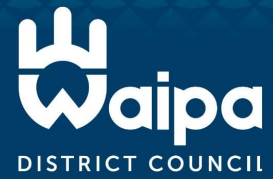


RMA HEARINGS PANEL REPORT



To: Independent Hearings Panel

From: Damien McGahan, Principal Aurecon and Melissa Needham, Manager,
Aurecon on behalf of the Waipā District Council

Subject: **Addendum to Section 42A Hearing Report on Proposed Plan Change 26**

Hearing Date: 26 April to 3 May 2023

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1. INTRODUCTION

1.1.1. This addendum to the Section 42A report for Plan Change 26, Residential Intensification for the Waipā District Council has been prepared to address the following:

- **Section 2** – Response to matters raised in the expert evidence for the Council or other matters to clarify any errors and omissions in the Section 42A report.
- **Section 3** – Assessment and recommendations in relation to the matters requested by submissions and further submissions from additional properties proposed to be added to the character clusters.
- **Section 4** – Additional changes to plan change 26 from matters raised in submitters' evidence and rebuttal evidence prepared by the Council's experts.
- **Appendix A** - A summary table of evidence corrections to plan change 26 as discussed in Section 2.
- **Appendix B** - A summary table of amendments accepted in rebuttal to plan change 26 as discussed in Section 4.

2. ADDITIONAL CHANGES REQUESTED IN COUNCIL EVIDENCE

2.1. INTRODUCTION

2.1.1. Expert evidence was provided from the following experts for the Council:

- Heritage and Character – Carolyn Hill
- Green Infrastructure – Anna McElrea
- Water and Wastewater Infrastructure – Chris Hardy
- Stormwater and Flood Hazard Planning – Michael Chapman
- Economic Modelling – Susan Fairgray
- Three Waters and Transportation Infrastructure – Tony Coutts

2.1.2. Any errors or omissions with the Section 42A report raised by the expert evidence are discussed in the following topics relating to each area of expertise. A general correction section is also provided at the end of this section capturing other general errors and/or omissions.

2.1.3. Refer to **Appendix A** for a summary table of recommended changes to Plan Change 26 following completion of Councils evidence.

2.2. HERITAGE AND CHARACTER

2.2.1. Heritage and Character expert evidence was provided by Carolyn Hill from Lifescapes. Ms Hill's evidence includes a response to the Section 42A report section. This section recommends several amendments to the Section 42A report and the tracked changes text for Plan Change 26.

2.2.2. These recommendations are split into character clusters, character streets and mapping.

- 2.2.3. In relation to Ms Hills recommendations on character clusters the alteration to Rule 2A.4.1.3(d) to remove the reference to (r) is noted as an error in the text of plan change 26. It is noted however that Ms Hill in her rebuttal evidence recommends retaining this provision to provide separate provisions for character defining and non-character defining properties in the character clusters. These further changes are discussed later in this addendum.
- 2.2.4. In relation to Ms Hills recommendations on character streets, an error in the wording of Rule 2A.1.23 relating to character streets is also noted and is recommended to be amended.
- 2.2.5. In relation to Ms Hills recommendations on mapping the following mapping amendments are noted and supported:
- Victoria Street as a character street (from William Street to Hamilton Road) has been missed in error from Map 58A and should be re-introduced to Map 58A.
 - The properties that are subject to the character street provisions should have been highlighted in Maps 58A and 59A, and the Maps should be amended accordingly (also see section 9.17.37 page 94 of the s42A report).
 - The red hatching for the Thornton Road / Princes Street character cluster should be closed off on Map 58A, like the other character clusters.
 - The name of each character cluster should be included next to the cluster on Maps 58A and 59A.
- 2.2.6. In relation to Ms Hills recommendations on mapping the following mapping amendments are not supported for the outlined reasons:
- In relation to historic heritage items been shown on Maps 58A and 59A with the character clusters and character streets; historic heritage items are already mapped in the policy maps of the District Plan and are unaltered by PC26. Although not depicted on maps 58A and 59A for the purposes of the plan change, these maps will be merged with the existing policy maps when PC26 is confirmed. This includes the heritage items.
 - It is agreed that if PC26 is adopted as outlined in the Section 42A report that no character clusters or character streets will be shown on Map 60A, however, this map is recommended to be retained so if changes occur during the evaluation of PC26 by the independent hearing panel then Map 60A can be used for this purpose. Map 60A is therefore recommended to be retained.

Recommendation

- 2.2.7. Amend 2A.1.23 as follows:

2A.1.23 In addition, streets that have high existing character because of the built form and/or because of the presence of existing mature street trees have been identified. These streets are subject to an existing policy overlay in the Planning Maps, and include Princes Street, Thornton Road (between Victoria Street and Albert Street/Robinson Street), Hall Street, Bryce Street, Hamilton Road/Cambridge Road (between the town belt and Victoria Street), Burns Street and Moore Street in Cambridge; and College Street and Turere Lane in Te Awamutu in Cambridge – Hall Street, / Hamilton Road; and Victoria Street, Thornton Road / Princess Street, Grey Street, Queen Street and Grosvenor Street Character Cluster's; and in Te Awamutu – College Street Rewi Street and Bank Street Character Cluster's. The

Medium Density Residential Standard for front boundary setbacks has been varied along these streets in order to maintain this character. Character has been introduced as a new ‘other’ qualifying matter as provided for by the Act. (32.3)

- 2.2.8. Amend Map 58A to include Victoria Street (from William Street to Hamilton Road) as a character street.
- 2.2.9. Amend Maps 58A and 59A to also highlight the properties that the already depicted character streets apply to.
- 2.2.10. Amend Map 58A to correctly close off the red hatching for the Thornton Road / Princes Street character cluster.
- 2.2.11. Amend Maps 58A and 59A to include the name of each character cluster.

2.3. GREEN INFRASTRUCTURE

- 2.3.1. Green infrastructure and open space network expert evidence has been provided by Anna M^cElrea from Xyst Ltd. In Attachment 1 of Ms M^cElreas evidence a table of recommendations are provided. These recommendations have largely been incorporated into the Section 42A report as recommended apart from the following points which are discussed in turn below.
 - It is agreed that section 2A.1 of the plan change text should be clarified to outline that the MDRS have been modified where necessary to protect biodiversity corridors as a matter of national importance.
 - It is agreed that in accordance with Waipa District Council’s submission (submitter 32) that an objective and associated policies should be added to address the outcomes to be achieved by the River / Gully Proximity Overlay. This was omitted in error in the Section 42A report.
 - It is agreed that 2A.3.2.5 should be amended to clarify the intent of the objective relating to Te Awa Cycleway and reserve zones.
 - It is agreed that the matters of discretion under rule 2A.4.2.6 should be amended to refer to street trees required through rule 15.4.2.27.
 - It is agreed that an additional assessment criterion relating to effects on adjoining street trees should be included under 21.1.2A.8. This criterion should not replace assessment criterion (h), as suggested, as this criterion relates to reverse sensitivity, but should form a new criterion.
 - It is agreed the matters of discretion relating to the landscaped area rules (Rules 2A.4.2.23, 2A.4.2.24 and 2A.4.2.24A) require amendment to provide clarity over their intent. This also necessitates the need to write separate matters of discretion for the roof pitch rule (Rule 2A.4.2.22).
 - It is agreed that the intended changes to Rule 21.1.2A.15 have not been fully carried through in the Section 42A report and should be amended.
- 2.3.2. Ms McElreas evidence clarified that Council measured the 120m River / Gully Overlay from the boundary of the cadastral parcels with the intent ‘Hydro’ (paragraph 6.11). In Ms. McElreas rebuttal evidence (paragraphs 3.21 and 3.22) she furthers considers this statement and

recommends that in order to aid implementation of the River / Gully Overlay rules it would be preferable to clarify that the 120m is to be measured in a landward direction at 90 degrees of the mean annual fullest flow; similar to the approach used for esplanade reserves. This change to the text of PC26 is supported and is outlined below.

Recommendation

2.3.3. Add the following at the end of section 2A.1:

2A.1.18B The biodiversity corridors along the Waikato River and its tributaries are defining ecological features of Waipā. They are critical to Council, mana whenua, key stakeholder and community aspirations to protect and restore Waipā’s biodiversity. They improve the integrity, connectivity and resilience of ecosystems within Cambridge and Te Awamutu. They also contribute to urban form and place making and support the public use and enjoyment of esplanade areas. Section 24 of the District Plan includes objectives, policies and methods for the maintenance and enhancement of indigenous vegetation within these biodiversity corridors. The MDRS have been modified to the extent necessary to accommodate the protection of the biodiversity corridors along the Waikato River (Cambridge town), Karāpiro Stream (Cambridge, Carter’s Flat), Mangapiko Stream (Te Awamutu town) and the Mangaohoi Stream (Te Awamutu South-East).

2.3.4. That the following Objective and Policies be added:

Objective – River / Gully Proximity Overlay

2A.3.11 To reduce the likelihood of buildings and activities adversely affecting the ecological integrity and viability of biodiversity corridors and the accessibility and amenity of esplanade areas along the Waikato River, Karāpiro Stream, Mangapiko Stream and the Mangaohoi Stream.

Policies –Biodiversity corridors and esplanade areas

2A.3.11.1 Adverse effects of adjoining development on biodiversity corridors and esplanade areas will be managed through reducing the maximum building coverage within 120m of waterways.

2A.3.11.2 To increase landscaped area requirements and require native planting within 120m of waterways to maintain and enhance the biodiversity corridors identified on Planning Map 49 through Cambridge and Te Awamutu.

2.3.5. Amend 2A.3.2.5 as follows:

2A.3.2.5 To encourage development to achieve attractive, functional and safe streets and high quality and functional public open spaces, including by providing for passive surveillance network outcomes to be achieved by setbacks from the boundary of reserve zones and Te Awa Cycleway.

2.3.6. Add the following text under the Introduction to 2A.4.2 Performance Standards:

The two relevant performance standards that apply within the River / Gully Overlay identified on Planning Maps 56 and 57 are to be met for all sites that are within 120m of

the water boundary (measured in a landward direction at 90 degrees of the mean annual fullest flow level).

2.3.7. Amend the matter of discretion under rule 2A.4.2.6(a) as follows:

- Effects on existing trees and street trees required through rule 15.4.2.27; and

2.3.8. Amend the matters of discretion following Rule 2A.4.2.22 as follows:

Activities that fail to comply with rule 2A.4.2.22 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Degree of visual cohesiveness and compatibility with adjacent and nearby buildings
- Building bulk, prominence and dominance including any mitigating features

These matters will be considered in accordance with the assessment criteria in Section 21.

2.3.9. Amend the matters of discretion following the Landscaped area Rules (2A.4.2.23, 2A.4.2.24 and 2A.4.2.24A) as follows:

Activities that fail to comply with Rules 2A.4.2.23, and 2A.4.2.24 and 2A.4.2.24A will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- ~~Building location, bulk and design; and~~
- Protection of existing mature vegetation; and
- Landscaping; and
- Off-site mitigation.
- On-site amenity.

These matters will be considered in accordance with the assessment criteria in Section 21.

2.3.10. Amend Rule 2A.4.2.8.1 as follows:

2A.4.2.8.1 On sites within the River / Gully Proximity Qualifying Matter Overlay as shown on the Planning Maps, the maximum building coverage must not exceed 40% of the net site area.

2.3.11. Amend Rule 2A.4.2.24A as follows:

2A.4.2.24A Withing the River / Gully Proximity Qualifying Matter Overlay as shown on the Planning Maps, a residential dwelling at

2.3.12. Amend 21.1.2A.8 to include two new assessment criterion as follows:

- (l) Whether the development will adversely affect street trees adjoining the site.
- (m) The ability for the development to avoid adverse effects on the significant natural area's values and native fauna that utilise the significant natural area as habitat, food source or as an ecological corridor through building and lighting location and design, landscaping, retention of mature vegetation and other such mitigation measures (excluding off-site mitigation).

2.3.13. Amend 21.2.2A.15 as follows:

~~The extent to which the site will be characterised by generous areas of open space and garden plantings, rather than buildings. (79.319)~~

- ~~(a) Where relevant, the extent to which existing mature vegetation, that has biodiversity, heritage and/or character values, including heritage and character values is retained and protected and landscaping adds to the amenity of the development. (79.319)~~
- ~~(b) The extent to which new development provides for alternative landscaping options above ground level such as green roofs and green walls.~~
- ~~(c) The extent to which the development contributes to the biodiversity and residential amenity values through off-site mitigation over and above any required financial contributions.~~
- ~~(d) The appropriateness of any landscaping for the local environment and maintenance programme for landscaping. (79.319)~~
- ~~(e) The extent to which the type and nature of the landscaping throughout the development contributes both to the neighbourhood and to on-site amenity.~~

2.4. STORMWATER AND FLOOD HAZARD PLANNING

- 2.4.1. Stormwater and flood hazard planning expert evidence has been provided by Michael Chapman from Te Miro Water Consultants Ltd.
- 2.4.2. Mr Chapman's evidence recommends amendments to the assessment criteria in 21.1.2A.9 (building coverage) to better manage the adverse effects on people and property due to flood risk and to meet the requirements of Te Ture Whaimana. For these reasons Mr Chapman's amendments are supported.

Recommendation

- 2.4.3. Amend the assessment criteria in 21.1.2A.9 (building coverage) as follows:
 - ~~(h) Building location, bulk and design; ~~that~~ addresses impacts of infill development and runoff from building footprint and impervious services on flood risk (level and velocity) within the site and outside the site.~~
 - ~~(i) The building design addresses the impacts of water quality as a result of building coverage through the application of on lot treatment devices.~~
 - ~~(k) The building design addresses the impacts of downstream erosion as a result of building coverage through the application of on lot detention devices.~~

2.5. OTHER CORRECTIONS

- 2.5.1. The Section 42A report states that Waka Kotahi (submitter 63) requested that the earthworks limits be increased in the MDRZ to account for the increased permitted activity development potential (section 9.11.16). This is an error, the submitter who raised this point was Kāinga Ora (submitter 79).
- 2.5.2. It is noted that existing Rule 15.2.4.26 should have been included in the Natural Hazards' section of the section 42A report (sections 9.14.58 to 9.14.66). The function of this rule is outlined in Mr

Coutts rebuttal evidence (see sections 6.16 and 6.19). Its assessment against s77K is essentially the same as the assessment undertaken for the high-risk flood zone rule.

3. LATE SUBMISSIONS ADDITIONAL PROPERTIES IN CHARACTER CLUSTERS

3.1. INTRODUCTION

- 3.1.1. The Lifescapes Report dated 9 March 2023 (Appendix D of the Section 42A Report) reviewed and made recommendations on the heritage and character components of PC26. This report recommended changes to the properties that were in the originally notified character clusters of PC26. These changes included removing some properties from the character clusters and adding new properties into the character clusters.
- 3.1.2. The new properties that were added into the character clusters were notified and given the opportunity to make a submission and further submission on the plan change in March 2023.
- 3.1.3. During the March 2023 notification period 27 additional submissions were received and two further submissions. These late submissions and further submissions were accepted by the Hearing Panel in Direction #13.
- 3.1.4. Ms Hill from Lifescapes has reviewed all the additional submissions and further submissions and responded to these in her rebuttal evidence (refer to section 2 and 3 of Ms Hills rebuttal evidence). A summary table of responses to each submission is provided in **Appendix A** of Ms Hills rebuttal evidence.
- 3.1.5. Refer to the table in **Appendix B** for a summary of the recommended changes to plan change 26 as a result of the late submissions and additional submissions received on the character clusters.

3.2. SUBMISSIONS

- 3.2.1. In summary the additional submissions and further submissions made the following requests:
 - Fourteen submissions fully support the character clusters and request they be retained with general reference made to the Thornton Road / Princes Street Character Cluster, Hall Street Character Cluster, Bank Street Character Cluster and specific reference to inclusion of the individual properties of submitters¹.
 - Three submissions generally oppose the character clusters with specific reference made to the Rewi Street and Bank Street Character Clusters².
 - Seven submissions requested individual properties be removed from a character cluster including:
 - 76 Princes Street³

¹ Submitter 80 (Phillips Terence); Submitter 81 (Wiles, James); Submitter 83 (Bland, M and J); Submitter 84 (Williamson, G and S); Submitter 85 (Whittle, Annette); Submitter 87 (Gainsford, Jenifer); Submitter 91 (Marsh, Nicolas); Submitter 92 (Twine W and P); Submitter 93 (Amundson, Elizabeth); Submitter 94 (Hislop M and C); Submitter 95 (McKnight, Ruth); Submitter 97 (Chubb, Mark); Submitter 100 (MacGillivray, J and J); Submitter 105 (Williams, Simone)

² Submitter 82 (Bleskie, Oliver); Submitter 89 (Daziell, Christine); Submitter 107 (Ross, Rodney)

³ Submitter 86 (Gow, Steve)

- 17 Hall Street⁴
 - 24 Hall Street⁵
 - 1030 Bank Street (or that it be removed from being character defining)⁶
 - 5 Bowen Street⁷
 - 1030B Bank Street⁸
 - 517 Rewi Street⁹
 - Three submissions request or support the rules for character defining and non-character defining properties in the character clusters be differentiated¹⁰.
 - Concerns that character clusters will be surrounded by three storey houses which will detract from them and therefore the areas should be made larger to protect them, or they should not be made at all¹¹.
 - Request for all new properties in the character clusters to first agree or make acknowledgement to being included before been added to the character cluster¹².
 - Request specific changes to the Queen Street Character Cluster provisions¹².
 - Request clarification of what alterations will require consent and what will not¹³.
 - Request that resource consent fees be waived for resource consents in the character clusters⁷.
 - One submission opposes Turere Lane been removed as a character street¹⁴.
- 3.2.2. Two further submissions were received supporting Kainga Ora’s submission to delete the character clusters in their entirety¹⁵.

3.3. ASSESSMENT

- 3.3.1. Support for inclusion of character clusters is acknowledged.
- 3.3.2. General opposition to the character clusters has been addressed in the s42A Report (section 9.17.36) and in the assessment of the character clusters as an ‘other’ qualifying matter under s77I, s77J and s77L of the Amendment Act in the section 42A Report (section 9.17.1 to section 9.17.17).
- 3.3.3. In regard to the Rewi Street Character Cluster this is recommended to be retained. Ms Hill has outlined in Appendix A of her rebuttal that the cluster *“has been identified following a rigorous*

⁴ Submitter 88 (Campbell, G and L)

⁵ Submitter 99 (Baggot, Christina)

⁶ Submitter 101 (Martin, Ailea and Street, Brett)

⁷ Submitter 102 (Hawkins, Eileen)

⁸ Submitter 103 (Martin, Vaughan)

⁹ Submitter 106 (Ross, Barbara)

¹⁰ Submitter 95 (McKnight, Ruth); Submitter 96 (Milbank, J and Mitchell, L); Submitter 103 (Martin, Vaughan)

¹¹ Submitter 90 (Trower, Jason)

¹² Submitter 96 (Milbank, J and Mitchell, L)

¹³ Submitter 98 (Cullen, Stephen)

¹⁴ Submitter 104 (Page, M and J)

¹⁵ Further Submitter 9 (Ross, Barbara); Further Submitter 10 (Ross, Rodney)

methodology and site-specific assessment against criteria as set out in the Lifescapes Report". I agree with this recommendation.

- 3.3.4. In regard to the Bank Street Character Cluster this is recommended to be retained. Ms Hill has outlined in Appendix A of her rebuttal the importance of this area that *"has developed incrementally over time and contains a notable cluster of early – mid 20th century residences that collectively meet the criteria for inclusion as a character cluster in the District Plan. Rear subdivisions with single storey standalone houses have had minimal detrimental impact on the historic legibility of the street"*.
- 3.3.5. In response to individual requests to remove properties from the character clusters the following recommendations from Ms Hill are made in her rebuttal (Appendix A) and are supported:
- 76 Princes Street removed from the Thornton Road / Princes Street character cluster - request rejected – recommend retention as non-character defining site as *"the site makes a significant contribution to the coherence and character of the collective streetscape as identified in the Character Cluster Statement"*.
 - 24 and 17 Hall Street removed from the Hall Street/ Hamilton Road character cluster – request supported. This will also necessitate the removal of 21 Hall Street from the character cluster. It is noted that the character street provisions will continue to apply to all of these properties.
 - 1030 Bank Street removed from the Bank Street character cluster or that it be removed from being character defining – request supported in part. Property recommended to be redefined from 'character defining' to 'non-character defining' as the *"mid-century stucco house at 1030 Bank Street complements these styles but does not exemplify the cluster themes"*.
 - 5 Bowen Street removed from Thornton Road / Princes Street character cluster – request rejected as *"5 Bowen Street is a character defining site with a notable example of the English Bungalow architectural style, and it is considered appropriate to include this site in the cluster"*.
 - 1030B Bank Street be removed from the Bank Street character cluster – request rejected as *"1030B Bank Street is a non-character defining property within the Bank Street Character Cluster and is located on a rear section. The residence is somewhat obscured from the street by the front property, and its siting and overall form and scale are sympathetic to the cluster as noted in the Character Cluster Statement in DG1"*.
 - 517 Rewi Street be removed from the Rewi Street character cluster – request rejected as *"517 Rewi Street is a character defining site with an example of simple single-gable English Bungalow architectural style, and it is considered appropriate to include this site in the cluster"*.
- 3.3.6. In response to the differentiation of rules relating to character defining and non-character defining properties in the character clusters this is supported to address concerns raised by submitters and as originally recommended in the Lifescapes Report.
- 3.3.7. In response to concerns that character clusters will be surrounded by three storey houses which will detract from them so the areas should be made larger to protect them. Ms Hill has considered the size of the Hall Street / Hamilton Road character cluster and the Hall Street and Hamilton Road character street and considers the area provides adequate protection.

- 3.3.8. Regarding the request for all new properties in the character clusters to first agree or make acknowledgement to being included before being added to the character cluster, a process of public notification has involved all of the properties proposed to be included in the character clusters. Where submissions have requested to be excluded from the character clusters these have been individually responded to in respect of how this impacts the integrity of the character cluster overall.
- 3.3.9. In response to specific changes to the Queen Street Character Cluster provisions Ms Hill has acknowledged the need to differentiate the rules applying to character defining and non-character defining properties but has not recommended further changes to the provisions in the Queen Street character cluster.
- 3.3.10. In response to what alteration will require consent and what will not, an amendment to the rules is proposed and this is supported by Ms Hill and is considered appropriate for the Council to implement in a practice note that can evolve as the rules are implemented.
- 3.3.11. Direction on whether resource consent fees can be waived is not a matter for this plan change process. This is a matter for the Council to consider separately.
- 3.3.12. The request for Turere Lane to be retained as a character street has been rejected by Ms Hill in her rebuttal as it did not meet the criteria to remain a character street in the Lifescapes Report (see section 6.1/6.2).

Recommendations

- 3.3.13. The following amendments to the provisions of PC26 are recommended based on the additional submissions received on character clusters and the rebuttal response from Ms Hill of Lifescapes.
- **Amend** Permitted activity 2A.4.1.1(f) as follows:
 - (f) Demolition and removal of buildings, except in character clusters and those listed in Appendix N1 - Heritage Items and those on sites identified in a character cluster identified as 'Character Defining' in a character cluster.
 - Amend wording of 2A.4.1.1(q) as follows:
 - (q) Within character clusters, the construction of new buildings and alterations or additions to existing buildings, where the work undertaken is single storey and ~~parallel to and facing the rear boundary of the site located at the rear of the site.~~ (32.3)
 - Add a new Permitted activity into 2A.4.1.1 (after q) –
 - (r) Within character clusters on sites identified as 'Non-Character Defining', the construction of new buildings and alterations or additions to existing buildings, where the work undertaken is single storey and set back a minimum of 6m from road boundaries.
 - Delete 17, 21 and 24 Hall Street from the Hall St / Hamilton Rd character cluster. Re-draw the Character Cluster Statement map (DG1) accordingly.
 - Redefine 1030 Bank Street from a 'Character Defining' to a 'Non-Character Defining' site. Re-draw the Bank Street Character Cluster Statement map (DG1) accordingly.

4. ADDITIONAL CHANGES REQUESTED IN SUBMITTER EVIDENCE

4.1.1. For a summary of recommended changes to plan change 26 based on amended requests in submitter evidence refer to **Appendix B** of this addendum. Where submitters requests are unchanged, these are addressed in the section 42A report.

4.2. DEPARTMENT OF CORRECTIONS

4.2.1. Mr. Grace has requested two amendments not recommended to be accepted in the Section 42A Report be reconsidered. These are the addition of a definition of ‘community corrections activity’ in the District Plan and the insertion of ‘community corrections activity’ as a permitted activity in the Commercial zone of the District Plan.

4.2.2. These requests were assessed in the Section 42A Report (see sections 9.27.7 and 9.23).

4.3. FIRE AND EMERGENCY NEW ZEALAND

4.3.1. Mr. Duncan, by letter dated 31 March 2023, has confirmed that Fire and Emergency New Zealand (Fire and Emergency) generally accepts the recommendations set out in the Section 42A report.

4.3.2. Mr. Duncan’s letter has requested further changes to the provisions of PC26.

4.3.3. Regarding requested changes to the matters of discretion associated with setbacks (21.1.2A.8(i)) the following amendment is accepted:

21.1.2A.8(i) The extent to which the building precludes the ability to access the front, side and rear of the site or dwelling, with particular regard given to emergency service access.

4.3.4. Regarding amendments to the minimum access widths these are recommended to be retained as set out in the Section 42A Report (section 9.12.7.) and as addressed in Mr. Coutts evidence (see sections 2.1 and 2.2). The alternative relief to amend the matters of discretion for subdivision in the MDRZ (21.1.15.6(c)) is rejected as it implies lots should provide emergency vehicle manoeuvring on site.

4.3.5. In regard to the definition of Infrastructure Capacity Assessment the following amended definition is put forward to address Mr. Duncan’s concerns with firefighting water supply and flow as responded to further in Mr. Hardy’s (sections 3.2 to 3.11) and Mr. Coutts (sections to 2.4 to 2.7) rebuttal evidence.

‘Infrastructure Capacity Assessment’

means an assessment of the capacity of an existing water, wastewater, or stormwater network to determine if there is enough capacity (including fire water supply) for a proposed development, or to define the requirements for network upgrades that would need to be implemented for the development to be approved. The exact requirements for an Infrastructure Capacity Assessment should be discussed and agreed with WDC on a case-by-case basis. (47.31)

4.4. FONTERRA

- 4.4.1. Mr. Chrisp has requested that a new reverse sensitivity qualifying matter be included in PC26 aligning with the extent of the noise contour for the Te Awamutu Dairy Factory site in relation to properties zoned MDRZ to enable the assessment and mitigation of potential reverse sensitivity effects. Mr. Chrisp has provided an assessment of the proposed qualifying matter under sections 77J and 77L of the Act.
- 4.4.2. I agree with his assessment that the costs and broader impacts of limiting the MDRS within the extent described are relatively minor.
- 4.4.3. I therefore recommend that the qualifying matter as set out below be added to PC26.
- 4.4.4. I recommend the following changes to PC26.

- Map the new Reverse Sensity Qualifying Matter.
- Amend 2A.1.9 (Qualifying Matters – Introduction) as follows:

Qualifying Matters - Introduction

2A.1.9 The Medium Density Residential Standards have been modified to accommodate qualifying matters in the Waipā District in the following circumstances.

...

- (i) Where there are specific matters which make higher density inappropriate such as protected trees, character clusters, managing the potential for reverse sensitivity, and specific requirements applying within Structure Plans.
- Add a new rule to Table 2A.4.1.1 (Permitted Activities) as follows:
 - (b) Up to three dwellings per site outside of the Infrastructure Constraint Qualifying Matter Overlay ~~and, outside of identified character clusters (32.3) and outside of the Reverse Sensitivity Qualifying Matter Overlay.~~
 - (c) Up to two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay.
 - (cA) Up to two dwellings per site within the Reverse Sensitivity Qualifying Matter Overlay.
- Insert a new restricted discretionary activity rule in Table 2A.4.1.3 as follows:
 - (cA) Three dwellings per site within the Reverse Sensitivity Qualifying Matter Overlay.
Discretion will be restricted to the following matters:
 - Reverse sensitivity effects on the operation of the Te Awamutu Manufacturing Site.
- Amend Rule 2A.4.1A (Public and Limited Notification) as follows:
 - (a) An application for resource consent under Rule 2A.4.1.1(b), ~~or (c) or (cA)~~ that does not comply with one or more of the performance standards in Rule 2A.4.2 will be considered without public notification unless the Council determines that special circumstances exist under the Resource Management Act 1991.
 - (b) An application for resource consent under Rule 2A.4.1.3(b) , ~~or (c) or (cA)~~ that complies with the performance standards in Rule 2A.4.2 will be considered without public or limited notification or without the need to obtain written

approval from affected parties, unless the Council determines that special circumstances exist under the Resource Management Act 1991.

- Include a new assessment criterion and amend title of 21.1.2A.5 as follows:
More than two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay, identified character clusters and the Reverse Sensitivity Qualifying Matter Overlay or more than three dwellings per site outside the Infrastructure Constraint Qualifying Matter Overlay, identified character clusters and the Reverse Sensitivity Qualifying Matter Overlay.
(v) The extent to which the residential development includes measures to avoid or minimise the potential for reverse sensitivity effects on lawfully existing non-residential activities.

4.5. KĀINGA ORA

Height Overlay and High Density Residential Area

- 4.5.1. Mr. Campbell, supported by the evidence of Mr. Singh, and Mr. Wallace on behalf of Kāinga Ora have requested:
- a height overlay over an extent of the Cambridge and Te Awamutu town centres to increase the maximum height limit to 24.5m.
 - a reduced extent (from the original submission) High Density Residential Zone (HDRZ) around the town centre of Cambridge that allows 6 storeys in height (22m) and 3 dwellings per site.
- 4.5.2. The increased height overlay of 24.5m from Kāinga Ora in the town centres of Cambridge and Te Awamutu was assessed in the Section 42A Report (Topic 1.3). No changes were recommended to the Commercial Zone in the report, but it was noted that Council was considering potential opportunities to better differentiate the commercial ‘centres’ of Cambridge and Te Awamutu.
- 4.5.3. Further to this, an increased height overlay has been proposed (as outlined in Mr Quickfall’s evidence) to increase the maximum height limit in the town centres of Cambridge, Leamington and Te Awamutu from 14 metres to 18 metres in height. The proposed height overlay area would also remove any limit on the number of storeys. The extent of the proposed height overlay aligns with the extent proposed by Kāinga Ora in Cambridge and Te Awamutu. No height overlay has been requested by Kāinga Ora in Leamington. While I consider the existing height to be commensurate and to provide sufficient capacity (refer s42A section 9.5.6), I support the additional height as supporting the centres approach of the NPS-UD and providing for a range of typologies and increased feasibility as referred to in Ms Fairgrays evidence in chief para 11.13.
- 4.5.4. In relation to the High Density Residential Zone requested by Kāinga Ora, this was assessed in the Section 42A report (Topic 1.2). In response to Kāinga Ora, an alternate proposal has been proposed by Council in Mr Quickfall’s evidence to lift the Infrastructure Overlay in an area surrounding the commercial centre of Cambridge. This increases the permitted density in this area to 3 dwellings per site and provides a progression of density towards the centres. I support this alternative approach and believe it provides some opportunity for intensification around centres. Thereby giving effect to the NPS-UD, particularly when considered alongside the proposal for a height overlay in the centres of Cambridge, Leamington and Te Awamutu (discussed above).

- 4.5.5. The extent of the proposed HDRZ has been reduced in the evidence presented on behalf of Kāinga Ora. I consider the reduced extent is considered an acceptable walkable catchment and generally aligns with the extent of increased density proposed in Councils alternative proposal.
- 4.5.6. The density of 3 dwellings per site proposed in Kāinga Ora’s HDRZ in Cambridge also aligns with Councils alternative proposal.
- 4.5.7. The following amendments to the PC26 provisions are proposed to incorporate the alternative proposal of Council:
- Map of height overlay in the town centres of Cambridge, Leamington and Te Awamutu allowing for 18m in height as a permitted activity with no limit on the number of storeys.
 - Map of new extent of Infrastructure Overlay including an uplifted area within a walkable catchment of Cambridge town centre as shown in Appendix 3 of Mr Quickfall’s Rebuttal statement of evidence.
 - Amend the maximum height rule in the Commercial Zone (and consequential amendments to the references to the maximum height rules in the Commercial Zone chapter) as follows:

Rule - Maximum height

6.4.2.2 Buildings must not exceed 14m in height and must be no more than three floors (except in the Height Overlay area, refer to rule 6.4.2.2A), except that:

- (a) On the land subject to the Te Awamutu Large Scale Retail Development Concept Plan contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and the building structure associated with units 12 – 14 shown on that Plan must not exceed 8m in height and the Bulk Retail Timber Merchant must not exceed 12m in height.
- (b) The maximum height for hose drying towers associated with fire stations is 15m.
- (c) The maximum height within the Cambridge North Neighbourhood Centre shall be 13m. Advice Note: Activities within a character precinct area are identified as restricted discretionary activities and the height of development may need to be lower than 14m to respond to the existing built character. Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

6.4.2.2A In the Height Overlay area as shown on the Planning Maps the maximum height shall be 18 metres and there shall be no limit on the number of storeys.

Note: The Height Overlay area only applies to a limited extent of the Commercial Zone in town centres.

Character Clusters

- 4.5.8. Ms Hill has provided rebuttal evidence on the amendments requested to the character cluster provisions in PC26 raised by Mr. Campbell, Mr. Singh, and Mr. Wallace on behalf of Kāinga Ora (see sections 7, 8 and 9).
- 4.5.9. Based on Ms. Hills evidence the following amendments to PC26 are recommended.
- Amend Policy 2A.3.3.1(e) as follows:

WAIPA DISTRICT PLAN: PROPOSED PLAN CHANGE 26 – RESIDENTIAL ZONE INTENSIFICATION

Policy Cambridge

2A.3.3.1 To maintain and where appropriate enhance Cambridge’s character by:
(30.4, 79.168)

(e) Maintaining the mix of villas, ~~cottage and bungalows type~~ and other early – mid-20th century (32.3) housing types within ~~the~~ identified character clusters, while providing for intensification opportunities on non-character defining sites in a manner sympathetic and complementary to identified character values; and

- Amend Policy 2A.3.3.3(d) as follows:

2A.3.3.3 To maintain and where appropriate enhance Te Awamutu’s character by:
(30.6, 79.173)

(d) Recognising Maintaining the mix of villas, bungalows and ~~art-deco~~ other early – mid-20th century housing in parts of Te Awamutu types within identified character clusters (32.3), while providing for intensification opportunities on non-character defining sites in a manner sympathetic and complementary to identified character values; and

- Amend Policy 2A.3.4.2 as follows:

Policy - Building setback: character street

2A.3.4.2 To maintain the existing character of character streets by having a consistent minimum building setback.

- Amend 2A.4.1.3(d) as follows:

2A.4.1.3 Restricted Discretionary Activities

(d) Character clusters sites (32.3) - Construction of new buildings, relocated buildings and demolition or removal or alterations or additions to existing buildings, except where permitted by 2A.4.1.1 (f), (g) and (r).

Discretion will be restricted to the following matters:

- For identified character-defining sites;
 - The extent to which ~~B~~building bulk and design, building materials, and layout ~~to~~ maintains a similar style, form, building materials and colour to other character defining dwellings within the cluster; and (32.3)
 - The extent to which buildings maintain and respond to the existing character identified in the cluster as set out in Appendix DG1;
- For identified non-character defining sites:
 - The extent to which building design is sympathetic to the established character within the cluster in form, proportion, layout and materiality; and
 - The extent to which building scale manages the relationship between adjacent character-defining sites and responds to the streetscape context; and
 - The extent to which buildings are sympathetic to and acknowledge the character values identified in the cluster as set out in Appendix DG1.

- ~~• Effects on the existing character identified in the cluster as set out in Appendix DG1;~~
- The extent to which the demolition or removal of the character building on an identified 'character defining' site detracts from the integrity of the streetscape;
- The visibility of ~~the~~ new buildings and/or alterations or additions from public places; and
- Solar access; and
- Where provided, the ~~E~~effects on parking and vehicle manoeuvring; and (30.21)
- Signs; and
- Landscaping.

Additionally for relocated buildings:

- ~~• Condition of the exterior of the building; and~~
- ~~• Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and~~
- ~~• Reinstatement works; and~~
- Timing for completing any required works. (32.3)

These matters will be considered in accordance with the assessment criteria in Section 21.

- Amend 21.1.2A.4 as follows:

21.1.2A.4 Character clusters - Construction of new buildings, relocated buildings, and removal or demolition of, or alterations or additions to existing buildings

(aa) The extent to which new buildings and relocated buildings are avoided between an existing dwelling and the front boundary of an identified character-defining site. (32.3)

~~(a) The extent to which the scale, height, bulk form, design, building materials, and layout and position of any buildings or additions is similar to the existing character of the cluster.~~

~~(b) The extent to which the new building, additions or alterations to an existing building or removal or demolition of a building contributes or detracts from the Character Cluster Statements in Appendix DG1~~

(a) For identified character-defining sites;

- The extent to which building bulk and design, building materials, and layout maintains a similar style, form, building materials and colour to other character defining dwellings within the cluster; and
- The extent to which buildings maintain and respond to the existing character identified in the cluster as set out in Appendix DG1;

(b) For identified non-character defining sites:

- The extent to which building design is sympathetic to the established character within the cluster in form, proportion, layout and materiality;
 - The extent to which building scale manages the relationship between adjacent character-defining sites and responds to the streetscape context;
 - The extent to which buildings are sympathetic to and acknowledge the character values identified in the cluster as set out in Appendix DG1;
- (c) ...
- (g) The extent to which ~~the~~ new buildings, and or additions or alterations ~~is are~~ visible from public places.
- (h) ...
- Amend 21.1.2A.8(a) and (k) Setbacks as follows:
 - (a) The extent to which the road boundary setback is appropriate in the location, particularly where located ~~adjoining on~~ a Character Street ~~or within a Character Cluster.~~
 - (k) The extent to which development ~~is compatible and does not detract from,~~ but is ~~sympathetic and responsive to,~~ the values of adjacent historic heritage or character cluster sites. (32.3)

Setbacks

4.5.10. In relation to concerns raised by Mr. Campbell (paragraphs 6.28 to 6.35) and Mr. Wallace (paragraphs 5.19 to 5.21) with the 5 metre Te Awa cycleway setback Ms. M^cElrea has recommended an amendment to the setback to Te Awa cycleway Rule (2A.4.2.6(d)) to clarify the applicable extent of the rule as follows:

- Amend Rule 2A.4.2.6(d) as follows:

On sites adjoining ~~sections of~~ the Te Awa Cycleway ~~identified on the structure plan maps that are not located within a road corridor,~~ a setback of 5 metres is required along the boundary of the site adjoining the cycleway;

Vacant lot size provisions

4.5.11. Mr. Campbell and Mr. Wallace have supported Kainga Ora's request to:

- Delete minimum lot sizes in the MDRZ (currently a minimum net lot area of 500m² with an average of more than 600m² for 3 or more lots); and
- To decrease the lot shape factor for vacant lots to 8m by 15m (currently 13m diameter circle).

4.5.12. The request to delete of the minimum lot sizes and replace them with the lot shape factor, which is a building platform provision requirement, is not supported. The MDRS increases density, allowing more dwellings per site. Although this effectively will mean smaller 'lot sizes' can be achieved if complying development can be shown to be contained on proposed lots or existing houses are subdivided; if the minimum lot size were to decrease as well it would effectively enable additional density onto the smaller lot size. This could effectively double or triple allowable development on a site.

4.5.13. Council agrees that there are some problems with the average lot size and lot frontage requirements and agrees the choice of the circle or a rectangle for meeting lot shape requirements would be helpful for narrower shaped lots.

4.5.14. The following amendments are offered in response to Kāinga Ora's request.

- Average Net Lot Area removed for the MDRZ
- Lot frontage requirements reduced from 20m to 10m in the MDRZ
- Lot shape factor in the MDRZ amended as follows:
 - 13m diameter circle or 8m by 15m rectangle
 - 16m diameter circle or 8m by 15m rectangle

Relocated buildings

4.5.15. Mr Campbell has requested the removal of provisions relating to relocated buildings. These provisions were not proposed to be removed in the section 42A report as the background of why these provisions were originally put into the Plan was still being determined. They were not directly commented on in the section 42A report but were addressed in individual responses to submission points in Appendix B of the section 42A report (see submission point 79.139). The Council has now confirmed that the original reason that these provisions were inserted in the Plan was because there were multiple problems with the condition of relocated buildings in the District. The Council and I now agree the Building Act and Building Code has suitable requirements to address these concerns. For this reason, the Council and I now supports the removal of the relocated building provisions from PC26.

- Relocated building provisions deleted in PC26.

4.6. KIWIRAIL HOLDINGS LTD

4.6.1. Ms Heppelthwaite, supported by evidence from Michael Brown and Stephen Chiles has requested on behalf of KiwiRail a 5-metre setback to the rail corridor as a qualifying matter, amended noise controls to extend to 100 metres and new vibration controls within 60 metres of the rail corridor as outlined in section 9.14.29 of the s42A report.

4.6.2. In response to this request, I have considered the existing controls in the Plan that apply to the rail corridor and the extent of the properties that will be impacted by this proposed change.

4.6.3. The existing controls on the rail corridor in the Plan include:

- The designation of the corridor (D1)
- Policy's 2.3.2.9 and 2A.3.4.9 **Noise sensitive activities located adjacent to railways and strategic roads**
- Rule's 2.4.2.29 and 2A.4.2.40 which follow:

Rules - Noise insulation: noise sensitive activities

2.4.2.29/2A.4.2.40 Where a noise sensitive activity or is proposed to be located within 40m of a railway track, the building shall be insulated so that it achieves the following noise levels:

- (a) Inside bedrooms 35dBA LAeq (1hr)
- (b) Inside other habitable rooms 40dBA LAeq (1hr)

- 4.6.4. In relation to affected parties the properties adjacent to the railway designation are road reserve (Station Road, Te Awamutu), Industrial Zone and the Deferred Medium Density Residential Zone (T4).
- 4.6.5. There does not appear to be any properties to apply the proposed 5-metre rail corridor setback to. Therefore, I do not support the 5-metre setback requested by KiwiRail.
- 4.6.6. In relation to the extended noise controls and new vibration controls the evidence presented on behalf of KiwiRail does not identify the specific properties that would be affected by these controls or explain why the 100 metres (noise) or 60 metres (vibration) is required in the specific context of Te Awamutu. The issue of the additional cost to persons building within the new limits has been raised by Mr Campbell in his evidence and does not appear to have been adequately addressed by the evidence presented on behalf of KiwiRail. Therefore, I do not recommend the additional noise and vibration standards should be implemented as part of PC26.

4.7. RETIREMENT VILLAGE ASSOCIATION OF NEW ZEALAND INC. AND RYMAN HEALTHCARE LTD

- 4.7.1. Evidence has been prepared by Ms. Williams supported by evidence from Mr. Brown, Ms. Owens and Ms. Kerse on behalf of the Retirement Village of New Zealand Inc and Ryman Healthcare Ltd seeking a consistent ‘bespoke and nuanced’ planning framework to house an elderly population across New Zealand.
- 4.7.2. The Section 42A Report gives a summary of the requested changes (section 9.22.3).
- 4.7.3. To clarify a point raised in Mr. Brown’s evidence (paragraph 71) that the Section 42A Report states that retirement villages will generally be developed beyond the scale anticipated by the MDRS. This point was intended to refer to the scale of 3 dwellings provided for as a permitted activity under the MDRS per site. As retirement villages are generally comprehensive developments on large sites, they will generally accommodate more than 3 dwellings.
- 4.7.4. The existing provisions for retirement villages in the Residential zone which have been carried into the MDRZ, with minor amendments as shown include the following:

Policy 2.3.4.6/2A.3.6.5 - Retirement village accommodation and associated care facilities and rest homes

To enable the development of retirement village accommodation and associated care facilities and rest homes, to meet the needs of an ageing population providing that the development is comprehensively designed and developed.

Policy 2.3.5.1/2A.3.7.1 - Comprehensive design of in-fill housing, compact housing four or more dwellings, retirement village accommodation and associated care facilities, rest homes, and visitor accommodation

To ensure that in-fill housing, compact housing development of four or more dwellings, retirement village accommodation and associated care facilities, rest homes and visitor accommodation are comprehensively designed by...

Rule 2.4.1.3(e)/ 2A.4.1.3(e) Retirement village accommodation and associated care facilities and rest homes are a **restricted discretionary activity**. Matters of discretion are listed.

4.7.5. As outlined in the in the Section 42A Report I consider that PC26 has appropriately provided for retirement villages and associated care facilities and rest homes with this framework as a restricted discretionary activity (refer to sections 9.22.4 to 9.22.7).

4.8. TA PROJECTS LTD

4.8.1. Mr. Shearer has requested that the Infrastructure and Stormwater Overlays be removed from greenfield land in the MDRZ in Te Awamutu and if appropriate other such zoned land in Wāipa. This matter was addressed in the Section 42A Report in sections 9.15.20 and 9.15.45.

4.8.2. Rebuttal evidence from Mr. Coutts (section 4) and Mr. Hardy (section 4) on behalf of the Council has recommended the Infrastructure and Stormwater Overlays remain in place over greenfield sites.

4.9. TRANSPOWER NEW ZEALAND LTD

4.9.1. Mr. Hamilton, by letter dated 3 April 2023, has confirmed that Transpower New Zealand Ltd generally accept the recommendations set out in the Section 42A report.

4.9.2. Mr. Hamilton has requested two additional changes to the provisions of PC26.

4.9.3. These changes to the earthworks in the National Grid Rule and Policy 2A.3.2.4 are supported as follows:

2.4.2.36 Any earthworks within a National Grid Yard must:

(a) Around ...

~~Provided that v~~ Vertical holes not exceeding 500mm in diameter beyond 1.5m from the outer edge of pole support structure or stay wire are exempt from Rule 2.4.2.36 ~~27~~ 36(a) above.

(b) Around ...

~~Provided that t~~ The following are exempt from Rule 2.4.2.36 ~~27~~ 36 (a) and (b) above:

2A.3.2.4 To ~~enable the modification of~~ modify the Medium Density Residential Standards under Policy 2A.3.2.3, or the level of density anticipated under Policies 2A.3.2.1, 2A.3.2.2 and 2A.3.2.3, only to the extent necessary to accommodate a qualifying matter applying to that site.

4.10. WAIKATO REGIONAL COUNCIL

4.10.1. Ms. Craven has requested a new advice note and a number of objectives and policies be inserted into PC26.

4.10.2. The requested advice note is not recommended to be included in PC26 as it reads as more of an introductory statement. The relevance of some of the content of the information in the proposed advice note has also been queried by Mr. Coutts, Councils Principal Engineer, who noted that Hautapu is zoned industrial and Fencourt drainage (St Kilda) has more stringent requirements from an existing covenant and the remainder of this area is rural.

4.10.3. The requested vehicle crossing policies from Ms. Craven are also not supported as they would not support the existing vehicle crossing provisions in the Plan. Mr. Coutts has advised that Council has separation requirements within the Plan for vehicle crossings, but it doesn't limit the amount of entry requirements for each site.

4.10.4. The amendments to objective 2A.3.4 and new climate change objective and policies are supported as follows:

- Amend Objective 2A.3.4 as follows:

Objective 2A.3.4: To recognise amenity values and enhance safety in the Medium Density Residential Zone including:

i. On site for residents;

ii. On adjoining sites, and

iii. For the transport corridor and public open spaces.

- Add Objective 2A.3.11 and Policy 2A.3.11.1 as follows:

Objective 2A.3.11: Climate change

Residential development supports sustainable features, technologies and methods to minimise the effects of climate change and reduce greenhouse gas emissions.

Policy 2A.3.11.1

Support development that implements methods and technologies to minimise the effects on climate change, including locating land uses and densities in such a way as to support walking, cycling, micromobility and public transport.

4.10.5. A tree canopy policy requested by Ms. Craven has been supported by Ms. McElrea in her rebuttal evidence (refer to section 2) and is supported for the reasoning outlined in her rebuttal evidence and reads as follows:

- Add a new policy as follows:

Policy 2A.3.4.22: Tree canopy

Promote the establishment and maintenance of a continuous tree canopy along transport corridors to improve amenity for corridor users and adjoining land use, minimise the urban heat island effects of urban intensification, enhance biodiversity and ecological function, provide summer shade to make the corridors more comfortable for walking, cycling and micro-mobility during hotter weather, and store carbon.

5. CONCLUSION AND RECOMMENDATION

5.1. CONCLUSION

5.1.1. That the additional information contained in this addendum be taken as an update to the section 42A report dated 17 March 2023 prepared for plan change 26 on behalf of the Wāipa District Council.

5.2. RECOMMENDATION

5.2.1. Having considered all of the additional submissions and evidence, I recommend that PC26 should be amended as set out in **Appendix A** and **Appendix B** of this addendum.

Report prepared by:



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Report reviewed and approved by:



pp

Tony Quickfall
Manager – District Plan and Growth

Appendix A Evidence corrections from section 42A addendum

Expert	Recommended corrections
Heritage and Character	<p>Amend 2A.1.23 as follows:</p> <p><u>2A.1.23</u> In addition, streets that have high existing character because of the built form and/or because of the presence of existing mature street trees have been identified. These streets are subject to an existing policy overlay in the Planning Maps, and include <u>Princes Street, Thornton Road (between Victoria Street and Albert Street/Robinson Street), Hall Street, Bryce Street, Hamilton Road/Cambridge Road (between the town belt and Victoria Street), Burns Street and Moore Street in Cambridge; and College Street and Turere Lane in Te Awamutu in Cambridge – Hall Street, / Hamilton Road; and Victoria Street, Thornton Road / Princess Street, Grey Street, Queen Street and Grosvenor Street Character Cluster's; and in Te Awamutu – College Street Rewi Street and Bank Street Character Cluster's</u>. The Medium Density Residential Standard for front boundary setbacks has been varied along these streets in order to maintain this character. Character has been introduced as a new 'other' qualifying matter as provided for by the Act. (32.3)</p> <p>Amend Map 58A to include Victoria Street (from William Street to Hamilton Road) as a character street.</p> <p>Amend Maps 58A and 59A to also highlight the properties that the already depicted character streets apply to.</p> <p>Amend Map 58A to correctly close off the red hatching for the Thornton Road / Princes Street character cluster.</p> <p>Amend Maps 58A and 59A to include the name of each character cluster.</p> <p>Historic heritage items are not recommended to be included on Maps 58A and 59A.</p> <p>Maps 60A is recommended to be retained.</p>
Green Infrastructure	<p>Add the following at the end of section 2A.1:</p> <p><u>2A.1.18B</u> The biodiversity corridors along the Waikato River and its tributaries are defining ecological features of Waipā. They are critical to Council, mana whenua, key stakeholder and community aspirations to protect and restore Waipā's biodiversity. They improve the integrity, connectivity and resilience of ecosystems within Cambridge and Te Awamutu. They also contribute to urban form and place making and support the public use and enjoyment of esplanade areas. Section 24 of the District Plan includes objectives, policies and methods for the maintenance and enhancement of indigenous vegetation within these biodiversity corridors. The MDRS have been modified to the extent necessary to accommodate the protection of the biodiversity corridors along the Waikato River (Cambridge town), Karāpiro Stream (Cambridge, Carter's Flat), Mangapiko Stream (Te Awamutu town) and the Mangaohoi Stream (Te Awamutu South-East).</p>

WAIPA DISTRICT PLAN: ADDENDUM PROPOSED PLAN CHANGE 26 – RESIDENTIAL ZONE INTENSIFICATION

Expert	Recommended corrections
	<p>That the following Objective and Policies be added:</p> <p>Objective – River / Gully Proximity Overlay</p> <p>2A.3.11 To reduce the likelihood of buildings and activities adversely affecting the ecological integrity and viability of biodiversity corridors and the accessibility and amenity of esplanade areas along the Waikato River, Karāpiro Stream, Mangapiko Stream and the Mangaohoi Stream.</p> <p><u>Policies –Biodiversity corridors and esplanade areas</u></p> <p>2A.3.11.1 Adverse effects of adjoining development on biodiversity corridors and esplanade areas will be managed through reducing the maximum building coverage within 120m of waterways.</p> <p>2A.3.11.2 To increase landscaped area requirements and require native planting within 120m of waterways to maintain and enhance the biodiversity corridors identified on Planning Map 49 through Cambridge and Te Awamutu.</p> <p>Amend 2A.3.2.5 as follows:</p> <p><u>2A.3.2.5 To encourage development to achieve attractive, functional and safe streets and high quality and functional public open spaces, including by providing for passive surveillance network outcomes to be achieved by setbacks from the boundary of reserve zones and Te Awa Cycleway.</u></p> <p>Add the following text under the Introduction to 2A.4.2 Performance Standards:</p> <p><u>The two relevant performance standards that apply within the River / Gully Overlay identified on Planning Maps 56 and 57 are to be met for all sites that within 120m of the water boundary (measured in a landward direction at 90 degrees of the mean annual fullest flow level).</u></p> <p>Amend the matter of discretion under rule 2A.4.2.6(a) as follows:</p> <ul style="list-style-type: none"> • Effects on existing trees and street trees required through rule 15.4.2.27; and <p>Amend the matters of discretion following Rule 2A.4.2.22 as follows:</p> <p><u>Activities that fail to comply with rule 2A.4.2.22 will require a resource consent for a restricted discretionary activity with the discretion being restricted over:</u></p> <ul style="list-style-type: none"> • <u>Degree of visual cohesiveness and compatibility with adjacent and nearby buildings</u> • <u>Building bulk, prominence and dominance including any mitigating features</u> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21.</u></p>

WAIPA DISTRICT PLAN: PROPOSED PLAN CHANGE 26 – RESIDENTIAL ZONE INTENSIFICATION

Expert	Recommended corrections
	<p>Amend the matters of discretion following the Landscaped area Rules (2A.4.2.23, 2A.4.2.24 and 2A.4.2.24A) as follows:</p> <p><u>Activities that fail to comply with Rules 2A.4.2.23, and 2A.4.2.24 and 2A.4.2.24A will require a resource consent for a restricted discretionary activity with the discretion being restricted over:</u></p> <ul style="list-style-type: none"> • Building location, bulk and design; and • <u>Protection of existing mature vegetation; and</u> • <u>Landscaping; and</u> • <u>Off-site mitigation.</u> • <u>On-site amenity.</u> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21.</u></p> <p>Amend Rule 2A.4.2.8.1 as follows:</p> <p><u>2A.4.2.8.1 On sites within the River / Gully Proximity Qualifying Matter Overlay as shown on the Planning Maps, the maximum building coverage must not exceed 40% of the net site area.</u></p> <p>Amend Rule 2A.4.2.24A as follows:</p> <p><u>2A.4.2.24A Withing the River / Gully Proximity Qualifying Matter Overlay as shown on the Planning Maps, a residential dwelling at</u></p> <p>Amend 21.1.2A.8 to include two new assessment criterion as follows:</p> <p><u>(l) Whether the development will adversely affect street trees adjoining the site.</u></p> <p><u>(m) The ability for the development to avoid adverse effects on the significant natural area’s values and native fauna that utilise the significant natural area as habitat, food source or as an ecological corridor through building and lighting location and design, landscaping, retention of mature vegetation and other such mitigation measures (excluding off-site mitigation).</u></p> <p>Amend 21.2.2A.15 as follows:</p> <p><u>The extent to which the site will be characterised by generous areas of open space and garden plantings, rather than buildings. (79.319)</u></p> <p><u>(f) Where relevant, Tthe extent to which existing mature vegetation, that has biodiversity, heritage and/or character values, including heritage and character values is retained and protected and landscaping adds to the amenity of the development. (79.319)</u></p> <p><u>(g) The extent to which new development provides for alternative landscaping options above ground level such as green roofs and green walls.</u></p>

WAIPA DISTRICT PLAN: ADDENDUM PROPOSED PLAN CHANGE 26 – RESIDENTIAL ZONE INTENSIFICATION

Expert	Recommended corrections
	<p>(h) The extent to which the development contributes to the biodiversity and residential amenity values through off-site mitigation over and above any required financial contributions.</p> <p>(i) The appropriateness of any landscaping for the local environment and maintenance programme for landscaping. (79.319)</p> <p>(j) The extent to which the type and nature of the landscaping throughout the development contributes both to the neighbourhood and to on-site amenity.</p>
Stormwater and Flood Hazard Planning	<p>Amend the assessment criteria in 21.1.2A.9 (building coverage) as follows:</p> <p>(h) Building location, bulk and design; that <u>Building location, bulk and design; that addresses impacts of infill development and runoff from building footprint and impervious services on flood risk (level and velocity) within the site and outside the site.</u></p> <p>(i) The building design addresses the impacts of water quality as a result of building coverage through the application of on lot treatment devices.</p> <p>(k) The building design addresses the impacts of downstream erosion as a result of building coverage through the application of on lot detention devices.</p>

Appendix B Amendments accepted in rebuttal and section 42A addendum

Change requested by	Recommendations
<p>Character clusters additional submissions</p>	<p>Amend Permitted activity 2A.4.1.1(f) as follows:</p> <p>(f) Demolition and removal of buildings, except in character clusters and those listed in Appendix N1 - Heritage Items and those on sites identified in a character cluster identified as 'Character Defining' in a character cluster.</p> <p>Amend wording of 2A.4.1.1(q) as follows:</p> <p>(q) Within character clusters, the construction of new buildings and alterations or additions to existing buildings, where the work undertaken is single storey and parallel to and facing the rear boundary of the site located at the rear of the site. (32.3)</p> <p>Add a new Permitted activity into 2A.4.1.1 (after q) –</p> <p>(r) Within character clusters on sites identified as 'Non-Character Defining', the construction of new buildings and alterations or additions to existing buildings, where the work undertaken is single storey and set back a minimum of 6m from road boundaries.</p> <p>Delete 17, 21 and 24 Hall Street from the Hall St / Hamilton Rd character cluster. Re-draw the Character Cluster Statement map (DG1) accordingly.</p> <p>Redefine 1030 Bank Street from a 'Character Defining' to a 'Non-Character Defining' site. Re-draw the Bank Street Character Cluster Statement map (DG1) accordingly.</p>
<p>Department of Corrections Sean Grace</p>	<p>No changes recommended.</p>
<p>Fire and Emergency NZ Alec Duncan</p>	<p>Change to Infrastructure Capacity Assessment definition. <i>".....to determine if there is enough capacity (including fire water supply) for a proposed development, or to define the requirements for network upgrades....."</i></p> <p>Amend the following:</p> <p>21.1.2A.8(i) The extent to which the building precludes the ability to access <u>the front, side and rear of the site or dwelling, with particular regard given to emergency service access.</u></p>

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<p>Fonterra</p> <p>Mark Bulpitt Chrisp</p> <p>Suzanne O'Rourke</p>	<p>QM accepted with variations to the provisions.</p> <p>Map the new Reverse Sensity Qualifying Matter.</p> <p>Amend 2A.1.9 (Qualifying Matters – Introduction) as follows:</p> <p>Qualifying Matters - Introduction</p> <p>2A.1.9 The Medium Density Residential Standards have been modified to accommodate qualifying matters in the Waipā District in the following circumstances.</p> <p>...</p> <p>(i) Where there are specific matters which make higher density inappropriate such as protected trees, character clusters, <u>managing the potential for reverse sensitivity</u>, and specific requirements applying within Structure Plans.</p> <p>Add a new rule to Table 2A.4.1.1 (Permitted Activities) as follows:</p> <p>(b) Up to three dwellings per site outside of the Infrastructure Constraint Qualifying Matter Overlay <u>and, outside of identified character clusters (32.3) and outside of the Reverse Sensitivity Qualifying Matter Overlay.</u></p> <p>(c) Up to two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay.</p> <p><u>(cA) Up to two dwellings per site within the Reverse Sensitivity Qualifying Matter Overlay.</u></p> <p>Insert a new restricted discretionary activity rule in Table 2A.4.1.3 as follows:</p> <p><u>(cA) Three dwellings per site within the Reverse Sensitivity Qualifying Matter Overlay.</u></p> <p><u>Discretion will be restricted to the following matters:</u></p> <ul style="list-style-type: none"><u>Reverse sensitivity effects on the operation of the Te Awamutu Manufacturing Site.</u> <p>Amend Rule 2A.4.1A (Public and Limited Notification) as follows:</p> <p>(a) An application for resource consent under Rule 2A.4.1.1(b), <u>or (c) or (cA)</u> that does not comply with one or more of the performance standards in Rule 2A.4.2 will be considered without public notification unless the Council determines that special circumstances exist under the Resource Management Act 1991.</p>
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(b) An application for resource consent under Rule 2A.4.1.3(b)), ~~or (c) or (cA)~~ that complies with the performance standards in Rule 2A.4.2 will be considered without public or limited notification or without the need to obtain written approval from affected parties, unless the Council determines that special circumstances exist under the Resource Management Act 1991.

Include a new assessment criterion and amend title of 21.1.2A.5 as follows:

More than two dwellings per site within the Infrastructure Constraint Qualifying Matter Overlay, ~~identified character clusters and the Reverse Sensitivity Qualifying Matter Overlay~~ or more than three dwellings per site outside the Infrastructure Constraint Qualifying Matter Overlay, ~~identified character clusters and the Reverse Sensitivity Qualifying Matter Overlay.~~

(v) The extent to which the residential development includes measures to avoid or minimise the potential for reverse sensitivity effects on lawfully existing non-residential activities.

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Change requested by	Recommendations
Heritage NZ Pouhere Taonga Carolyn McAlley	No changes proposed.
Kainga Ora Michael Campbell Gurvinderpal Singh Phillip Osbourne Philip Jaggard Campbell Wallace	<ul style="list-style-type: none"> • Alternative proposal offered. <ul style="list-style-type: none"> • Commercial overlay height of 18m over Cambridge, Leamington and Te Awamutu town centres. Change maximum height in these areas to 18m as a permitted activity. No limit on number of storeys. • Lift Infrastructure Overlay in a limited extent around Commercial Zone of Cambridge. • Map a Height Overlay area in the town centres of Cambridge, Leamington and Te Awamutu. • Amend the maximum height rule in the Commercial Zone (and consequential amendments to the references to the maximum height rules in the Commercial Zone chapter) as follows: <p>Rule - Maximum height</p> <p>6.4.2.2 Buildings must not exceed 14m in height and must be no more than three floors <u>except in the Height Overlay area, refer to rule 6.4.2.2A</u>, except that:</p> <ul style="list-style-type: none"> (a) On the land subject to the Te Awamutu Large Scale Retail Development Concept Plan contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and the building structure associated with units 12 – 14 shown on that Plan must not exceed 8m in height and the Bulk Retail Timber Merchant must not exceed 12m in height. (b) The maximum height for hose drying towers associated with fire stations is 15m. (c) The maximum height within the Cambridge North Neighbourhood Centre shall be 13m. Advice Note: Activities within a character precinct area are identified as restricted discretionary activities and the height of development may need to be lower than 14m to respond to the existing built character. Activities that fail to comply with this rule will require a resource consent for a discretionary activity. <p><u>6.4.2.2A In the Height Overlay area as shown on the Planning Maps the maximum height shall be 18 metres and there shall be no limit on the number of storeys.</u></p> <p><u>Note: The Height Overlay area only applies to a limited extent of the Commercial Zone in town centres.</u></p>

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Change requested by	Recommendations
	<ul style="list-style-type: none"> • Amend Rule 2A.4.2.6(d) as follows: <u>On sites adjoining sections of the Te Awa Cycleway identified on the structure plan maps that are not located within a road corridor, a setback of 5 metres is required along the boundary of the site adjoining the cycleway;</u> • Average Net Lot Area removed for the MDRZ • Lot frontage requirements reduced from 20m to 10m in the MDRZ • Lot shape factor in the MDRZ amended as follows: <ul style="list-style-type: none"> ▪ 13m diameter circle or 8m by 15m rectangle ▪ 16m diameter circle or 8m by 15m rectangle • Relocated building provisions deleted in PC26.
	<p>Amend Policy 2A.3.3.1(e) as follows:</p> <p><u><i>Policy Cambridge</i></u></p> <p>2A.3.3.1 To maintain and <u>where appropriate</u> enhance Cambridge’s character by: (30.4, 79.168)</p> <p>(e) <u>Maintaining the mix of villas, cottages and bungalows type and other early – mid-20th century (32.3) housing types within the identified character clusters, while providing for intensification opportunities on non-character defining sites in a manner sympathetic and complementary to identified character values; and</u></p> <p>Amend Policy 2A.3.3.3(d) as follows:</p> <p>2A.3.3.3 To maintain and <u>where appropriate</u> enhance Te Awamutu’s character by: (30.6, 79.173)</p> <p>(d) <u>Recognising Maintaining the mix of villas, bungalows and art deco other early – mid-20th century housing in parts of Te Awamutu types within identified character clusters (32.3), while providing for intensification opportunities on non-character defining sites in a manner sympathetic and complementary to identified character values; and</u></p> <p>Amend Policy 2A.3.4.2 as follows:</p>

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Change requested by	Recommendations
	<p><u>Policy - Building setback: character street</u></p> <p><u>2A.3.4.2 To maintain the existing character of character streets by having a consistent minimum building setback.</u></p> <p>Amend 2A.4.1.3(d) as follows:</p> <p><u>2A.4.1.3 Restricted Discretionary Activities</u></p> <p>(d) Character clusters <u>sites</u> (32.3) - Construction of new buildings, relocated buildings and demolition or removal or alterations or additions to existing buildings, <u>except where permitted by 2A.4.1.1 (f), (q) and (r).</u></p> <p><u>Discretion will be restricted to the following matters:</u></p> <ul style="list-style-type: none"> • <u>For identified character-defining sites;</u> <ul style="list-style-type: none"> ○ <u>The extent to which Bbuilding bulk and design, building materials, and layout to maintain a similar style, form, building materials and colour to other character defining dwellings within the cluster; and (32.3)</u> ○ <u>The extent to which buildings maintain and respond to the existing character identified in the cluster as set out in Appendix DG1;</u> • <u>For identified non-character defining sites:</u> <ul style="list-style-type: none"> ○ <u>The extent to which building design is sympathetic to the established character within the cluster in form, proportion, layout and materiality; and</u> ○ <u>The extent to which building scale manages the relationship between adjacent character-defining sites and responds to the streetscape context; and</u> ○ <u>The extent to which buildings are sympathetic to and acknowledge the character values identified in the cluster as set out in Appendix DG1.</u> • <u>Effects on the existing character identified in the cluster as set out in Appendix DG1;</u> • <u>The extent to which the demolition or removal of the character building on an identified 'character defining' site detracts from the integrity of the streetscape;</u> • <u>The visibility of the new buildings and/or alterations or additions from public places; and</u> • <u>Solar access; and</u>

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Change requested by	Recommendations
	<ul style="list-style-type: none"> • <u>Where provided, the Effects on parking and vehicle manoeuvring; and (30.21)</u> • <u>Signs; and</u> • <u>Landscaping.</u> <p><u>Additionally for relocated buildings:</u></p> <ul style="list-style-type: none"> • <u>Condition of the exterior of the building; and</u> • <u>Repairs and works identified for action in Council approved or certified Building Relocation Inspection Report; and</u> • <u>Reinstatement works; and</u> • <u>Timing for completing any required works. (32.3)</u> <p><u>These matters will be considered in accordance with the assessment criteria in Section 21.</u></p> <p>Amend 21.1.2A.4 as follows:</p> <p><u>21.1.2A.4 Character clusters - Construction of new buildings, relocated buildings, and removal or demolition of or alterations or additions to existing buildings</u></p> <p><u>(aa) The extent to which new buildings and relocated buildings are avoided between an existing dwelling and the front boundary of an identified character-defining site. (32.3)</u></p> <p><u>(a) The extent to which the scale, height, bulk form, design, building materials, and layout and position of any buildings or additions is similar to the existing character of the cluster.</u></p> <p><u>(b) The extent to which the new building, additions or alterations to an existing building or removal or demolition of a building contributes or detracts from the Character Cluster Statements in Appendix DG1</u></p> <p>(a) <u>For identified character-defining sites;</u></p> <ul style="list-style-type: none"> • <u>The extent to which building bulk and design, building materials, and layout to maintains a similar style, form, building materials and colour to other character defining dwellings within the cluster; and</u> • <u>The extent to which buildings maintain and respond to the existing character identified in the cluster as set out in Appendix DG1;</u> <p>(b) <u>For identified non-character defining sites:</u></p>

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Change requested by	Recommendations
	<ul style="list-style-type: none"> • <u>The extent to which building design is sympathetic to the established character within the cluster in form, proportion, layout and materiality;</u> • <u>The extent to which building scale manages the relationship between adjacent character-defining sites and responds to the streetscape context;</u> • <u>The extent to which buildings are sympathetic to and acknowledge the character values identified in the cluster as set out in Appendix DG1;</u> <p>(c) ...</p> <p><u>(g) The extent to which the new buildings, and or additions or alterations is are visible from public places.</u></p> <p>(h) ...</p> <ul style="list-style-type: none"> ▪ <p>Amend 21.1.2A.8(a) and (k) Setbacks as follows:</p> <p><u>(a) The extent to which the road boundary setback is appropriate in the location, particularly where located adjoining on a Character Street or within a Character Cluster.</u></p> <p><u>(k) The extent to which development is compatible and does not detract from, but is sympathetic and responsive to, the values of adjacent historic heritage or character cluster sites. (32.3)</u></p>
<p>KiwiRail Holdings Ltd</p> <p>Catherine Heppelthwaite</p> <p>Michael Brown</p> <p>Stephen Chiles</p>	<p>Reject 5 metre setback.</p> <p>Reject amended and additional noise and vibration controls.</p>

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Change requested by	Recommendations
Retirement Village Association of NZ Inc Margaret Owens	No changes recommended.
Retirement Village Association of NZ Inc and Ryman Healthcare Ltd Ngaire Kerse Nicola Williams	
TA Projects Ltd Craig Shearer	No changes recommended.
Transpower Daniel Hamilton	Requested changes accepted. Amend provisions as follows: 2.4.2.36 Any earthworks within a National Grid Yard must: (c) Around ... Provided that - Vertical holes not exceeding 500mm in diameter beyond 1.5m from the outer edge of pole support structure or stay wire are exempt from Rule 2.4.2.36 27 36(a) above.

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Change requested by	Recommendations
	<p>(d) Around ...</p> <p>Provided that the following are exempt from Rule 2.4.2.36 27 36 (a) and (b) above:</p> <p><u>2A.3.2.4 To enable the modification of modify the Medium Density Residential Standards under Policy 2A.3.2.3, or the level of density anticipated under Policies 2A.3.2.1, 2A.3.2.2 and 2A.3.2.3, only to the extent necessary to accommodate a qualifying matter applying to that site.</u></p>

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Change requested by	Recommendations
<p>Waikato Regional Council Hannah Craven</p>	<p>Advice note rejected.</p> <p>Vehicle crossing policies rejected.</p> <p>New climate change objective and policies supported as follows:</p> <p>Amend Objective 2A.3.4 as follows:</p> <p><u>Objective 2A.3.4: To recognise amenity values and enhance safety in the Medium Density Residential Zone including:</u></p> <ul style="list-style-type: none"> <u>i. On site for residents;</u> <u>ii. On adjoining sites, and</u> <u>iii. For the transport corridor and public open spaces.</u> <p>Add Objective 2A.3.11 and Policy 2A.3.11.1 as follows:</p> <p><u>Objective 2A.3.11: Climate change</u></p> <p><u>Residential development supports sustainable features, technologies and methods to minimise the effects of climate change and reduce greenhouse gas emissions.</u></p> <p><u>Policy 2A.3.11.1</u></p> <p><u>Support development that implements methods and technologies to minimise the effects on climate change, including locating land uses and densities in such a way as to support walking, cycling, micromobility and public transport.</u></p> <p>Support tree canopy policy as follows:</p> <p>Add a new policy as follows:</p> <p><u>Policy 2A.3.4.22: Tree canopy</u></p> <p><u>Promote the establishment and maintenance of a continuous tree canopy along transport corridors to improve amenity for corridor users and adjoining land use, minimise the urban heat island effects of urban intensification, enhance biodiversity and ecological function, provide summer shade to make the corridors more comfortable for walking, cycling and micro-mobility during hotter weather, and store carbon.</u></p>