

Proposed Plan Change 13: Uplifting Deferred Zones

Incorporating

Section 32 Evaluation Report

March 2021

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Report Information

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Executive Summary - Uplifting Deferred Zones

As part of a general review of the Waipā District Plan ('District Plan'), Council have 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 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.

Council staff have 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.

In addition to the resolution of the process for uplifting the Deferred Zones, Proposed Plan Change 13 is also seeking 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 simply taking 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.

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 Appendix S8, S9 and S14 as these areas are developed and the Structure Plans are no longer required;
- Update to Appendix S17 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 the 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.



A

Part A – Proposed Plan Change 13 Uplifting Deferred Zones

Part A – Proposed Plan Change 13

1 Summary of proposed changes to the Waipā District Plan

1.1 Introduction

The 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.

Proposed Plan Change 13 makes 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 S8 – Ōhaupo South Structure Plan
- Appendix S9 – Bruntwood Large Lot Residential Area Concept Plan
- Appendix S14 – Te Awamutu South Structure Plan and Design Guidelines
- 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

1.2 Section 2 – Residential Zone

As a consequential amendment from the incorporation of the Te Awamutu T11 Growth Cell Structure Plan new provisions have been added to Section 2 to regarding the neighbourhood centre as follows:

- Insert Rule 2.4.1.3(i) – to provide clarification of the expected activities within the T11 Growth Cell Neighbourhood Centre in accordance with the Structure Plan.
- Insert Rule 2.4.2.54 – to ensure that buildings within the T11 Growth Cell Neighbourhood Centre are designed in accordance with the Structure Plan.

1.3 Section 3 – Residential Zone

As a consequential amendment from the incorporation of the Te Awamutu T6 Growth Cell Structure Plan new provisions have been added to Section 3 to regarding the neighbourhood centre as follows:

- Insert Policy 3.3.7.7 – to provide policy support for the development of the T6 neighbourhood centre.
- Insert Rule 3.4.1.3(d) – to provide clarification of the expected activities within the T6 Growth Cell Neighbourhood Centre in accordance with the Structure Plan.
- Insert Rule 3.4.2.36 – to ensure that buildings within the T6 Growth Cell Neighbourhood Centre are designed in accordance with the Structure Plan.

1.4 Section 14 – Deferred Zone

A number of changes to the existing provisions, and the insertion of new provisions are proposed within Section 14 Deferred Zone as summarised below:

Introduction

- Amend Introduction 14.1.2 and 14.1.3 – to include reference to post-2035 Growth Cells.
- Delete Introduction 14.1.4 – to remove reference to Deferred Zone in Cambridge North which is to uplifted.

Policies

- Delete Policy 14.3.1.3 – to remove reference to Structure Plan framework for Deferred Zone.
- Delete Policies 14.3.1.4, 14.3.1.5 and 14.3.1.7 – to remove policies regarding uplifting Deferred Zone framework.
- Amend Policy 14.3.1.6 – to reflect amendments made to policies within Section 14.
- Insert Policies 14.3.1.6A – to explain structure plans are required for Growth Cells that are seeking a Plan Change to uplift the zone.

Rules

- Delete Rule 14.4.1.4(b) – to remove reference to Structure Plans within Deferred Zones.
- Delete Rules 14.4.1.5(d), (e) and (f) – to remove reference to uplifting Deferred Zone by resolution and Structure Plans within Deferred Zones.
- Delete Rule 14.4.1.8 – to remove reference to uplifting Deferred Zone by resolution.

- Delete Rule 14.4.1.9 – to remove reference to uplifting Deferred Zone by resolution.
- Delete Rule 14.1.1.10 – to remove reference to uplifting Deferred Zone by resolution.

1.5 Section 15 – Infrastructure, Hazards, Development and Subdivision

A number of changes to the existing provisions, and the insertion of new provisions are proposed within Section 15 Infrastructure, Hazards, Development and Subdivision as summarised below:

Objectives

- Insert Objective 15.3.15A – to provide a policy framework to protect areas within Deferred Zones from inappropriate development and subdivision.

Policies

- Insert Policies 15.3.15A.1 and 15.3.15A.2 – to provide policy framework to support the provisions within Section 15 regarding Deferred Zones.

Rules

- Delete Rule 15.4.2.61 – to remove reference to development and subdivision within Deferred Zone.
- Amend Rule 15.4.2.69 – to remove Structure Plans which are no longer required and include new Structure Plans.

1.6 Section 21 – Assessment Criteria and Information Requirements

A number of minor changes are proposed within Section 21 to reflect and align with the proposed changes made to Sections 2, 14 and 15 summarised below:

- Insert Assessment Criteria 21.1.2.18 – to provide assessment criteria for the development of the Neighbourhood Centre within the T11 Growth Cell Structure Plan.
- Insert Assessment Criteria 21.1.3.13 – to provide assessment criteria for the development of the Neighbourhood Centre within the T6 Growth Cell Structure Plan.
- Delete Assessment Criteria 21.1.14.1 – to remove reference to Structure Plans within Section 14.
- Amend Assessment Criteria 21.1.15.43 – to provide clarity that the assessment criteria is to be applied to subdivision and development within Structure Plan areas.
- Delete Information Requirement 21.2.14.1 – to remove reference to Structure Plans within Section 14.

1.7 Appendix S1 – Future Growth Cells

Proposed Plan Change 13 is seeking a number of minor changes within Appendix S1 to reflect the proposed changes made to Section 14 as a result of Proposed Plan Change 13. These include amendments to the overview and capacity information for a number of Growth Cells.

1.8 Appendix S8 – Ōhaupo South Structure Plan

Proposed Plan Change 13 seeks to delete Appendix S8 in its entirety as this area is fully developed and the Structure Plan is no longer required.

1.9 Appendix S9 – Bruntwood Large Lot Residential Area Concept Plan

Proposed Plan Change 13 seeks to delete Appendix S9 in its entirety as this area is fully developed and the Structure Plan is no longer required.

1.10 Appendix S14 – Te Awamutu South Structure Plan and Design Guidelines

Proposed Plan Change 13 seeks to delete Appendix S14 in its entirety as this area is fully developed and the Structure Plan is no longer required.

1.11 Appendix S17 – Te Awamutu T1 Growth Cell Structure Plan

Proposed Plan Change 13 seeks to update Appendix S17 to reflect the consented master plan for the T1 Growth Cell which was approved via resource consent in 2019 (Council reference LU/0012/19).

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

It is proposed that a new Appendix be inserted into the District Plan to incorporate the endorsed Cambridge C4 Growth Cell Structure Plan.

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

It is proposed that a new Appendix be inserted into the District Plan to incorporate the endorsed Te Awamutu T6 Growth Cell Structure Plan.

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

It is proposed that a new Appendix be inserted into the District Plan to incorporate the endorsed Te Awamutu T11 Growth Cell Structure Plan.

1.15 Planning Maps

The following Planning Maps within Volume 3 of the Waipā District Plan have changed as a result of Proposed Plan Change 13:

- Planning Map 2
- Planning Map 3
- Planning Map 4
- Planning Map 5
- Planning Map 8
- Planning Map 12
- Planning Map 14
- Planning Map 16
- Planning Map 20
- Planning Map 22
- Planning Map 23
- Planning Map 24
- Planning Map 26
- Planning Map 30
- Planning Map 31
- Planning Map 34
- Planning Map 35
- Planning Map 37
- Planning Map 38
- Planning Map 39
- Planning Map 40
- Planning Map 41
- Planning Map 42
- Planning Map 44
- Planning Map 45

2 Recommended Tracked Changes to Waipā District Plan

The following sets out the proposed changes for Proposed Plan Change 13. The proposed changes are shown with new additions underlined, and deletions shown as ~~strikeouts~~. Consequential renumbering may occur throughout amended sections.

2.1 Section 2 – Residential Zone

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><u>(a) Café, dining and ancillary activities</u></p> <p><u>(b) Commercial retail and service activities</u></p> <p><u>(c) Commercial offices or residential activities, limited to above ground floor</u></p> <p><u>Assessment will be restricted to the following matters:</u></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 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 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.

2.2 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 must comply with the performance standards of this zone
(d)	<p><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></p> <ul style="list-style-type: none"> <u>(a) Café, dining and ancillary activities</u> <u>(b) Commercial retail and service activities</u> <u>(c) Commercial offices or residential activities, limited to above ground floor</u> <p><u>Assessment will be restricted to the following matters:</u></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 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.

2.3 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 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.
(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.~~

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.~~

2.4 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. 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

- | | | |
|----------------|--|------------------------|
| (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
(new)	Cambridge C4 Growth Cell Structure Plan	Appendix S23
(new)	Te Awamutu T6 Growth Cell Structure Plan	Appendix S24
(new)	Te Awamutu T11 Growth Cell Structure Plan	Appendix S25
(t)	Deferred Zones, for the intended future zones identified on the Planning Maps (Subject to resource consent or plan change).	

2.5 Section 21 – Assessment Criteria and Information Requirements

21.1.2 Residential Zone

<u>Residential Zone Assessment Criteria</u>		
Restricted Discretionary Activities		
21.1.2.17	...	
(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> <p>(a) <u>Are compatible with the surrounding neighbourhood context.</u></p> <p>(b) <u>Provide parking facilities that do not visually dominate the public realm or create obstructions in the pedestrian environment.</u></p> <p>(c) <u>Maximise outlook onto adjacent streets and/or public open spaces.</u></p> <p>(d) <u>Include universal access design principles.</u></p> <p>(e) <u>Utilises landscaping to integrate the development into the surrounding open space context, and enhance the amenity of the site.</u></p> <p>(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></p> <p>(g) <u>Will generate traffic or parking movements that can be adequately managed.</u></p> <p>(h) <u>Can be adequately serviced.</u></p>

21.1.3 Large Lot Residential Zone

<u>Large Lot Residential Zone Assessment Criteria</u>		
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>

<u>Large Lot Residential Zone Assessment Criteria</u>	
Restricted Discretionary Activities	
	<p>(a) <u>Are compatible with the surrounding neighbourhood context.</u></p> <p>(b) <u>Provide parking facilities that do not visually dominate the public realm or create obstructions in the pedestrian environment.</u></p> <p>(c) <u>Maximise outlook onto adjacent streets and/or public open spaces.</u></p> <p>(d) <u>Include universal access design principles.</u></p> <p>(e) <u>Utilises landscaping to integrate the development into the surrounding open space context, and enhance the amenity of the site.</u></p> <p>(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></p> <p>(g) <u>Will generate traffic or parking movements that can be adequately managed.</u></p> <p>(h) <u>Can be adequately serviced.</u></p>

21.1.14 Deferred Zones

<u>Deferred Zones Assessment Criteria</u>	
Discretionary Activities	
<i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i>	
21.1.14.1	<p>Structure plans for an entire Deferred Zone area identified on the Planning Maps</p> <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>

<u>Deferred Zones Assessment Criteria</u>	
	<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 Waipā 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

<u>Infrastructure, Hazards, Development and Subdivision Assessment Criteria</u>			
Discretionary Activities <i>Refer also to 21.1.1 Assessment Criteria for ALL discretionary activities</i>			
21.1.15.43	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;"><u>Subdivision and development within Structure plans areas</u></td> <td>(a)</td> </tr> </table>	<u>Subdivision and development within Structure plans areas</u>	(a)
<u>Subdivision and development within Structure plans areas</u>	(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	<table border="1" style="width: 100%;"> <tr> <td style="width: 30%;">Structure plans for an entire Deferred Zone area identified on the Planning Maps</td> <td> <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</p> </td> </tr> </table>	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</p>
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</p>		

Deferred Zones Information Requirements	
	<p>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> <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</p>

Deferred Zones Information Requirements	
	<p>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>

2.6 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. <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 790 dwellings.
C6	53ha	<ul style="list-style-type: none"> This growth cell is intended <u>zoned</u> for large lot residential development, and has a Structure Plan in place <u>and is actively being developed.</u> 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 beyond 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 <u>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 serviced.</u> 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 <u>and is actively being developed.</u> The growth cell has a dwelling capacity of approximately 444 dwellings.

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
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. <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 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 residential growth cell is subject to a structure plan. <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 132 dwellings.
T10	21ha	<ul style="list-style-type: none"> This residential growth cell is subject to a structure plan. <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 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</u> 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. The growth cell has a dwelling capacity of approximately 60 dwellings.

Te Miro Residential Growth Cells – anticipated beyond 2035

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

2.7 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).

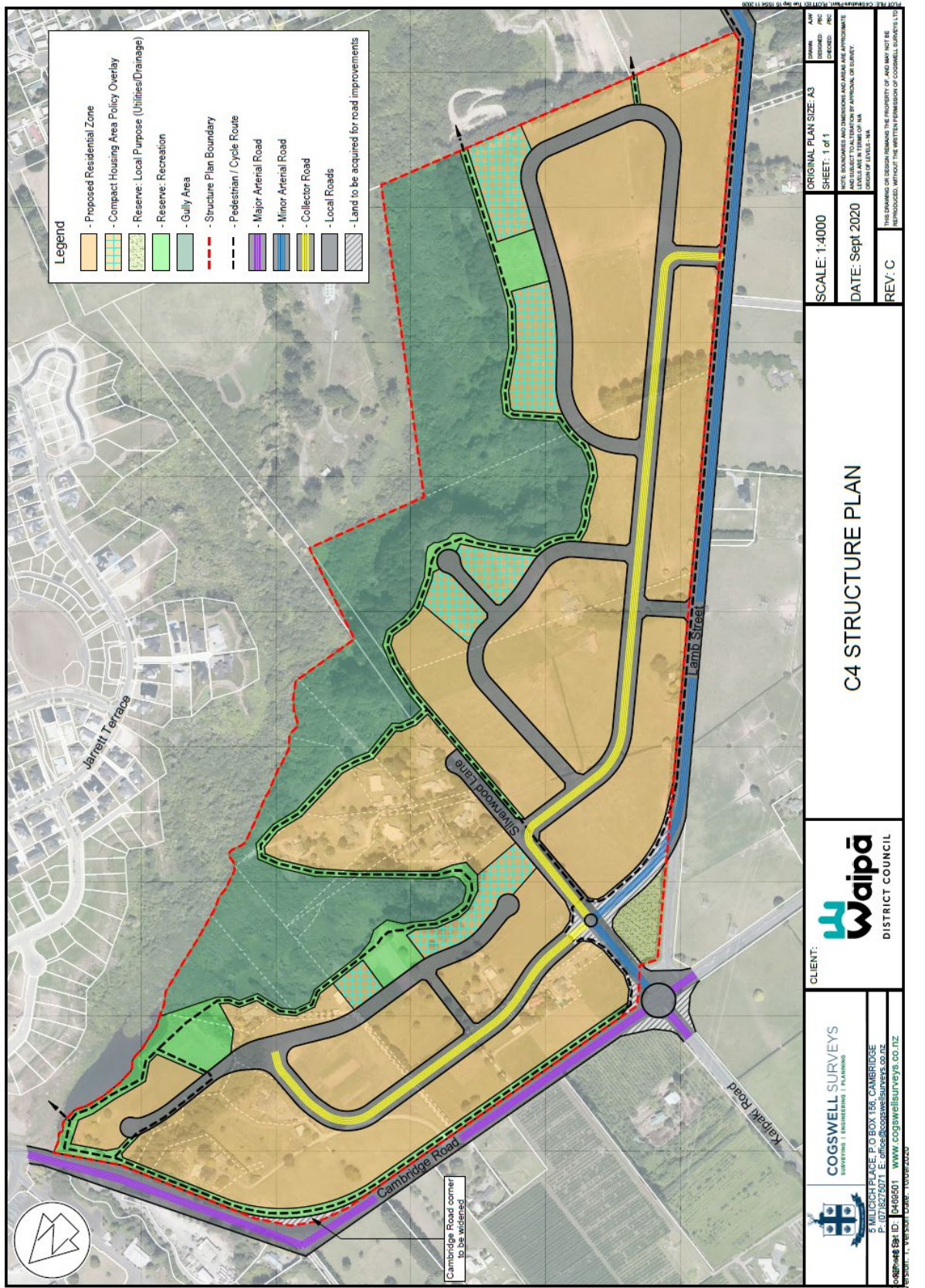
The Te Awamutu T1 Growth Cell Structure Plan (Appendix S17) is to be updated to reflect the resource consent for the master plan of the T1 area which was approved via resource consent in 2019 (Council reference LU/0012/19). This is included on the following page.

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.

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

S23.1 Cambridge C4 Growth Cell Structure Plan



S23.2 Background

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

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

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

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

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

S23.3 Key design principles

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

Local Identity

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

Community Cohesion

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

Connectivity

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

Environmental Responsibility

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

S23.4 Open Space Network

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

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

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

S23.4.4 The gully edge reserve will anchor two neighbourhood reserves, each between 3,500m² 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

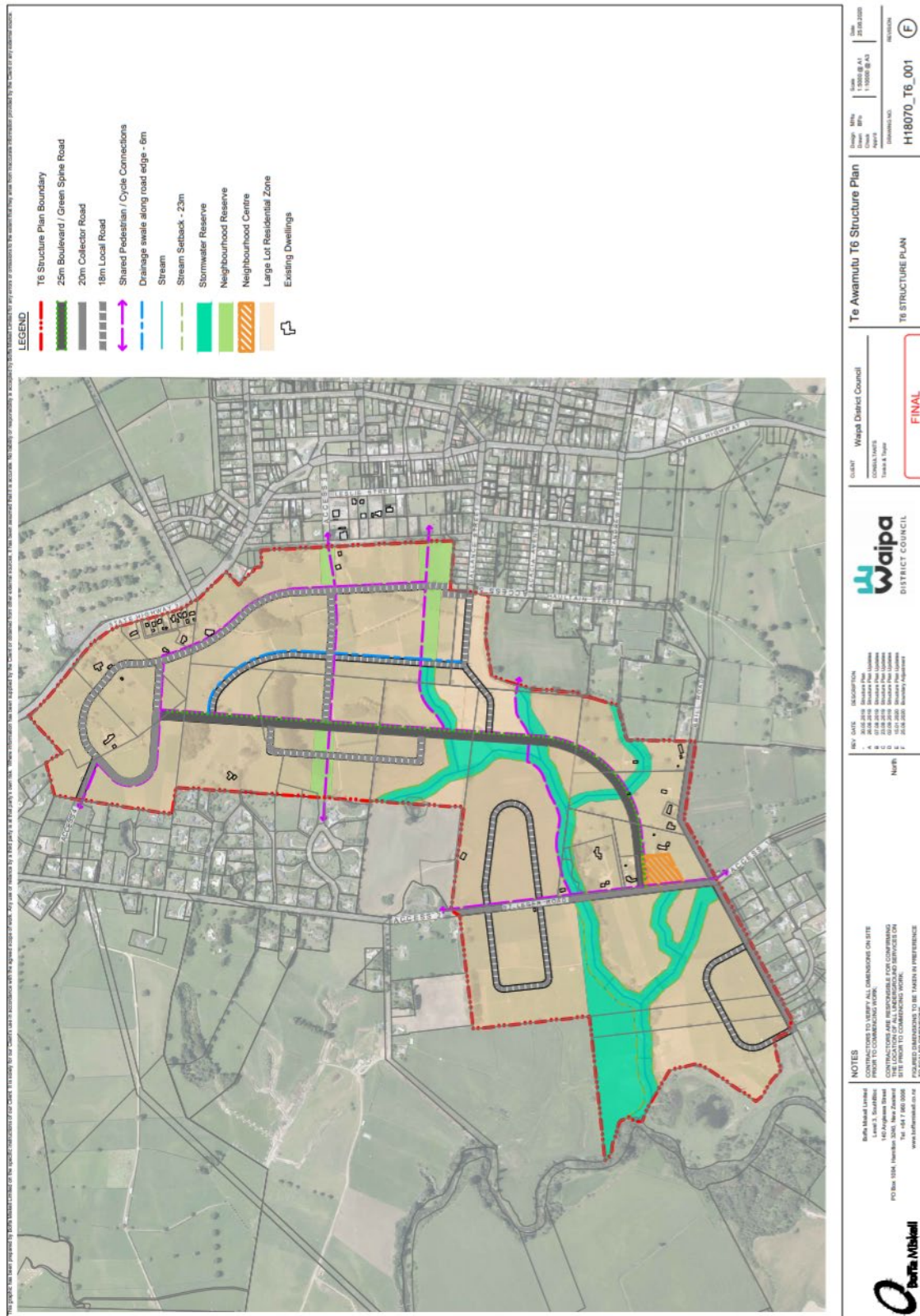
S23.7.1 This Structure Plan should be read in conjunction with the following technical reports which are available from Council on request:

- (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).

2.10 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



25m Collector Road / Green Spine Road





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.

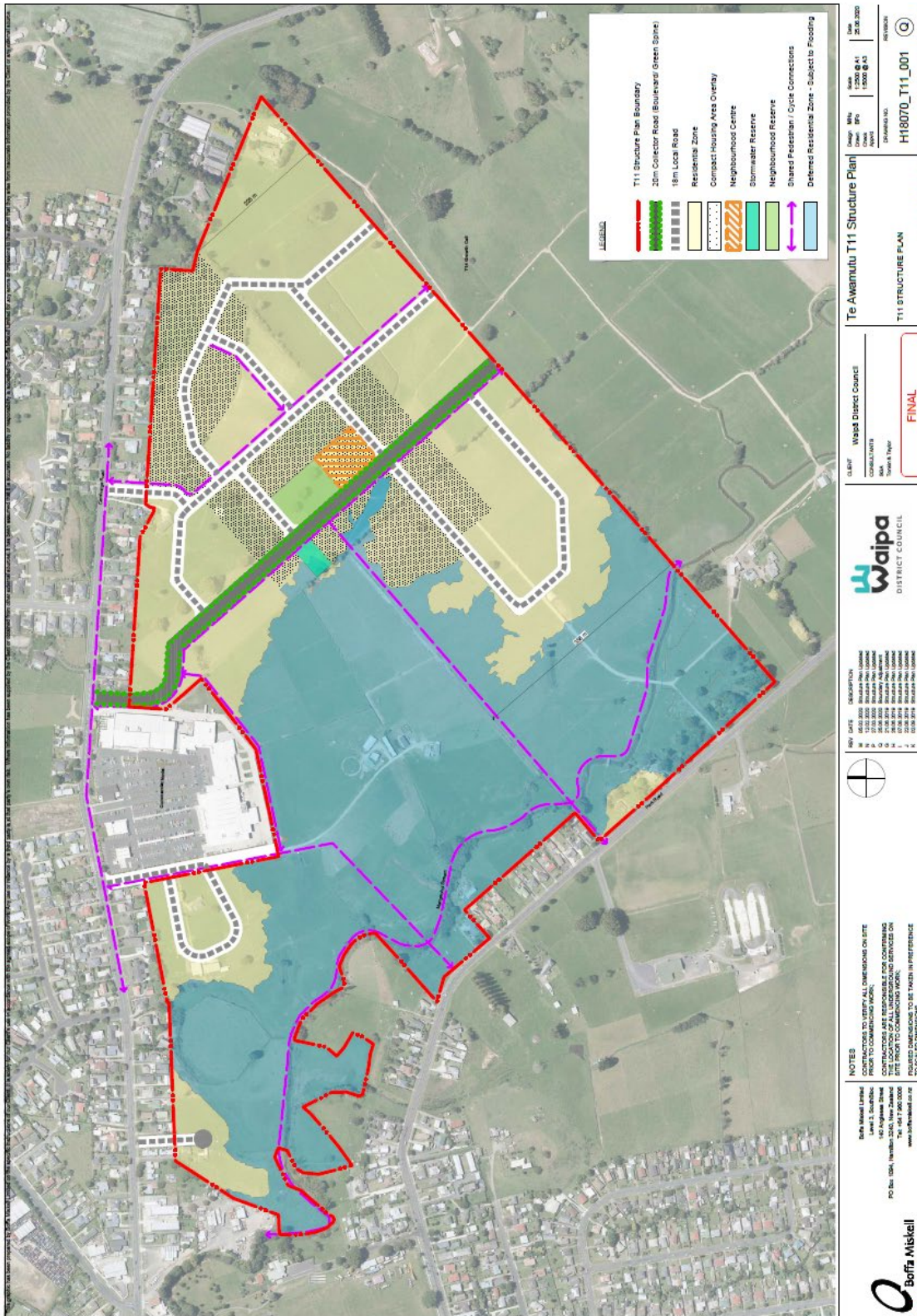
S24.9 Supporting Documents

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)

2.11 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.

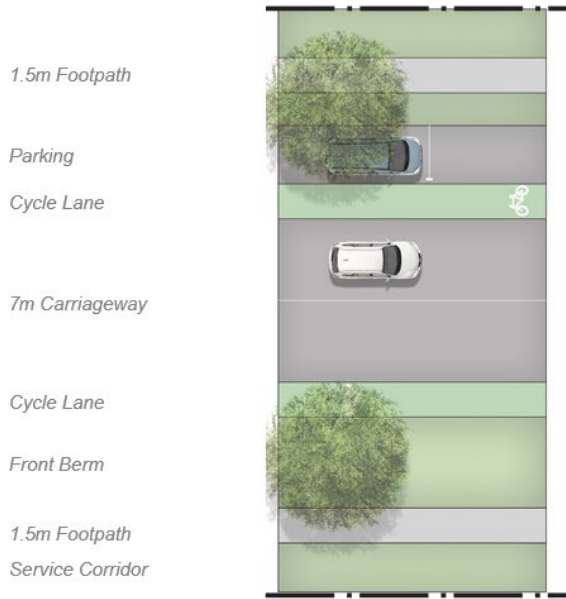
S25.6.5 Shared paths should be a minimum of 3m wide while footpaths should be a minimum of 1.5m wide.

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.

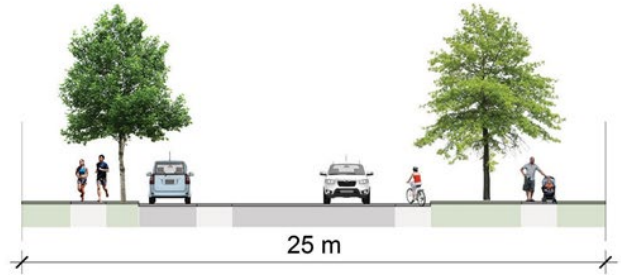
S25.6.7 The activation of the public realm from people moving through these spaces makes them safer and more attractive to a range of users.



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.

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

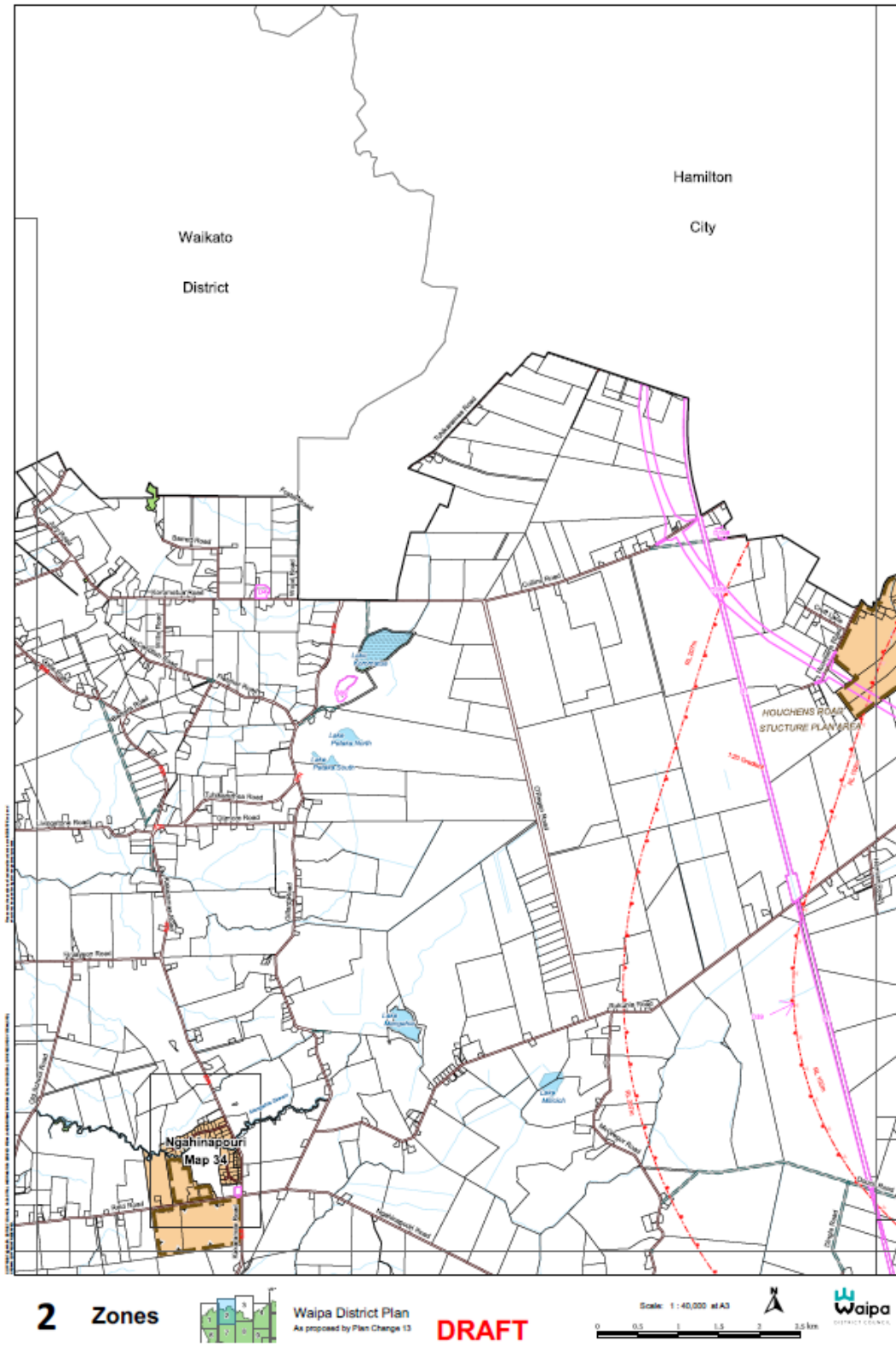
S25.9.1 This Structure Plan should be read in conjunction with the following technical reports which are available from Council on request:

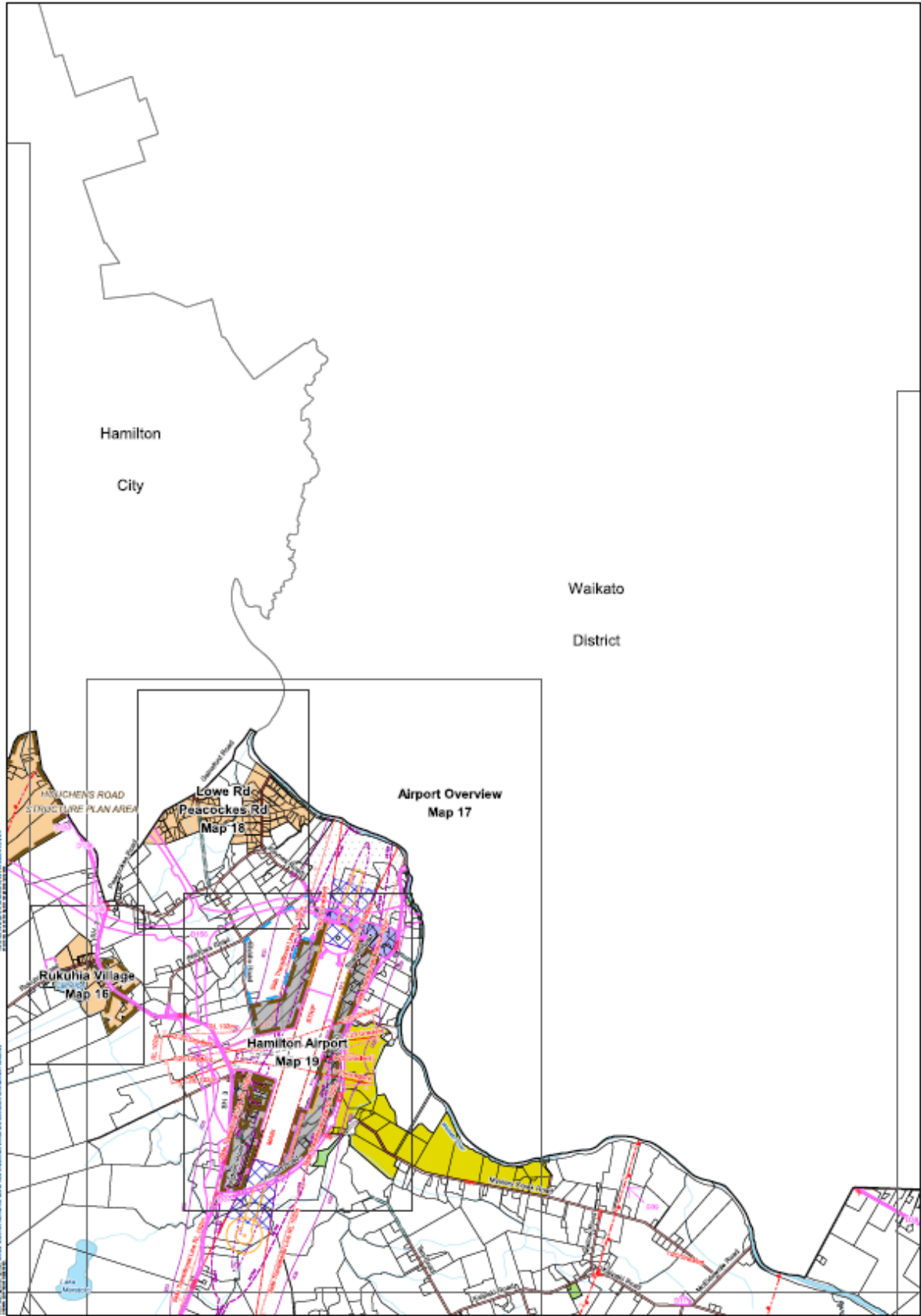
- (a) Te Awamutu T11 Structure Plan Context Report, prepared by Boffa Miskell, dated 25 June 2020 (Council document number 10411036);
- (b) Te Awamutu T11 Growth Cell Design Guidelines, prepared by Boffa Miskell, dated 25 June 2020, (Council document number 10411038);
- (c) T6 and T11 Growth Cell Structure 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).

2.12 Planning Maps

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





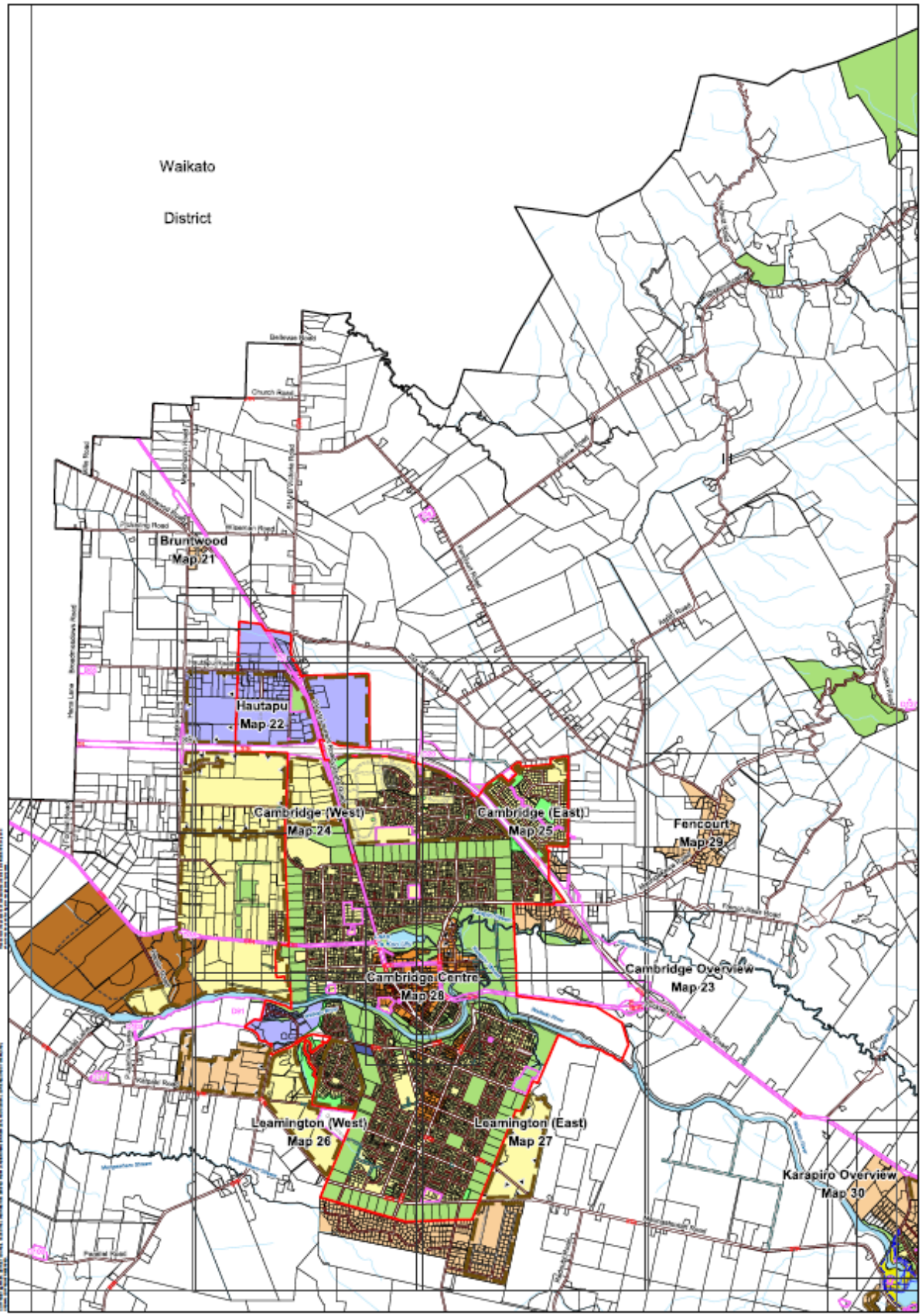
3 Zones



Waipa District Plan
As proposed by Plan Change 13

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4 Zones



Cambridge Overview

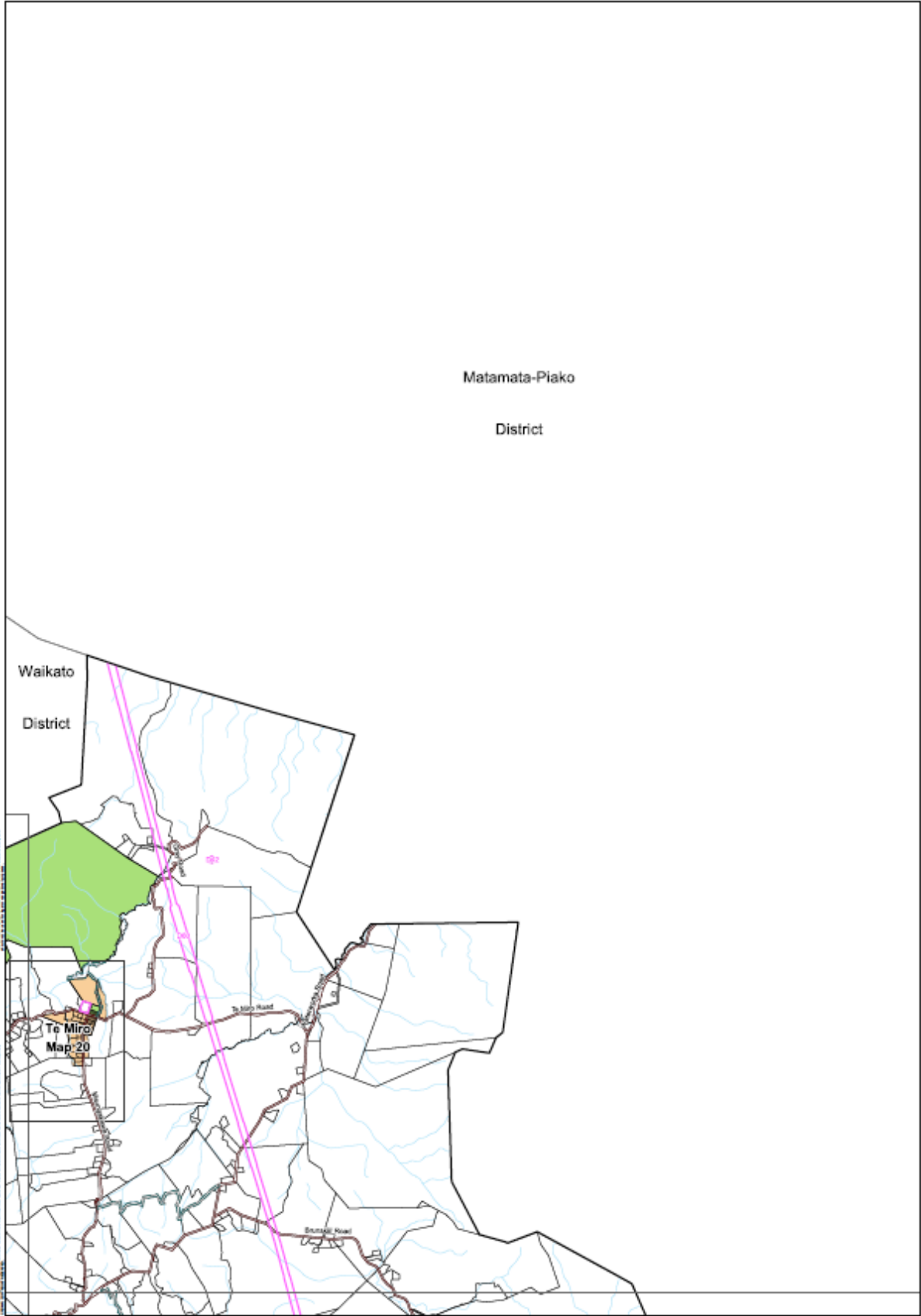
Waipa District Plan

As proposed by Plan Change 13

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5 Zones

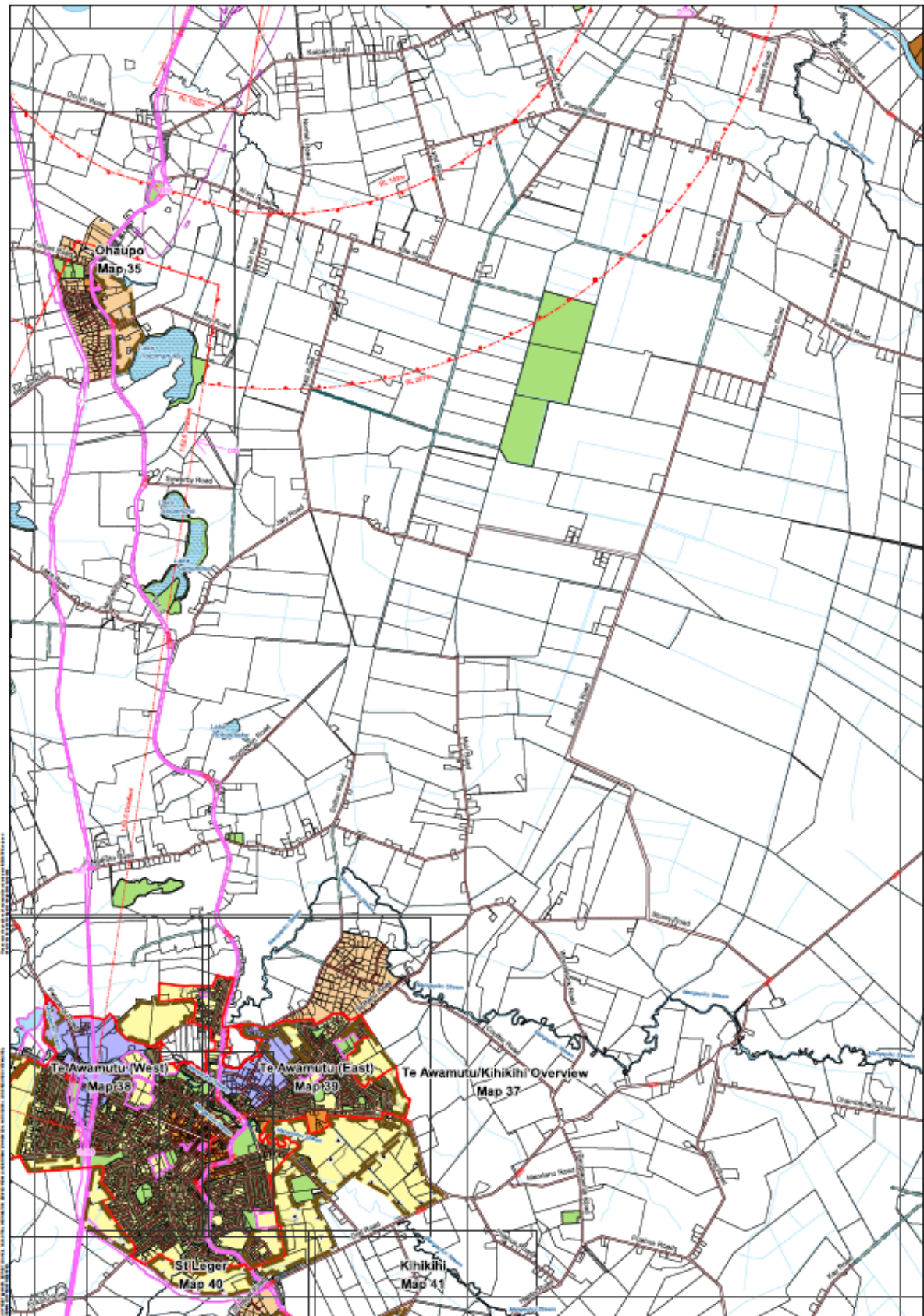


Waipa District Plan
As proposed by Plan Change 13

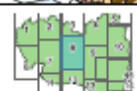
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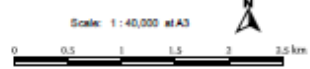


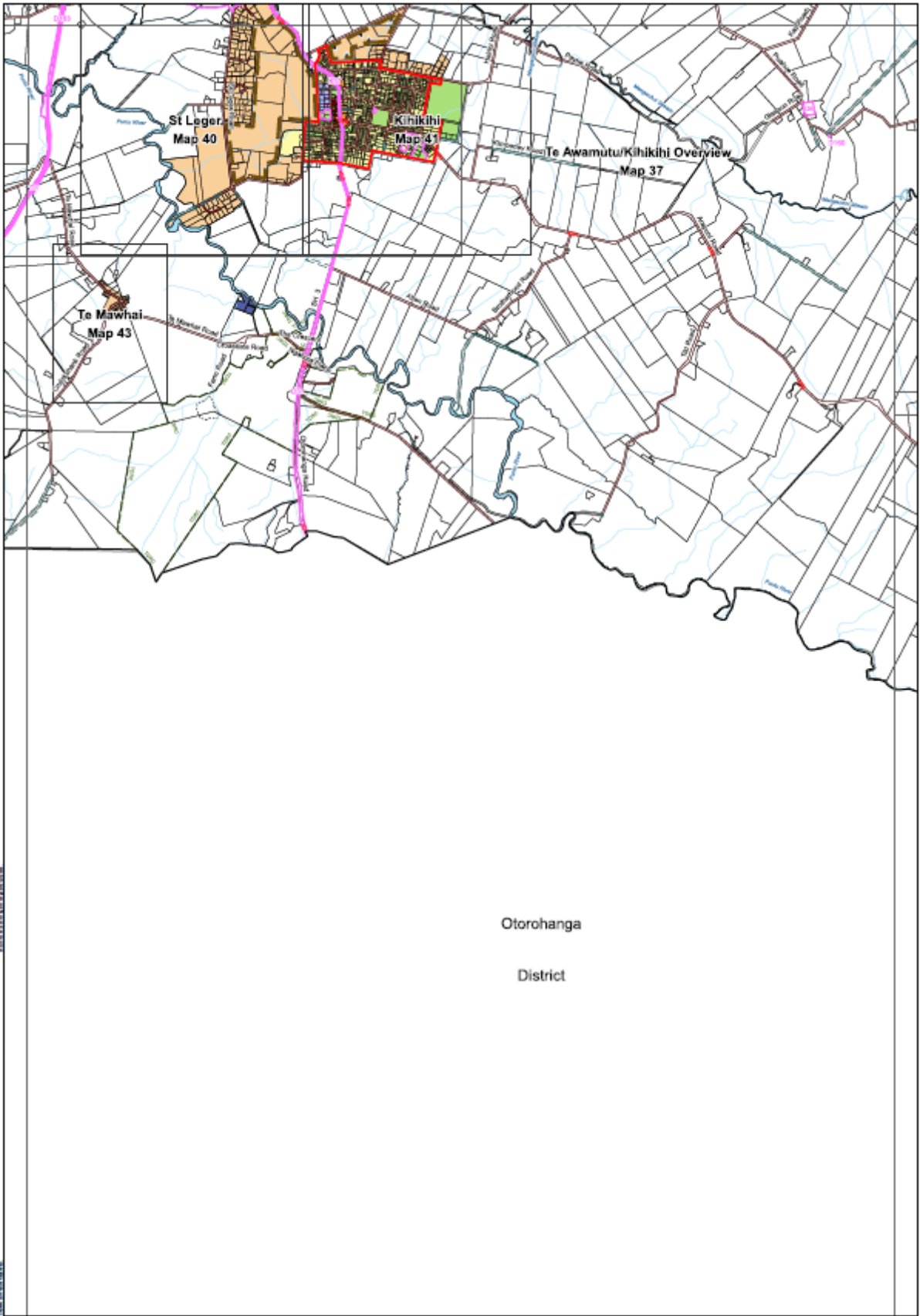
8 Zones



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

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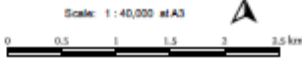


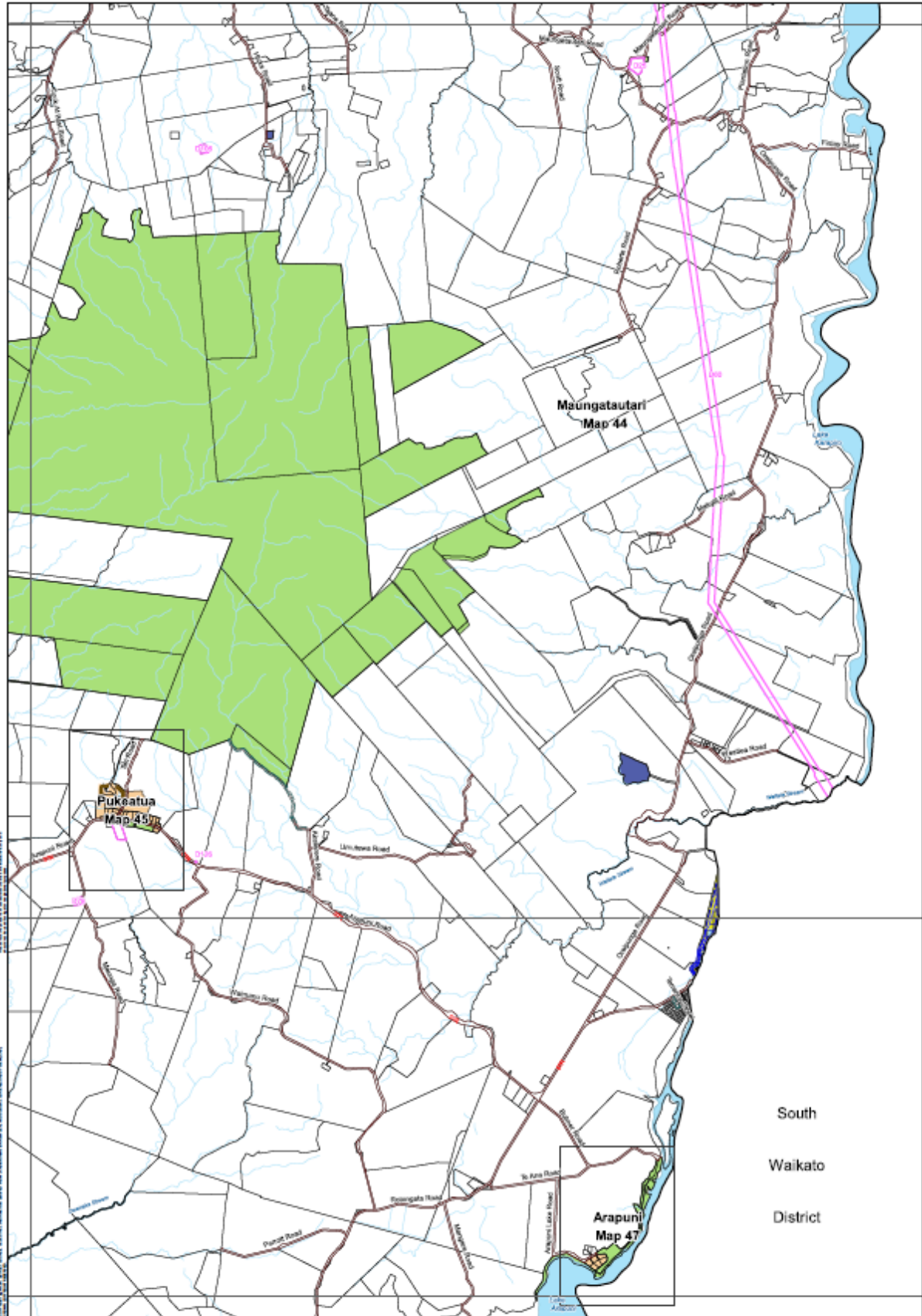


12 Zones



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





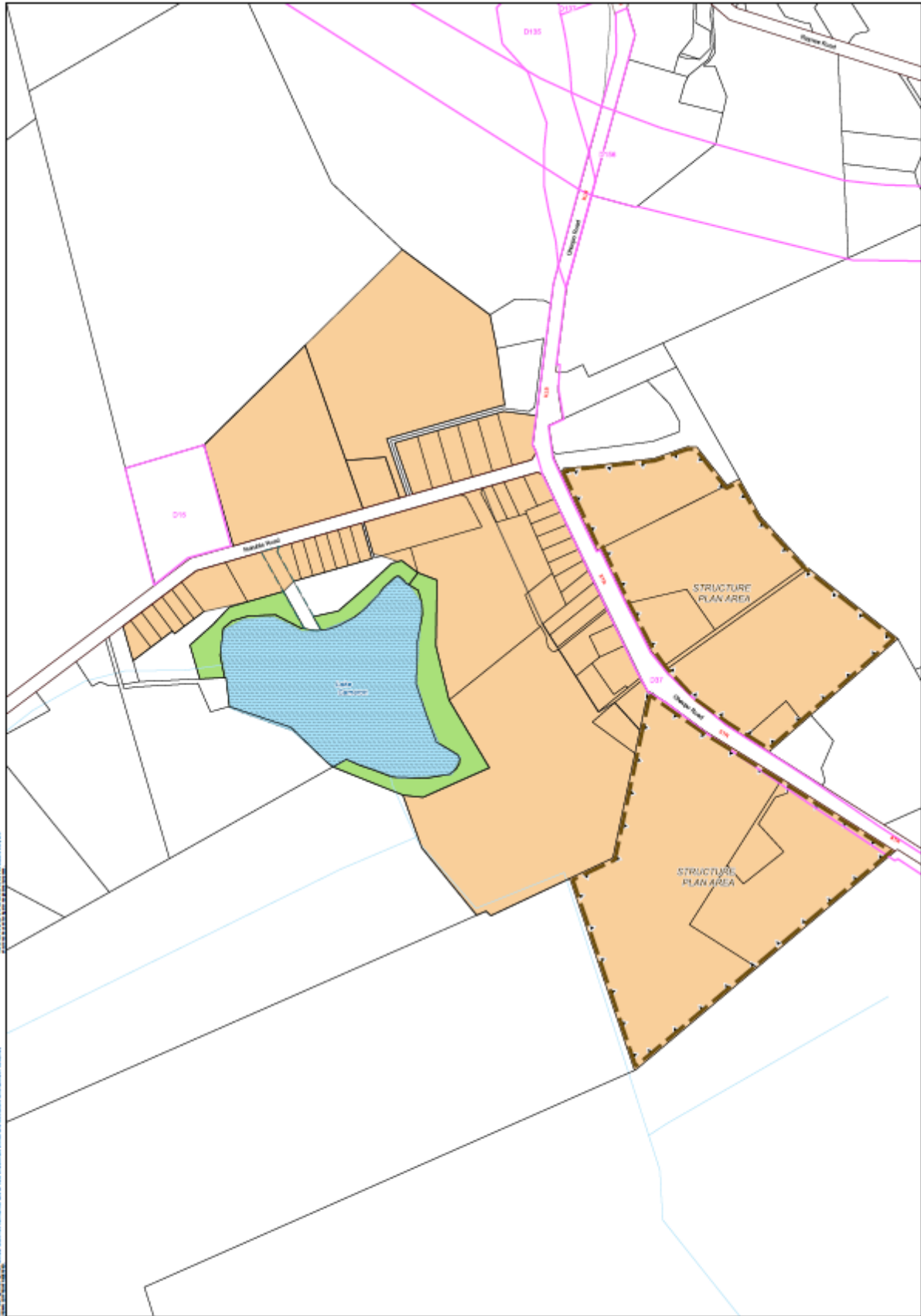
South
Waikato
District

14 Zones



Maungatautari Overview
Waipa District Plan
As proposed by Plan Change 13 **DRAFT**





16 Zones



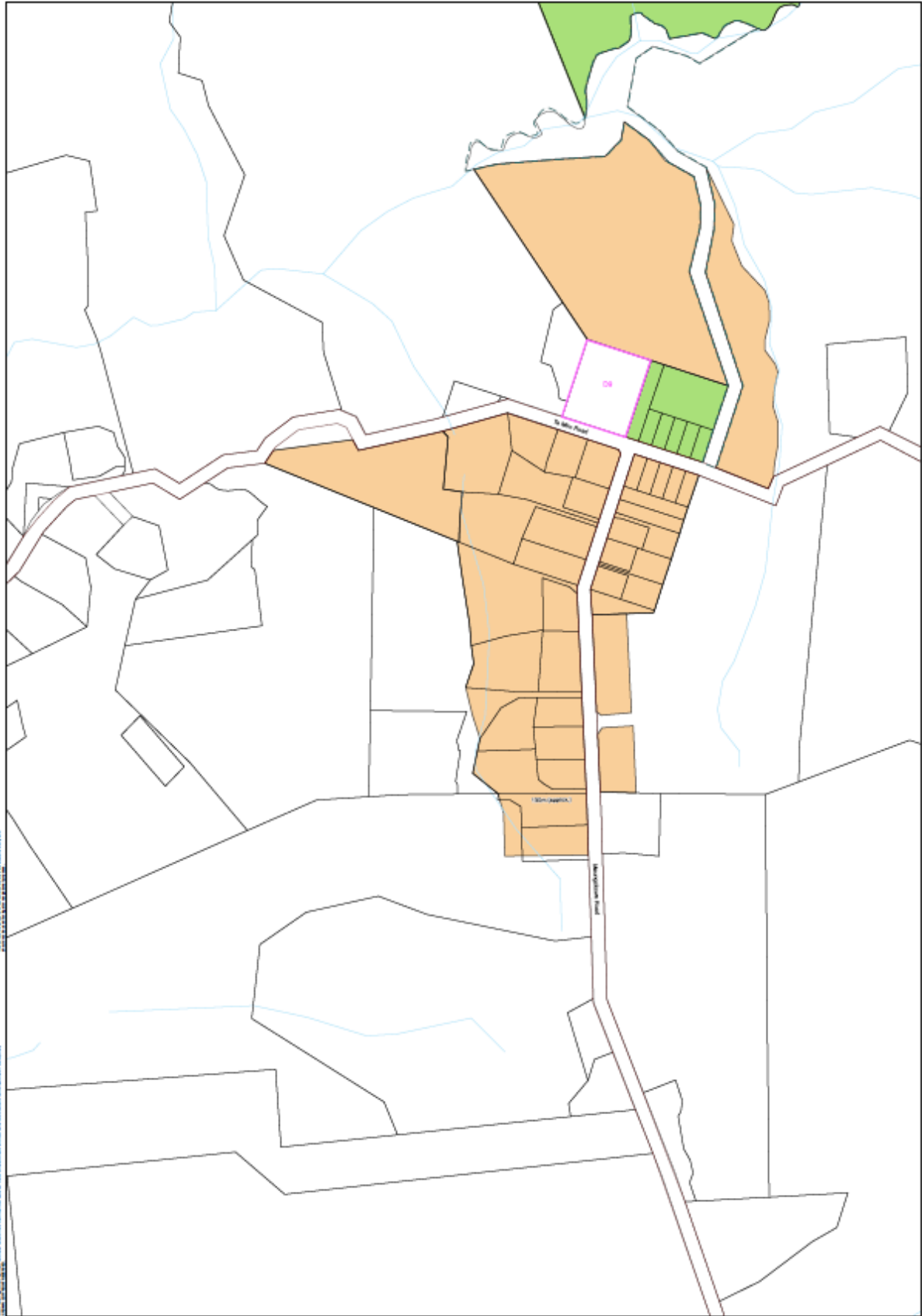
Rukuhia Village

Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1:5,000 at A3





20 Zones

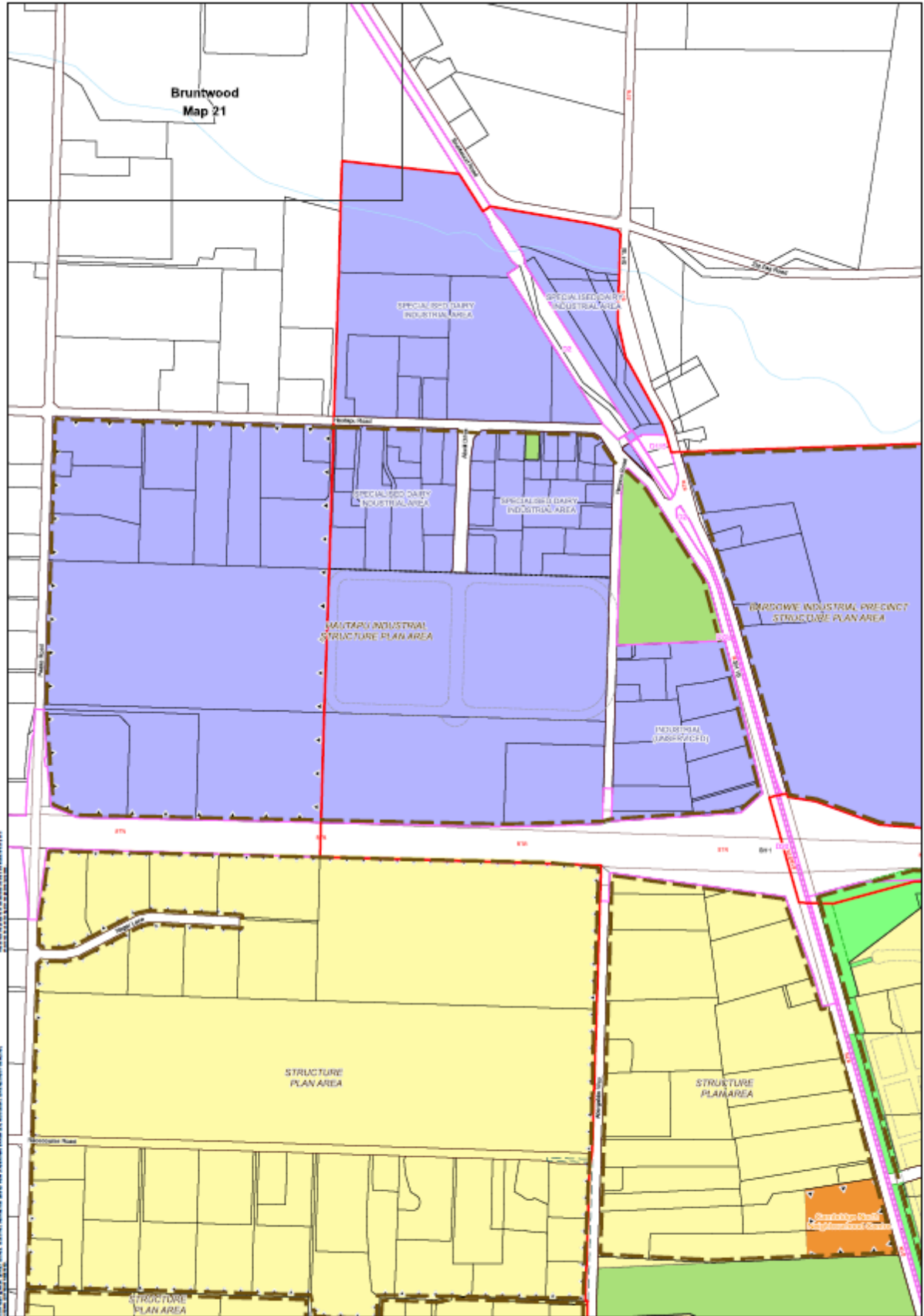


Te Miro
 Waipā District Plan
 As proposed by Plan Change 13

DRAFT

Scale: 1 : 5,000 at A3





22 Zones



Hautapu
 Waipa District Plan
 As proposed by Plan Change 13

DRAFT

Scale: 1:7,500 at A3
 0 0.05 0.1 0.15 0.2 0.25 km





23 Zones



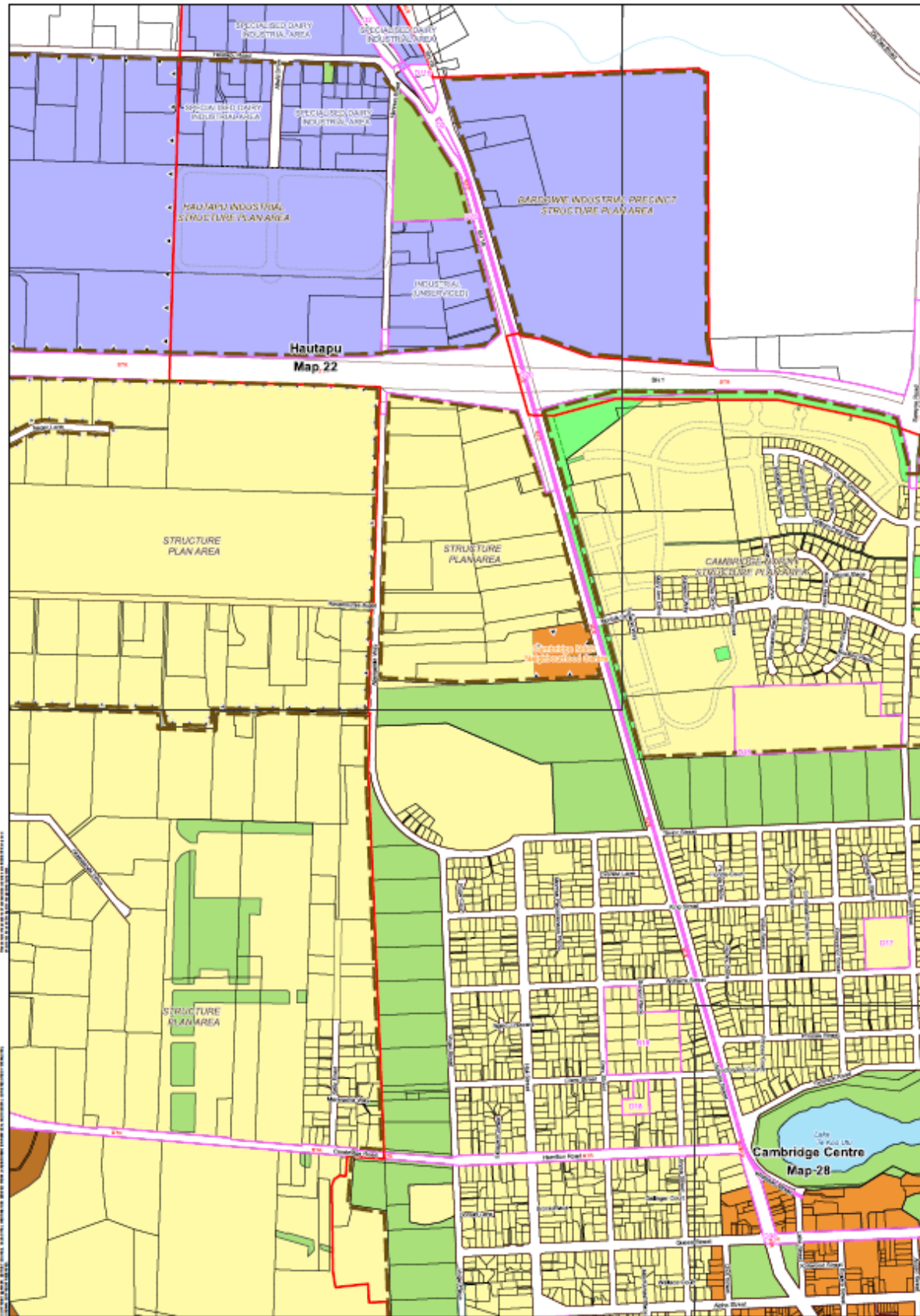
Cambridge Overview

Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1 : 20,000 at A3





24 Zones

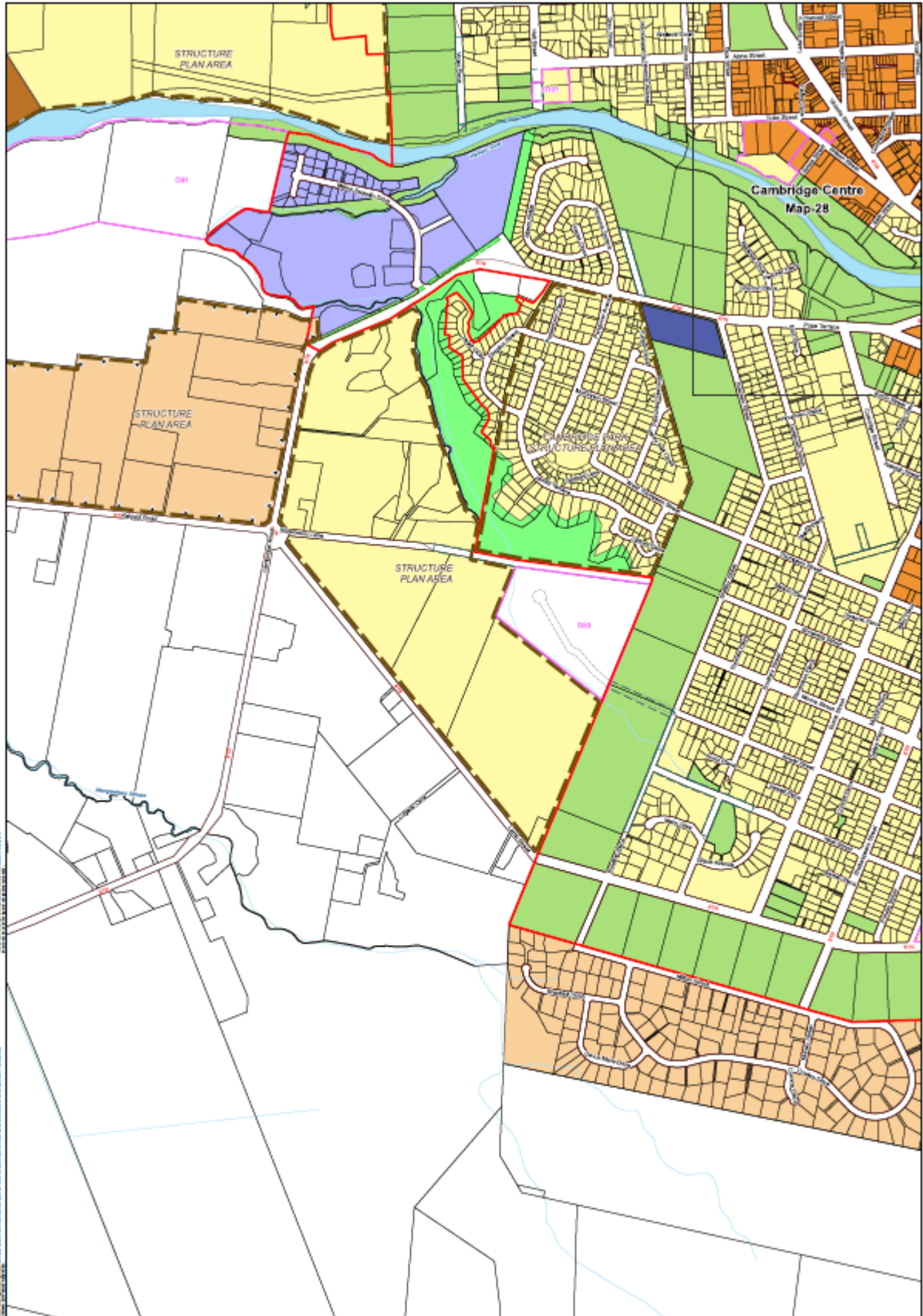


Cambridge (West)
 Waipā District Plan
 As proposed by Plan Change 13

DRAFT

Scale: 1 : 10,000 at A3





26 Zones



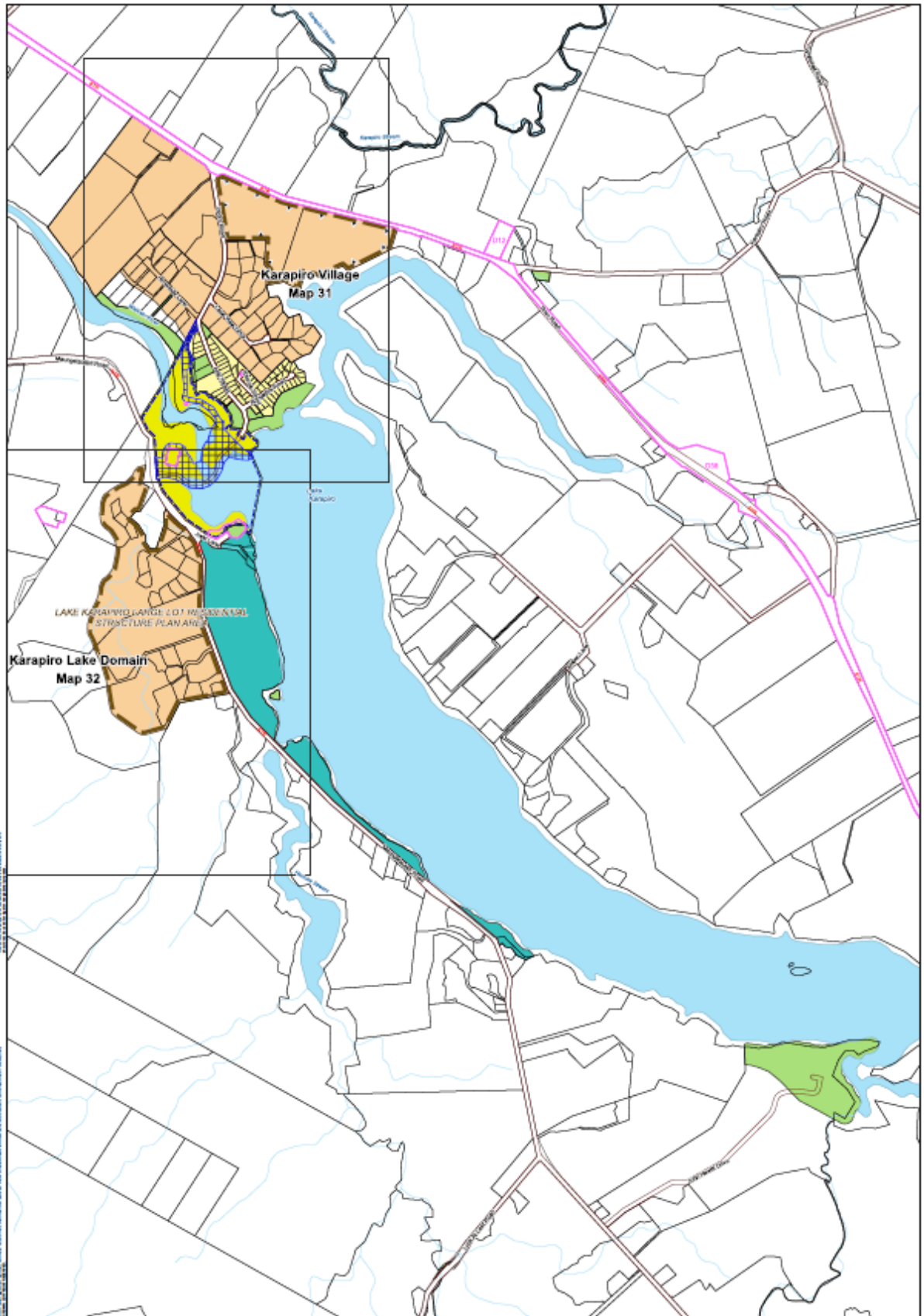
Leamington (West)

Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1 : 10,000 at A3





30 Zones



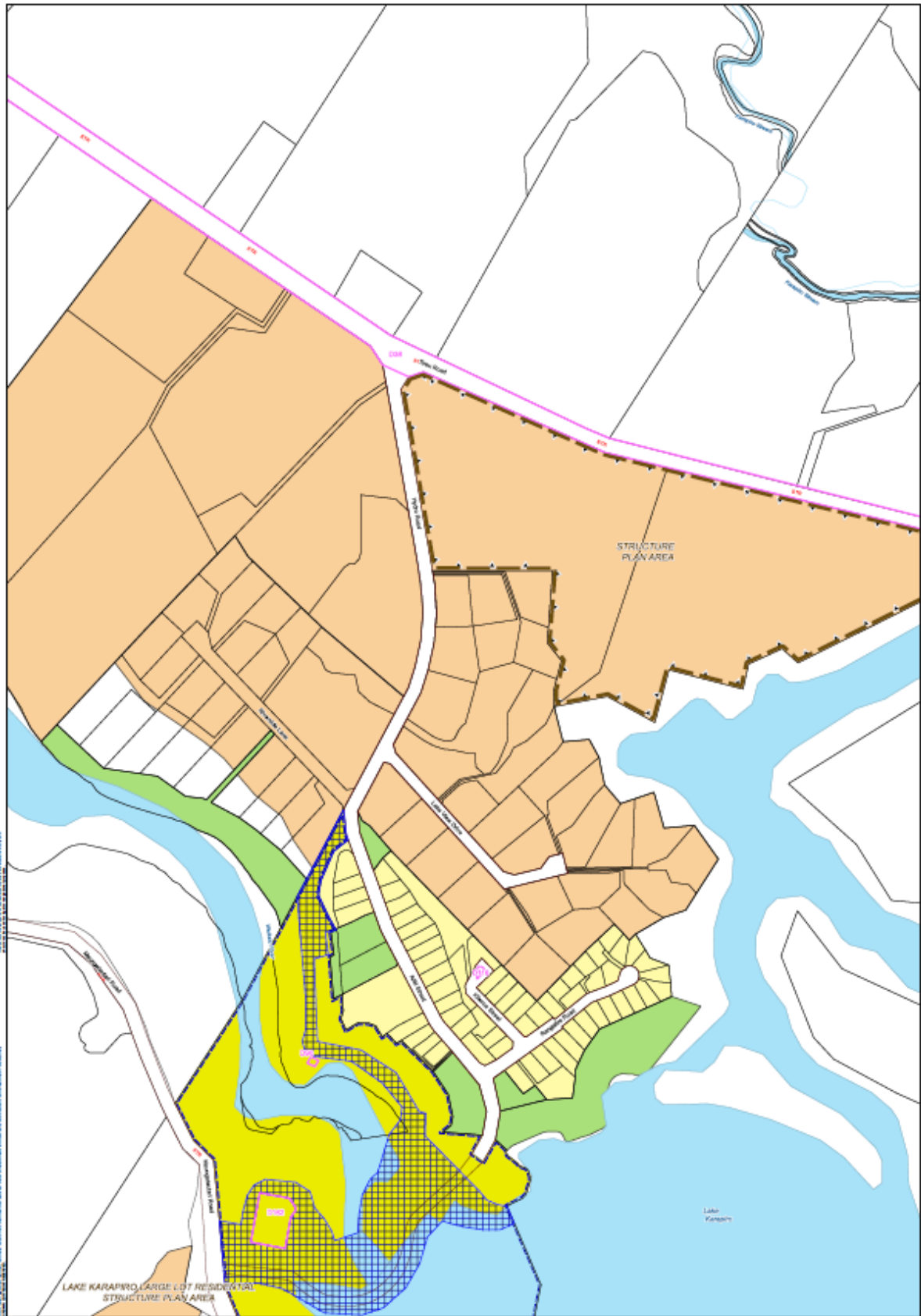
Karapiro Overview

Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1:15,000 at A3





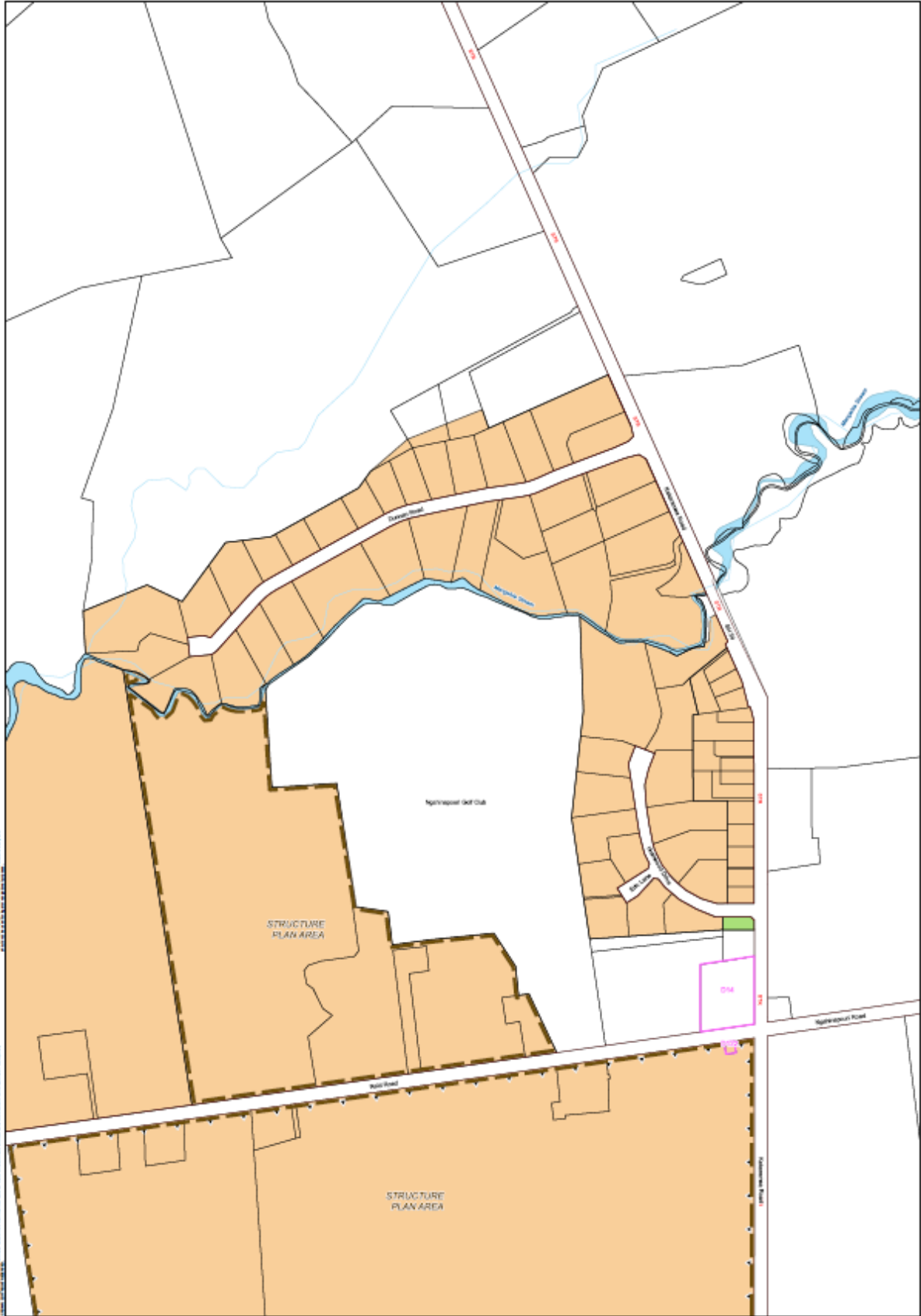
31 Zones



Karapiro Village
 Waipā District Plan
 As proposed by Plan Change 13

DRAFT





34 Zones

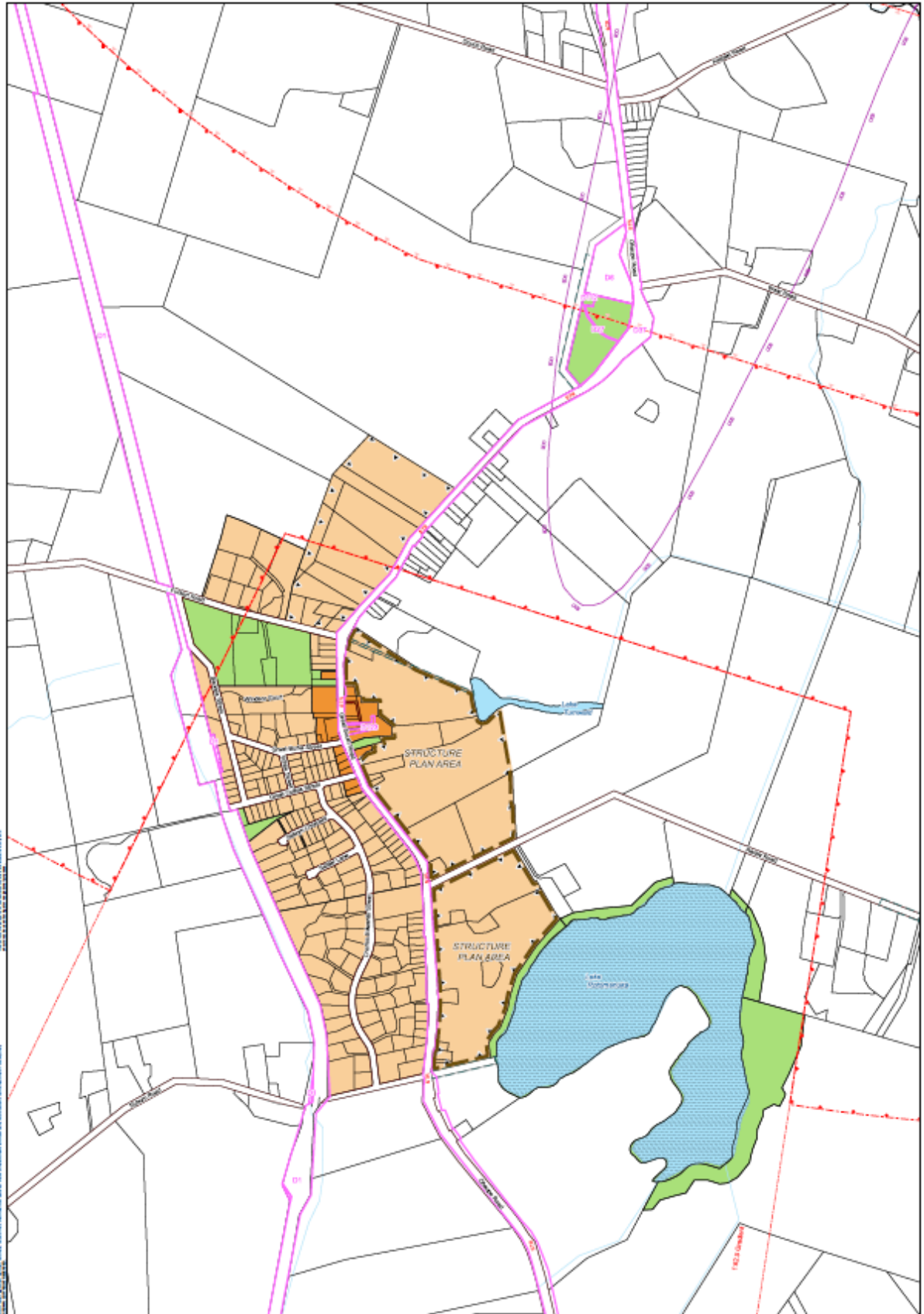


Ngahinapouri
 Waipā District Plan
 As proposed by Plan Change 13

DRAFT

Scale: 1 : 5,000 at A3





35 Zones

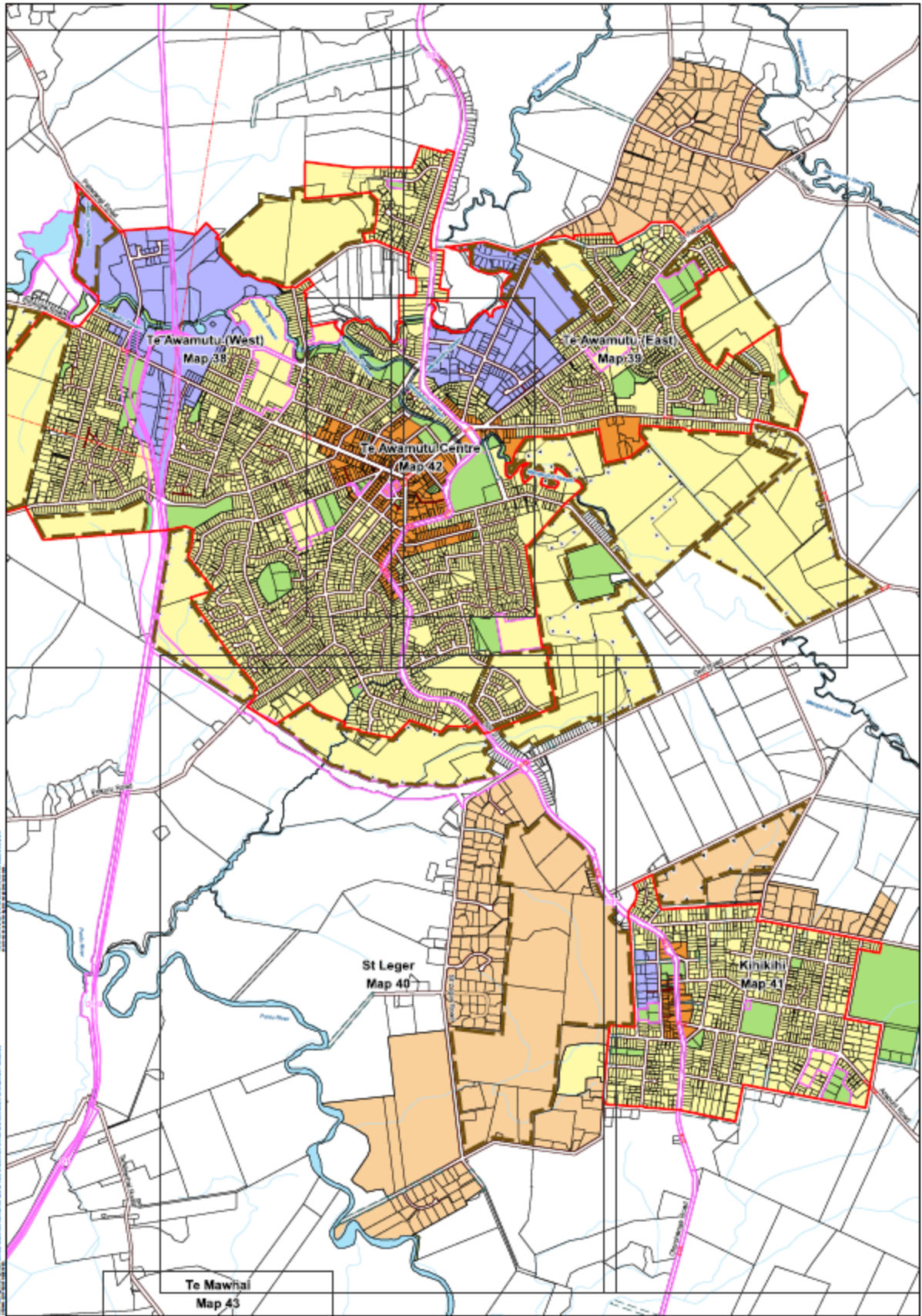


Ohaupo
Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1:10,000 at A3





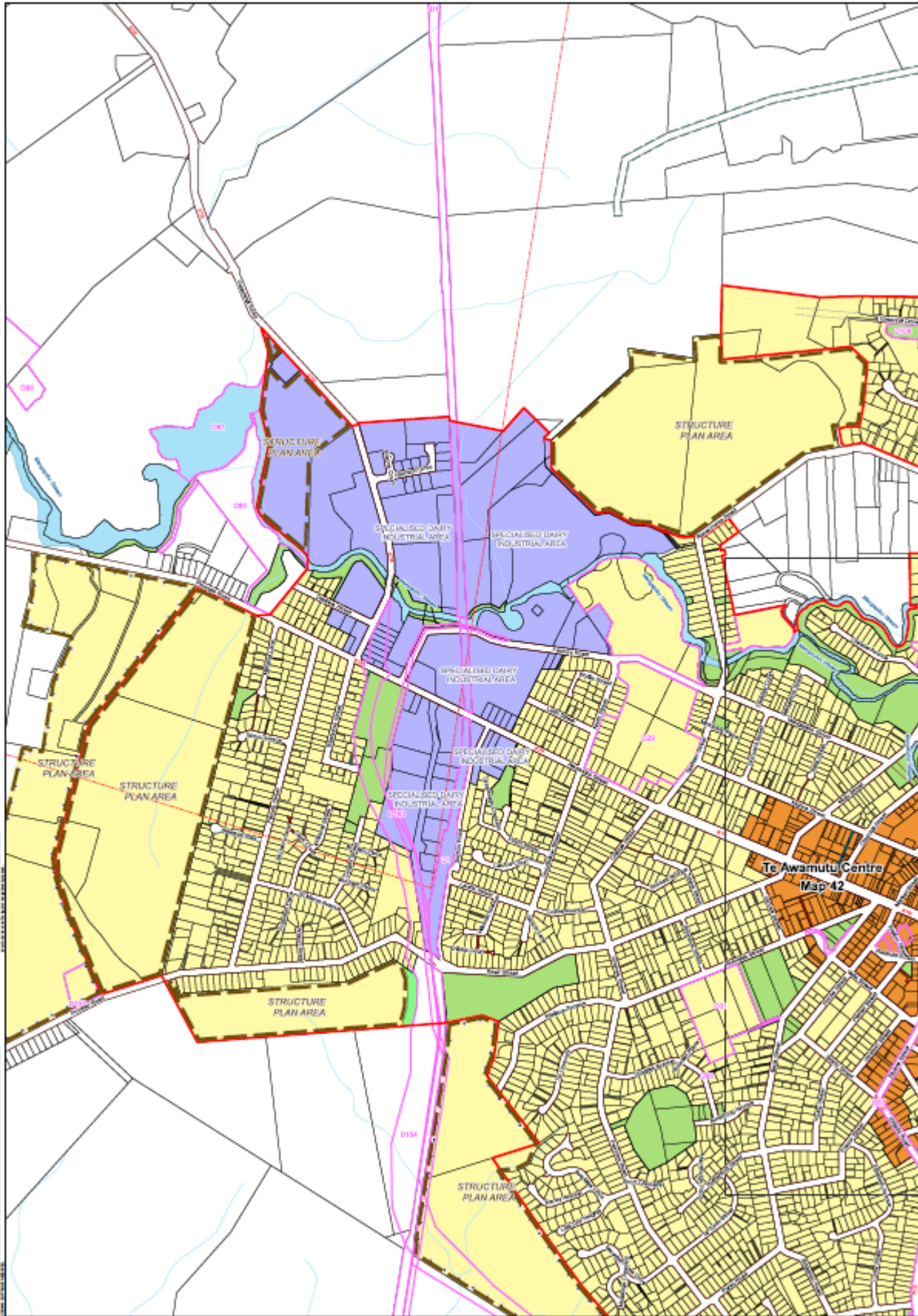
37 Zones



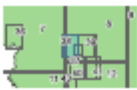
Te Awamutu/Kihikihi Overview
 Waipā District Plan
 As proposed by Plan Change 13 **DRAFT**

Scale: 1 : 20,000 at A3



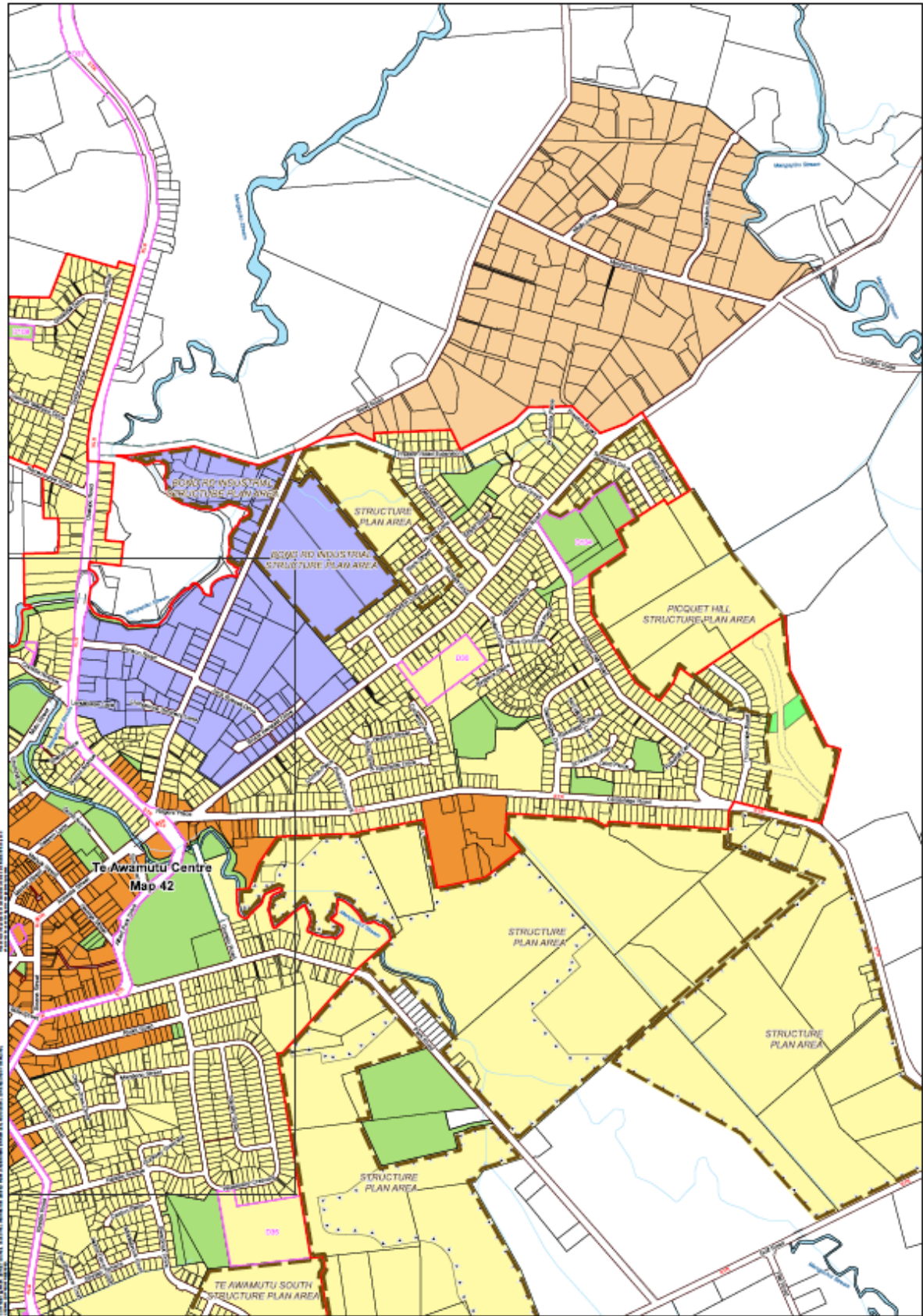


38 Zones



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





39 Zones



Te Awamutu (East)

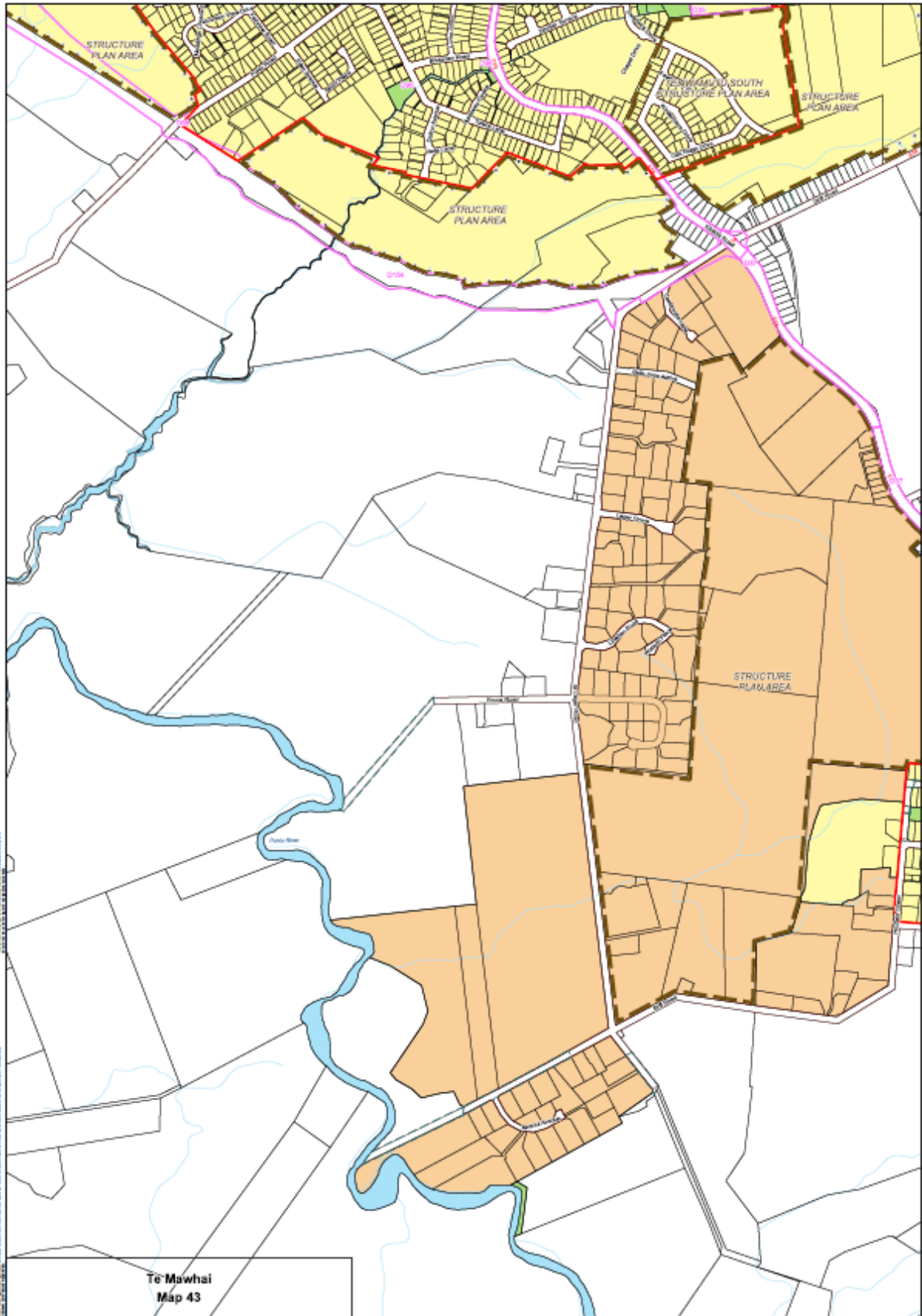
Waipa District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1 : 10,000 at A3



0 0.1 0.2 0.3 0.4 0.5 km



To Mawhai
Map 43

40 Zones



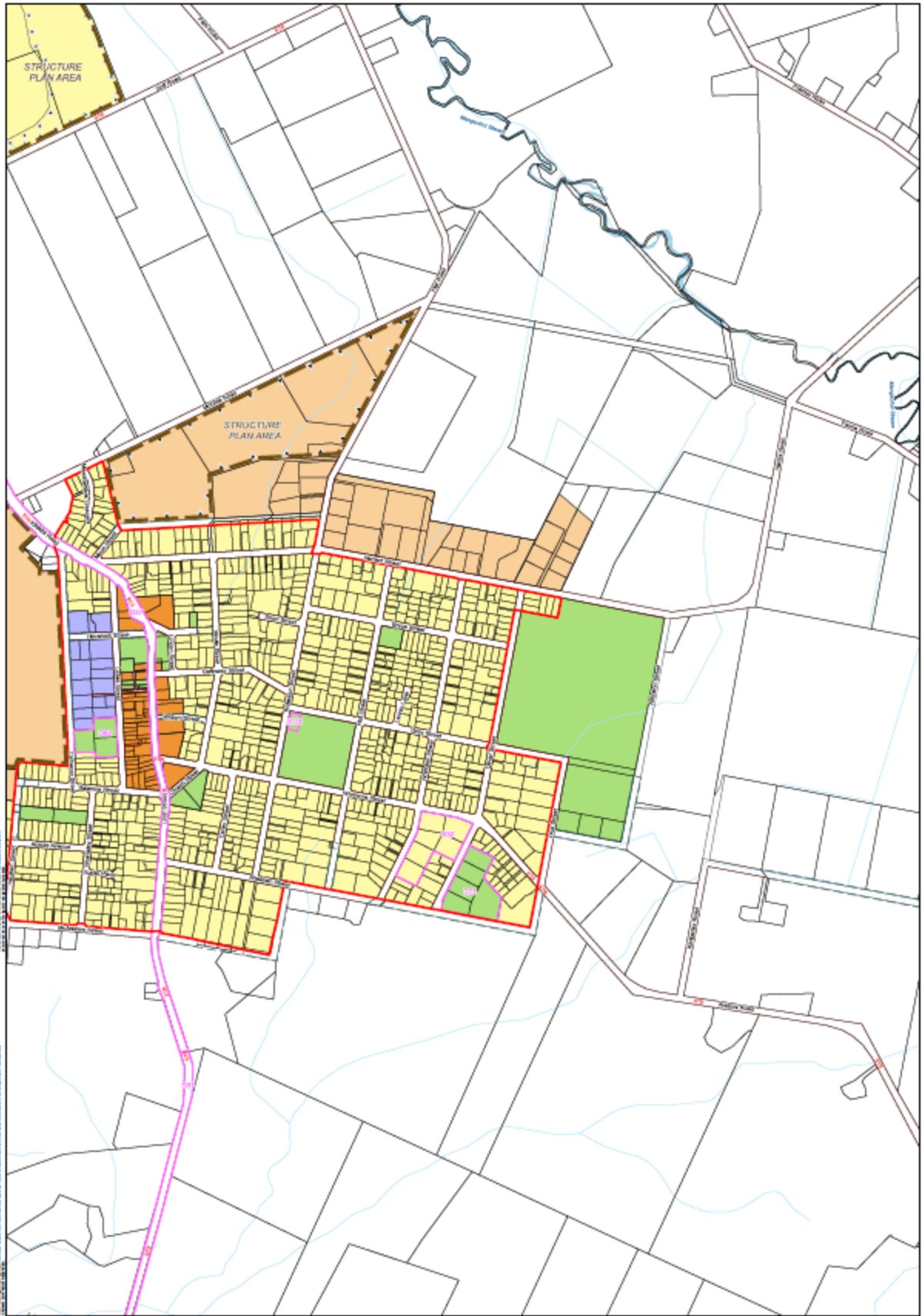
St Leger
Waipa District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1 : 10,000 mA3



Waipa
DISTRICT COUNCIL



41 Zones

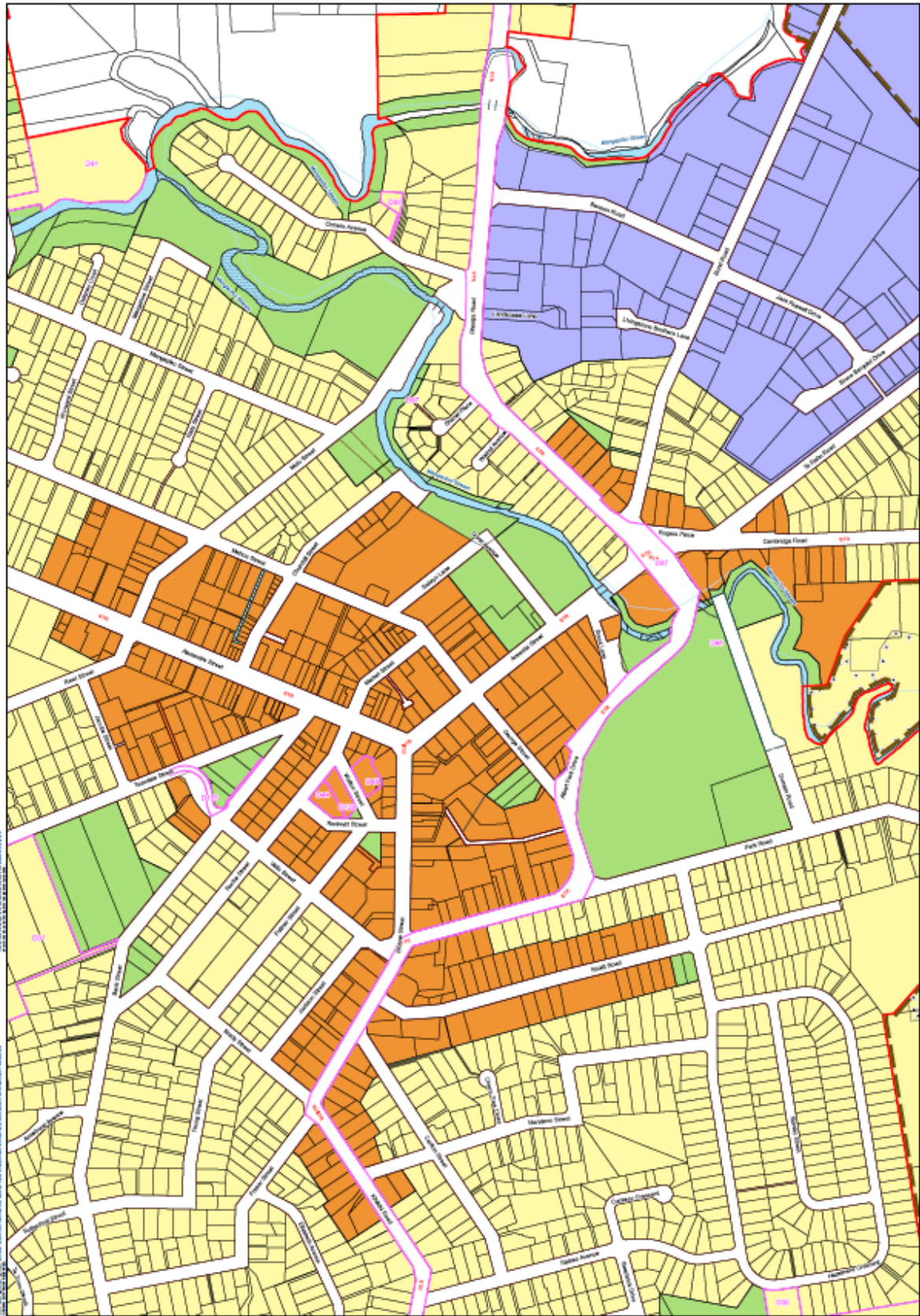


Kihikihi
 Waipā District Plan
 As proposed by Plan Change 13

DRAFT

Scale: 1 : 10,000 at A3





42 Zones



Te Awamutu Centre

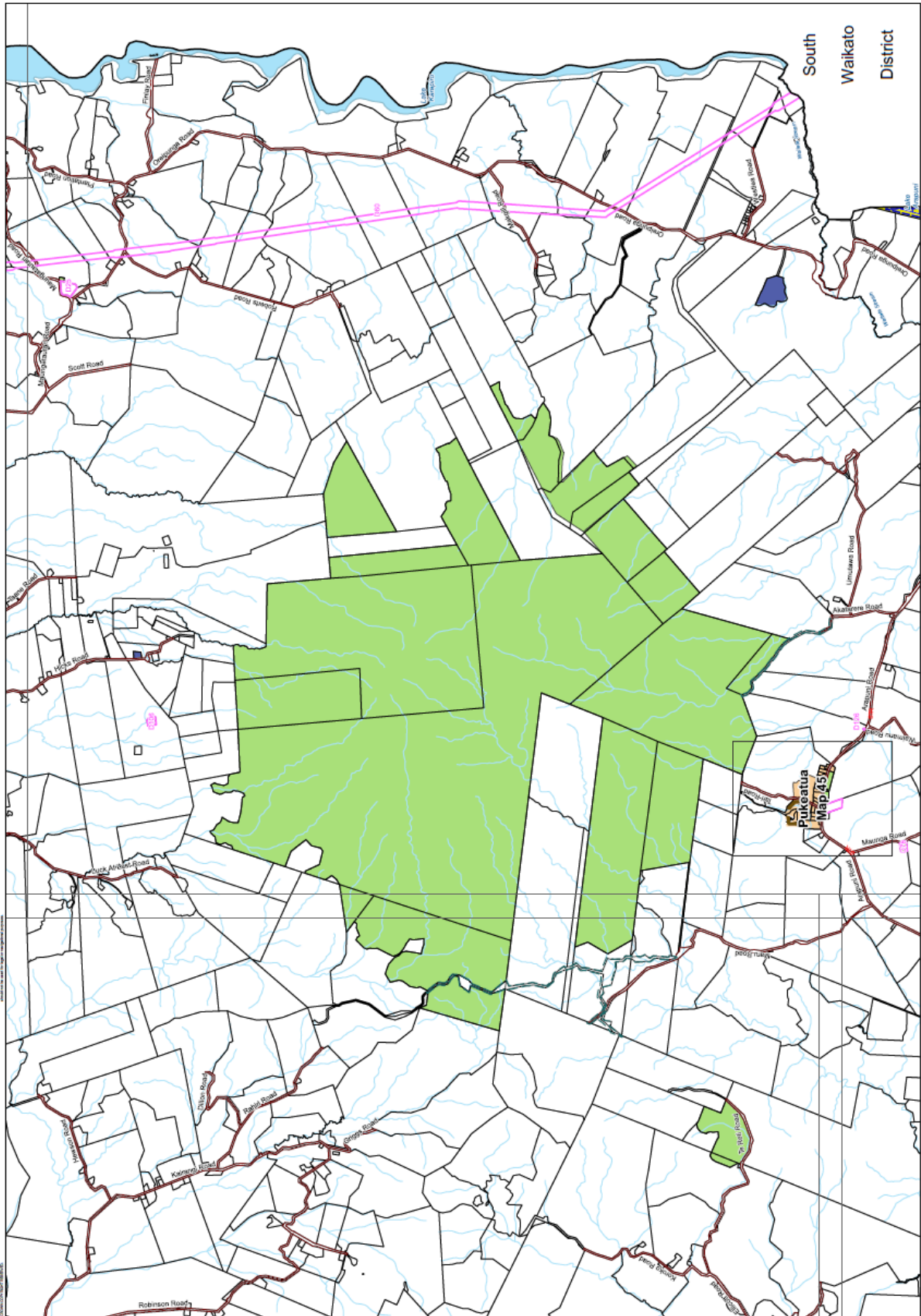
Waipā District Plan

As proposed by Plan Change 13

DRAFT

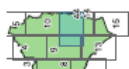
Scale: 1 : 5,000 at A3





South
Waikato
District

44 Zones



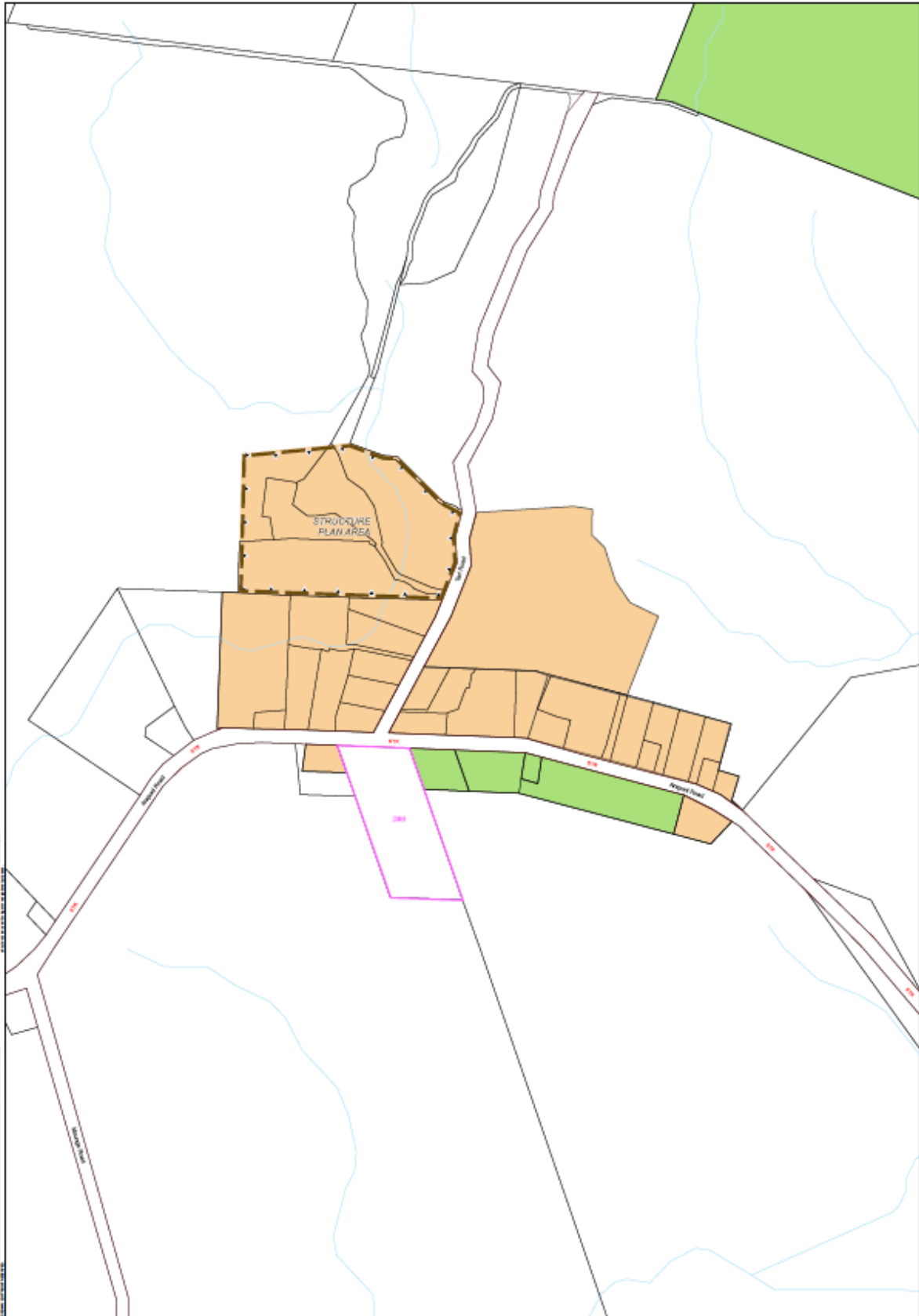
Maungatautari
Waipā District Plan
As proposed by Plan Change 13

(Rotate right)

DRAFT

Scale: 1:40,000 at A3





45 Zones



Pukeatua
Waipā District Plan
As proposed by Plan Change 13

DRAFT

Scale: 1 : 5,000 at A3





B



Part B – Section 32 Evaluation

Part B – Section 32 Evaluation

3 Background and Context

3.1 Introduction

This report presents an evaluation undertaken by the Waipā District Council ('Council') in accordance with Section 32 of the Resource Management Act 1991 ('the Act') in relation to Proposed Plan Change 13 - Uplifting Deferred Zones to the Waipā District Plan. Undertaking a Section 32 evaluation assists in determining why changes to existing plan provisions may be needed and formalises a process for working out how best to deal with resource management issues.

This report examines the extent to which the objectives of Proposed Plan Change 13 are the most appropriate way to achieve the purpose of the Act and assesses whether the proposed provisions are the most appropriate way of achieving those objectives. In assessing the proposed provisions, Council must consider other reasonably practicable options and assess the efficiency and effectiveness of the provisions in achieving Proposed Plan Change 13 objectives. Assessing effectiveness involves examining how well the provisions will work. Determining efficiency involves an examination of benefits and costs.

This report has been prepared to fulfil the obligations of the Council under Section 32 of the Act, with respect to undertaking a Plan Change within the Waipā District Plan.

3.2 Background

The Deferred Zones shown on the District Planning Maps reflect the Waipā 2050 District Growth Strategy ('the Growth Strategy') which is a non-statutory document that assists Council and the community with planning for future development. The Growth Strategy identifies the population and household projections for the District until 2050 and specifies growth assumptions in terms of the broad location and density of residential development as well as industrial land supply. The Growth Strategy also identifies the location of future Growth Cells to accommodate this growth and provides for a broad sequencing of development Growth Cells based on the areas identified for development prior to 2035 and those for development after 2035.

The sequencing of the Growth Cells was developed based on identifying growth cells with land areas provided to meet housing and industrial demand prior to 2035 (Stage 1), and separately identifying those to meet demand beyond 2035 (Stage 2). Stage 1 growth cells represent the short and medium term development capacity required to be identified by the National Policy Statement on Urban Development Capacity,

and an element of the long-term development capacity. Stage 2 growth cells represent the remainder of the long-term development capacity.

Section 14 of the District Plan contains provisions that enable Deferred Zones to be uplifted and changed via Council resolution, subject to other criteria being met, e.g. an approved Structure Plan and certain infrastructure milestones in place, and the approval of Structure Plans by resource consent. This method was introduced to the District Plan through the District Plan Review in 2011 to 2017, following receipt of submissions and further submissions requesting an alternative process to that provided in the plan change process of the First Schedule of the Act.

At the time of the District Plan review, and when these provisions were first included in the District Plan, the procedure to uplift the Deferred Zone via council resolution was backed by a legal opinion that assessed that this procedure was lawful.

As part of a general review of the District Plan, and in light of recent case law, Council Staff commissioned further legal review on the lawfulness of the provisions within Section 14. The legal review determined:

- a) Structure Plans can be approved via the process of a resource consent; and
- b) While Council can make a resolution enabling uplift of the Deferred Zoning, Council cannot alter the District Plan to reflect the change of zoning of land caused by an uplift without undertaking a process whereby the plan is formally changed (i.e. a Plan Change).

The legal review triggered a review of the uplifting of the Deferred Zone, which in turn led to Proposed Plan Change 13.

3.3 Current District Plan Provisions

Section 14 of the District Plan sets out the relevant provisions for development or subdivision in the Deferred Zone alongside a regime of provisions in the Strategic Policy Framework (Section 1), the Rural Zone (Section 4) and the District Wide Sections (i.e. Sections 15 to 26). Appendices S1 to S22 capture detailed information on the Future Growth Cells and include the suite of approved Structure Plans.

In summary, the provisions of the District Plan seek to ensure any development or subdivision within a Deferred Zone, prior to the uplifting of the zoning, occurs in a manner which will enable the long term aspirations for the area in alignment with the Growth Strategy.

In terms of Proposed Plan Change 13, much of the regime outlined in the District Plan is unaffected. In particular, the resource management issues and objectives relating to this topic are unchanged.

3.4 Statutory Considerations

The following statutory documents have been considered in developing Proposed Plan Change 13. A discussion of each of the key statutory considerations is provided below. These documents are as follows:

- Resource Management Act 1991;
- National Policy Statement on Urban Development 2020;
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010;
- Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act);
- Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River;
- Nga Wai o Maniapoto (Waipā River) Act 2012;
- Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato;
- Future Proof;
- Joint Management Agreements; and
- Iwi Environmental Plans.

3.4.1 Resource Management Act 1991

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

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.*

The purpose of the Act is only achieved when the matters in (a) to (c) have also been adequately provided for within a District Plan. The 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.

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 District.

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. 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.

Throughout the Growth Strategy review process, 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.

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.

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.

Proposed Plan Change 13 has been formulated to achieve the purpose and principles of the Act in Part 2, and in accordance with Section 32 of the Act.

3.4.2 National Policy Statement on Urban Development 2020

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 urban environment.

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.”*

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

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 which implemented the principles of the National Policy Statement on Urban Development Capacity 2016.

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 (refer Section 3.5.2 below).

3.4.3 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato River was subject to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which seeks to provide direction for planning documents under the Resource Management Act 1991 in order to protect the health and well-being of the Waikato River. The legislation addresses a number of issues and created a single co-governance entity to set the agenda for the health and wellbeing of the Waikato River for future generations being the Waikato River Authority.

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, is part of the second schedule to the Settlement Act, and is deemed part of the Waikato Regional Policy Statement. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

During the preparation of Proposed Plan Change 13, Council staff have considered the vision for the Waikato River and its significance under this legislation for iwi. The District Plan has two Growth Cells identified on the northern edge of the Waikato River, being Growth Cell C3 (Cambridge) and Growth Cell K1 (Karapiro). With regard to C3, the land in this area is to be Residential Zone and subject to the existing Cambridge C1 and C2/C3 Structure Plan. Under this Structure Plan land adjacent to the Waikato River will be reserve.

In terms of K1, the area does not have a Structure Plan, however is subject to a number of Policy Overlays under the District Plan. These overlays include the High Amenity Landscape Overlay, the Cultural Landscape Area Alert – Waikato River Overlay, a Significant Natural Area (WP379b) and an Access Strip Overlay. Future development within this area would therefore be subject to a number of objectives and policies within the District Plan which seek to protect this area.

Overall, the outcomes sought by Proposed Plan Change 13, and the uplifting of the abovementioned growth cells, are not considered to be contrary to the directions sought under this legislation.

3.4.4 Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)

The Waikato River is also subject to the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act) which recognises the significance of the river to Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi. The legislation recognises Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, provides for co-management arrangements and grants functions and powers to the Waikato River Authority.

As outlined above, Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents. During the preparation of Proposed Plan Change 13, Council staff have considered the vision for the Waikato River and its significance under this legislation for Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi. The outcomes sought by Proposed Plan Change 13 are not considered to be contrary to the directions sought under this legislation.

3.4.5 Nga Wai o Maniapoto (Waipā River) Act 2012

In September 2010, the Crown and Maniapoto signed a Deed in Relation to Co-Governance and Co-Management of the Waipā River (the Maniapoto Deed). The Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed which seeks to *“deliver a new era of co-management over the Waipā River with an overarching purpose of restoring and maintaining the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaia”*.

During the preparation of Proposed Plan Change 13, Council staff have considered the vision for the Waipā River and its significance under this legislation for Maniapoto. The District Plan does not identify any Growth Cells directly adjacent to the Waipā River. At Ngahinapouri there is one Growth Cell (N2) which has its northern boundary defined by the Mangahia Stream which feeds into the Waipā River, and in Te Awamutu there is the Paterangi Road/Industrial Growth Cell which is adjacent to the Mangapiko Stream which also feeds into the Waipā River. Neither of these areas have Structure Plans, however future development in both areas

would be subject a number of objectives and policies within the District Plan which seek to protect the water ways.

The outcomes sought by Proposed Plan Change 13 are not considered to be contrary to the directions sought under this legislation.

3.4.6 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. These acts establish a co-governance regime to protect the health and wellbeing of the Waikato River for future generations. This includes the lower Waipā River to its confluence with the Puniu River.

The vision for the Waikato River is *“for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.”*

The Vision and Strategy also includes objectives and strategies to achieve the vision. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

Waipā District Council has joint management agreements in place with the iwi that have rohe within the District. During the review of the Waipā 2050 District Growth Strategy and formulation of Proposed Plan Change 13, Council staff have discussed with and provided information on the Draft Plan Change in general accordance with those joint management agreements. The Vision and Strategy has been fully considered during the formulation of Proposed Plan Change 13.

3.4.7 Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato

Te Tauākī Kaupapahere Te-Rohe O Waikato (‘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. 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.*

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.

In addition to Objective 3.12, is 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)		
	<i>Short to Medium 1-10 years (2017-2026)</i>	<i>Long term 11-30 years (2027-2046)</i>	<i>Total</i>
<i>Waipā District</i>	<i>5,700</i>	<i>8,200</i>	<i>13,900</i>

Currently the District Plan, acknowledges these targets within Section 1 – Strategic Policy Framework, and Proposed Plan Change 13 seeks to retain Council’s commitment to the minimum targets outlined in the table above.

3.4.8 Joint Management Agreements

3.4.8.1 Waikato Raupatu River Trust

The Waikato Raupatu Claims Settlement Act 1995 gave effect to certain provisions of the deed of settlement between the Crown and Waikato dated 22 May 1995 and settled certain Raupatu claims made to the Waitangi Tribunal by Robert Te Kotahi Mahuta, the Tainui Maaori Trust Board, and Ngaa Marae Toopu (Wai 30). Renegotiations in 2009 led to the agreement of a new deed of settlement which included provisions related to joint management agreements. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted to give effect to that deed of settlement and subsequently a Joint Management Agreement with Waipā District Council was made.

This agreement includes giving appropriate weight to relevant matters provided for in the Settlement Act 2010, respecting the mana whakahaere rights and responsibilities of Waikato-Tainui, recognising the statutory functions, powers and duties of both parties, and recognising the Trust’s rights to participate in processes where circumstances may be appropriate.

Schedule B of the Agreement outlines the anticipated process with regards to Schedule 1 of the Resource Management Act 1991 (RMA), in accordance with section 46(1) and 46(2) of the Act. With regards to Proposed Plan Change 13, Council staff engaged with Waikato-Tainui commencing on 26 June 2020 as part of the pre-notification consultation.

3.4.8.2 Raukawa Settlement Trust

The Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 was enacted to give effect to the Co-Management Deed signed between Raukawa and the Crown in December 2009. The Joint Management Agreement was consequentially established pursuant to Section 43 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

This agreement covers matters relating to co-management, agreement to embrace new and holistic ways of working together, and the continuation of building a functional and effective long-term partnership. The agreement includes matters relating to the preparation, reviewing, change or variation to Resource Management Act 1991 documents, pursuant to Section 48 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

Section 7 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 13. Council staff

corresponded with the Raukawa Settlement Trust commencing on 26 June 2020 prior to the public notification of Proposed Plan Change 13 in accordance with the agreement.

3.4.8.3 Maniapoto Māori Trust Board

As outlined above, the Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed, and a deliverable of this settlement was the establishment of a joint management agreement between the local authorities and the Maniapoto Māori Trust Board.

The agreement covers matters relating to the Waipā River, activities within its catchment, matters relating to the exercise of functions, duties and powers in relation to monitoring and enforcement, Resource Management Act planning documents and applications, and other duties as agreed between the relevant parties.

Section 6 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 13. Council staff corresponded with the Maniapoto Māori Trust Board commencing on 26 June 2020 prior to the public notification of Proposed Plan Change 13 in accordance with the agreement.

3.4.9 Iwi Environmental Plans

3.4.9.1 Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Iwi Environmental Management Plan

Tai Tumu, Tai Pari, Tai Ao purpose is to enhance collaborative participation between Waikato Tainui and agencies in resource and environmental management. It provides high level guidance on Waikato Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment. The plan highlights the need for enhancement and protection of landscape and natural heritage values.

Tai Tumu, Tai Pari, Tai Ao notes that land development or subdivisions are not supported, where the effects or the cumulative effects of the proposed development or subdivision decreases existing environmental, cultural, spiritual, or social outcomes. It is considered that the proposed changes to the provisions and zonings are considered to provide for well-planned urban and rural development that has positive environmental and social outcomes.

As outlined above, the District Plan has two Growth Cells identified on the northern edge of the Waikato River, being Growth Cell C3 (Cambridge) and Growth Cell K1 (Karapiro). Both of these areas are subject to the provisions of the District Plan which seek to protect this area in accordance with the principles of Tai Tumu, Tai Pari, Tai Ao.

3.4.9.2 Ko Tā Maniapoto Mahere Taiao – Maniapoto Environmental Management Plan

Ko Tā Maniapoto Mahere Taiao is a high level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships. The Plan is also a tool to support the leadership of Maniapoto at the forefront of exercising kaitiakitanga and rangatiratanga within the Maniapoto rohe.

As mentioned earlier in this report, the District Plan does not identify any Growth Cells directly adjacent to the Waipā River however there are Growth Cells which are adjacent to streams that feed into the Waipā River. It is considered that the proposed changes to the provisions and zonings are considered to provide for land management and land use which protects the interconnected relationships of the natural environment in accordance with the principles of Ko Tā Maniapoto Mahere Taiao.

3.4.9.3 Te Rautaki Taiao a Raukawa - Raukawa Environmental Management Plan

Te Rautaki Taiao a Raukawa, the Raukawa Environmental Management Plan provides a statement of values, experiences and aspirations pertaining to the management of, and relationship with the environment. It assists in engagement in policy and planning processes and resource management decisions. The Management Plan offers broad objectives in relation to this matter.

The Raukawa takiwā includes both Cambridge and Te Awamutu, and the land in the southern portion of the Waipā District. Within this area are a number of Growth Cells which will have the deferred status removed and be enabled for development. Future development of the land within these Growth Cells is considered to apply Low Impact Design Principles and will result in activities occurring at appropriate locations and scales in accordance with the objectives and outcomes sought by Te Rautaki Taiao a Raukawa.

3.4.9.4 Te Rautaki Tāmata Ao Turoa o Hauā — Ngāti Hauā Environmental Management Plan

Te Rautaki Tāmata Ao Turoa o Hauā explains the importance of communication between local authorities and Ngāti Hauā in terms of keeping the Iwi Trust informed about projects, providing a feedback loop and opportunity for relationship building. The plan clearly outlines that engagement is expected and that the Iwi seek opportunities to participate in consent and site monitoring and restoration projects.

During the review of the formulation of Proposed Plan Change 13, Council staff have corresponded with Ngāti Hauā, commencing on 26 June 2020 prior to the public notification of Proposed Plan Change 13. It is considered that the proposed changes to the provisions and zonings will not be inconsistent with Te Rautaki Tāmata Ao Turoa o Hauā.

3.4.10 Ngāti Koroki Kahukura

The ancestral tribal rohe of Ngāti Koroki Kahukura spans from Southern Hamilton City, following the Waikato River to the northern end of Lake Arapuni, inland to western Te Awamutu and through again to southern Hamilton City encompassing Mount Maungatautari and many kāinga settlements. Although Council does not have a Joint Management Agreement in place with Ngāti Koroki Kahukura, they are part of the local tangata whenua and for this reason Council have consulted with Ngāti Koroki Kahukura regarding Proposed Plan Change 13.

During the review of the formulation of Proposed Plan Change 13, Council staff have corresponded with and provided information on the draft Proposed Plan Change 13 to Ngāti Koroki Kahukura.

3.5 Other Considerations

3.5.1 Future Proof

Future Proof was formulated in 2009 and is a combined growth strategy project for three local authorities (Hamilton City, Waikato and Waipā Districts) and Waikato Regional Council. The Future Proof Growth Strategy ('Future Proof') was reviewed in 2017 to enable updated population projections to be incorporated, and to allow a re-consideration of some of the growth assumptions. Future Proof is based on a number of guiding principles, across the following six interest areas:

1. *Effective governance, leadership, integration, implementation and productive partnerships;*
2. *Diverse and vibrant metropolitan centre linked to thriving towns and rural communities and a place of choice - live, work, play, invest and visit;*
3. *Protection of natural environments, landscapes and heritage and a healthy Waikato River as the heart of the region's identity;*
4. *Affordable and sustainable infrastructure;*
5. *Sustainable resource use; and*
6. *Effective and efficient tāngata whenua involvement.*

The review of the Waipā 2050 District Growth Strategy, and implementation of Plan Change 5, embedded the Future Proof principles into the District Plan. Proposed Plan Change 13 seeks to uphold the Future Proof guiding principles and the process undertaken through Plan Change 5.

3.5.2 Waipā 2050 District Growth Strategy

The Waipā 2050 District Growth Strategy is Council's guiding document with regard to the identification and development of growth within the Waipā District. To achieve an integrated approach to managing growth the Strategy seeks to:

- Recognise, protect and enhance the features of Waipā that make the district a special place;
- Set a pattern for the future growth of settlements; and
- Integrate growth with infrastructure provision for a more cost effective approach to development.

The District Plan provisions reflect the Growth Strategy Review undertaken during 2016 and 2017 which responded to several changes to national, regional and district strategies and plans, and rapid population growth and housing demand. The Growth Strategy identifies the population and household projections for the Waipā District until 2050, and specifies growth assumptions in terms of the broad location and density of residential development as well as industrial land supply.

The Growth Strategy also identifies the location of future growth areas to accommodate this growth, and provides for a broad sequencing of development growth areas based on the areas identified for development prior to 2035 and those for development after 2035. The adopted Waipā 2050 District Growth Strategy was implemented into the District Plan via Plan Change 5 which was made operative on 14 March 2019.

Proposed Plan Change 13 has been formulated to uphold the Growth Strategy and the outcomes of Plan Change 5.

3.6 Development of Proposed Plan Change 13

In the development of Proposed Plan Change 13, consultation was carried out within Council with staff from Planning, and Strategy Teams, as well as with the Strategic Planning and Policy Committee. The development of Proposed Plan Change 13 is an extension of the work undertaken through the Waipā 2050 District Growth Strategy review and Plan Change 5.

Alongside the above was an engagement process with Tangata Whenua that is ongoing. Council staff attended both the Waipā Iwi Consultative Committee meetings and Ngā Iwi Tōpū O Waipā meetings throughout 2020 providing presentations of the issue and options being considered, and regular updates regarding the progressing of Proposed Plan Change 13.

A full copy of Proposed Plan Change 13 document and accompanying Section 32 Report was provided to Waikato-Tainui, Maniapoto, Raukawa, Ngāti Hauā, and Ngāti Koroki Kahukura on 18 September 2020 for comment. This was both to fulfil Council's obligations pursuant to Clause 4A of the First Schedule of the Act and under the various Joint Management Agreements that Council has with Tangata Whenua in the District.

In conjunction with the above consultation, Council staff identified key stakeholders whom may have an interest in Proposed Plan Change 13. Key stakeholders included developers and landowners within the pre-2035 Growth Cells. Key stakeholders were

consulted prior to the public notification of Proposed Plan Change 13 and had the opportunity to provide their feedback on the proposed options. Refer to Appendix 2 for Pre-Notification Feedback.

Feedback from key stakeholders and iwi was considered by Council staff and incorporated in to Proposed Plan Change 13 prior to public notification.

4 Issues

4.1 Issue 1: Deferment Uplift Process within Section 14

A legal review undertaken by Council in February 2020 has confirmed that the current process outlined in the District Plan for the uplifting of Deferred Zones needs to be updated to reflect best practice. A plan change is therefore required to amend the District Plan to ensure it continues to enable development in accordance with Council's Growth Strategy.

The issue identified above links to the following Resource Management Issues outlined in Sections 1 and 14 of the District Plan:

- 1.2.8 *The settlement pattern in Future Proof 2009 and the District Growth Strategy will only be achieved if there is a coordinated approach and a commitment to its outcomes.*
- 1.2.9 *Co-ordinating growth with efficient infrastructure provision (water, stormwater, wastewater, transport, libraries and other services) requires a pro-active and coordinated approach to growth management. In some towns and villages there are existing infrastructure issues, and 'serviceability' and affordability of new development is a key issue. Unplanned development can also affect the ability to adequately plan for infrastructure.*
- 14.2.1 *Development within Deferred Zones prior to the development and approval of a comprehensive structure plan can compromise the ability of the area to be fully developed and effectively serviced for its intended future use.*

The issue regarding the process outlined in the District Plan, while linked to these Resource Management Issues, does not require a change or amendment to issues as stated in the District Plan.

4.2 Issue 2: Planning Maps

To date, a handful of resource consent applications for structure plans and the uplifting of the deferred zoning have been approved under the existing provisions of the District Plan. The Planning Maps however have not been updated to reflect these approvals. This has resulted in Deferred Zoning in part of Growth Cell C3 in Cambridge and Te Miro Growth Cell 2 still being shown on the Planning Maps for

areas in which development has been approved. In addition there have been two subdivision consents recently approved which include areas to be vested in Council as Reserve. Proposed Plan Change 13 is an opportunity to update the relevant Planning Maps.

4.3 Issue 3: Growth Management Structure Plans and Concept Plans Appendices

Since the District Plan was made operative, Council have progressed the Structure Planning for Growth Cells T6, T11 and C4. These Structures Plans have now been endorsed by Council and require incorporation into the District Plan. Proposed Plan Change 13 is an opportunity to include these Structure Plans into the District Plan, and remove those Structures Plans for areas which are fully constructed.

5 Objectives

5.1 Objectives of Proposed Plan Change 13

The objectives of Proposed Plan Change 13 are:

- 1) To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones and;
- 2) To update the Planning Maps to reflect the uplift of the deferred zone in areas with approved Structure Plans; and.
- 3) To update and amend Growth Management Structure Plans and Concept Plans Appendices to reflect current Structure Plans.

With regard to Objective 1, the planning outcome sought is to enable planned and staged development within the District to occur in accordance with Council's Growth Strategy, in a way that is effective and efficient, while meeting the relevant statutory requirements.

The planning outcome sought for Objective 2, is to have Planning Maps which accurately reflect the Zone which applies to each site as a result of recent consent processes.

Lastly for Objective 3, the planning outcome sought is to ensure the District Plan accurately captures and includes current Structure Plans.

5.2 Relevance of Existing Objectives

Proposed Plan Change 13 largely adopts the overall planning framework of the existing District Plan and primarily focusses on the policy and rule provisions within Section 1 – Strategic Policy Framework and Section 14 – Deferred Zone of the District Plan. A description of the existing framework is as follows.

5.2.1 Section 1 – Strategic Policy Framework

Section 1 of the District Plan sets out the national, regional and local strategic direction sought by the Council for development and growth of the District. Objectives 1.3.1 and 1.3.2 are most relevant to Proposed Plan Change 13 and state:

- 1.3.1 *To achieve a consolidated settlement pattern that:*
- (a) *Is focused in and around the existing settlements of the District; and*
 - (b) *Supports the continued operation, maintenance, upgrading and development of regionally important sites and regionally significant infrastructure and nationally significant infrastructure, and provides for on-going access to mineral resources.*
- 1.3.2 *To ensure that development and subdivision happens in a way and at a rate that is consistent with the anticipated settlement pattern, maximises the efficient use of zoned and serviced land, and is co-ordinated with cost-effective infrastructure provision.*

Objective 1.3.1 seeks to ensure growth occurs in a consolidated manner in and around existing settlements, while Objective 1.3.2 seeks to ensure growth occurs at a rate which is managed and sustainable. Both of these objectives are still considered to be relevant and work towards addressing the Resource Management Issues outlined above in Section 6 of this report.

5.2.2 Section 14 – Deferred Zone

Section 14 of the District Plan outlines the intent of the Deferred Zones and the process to which the uplifting of the deferred status can occur. Objective 14.3.1 states:

- 14.3.1 *Land intended for conversion from its current land use to an alternative land use in order to respond to growth demands is clearly identified, occurs in a planned manner, and its resources are protected for its anticipated future use.*

Objective 14.3.1 responds to growth demands by providing for a planned approach to development. This objective is still relevant to ensure areas identified for growth remain available to do so.

5.2.3 Appropriateness of Proposed Plan Change 13 Objectives

The purpose of the Resource Management Act 1991 is to promote the sustainable management of both natural and physical resources. Council's primary tool to support this purpose is the District Plan. The table below examines Proposed Plan Change 13 with regard to whether it is appropriate in order to achieve sustainable management of resources.

Assessment of Appropriateness of Plan Change Objectives	Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones	Objective 2: To update the Planning Maps to uplift the deferred zone in areas with approved Structure Plans	Objective 3: To update and amend Growth Management Structure Plans and Concept Plans Appendices to reflect current Structure Plans
Relevance	<ul style="list-style-type: none"> Will seek to ensure the RMA processes are followed in a legal manner. Will assist Council to correctly follow out its statutory functions. Will continue to follow the strategic growth directions set by NPS and RPS. 	<ul style="list-style-type: none"> Will result in the affected properties being clearly identified as within a live zone as sought through the consent process. Will enable development and subdivision in accordance with the purpose of the Deferred Zone. 	<ul style="list-style-type: none"> Will enable development and subdivision to proceed in accordance with the endorsed Structure Plans. Will continue to follow the strategic growth directions set by NPS and RPS.
Usefulness	<ul style="list-style-type: none"> Correcting the process will provide certainty for developers keen to progress development in Deferred Zones. 	<ul style="list-style-type: none"> Provides greater certainty to landowners. Enables suitable assessment of future activities in accordance with the anticipated zoning shown in the Growth Strategy. 	<ul style="list-style-type: none"> Provides greater certainty to landowners. Enables suitable assessment of future activities in accordance with the Structure Plans.
Achievability	<ul style="list-style-type: none"> Amending the District Plan is achievable to implement through a Plan Change process. 	<ul style="list-style-type: none"> Benefits will be realised immediately following plan change as some consents will be no longer required as development in the new zone aligns with anticipated development. 	<ul style="list-style-type: none"> Amending the District Plan is achievable to implement through a Plan Change process.
Reasonable	<ul style="list-style-type: none"> Will provide greater certainty and fairness to the process in Section 14. Meets the objectives of the District Plan. 	<ul style="list-style-type: none"> Consistent with community expectations of uplifting process prior to consents being lodged. Meets the objectives of the District Plan. 	<ul style="list-style-type: none"> Consistent with community expectations of Structure Plan endorsement. Meets the objectives of the District Plan.

The above assessment has considered relevance, usefulness, achievability and reasonableness in order to determine if the objectives of Proposed Plan Change 13 are appropriate for achieving the purpose of sustainable management. Amending the process in Section 14 is considered to meet the purpose of the Act in that it provides a legal process to enable development within identified growth areas which give effect to both the RPS and other statutory documents.

The updating of the Planning Maps, as outlined in Objective 2 of the table, and Growth Management Structure Plans and Concept Plans Appendices, as outlined in Objective 3 of the table, will provide clarity and certainty to the landowners within these areas, therefore meeting the purpose of the Act.

For these reasons the objectives of Proposed Plan Change 13 are considered to an appropriate way to achieve the purpose of the Act pursuant to Section 32(1)(a).

5.3 Options to deliver Proposed Plan Change 13 Objectives

Section 32(1)(b)(i) of the Act, requires this report to identify “*other reasonably practicable options*” to promote sustainable management, including retaining the status quo, non-regulatory methods and plan changes. This part of the report outlines the process undertaken and details the other reasonably practicable options considered to achieve the objectives of Proposed Plan Change 13.

In considering reasonably practicable options, a number of matters were examined before the alternative options were identified. Options were identified through feedback from internal and external stakeholders, consultation and examination of policy options by other territorial authorities.

The broad alternatives evaluated for each of the objectives of Proposed Plan Change 13 are discussed below.

5.3.1 Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

5.3.1.1 Objective 1: Option 1 – Status Quo

Section 14 of the District Plan provides for an alternative process from that of a Plan Change to uplift a Deferred Zone. This process was incorporated through the District Plan Review process at the request of submitters and further submitters regarding the time and costs associated with a Plan Change for areas already identified under Council’s Growth Strategy. The current approach for uplifting a Deferred Zone outlined in the District Plan involves the following steps:

- 1) Application is made for resource consent to the Council for a Structure Plan;
- 2) Consent is assessed and processed by Council Staff ensuring all necessary elements of the Structure Plan have been adequately addressed (i.e. servicing, staging, specialist reporting etc);
- 3) Structure Plan Consent is approved;
- 4) A recommendation is made by Council Staff to Council (elected members) seeking resolution to uplift the Deferred Zone. This recommendation is subject to compliance with the matters listed in Section 14 (i.e. no changes to objectives, policies or rules, and necessary infrastructure is in place or provided for);

- 5) If the resolution is passed, the District Plan is updated by way of amendment to include the Structure Plan in Growth Management Structure Plans and Concept Plans Appendices and remove the 'Deferred' Zone from the Planning Maps.

5.3.1.2 Objective 1: Option 2 – Incorporation by Reference

Schedule 1 Part 3 of Resource Management Act 1991 provides an option for Council to include documents by reference as an alternative to including standards, requirements, recommended practices or technical matters within the text of a District Plan. The full text of Schedule 1 Part 3 is attached in Appendix 1.

The criteria for documents to be included via reference is outlined in Clause 30(1) which states:

- (1) *The following written material may be incorporated by reference in a plan or proposed plan:*
 - (a) *standards, requirements, or recommended practices of international or national organisations:*
 - (b) *standards, requirements, or recommended practices prescribed in any country or jurisdiction:*
 - (c) *any other written material that deals with technical matters and is too large or impractical to include in, or print as part of, the plan or proposed plan.*

In this instance with regard to refining the process outlined in Section 14 for Structure Plans and the uplifting of the Deferred Zone, an option to consider is whether Structure Plans could be included in the District Plan via the Incorporation by Reference mechanism outlined in Schedule 1 Part 3 of the Act. To consider this as an option, Council firstly need to determine if Clause 30(1) is met. In terms of both parts (a) and (b) of Clause 30(1), Structure Plans do not fall under the criteria. To meet the criteria for Clause 30(1)(c), the material needs to be both a technical matter, and either too large or impractical to include in the District Plan.

With regard to the term 'technical matters', Councils legal advisor has confirmed there is no case law to address what constitutes 'technical matters' and it is a term that covers a wide range of matters which varies depending on the context. The term 'technical matters' has therefore been assumed to mean such things as detailed standards, design parameters and the like. On this basis, structure plans have been considered to be included by the term 'technical matters'.

With regard to the second part of Clause 30(1)(c), the material is required to be either 'too large' or 'impractical' to include as part of the District Plan. Council do not consider the existing Structure Plans to be too large to be included in the District Plan, and this is demonstrated by the existing number of Structure Plans included in Growth Management Structure Plans and Concept Plans Appendices of the District Plan. It is noted however that a number of structure plans have not yet been

approved, and including these in the District Plan would increase its size. To fit this clause the determination then turns to if it is 'impractical' to include Structure Plans as part of the District Plan.

'Impractical' is broadly defined as 'not effective or reasonable'¹. The process of including a Structure Plan within the District Plan is considered to be very effective, in that it provides the necessary detail to enable subdivision and/or development of land within the Structure Plan in alignment with the District Plan provisions. It provides all the planning detail in one document (i.e. the District Plan) which makes it clear for landowners, developers and agents to determine the planning requirements.

Turning to the second part of the definition of 'impractical', the question then becomes about whether requiring a consent process and then the inclusion of a Structure Plan into the District Plan is 'reasonable'? To date, the process has been operated without challenge, in that a Council resolution was sought and the District Plan updated to include the Structure Plan (Refer Option 1). The alternative mechanism to include Structure Plans within the District Plan is to undertake a Plan Change in accordance with the Schedule 1 process under the Resource Management Act 1991. The Schedule 1 Plan Change process has been considered by Council to be unreasonable, given the identification of the Growth Cell areas for development, public expectation of development, and inability to act efficiently to change the zoning without undertaking a plan change. In addition, the Growth Cell areas were confirmed through Plan Change 5 which became operative on 14 March 2019.

Council's legal advisor has confirmed that the inclusion of Structure Plans in the District Plan would be 'impractical to include in the plan' as they cannot be included until approval has been provided via the resource consent process. Based on this legal advice, Council consider the use of 'Incorporation by reference' is a suitable option to consider through Proposed Plan Change 13.

Steps involved for applicant under Option 2:

- 1) Application is made for resource consent to the Council for a Structure Plan;
- 2) Consent is assessed and processed by Council Staff ensuring all necessary elements of the Structure Plan have been adequately addressed (i.e. servicing, staging, specialist reporting etc);
- 3) Structure Plan Consent is approved;
- 4) Structure Plan is added to a 'Schedule of Approved Structure Plans' which is a separate schedule outside and not part of the District Plan;
- 5) Council prepare a Public Notice in accordance with the Act stating there is an update to the 'Schedule of Approved Structure Plans'; and

¹ Cambridge Dictionary, <https://dictionary.cambridge.org/dictionary/english/impractical>, accessed 6/05/2020

- 6) On date of public notice the 'Deferred Zone' becomes live (i.e. if a 'Deferred Residential Zone' the site from that date is legally a 'Residential Zone').

The District Planning Maps would not be amended through this process therefore to confirm the current Zone of a Growth Cell Area, Plan Users would need to check the Schedule.

While this remains an option, it would result in zones which are still showing as deferred, but are actually live zones by way of an approved Structure Plans in the schedule.

5.3.1.3 Objective 1: Option 3 – Remove Deferred Zones from District Plan

Deferred Zones have been used in the Waipā District Plan to identify areas suitable for conversion from the current land use to a new land use. The areas have been zoned this way in order to ensure development occurs after satisfactory servicing (i.e. roading, water supply, wastewater disposal and stormwater disposal) is available. The Deferred Zone is essentially a tool to implement the settlement pattern and directions outlined in the Waipā 2050 Growth Strategy.

An option for consideration regarding the process currently provided in Section 14 of the District Plan, is to remove all the Deferred Zones from the District Plan. The process then to enable development and/or subdivision within the Growth Cell areas would be the Schedule 1 – Plan Change process outlined in the Resource Management Act 1991.

Council are aware there are clear disadvantages with this as an option, which would not give effect to the Waipā 2050 Growth Strategy, be contrary to the Future Proof Strategy, and be contrary to the NPS-UD 2020. However it is noted that many District Plans do not use Deferred Zones to show anticipated growth areas.

Under this option the steps involved for an applicant to undertake development and subdivision would be:

- 1) Application is made for a Private Plan Change to the Council for a Structure Plan and Zone Change; and
- 2) Schedule 1 of RMA process is followed.

5.3.1.4 Objective 1: Option 4 - Uplift pre-2035 Deferred Zones

Appendix S1 of the District Plan provides detail of the growth cells identified through the Waipā 2050 District Growth Strategy, and explains these areas have been identified using the Deferred Zone within the District Plan. Within the Growth Strategy the cells are separated into pre-2035 and post-2035 areas. An option considered as part of Proposed Plan Change 13 is a partial removal of the Deferred Zones through essentially uplifting the pre-2035 growth areas, while leaving the post-2035 as Deferred Zones. The rationale for uplifting the pre-2035 growth cells, is these are likely areas of growth within the lifetime of the District Plan.

For those Growth Cells without a Structure Plan, the identification of the Growth Cell within the 'Structure Plan Area' Overlay could be used to require a Structure Plan prior to development proceeding and assessment regarding provision of infrastructure (i.e. this would be a Policy Overlay). For the Stage 2 Growth Cells, uplifting of the Deferred Zone could be undertaken via a Plan Change process.

The table below sets out what this would mean for each town and village.

Area	Growth Cells Changing to Live Zoning	Growth Cells Remaining Unchanged
Cambridge	C1, C2, C3, and C4 would all change to Residential Zone	C5, C7, C9, C10 and C11 would remain Deferred Zone
Te Awamutu	T3, T10, T11, T12, and T13 would change to Residential, T6 would change to Large Lot Residential, Paterangi Road (Industrial) would change to Industrial Zone	T2, T4, T5, T14 and T15 would remain Deferred Zone
Ngahinapouri	N2 would change to Large Lot Residential	N3 would remain Deferred Zone
Rukuhia	R1, R2 and R3 would change to Large Lot Residential	N3 would remain Deferred Zone
Karapiro	K1 would change to Large Lot Residential	K2 would remain Deferred Zone
Te Miro	TM1 and TM3 would change to Large Lot Residential	N/A
Pukeatua	P1 and P3 would change to Large Lot Residential Zone	P2 would remain Deferred Zone

There would be no changes to the Hamilton Airport Strategic Node and Te Pahu.

In total this would result in the change of 9 Residential Growth Cells, 10 Large Lot Residential Growth Cells and an Industrial Zone. Of these Growth Cells only three (being C1, C2 and C3) have an approved Structure Plan, and three have Council endorsed Structure Plans (being T6 and T11² and C4³).

It is noted the triggers for the uplifting of C1, C2 and C3 includes the consenting of the stormwater discharge permit from the Waikato Regional Council, and infrastructure development. The stormwater discharge permit from the Waikato Regional Council was issued in May 2020. Therefore the remaining trigger is the requirement for infrastructure.

This option acknowledges the existing public consultation process undertaken through the Growth Strategy and previous Plan Changes (i.e. Plan Change 5 and 7), and community expectations for development within the Growth Cell areas. It also removes the 'dual' zoning for the Stage 1 Growth Cell areas, and provides certainty

² Endorsed at Council's Meeting on 28 April 2020

³ Endorsed at Council's Meeting on 2 September 2020

for developers in terms of process (i.e. Stage 2 Growth Cell areas need a private plan change to uplift the Deferred Zone). In addition, Option 4 is enabling of urban development in alignment with the NPS-UD 2020.

A key consideration with regard to this option is the implications for land valuation and rating within the Stage 1 Growth Cells upon the Deferred Zone being uplifted. This is covered further in Section 5.4 below. In summary, if all the Deferred Zone areas are uplifted, then the land value would be expected to increase based on the development potential. This is likely to impact on rateable value and the rates taken from these properties. (i.e. some owners of rural land may end up paying residential rates on residential zoned properties that are not serviced). This issue could be avoided by adjusting the rating system or through deferred rating, whereby the properties retain their rural rating and the new rates only apply, by way of example, on the approval of a structure plan.

With regard to a number of the proposed Large Lot Residential Zones, it is noted that these areas are not typically serviced by Council reticulation networks for water supply, stormwater and wastewater which are required using on-site mechanisms. The exception is Karapiro and Ohaupo which both have reticulated water supply networks. It could be considered that a 'Structure Plan' in the proposed Large Lot Zones which do not have reticulated services is not required as the necessary detail would still be captured through a subdivision consent process. In addition, these Growth Cells are typically owned by between one and five landowners making a joint consent application relatively easy. The removal of the requirement for a Structure Plan in these locations could encourage development in these areas.

5.3.1.5 Objective 1: Option 5 - Annual 'Mop Up' Plan Change

Another alternative option is to implement a process that is similar to Option 1 – Status Quo, however removes the Council resolution, and instead requires an annual plan change to occur to incorporate recently granted structure plans approved via the consent process.

This option would require a regular commitment from Council and involve the following steps:

- 1) Application is made for resource consent to the Council for a Structure Plan;
- 2) Consent is assessed and processed by Council Staff ensuring all necessary elements of the Structure Plan have been adequately addressed (i.e. servicing, staging, specialist reporting etc);
- 3) Structure Plan Consent is approved with condition of consent included that states prior to a Plan Change uplifting the Deferred Zone, all development and subdivision shall be undertaken pursuant to the 'live' Zone provisions;
- 4) Council staff prepare a Plan Change to include Structure Plan to Growth Management Structure Plans and Concept Plans Appendices and update the Planning Maps to removed 'Deferred' Zone.

The key component that would be required for this option to work, is an annual commitment by Council to undertake a scheduled Plan Change to enable growth areas to be updated on a regular basis (i.e. 12 or 24 month period).

The 'Mop Up' Plan Change could also include other mapping updates, such as but not limited to, rezoning of vested reserves, updating of policy overlay boundaries where cadastral boundaries have been amended, etc.

5.3.1.6 Objective 1: Option 6 - Removal of Resource Consent Process for Structure Plans

Another alternative option is to remove the ability to gain resource consent for a structure plan. Within the current provisions of Section 14, there are two options for a developer to consider in order to uplift the Deferred Zone. Option 1 is seeking resource consent and Option 2 is undertaking a private plan change (i.e. Schedule 1 of the Act process).

As per Option 3 outlined above, the process then to enable development and/or subdivision within the Growth Cell areas would be the Schedule 1 – Plan Change process outlined in the Resource Management Act 1991. This option has the advantage that through a Plan Change process, the Structure Plan can be considered, the Deferred Zone can be uplifted and any changes required to the objectives, policies and rules of the District Plan can be incorporated. The key disadvantage with this option is the added time and cost implications to enable development within identified Growth Cells.

Under this option the steps involved for an applicant to undertake development and subdivision would be:

- 1) Application is made for a Private Plan Change to the Council for a Structure Plan and Zone Change; and
- 2) Schedule 1 of RMA process is followed.

5.3.2 Objective 2: To update the Planning Maps to remove the Deferred Zone from areas with approved Structure Plans

As outlined in Section 4.2 above, there are two areas within the District Plan which are shown on the Planning Maps as being 'Deferred' Zone, and have approved Structure Plans. These areas are as follows:

- Part of C3 Growth Cell

In December 2019, Council staff sought a resolution from Council to uplift the deferred zone over six properties on the southern side of Cambridge Road within the C3 Growth Cell. This provides for residential development of approximately 7.1 hectares of land and encouraged the landowners to proceed with development. As a result of the uplifting the activity status for development changed from non-complying to restricted discretionary (provided compliance with provisions in Section 15 are met) and recognised the process this land has been through under the necessary provisions of

Section 14 of the Plan including adequately demonstrating to Council that the site can be developed. The resolution was passed on 17 December 2019, however the Planning Maps were not updated due to the legal advice received by Council.

- Te Miro 2

In January 2020, Council approved resource consent for a structure plan part of the Te Miro 2 Growth Cell (LU/0320/19). This provides for large lot residential development of approximately 1.4 hectares of land and encouraged the landowner to proceed with lodgement of a subdivision consent. Council staff prepared a Report seeking resolution to uplift the deferred zone however this was pulled from the agenda due to the legal advice received by Council. Council have subsequently granted subdivision consent to enable the subdivision of the Growth Cell into five large lot residential lots (SP/0009/20).

In addition there have been two subdivision consents recently approved which include areas to be vested in Council as Reserve. These are both located within Growth Cell C2. As part of Proposed Plan Change 13 it is considered appropriate to rezone these areas as Reserve Zone.

5.3.2.1 Objective 2: Option 1 – Status Quo

An option is to retain the ‘Deferred’ Zone over the abovementioned areas. This option would result in subdivision and development within the areas being assessed under the Deferred Zone provisions (i.e. default to Rural Zone provisions) as currently occurs.

Under the Status Quo, consent applications are assessed against the Rural Zone provisions which provide for the maintenance of the rural land resource for a variety of farm based activities. This assessment as a result does not align with the anticipated future use of the sites, recognised by the process outlined in the District Plan at the time the consent applications were lodged.

5.3.2.2 Objective 2: Option 2 – Update Planning Maps

The alternative option regarding Objective 2 is to proceed with updating the Planning Maps for each of the abovementioned areas to their relevant ‘live’ Zones. This will enable subdivision and development within the areas to be assessed under the anticipated growth area zone (i.e. Residential in the case of Part C3, and Large Lot Residential in the case of Te Miro 2).

5.3.3 Objective 3: To update and amend Growth Management Structure Plans and Concept Plans Appendices to reflect current Structure Plans

As outlined in Section 4.3 above, there are three Structure Plans which have been endorsed by Council earlier this year. In order to incorporate them into the District Plan, a plan change is required and it has been considered appropriate to include this via Proposed Plan Change 13. These are:

- **Te Awamutu 6**
In April 2020, Council staff sought endorsement from Council for the T6 Structure Plan. The T6 Growth Cell is located on the perimeter of the Te Awamutu and Kihikihi townships and has been identified for Large Lot Residential Development.
- **Te Awamutu 11**
In April 2020, Council staff sought endorsement from Council for the T11 Structure Plan. Located on the eastern side of Te Awamutu and to the south of Cambridge Road, the Growth Cell is identified for Residential Development. 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.
- **Cambridge 4**
In September 2020, Council staff sought endorsement from Council for the C4 Structure Plan. Located on the south-eastern side of Cambridge and to the north of Lamb Street, the Growth Cell is identified for Residential Development.

The supporting technical documents for each of the Structure Plans are attached in Part C of this Report.

As a consequential amendment to Growth Management Structure Plans and Concept Plans Appendices, the following Structure Plans are required to be removed, due to the completed nature of the area, or updated as follows:

- Ohaupo South Structure Plan (Appendix S8) – to be removed;
- Bruntwood Large Lot Residential Area Concept Plan (Appendix S9) – to be removed;
- Te Awamutu South Structure Plan and design guidelines (Appendix S14) – to be removed; and
- Te Awamutu T1 Growth Cell Structure Plan (Appendix S17) - to be updated to reflect the resource consent for the master plan of the T1 area (Council reference LU/0012/19).

5.3.3.1 Objective 3: Option 1 – Status Quo

An option is to retain the Growth Management Structure Plans and Concept Plans Appendices in the current form. This option would result in subdivision and development not being assessed against the endorsed Structure Plans. This assessment as a result does not align with the anticipated future use of the sites and is likely to result in inappropriate development and subdivision.

5.3.3.2 Objective 3: Option 2 – Update Growth Management Structure Plans and Concept Plans Appendices

The alternative option regarding Objective 3 is to proceed with updating the Growth Management Structure Plans and Concept Plans Appendices for each of the abovementioned areas to remove unrequired Structure Plans, and include newly endorsed Structure Plans. This will enable subdivision and development within the areas to be assessed against the endorsed Structure Plans.

5.4 Evaluation of Options

The above section outlines the other reasonably practicable options considered. In order to determine whether the other options are reasonably practicable, a comparative analysis has been undertaken. Council is not legally obliged to detail the evaluation process for other reasonably practicable options that were not identified as the preferred option. However, it is considered fair and transparent to demonstrate how the preferred option was decided upon following an assessment against other reasonably practicable options. The key considerations of this analysis are outlined in the following tables.

In undertaking this analysis, consideration was given to Section 32(2)(b) which specifies: *“if practicable, quantify the benefits and costs”*. It may be possible to undertake economic and financial analysis of each of the options. However the underlying assumptions for all options are considered to be too broad, and the analysis required is considered to be too detailed, to make quantifying the costs and benefits practicable. For this reason, costs and benefits have not been quantified for this analysis.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
Costs	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Legality of process remains questionable. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> There remains a cost to applicants and council for following the status quo process (resource consent and/or plan change to uplift the zoning). For the purposes of this analysis, the other options have been benchmarked against status quo. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Structure Plan and Zoning information held in two places (i.e. Within District Plan and within Schedule). <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Additional cost of public notice to update Schedule of Approved Structure Plans; Property valuation may be more uncertain with Zoning not clear in District Planning Maps. Comparable costs to status quo. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> Land Owners, Developers and Agents will have to familiarise 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Fails to acknowledge areas of planned growth as per Growth Strategy in District Plan the Future Proof Sub-Regional Growth Strategy, and National Policy Statement on Urban Development Capacity; Likely introduction of ad hoc development which would compromise natural and physical resources and the ability to accommodate future growth. <p><u>Economic Cost:</u></p>	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> May result in ad hoc development as more than three Growth Cells could be underway at any given time; May restrict farming or other rural based activities within the Growth Cell in the meantime. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Two of the Large Lot Zone Growth Cells currently have water supply to them, and it would be a natural assumption these supplies would be extended to the new growth areas. This would apply to the cells within Karapiro and 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> May be a 'lag' between consents being issued and incorporation into District Plan. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Plan Change cost sits with Council / rate payers (not landowners or developers); 'Lag' between consents being issued and incorporation into District Plan may affected property values. Similar to status quo, but some private costs are transferred to the public through annual plan changes. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Fails to acknowledge areas of planned growth as per Growth Strategy in District Plan the Future Proof Sub-Regional Growth Strategy, and National Policy Statement on Urban Development Capacity. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Land Owners / Developers required to undertake Plan Changes which have added economic cost and time to development process.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
		<p>themselves with new process;</p> <ul style="list-style-type: none"> May cause confusion for District Plan users. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Land Owners / Developers required to undertake Plan Changes which have added economic cost and time to development process. Higher economic cost than status quo. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> Areas identified for growth take longer to be developed. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p>Ohaupo. The extension of this supply would likely be covered through Development Contributions which have not been calculated.</p> <ul style="list-style-type: none"> Reduced cost compared with status quo. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Social Cost:</u></p> <ul style="list-style-type: none"> May cause confusion for District Plan users. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Increased costs compared to status quo. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> Areas identified for growth take longer to be developed. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.
Benefits	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> The status quo has represented a reasonable approach in terms 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Quicker process than a Plan Change. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Removes any confusion regarding status of zoning. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> This approach provides development capacity for short and medium term 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> District Plan continually reviewed to ensure remains current; 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Plan Change costs sit with developers.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
	<p>of environmental outcomes.</p> <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Developers are not required to undertake a Plan Change to uplift a deferred zone which has time and financial benefits. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> Existing rule is retained and community expectations are maintained. The existing framework has familiarity for the development community and landowners, which is a social benefit. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> Iwi consultation continued to be 	<p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> No plan change costs for developers. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> Iwi consultation continued to be applied through consenting process. 	<p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Plan Change costs sit with developers. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> Community expectations with regard to Schedule 1 RMA process maintained. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p>in accordance with NPS;</p> <ul style="list-style-type: none"> Allows growth to occur in alignment with Council's Growth Strategy; Stage 2 Growth Cells are easily identifiable in the District Plan if retained as Deferred Zones; Reinforces development of Stage 1 Growth Cells prior to Stage 2. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Developers within Stage 1 Growth Cells can proceed with consent applications which have less of a cost than a Plan Change process; Removes some of the steps involved 	<ul style="list-style-type: none"> Growth Cells are uplifted as required; Upholds NPS requirements for development capacity for short and medium term. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Plan Change cost sits with Council / rate payers (not landowners or developers who obtain private benefit at public cost). <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> Community will anticipate Plan Change and be able to prepare for process. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> Iwi consultation process under 	<p><u>Social benefits:</u></p> <ul style="list-style-type: none"> Community expectations with regard to Schedule 1 RMA process maintained. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones						
	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
	applied through consenting process.			<p>for development which results in less time and financial costs;</p> <ul style="list-style-type: none"> ▪ May encourage development in villages where Status Quo process may seem too difficult. ▪ Overall economic benefits compared with status quo. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> ▪ The 'live' Zone development process is familiar for the development community. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> ▪ Iwi consultation continued to be applied through consenting process. 	Section 32 of RMA followed.	

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
<p>Opportunities for economic growth and employment to be provided or reduced</p>	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> Known approach for landowners and developers to plan for. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified, as a neutral position in terms of employment growth. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> This approach provides an opportunity for post-2035 Growth Cells to be developed without a Plan Change process. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified, as a neutral position in terms of employment growth. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> This approach does not provide clarity for landowners or developers as to how and when growth cell release occurs. This will be a particular issue when the supply of land that is Development Ready falls below 3 years. <p><u>Employment:</u></p> <ul style="list-style-type: none"> Limits opportunity for preparation of Structure Plans and/or Consent applications in these areas. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> Removes uplifting step which may cause time and financial costs and limitations; Should encourage developers to proceed with development in some Growth Cells. <p><u>Employment:</u></p> <ul style="list-style-type: none"> Provides opportunity for planners/surveyors etc to prepare subdivision applications for areas which no longer require a structure plan. Overall the best option in terms of economic growth and employment. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> Upholds flexible approach to sequencing of Growth Cells. <p><u>Employment:</u></p> <ul style="list-style-type: none"> Provides regular Plan Change work for Planners, and consultants. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Employment:</u></p> <ul style="list-style-type: none"> Provides Plan Change work for Planners.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones

	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
Efficiency and Effectiveness of achieving objectives	The status quo is efficient as it is a well understood and familiar process which enables areas to be uplifted without the complications of a full Plan Change process being incurred by landowners / developers. It is ineffective to continue, as the legal review has identified legal and technical issues.	This option would be effective in that it provides a process to enable the uplift of all deferred zones. This approach is limited or reduced in efficiency in that a new schedule is required to be referred to when undertaking planning assessments, and the District Planning Maps remain unchanged.	This option is not effective as it does not recognise or facilitate the process that has been developed through the development of the Waipā 2050 Growth Strategy. This approach does not provide for the effective planning of infrastructure in a manner that is coordinated with land use.	This option is more efficient in comparison to the status quo, in that it removes the uplifting process for landowners / developers. It is effective in its implementation of the policy intent and the relevant statutory documents and growth strategy.	This option is effective in that it provides regular plan change process to tidy up necessary detail that has changed as a result of consents being issued. It is less efficient than the status quo as it introduces new annual plan changes.	This option is neither effective nor efficient as it does not recognise or facilitate the process that has been developed through the development of the Waipā 2050 Growth Strategy.
Risk of acting or not acting if there is insufficient or uncertain information about the subject matter of the provisions	The risk of not acting and continuing to utilise the status quo process, is a legal risk. There is sufficient information to undertake a change to remedy the issue.	The risk of this option is that the use of Schedule 1 Part 3 of Resource Management Act 1991 for the incorporation of a schedule of structure plans is unprecedented.	The risk of this option is high in that failing to identify future Growth Cells is not acceptable to the Council who seek to be transparent with the community about growth aspirations, and respond to the NPS requirements.	There is a risk that this option potentially provides an oversupply of land in different areas within the towns and therefore does not provide for the effective planning of infrastructure. This risk is considered to be low given the Stage 1	There is a risk of this option not being as efficient as other options as it relies on a Structure Plan process to occur first for each Growth Area.	The risk with this option is it results in an added constraint to enable development within identified Growth Cells. This may result in landowners /developers choosing to not develop these areas.

Objective 1: To amend the District Plan to correct and update the process currently provided for in Section 14 for the uplifting of deferred zones						
	Option 1: Status Quo	Option 2: Incorporation by Reference	Option 3: Remove Deferred Zones	Option 4: Uplift pre-2035 Deferred Zones	Option 5: Annual 'Mop Up' Plan Change	Option 6: Removal of Resource Consent Process for Structure Plans
				Growth Areas have already been identified as occurring prior to 2035.		
Overall appropriateness for achieving objectives	In summary, the status quo has been determined to be inappropriate due to the legal advice received.	Overall, this option provides a mechanism that can be undertaken to uplift the Deferred Zones, regardless of if they are pre or post 2035 Growth Cells.	Removal of the Deferred Zones is not considered to align with Council's approach to encourage growth and development in the District.	Overall, uplifting the deferred zoning of all pre-2035 Growth Cells provides the most efficient and effective way of addressing the issue outlined earlier in this report.	This option is viable, however has issues with regard to effectiveness and efficiency for both developers and Council.	This option does not fix the issue identified by this Plan Change in Section 14.
Overall rating	Unviable option	Viable but with limitations	Unviable option	Best option	Viable but with limitations	Unviable option

Objective 2: To update the Planning Maps to remove the deferred zone from areas with approved Structure Plans		
	Option 1: Status Quo	Option 2: Update Planning Maps
Costs	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Provides uncertainty for District Plan users. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Further consents required to develop in areas identified for development. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> Provides uncertainty for land owners. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Reduction in Rural Zoned land. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Incorporated into Plan Change costs. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.
Benefits	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Social benefits :</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> The proposal will provide clarity and certainty for District Plan users; Alignment with Growth Strategy and NPS. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Reduction in consenting requirements and costs for future developments. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> The proposal will provide clarity and certainty for the landowner. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.
Opportunities for economic growth and employment to be provided or reduced	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> Provides for development with the sites in accordance with the anticipated zoning, and likely reducing requirements for consent. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified.
Efficiency and Effectiveness of achieving objectives	This option is not effective in that it retains the 'Deferred' status, despite the correct following of the process outlined in Section 14.	This option is effective in that it removes the unnecessary notation on the Planning Maps and avoids any doubt of the Zoning of the properties.
Risk of acting or not acting if there is insufficient or uncertain information	With regard to Objective 2, sufficient information has been provided regarding the development of each site through the consenting process. There is no doubt the developments are proceeding in accordance with the vision under the Growth Strategy, Future Proof, RPS and NPS. The risk of not acting in this instance is low however will result in unnecessary consenting processes for development in these areas. This is the ideal opportunity to rectify this situation for these sites.	
Overall appropriateness for achieving objectives	The status quo has been determined to be inappropriate in achieving the objective outlined in Proposed Plan Change 13.	Amending the Planning Maps is considered to be the most appropriate way to achieve the objective outlined in Proposed Plan Change 13.
Overall rating	Least preferred option	Preferred Option

Objective 3: To update and amend Growth Management Structure Plans and Concept Plans Appendices to reflect current Structure Plans		
	Option 1: Status Quo	Option 2: Update Growth Management Structure Plans and Concept Plans Appendices
Costs	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> Provides uncertainty for District Plan users. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Further plan change required to incorporate endorsed structure plans into District Plan. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> Provides uncertainty for land owners. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Economic Cost:</u></p> <ul style="list-style-type: none"> Incorporated into Plan Change costs. <p><u>Social Cost:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.
Benefits	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Social benefits :</u></p> <ul style="list-style-type: none"> None identified. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Environmental:</u></p> <ul style="list-style-type: none"> The proposal will provide clarity and certainty for District Plan users; Alignment with Growth Strategy and NPS. <p><u>Economic benefits:</u></p> <ul style="list-style-type: none"> Reduction in consenting requirements and costs for future developments. <p><u>Social benefits:</u></p> <ul style="list-style-type: none"> The proposal will provide clarity and certainty for the landowner. <p><u>Cultural effect:</u></p> <ul style="list-style-type: none"> None identified.
Opportunities for economic growth and employment to be provided or reduced	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> None identified. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified. 	<p><u>Economic Growth:</u></p> <ul style="list-style-type: none"> Provides for development with the sites in accordance with the endorsed Structure Plans. <p><u>Employment:</u></p> <ul style="list-style-type: none"> None identified.
Efficiency and Effectiveness of achieving objectives	This option is not effective in that it fails to incorporate the Structure Plans into the RMA framework.	This option is effective in that it incorporates the Structure Plans into the RMA framework and provides certainty for implementation of the Structure Plan.
Risk of acting or not acting if there is insufficient or uncertain information	With regard to Objective 3, sufficient information has been provided for each Structure Plan through its development and implementation phases. There is no doubt the developments are proceeding in accordance with the vision under the Growth Strategy, Future Proof, RPS and NPS. The risk of not acting in this instance may result in unnecessary consenting processes for development in these areas, and lack of alignment with the community and Council's expectations for each Structure Plan area. This is the ideal opportunity to rectify this situation.	
Overall appropriateness for achieving objectives	The status quo has been determined to be inappropriate in achieving the objective outlined in Proposed Plan Change 13.	Amending Growth Management Structure Plans and Concept Plans Appendices is considered to be the most appropriate way to achieve the objective outlined in Proposed Plan Change 13.
Overall rating	Least preferred option	Preferred Option

6 Evaluation of Provisions

6.1 Proposed Provision Assessment

This part of the Section 32 analysis assesses if the proposed provisions are the most appropriate to support Proposed Plan Change 13 objectives. The purpose of this evaluation is to make sure that the amended provisions are the most appropriate way to promote the sustainable management of natural and physical resources.

The preferred options identified in Part B of this Report are considered to remain in accordance with the existing broad policy direction of the District Plan. In order to implement the preferred options, enhancements to Sections 14, 15, 21, Appendix S1 and the Planning Maps are proposed. No changes are proposed to the resource management issues within the Waipā District Plan.

Council is required to assess the efficiency and effectiveness of the Proposed Plan Change 13 provisions. 'Effectiveness' is the measure of contribution that the proposed provisions make towards resolving the issue, while 'efficiency' refers to benefits and costs to all members of society.

This part of the report assesses the Proposed Plan Change 13 provisions in achieving the objectives outlined in Section 5.1 of this report. This entails identifying and assessing the benefits and costs of the environmental, social, cultural and economic effects anticipated from the implementation of the Proposed Plan Change 13 provisions.

6.1.1 Amendments to Section 2 – Residential Zone

The purpose of each Zone chapter within the District Plan is to outline the issues, objectives, policies and rules relevant to the zone. Section 2 – Residential Zone explains the zones purpose is to provide for a variety of forms of living, including provision for new growth areas, changing housing demands and sustainable forms of living.

The incorporation of the T11 Growth Cell Structure Plan has resulted in consequential amendments required to Section 2 – Residential Zone. No changes are proposed to the Introductory paragraphs, the Resource Management Issues, Objectives or Policies as the existing paragraphs and provisions are considered to be adequate. The following new rules are proposed to enable the establishment of the neighbourhood centre as follows:

2.4.1.3	Restricted discretionary activities The following activities shall comply with the performance standards of this zone
(i)	<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> (a) Café, dining and ancillary activities

2.4.1.3	Restricted discretionary activities The following activities shall comply with the performance standards of this zone
	<p>(b) <u>Commercial retail and service activities</u></p> <p>(c) <u>Commercial offices or residential activities, limited to above ground floor</u></p> <p><u>Assessment will be restricted to the following matters:</u></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 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 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.

6.1.2 Assessment of the amendments to Section 2 – Residential Zone

The proposed changes to Section 2 incorporate a new rule framework to enable the development of the Neighbourhood Centre within the T11 Growth Cell Structure Plan. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments to Section 2.

Section 2 Amendments	
Effectiveness/Efficiency	Benefit/Cost
<p>Effectiveness: The inclusion of the new provisions provide an effective manner to enable plan users to understand the expectations for a neighbourhood centre within the T11 Growth Cell.</p>	<p>Benefits: <u>Environmental:</u> The provisions will provide clear design provisions to enable the development of the neighbourhood centre. <u>Economic:</u> None identified. <u>Social:</u> The provisions will uphold the purpose of the neighbourhood centre (i.e. being for local purpose). <u>Cultural:</u> None identified.</p>
<p>Efficiency: Proposed Plan Change 13 will facilitate efficiency of development by providing a clear rule framework to follow for development of the neighbourhood centre.</p>	<p>Costs: <u>Environmental:</u> None identified. <u>Economic:</u> There will be an economic cost for the developer to gain consent. <u>Social:</u> None identified. <u>Cultural:</u> None identified.</p>
<p>Opportunities for economic growth and employment to be provided or reduced: The amendments to Section 2, in conjunction with the package of amendments proposed to the District Plan through Proposed Plan Change 13, will provide employment and development opportunities for the T11 Growth Cell, including but not limited to, planning, construction, building and servicing.</p>	
<p>Sufficiency of information and risk of not acting: Sufficient information was available from the Structure Plan process to enable the inclusion of provisions within the District Plan. The risk of not acting is to leave a gap in the provisions in the District Plan for development of the neighbourhood centre.</p>	

In summary, the amendments to Section 2 are considered to provide a robust framework to enable the development of the neighbourhood centre in alignment with the T11 Growth Cell Structure Plan.

6.1.3 Amendments to Section 3 – Large Lot Residential Zone

Section 3 – Large Lot Residential Zone explains the zones purpose is to provide for a variety of rural residential forms of living. The incorporation of the T6 Growth Cell Structure Plan has resulted in consequential amendments required to Section 3 –

Large Lot Residential Zone, including a new policy, to provide the supporting framework for the development of the neighbourhood centre. The following new provisions are proposed to enable the establishment of the neighbourhood centre as follows:

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	<p>Restricted discretionary activities</p> <p>The following activities must comply with the performance standards of this zone</p>
(d)	<p><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></p> <p><u>(a) Café, dining and ancillary activities</u></p> <p><u>(b) Commercial retail and service activities</u></p> <p><u>(c) Commercial offices or residential activities, limited to above ground floor</u></p> <p><u>Assessment will be restricted to the following matters:</u></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 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.

6.1.4 Assessment of the amendments to Section 3 – Large Lot Residential Zone

The proposed changes to Section 3 incorporate a new policy and rule framework to enable the development of the Neighbourhood Centre within the T6 Growth Cell Structure Plan. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments to Section 3.

Section 3 Amendments	
Effectiveness/Efficiency	Benefit/Cost
<p>Effectiveness: The inclusion of the new provisions provide an effective manner to enable plan users to understand the expectations for a neighbourhood centre within the T6 Growth Cell.</p>	<p>Benefits: <u>Environmental:</u> The provisions will provide clear design provisions to enable the development of the neighbourhood centre. <u>Economic:</u> None identified.</p>

Section 3 Amendments	
Effectiveness/Efficiency	Benefit/Cost
	<p><u>Social</u>: The provisions will uphold the purpose of the neighbourhood centre (i.e. being for local purpose).</p> <p><u>Cultural</u>: None identified.</p>
<p>Efficiency: Proposed Plan Change 13 will facilitate efficiency of development by providing a clear rule framework to follow for development of the neighbourhood centre.</p>	<p>Costs:</p> <p><u>Environmental</u>: None identified.</p> <p><u>Economic</u>: There will be an economic cost for the developer to gain consent.</p> <p><u>Social</u>: None identified.</p> <p><u>Cultural</u>: None identified.</p>
<p>Opportunities for economic growth and employment to be provided or reduced: The amendments to Section 3, in conjunction with the package of amendments proposed to the District Plan through Proposed Plan Change 13, will provide employment and development opportunities for the T6 Growth Cell, including but not limited to, planning, construction, building and servicing.</p>	
<p>Sufficiency of information and risk of not acting: Sufficient information was available from the Structure Plan process to enable the inclusion of provisions within the District Plan. The risk of not acting is to leave a gap in the provisions in the District Plan for development of the neighbourhood centre.</p>	

In summary, the amendments to Section 3 are considered to provide a robust framework to enable the development of the neighbourhood centre in alignment with the T6 Growth Cell Structure Plan.

6.1.5 Amendments to Section 14 – Deferred Zone

Section 14 – Deferred Zones explains the purpose of the zone is to show areas that are anticipated to accommodate new land uses in alignment with Council’s Growth Strategy. With the removal of the Deferred Zone from the pre-2035 Growth Cells, only the post-2035 Growth Cells will remain in the Deferred Zone.

Removing the Deferred Zone altogether was considered as the post-2035 Growth Cells are beyond the lifetime of the District Plan. However, it was considered that the Deferred Zone clearly highlights the intention to change the use in due course and includes a mechanism to ensure development within these areas is compatible with the future intended use. With this in mind the following amendments are proposed to the introductory paragraphs within Section 14:

- 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 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.~~

No changes are proposed to the Section 14.2 Resource Management Issues as the existing issue statement is considered to be adequate. In terms of the Objectives and Policies within Section 14.3, the following amendments are proposed to remove reference to the Council resolution process, and to provide clarity that the plan change process is expected to include comprehensive planning considerations to enable post-2035 Growth Cells to be developed.

~~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.~~

Within Section 14.4 changes to the Discretionary Activity and Non-Complying Activity status tables are proposed. These changes remove reference to the Cambridge North Deferred Residential Zone, which is proposed to be uplifted, and removes reference to structure plans within Deferred Zones. As the Deferred Zones now refer to post-2035 Growth Cells, it is not considered appropriate to provide for a resource consent regime to apply for a Structure Plan unless a comprehensive assessment has occurred through a Plan Change process. In alignment with the changes to abovementioned policies the activity status tables have had this removed as follows:

14.4.1.4	Discretionary activities
(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.
(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.

With regard to the additional rules in Section 14.4, an amendment is required to Rule 14.4.1.7 to remove the reference to a Council resolution, and Rules 14.4.18 to 14.4.1.10 can be removed as they outline the uplifting of the Deferred Zone via Council resolution, or refer to uplifting which will be superseded by this Proposed Plan Change 13.

6.1.6 Assessment of the amendments to Section 14 – Deferred Zone

The proposed changes to Section 14 remove the reference to a Council resolution process for uplifting the Deferred Zone. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments to Section 14.

Section 14 Amendments	
Effectiveness/Efficiency	Benefit/Cost
<p>Effectiveness: The rewording of Section 14 is effective in meeting the objectives of Proposed Plan Change 13 as it removes reference to uplift via Council resolution. The removal of a number of rules is also effective in that it removes any potential confusion by making it clear that any uplift of the Deferred Zones is required to be undertaken via a Plan Change process.</p>	<p>Benefits:</p> <p><u>Environmental:</u> The additions to the introductory paragraphs and the new policy outline the requirements to have a comprehensive planning process in place via a Plan Change to enable uplifting of the Deferred Zones. The amendments also recognise the anticipated development pattern within the Growth Strategy.</p> <p><u>Economic:</u> The amendments to Section 14 clearly outline the expected RMA processes to be followed for uplifting of the Deferred Zone (i.e. Plan Change) removing any potential doubt for landowners in these areas.</p> <p><u>Social:</u> The amendments to Section 14 remove any potential confusion regarding the process by which to uplift a Deferred Zone.</p> <p><u>Cultural:</u> None identified.</p>
<p>Efficiency: Proposed Plan Change 13 will facilitate efficiency of development by correcting an issue with the existing process outlined in Section 14. By uplifting the pre-2035 Growth Cell areas, development will be encouraged and subdivision applications are enabled for these areas.</p>	<p>Costs:</p> <p><u>Environmental:</u> The uplifting of the Deferred Zones will result in currently utilised rural land being able to be used for non-rural purposes.</p> <p><u>Economic:</u> Some economic costs will arise for developers wishing to develop the post-2035 Growth Cells.</p> <p><u>Social:</u> There may be potential social effects for properties adjoining the rezoned Growth Cells as a result of the change in use and subsequent development that will occur. Landowners and adjacent landowners should be aware of this change due to the wide public consultation of the Growth Strategy.</p> <p><u>Cultural:</u> None identified.</p>
<p>Opportunities for economic growth and employment to be provided or reduced: The uplifting of the pre-2035 Growth Cells, and amendment to Section 14 will provide employment and development opportunities for these areas, including but not limited to, planning, construction, building and servicing.</p>	
<p>Sufficiency of information and risk of not acting: Sufficient information was available about the rewording to consider the effects of this variation. The risk of not acting is to leave an inappropriate process in the District Plan.</p>	

In summary, the amendments to Section 14 are considered to uphold the staging of the Growth Cells identified in the Council's Growth Strategy, encourage development in the pre-2035 Growth Cells and enable Council to meet the local authority obligations under the NPS-UD 2020. Overall these amendments are considered to be the most efficient and effective way of achieving the Proposed Plan Change 13 objective.

6.1.7 Amendments to Section 15 – Infrastructure, Hazards, Development and Subdivision

Section 15 of the District Plan outlines the issues, objectives, policies and rules for both development and subdivision within the District. No changes are proposed to Section 15.1 – Introduction or Section 15.2 - Resource Management Issues. With the proposed changes to Section 14 outlined above, an additional objective and policies are proposed within Section 15 to address subdivision within the Deferred Zone, and provide policy support for Rule 15.4.1.1(w) which states subdivision within a Deferred Zone is a non-complying activity. The new proposed objective and policies are:

Objective – Subdivision and Development within Deferred Zones

(New) 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

(New) To enable boundary adjustments and boundary relocation subdivisions within the Deferred Zones where the future use of the site is not compromised.

(New) To avoid development and subdivision of land within Deferred Zones where it may compromise the future intended use of the land.

Within Section 15.4, Rule 15.4.2.61 which refers to development and subdivision within a Deferred Zone, is no longer deemed necessary in that the previous provisions within Section 14 and 15 adequately cover instances where development or subdivision may be applied for.

Rule 15.4.2.69 - All development and subdivision in areas subject to a Structure Plan, Development Plan or Concept Plan, includes a list of the relevant plans included in Growth Management Structure Plans and Concept Plans Appendices of the District Plan. Proposed Plan Change 13 incorporates an update to this list, and Growth Management Structure Plans and Concept Plans Appendices, to remove those Structure Plans which are now completed, and insert recently endorsed Structure Plans as follows:

- Ohaupo South Structure Plan (Appendix S8) is proposed to be removed as this area is actively being developed and the Structure Plan is no longer required;
- Bruntwood Large Lot Residential Area Concept Plan (Appendix S9) is proposed to be removed as this area has been developed and the Structure Plan is no longer required;

- Te Awamutu South Structure Plan and design guidelines (Appendix S14) is proposed to be removed as this area has been developed and the Structure Plan is no longer required;
- Te Awamutu T1 Growth Cell Structure Plan (Appendix S17) is proposed to be updated to reflect the resource consent for the master plan of the T1 area (Council reference) LU/0012/19;
- Te Awamutu T6 Structure Plan was endorsed at the Council meeting on 7 April 2020. Following this endorsement it is considered appropriate to incorporate the Structure Plan in the District Plan;
- Te Awamutu T11 Structure Plan was endorsed at the Council meeting on 7 April 2020. Following this endorsement it is considered appropriate to incorporate the Structure Plan in the District Plan;
- Cambridge C4 Structure Plan was endorsed at the Council meeting on 29 September 2020. Following this endorsement it is considered appropriate to incorporate the Structure Plan in the District Plan.

6.1.8 Assessment of Amendments to Section 15 – Infrastructure, Hazards, Development and Subdivision

The proposed changes to Section 15 provide additional policy support for the amendments made in Section 14 of the District Plan. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments to Section 15.

Section 15 Amendments	
Effectiveness/Efficiency	Benefit/Cost
<p>Effectiveness: The rewording of Section 15 is effective at correcting the issue raised through Proposed Plan Change 13 as it clarifies the types of subdivision provided for within the Deferred Zone, and updates the list of Structure Plans included in the District Plan.</p> <p>The rewording is effective at removing confusion regarding which Structure Plans are to be given effect to for developers in these areas.</p>	<p>Benefits:</p> <p><u>Environmental:</u> The new objective and associated policies are considered to provide clarity within the District Plan regarding any proposed development or subdivision within the Deferred Zone. Policy support is also provided to Rule 15.4.1.1(w) to ensure inappropriate development and subdivision in post-2035 Growth Cells are avoided. This clarity is considered to have environmental benefits in that it assists with sustainable development across the District.</p> <p><u>Economic:</u> The amendments to Section 15 clarify which Structure Plans are approved by Council removing any potential doubt for landowners in these areas.</p> <p><u>Social:</u> The amendments to Section 15 remove any potential confusion regarding the process by which to uplift a Deferred Zone.</p> <p><u>Cultural:</u> None identified.</p>
<p>Efficiency: Proposed Plan Change 13 will facilitate efficiency of development by</p>	<p>Costs:</p> <p><u>Environmental:</u> None identified.</p>

Section 15 Amendments	
Effectiveness/Efficiency	Benefit/Cost
referencing the most up to date Structure Plans within the District.	<p><u>Economic</u>: There will continue to be costs for developers seeking to undertake subdivision in post-2035 Growth Cells.</p> <p><u>Social</u>: None identified.</p> <p><u>Cultural</u>: None identified.</p>
<p>Opportunities for economic growth and employment to be provided or reduced: The amendments to Section 15, in conjunction with the package of amendments proposed to the District Plan through Proposed Plan Change 13, will provide employment and development opportunities for the pre-2035 Growth Cell areas, including but not limited to, planning, construction, building and servicing.</p>	
<p>Sufficiency of information and risk of not acting: Sufficient information was available about the rewording to consider the effects of Proposed Plan Change 13. The risk of not acting is to leave uncertainty within Section 15 regarding subdivision and development in the Deferred Zone.</p>	

In summary, the updates to Section 15 will ensure the District Plan appropriately references the most up to date Structure Plans within the District, while the additional objective and policy provide clarity for those seeking to undertake subdivision in a Deferred Zone. Overall these amendments are considered to be the most efficient and effective way of achieving the Proposed Plan Change 13 objective.

6.1.9 Amendments and Assessment of Amendments to Section 21

Section 21 of the District Plan sets out the Assessment Criteria and Information Requirements for activities referenced throughout the Plan. With regard to Proposed Plan Change 13 and as a result of the amendments outlined above, the following changes are also required to Section 21 for completeness and clarity:

- Addition of Assessment Criteria for the neighbourhood centres in T6 Growth Cell Structure Plan and T11 Growth Cell Structure Plan – This criteria provides clarity for plan users regarding the expectations for development in these spaces.
- Assessment Criteria 21.1.14.1 and Information Requirements 21.2.14.1 to be deleted – This criteria and information requirements are no longer required due to the amendments made to Section 14; and
- Assessment Criteria 21.1.15.43 to be amended – The heading of this criteria is ‘Structure plans’. It is considered more appropriate to specify this applies to ‘Subdivision and development within Structure plans areas’.

The proposed changes to Section 21 are consequential amendments as a result of the amendments outlined above for Sections 2, 3 and 14. These changes are considered to add value to the District Plan in that they remove any confusion for Plan Users, and assist with the implementation of Proposed Plan Change 13 amendments. Overall these amendments are considered to be the most efficient and effective way of achieving the Proposed Plan Change 13 objective.

6.1.10 Amendments to Growth Management Structure Plans and Concept Plans Appendices

Appendix S1 – Future Growth Cells provides an explanation in the District Plan of the Waipā 2050 Growth Strategy and its incorporation into the District Plan. The remaining sections within Growth Management Structure Plans and Concept Plans Appendices are made up of the approved Structure Plans. As part of Proposed Plan Change 13, amendments are proposed to the introductory paragraphs for clarification purposes, amendments to a number of the tables to update the information based on approved consents, endorsed structure plans and development progression, and the inclusion of new appendices to capture endorsed Structure Plans.

The proposed changes to Appendix S1 are:

- 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.
- S1.1.6 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.

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. <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 790 dwellings.
C6	53ha	<ul style="list-style-type: none"> This growth cell is intended <u>zoned</u> for large lot residential development, and has a Structure Plan in place <u>and is actively being developed.</u> The growth cell has a dwelling capacity of approximately 160 dwellings.
C10	162ha	<ul style="list-style-type: none"> Intended for industrial development, the C10 growth cell comprises of a 56.7ha area of Industrial <u>Zone (with an associated Structure Plan that was approved through a private plan change process) that is actively being developed,</u> and a 125.3ha area zoned Rural. The <u>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 serviced, and is currently unserved and is seen as a useful alternative to C9.</u>
T1	37ha	<ul style="list-style-type: none"> This is identified for residential development, and has a structure plan in place <u>and is actively being developed.</u> 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. <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 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 residential growth cell is subject to a structure plan. <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 132 dwellings.

GROWTH CELL	LAND AREA	OVERVIEW AND CAPACITY
T10	21ha	<ul style="list-style-type: none"> ▪ This residential growth cell is subject to a structure plan. 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 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.
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 is actively being developed. ▪ The growth cell has a dwelling capacity of approximately 51 dwellings.
N1	20ha	<ul style="list-style-type: none"> ▪ This growth cell is intended for <u>zoned</u> Large Lot Residential, <u>has a structure plan in place and is actively being developed.</u> 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 60 dwellings.
TM2	2.4ha	<ul style="list-style-type: none"> ▪ This growth cell is intended <u>zoned</u> 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.

The proposed changes to Appendix S1 are consequential amendments as a result of the amendments outlined above for Section 14. These changes are considered to add value to the District Plan in that they remove any confusion for Plan Users, and assist with the implementation of Proposed Plan Change 13 amendments and the Growth Strategy.

The inclusion of the new structure plans into Growth Management Structure Plans and Concept Plans Appendices are considered to provide valuable assistance by providing a RMA framework to support their implementation. This will provide assistance for development and subdivision within these areas and remove any confusion for landowners.

Overall these amendments are considered to be the most efficient and effective way of achieving the Proposed Plan Change 13 objective.

6.1.11 Amendments to the Planning Maps

An instrumental component of Proposed Plan Change 13 is the updating of the planning maps for all pre-2035 Growth Cells. The following amendments are required for each area.

- Cambridge: Growth Cells Cambridge North, C1, C2, C3, and C4 require uplifting of the Deferred Zone to become Residential Zone. In addition there have been two subdivision consents recently approved which include areas to be vested in Council as Reserve. As part of Proposed Plan Change 13 it is considered appropriate to rezone these areas as Reserve Zone.
- Te Awamutu: Growth Cells T3, T10, T11, T12, and T13 require uplifting of the Deferred Zone to become Residential Zone. Growth Cell T6 requires uplifting of the Deferred Zone to become Large Lot Residential Zone and Paterangi Road (Industrial) requires uplifting of the Deferred Zone to become Industrial Zone. Within Growth Cell T11, there is an area that has been identified as being unsuitable for development due to being a Flood Hazard Area. This area is to be shown as Deferred Residential Zone.
- Ohaupo: Growth Cell O1 has been developed and can have the 'Structure Plan Area' notation removed from the Planning Maps.
- Ngahinapouri: Growth Cell N2 requires uplifting of the Deferred Zone to become Large Lot Residential Zone, and the removal the 'Structure Plan Area' notation. This notation is no longer necessary as the requirements of Section 15 will ensure, at the time of subdivision, that the appropriate design and infrastructure requirements are met.
- Rukuhia: Growth Cells R1, R2 and R3 require uplifting of the Deferred Zone to become Large Lot Residential Zone, and the removal the 'Structure Plan Area' notation. This notation is no longer necessary as the requirements of Section 15 will ensure, at the time of subdivision, that the appropriate design and infrastructure requirements are met.
- Karapiro: Growth Cell K1 requires uplifting of the Deferred Zone to become Large Lot Residential Zone, and the removal the 'Structure Plan Area' notation. This notation is no longer necessary as the requirements of Section 15 will ensure, at the time of subdivision, that the appropriate design and infrastructure requirements are met.
- Te Miro: Growth Cells TM1 and TM3 requires uplifting of the Deferred Zone to become Large Lot Residential Zone, and the removal the 'Structure Plan Area' notation. Growth Cell TM2 requires uplifting of the Deferred Zone for the western portion that was recently subdivided and the balance of the Growth Cell to the east can be rezoned Rural Zone.
- Pukeatua: Growth Cells P1 and P3 requires uplifting of the Deferred Zone to become Large Lot Residential Zone, and the removal the 'Structure Plan Area' notation. This notation is no longer necessary as the requirements of Section 15 will ensure, at the time of subdivision, that the appropriate design and infrastructure requirements are met.

6.1.12 Assessment of Amendments to the Planning Maps

The proposed changes to the Planning Maps include the changing of all pre-2035 Growth Cells to 'live' Zones, and the removal of the 'Structure Plan Area' notation

from some areas. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments to Planning Maps.

Planning Map Amendments	
Effectiveness/Efficiency	Benefit/Cost
<p>Effectiveness: The amendments to the Planning Maps is very effective in that it ‘live’ zones a number of areas within the District. This will encourage development in the pre-2035 Growth Cells in accordance with Council’s Growth aspirations and both regional and national planning directions.</p>	<p>Benefits: There are economic and administrative benefits of this approach as it streamlines the uplifting process for all pre-2035 Growth Cells, and removes the requirement for each area to undertake this process individually.</p>
<p>Efficiency: Updating the Planning Maps is considered to be the most efficient way to implement Proposed Plan Change 13 as it has removed the requirement to uplift the deferred zone prior to development/subdivision occurring. For the Large Lot Residential Zones, the removal of the ‘Structure Plan Area’ notation means one less consenting process is required, thereby creating a more enabling development process.</p>	<p>Costs: Progressing this option enables subdivision and development to occur more efficiently, however for landowners not seeking to develop there will additional costs as outlined above in Section 3.4 of this report. Some economic costs may still arise for developers and Council to develop sites that are unable to meet the subdivision standards.</p>
<p>Opportunities for economic growth and employment to be provided or reduced: The amendments to the Planning Maps, in conjunction with the package of amendments proposed to the District Plan through Proposed Plan Change 13, will provide employment and development opportunities for the pre-2035 Growth Cell areas, including but not limited to, planning, construction, building and servicing.</p>	
<p>Sufficiency of information and risk of not acting: Sufficient information was available about the rewording to consider the effects of this variation. The risk of not acting is to leave a number of areas anticipated for development inappropriately zoned therefore restricting development capabilities in the District.</p>	

Overall the amendments to the Planning Maps are deemed to be the most efficient and effective way to implement the objectives of Proposed Plan Change 13. The amendments will provide clarity to Plan Users and remove the existing dual zoning of these areas, removing any confusion or doubt about the correct zoning of the sites.

7 Implementation of Proposed Plan Change 13

This report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of Proposed Plan Change 13. 'Scale' refers to the magnitude of effects, and 'significance' refers to the importance that the wider community places on those effects. The following table outlines the criteria considered to determine the scale and significance of the effects that are anticipated from implementation of Proposed Plan Change 13. An ordinal scale has been used for this assessment.

Criteria	Assessment High/Medium/Low/NA
Number of people who will be affected	High
Magnitude and nature of effects	Medium
Immediacy of effects	High
Geographic extent	High
Degree of risk or uncertainty	High
Stakeholder interest	High
Māori interest	Medium
Information and data is easily available	Low
Information and data is easily quantified for assessment	Low
Extent of change from status quo	Medium

In this instance, the scale and significance of the effects that are anticipated from the implementation of Proposed Plan Change 13 are considered to be high, for the following reasons:

- Proposed Plan Change 13 involves a large number of locations and properties, and therefore is of particular interest to a large number of stakeholders;
- Proposed Plan Change 13 involves identified growth cells (as derived from the Waipā 2050 District Growth Strategy);
- The zoning changes and future land uses indicated, have been previously consulted on with the community as part of the Waipā 2050 District Growth Strategy Review 2017 process;
- Proposed Plan Change 13 removes the rule that provided for the uplifting of the deferred status for land within the Deferred Zones by Council resolution;
- Proposed Plan Change 13 will mean post-2035 Growth Cells will be required to undergo a Schedule 1 RMA process to uplift the deferred zone; and
- Proposed Plan Change 13 makes wording changes of an administrative nature to provide a clear and concise planning framework to manage identified growth cells within the Waipā District Plan.

8 Conclusion

This report presents an evaluation undertaken by Council in accordance with Section 32 of the Act for Proposed Plan Change 13 regarding the Uplifting of Deferred Zones. This report outlines the process that was taken to identify the issue and options, and then broadly evaluates the options. The report then evaluates the preferred option in detail. The report concludes with an assessment of the scale and significance of the effects anticipated from Proposed Plan Change 13 and concludes that these are considered to be high.

As such, it is considered appropriate to revise the Waipā District Plan to uplift the Deferred Zone from the pre-2035 Growth Cells and update the provisions within Sections 2, 14, 15, 21 and Growth Management Structure Plans and Concept Plans Appendices to reflect this change.

Appendix 1: Resource Management Act 1991: Schedule 1

Part 3 - Incorporation of documents by reference in plans and proposed plans

Schedule 1 Part 3: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

30 Incorporation of documents by reference in plans and proposed plans

- (1) The following written material may be incorporated by reference in a plan or proposed plan:
 - (a) standards, requirements, or recommended practices of international or national organisations:
 - (b) standards, requirements, or recommended practices prescribed in any country or jurisdiction:
 - (c) any other written material that deals with technical matters and is too large or impractical to include in, or print as part of, the plan or proposed plan.
- (2) Material may be incorporated by reference in a plan or proposed plan—
 - (a) in whole or in part; and
 - (b) with modifications, additions, or variations specified in the plan or proposed plan.
- (3) Material incorporated by reference in a plan or proposed plan has legal effect as part of the plan or proposed plan.

Schedule 1 clause 30: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

31 Effect of amendments to, or replacement of, material incorporated by reference in plans and proposed plans

An amendment to, or replacement of, material incorporated by reference in a plan or proposed plan has legal effect as part of the plan or proposed plan only if—

- (a) a variation that has merged in and become part of the proposed plan under Part 1, 4, or 5 states that the amendment or replacement has that effect; or
- (b) an approved change made to the plan under Part 1, 4, or 5 states that the amendment or replacement has that effect.

Schedule 1 clause 31: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

Schedule 1 clause 31(a): amended, on 19 April 2017, by section 119 of the Resource Legislation Amendment Act 2017 (2017 No 15).

Schedule 1 clause 31(b): amended, on 19 April 2017, by section 119 of the Resource Legislation Amendment Act 2017 (2017 No 15).

32 Proof of material incorporated by reference

- (1) A copy of material incorporated by reference in a plan or proposed plan, including any amendment to, or replacement of, the material (material), must be—
 - (a) certified as a correct copy of the material by the local authority; and
 - (b) retained by the local authority.
- (2) The production in proceedings of a certified copy of the material is, in the absence of evidence to the contrary, sufficient evidence of the incorporation in the plan or proposed plan of the material.

Schedule 1 clause 32: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

33 Effect of expiry of material incorporated by reference

Material incorporated by reference in a plan or proposed plan that expires or that is revoked or that ceases to have effect ceases to have legal effect as part of the plan or proposed plan only if—

- (a) a variation that has merged in and become part of the proposed plan under Part 1, 4, or 5 states that the material ceases to have effect; or
- (b) a change to the plan made and approved under Part 1, 4, or 5 states that the material ceases to have effect.

Schedule 1 clause 33: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

Schedule 1 clause 33(a): amended, on 19 April 2017, by section 119 of the Resource Legislation Amendment Act 2017 (2017 No 15).

Schedule 1 clause 33(b): amended, on 19 April 2017, by section 119 of the Resource Legislation Amendment Act 2017 (2017 No 15).

34 Consultation on proposal to incorporate material by reference

- (1) This clause applies to a proposed plan, a variation of a proposed plan, or a change to a plan—
 - (a) that incorporates material by reference:
 - (b) that states that an amendment to, or replacement of, material incorporated by reference in the proposed plan or plan has legal effect as part of the plan.
- (2) Before a local authority publicly notifies a proposed plan, a variation of a proposed plan, or a change to a plan under clause 5, the local authority must—
 - (a) make copies of the material proposed to be incorporated by reference or the proposed amendment to, or replacement of, material incorporated by reference (proposed material) available for inspection during working hours for a reasonable period at the offices of the local authority; and
 - (b) make copies of the proposed material available for purchase in accordance with section 36 at the offices of the local authority; and
 - (c) give public notice stating that—

- (i) the proposed material is available for inspection during working hours, the place at which it can be inspected, and the period during which it can be inspected; and
 - (ii) copies of the proposed material can be purchased and the place at which they can be purchased; and
 - (iii) if copies of the material are available under subclause (3), details of how and where it may be obtained or accessed; and
- (d) allow a reasonable opportunity for persons to comment on the proposal to incorporate the proposed material by reference; and
- (e) consider any comments they make.
- (3) In addition to the requirements under subclause (2), the local authority may make copies of the proposed material available in any way that the chief executive of the local authority considers appropriate in the circumstances (for example, on an Internet website maintained by or on behalf of the local authority).
- (4) The reference in subclause (2) or subclause (3) to the proposed material includes, if the material is not in an official New Zealand language, an accurate translation in an official New Zealand language of the material.
- (5) A failure to comply with this clause does not invalidate a plan or proposed plan that incorporates material by reference.

Schedule 1 clause 34: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

35 Access to material incorporated by reference

- (1) The local authority—
- (a) must make the material referred to in subclause (2) (material) available for inspection during working hours at the offices of the local authority; and
 - (b) must make copies of the material available for purchase in accordance with section 36 at the offices of the local authority; and
 - (c) may make copies of the material available in any other way that the chief executive of the local authority considers appropriate in the circumstances (for example, on an Internet website maintained by or on behalf of the local authority); and
 - (d) must give public notice stating that—
 - (i) the material is incorporated in the plan or proposed plan; and
 - (ii) the material is available for inspection during working hours free of charge and the place at which it can be inspected; and
 - (iii) copies of the material can be purchased and the place at which they can be purchased; and
 - (iv) if copies of the material are available under paragraph (c), details of how and where it may be obtained or accessed.

- (2) The material referred to in subclause (1) is—
- (a) material incorporated by reference in a plan or proposed plan:
 - (b) any amendment to, or replacement of, that material that is incorporated in the plan or proposed plan or the material referred to in paragraph (a) with the amendments or replacement material incorporated:
 - (c) if the material referred to in paragraph (a) or paragraph (b) is not in an official New Zealand language, as well as the material itself, an accurate translation in an official New Zealand language of the material.

Schedule 1 clause 35: inserted, on 10 August 2005, by section 129(1) of the Resource Management Amendment Act 2005 (2005 No 87).

Appendix 2: Pre-Notification Feedback

#	Name	Growth Cell of Interest	Feedback
1	Headlands Trust	T6	Option 4: Headlands Trust owns 34 hectares in the T6 Zone. Following a discussion with Hayley on the 1st of July and further discussion with my brothers Chris and Matt Yates, we all agree that Option 4 is the best proposed fix to the issue. It appears to be the most efficient and simplest solution. This is what I expected would have been the case once the T6 Structure Plan was approved by WDC.
2	Jana Macky	C2	Option 1: NA Option 2: Not preferred Option 3: This is definitely not what we want to happen as property owners in C2. We wouldn't have bought in the area if we'd known this was on the cards. The Waipā has the potential to be a socially mobile and sought after place to live (especially in light of COVID and more companies agreeing to remote working). We want to see Cambridge grow and prosper as fast as possible and this would hold that back. Option 4: This is our preferred option as property owners in C2. As per comment in option 3: The Waipā has the potential to be an amazing and sought after place to live in New Zealand (especially in light of COVID and more companies agreeing to remote working). We want to see Cambridge grow and prosper as fast as possible and this would enable that to happen. Option 5: Not preferred Option 6: Not preferred
3	Ethene Brown	T6	Option 2: Option 2 would be our preferred option. But to be honest this is a very poor explanation from Council for land owners. We would like to make it very clear that we wish to see another option that maintains the opportunity for deferred zones to become live at the least cost and process administration for land owners.
4	Summerset Villages (Cambridge) Limited	Cambridge North	Option 1: Agree, this Option is not considered viable. Option 2: If this option is applied, there would need to be specific recognition of the status of the Cambridge North area, with the zoning made live, and subject to provision of infrastructure and access. Note comments on Option 4. Option 3: Removal of the deferred zone, without an alternative, and reverting to a rural zone is not a pragmatic or efficient alternative. Option 4: For the Cambridge North area, the uplift of the deferred zone is considered appropriate, with a policy overlay, and a policy direction requiring a consent for an interim structure plan (or a resource consent) to be approved that demonstrates

#	Name	Growth Cell of Interest	Feedback
			<p>sufficient infrastructure being in a location and of sufficient capacity to service the intended development, and not implicating the development of neighbouring live zoned land (outside the policy overlay). In this regard, it is appropriate for a resource consent to be able to be sought where there are smaller landholdings within the deferred zone, which could readily be absorbed into the development of larger live zoned land holdings, and in doing so demonstrate that infrastructure can be provided/supplied, without necessitating an interim (and unnecessary) structure plan. Where larger landholdings are involved for future development, then the interim structure plan mechanism would continue to be appropriate, and such a process should not preclude the involvement of third parties who may be affected by the intended layout of any such structure plan.</p> <p>Option 5: Agree this is not a preferred option. Having said this, there are some 'mop up' items to address with the Cambridge North Structure Plan area/zoning, including: Deleting the Reserve zone which traverses the land west of Isobel Hodgson Dr from the Structure Plan and the planning maps; and Deleting the Indicative walkway/cycleway from the land west of Isobel Hodgson Dr from the Structure Plan.</p> <p>Option 6: Relative to the Cambridge North Structure plan area, such a process option is unnecessarily inefficient.</p>
5	TA Projects Limited	T3	<p>Option 1: As this option appears to be ultra-vires the RMA, this option should not be continued with.</p> <p>Option 2: This the second preferred option for TA Projects Limited. However, this option is still messy, requiring the land to be added to the Schedule which may take some time - e.g. the current Covid 19 situation has deferred many work programmes. TA Projects Limited believes the Council should take a more conventional approach to bringing land forward for development.</p> <p>Option 3: This is not supported. Removal of deferred zones and relying upon a Plan Change - probably private plan changes - process would lead to an acute shortage of new land for urban type development in the district when there was demand. Few land owners have the resources to embark on a plan change process. Further this option runs counter to the region's, and the district strategic planning process whereby future growth areas are identified and then staged for development in accordance with demand and with provision of infrastructure.</p> <p>Option 4: This option is the most preferred option for TA Projects Limited, and should be implemented in the Plan Change. All deferred zoned land set aside for development in the District Plan prior to 2035 should be given an operative zoning - Residential in the case of the T3 land. The current Operative District Plan hearings were held in 2013. Much of the deferred zoned land has yet to be developed. At the time, provision of utility services - especially water and wastewater - was cited as a reason for land being given a deferred zoning. The Council adopted a policy of making landowners wait until there were water and wastewater upgrades before an active zoning was provided. However modern engineering design now provides</p>

#	Name	Growth Cell of Interest	Feedback
			<p>other alternatives. TA Projects submits that there are adequate controls possible in the in resource consent processes to require services and other standards to be complied with prior to development occurring.</p> <p>Option 5: This option is TA Project's 3rd choice, but we do not think it is appropriate. Like Option 2 it is messy, relying on an annual "mop up" which may lead to controversial projects holding up more straight forward development projects as they all get included within the same Plan Change process. There could be lengthy hearings, appeals etc that prevent development from occurring.</p> <p>Option 6: This is not supported. Individual applications for Private Plan Changes will lead to lengthy delays, which runs counter to the fact that land already set aside for development now has to go through a potentially lengthy and time consuming Plan Change process.</p> <p>Other comments: There are adequate controls available through the resource consent process to ensure structure planning, integration with essential services such as roading and water supply/wastewater services can occur. TA Projects Limited submits that all land in anticipated for development prior to 2035 should be uplifted to an appropriate active zoning, Residential Zone in the case of the T3 land it owns.</p>
6	3Ms of Cambridge GP Limited	C2	<p>It is my opinion that Option 4 is the most efficient and effective means of achieving the desired outcomes. Option 4, as I understand:</p> <ul style="list-style-type: none"> ▪ Results in the “pre-2035” growth cells having their deferred status uplifted (in that their zoning is “live”). This would include the C2 Growth Cell. There would be no overlays associated with these areas if they already have a structure plan in place. ▪ In respect of the C1-C3 Structure Plan, there is a staging plan within the Structure Plan, where Stage 1 is to be developed prior to Stage 2 and Stage 3. There may be concerns in council that in live zoning the entire structure plan area, Stage 2 and Stage 3 landowners will be able to develop right away rather than as per the current requirements. In my opinion, this can be resolved through the subdivision consent process by applicants detailing the ability to service the site (and confirmation that the development can be serviced in a cost-effective manner and in line with the LTP). These areas can therefore be lived zoned. ▪ For the “pre-2035” growth cells with structure plans already in place, developers would be able to develop in a manner consistent with the existing Structure Plan(s). ▪ For those “pre-2035” growth cells that are live zoned in this process and do not have a structure plan, there would be an overlay (‘Structure Plan Area’) which would require a Structure Plan to be prepared prior to development, including

#	Name	Growth Cell of Interest	Feedback
			<p>details of how infrastructure would be provided. I assume this would be tied to specific rules for resource consents within those growth areas.</p> <ul style="list-style-type: none"> A plan change would be required to uplift the deferred status of the “post-2035” growth cells (presumably, this would include the need for a Structure Plan, and for a Structure Plan to be included in the Plan Change). In my opinion, the exception would be any future large lot residential areas where they would be fully self-serviced where, in my view, these areas could also be live zoned with the requirements regarding servicing to be captured through the subdivision consent process.
7	Bryan Clements	T15	<p>Our submission is that any uplifting of a deferred zone to large lot residential needs to protect those that are currently operating within the law. If 124 McGhie Road had large lot residential homes on our boundary we would be at risk of purchasers complaining about the activity on their boundary.</p> <p>Further consideration needs to be given so an established activity has permanent tenure and that the risk of complaining new home owners is removed perhaps by a caveat on the title of close land.</p> <p>Rural areas need to be kept rural.</p>
8	Cogswell Surveys	TM2, T15 & C5	<p>We have considered the options presented and prefer Option 2. This option will enable pre and post 2035 growth cells to be considered for development. We have recently had a structure plan and subdivision approved for TM2 in Te Miro which was noted for post 2035 development, and also have clients enquiring about development on growth cells T15 and C5 which are also noted for post 2035 development. Option 2 will enable the development of these areas provided Council approved the appropriate consents. Option 4 would force these landowners into a plan change process which would become cost prohibitive and time consuming, particularly for smaller land holdings. It would also avoid holding the market, particularly when growth cells are ready to be developed based on market demand or lack of requirement for Council servicing.</p> <p>Option 2 could be supported by an annual or bi-annual mop-up plan change updating the deferred zone to live zoning.</p>
9	Edward Powell	C2	<p>I am writing regarding the proposed plan changes for the Waipā District. I am in favour of option 4 to uplift the pre 2035 deferred zones.</p>
10	Jay El Limited	T11	<p>This submission supports Option 2 or Option 4 outlined in the summary document prepared by Waipā District Council (WDC) and released on 26 June 2020. This submission opposes Options 3, 5 and 6. Option 1 is not submitted on given WDC deem it an unlawful process to continue with under PC13.</p> <p>This submission supports PC13 in addition to supporting the existing ODP provisions for the uplifting of a Deferred Zoning through the Structure Plan process. The specific parts to which this submission supports are Option 2 and Option 4. The</p>

#	Name	Growth Cell of Interest	Feedback
			<p>preferred option for Council to proceed with is Option 2, provided that the existing T11 Structure Plan would be incorporated by reference under the RMA as it has been approved and endorsed by WDC. This submission does not support any of the remaining options given that Option 1 has been deemed unlawful.</p> <p>The T11 Structure Plan has been endorsed by WDC at their regulatory meeting on 7 April 2020. Under the current ODP provisions, this enables development to occur and a structure plan and resource consents to be applied for, with the Deferred Zoning effectively uplifted following approval of the structure plan.</p> <p>Should Option 2 not be preferred by Council, the submitter supports Option 4 being advanced by WDC.</p> <p>The submitter has been engaging with WDC for a substantial period regarding potential development of the T11 growth cell. The submitter does not support any provision of PC13 which seeks to delay the ability to submit a resource consent application to develop and subdivide the land.</p>
11	Ken and Mary Plowman, Tim and Sandra Curnow, Jamie and Melissa Gillies & Janet Shaw and her mother	C2	The named owners all support Plan Change 13 - Uplifting Deferred Zones Option 4 Uplift pre-2035 deferred zones.
12	New Zealand Transport Agency		From the Agency's perspective, this doesn't have any implications being a technical plan change.
13	Papa Equestrian Ltd	C2	PEL are supportive of Option 2, "Incorporation by Reference". This appears to enable council to consider and approve resource consent applications to develop the PEL site immediately. However, Option 2 will not result in an amendment of the District Planning Maps to confirm that the land is zoned for residential purposes. Therefore, PEL request that Waipā District Council pursue Option 4 (Uplift pre-2035 Deferred Zones) in parallel to confirm the residential zoning of the land within the District Planning Maps.
14	Park Road Holdings Limited and Park Road Holdings Trustee Company Limited	T11	<p>This submission supports Option 2 or Option 4 outlined in the summary document prepared by Waipā District Council (WDC) and released on 26 June 2020. This submission opposes Options 3, 5 and 6. Option 1 is not submitted on given WDC deem it an unlawful process to continue with under PC13.</p> <p>This submission supports PC13 in addition to supporting the existing ODP provisions for the uplifting of a Deferred Zoning through the Structure Plan process. The specific parts to which this submission supports are Option 2 and Option 4. The preferred option for Council to proceed with is Option 2, provided that the existing T11 Structure Plan would be incorporated</p>

#	Name	Growth Cell of Interest	Feedback
			<p>by reference under the RMA as it has been approved and endorsed by WDC. This submission does not support any of the remaining options given that Option 1 has been deemed unlawful.</p> <p>The T11 Structure Plan has been endorsed by WDC at their regulatory meeting on 7 April 2020.</p> <p>Under the current ODP provisions, this enables development to occur and a structure plan and resource consents to be applied for, with the Deferred Zoning effectively uplifted following approval of the structure plan.</p> <p>Should Option 2 not be preferred by Council, the submitter supports Option 4 being advanced by WDC.</p> <p>The submitter has been engaging with WDC for a substantial period regarding potential development of the T11 growth cell. The submitter does not support any provision of PC13 which seeks to delay the ability to submit a resource consent application to develop and subdivide the land.</p>

