the area, lower density housing and a more rural feel than the Residential Zone. People living in this zone are generally seeking to live in a semi-rural environment, while remaining within commuting distance to urban centres.

S24.2.3 The Structure Plan for the T6 growth cell is anticipated to provide for approximately 470 allotments within the 168ha total area (4 lots per hectare). This is a provisional estimate based on net developable area and takes into account the loss of land for roads and open space, in particular the gully system.

S24.3 Key design principles

S24.3.1 The following general design principles have underpinned the development of the T6 Structure Plan.

Respect for existing character

S24.3.2 All subdivision layout and development design should reflect an appreciation of location and surrounding context. Natural riparian vegetation along the gully and stream banks through the site need to be protected and enhanced to provide amenity and ecological enhancement.

Cultural identity

S24.3.3 Maori names and design elements will be incorporated where appropriate and in consultation with local iwi.

Social value

S24.3.4 People are the key consideration in all aspects of the design. Public safety, recreation and social values are paramount.

Connectivity

S24.3.5 A network of roads, pedestrian paths and cycleways through the development connects the residents to the existing town, open spaces, and playgrounds.

Appropriate scale

S24.3.6 The scale and hierarchy of roads, cycleways and walking tracks developed during subdivision design provide a mix of transport options as well as access to public transport.

Quality public realm

S24.3.7 The quality of materials and construction methods used for all development within the structure plan area should ensure an attractive residential area develops around both its private and public spaces.

Well-designed built environment

S24.3.8 The built form guidelines should help ensure that development contributes to the amenity, safety, and context of the overall development. The guidelines are intended to encourage creative design outcomes rather than limit design.

S24.4 Open Space Framework

S24.4.1 The proposed open space framework design for the T6 Structure Plan reflects the existing landscape and surrounding land uses. The framework is connected and permeable, with a focus on pedestrian walkways, cycleways, reserves and green corridors.

S24.4.2 Where appropriate, existing trees have been incorporated into the open space framework.

S24.4.3 The open space framework is made up of:

- (a) Reserves
- (b) Green Streets
- (c) Open Spaces
- (d) Playgrounds
- (e) Gully system
- (f) Vegetated Swales

S24.4.4 The combination of these spaces allows for a green network to be created through the structure plan, ensuring that residents have ready access to open space, and natural environment.

S24.4.5 The structure plan provides the opportunity for an extensive green corridor within the existing gully system in the southern portion of the site to be extended northwards along a proposed central green boulevard.

S24.5 Stormwater Management

S24.5.1 The proposed reserves and open spaces within the T6 structure plan will provide for people's recreational interests, and the protection of landscapes, amenity, ecosystems, cultural and historical values. They also fulfil an important stormwater management function.

S24.5.2 Stormwater is proposed to be managed through a planted gully system, vegetated swales, the St Leger Road culvert and new crossings. Wherever possible retention, reuse and onsite soakage for stormwater will be provided for and managed on individual residential lots and through the existing natural drainage of the site. The proposed use of vegetated swales will be a low impact way of managing stormwater and provide an important open space amenity feature of the area.

S24.5.3 Stormwater within the structure plan area will also be managed through the following measures:

- (a) On-site water efficiency measures such as detention tanks may be necessary to reduce off-site stormwater runoff. Rainwater tanks will reduce run-off and provide the main source of water supply to individual households. The area will only have access to a restricted trickle-feed Council water supply. The combination of vegetated swales and on-site water efficiency measures provides a resilient design approach to water use and post-development stormwater management. A 23m riparian planting margin shown on the Structure Plan is to ensure that future development complies with the set back from water bodies. This also ensures compliance with the Waikato Regional Plan provisions relating to accelerated erosion and earthworks within high risk erosion areas.
- (b) Due to the position of the growth cell within the wider Puniu River catchment, peak flow control of the 2 year ARI and higher magnitude events is not recommended to avoid coincidence with the larger Puniu River flood peak.
- (c) The St Leger Road culvert should be upgraded and new crossings appropriately designed to enable pass forwarding of post-development flood flows. Crossings and discharge points to the channel should be designed to mitigate scour and erosion within the incised gully.
- (d) Onsite soakage will need to be tested and designed on a lot by lot basis especially as low soakage could be an issue in the upper areas of the growth cell.
- (e) If on-site soakage investigations show that the post-developed water quality rainfall volume cannot be achieved through water tanks and soakage, then bio-retention devices or a suitable wetland will need to be designed.
- (f) Vegetated swales are recommended to convey overland flow.
- (g) Avoiding modification to existing channel corridors and an ecological survey is recommended.

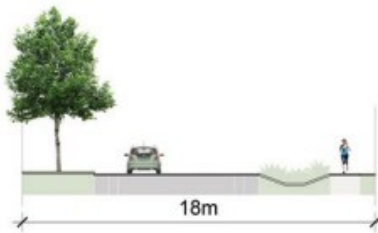
S24.6 Connectivity

- S24.6.1 The road connections through the T6 structure plan area will allow for the movement of cars, pedestrians and cyclists, as well as provide space for stormwater management, and vegetated open space.
- S24.6.2 Streets with tree lined berms, grassed swales, and footpaths / cycleways are proposed to provide a safe and attractive area for both vehicular and pedestrian movement.
- S24.6.3 The Structure Plan proposes a 25m green boulevard / tree framed collector road through the sites to be the main spine route for vehicles, pedestrians, and cyclists. The proposed 18m local access roads should accommodate pedestrian paths on one side and the option for vegetated stormwater swale on the other side.
- S24.6.4 A network of proposed shared paths and footpaths connects residents to the gully system, reserves, playgrounds, commercial zone, and the neighbourhood centre.
- S24.6.5 Shared paths should be a minimum of 3m wide while footpaths should be a minimum of 1.5m wide.
- S24.6.6 An integrated pedestrian and cycle network provides for the wellbeing of the residents through exercise, contact with the natural environment, and social interaction.
- S24.6.7 The activation of the public realm from people moving through these spaces makes them safer and more attractive to a range of users.

18m Local Road



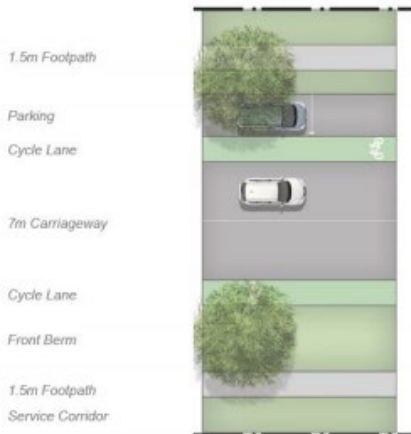
Plan



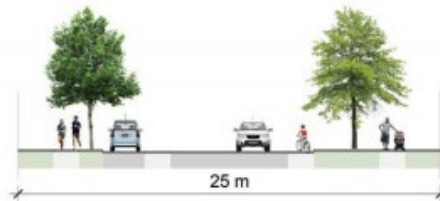
Front berm may include: Swales, recessed parking, bus stops, tree planting, street lighting

Section

25m Collector Road / Green Spine Road



Plan



Front berm may include: Swales, recessed parking, bus stops, tree planting, street lighting

Section



Example image. Typical 18m street with separated 3m shared cycle path or 1.5m footpath (refer structure plan) and vegetated drainage swale

S24.7 Built Form

- S24.7.1 Use of the Design Guidelines in combination with the District Plan zone provisions will ensure the height and bulk of built form is appropriate to the location and character of the site.
- S24.7.2 The layout and design of buildings must consider their settings and any nearby buildings and spaces.
- S24.7.3 Well-designed buildings will be compatible with the surrounding environment and respect privacy of neighbouring residents. They take into account the character of the area and are designed to enhance this character. The built form should also take into account site circumstances and local micro-climatic conditions, such as solar access, topography, and prevailing wind. Trees and landscaping are to be used for privacy and screening and to soften the built form.
- S24.7.4 Maximum height and site coverage controls will ensure houses relate well to the size of the lots, without being overly dominant visually. Considerate building placement ensures good relationships between neighbouring properties, roads and reserves. The Design Guidelines provide a framework which will lead to positive outcomes for the landowners and the wider community. This encourages original design which considers the unique opportunities of the site and development areas.

S24.8 Neighbourhood Centre

- S24.8.1 A well-designed neighbourhood centre will create the opportunity for residents to meet and interact.
- S24.8.2 The proposed Neighbourhood Centre is intended to meet the convenience needs of the local residents and could comprise neighbourhood level community services and limited convenience level retail activities. The Neighbourhood Centre design should incorporate shared spaces to help activate the area.
- S24.8.3 The Neighbourhood Centre is not intended to compete with the commercial offerings within the Kihikihi township, and only commercial activities that service the local neighbourhood are encouraged.
- S24.8.4 Landscaping will play an important role in creating an attractive public space for residents to meet, linger and interact with each other. The Neighbourhood Centre's landscaping should incorporate:
- (a) High-amenity open space and quality planting;
 - (b) Strong connectivity for pedestrians and cyclists;
 - (c) Appropriate use of materials to create a relaxed character with flexible spaces; and
 - (d) Landscaping should be low maintenance and incorporate predominantly native trees, shrubs and groundcover species.

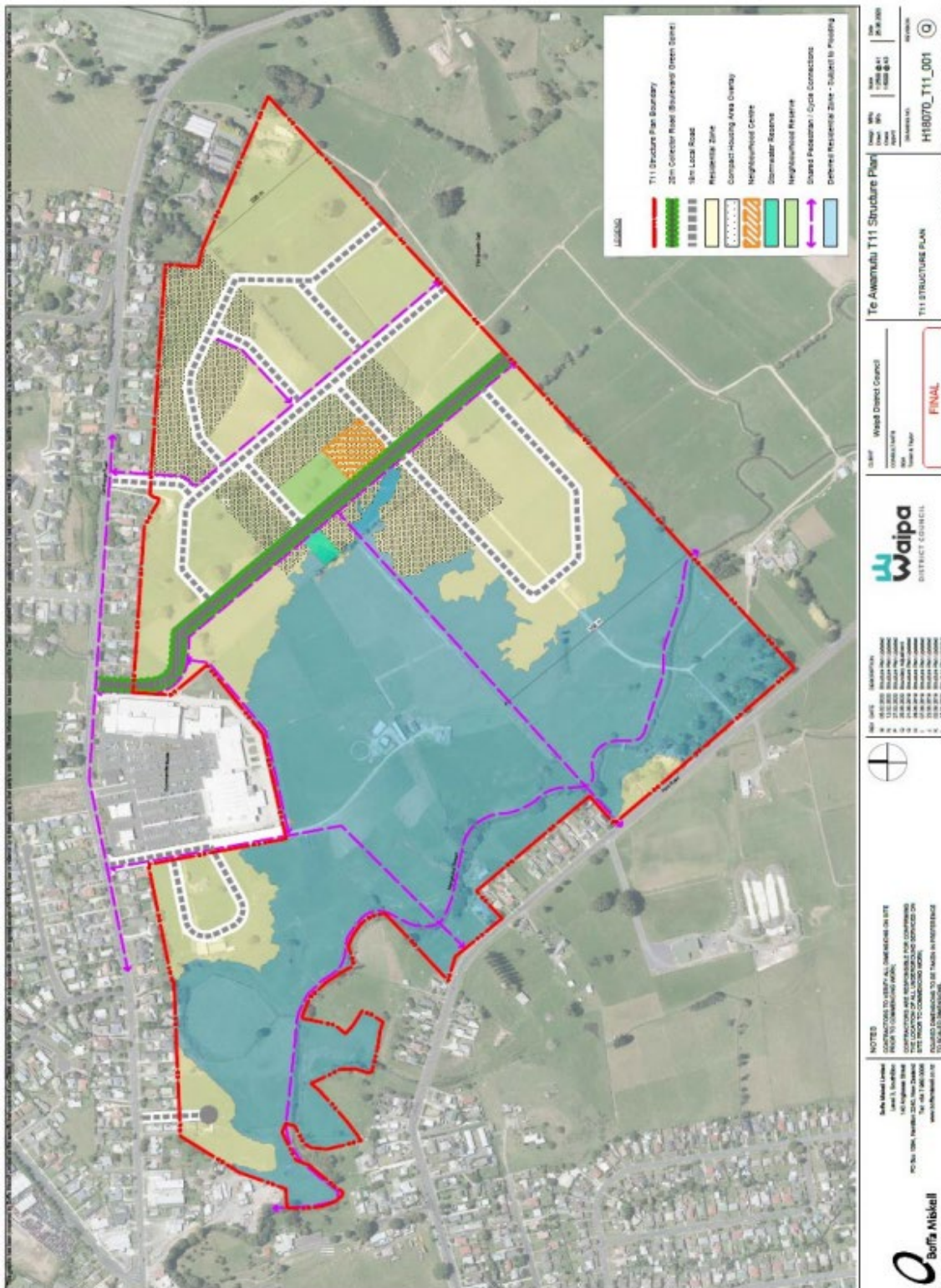
S24.9 Supporting Documents

- S24.9.1 This Structure Plan should be read in conjunction with the following technical reports which are available from Council on request:
- (a) Te Awamutu T6 Structure Plan Context Report, prepared by Boffa Miskell, dated 25 June 2020 (Council document number 10410947);

- (b) Te Awamutu T6 Growth Cell Design Guidelines, prepared by Boffa Miskell, dated June 2020, (Council document number 10411015);
- (c) T6 and T11 Growth Cell Structure Plan Liquefaction Desktop Study, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373335)
- (d) Te Awamutu T6 and T11 Structure Plans Three Waters Assessment, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373339)
- (e) Te Awamutu T6 and T11 Structure Plans Transportation Assessment, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373344)

Appendix S25 – Te Awamutu T11 Growth Cell Structure Plan (NEW)

S25.1 Te Awamutu T11 Growth Cell Structure Plan



S25.2 Background

S25.2.1 The T11 growth cell is predominantly characterised by rural farming and cropping blocks, with a few large trees and a few dwellings. The topography generally slopes from the north and east to the south and west. The land drains to the Mangaohoi Stream which runs along the southern boundary of the growth cell.

S25.2.2 There are significant flooding constraints within this growth cell associated with the Mangaohoi Stream, which has resulted in a large portion of the cell being deemed unsuitable for development.

S25.2.3 Providing for changing housing demands while maintaining existing character and amenity expectations will be challenging. The Town Concept Plan 2010 prepared for Te Awamutu provides guidance on how these competing demands can be managed. The Town Concept Plan recognises that a change in the current density and form of residential development will need to occur if future housing demands are to be met in a sustainable manner.

S25.2.4 It is important that the distinguishing characteristics of this particular place are maintained, including reflecting the existing semi-rural character, retaining existing mature trees where suitable and ensuring appropriate boundary setbacks for buildings.

S25.2.5 The Structure Plan for the T11 growth cell is anticipated to deliver a development yield of approximately 380 allotments (approximately 10 lots per hectare). This is a provisional estimate based on net developable area and takes into account the loss of land used for roads and open space. A large portion of the growth cell has been identified as vulnerable to flooding and has been excluded from the developable areas of the structure plan.

S25.3 Key design principles

S25.3.1 The following general design principles have underpinned the development of the T11 Structure Plan.

Respect for existing character

S25.3.2 All development layout and design should reflect a comprehensive understanding and appreciation of location and surrounding context. The natural environment is protected and enhanced to provide amenity and ecological enhancement. Important sites and landmarks are acknowledged to respect the history and culture of the area.

Cultural identity

S25.3.3 Maori names and design elements will be incorporated where appropriate and in consultation with local iwi.

Social value

S25.3.4 Public safety, recreation and social values are important.

Connectivity

S25.3.5 An integrated network of roads, pedestrian and cycleways through the development connect the residents to the existing town, open spaces, and playgrounds.

Appropriate scale

S25.3.6 The hierarchy of roads, cycleways and walking tracks is appropriate to the scale of the development and needs of the residents.

Quality public realm

S25.3.7 High-quality materials and construction methods should be used throughout the neighbourhood in both the public and private spaces, to ensure spaces will retain a sense of quality and attract residents to use the facilities.

Well-designed built environment

S25.3.8 The built form guidelines are intended to encourage creative design outcomes, not to limit or restrict original architecture or design. They should also positively contribute to the overall built environment of the area.

S25.4 Open Space Framework

S25.4.1 The open space framework design for the T11 Structure Plan reflects a comprehensive understanding of the existing landscape and surrounding land use context. The development will be efficient, connected and permeable, with a focus on pedestrian walkways, cycleways, reserves and green corridors.

S25.4.2 The existing exotic and native mature trees perform many functions, including removing groundwater and reducing the requirement for stormwater attenuation; ecological functions, such as providing habitat and food for birds; retaining the rural aesthetic; shade during summer for people and animals; cutting of wind, reduction of soil erosion from storm events. Existing trees have been incorporated into the open space framework where possible.

S25.4.3 The open space framework is made up of:

- (a) Reserves
- (b) Green Streets
- (c) Open Spaces
- (d) Playgrounds
- (e) Vegetated Swales

S25.4.4 The combination of these spaces allows for a green network to be created through the site, ensuring that all members of the community have access to an open space, and the natural environment.

S25.5 Stormwater Management

S25.5.1 The proposed reserves and open spaces within the T11 structure plan will provide for people's recreational interests, and the protection of landscapes, amenity, ecosystems, cultural and historical values. They also fulfil an important stormwater management function.

S25.5.2 There are significant flood risks that have been identified within this growth cell associated with the Mangaohoi Stream. This has resulted in a large portion of the growth cell being deemed unsuitable for development.

S25.5.3 The stormwater management approach for those developable areas of the growth cell can be summarised as follows:

- (a) Wherever possible retention, reuse and onsite soakage for stormwater is allowed to soak into impermeable services and managed through natural systems. Natural systems such as vegetated swales, are a low impact way of managing stormwater which are also an important amenity feature of the site.
- (b) The western and southern areas of the growth cell currently provide a significant amount of natural floodplain storage volume and the growth cell has been split into two smaller sub-cells to avoid increased flood risk downstream through the existing Te Awamutu urban area.
- (c) A flood flowpath across the lots in the western sub-cell area will need to be managed adequately, with the most appropriate option likely to be divert the flowpath around the southern end of the lots through the open space/reserve. This flowpath will also need to provide mitigation for the displacement of the floodplain volume.
- (d) Due to the position of the growth cell within the wider Mangaohoi catchment, peak flow control of the 2 year ARI and higher magnitude flood events is not recommended to avoid coincidence with the larger Mangaohoi flood peak.
- (e) Retention, reuse and onsite soakage of the post-development water quality volume will be required to provide stormwater treatment and erosion control.
- (f) Onsite soakage will need to be tested and designed on a lot by lot basis. If on-site soakage investigations show that the post-developed water quality rainfall volume cannot be achieved through water tanks and soakage, then bio-retention devices or a suitable wetland will need to be designed.
- (g) Vegetated swales are recommended to convey overland flow.
- (h) The compact housing area overlay is in close proximity to public open space. This is a best practice approach, where higher density residential environments are offset with easy access to usable open space networks.

S25.6 Connectivity

S25.6.1 The road connections through the T11 structure plan area will holistically integrate cars, pedestrians, cyclists, stormwater management, and ecology.

S25.6.2 High-quality streets with tree lined berms, grassed swales, and footpaths / cycleways are proposed to provide a safe and attractive area for both vehicular and pedestrian movement.

S25.6.3 The Structure Plan will have a 20m green boulevard / tree framed collector road through the sites which become the main spine road for vehicles, pedestrians, and cyclists. The 18m local roads accommodate pedestrian facilities on one side and the option for stormwater conveyance through a vegetated swale down the other side.

S25.6.4 A network of shared paths and footpaths will help to connect residents to site features such as reserves, playgrounds, commercial zone, and the neighbourhood centres.

S25.6.5 Shared paths should be a minimum of 3m wide while footpaths should be a minimum of 1.5m wide.

S25.6.6 An integrated pedestrian and cycle network improve the wellbeing of the residents through exercise, contact with the natural environment, and social interaction.

S25.6.7 The activation of the public realm from people moving through these spaces makes them safer and more attractive to a range of users.





Example image. Typical 18m street with separated 3m shared cycle path or 1.5m footpath (refer structure plan) and vegetated drainage swale.

S25.7 Built Form

- S25.7.1** The scale, position and external appearance of new buildings must consider their settings and the relationships they have with nearby buildings and spaces.
- S25.7.2** Well-designed buildings will be compatible with the surrounding environment and respect privacy of neighbouring residents. They take into account the character of the area and are designed to enhance this character. The built form should also take into account site circumstances and local micro-climatic conditions, such as solar access, topography, and prevailing wind. Trees and landscaping are to be used for privacy and screening and to soften the built form.
- S25.7.3** Maximum height and site coverage controls will ensure houses relate well to the size of the lots, without being overly dominant visually. Considerate building placement ensures good relationships between neighbouring properties, roads and reserves.
- S25.7.4** The Design Guidelines provide a framework which will lead to positive outcomes for the landowners and the wider community. This encourages original design which considers the unique opportunities of the site and development areas.

S25.8 Neighbourhood Centre

- S25.8.1** A well-designed neighbourhood centre creates opportunities and spaces for communities to gather, interact, do business and take part in passive and sometimes active recreation activities.
- S25.8.2** The Neighbourhood Centre incorporates local service functions and small-scale retail activities that could be supported by a small community centre space and related social infrastructure, aimed at attracting residents to the centre. The Neighbourhood Centre design should incorporate shared spaces, which activate the area, by providing different modes of transport through the spaces.
- S25.8.3** Landscaping plays an important role in supporting retail activities and providing spaces for residents to linger and enjoy social interactions with their community. The neighbourhood centre's landscaping should incorporate:

- (a) High-amenity open space and quality planting;
- (b) Strong connectivity for pedestrians and cyclists;
- (c) Appropriate use of materials to create a relaxed character with flexible spaces; and
- (d) Landscaping should be low maintenance and incorporate predominantly native trees, shrubs and groundcover species.

S25.9 Supporting Documents

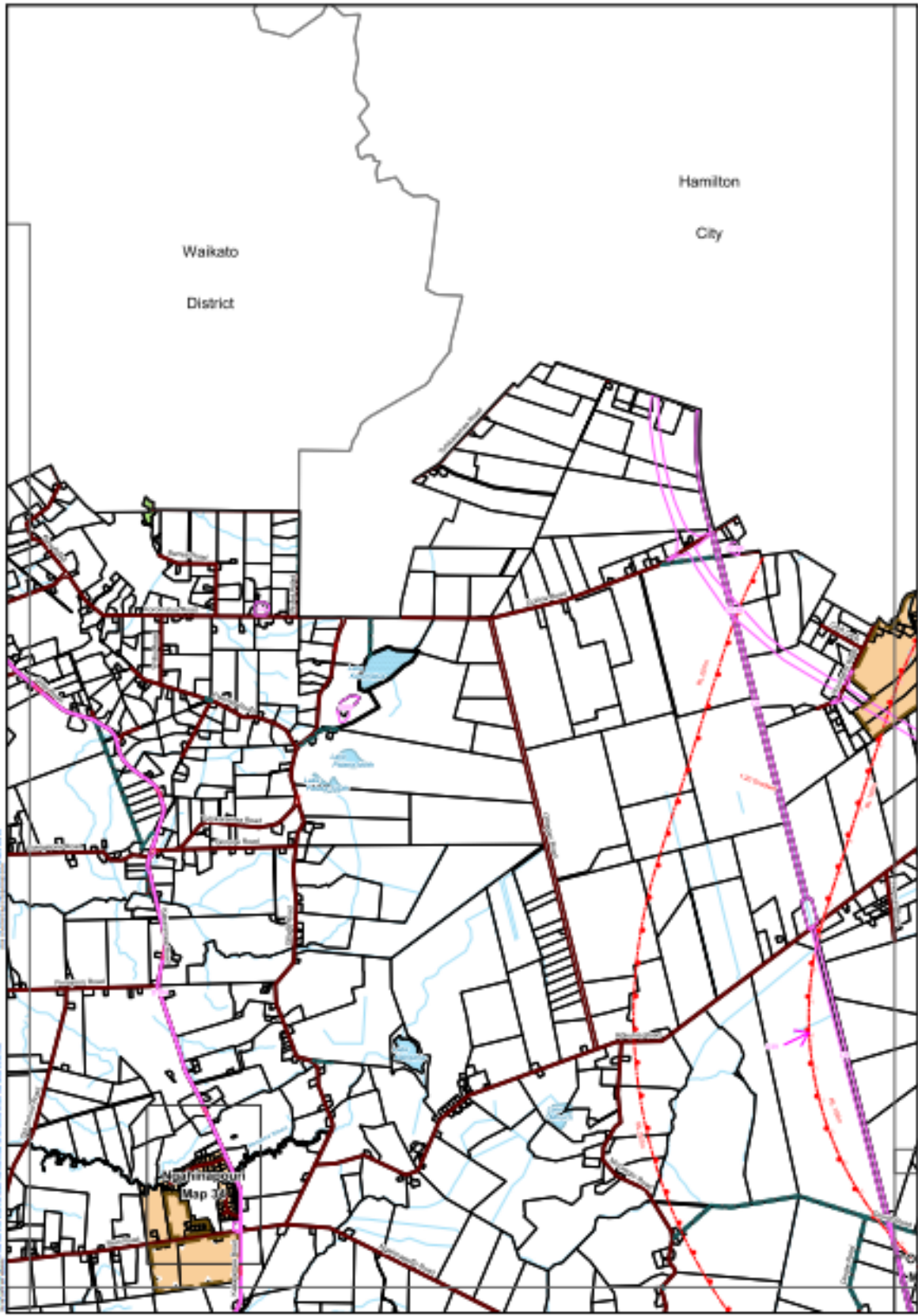
S25.9.1 This Structure Plan should be read in conjunction with the following technical reports which are available from Council on request:

- (a) Te Awamutu T11 Structure Plan Context Report, prepared by Boffa Miskell, dated 25 June 2020 (Council document number 10411036);
- (b) Te Awamutu T11 Growth Cell Design Guidelines, prepared by Boffa Miskell, dated 25 June 2020, (Council document number 10411038);
- (c) T6 and T11 Growth Cell Structure Plan Liquefaction Desktop Study, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373335);
- (d) Te Awamutu T6 and T11 Structure Plans Three Waters Assessment, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373339); and
- (e) Te Awamutu T6 and T11 Structure Plans Transportation Assessment, prepared by Tonkin + Taylor, dated August 2019 (Council document number 10373344).

Planning Maps

The following pages show the updated Planning Maps as a result of the changes proposed in Proposed Plan Change 13, and the submissions and further submissions.

The Planning Maps which have two versions shown (strikethrough and underlined), indicate that the version of the map shown in the Section 42A Report has been amended as a result of the hearing and decision making process.



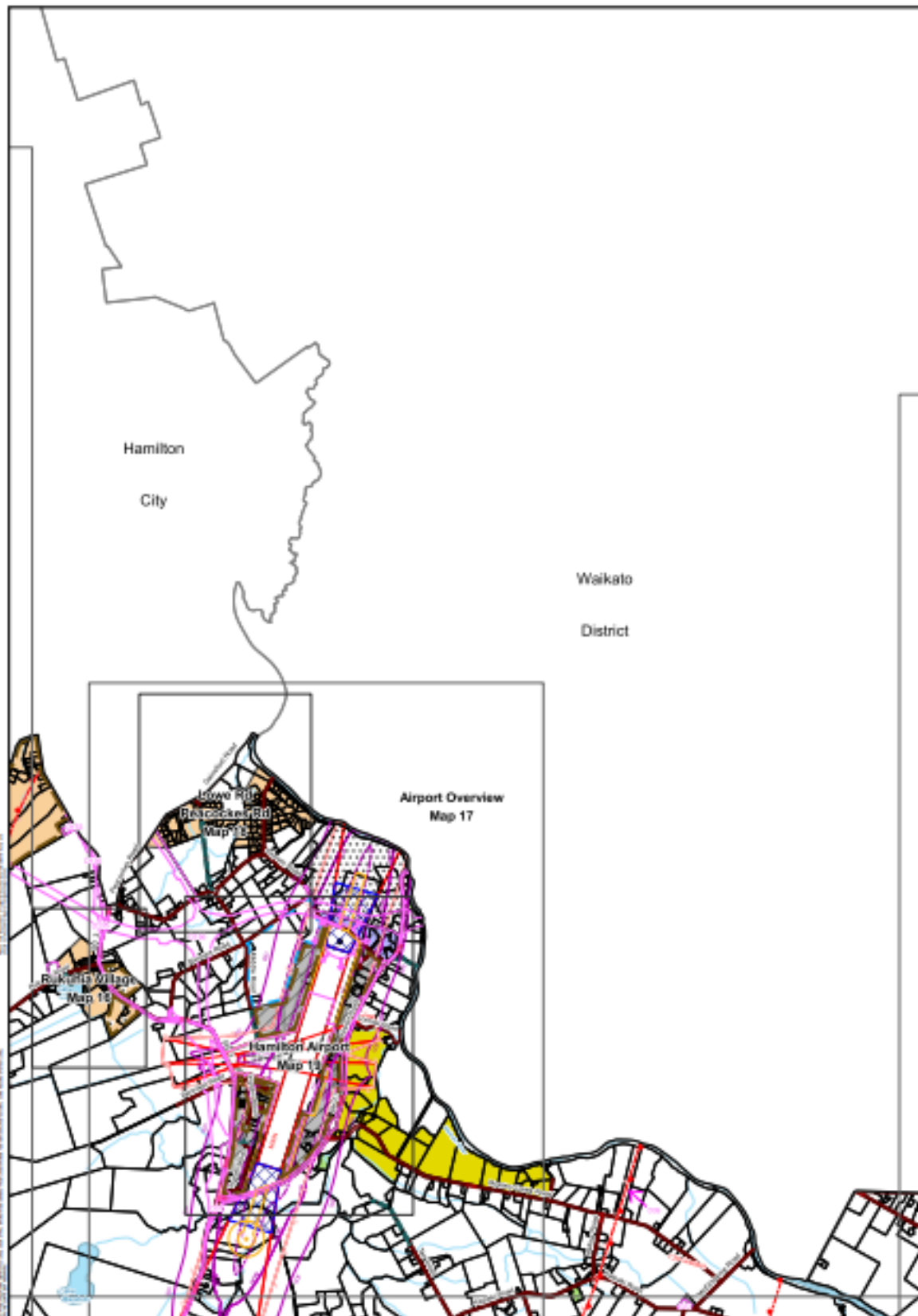
2 Zones



Waipā District Plan
As proposed by Plan Change 13

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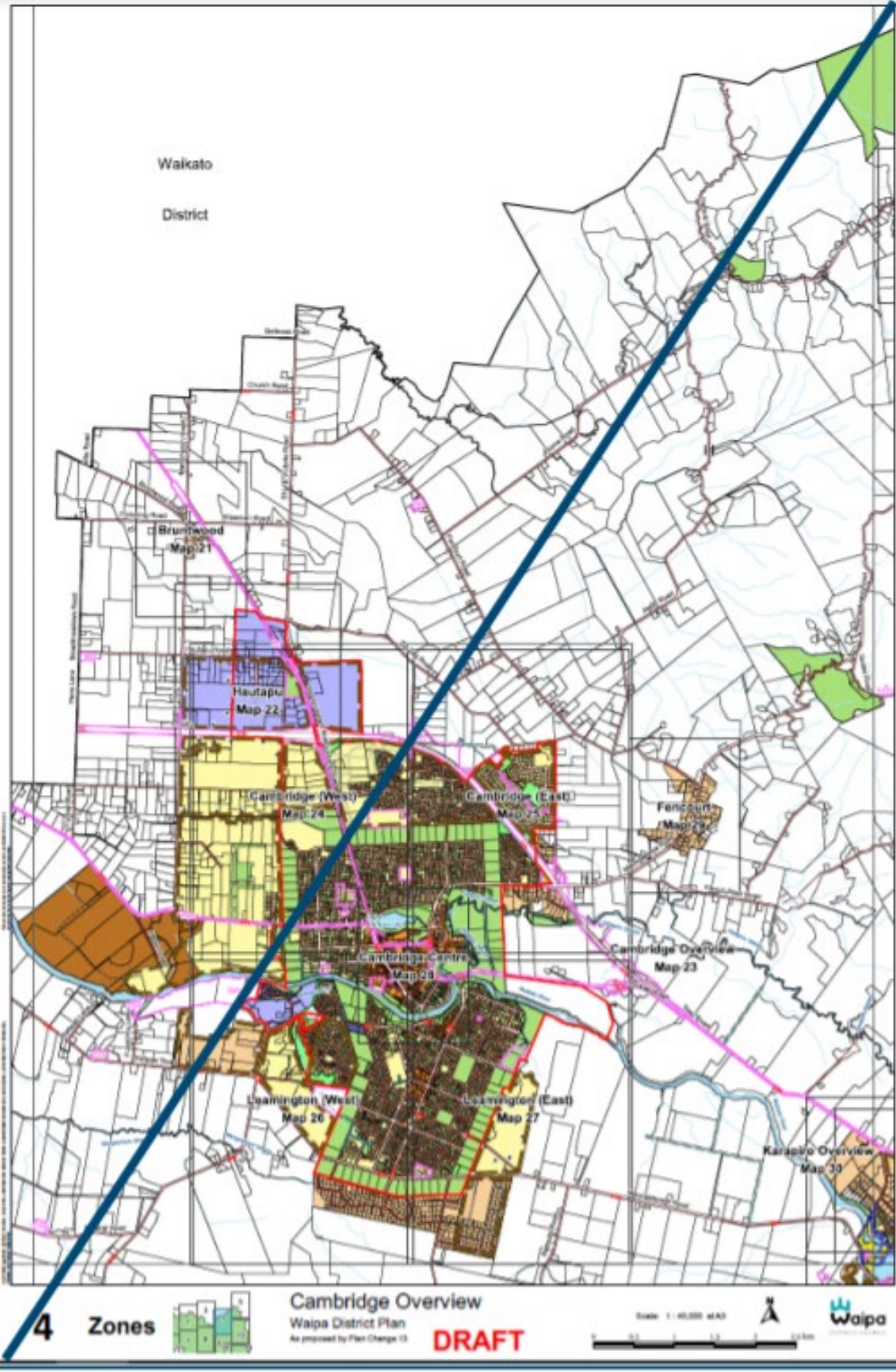


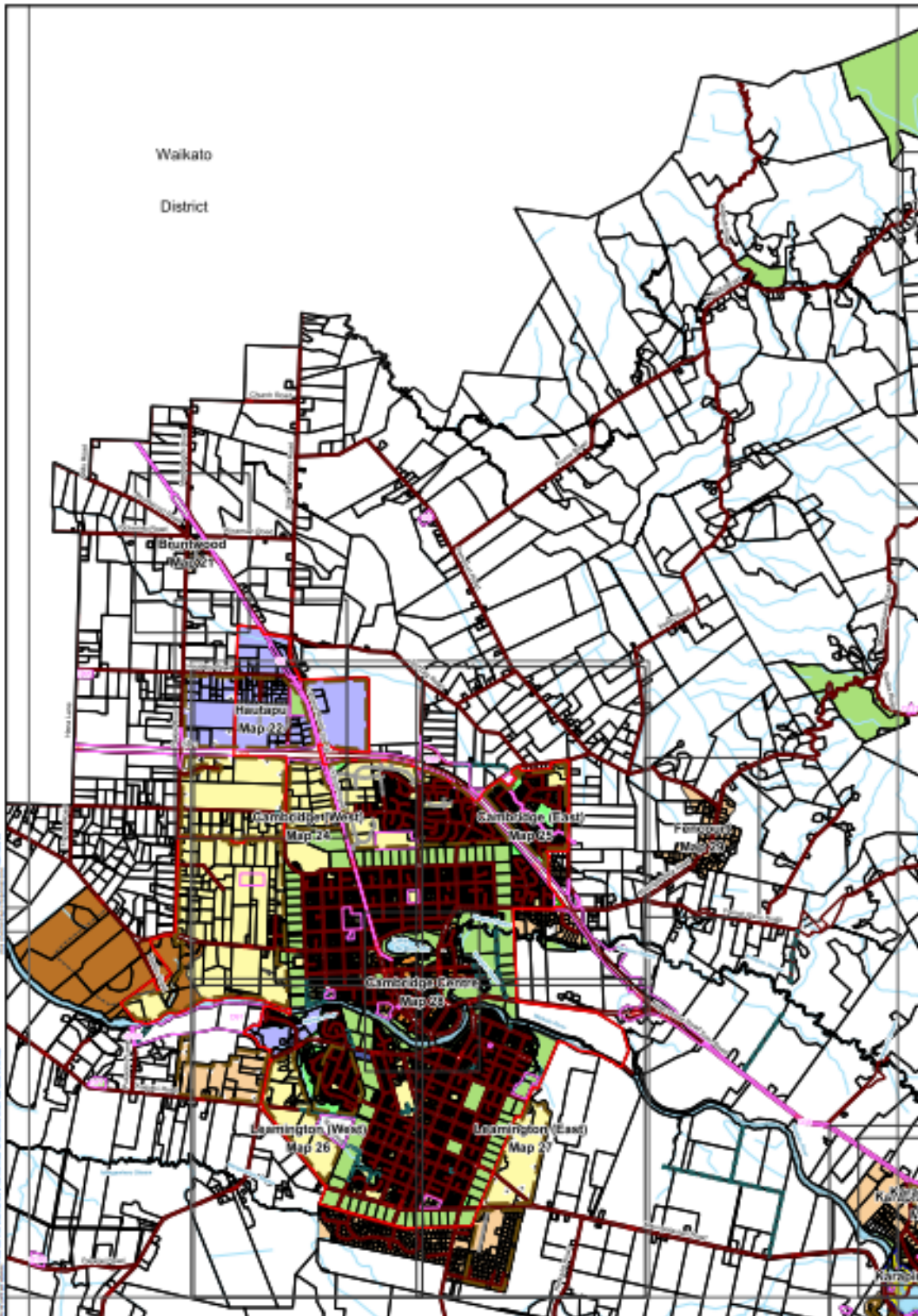
3 Zones



Waipā District Plan
As proposed by Plan Change 13







4 Zones



Cambridge Overview

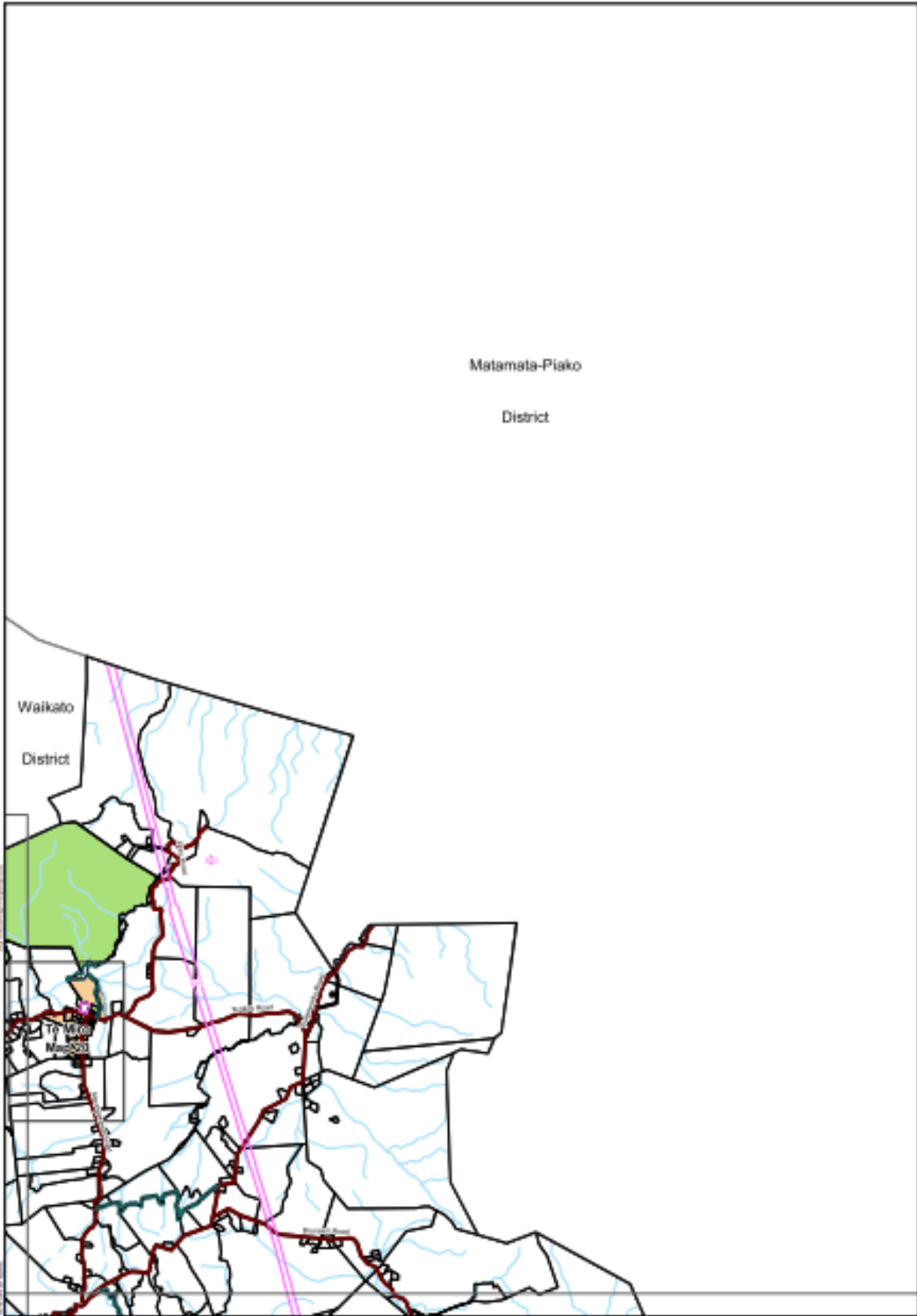
Waipa District Plan

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Matamata-Piako
District

Waikato
District

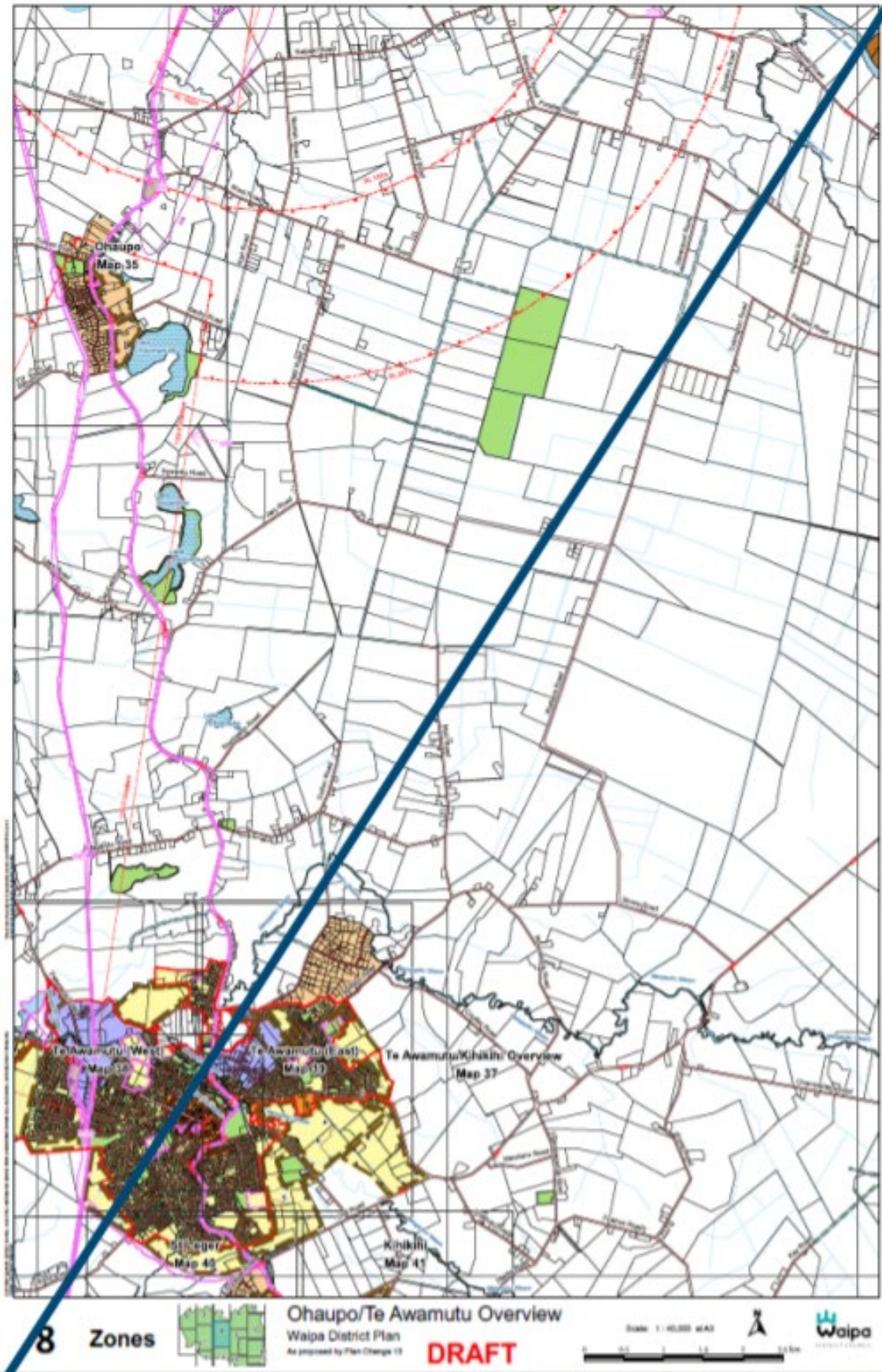
5 Zones



Waipa District Plan
As proposed by Plan Change 13

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8 Zones

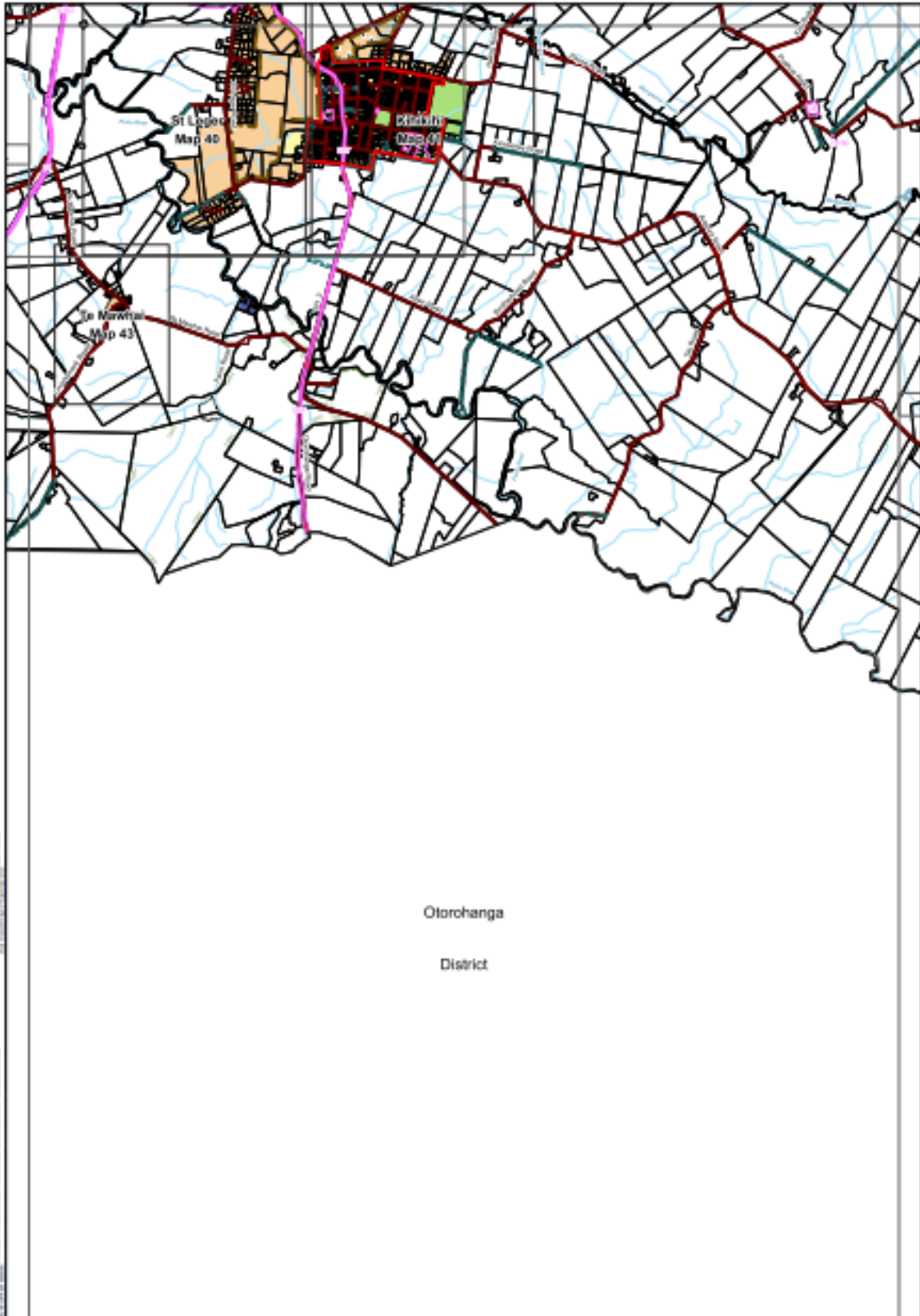


Ohaupo/Te Awamutu Overview

Waipā District Plan
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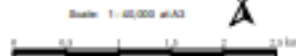


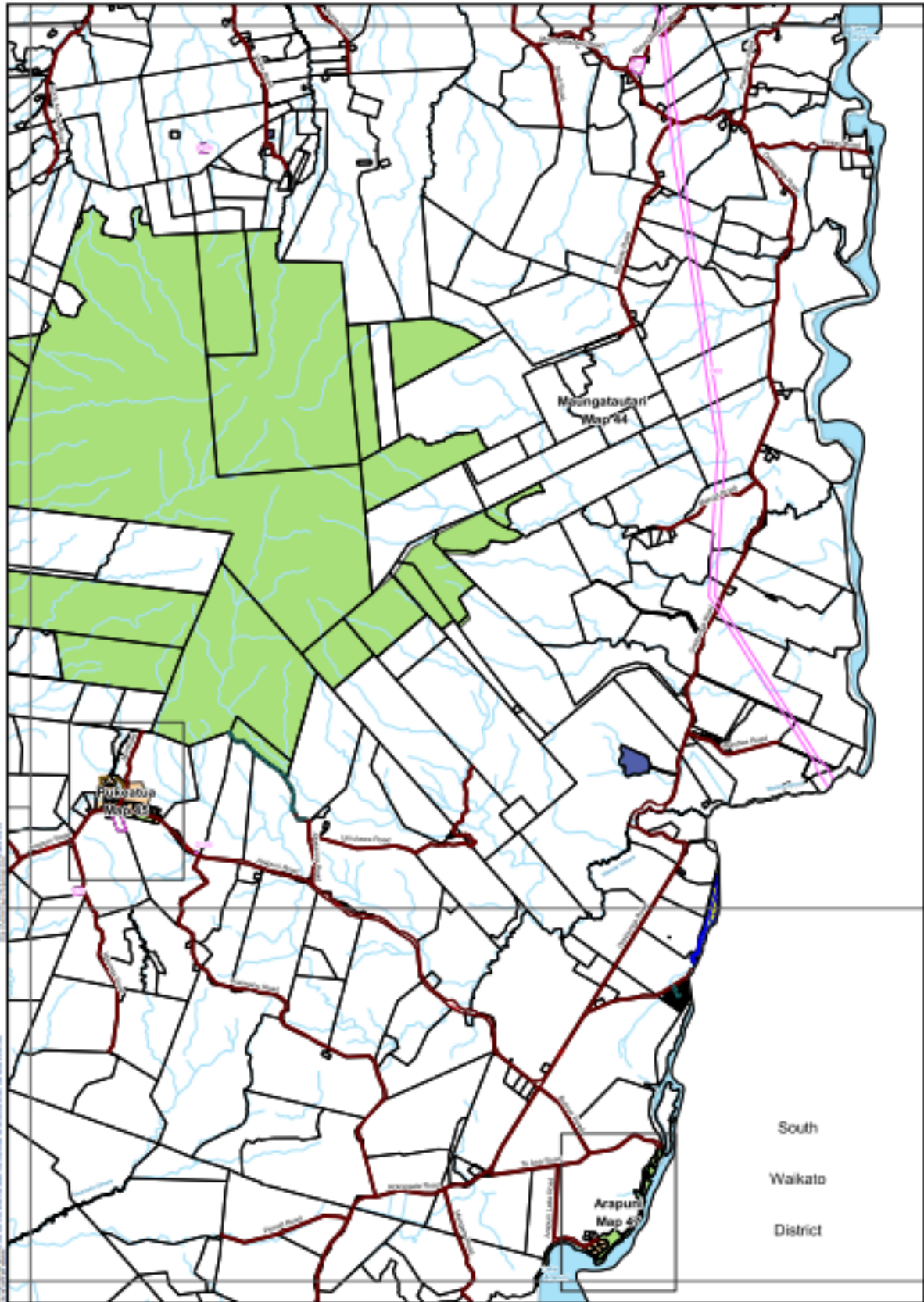


12 Zones



Kihikihi/Te Mawhai Overview
 Waipā District Plan
 As proposed by Plan Change 13





14 Zones



Maungatautari Overview

Waipa District Plan

As proposed by Plan Change 13

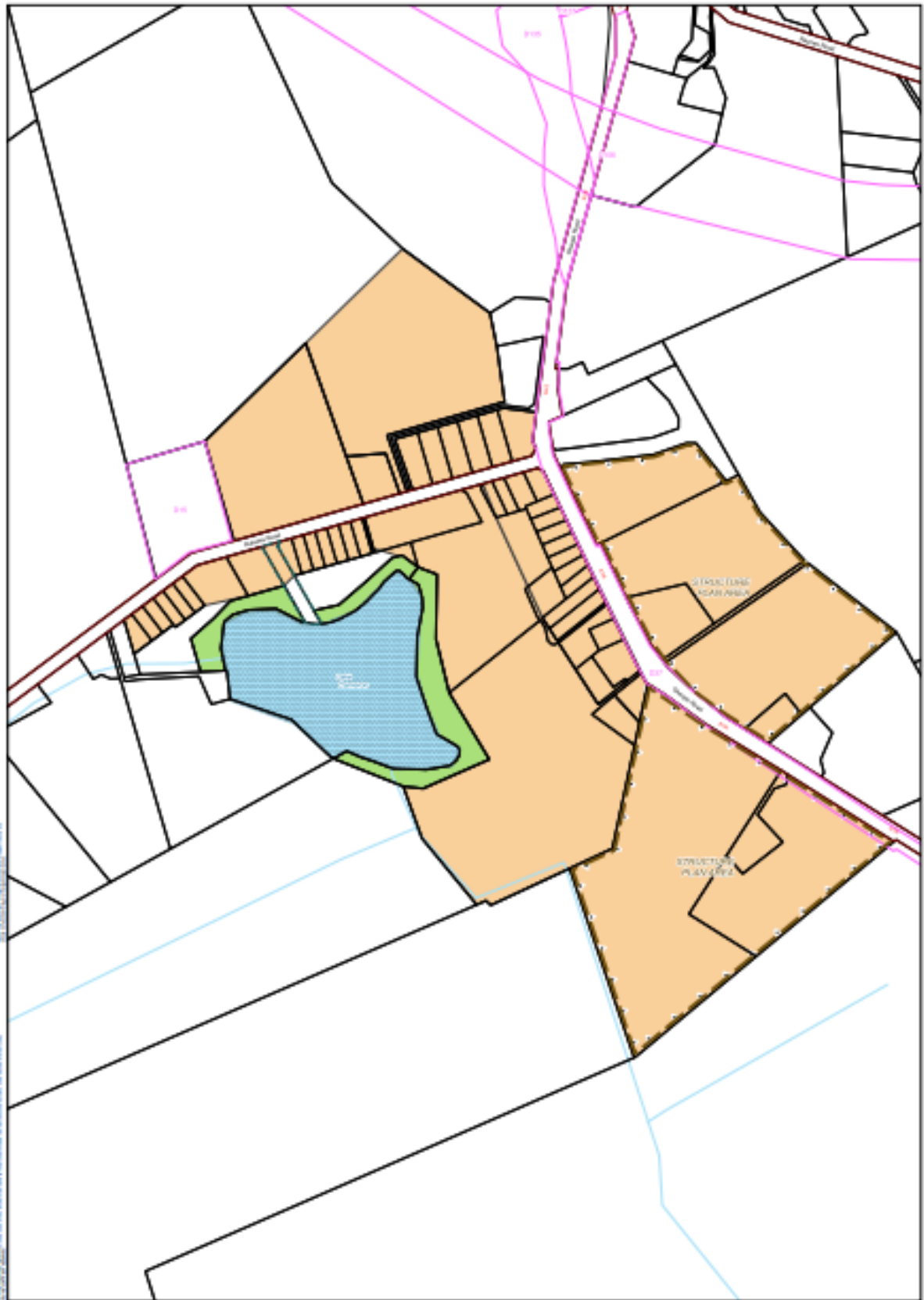
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South

Waikato

District

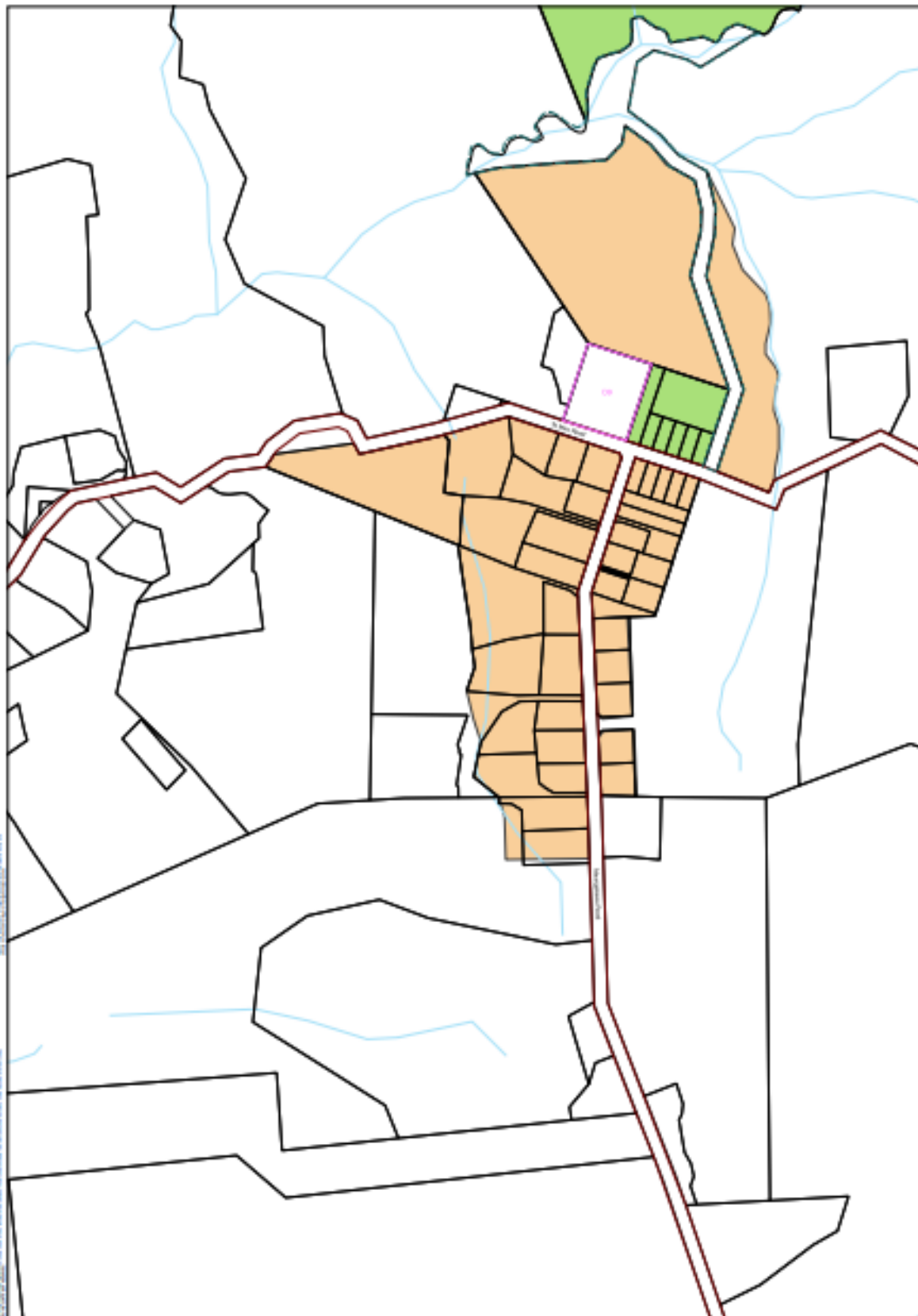


16 Zones



Rukuhia Village
 Waipā District Plan
 As proposed by Plan Change 13





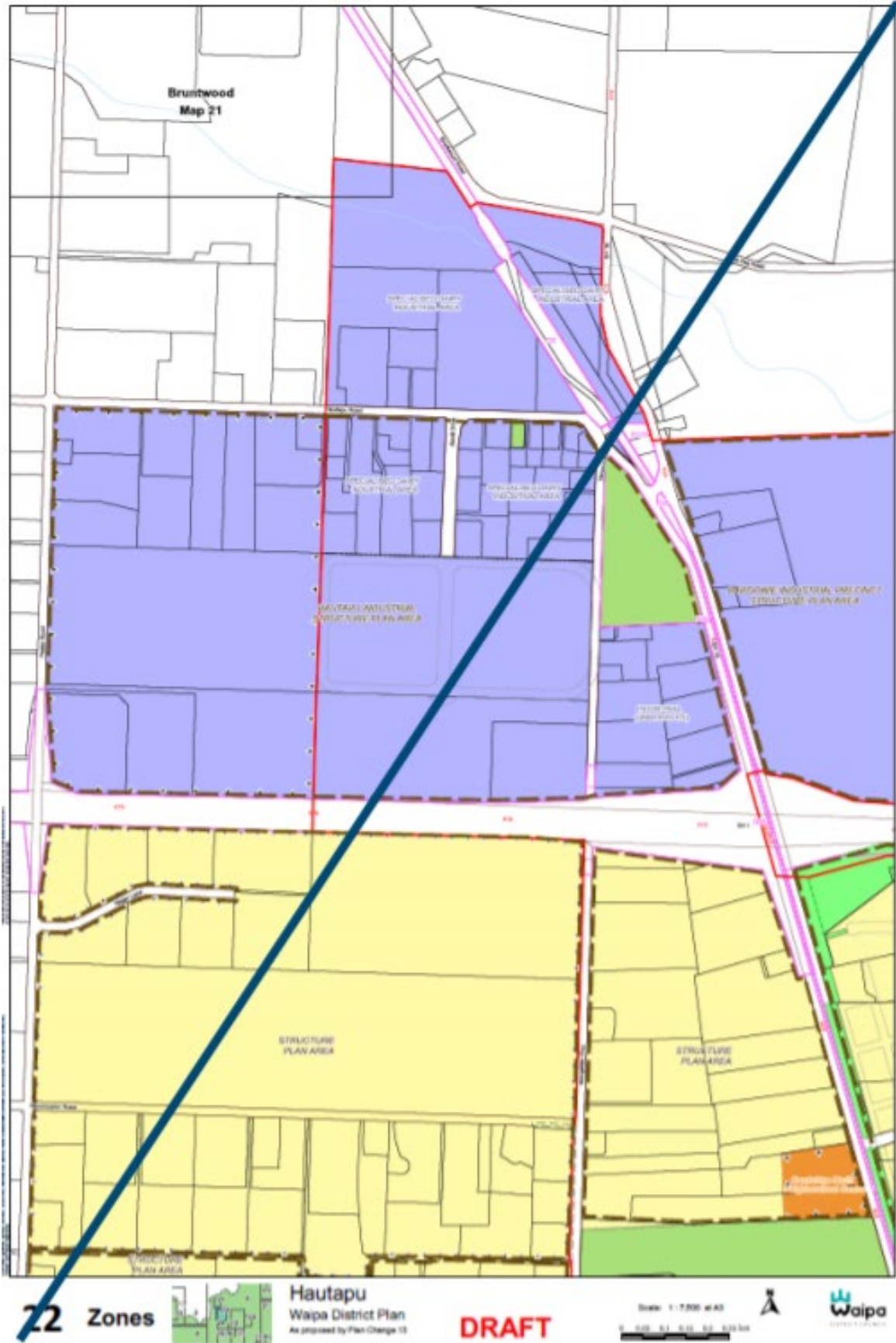
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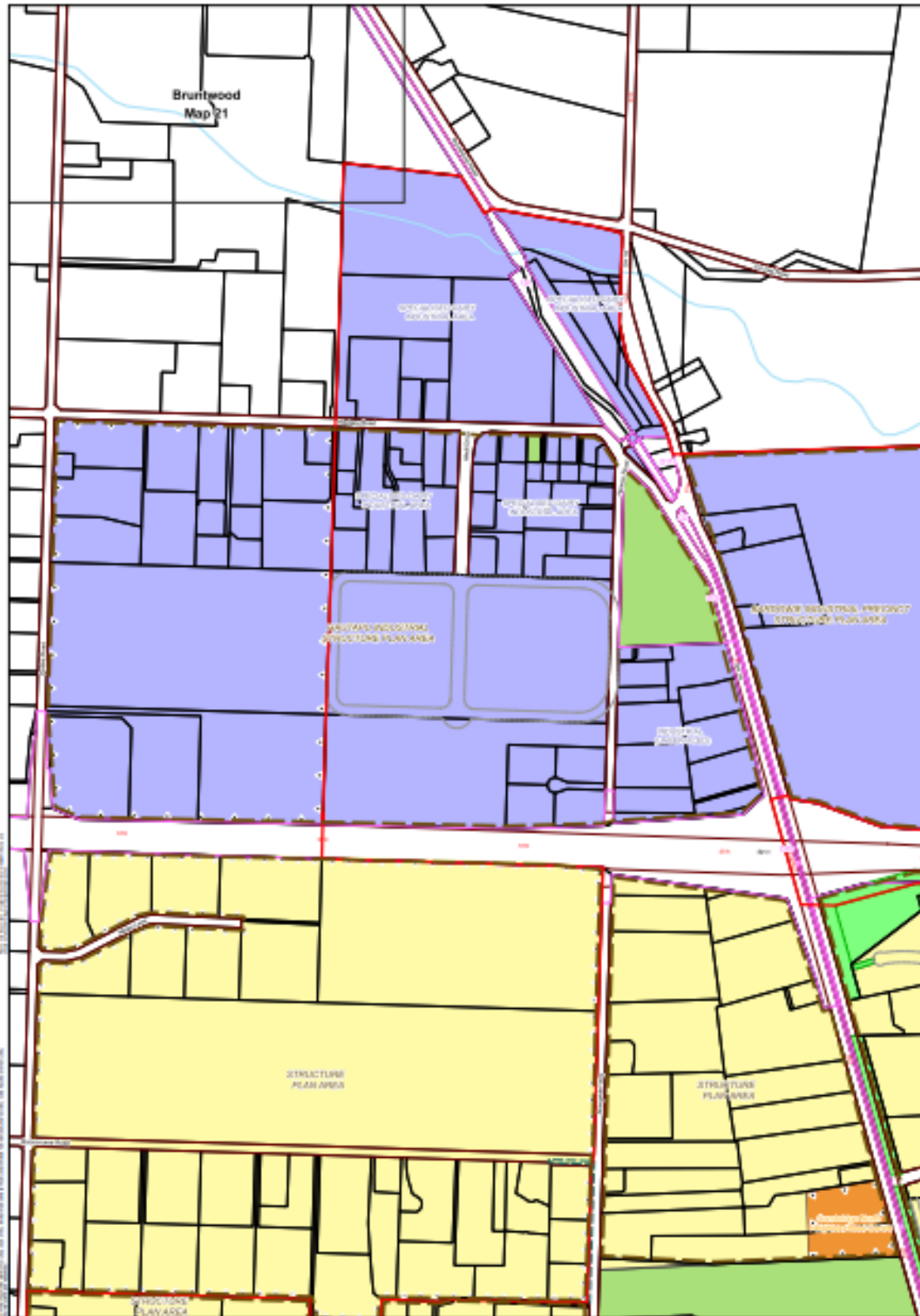


Te Miro
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22 Zones

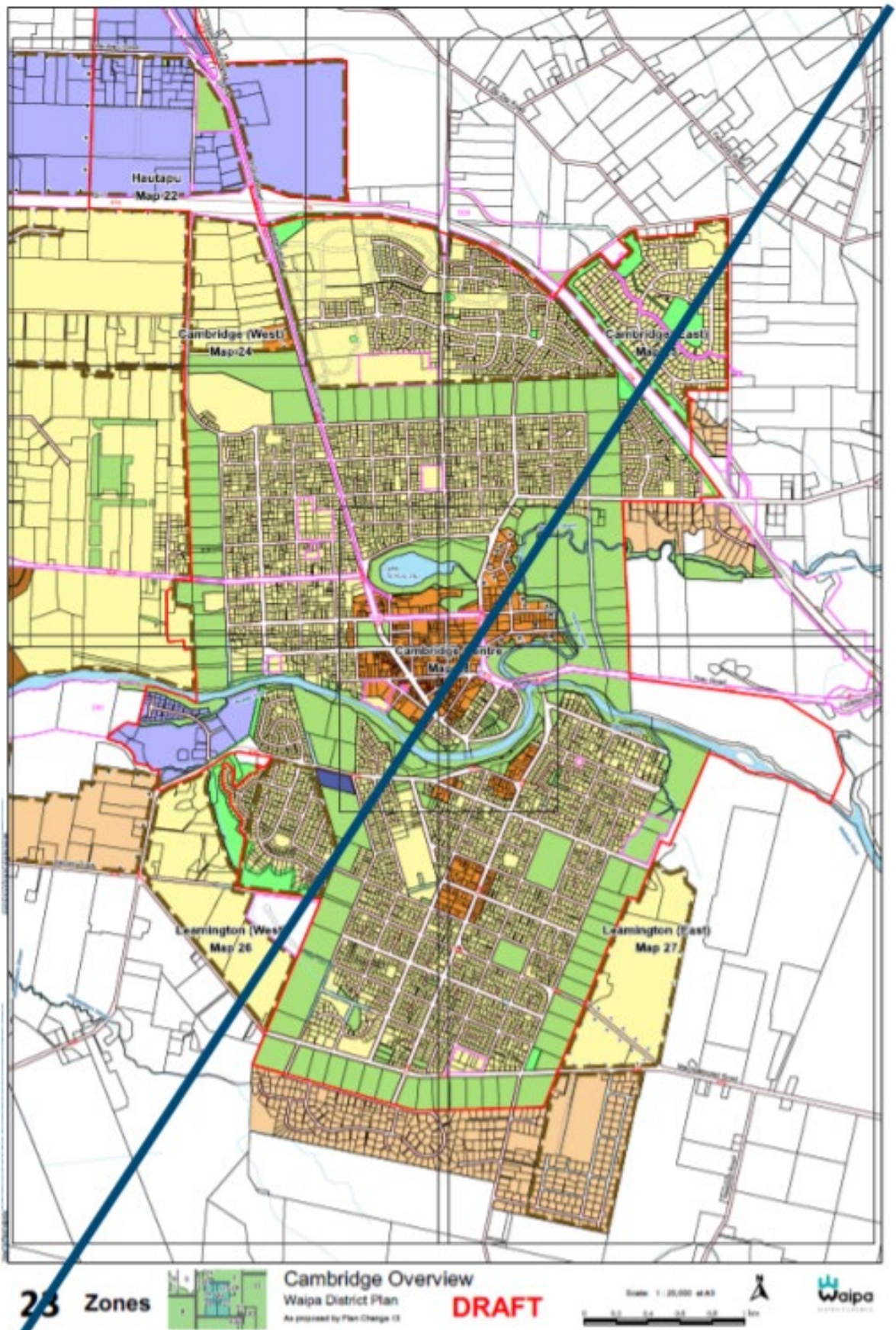


Hautapu
 Waipa District Plan
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23 Zones



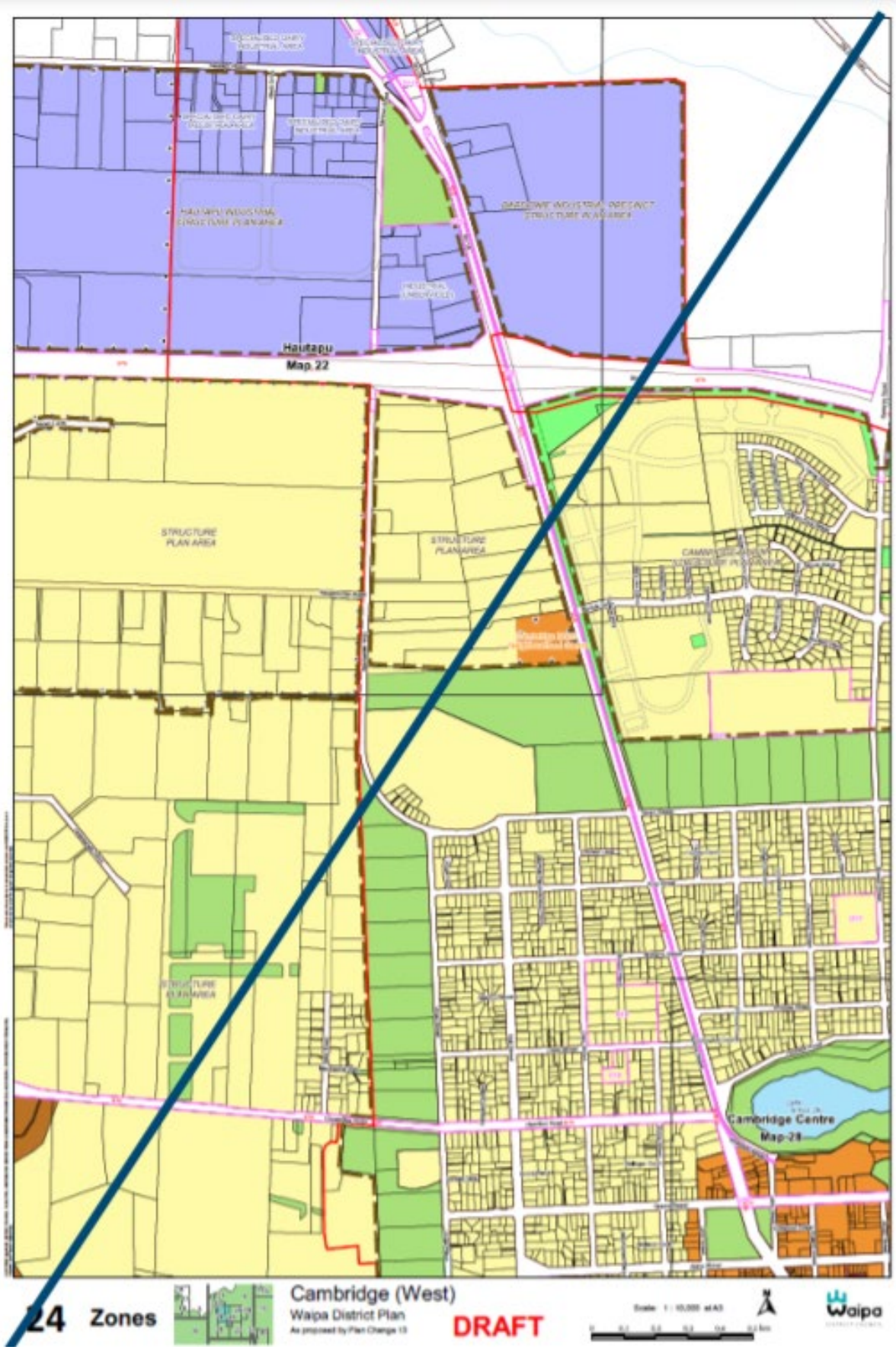
Cambridge Overview

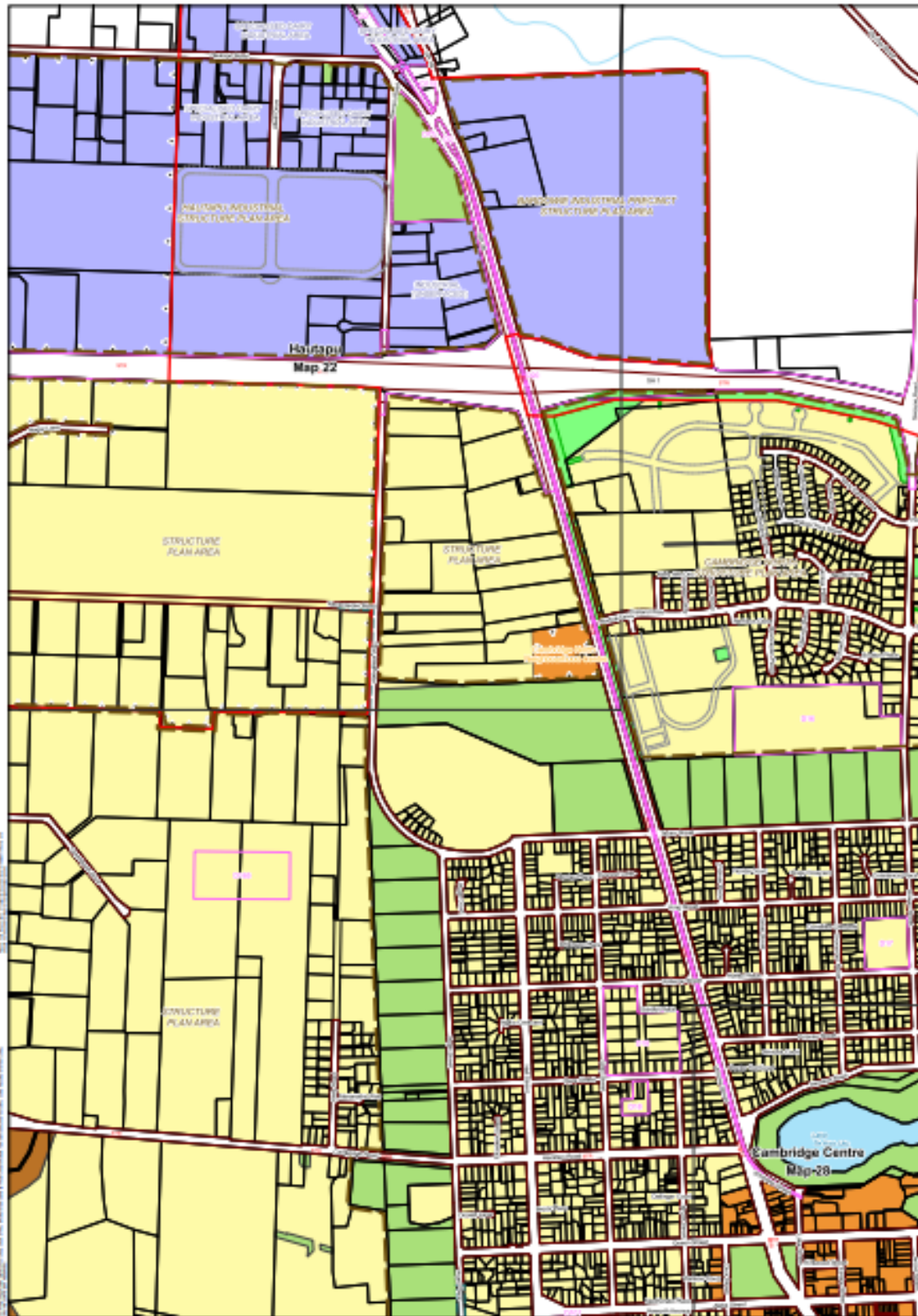
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24 Zones



Cambridge (West)

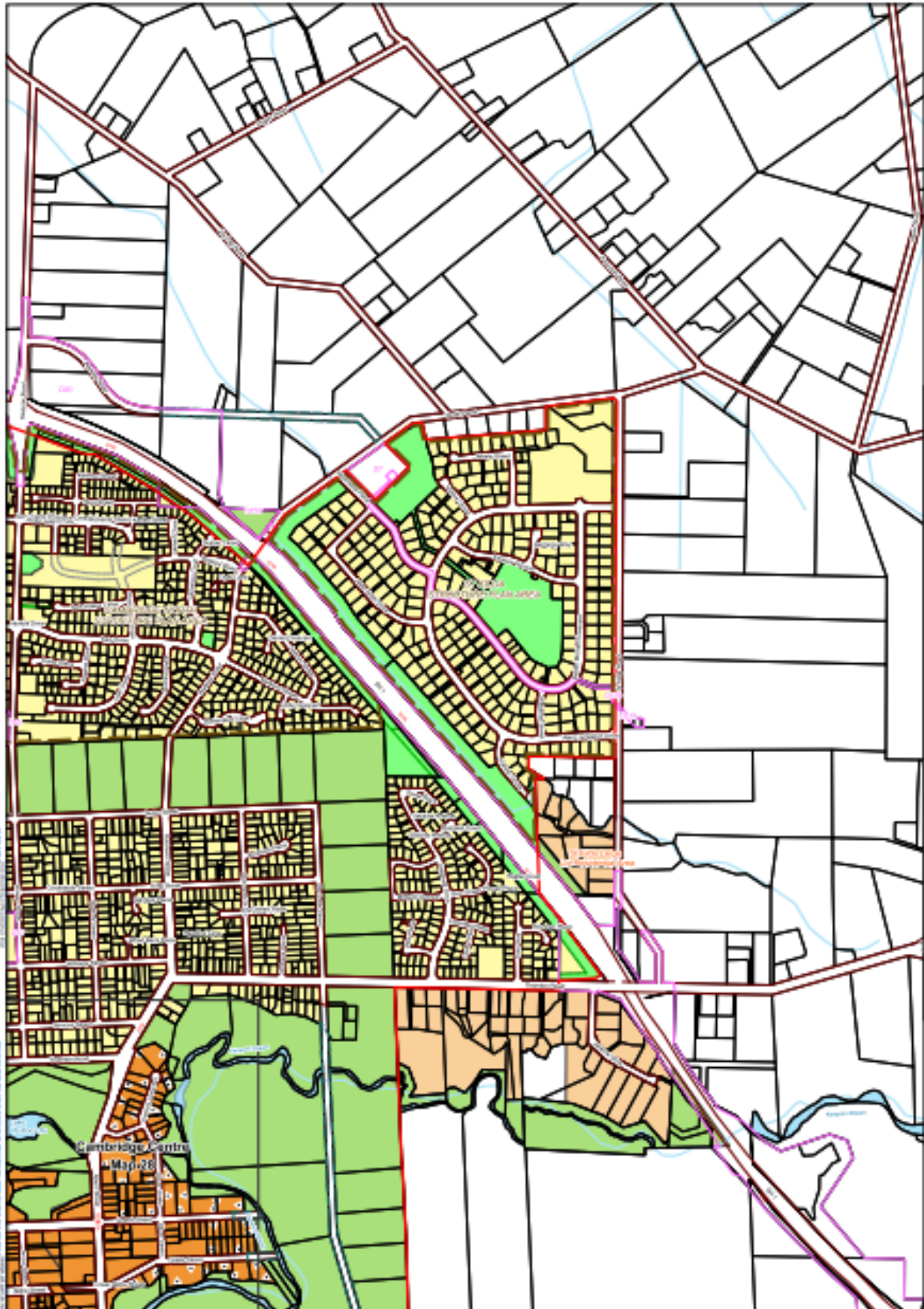
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25 Zones



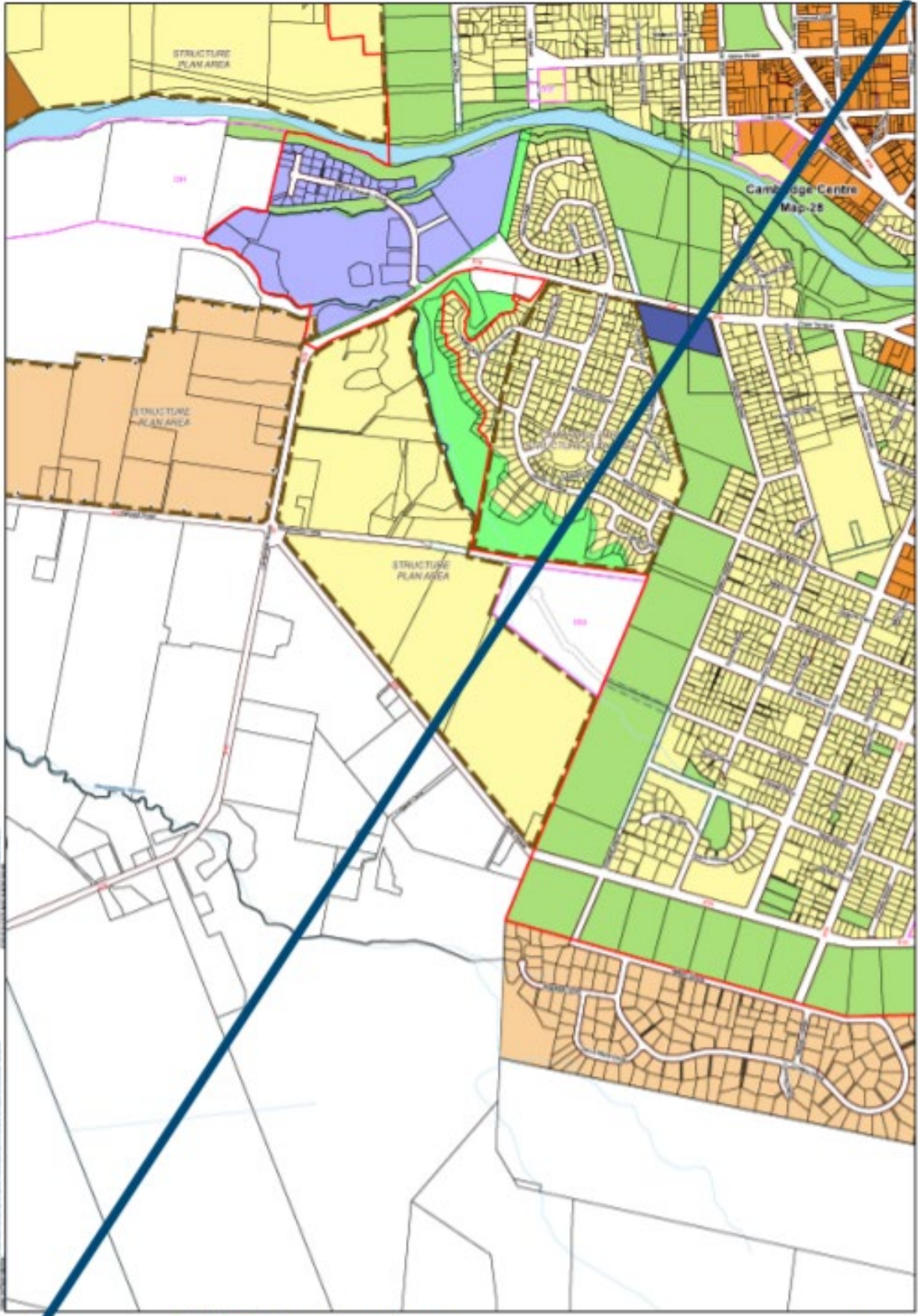
Cambridge (East)

Waipā District Plan

As proposed by Plan Change 13

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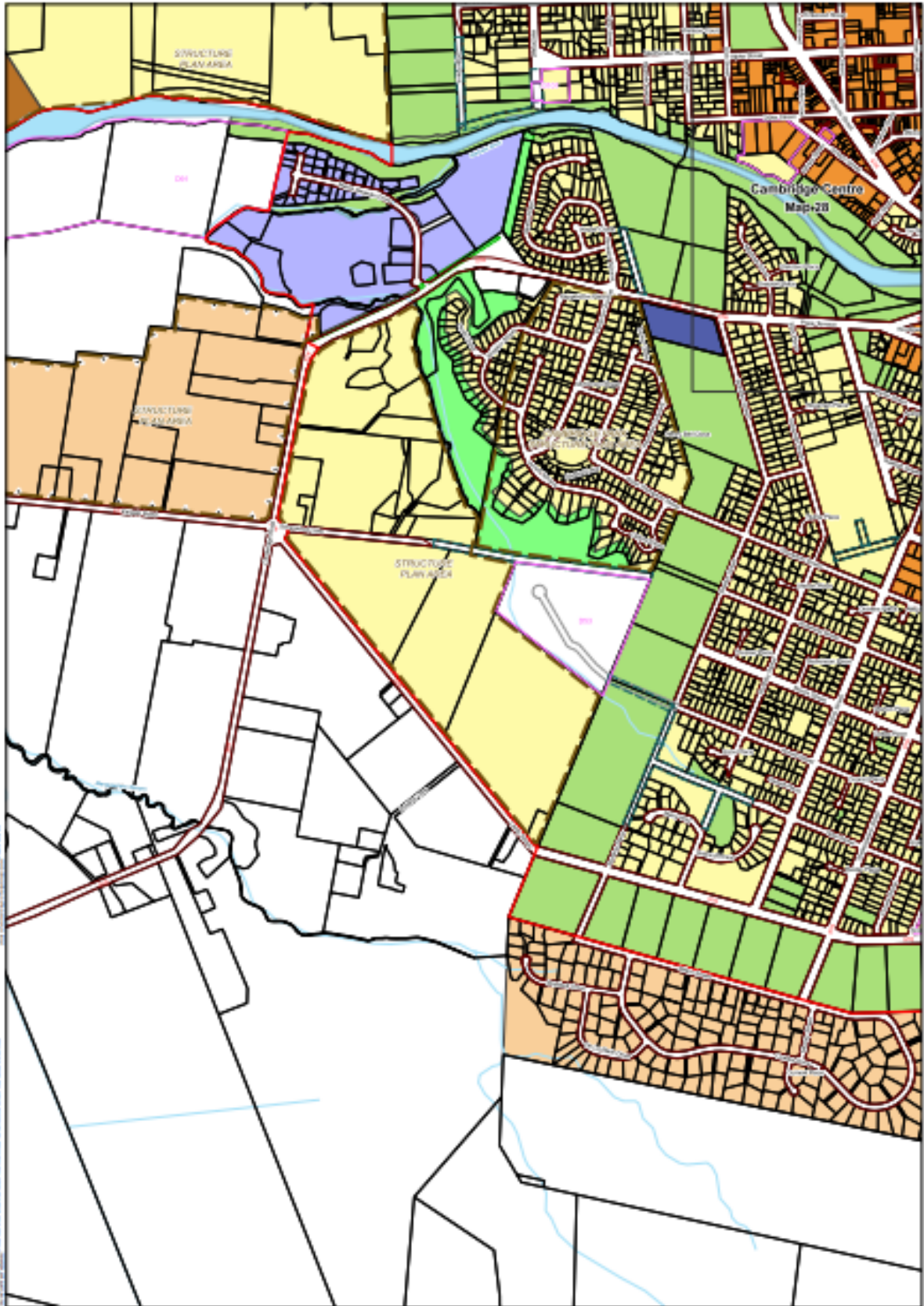
26 Zones



Leamington (West)
 Waipā District Plan
 As proposed by Plan Change 13

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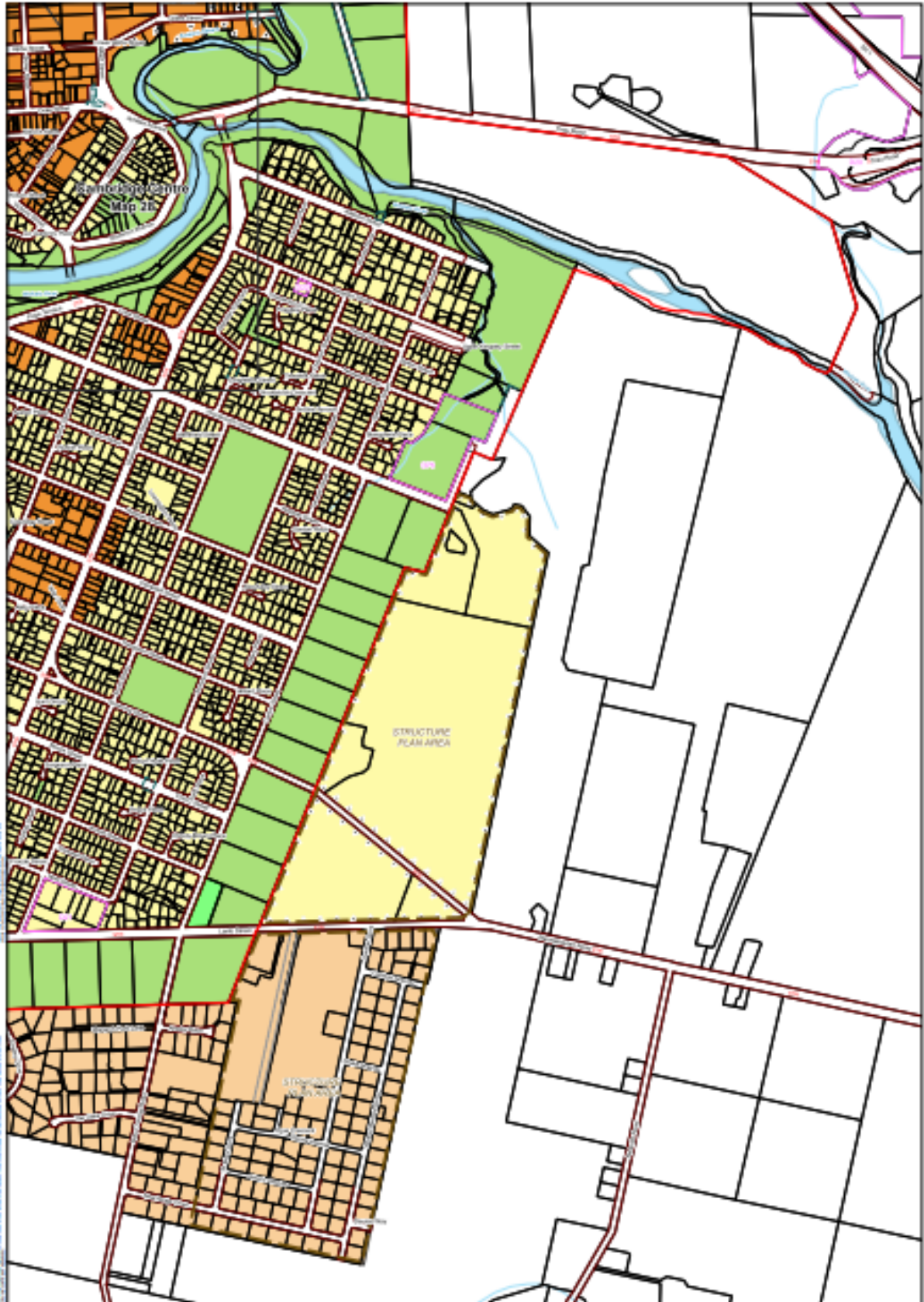
26 Zones



Leamington (West)
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 As proposed by Plan Change 13

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27 Zones



Leamington (East)
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 As proposed by Plan Change 13





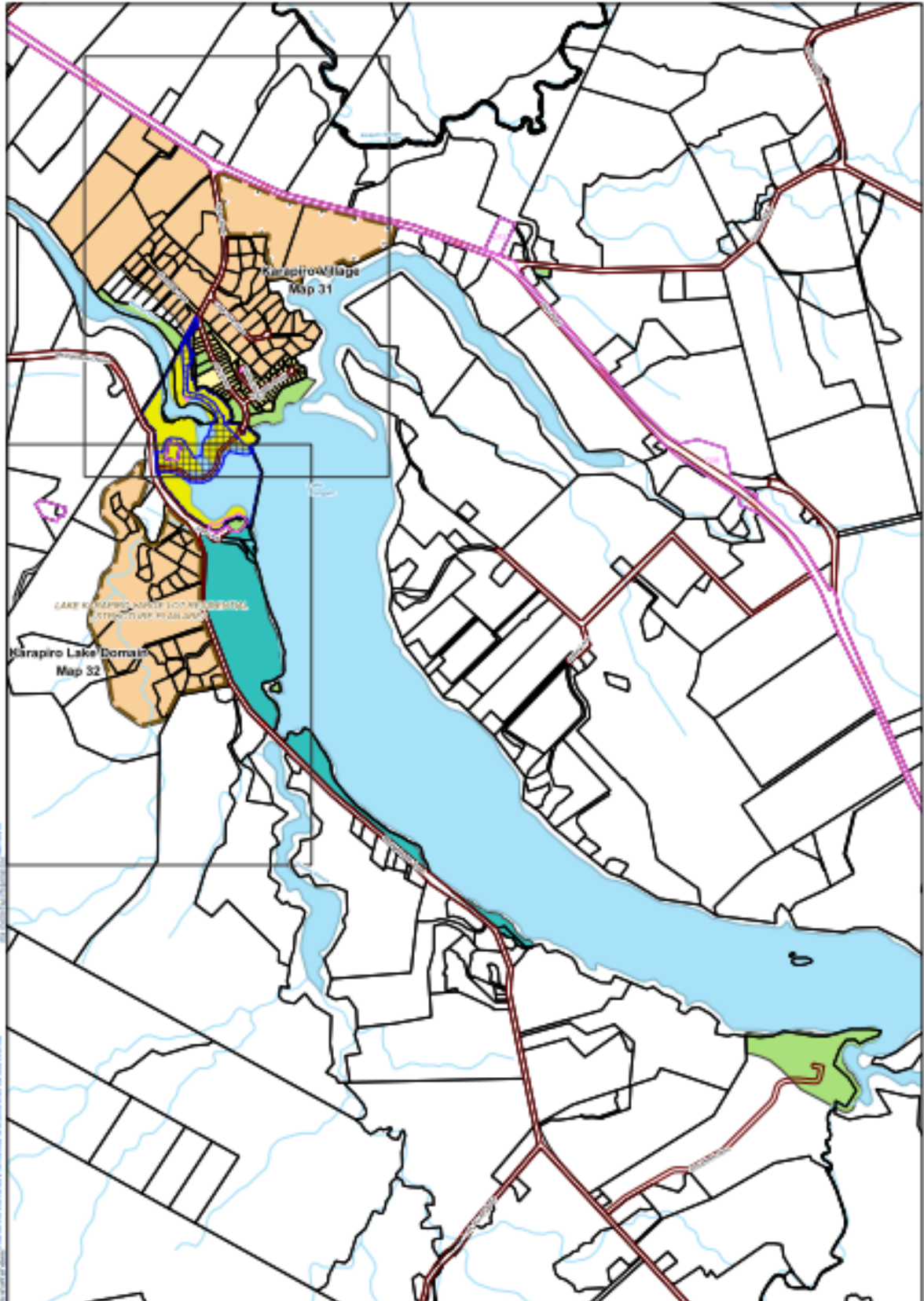
28 Zones



Cambridge Centre
 Waipā District Plan
 As proposed by Plan Change 13

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30 Zones



Karapiro Overview
 Waipā District Plan
 As proposed by Plan Change 13

Scale: 1:10,000 at A3



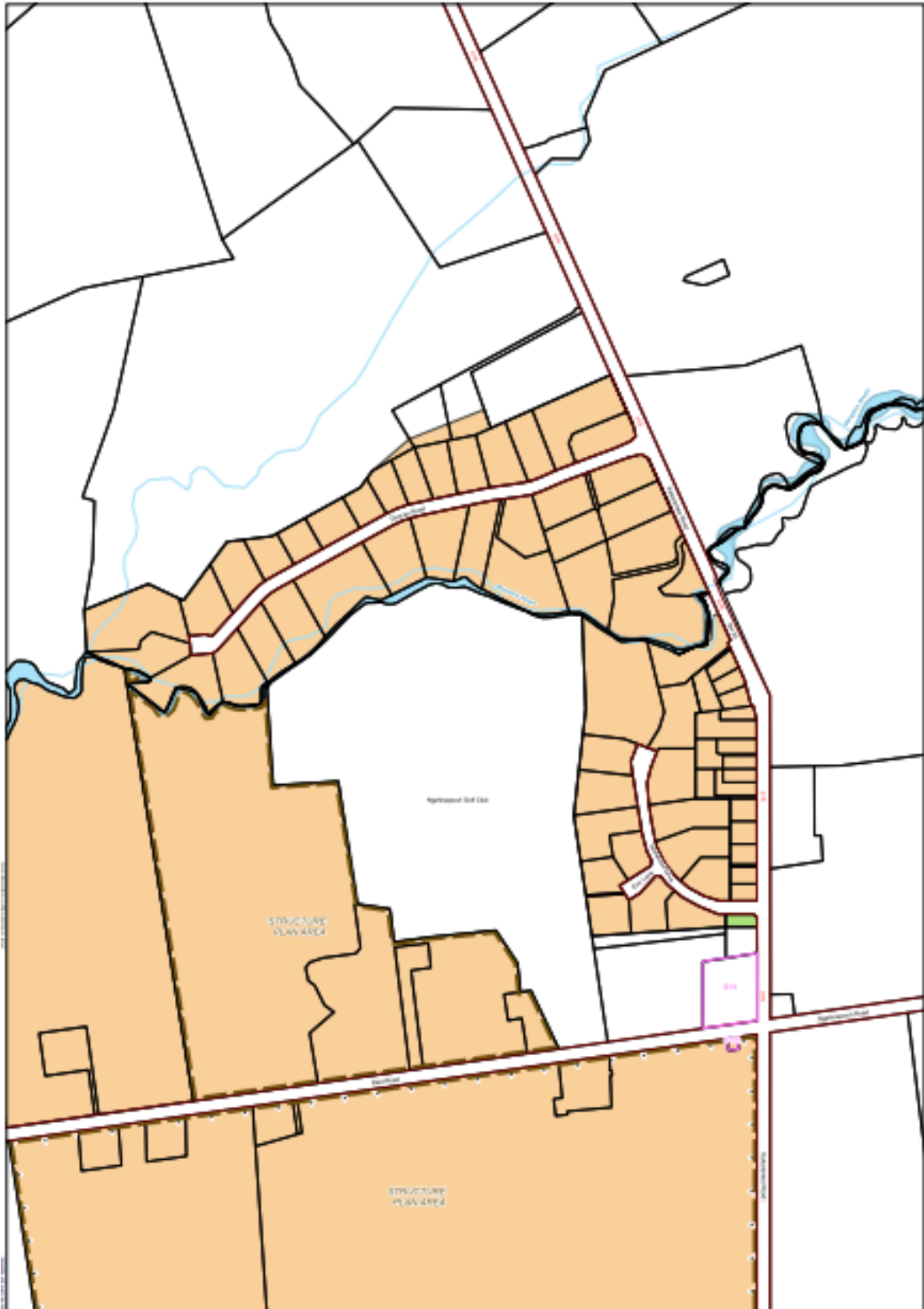


31 Zones



Karapiro Village
 Waipa District Plan
 As proposed by Plan Change 13



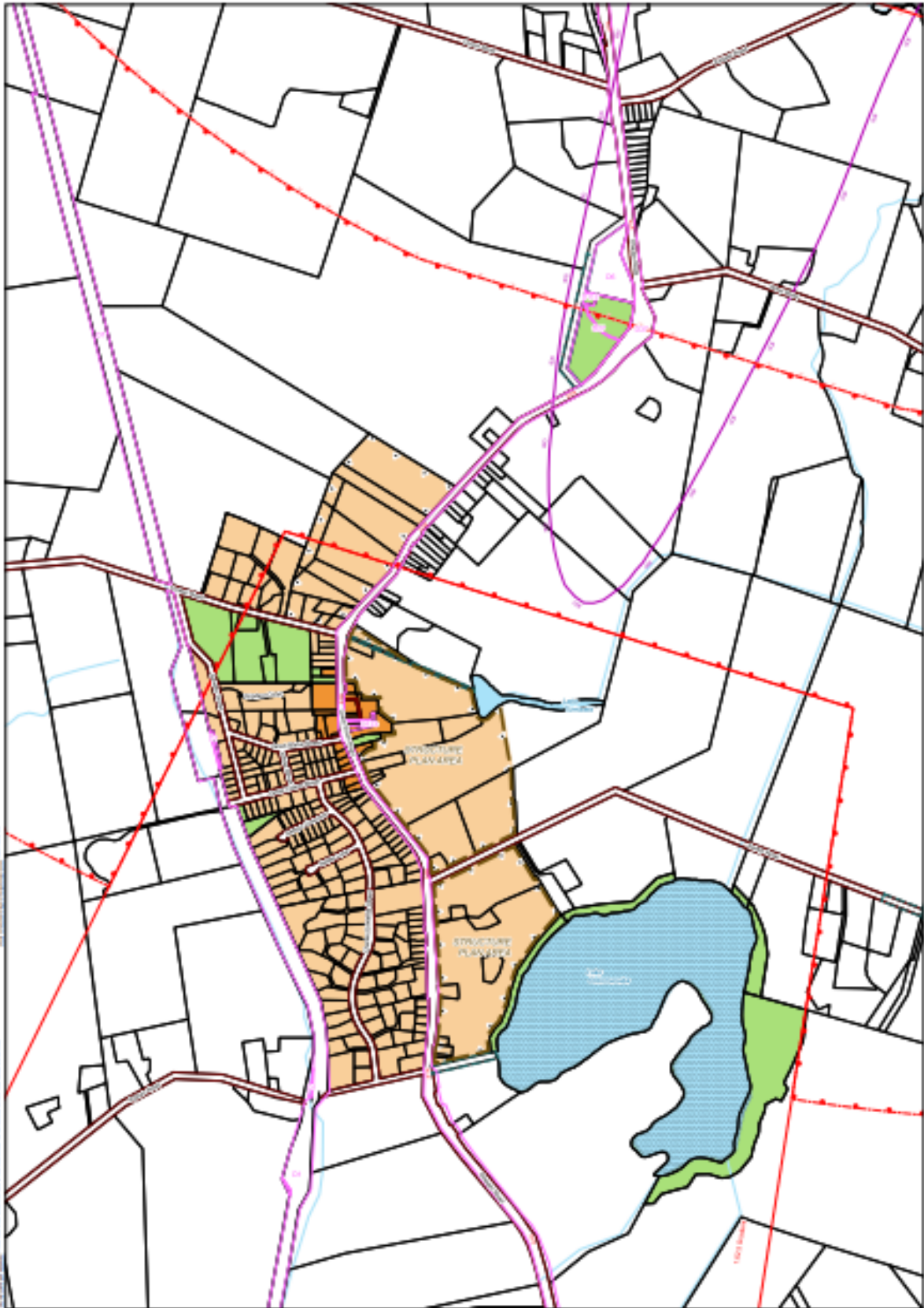


34 Zones



Ngahinapouri
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 As proposed by Plan Change 13





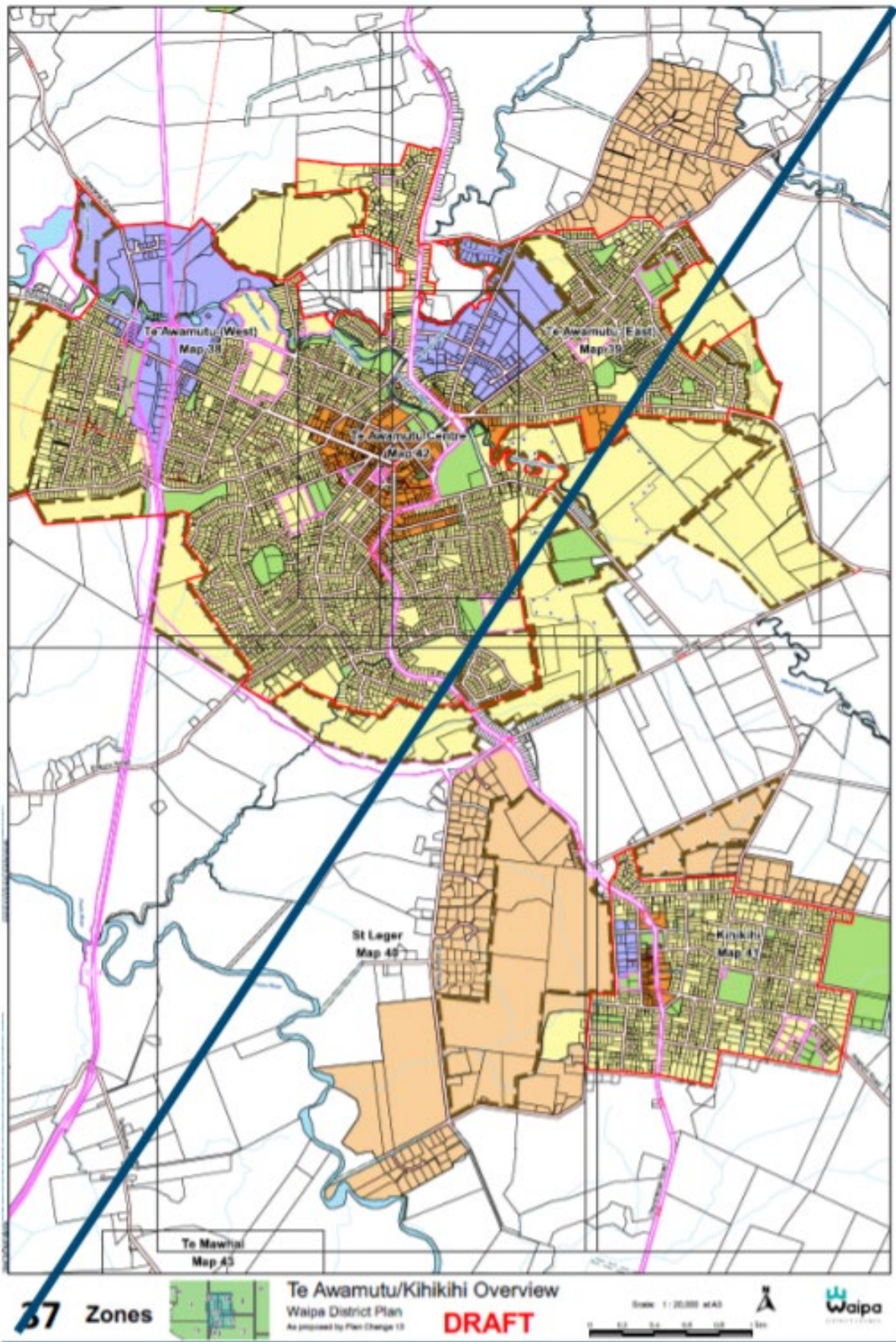
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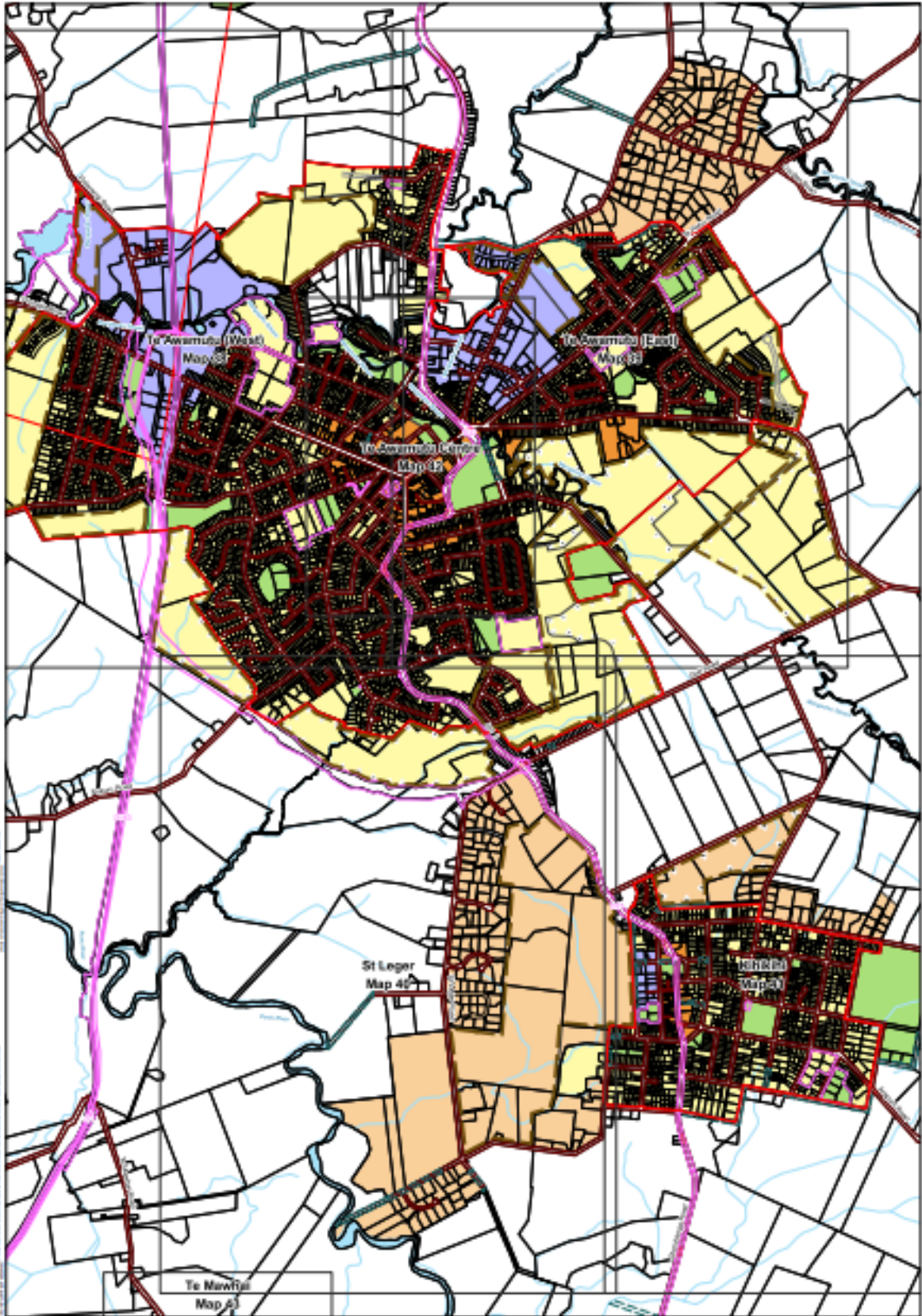


Ohaupo
 Waipā District Plan
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37 Zones



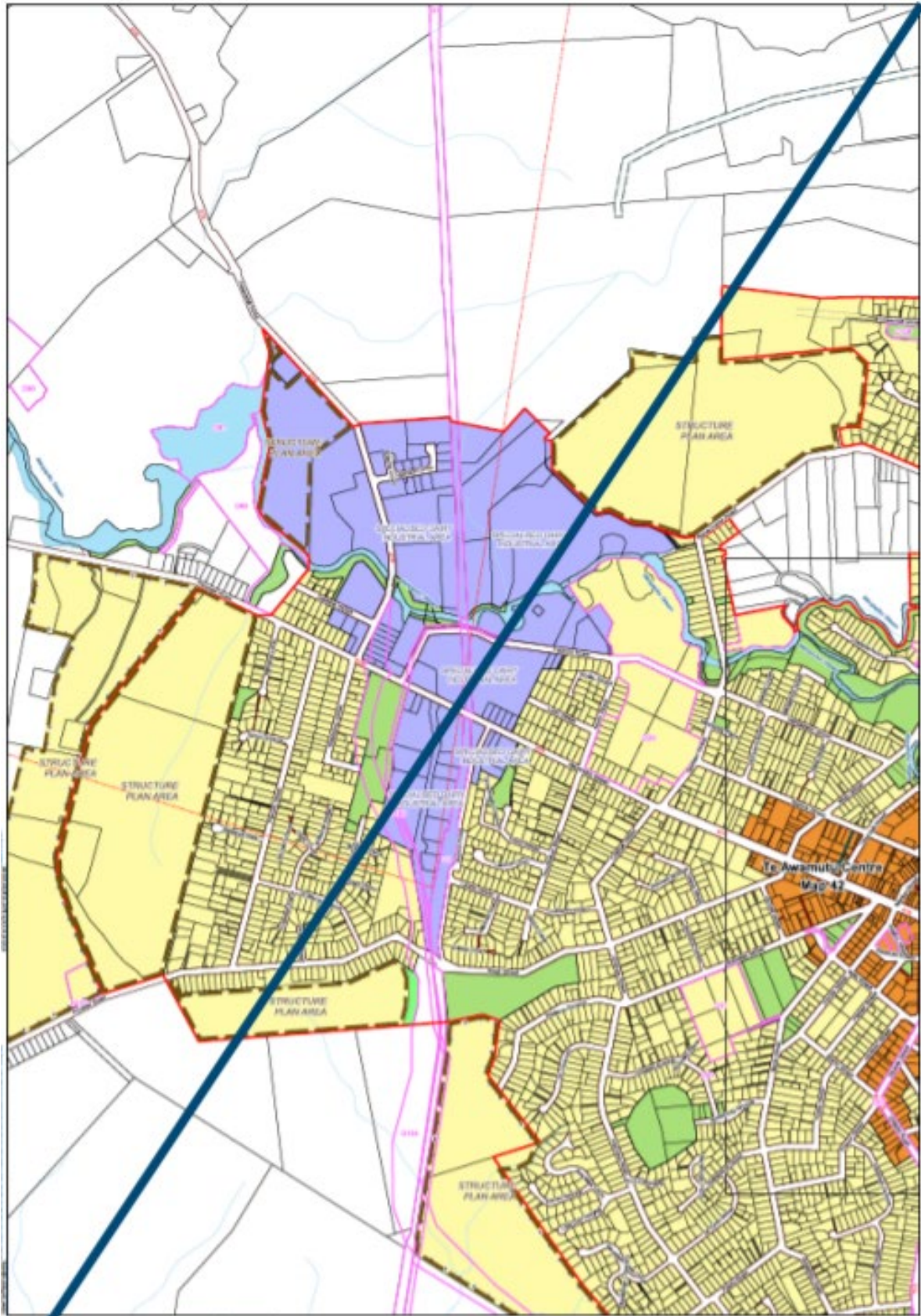
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Waipā District Plan
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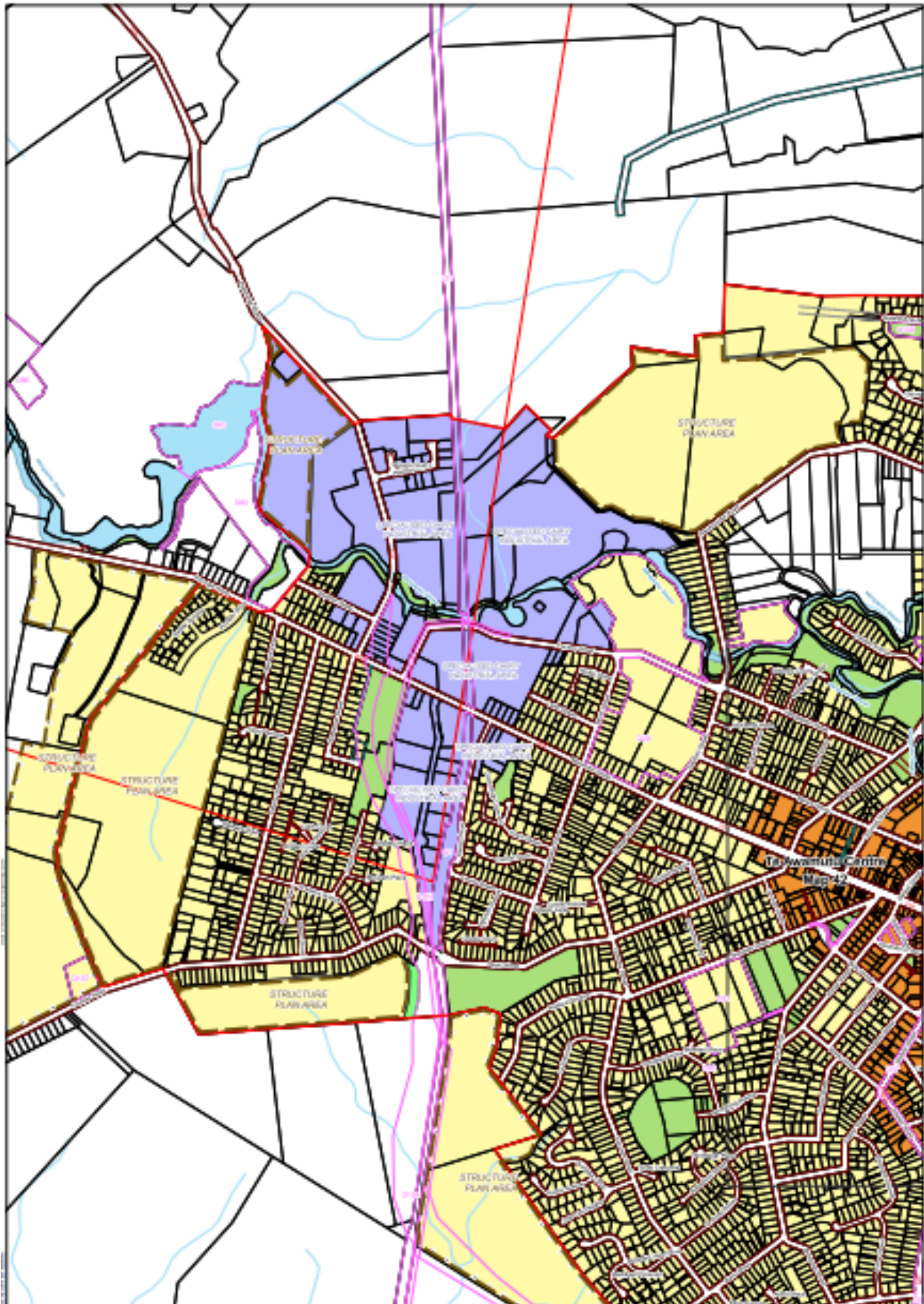


38 Zones



Te Awamutu (West)
 Waipā District Plan
 As proposed by Plan Change 13 **DRAFT**



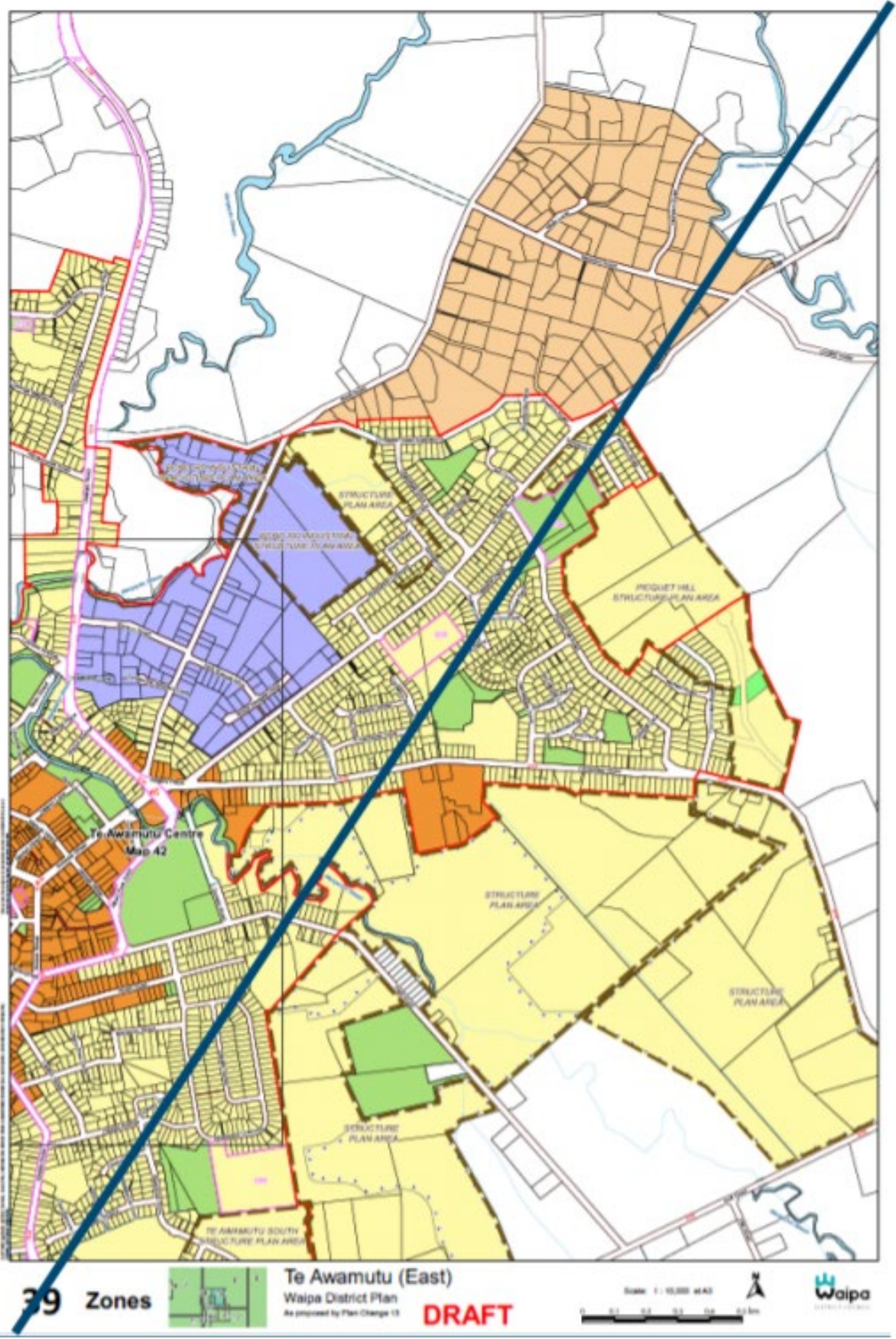


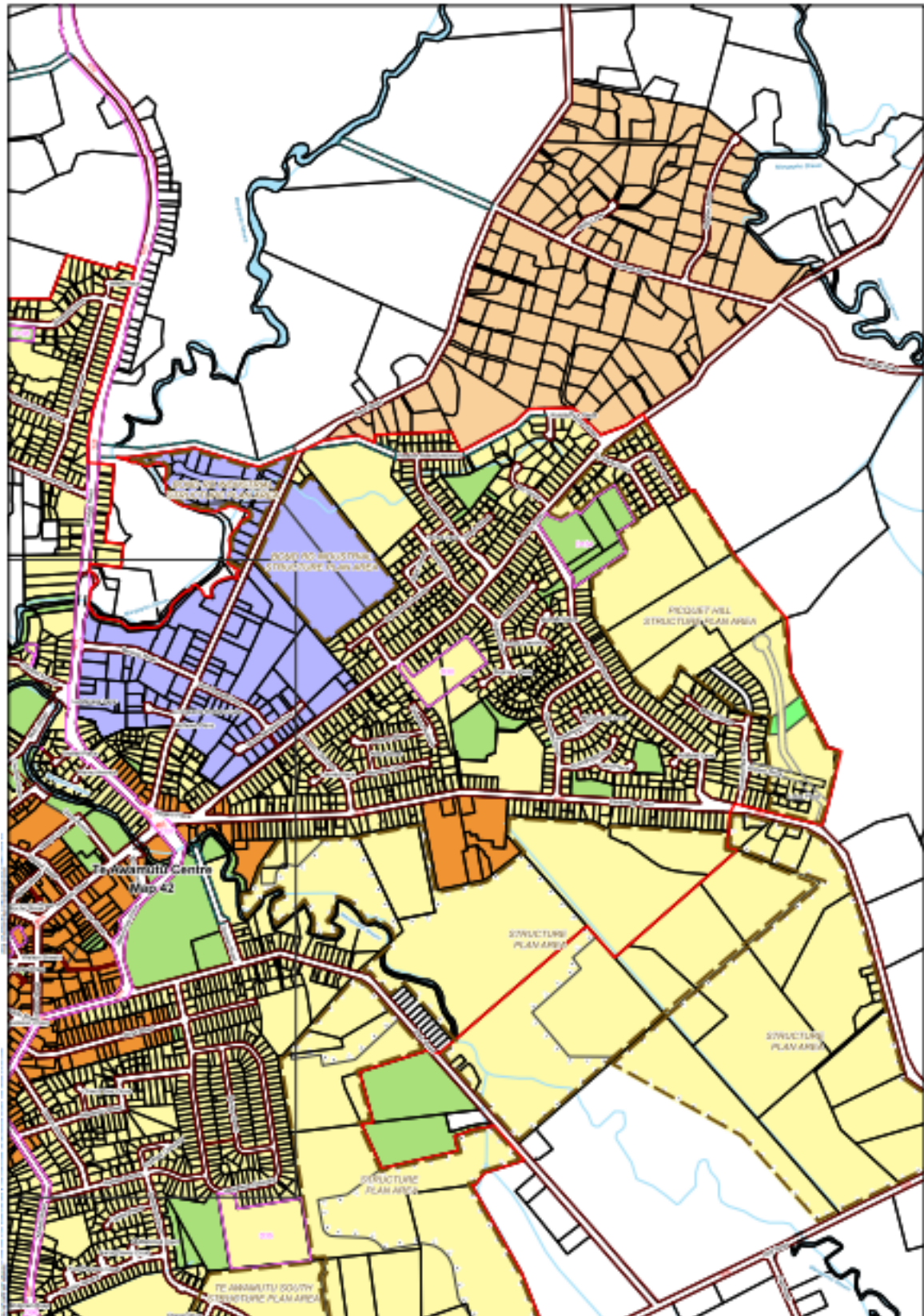
38 Zones



Te Awamutu (West)
 Waipā District Plan
 As proposed by Plan Change 13







39 Zones



Te Awamutu (East)

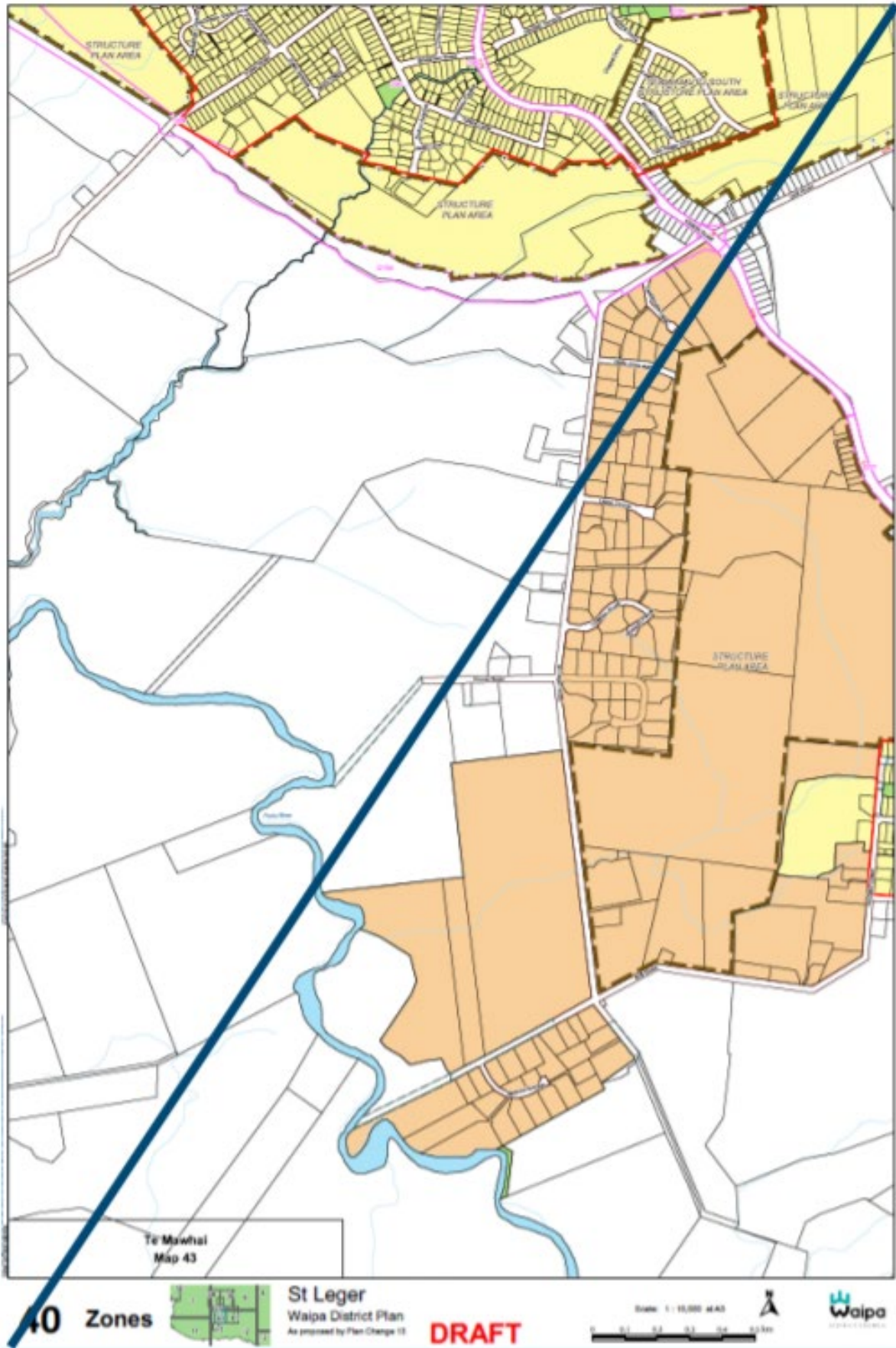
Waipā District Plan

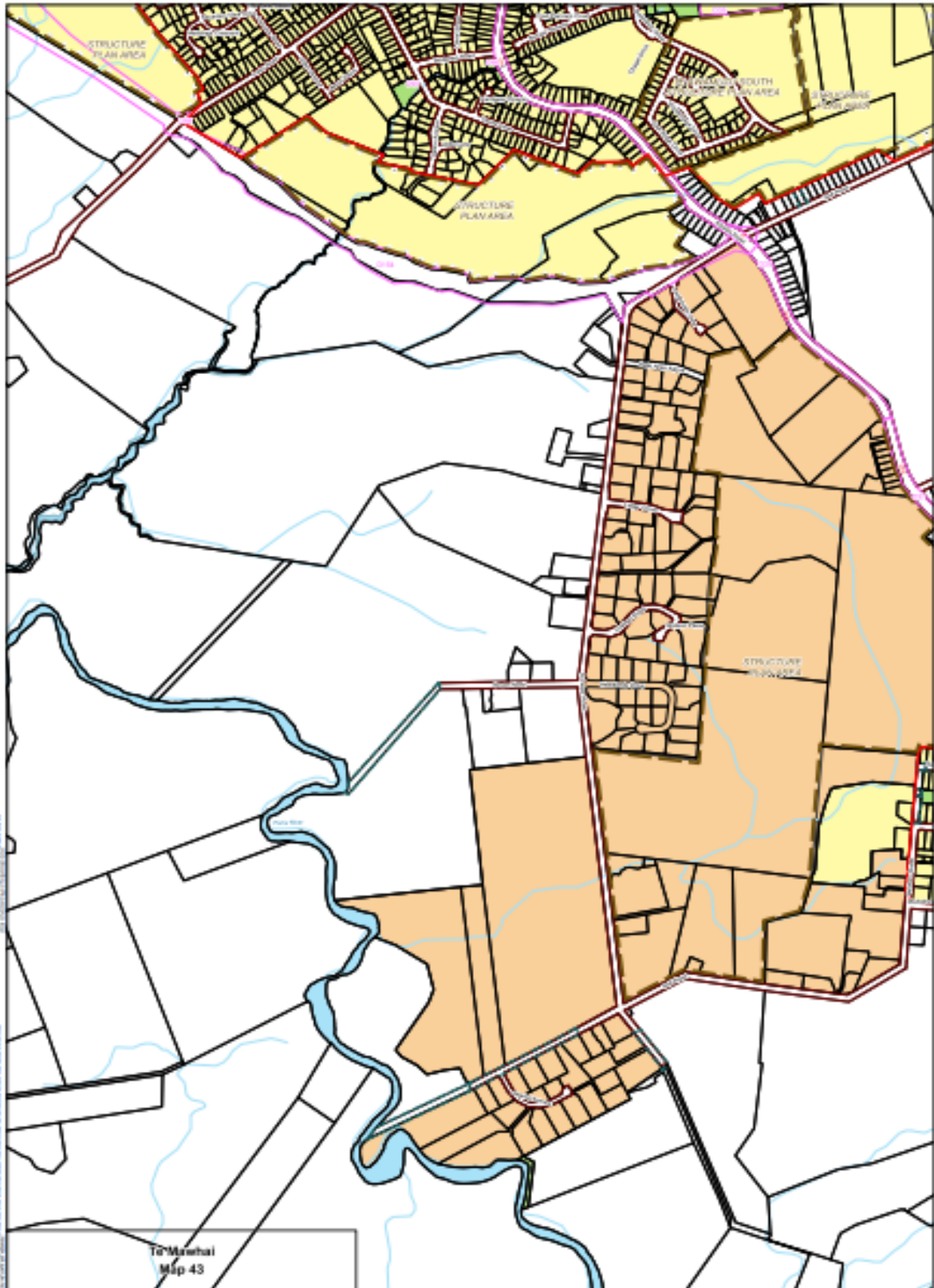
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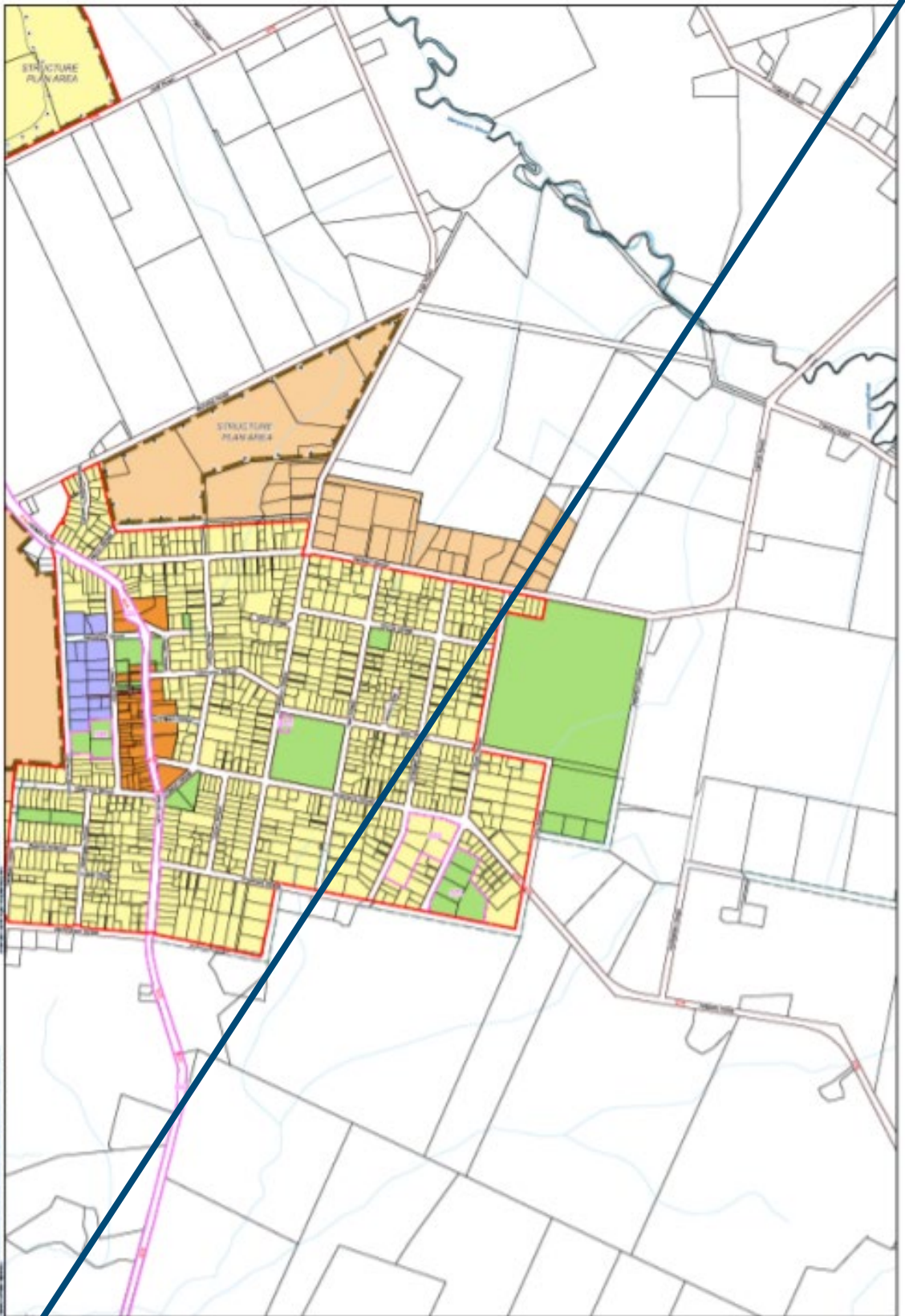
40 Zones



St Leger
 Waipā District Plan
 As proposed by Plan Change 13

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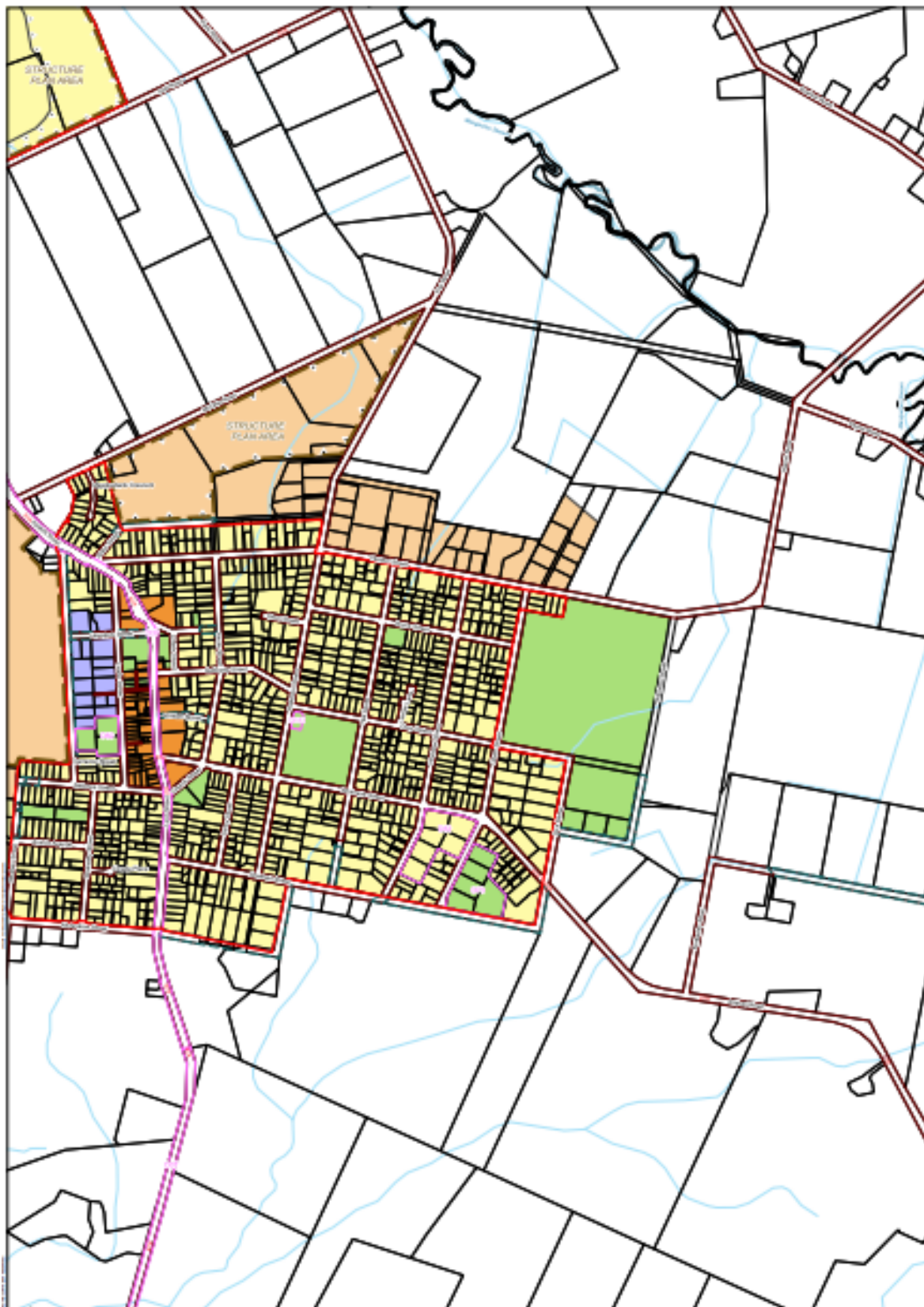
41 Zones



Kihikihi
 Waipā District Plan
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41 Zones



Kihikihi
 Waipā District Plan
 As proposed by Plan Change 13

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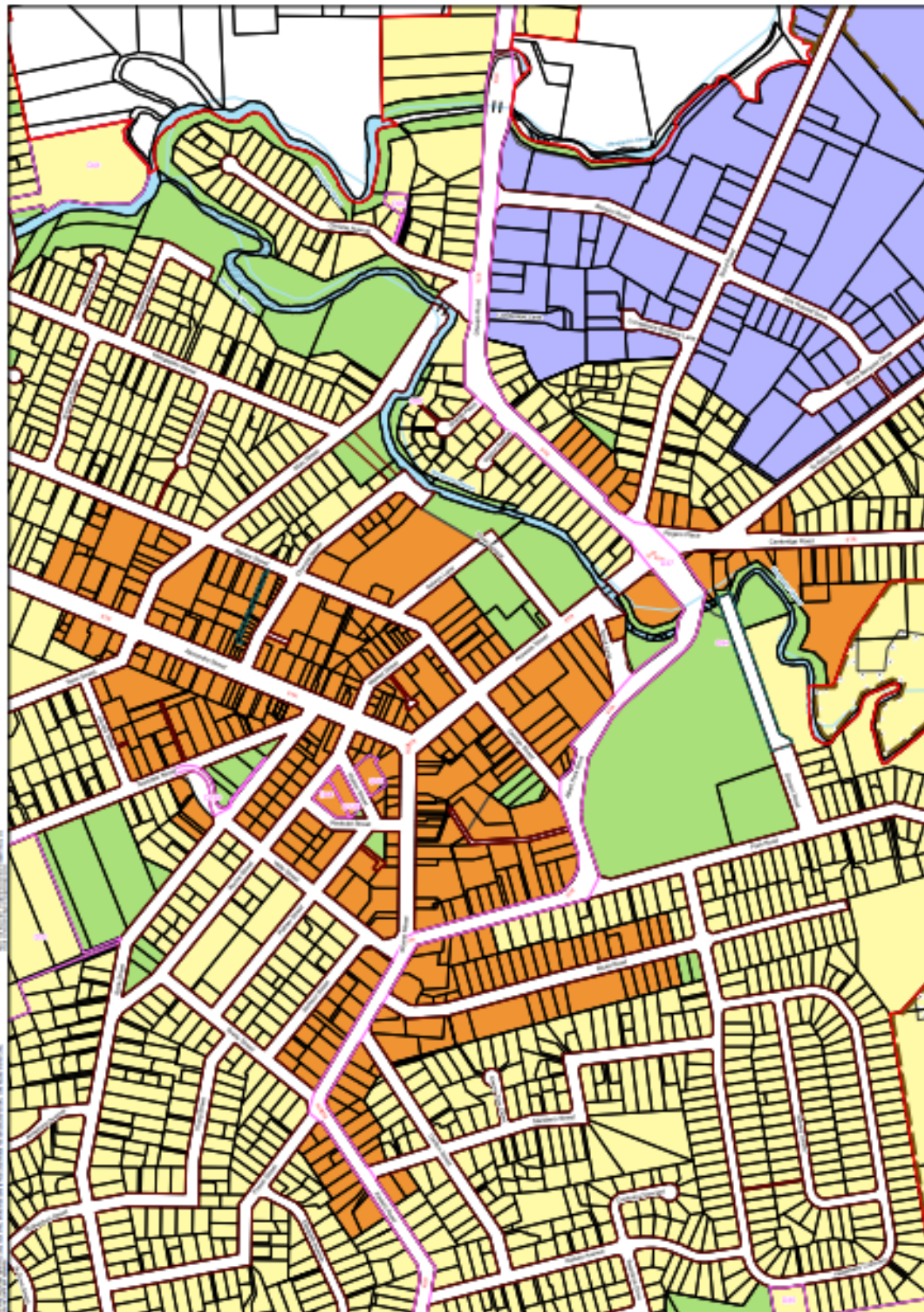
42 Zones



Te Awamutu Centre
 Waipā District Plan
 As proposed by Plan Change 13

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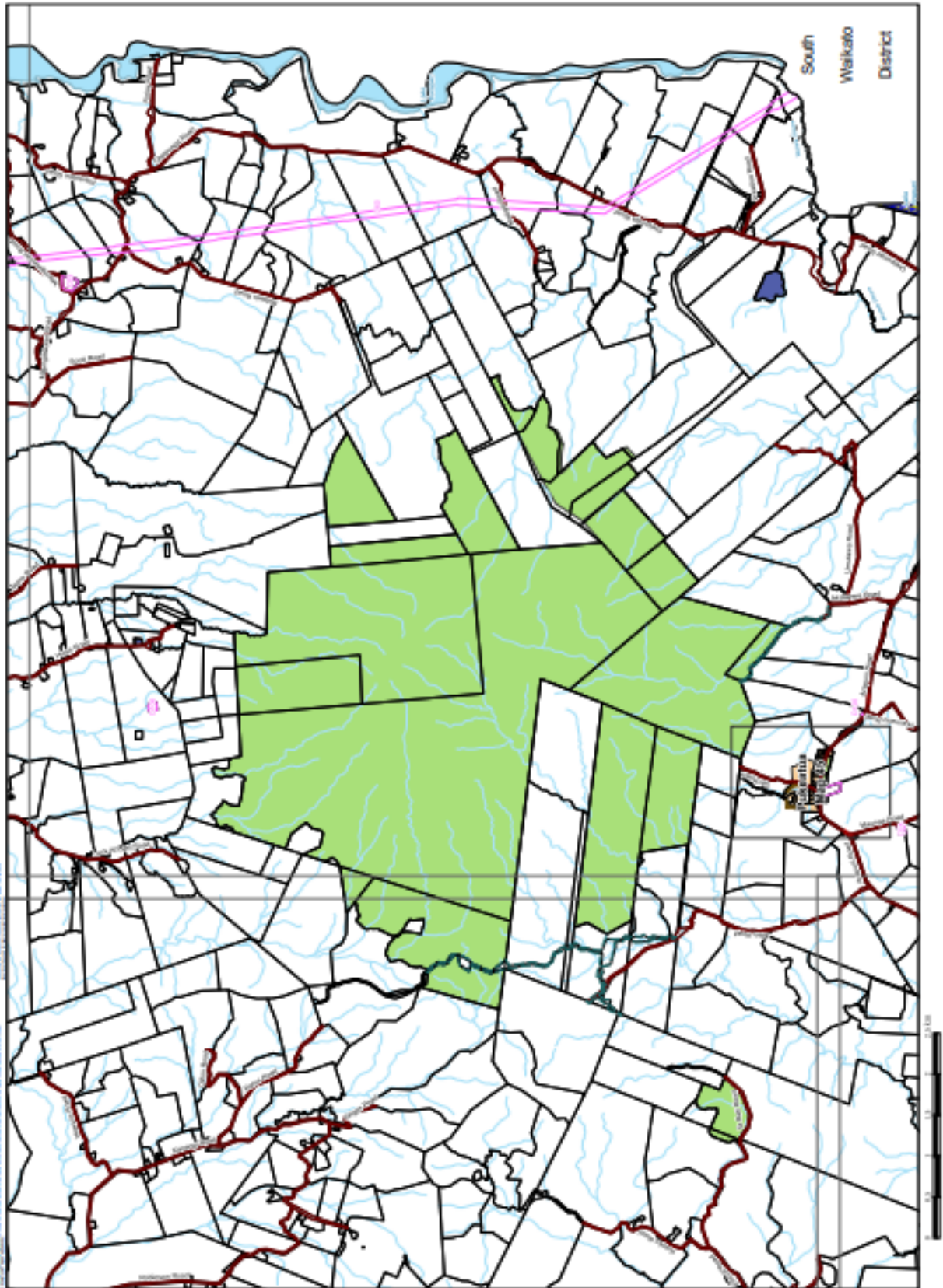
42 Zones



Te Awamutu Centre
 Waipā District Plan
 As proposed by Plan Change 13

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44 Zones



Maungatautari (Rotate right)

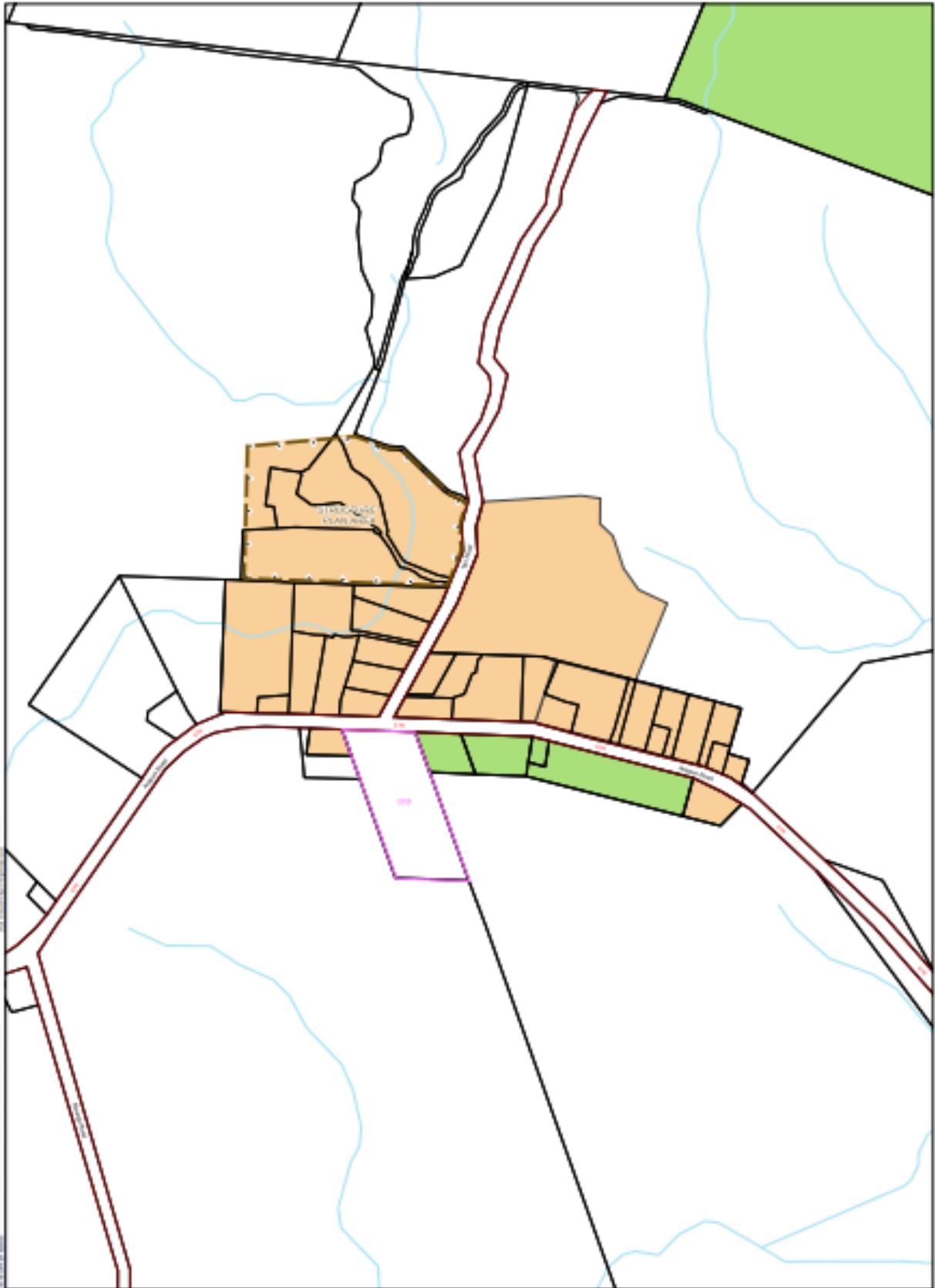
Waipa District Plan

As proposed by Plan Change 13

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Waipa
DISTRICT COUNCIL



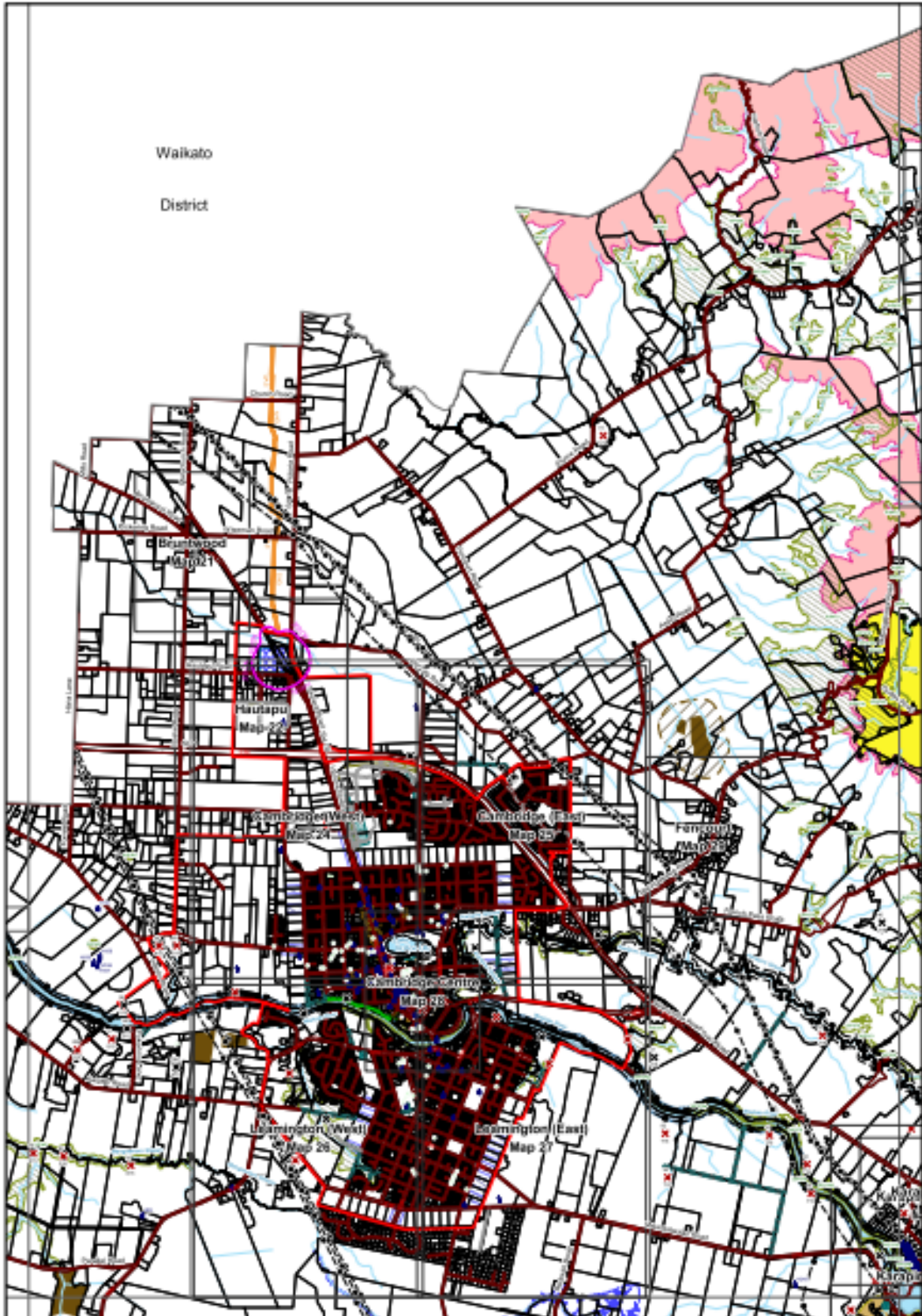
45 Zones



Pukeatua
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 As proposed by Plan Change 13

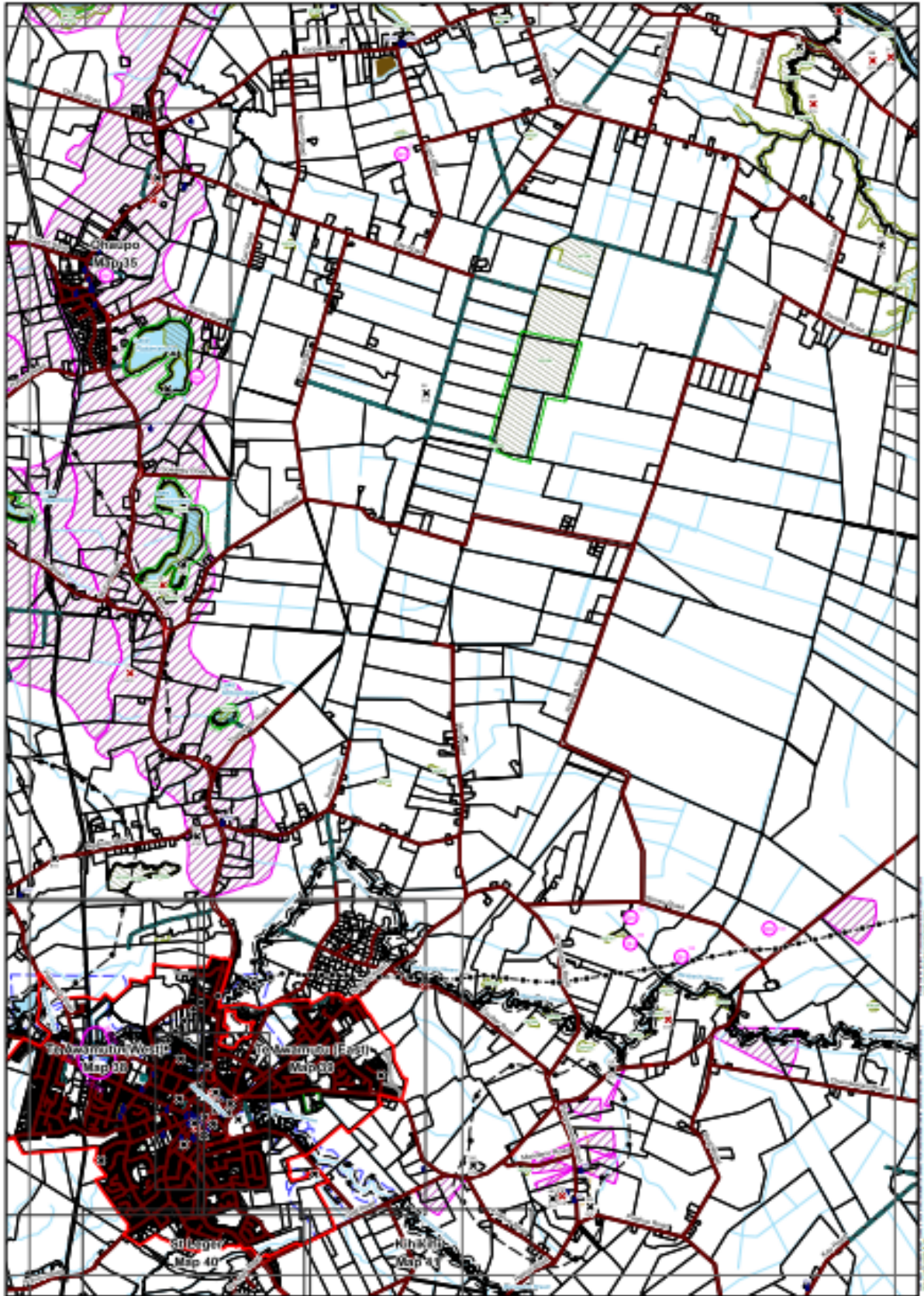
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Waikato
District

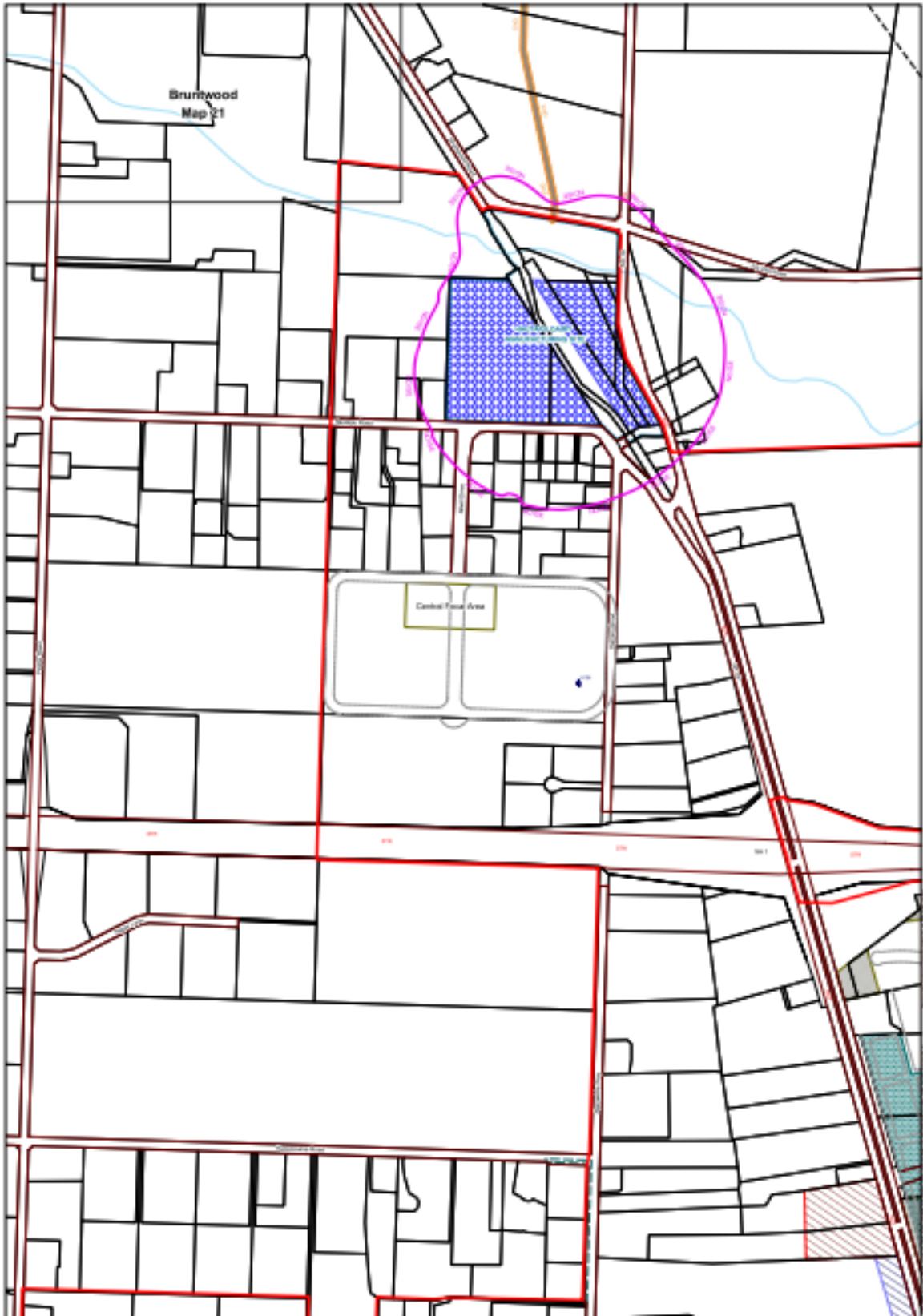

Cambridge Overview
 Waipā District Plan **DECISIONS VERSION** (corrected) Scale: 1:40,000 at A3
 Page Version - 20 September 2021   **Policy Areas 4**




Ohaupo/Te Awamutu Overview
 Waipā District Plan
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Policy Areas 8



Hautapu
 Waipā District Plan
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Policy Areas 22



Cambridge Overview

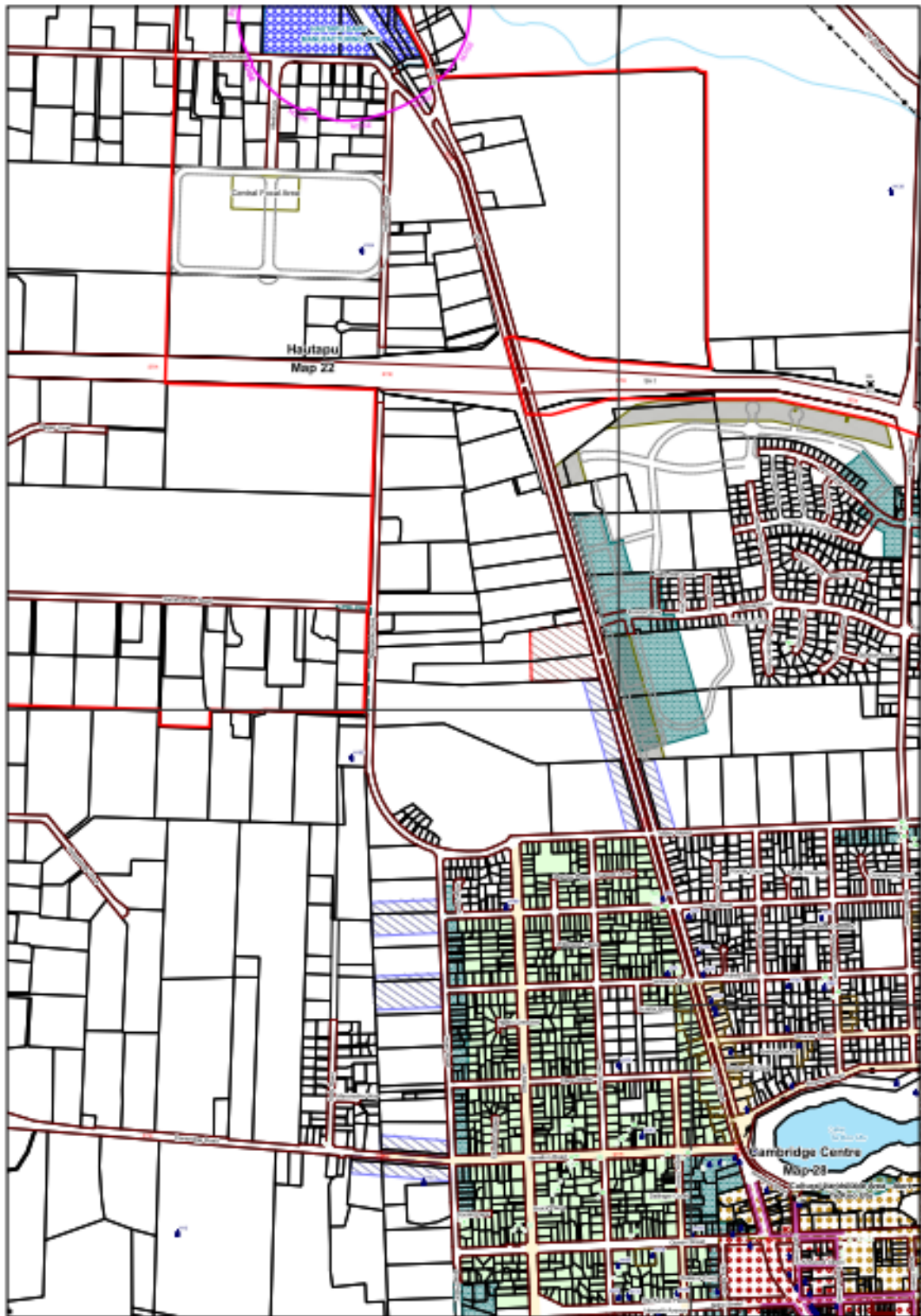
Waipā District Plan
Page Version : 20 September 2021

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Policy Areas 23



Cambridge (West)

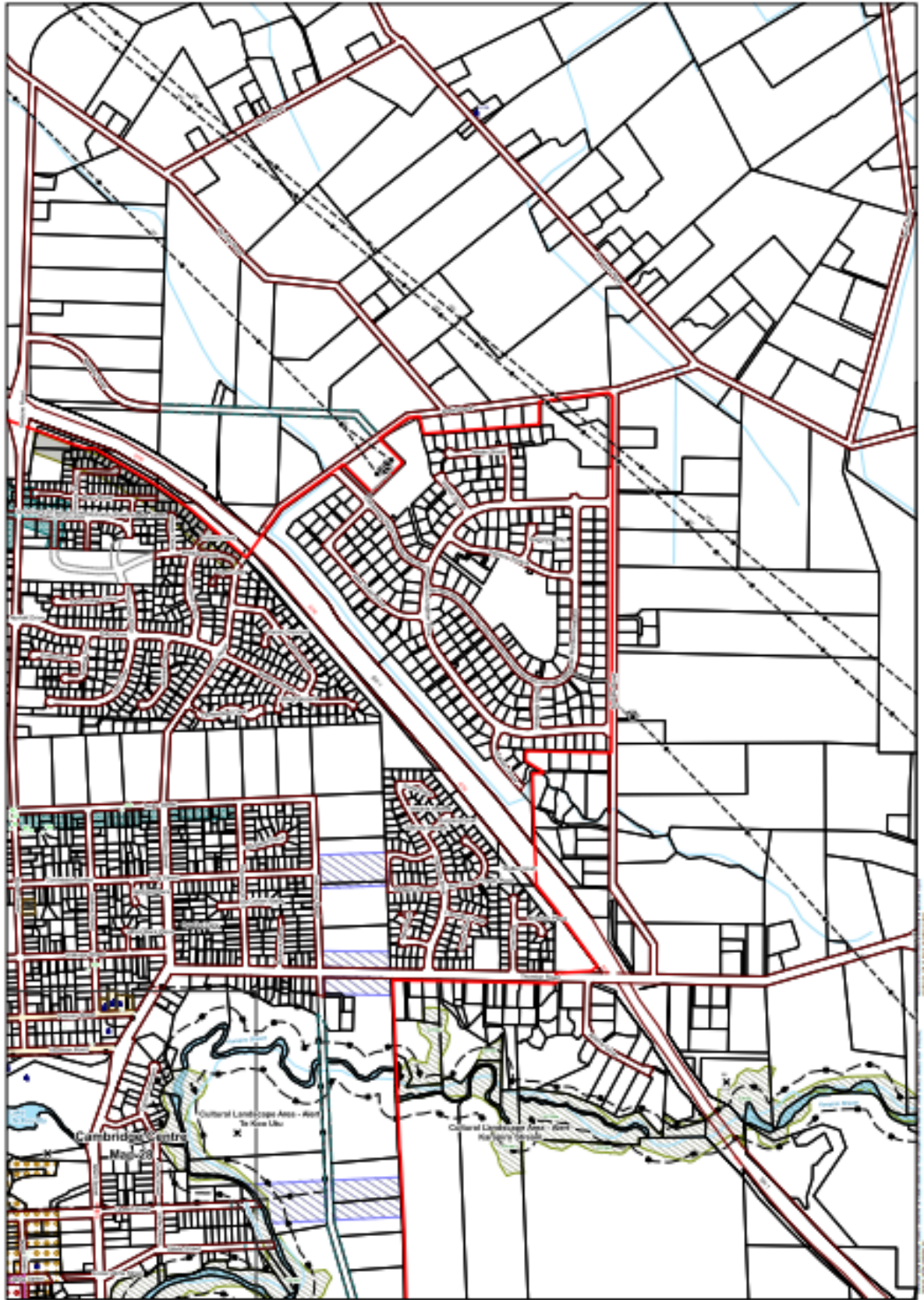
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Page Version 1 as at 20 September 2021

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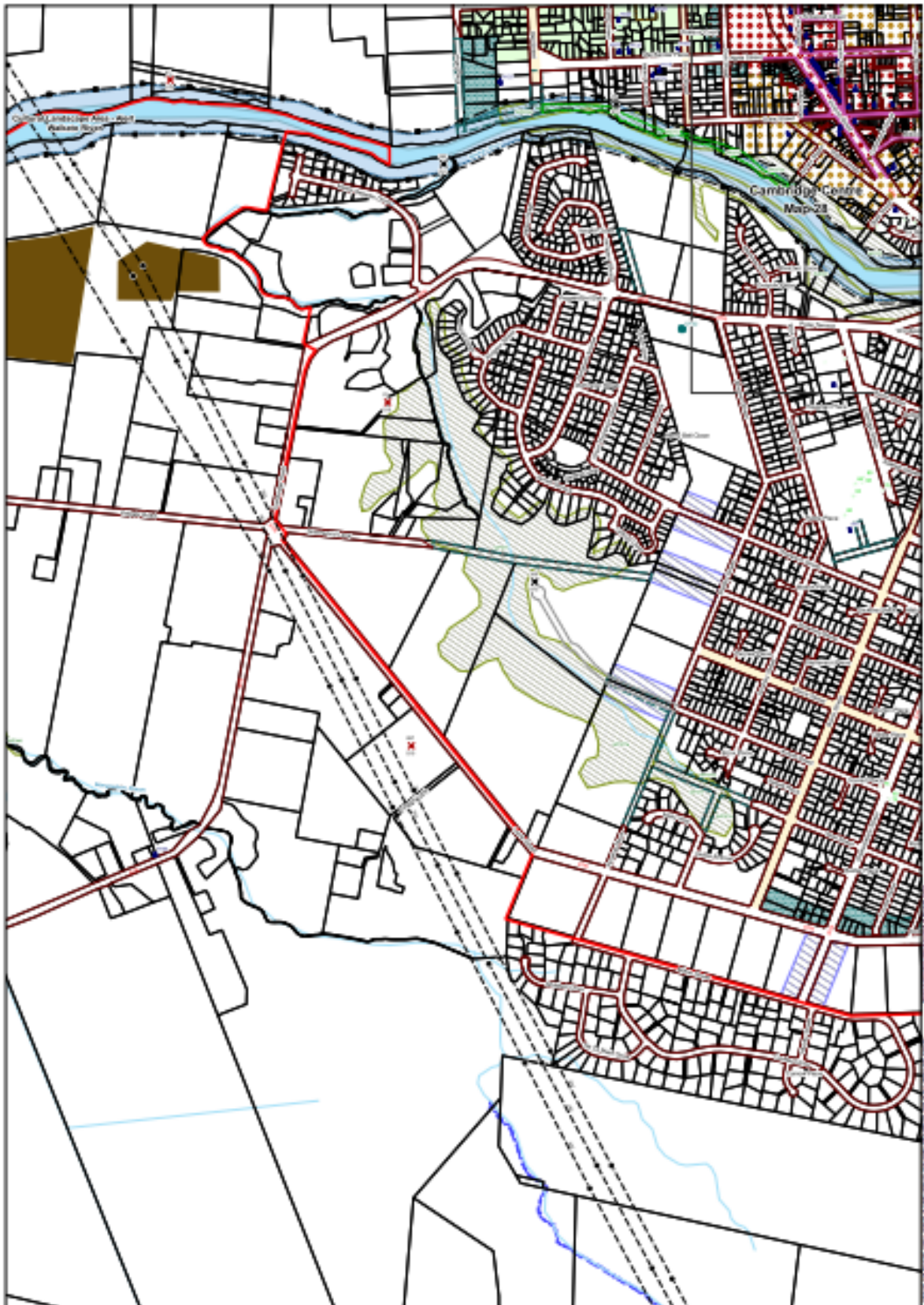
Policy Areas 24



Cambridge (East)
 Waipā District Plan
 As proposed by Plan Change 13



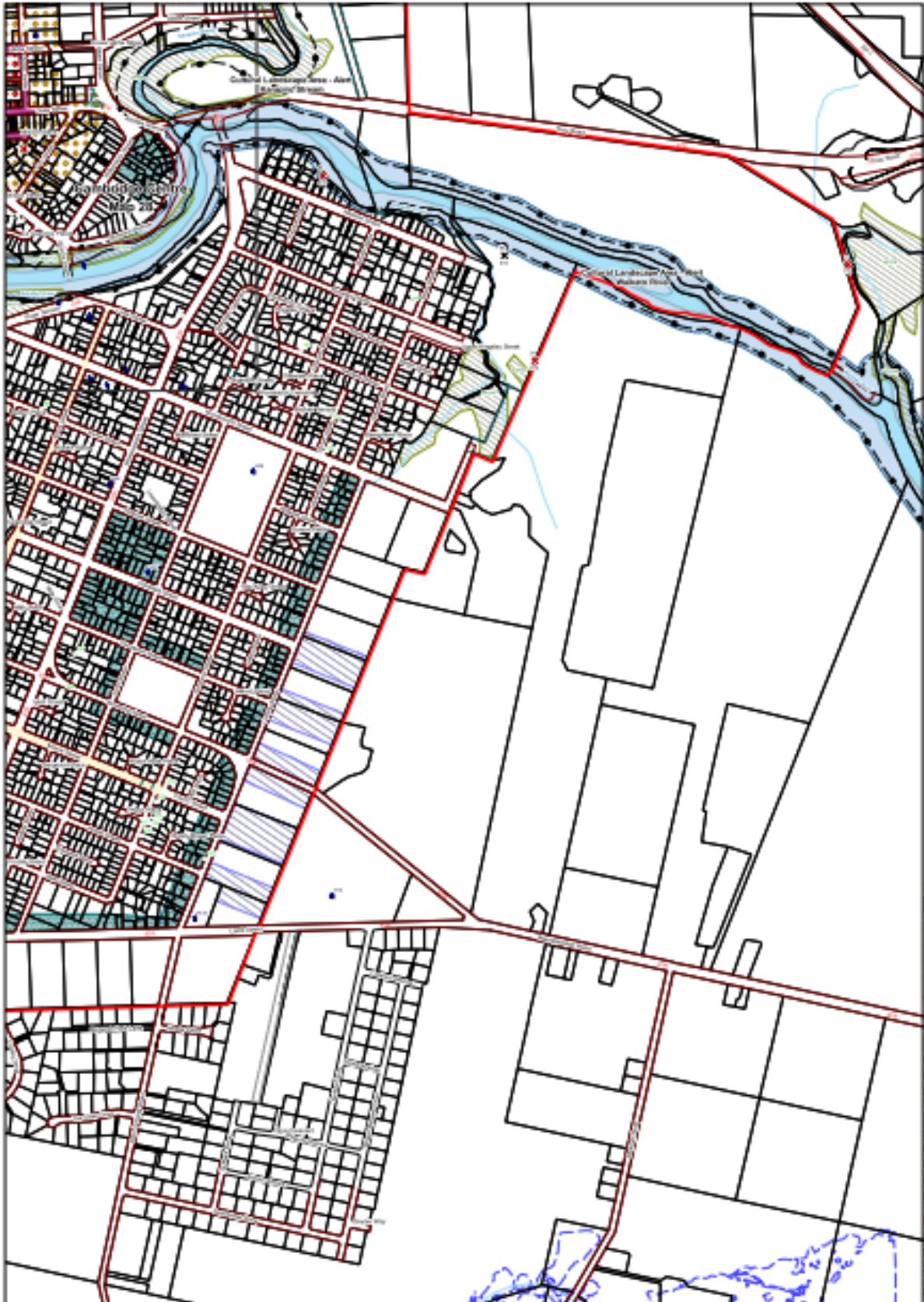
Policy Areas 25



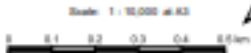
Leamington (West)
 Waipā District Plan
 As proposed by Plan Change 13



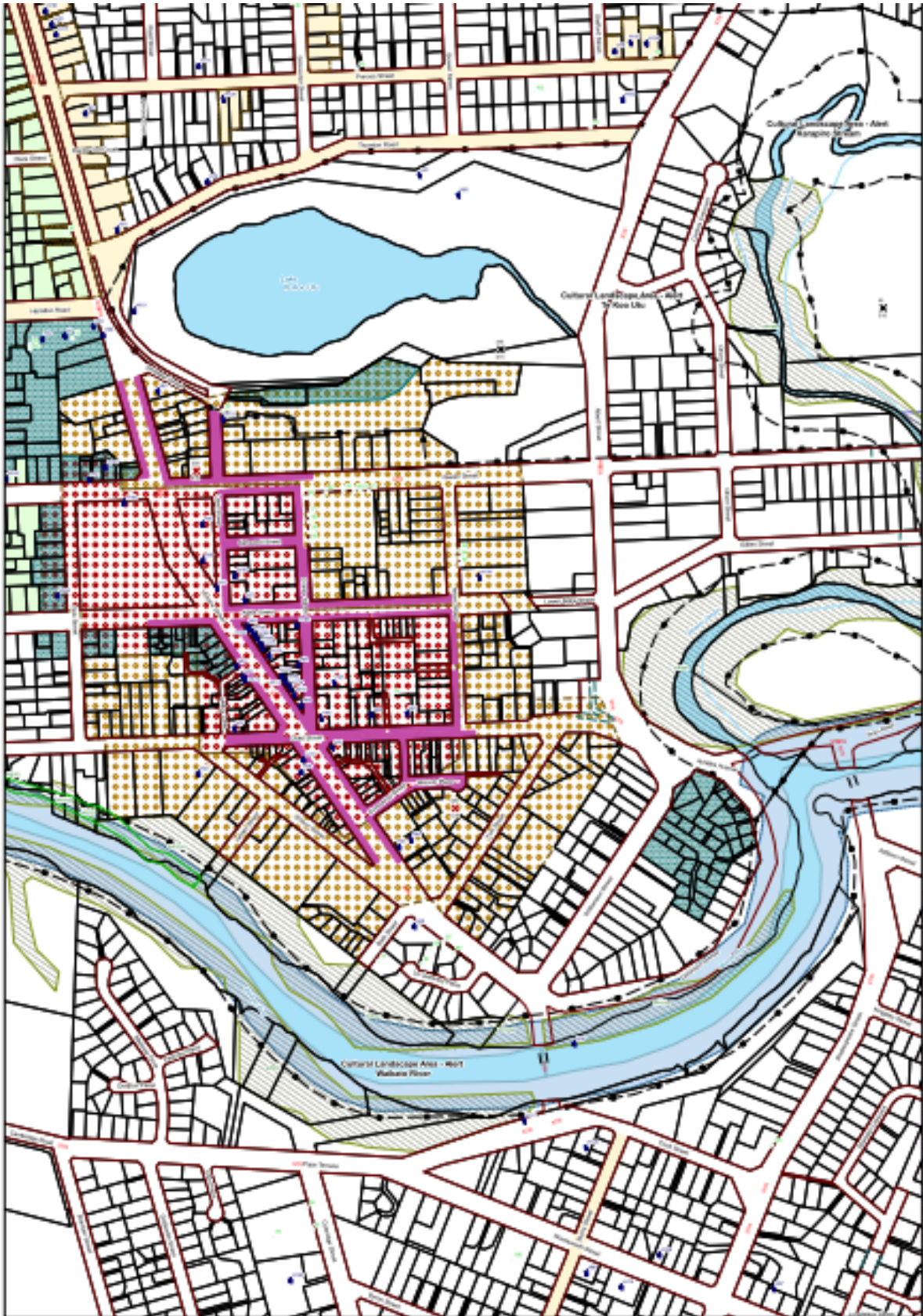
Policy Area 26



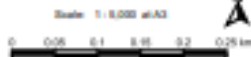
Leamington (East)
 Waipā District Plan
 As proposed by Plan Change 13



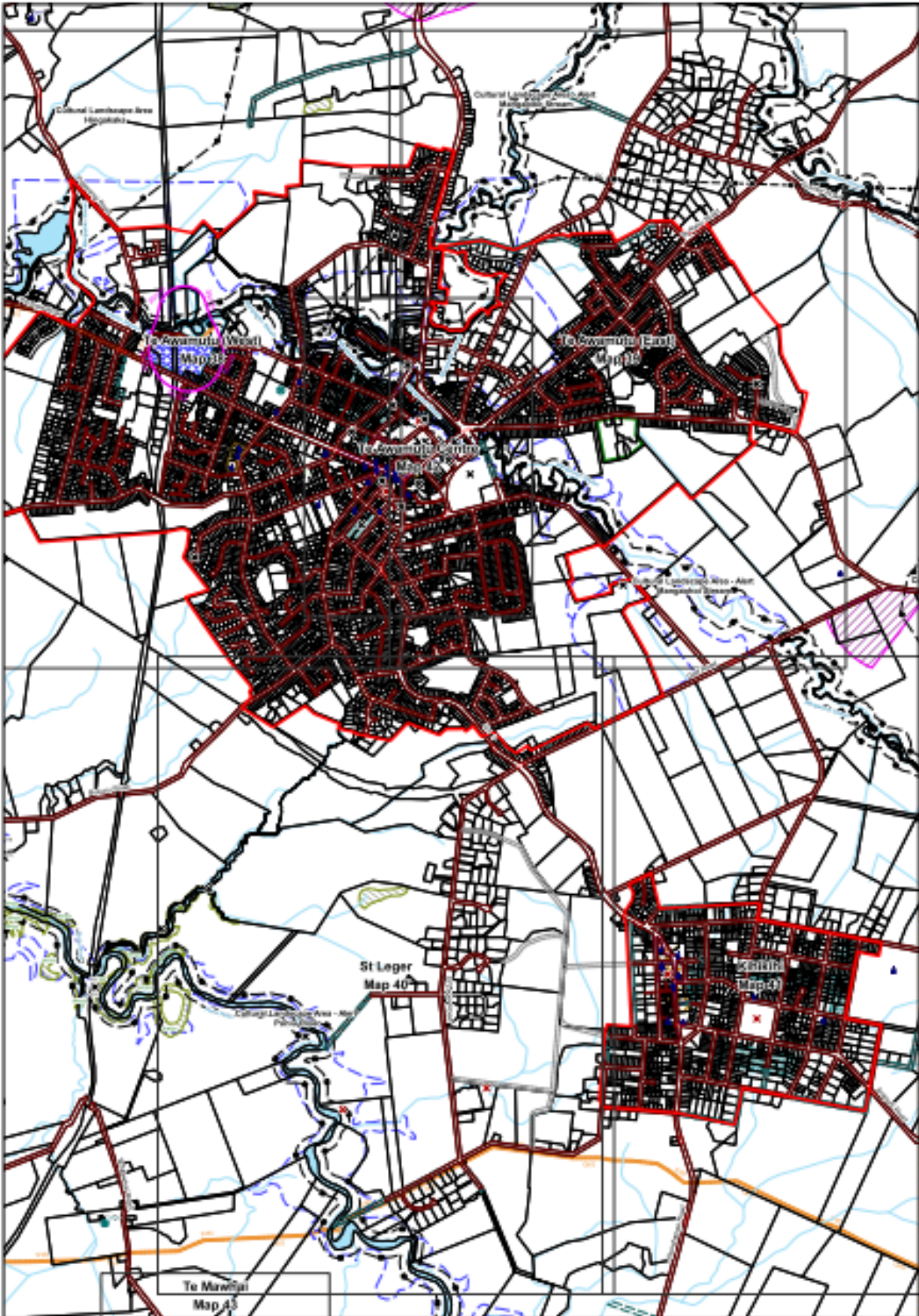
Policy Areas 27



Cambridge Centre
 Waipā District Plan
 As proposed by Plan Change 13

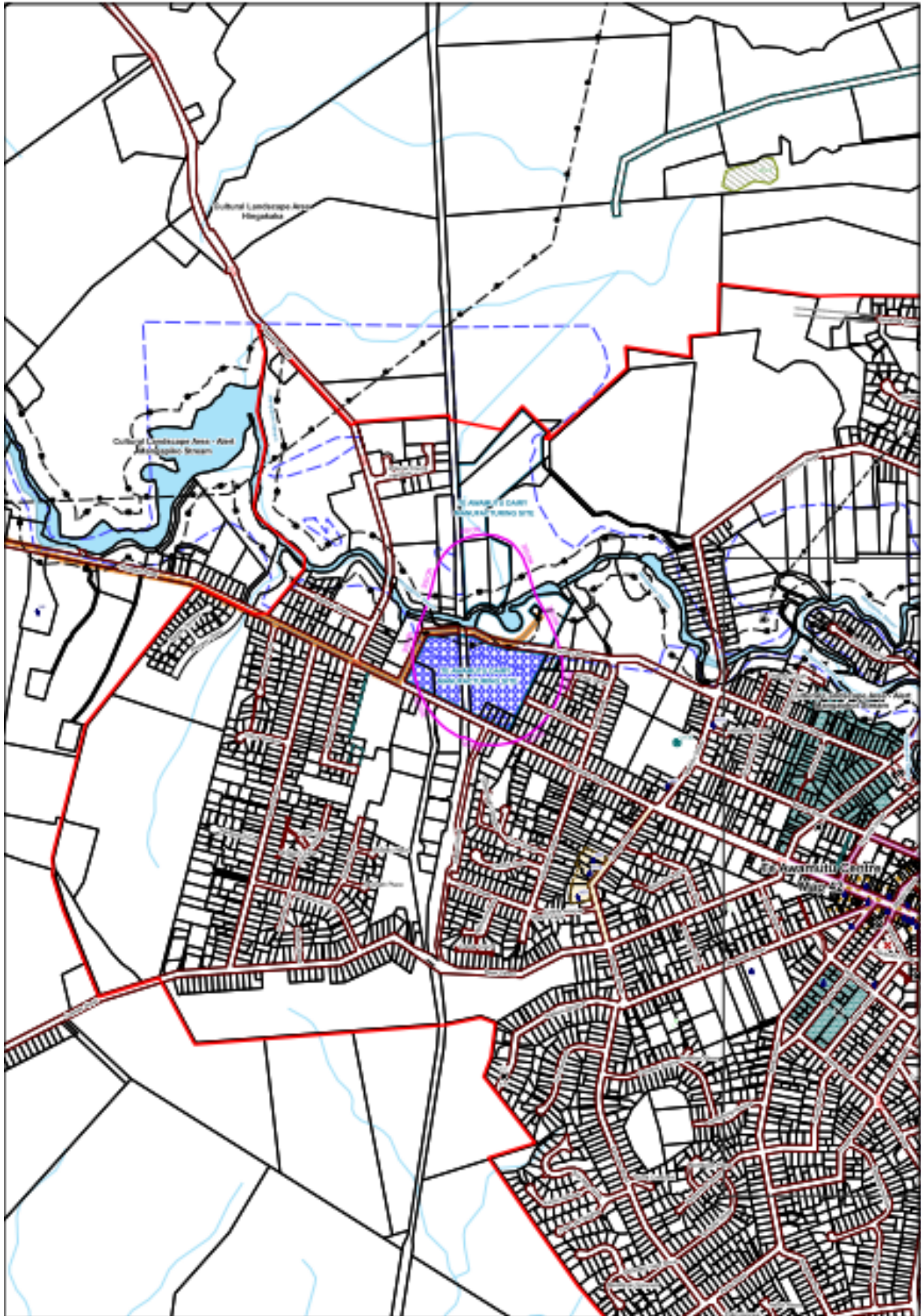


Policy Areas 28

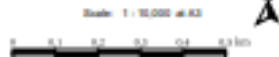



Te Awamutu/Kihikihi Overview
 Waipā District Plan
 As proposed by Plan Change 13

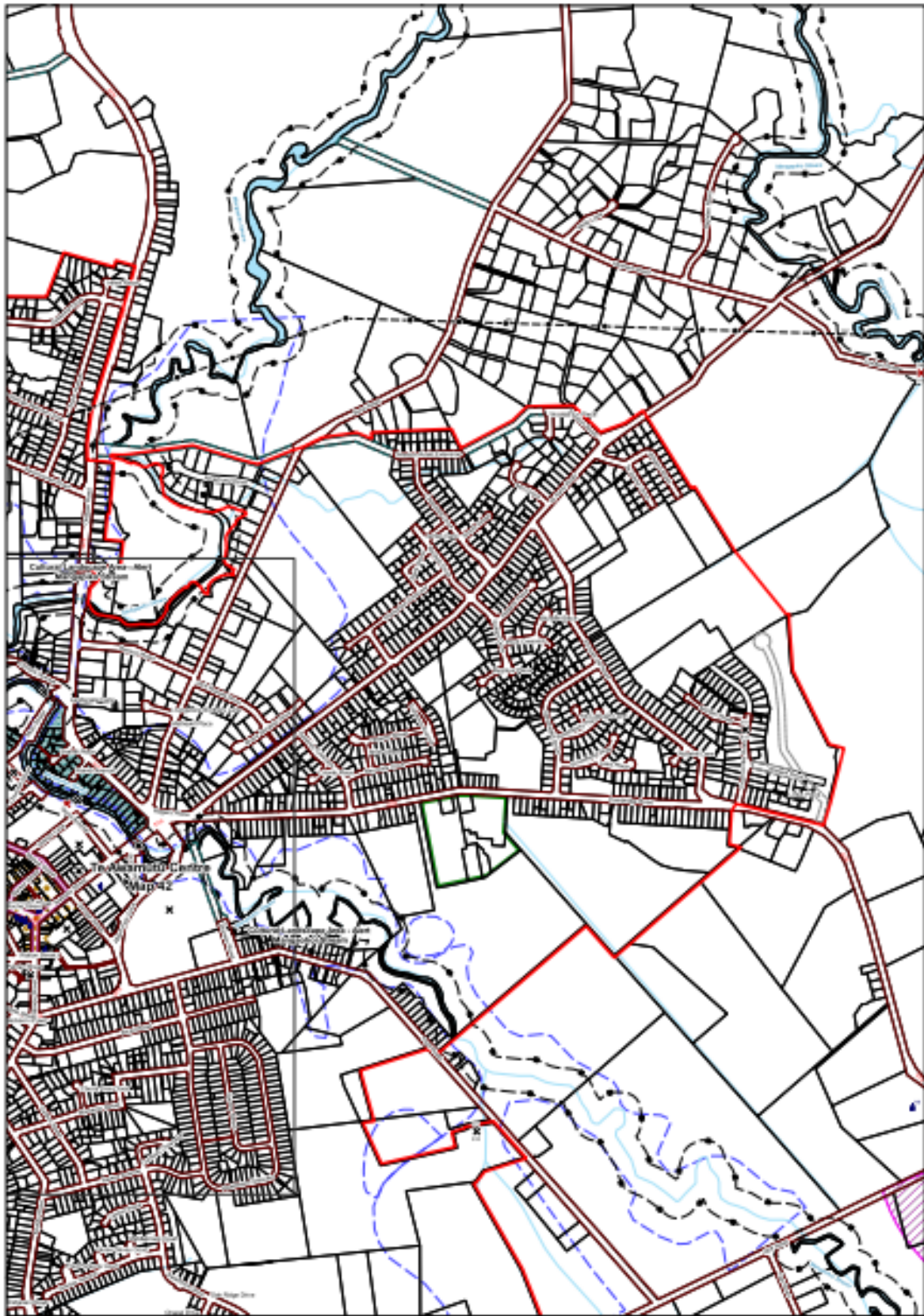
Policy Areas 37



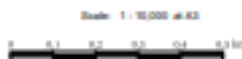

Te Awamutu (West)
 Waipā District Plan
 As proposed by Plan Change 13



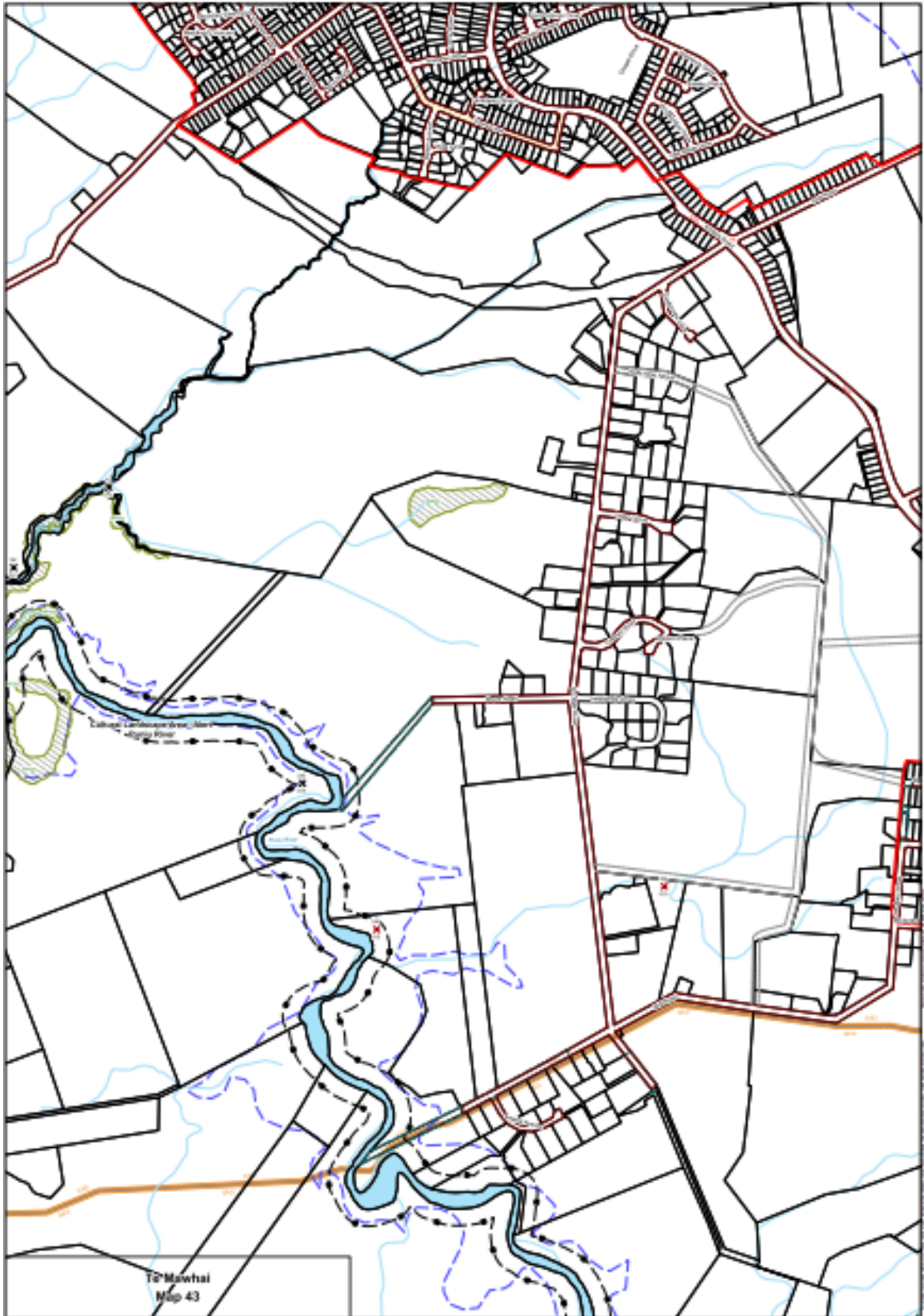

Policy Areas 38



Te Awamutu (East)
 Waipā District Plan
 As proposed by Plan Change 13



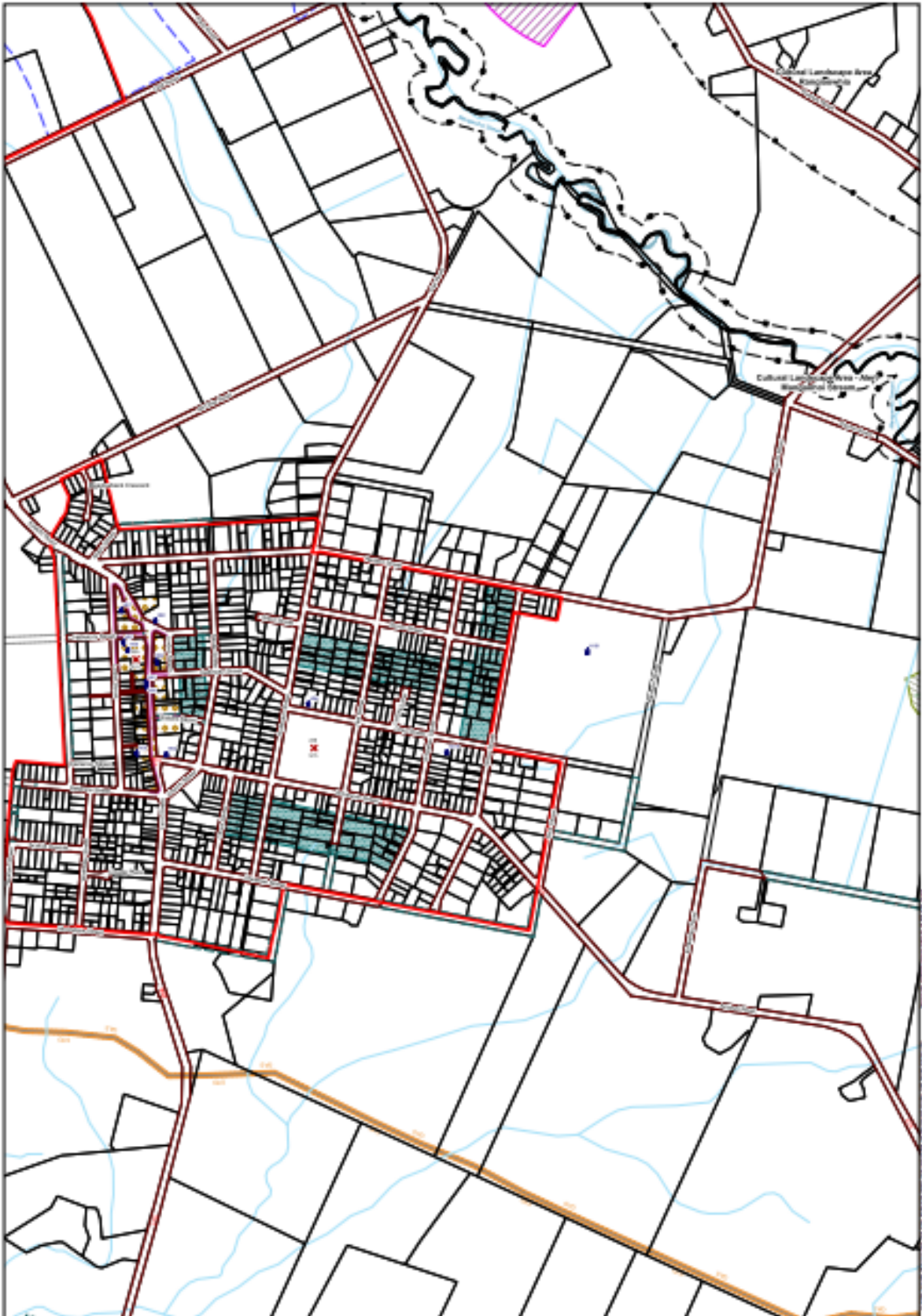
Policy Areas 39




St Leger
 Waipā District Plan
 As proposed by Plan Change 13



Policy Areas 40

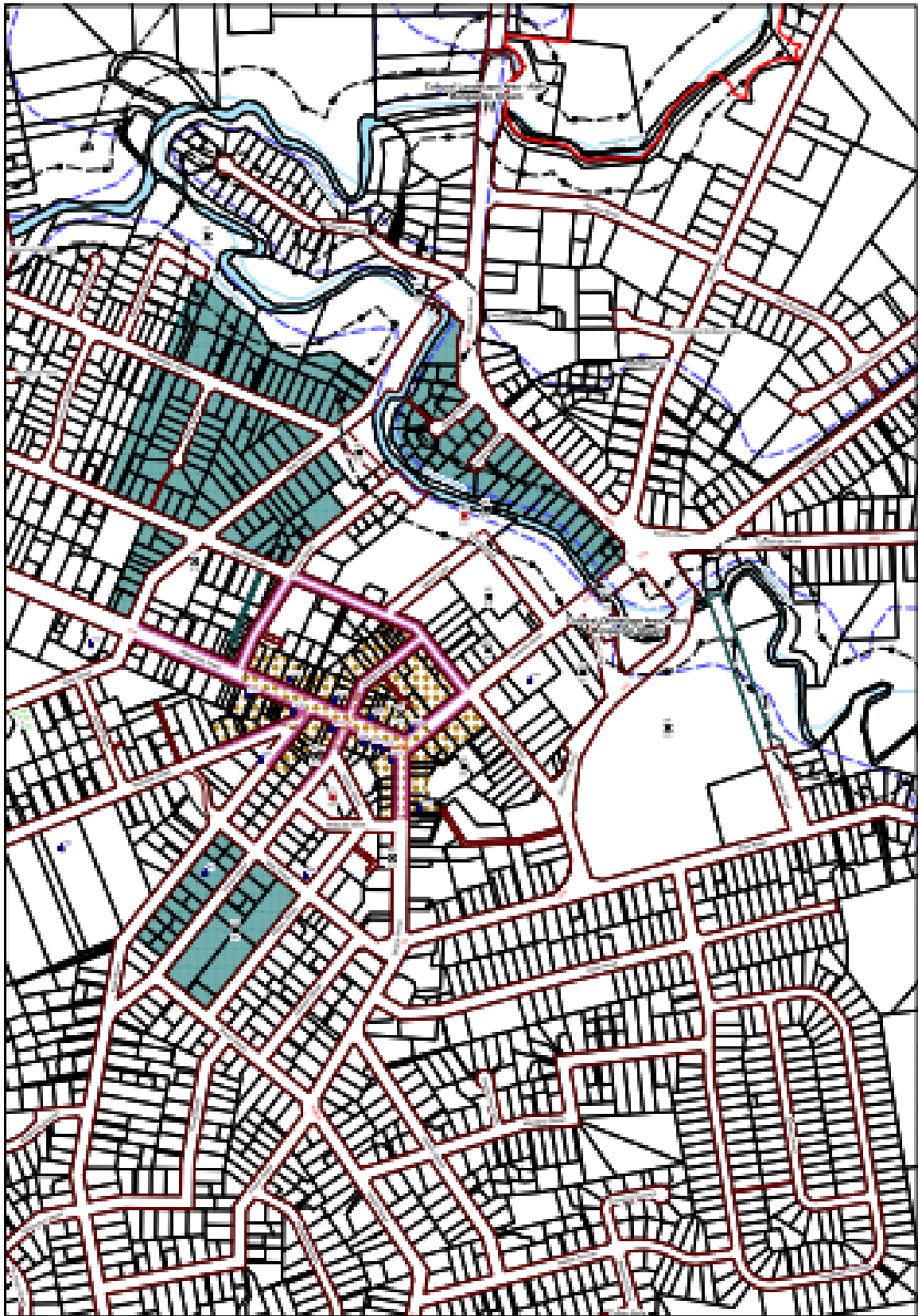



Kihikihi
 Waipā District Plan
 As proposed by Plan Change 13

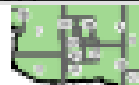
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Policy Areas 41



Te Awamutu Centre
Waipā District Plan
Accompanying Plan Change 13



Policy Area 42