

Appendix 2 – Assessment of Existing Qualifying Matters

Section 77I of the Resource Management Act 1991 sets out the qualifying matters that are relevant to the application of the medium density residential standards and policy 3 of the National Policy Statement for Urban Develop 2020. The section reads:

77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

- (a) a matter of national importance that decision makers are required to recognise and provide for under section 6:*
- (b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:*
- (c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:*
- (d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:*
- (e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:*
- (f) open space provided for public use, but only in relation to land that is open space:*
- (g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:*
- (h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:*
- (i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:*
- (j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.*

Waipā District Council has identified the existing qualifying matters for the application of the medium density residential standards in the relevant residential zones of Cambridge, Kihikihi and Te Awamutu. These qualifying matters are:

- (a) Section 6 ‘Matters of National Importance’ which includes the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna; the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers; the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; and the protection of historic heritage from inappropriate subdivision, use, and development.
- (b) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure.
- (c) open space provided for public use, but only in relation to land that is open space.

- (d) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order.
- (e) any other matters that make higher density inappropriate in an area, including the retention of character clusters, precincts and streets, and development within the root protection zone of a protected tree.

Table 1 below sets out the required assessment of existing qualifying matters. Section 77K of the Act requires Council, for the qualifying matters it has identified in section 77I, to identify by location where an existing qualifying matter applies; specify the alternative density standards proposed for those areas identified as having a qualify matter or matters; identify in the report prepared under section 32 of the Act why it is considered that 1 or more existing qualifying matters apply to those areas identified as having a qualifying matter or matters; describe in general terms for a typical site in those areas identified as having a qualifying matter or matters the level of development that would be prevented by accommodating the qualifying matter. This is to be done in comparison with the level of development that would have been permitted by the Medium Density Residential Standards; and notify the existing qualifying matters in the Intensification Planning Instrument (which is this proposed plan change).

For existing qualifying matters in s77I(j) of the Act, Council is required to:

- (a) Identify the specific characteristics that makes the level of development provided by the Medium Density Residential Standards inappropriate in the area;
- (b) Justify why that characteristic makes that level of development inappropriate in light of the national significance of urban development and the objectives of the National Policy Statement on Urban Development; and
- (c) Include a site-specific analysis that identifies the site to which the matter relates; and evaluates the specific characteristics on a site-specific basis to determine the geographic area where intensification needs to be compatible with the specific matter; and evaluates an appropriate range of options to achieve the greatest heights and densities permitted by the MDRS while managing the specific characteristics.

Table 1: Assessment of existing qualifying matters

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
Nationally Significant Infrastructure (s77I(e) of the Resource Management Act 1991)					
National Grid Yard	Section 2 - Residential Zone	Rule 2.4.2.37 - Buildings and Structures in the National Grid Yard	Identified on planning maps across the Waipā District.	Additional standards that apply to buildings within the National Grid Yard. Standards include restrictions on the types of buildings and structures allowed within the National Grid Yard and the height of those buildings and structures.	Under Rule 2.4.2.37, activities require resource consent for a non-complying activity if they do not meet the required standards. Building height will be restricted due to the requirement of a minimum vertical clearance of 10m below the lowest point of the conductor associated with the National Grid lines.
National Grid Yard	Section 2 - Residential Zone	Rule 2.4.2.38 - Buildings and Structures in the National Grid Yard	Identified on planning maps across the Waipā District.	A 12 metre setback is required for buildings within the National Grid Yard except for: (a) Network utility within a transport corridor or any part of electricity infrastructure that connects to the national grid; or (b) A fence more than 5m from the nearest National Grid Support Structure.	Activities require resource consent for a non-complying activity if they do not meet the required standards. The required setback may limit the number of buildings and structures that could be located on a site.
National Grid Yard	Section 15 – Infrastructure, Natural Hazards,	Rule 15.4.1.1 (e) - Subdivision that meets all the	Identified on planning maps across the Waipā District.	Assessment criteria for restricted discretionary activities includes the effects of a subdivision on the	The assessment criteria have the ability to impact on location and bulk requirements.

¹ MDRS means the medium density residential standards as set out in Schedule 3A of the Resource Management Act 1991.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
	Development and Subdivision	performance rules in Part A OR; Part A and Part C for 7 or more lots		National Grid electricity transmission network within the Rural Zone, Residential Zone, Large Lot Residential Zone, and Reserves Zone.	
National Grid Yard	Section 15 – Infrastructure, Natural Hazards, Development and Subdivision	Rule 15.4.1.1 (k) - Subdivision in any area of High Value Amenity, Significant or Other Landscapes or within a Significant Natural Area, identified within the Planning Maps	Cambridge – Policy Areas Maps 26, 27 and 28. Kihikihi – Policy Areas Maps 37, 40 and 41 Te Awamutu – Policy Areas Maps 37, 38, 39 and 42	Assessment criteria for a restricted discretionary activity includes the effects of a subdivision on the National Grid electricity transmission network within the Rural Zone, Residential Zone, Large Lot Residential Zone, and Reserves Zone.	The assessment criteria have the ability to impact on the location of buildings due to the requirement to assess the impact of the effects of the subdivision on identified significant natural areas and landscapes.
National Grid Yard	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.15.37 - All subdivision within the National Grid Corridor	Identified on planning maps across the Waipā District.	Restricted discretionary activity with assessment criteria focused on: (a) The extent to which the subdivision design avoids, remedies, or mitigates conflicts with existing lines e.g., the location and design of roads, reserves, landscaping and building platforms.	Potential impact on location of building platforms and ensuring access for the maintenance and inspection of transmissions lines.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
				<ul style="list-style-type: none"> (b) The ability for maintenance and inspection of transmission lines, including ensuring physical access. (c) The extent to which the design and development will minimise the risk or injury and/or property damage from such lines. (d) The ability to provide a complying building (platform). (e) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001). (f) Relevant technical advice provided by the affected utility operator. 	
State Highways	Section 2 – Residential Zone	Rule 2.4.2.2 (a) - Minimum building setback from road boundaries	Identified on planning maps across the Waipā District.	Minimum setback from the boundaries of State Highways is 7.5 metres.	Larger setback required than specified by the medium density residential standards. This may impact on building density given the required setback.
State Highways	Section 16 – Transportation	Rule 16.4.2.22 - Provision of an integrated	Identified on planning maps across the Waipā District.	For any permitted, controlled, and restricted discretionary activity on a State Highway that generate 100-249 vehicle movements per	The relevant assessment criteria are: (a) Location and scale of activity; and

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
		transportation assessment		<p>day, a simple integrated transport assessment is required.</p> <p>For any permitted, controlled, and restricted discretionary activity on State Highways that generate 250 or more vehicle movements per day, a broad integrated transport assessment is required.</p> <p>For any permitted, controlled, and restricted discretionary activity on all roads (including State Highways) where more than 1500 vehicle movement per day occur, a broad integrated transport assessment is required.</p>	<p>(b) Effects of vehicle generation on functioning of road, road hierarchy and other users; and</p> <p>(c) Vehicle access and manoeuvring; and</p> <p>(d) Effects on infrastructure provision; and</p> <p>(e) Infrastructure deficiencies, risks or positive effects identified from consultation with the New Zealand Transport Agency.</p> <p>There is the potential for the location and scale of an activity to be amended to ensure the safe and efficient functioning of the State Highway system.</p>
State Highways	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.1 – Assessment Criteria for Discretionary Activities	<p>Identified on planning maps across the Waipā District.</p> <p>Within a Road Noise Area – Policy Areas maps 4 and 25</p>	<p>Consideration will be given to the extent to which the design of the buildings and or layout of the site mitigates the effects of noise through any alternative methods.</p> <p>If a dwelling is to be constructed in Road Noise Effect Area, regard shall be given (i) The extent to which the development will mitigate the noise effects in an alternative manner to those proposed within the rule; and (ii) The height and nature of the State</p>	Potential impact on location of dwellings.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
				Highway bypass in relation to the site.	
State Highways	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.16 – Transportation Rule 21.1.16.3 – Activities generating less than 100 vehicles per day that require a new vehicle entrance onto any State Highway or Major Arterial Road	Identified on planning maps across the Waipā District.	Restricted Discretionary activity status with assessment criteria being (a) The extent to which the scale and location of the activity would affect the functioning of the State Highway. (b) The extent to which the vehicle access and manoeuvring can be achieved on site and not affect the functioning of the State Highway.	Potential to impact on the location of dwellings. Should not impact on the density standard for medium density residential development.
State Highways	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.24.14 – General	Policy Areas Map 41	The extent to which the location of buildings, artificial screening, and shelter belts obstructs the identified viewshafts on State Highway 3, State Highway 39, and the Te Awamutu to Cambridge Road and the Rangiaowhia Ridge area.	Potential implication for building location and setbacks to be modified.
Designations	Appendix D1 – Designations Appendix D2- Maps of Western Arterial		Identified on planning maps across the Waipā District.	A designation is a planning technique used by Ministers of the Crown, local authorities and network utility operators approved as requiring authorities	A designation restricts anyone other than the requiring authority from carrying out work on the designated land that will prevent or hinder the project or work to which the

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	Designations DN 154 Appendix D3 – Designation Conditions			<p>under s167 of the Resource Management Act 1991. There are no planning controls for building heights and densities applicable for these designated sites and areas as works within a designation require an Outline Plan to be submitted to Council in accordance with section 176A of the Resource Management Act 1991 before construction begins.</p> <p>Any works outside of the scope of the associated designation will be deferred to the standards within the underlying zoning and applicable features and overlays standards.</p>	<p>designation relates, without first obtaining the permission of the requiring authority (see s176(b) of the Act).</p> <p>For areas subject to a designation that are required to give effect to the Medium Density Residential Standards and policy 3 of the National Policy Statement on Urban Development 2020 in that zone, the ‘underlying zone’ of the District Plan remains over the site and applies to any other activities that are for a purpose different to the designation purpose or activities undertaken by a party other than the requiring authority under s176 of the Act.</p> <p>Any activity or works outside the scope of a designation will require resource consent unless the activity or works are a permitted activity within the underlying zone. Designations do not modify how land adjacent to designated sites may be used.</p> <p>No alternative controls are proposed for areas subject to a designation that</p>

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					are in a relevant residential zone in Cambridge, Kihikihi and Te Awamutu.
Matters of National Importance (s6 of the Resource Management Act 1991)					
Outstanding Natural Features and Landscapes (s6(b))	Section 15 – Infrastructure, Natural Hazards, Development & Subdivisions	Rule 15.4.1.1(k) – Subdivision in any area of High Value Amenity, Significant or Other Landscapes or within a Significant Natural Area, identified within the Planning Maps	Identified on planning maps across the Waipā District.	Restricted discretionary activity resource consent required in areas of outstanding natural features and landscapes.	Assessment criteria are based around compliance with performance standards, effects on identified significant natural areas and landscapes, visual and amenity effects, ecology and biodiversity effects. Subdivision layout and density could be impacted.
Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna (s6(c))	Section 24 – Indigenous Biodiversity	Rule 24.4.1.1(n) – Removal of indigenous vegetation for any other purpose	Identified on planning maps across the Waipā District and in Appendix N5 and Appendix N8 to the Waipā District Plan.	Controlled activity for clearance of less than 1ha in biodiversity corridors; restricted discretionary activity for clearance greater than 1ha in biodiversity corridors; discretionary activity for removal of indigenous vegetation in local significant natural areas; non-complying activity for removal of indigenous vegetation in regional or national significant natural areas.	Development may be prevented in identified areas.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
Outstanding Natural Features and Landscapes (s6(b))	Section 25 – Landscapes and Viewshafts	Rule 25.4.1.1(b) - Buildings less than 3m in height and/or less than or equal to 20m ² in area	Identified on planning maps across the Waipā District. Cultural Landscape Area – Alert, Lake Te Koo Utu Policy Areas	Restricted discretionary activity resource consent required in areas of outstanding natural features and landscapes.	Assessment criteria are based around location, height, integration with the landscape, colour, materials, and reflectivity. Building location and height could be impacted.
Outstanding Natural Features and Landscapes (s6(b))	Section 25 – Landscapes and Viewshafts	Rule 25.4.1.1(d) - Buildings 3-83m in height and/or greater than 20m ² in area	Map 25 Cultural Landscape Area – Alert, Waikato River Policy Areas Maps 26 and 28 Cultural Landscape Area – Alert, Karapiro Stream Policy Planning Maps 27 and 28. Cultural Landscape Area Alert, Mangaohoi Stream	Resource consent required for discretionary activity in areas of outstanding natural features and landscapes. Resource consent required for restricted discretionary activities in areas of High Amenity Landscape being the Waikato River and hydro lakes.	Building height and location, building scale, location of driveway, scale, and location of retaining walls and fencing all could be impacted.
Public access to and along rivers and lakes (s6(d))	Section 2 – Residential Zone	Rule 2.4.2.6 – Minimum building setback from Te Awa Cycleway	Identified in Appendix S19 - Cambridge C1 and C2/C3 Structure Plans	Non-compliance with rule requires a resource consent for a discretionary activity.	Location and layout of a development will be impacted on.
Public access to and along rivers and lakes (s6(d))	Section 2 – Residential Zone	Rule 2.4.2.25 - Design and layout of development adjoining water	Identified on planning maps across the Waipā District.	Non-compliance with rule requires a resource consent for a discretionary activity.	Location and layout of a development will be impacted on.

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		bodies and reserves			
Public access to and along rivers and lakes (s6(d))	Section 26 – Lakes and Water Bodies	Rule 26.4.1.5 – Non-complying activity	Identified on planning maps across the Waipā District.	Any building within 23m of the edge of the specified rivers/streams will require resource consent for a non-complying activity.	Building location, bulk, height, and layout will be impacted.
Public access to and along rivers and lakes (s6(d))	Section 26 – Lakes and Water Bodies	Rule 26.4.2.1 - 23m setback from lakes and water bodies	Identified on planning maps across the Waipā District.	Any building within 23m of the edge of any lake or water body will require resource consent for a restricted discretionary activity (with some exceptions).	One of the assessment criteria is the impact of the activity on public access. Location and layout of a development will be impacted.
Public access to and along rivers and lakes (s6(d))	Section 26 – Lakes and Water Bodies	Rule 26.4.2.2 - 23m setback from lakes and water bodies	Identified on planning maps across the Waipā District.	Any building within 23m of the specified rivers/streams will require resource consent for a non-complying activity.	Building location, bulk, height, and layout will be impacted.
Public access to and along rivers and lakes (s6(d))	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.26 - Lakes and Water bodies Assessment Criteria for Restricted Discretionary Activities Rule 21.1.26.1 - 23m setback from	Identified on planning maps across the Waipā District.	Density will need to be appropriate for the extent to which the activity impacts on public access to the lake or water body.	Location and layout of a development will be impacted on.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
		lakes and water bodies			
Public access to and along rivers and lakes (s6(d))	Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.26 – Lakes and Water bodies Assessment Criteria for Restricted Discretionary Activities Rule 21.1.26.2 – General	Identified on planning maps across the Waipā District.	Density will need to be appropriate for the extent to which the activity impacts on public access to the lake or water body.	Location and layout of a development will be impacted on.
The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s6(e))	Section 2 – Residential Zone	Rule 2.4.1.4 – Discretionary Activities Rule 2.4.1.4(a) (i)	Identified on planning maps across the Waipā District.	Failure to comply with Rule 2.4.2.7 defaults the activity into discretionary activity status.	Resource consent may be required if rule cannot be complied with.
The relationship of Māori and their culture and traditions with their ancestral lands, water,	Section 2 – Residential Zone	Rule 2.4.2.7 – Dwellings Adjoining Marae	Identified on planning maps across the Waipā District.	Rule states that no dwelling shall be placed or constructed so that it has doors, windows, verandahs, or outdoor living areas with a direct line of sight to the nominal mahau (veranda) or marae ātea	Resource consent may be required if rule cannot be complied with. Location and/or building setbacks may need to be amended to meet the requirements of the rule.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
sites, waahi tapu, and other taonga (s6(e))				(area in front of the Whare Nui) area on existing marae. Activities that fail to comply with this rule will require a resource consent for a discretionary activity.	
The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s6(e))	Section 21 – Assessment Criteria and Information Requirements	Heritage and Archaeology Assessment Criteria Discretionary Activity Rule 21.1.22.11 - General	Identified on planning maps across the Waipā District.	A resource consent for a discretionary activity will be required. Matters to be considered include whether any adverse effects on the registered heritage item or site can be avoided, remedied or mitigated. The significance of the place to tāngata whenua as advised in a cultural impact assessment is required.	Building location, bulk, location, layout of dwelling and building setback will be impacted.
The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga (s6(e))	Section 22 – Heritage and Archaeology	Rule 22.4.1.1.(m) – Development including buildings, earthworks, drive-ways, or wastewater treatment systems within 20m of the boundary of a cultural site.	Identified on planning maps across the Waipā District.	Restricted discretionary activity resource consent will be required for development within 20m of the boundary of a cultural site.	Location, required setback, building bulk and height and number of dwellings may be impacted.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
Protection of historic heritage (s6(f))	Section 22 – Heritage and Archaeology	Rule 22.4.1 – Activity Table Rules 22.4.1.1(e) to (i)	Identified on planning maps across the Waipā District.	Resource consents required for: (a) Additions to Heritage item that result in additional gross floor area. (b) Alterations to Heritage items. (c) External Additions or alterations to a Category C Item. (d) Demolition (including partial demolition)	Building scale and bulk, location and height potentially impacted.
Protection of historic heritage (s6(f) RMA)	Section 22 – Heritage and Archaeology	Rule 22.4.1 – Activity Table Rule 22.4.1.1(j) - Removal/relocation of a listed heritage item, archaeological or cultural site.	Identified on planning maps across the Waipā District.	Resource consent required for all categories of heritage items.	Bulk, size, location, and height of a building may be impacted.
Protection of historic heritage (s6(f))	Section 22 – Heritage and Archaeology	Rule 22.4.1 – Activity Table Rule 22.4.1.1(l) - Construction of new buildings, and relocated buildings within	Identified on planning maps across the Waipā District.	Resource consent required for all categories of heritage items.	Number, bulk, size, location, and height of a building may be impacted.

Existing Qualifying Matter (s77K(c) of the Resource Management Act 1991)	Section	Rules	Location where the qualifying matter applies (s77K(a), Resource Management Act 1991)	Alternative density standards to be applied (s77K(b), Resource Management Act 1991)	Level of development prevented by the qualifying matter when compared to the level of development permitted by the MDRS ¹ and policy 3 (s77K(d), Resource Management Act 1991)
		the surroundings of a listed heritage item			
Protection of historic heritage (s6(f))	Section 21 – Assessment Criteria and Information Requirements	Heritage and Archaeology Assessment Criteria - Discretionary Activity Rule 21.1.22.11 - General	Identified on planning maps across the Waipā District.	Discretionary activity resource consent required.	Building location, bulk, location, layout of dwelling and building setback will be impacted on. Consideration to be given to whether any adverse effects on the registered heritage item or site can be avoided, remedied, or mitigated as well as the extent of modification to the features of importance as identified for the individual heritage item. Also to be considered are (amongst other matters): (a) The importance (if any) of the setting surrounding the heritage feature. (b) The impact the proposal has on the integrity/value of the heritage item. (c) The importance attributed to the heritage item by the wider community. (d) Impact on Heritage character.

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Protection of historic heritage (s6(f))	Section 21 – Assessment Criteria and Information Requirements	Heritage and Archaeology Assessment Criteria - Discretionary Activity Rule 21.1.22.14 – Removal / relocation of a heritage item	Identified on planning maps across the Waipā District.	Resource consent for a discretionary activity required.	Building location, bulk, location, layout of dwelling and building setback will be impacted on. Matters of consideration include: (a) The extent to which the item is retained within the local community or Waipā District. (b) The extent to which the item is retained for a similar use or adaptive re use. (c) Relocation of the item to a similar setting.
Natural Hazards (s6(h) of the)	Section 15 – Infrastructure, Natural Hazards, Development and Subdivision	Rule 15.4.2.15 - Site suitability: within or adjoining a Flood Hazard Area	Identified on planning maps across the Waipā District.	Subdivision and development within a High Risk Flood Zone requires resource consent for a non-complying activity.	No development or subdivision can occur within a high risk flood zone.

Table 2: Assessment of 'other' matters which are existing qualifying matters

Section	Rule and alternative density which applies	Characteristics that make level of development required by the Medium Density Residential Standards inappropriate (s77L(a) evaluated on a site by site basis as required by s77L(c)(ii))	Justification as to why the characteristic makes the level of development inappropriate considering the national significance of urban development and the NPS-UD objectives (s77L(b))	Evaluation of options to achieve the greatest heights and densities permitted by the Medium Density Residential Standards while managing specific characteristics (s77L(c)(iii))
Section 2 – Residential Zone	Rule 2.4.1.3 (d) - Character clusters - Construction of new buildings, relocated buildings and alterations or additions to existing buildings, except where parallel to the rear boundary of the site	<p>The operative Waipā District Plan identifies built form on sites that collectively exhibit high levels of character.</p> <p>A description and the location of each character cluster is given in Appendix DG1 to the District Plan.</p>	The character clusters significantly contribute to the urban character and amenity of Cambridge and Te Awamutu.	<p>A resource consent for a restricted discretionary activity is required for construction of new buildings, relocated buildings or alterations and additions to buildings within a character cluster. Consideration is given (amongst other matters) to building bulk and design.</p> <p>Given the importance of the character clusters and the properties within the cluster to the fabric of the Waipā District, it was not considered that it was appropriate to allow the degradation of the character to occur. As a result, further intensification within the character clusters requires assessment of the effects on the character building and streetscape.</p>
Section 2 – Residential Zone	Rule 2.4.2.1 – Minimum building setback from roads	The rule requires a minimum setback of 4m from road boundaries, provided that where a garage is attached to a dwelling, and forms part of the front façade	The rule makes provision for sufficient road berms to be provided. This allows for footpaths and cycleways to be established as well as proving space for recycling	The specified road setbacks may require the location and layout of dwellings being built under the medium density residential standards to be reconsidered.

Section	Rule and alternative density which applies	Characteristics that make level of development required by the Medium Density Residential Standards inappropriate (s77L(a) evaluated on a site by site basis as required by s77L(c)(ii))	Justification as to why the characteristic makes the level of development inappropriate considering the national significance of urban development and the NPS-UD objectives (s77L(b))	Evaluation of options to achieve the greatest heights and densities permitted by the Medium Density Residential Standards while managing specific characteristics (s77L(c)(iii))
		of that dwelling, or is detached from a dwelling, the minimum setback for the garage shall be 5m, provided that this rule does not apply to the locations specified in Rule 2.4.2.2.	rubbish and garden bins to be placed out so that the bins are not located on the road. The setback also allows for road berms to be made into green space through the planting of trees and other flora.	
Section 2 – Residential Zone	Rule 2.4.2.2 - Minimum building setback from road boundaries	The rules define the minimum setbacks required from road boundaries which include character streets, character areas and compact housing areas in the C1 and C2 Growth Cells.	The setbacks were developed to ensure that there was a consistent approach to setbacks from road boundaries for areas that it was felt required special consideration due to their contribution to Waipā’s urban environment.	The specified road setbacks may require the location and layout of dwellings being built under the medium density residential standards to be reconsidered.
Section 2 – Residential Zone	Rule 2.4.2.9 - Cambridge Park Structure Plan: building setback from escarpment	Cambridge Park has been built around an existing gully system. The required setback is to ensure that buildings are a safe distance from the edge of the cliffs.	The 12m building setback is for safety purposes to ensure buildings are located a safe distance from the cliffs edge in case of erosion or other natural hazards.	None evaluated. Setback is required for health and safety reasons.
Section 2 – Residential Zone	Rule 2.4.2.13 – Impermeable Surfaces; Rules 2.4.2.14 and 2.4.2.15 – Maximum site coverage and permeable	The rules define the permitted level of site coverage and impermeable surfaces on sites located in the Cambridge North Structure Plan Area and the St Kilda Structure Plan Area.	The maximum site coverage and impermeable surface standards have been developed having regard to ground conditions and the ability to cater for stormwater volumes in the structure plan catchments.	A resource consent for a restricted discretionary activity in the Cambridge North Structure Plan Area, or a discretionary activity in the St Kilda Structure Plan Area, is required to exceed the maximum

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	surfaces: St Kilda Structure Plan Area			permitted standard. This may necessitate reconsideration of the location and layout of dwellings being built under the medium density residential standards.
Section 2- Residential Zone	Restricted Discretionary Activity Rule 2.4.1.3(d)	<p>Character houses make a significant contribution to the history and visual amenity of Cambridge, Kihikihi and Te Awamutu.</p> <p>A character area review was undertaken on a site by site basis by Paua Architects.² The recommendation from that review was to retain the existing character clusters and streets. As well, the report recommended the inclusion of new character houses in character clusters.</p>	<p>Character houses make a significant contribution to the history and visual amenity of Cambridge, Kihikihi and Te Awamutu.</p> <p>Once this character has been modified or destroyed, the unique character that makes up the three towns is lost. It would mean losing a part of history that is unable to be replaced.</p> <p>The requirement to obtain a restricted discretionary activity resource consent is not considered to be onerous and will still enable an appropriate level of development to occur within properties located in a character cluster.</p>	<p>The new character cluster houses have been shown on a site by site basis on new planning maps 58 'Character Clusters- Cambridge' and 59 'Character Clusters – Te Awamutu'.</p> <p>Any modifications required as a result of the character cluster / streets qualifying matters is only applicable to properties located within these areas which are clearly defined in the District Plan planning maps.</p> <p>When considering an application for a restricted discretionary activity the following matters will be assessed:</p> <p>(a) Building bulk and design, building materials, and layout; and</p>

² Refer to the report contained in Appendix 4.

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				<ul style="list-style-type: none"> (b) The visibility of the new building and/or alterations or additions from public places; and (c) Solar access; and (d) Effects on parking and vehicle manoeuvring; and (e) Signs; and (f) Landscaping
Section 23 – Protected Trees	Discretionary Activities Rule 23.4.1.4	<p>There are several existing protected trees provided for in the operative Waipā District Plan.</p> <p>A description and the location of each protected tree is given in Appendix N4 to the District Plan.</p>	<p>The protected trees in the district plan significantly contribute to the urban character and amenity of Cambridge and Te Awamutu.</p> <p>It is important to the people of Waipā that these significant trees are well maintained and protected as they form part of the backdrop to what makes Waipā a desirable place to live.</p>	<p>A resource consent for a discretionary activity is required for (a) any building works including disturbance of the ground within the root protection zone of a protected tree (other than maintenance permitted by this Plan and (b) any removal of a protected tree. Building works within the root protection zone may require the location of a building to be moved. It could also impact on the density required under the medium density residential standards which means density would be modified to two dwellings per site which is what is currently permitted under the district plan.</p>

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Section 21 – Assessment Criteria and Information Requirements	Rule 21.1.23 – Protected Trees	<p>There are several existing protected trees provided for in the operative Waipā District Plan.</p> <p>A description and the location of each protected tree is given in Appendix N4 to the District Plan.</p>	<p>The protected trees in the district plan significantly contribute to the urban character and amenity of Cambridge and Te Awamutu. It is important to the people of Waipā that these significant trees are well maintained and protected as they form part of the backdrop to what makes Waipā a desirable place to live.</p>	<p>A resource consent for a discretionary activity is required for activities within the root protection zone of a protected tree. Consideration is given (amongst other matters) to the extent to which the activities within the root protection zone of a protected tree will result in any damage to the protected tree or detract from its appearance as well as the necessity for carrying out the works which includes whether the protected tree is causing damage to property or infrastructure and whether there are any alternative locations available to the applicant or alternative methods available to protect the tree.</p> <p>The location of a protected tree on a site could influence the location and number of dwellings on a site and could impact on building height if a dwelling is to be located close the tree canopy of a protected tree.</p> <p>The alternative to the rule is to remove all protection to the</p>

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				identified trees. This option is not considered to be supportable given the value associated with the trees as identified in the existing rules.
Appendices - Growth Management Plans and Concept Plans	<p>Appendix 02 – Cambridge North Structure Plan & Design Guidelines</p> <p>Appendix S03 – Cambridge Park Structure Plan and Design Guidelines</p> <p>Appendix S04 – St Kilda Structure Plan</p> <p>Appendix S11 – Picquet Hill Structure Plan</p> <p>Appendix S17 – Te Awamutu T1 Structure Plan</p> <p>Appendix S19 – Cambridge C1 and C2/C2 Structure Plans</p> <p>Appendix S22 – T8 Structure Plans</p>	<p>The current structure plans in the district plan are based on existing site-specific infrastructure and effects assessments that have informed the following:</p> <ul style="list-style-type: none"> (a) Layout. (b) Density. (c) Roding. (d) Proposed Character. (e) Open Space. (f) Neighbourhood and local centres. (g) Walking and cycling connections. (h) Housing options. <p>Several the structure plans are with nearing the end of their development (e.g. St Kilda’s) or are at the beginning of their development (e.g. C1, C2, C3 and C4).</p>	It would not be appropriate to require developments that are subject to structure plans to develop at a density that is greater than what has been planned for.	<p>The structure plans contain a mix of density as well as housing heights. The structure plans also provide for compact housing (defined as seven or more dwellings) to occur in specified areas which will allow for a range of housing types such as duplexes, townhouses, terraces, and apartments.</p> <p>Parks and open spaces are also provided for in the structure plan and will perform multiple functions such as acting as buffer zones next to State Highways and arterial roads and allowing for stormwater management.</p> <p>The structure plans also provide for neighbourhood centres which allow for the provision of cafes and other retail services.</p>

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	<p>Appendix S23 – Te Awamutu T2 Growth Cell Structure Plan</p> <p>Appendix S25 - Te Awamutu T11 Growth Cell Structure Plan</p> <p>Appendix S26 – Cambridge C4 Growth Cell Structure Plan</p>			<p>All the above contribute to housing areas which are liveable through having easy access to green spaces and local convenience stores.</p> <p>No alternatives have been evaluated as it is considered that the structure plan areas are being developed at the appropriate intensity in terms of building heights and housing density, as a result of the site-specific assessments forming part of the structure plan process.</p>