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**BEFORE THE HEARINGS COMMISSIONER  
AT WAIPA**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of of the hearing for Plan Change 13 - Uplifting Deferred  
Zones

SUBMITTER JL Hatwell and ML Johnston

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**SUBMISSIONS OF COUNSEL**  
16 June 2021

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## **May it please the Commissioner:**

### Introduction

- 1 Plan Change 13 seeks to update the District Planning Maps with the proposed T11 Growth Cell Structure Plan for Te Awamutu. These submissions are brief and are in support of the Submitters' written submission.
- 2 The Submitters own 926, 1248 and 1854 Cambridge Road. This area occupies a large portion of the T11 growth cell. The Submitters are seeking to develop this area with over 300 residential lots and a commercial centre.
- 3 The Submitters are generally in favour of the concept Council are pursuing with the plan change, but request changes to the T11 Growth Cell Structure Plan and changes to the text within Section Two – Residential Zone of the operative district plan to ensure that there is flexibility for future development.
- 4 These submissions address the following:
  - (a) Changes to Section 2 – Residential Zone to include provision for child care centres at rule 2.4.2.54;
  - (b) Changes to S25 – Te Awamutu T11 Growth Cell Structure Plan;
  - (c) Changes to the proposed wording for S25.6.3 and S25.6 of the T11 Growth Cell Structure Plan in relation to connectivity, framed collector roads, rain gardens and width of road; and
  - (d) The deletion of reference to the T11 Growth Cell Design Guidelines prepared by Boffa Miskell, dated 25 June 2020.

### Outcomes sought by the Submitters

- 5 The Submitters are in the process of completing feasibility assessments and technical reports to progress the development of their site within the T11 growth cell. The Submitters have involved a number of specialists to prepare reports for land use and

subdivision consent. Adopting the requested changes by the Submitters will allow for a commercially viable development that enhances the growth cell.

6 The outcomes that the Submitters are seeking include:

- (a) That there is a provision for a child care facility to be included as a restricted-discretionary activity, rather than the current status of discretionary. Ms Morse will provide planning evidence to this request. A restricted-discretionary activity implies that the district plan is encouraging or enabling a particular activity. The current discretionary status is not enabling to the Submitters. A change in activity status will lessen the cost of consent and ensure the activity is enabled by the district plan. Any noise associated with a child care centre can be considered as an amenity effect, and a restricted-discretionary activity status still allows Council to request details of noise management.
- (b) That Council reconsider the restrictions to framed collector roads and the sizes of local roads to allow for the Submitters to develop the land within their own design guidelines to ensure that the project is both flexible and visually pleasing.
- (c) That the Submitter has the flexibility to set its own design guidelines that are appropriate for residential and commercial amenity, to align with other nearby developments and allow the Submitters to draw on their own technical and specialised reports. Mr Haynes will provide evidence to why a developer requires flexibility to develop and the limitations that the current T11 structure plan has in place.

## Conclusion

7 The Submitters seek that flexibility is applied to the structure plan and the Submitters amendments are accepted by Council. We agree that the evidence provided by Ms Morse and Mr Haynes justifies the outcomes sought by the Submitters.