

**Decision of:** Wayne Allan Group Manager, District Growth and Regulatory Services

<b>Date:</b>	10 March 2021	<b>App Number:</b>	SP/0179/20
<b>Reporting Planner:</b>	Mark Batchelor (CKL Ltd)	<b>Site Visit on:</b>	22.01.2021
<b>Applicant:</b>	3Ms of Cambridge Limited		
<b>Property Address:</b>	1881, 1871, 1863, 1865 Cambridge Road, Cambridge.		
<b>Legal Description:</b>	<p><b>1881 Cambridge Road</b>, Cambridge (legally described as Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006 comprised in Record of Title SA56C/447);</p> <p><b>1871 Cambridge Road</b>, Cambridge (legally described as Pt Lot 1 DP 29023 comprised in Record of Title SA31C/268);</p> <p><b>1863 Cambridge Road</b>, Cambridge (legally described as Lot 1 DPS 85575 comprised in Record of Title SA68A/9); and</p> <p><b>1865 Cambridge Road</b>, Cambridge (legally described as Lot 2 DPS 85575 comprised in Record of Title SA68A/10.</p>		
<b>Site Area:</b>	Total site area: 40.8416ha		
<b>Activity Status:</b>	Non-Complying Activity		
<b>Zoning:</b>	Rural (Deferred Residential)		
<b>Policy Area(s):</b>	No notation		
<b>Designation(s):</b>	New primary school designation in C2		
<b>Proposal:</b>	<b>Subdivision</b> to Create of 242 residential lots within the C2 Growth Cell in Cambridge and associated lots for public assets including variations from Growth Cell C2 layout.		

## 1 INTRODUCTION

The report sets out Council’s notification decision under delegated authority.

3Ms of Cambridge Limited have lodged an application for resource consent to subdivide 40.8416ha into 242 residential lots including a school site, retirement village, community and commercial centre, recreation facilities, recreation reserves and stormwater network. This is not and does not include application for land use consent.

In the interests of timely processing, the application has been assessed on the basis of what was lodged. A notification recommendation and supplementary addendum (responding to amended plans provided by the applicant) have been received from Council's consultant planner. These are **appended**.

Council has undertaken to process this application as a priority in order to assist in the release of land that is zoned for future residential development. Accordingly, the notification recommendation and supplementary addendum have been received (appended to this decision), and this report sets out Council's notification decision under delegated authority.

## 2 ASSESSMENT FOR THE PURPOSES OF PUBLIC NOTIFICATION

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### 2.1 Mandatory Public Notification - Section 95A(2) & (3) – Step 1

The notification assessment and recommendation is confirmed and this section of the Resource Management Act (RMA) is not applicable.

### 2.2 Public notification precluded – Section 95A(5) – Step 2

The notification assessment and recommendation is confirmed and this section of the RMA is not applicable.

### 2.3 Public notification required in certain circumstances – Section 95A(8) – Step 3

Council must publicly notify the resource consent where:

- a. The application is for a resource consent for one or more activities, and any of those activities
- b. is subject to a rule or national environmental standard that requires public notification; or
- c. The consent authority decides, pursuant to Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

Public notification is not required by a rule or a national environmental standard.

The notification assessment and recommendation is confirmed in respect of s95A(8)(a) and this section is not applicable.

The notification assessment and recommendation is confirmed in respect of s95A(8)(b) as it relates to effects arising from stormwater and public notification is not required based on stormwater effects.

The notification assessment and recommendation is **not confirmed** in respect of s95A(8)(b) as it relates to effects arising from increased demand for sports fields, and it is hereby determined that public notification is **not** required based on reserve effects.

## 2.4 Effects that may or must be disregarded – Section 95D(a), (b), (d) and (e)

The notification assessment and recommendation is confirmed and this section of the RMA is not applicable.

## 2.5 Assessment of Adverse Environmental Effects – Section 95D

The notification assessment and recommendation is confirmed in respect of adverse effects relating to:

- Rural Character and amenity
- Noise and vibration
- Roading layout
- Stormwater layout
- School site location
- Community centre location
- Super lot location
- Visitor accommodation sector location
- Loss of productive land
- Cultural effects
- Reverse sensitivity

It is hereby determined that public notification is not required relating to adverse effects from these activities.

The notification assessment and recommendation is **not confirmed** in respect of effects arising from the location of sports fields. It is hereby determined that public notification is **not** required based on reserve or sports field effects. The reasons for this determination are as follows:

- a. The notification recommendation assesses reserves to have a more than minor adverse effect beyond the application site. While this is a generally accepted impact at face value, this effect arises from the application proposal to vary the reserves as set out in the operative C2 Structure plan. The DRAFT assessment is based on the premise that this is an adverse effect that can be taken into account.

- b. Legal advice has been provided to Council that the Level of Service for council reserves, beyond the application site, are not RMA effects arising from this application. Rather, these are Levels of Service matters falling under the Local Government Act. These matters are best addressed through Council determining what public reserves Levels of Service is appropriate for the application site as well as the wider area beyond the application site.
- c. Council is in the process of engaging a consultant to undertake a Reserves Levels of Services review, to review and recommend the appropriate Levels of Service for reserves in the general vicinity of the site. This review is in response to the 3MS application, the proposal the vary the operative structure plan reserves (purpose and layout), and the need for the Council and the public to have confidence that the reserves indicated in the Operative Structure Plan (purpose and location) are still applicable. Any changes to the reserves Levels of Service will follow a Local Government Act Special Consultative Procedure and may result in changes to the Waipa District Plan (via a plan change process).
- d. Accordingly, it is hereby determined that the off-site impact of the proposal to vary the reserves (purpose and layout) from the operative Structure Plan, is not an RMA adverse effect that is able to be considered for the purposes of the notification decision.

### **3 ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION**

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#### **3.1 Affected Customary Rights or Marine Title Groups – Section 95B(2)- Step 1**

The notification assessment and recommendation is confirmed, and this section of the RMA is not applicable.

#### **3.2 Statutory Acknowledgment Area – Section 95B(3) – Step 1**

The notification assessment and recommendation is confirmed and this section of the RMA is not applicable.

#### **3.3 Limited Notification Precluded in Certain Circumstances – Section 95B(6) – Step 2**

The notification assessment and recommendation is confirmed and this section of the RMA is not applicable.

#### **3.4 Certain other affected persons must be notified – Section 95B(7) – Step 3**

The notification assessment and recommendation is confirmed and this section of the RMA is not applicable.

### 3.5 Assessment of adversely affected persons - Section 95B(8) – Step 3

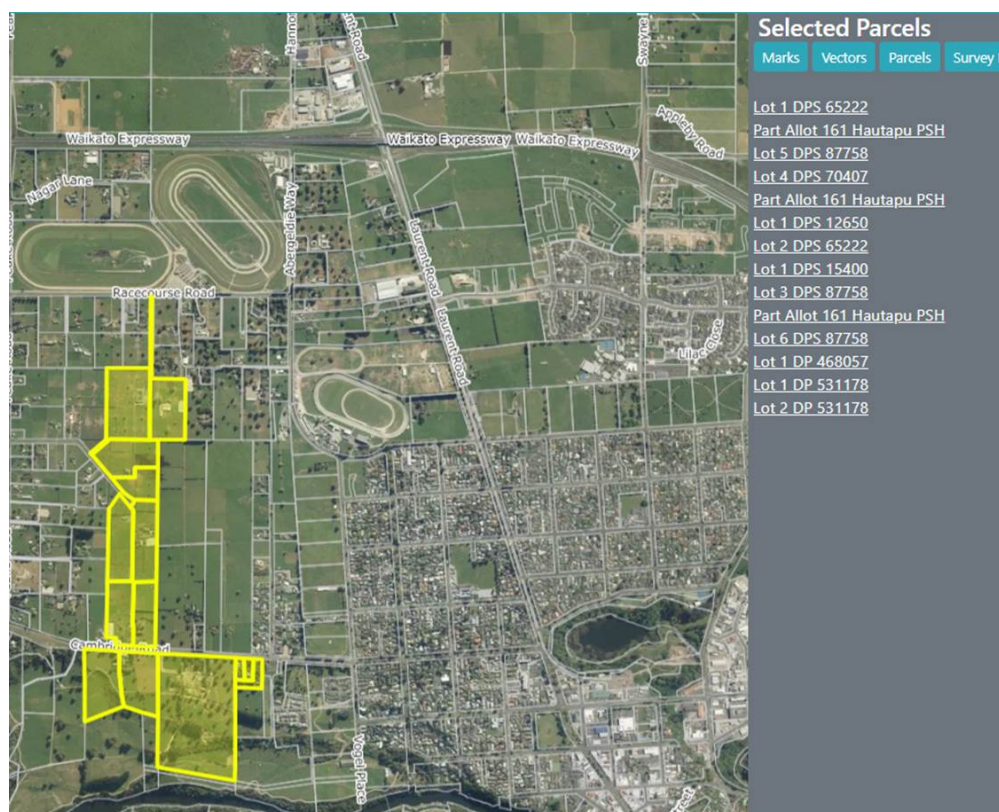
#### 3.5.1 Iwi

The notification assessment and recommendation is confirmed and iwi have not advised any concerns with the proposal.

#### 3.5.2 Adjacent land owners and occupiers

The SUPPLEMENTARY ADDENDUM notification assessment and recommendation is confirmed and the application is determined to have potential adverse effects on the following parties (Figure 1) which are more than minor:

**Figure 1: Parties Affected for the Purposes of Limited Notification**



### 3.6 Summary of Limited Notification Assessment

It is determined that this application will be Limited Notified to owners and occupiers of properties identified in Figure 1, for reasons described in the SUPPLEMENTARY ADDENDUM notification recommendation and in this decision report, and supporting legal advice.

## 4 SECTION 95 NOTIFICATION RECOMMENDATION AND DECISION UNDER DELEGATED AUTHORITY

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Pursuant to section 95 A & B, application SP/0179/20 for a non-complying subdivision consent by 3MS of Cambridge Limited under the Waipa District Plan is **determined to require Limited Notification** for the reasons described. The parties to be notified are as set out in section 3.5.2 of this decision.

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Decision of:



Wayne Allan

**GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES**

Acting under Delegated Authority

Dated: 10.03.2021

**Appendix 1: Notification Report and Legal Advice**

Date:	02.03.2021	App Number:	SP/0179/20
Reporting Planner:	Mark Batchelor	Site Visit on:	22.01.2021

<b>Applicant:</b>	3Ms of Cambridge Limited
<b>Property Address:</b>	1881, 1871, 1863, 1865 Cambridge Road, Cambridge.
<b>Legal Description:</b>	<b>1881 Cambridge Road</b> , Cambridge (legally described as Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006 comprised in Record of Title SA56C/447); <b>1871 Cambridge Road</b> , Cambridge (legally described as Pt Lot 1 DP 29023 comprised in Record of Title SA31C/268); <b>1863 Cambridge Road</b> , Cambridge (legally described as Lot 1 DPS 85575 comprised in Record of Title SA68A/9); and <b>1865 Cambridge Road</b> , Cambridge (legally described as Lot 2 DPS 85575 comprised in Record of Title SA68A/10.
<b>Site Area:</b>	Total site area: 40.8416ha
<b>Activity Status:</b>	Non-Complying Activity
<b>Zoning:</b>	Deferred Residential
<b>Policy Area(s):</b>	No notation
<b>Designation(s):</b>	New primary school designation in C2
<b>Proposal:</b>	<b>Subdivision</b> to Create of 242 residential lots within the C2 Growth Cell in Cambridge and associated lots for public assets including variations from Growth Cell C2 layout.

## 1 INTRODUCTION

3Ms of Cambridge Limited have lodged an application for resource consent to subdivide 40.8416ha located into 242 residential lots and to provide a school site, retirement village, community and commercial centre, recreation facilities, recreation reserves and stormwater network. This is not and does not include application for land use consent.

The application is for subdivision consent only. Any land use consent required after receipt of subdivision consent will be applied for at the time this becomes required.

The site is located within the C2 Growth Cell on the western side of the Cambridge Town Belt and Urban Boundary and zoned Deferred Residential Zone. Resource consent is required as a Non-Complying Activity.

The proposal varies from the C2 structure plan layout applied to the site. Variations include the layout and location of individual land use areas, and the roading and stormwater networks.



## NOTIFICATION REPORT

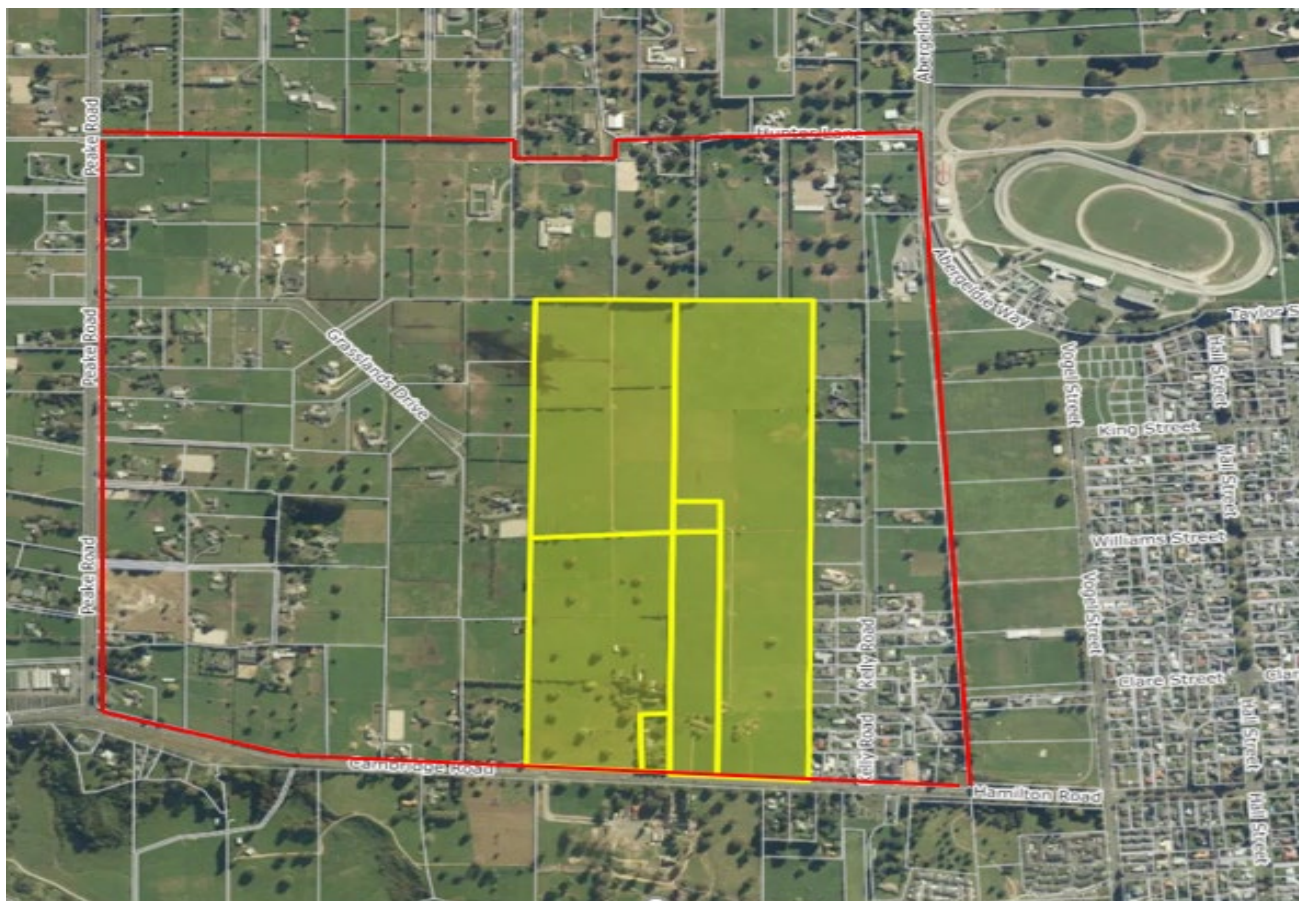
The proposed variations also have implications outside the application site that will require variations to the C2 growth cell structure plan. These relate to stormwater and roading networks and sports reserves.

The application report and other supporting material and assessment from the Council staff and consultants have been adopted for the purpose of this report with added discussion provided where determined required. This report advises the outcomes of consideration of the application for the purpose of determining whether notification is required.

The recommendation is for limited notification to owners and occupiers of land within the C2/C3 structure plans, subject to the outcome of the work still be carried out regarding removal of the sport fields from the structure plan.

### 1.1 Description of site

A detailed description of the site is provided in Section 2 of the application report. This is adopted by this report and summarised below. There is sufficient information in the application not to require that information to be repeated or added to other than the following figures 1 and 2 clarifying juxtaposition of the site and C2 growth cell boundaries.



**Figure 1:** Aerial photograph of site (yellow shading) and C2 Growth Cell (red outline)

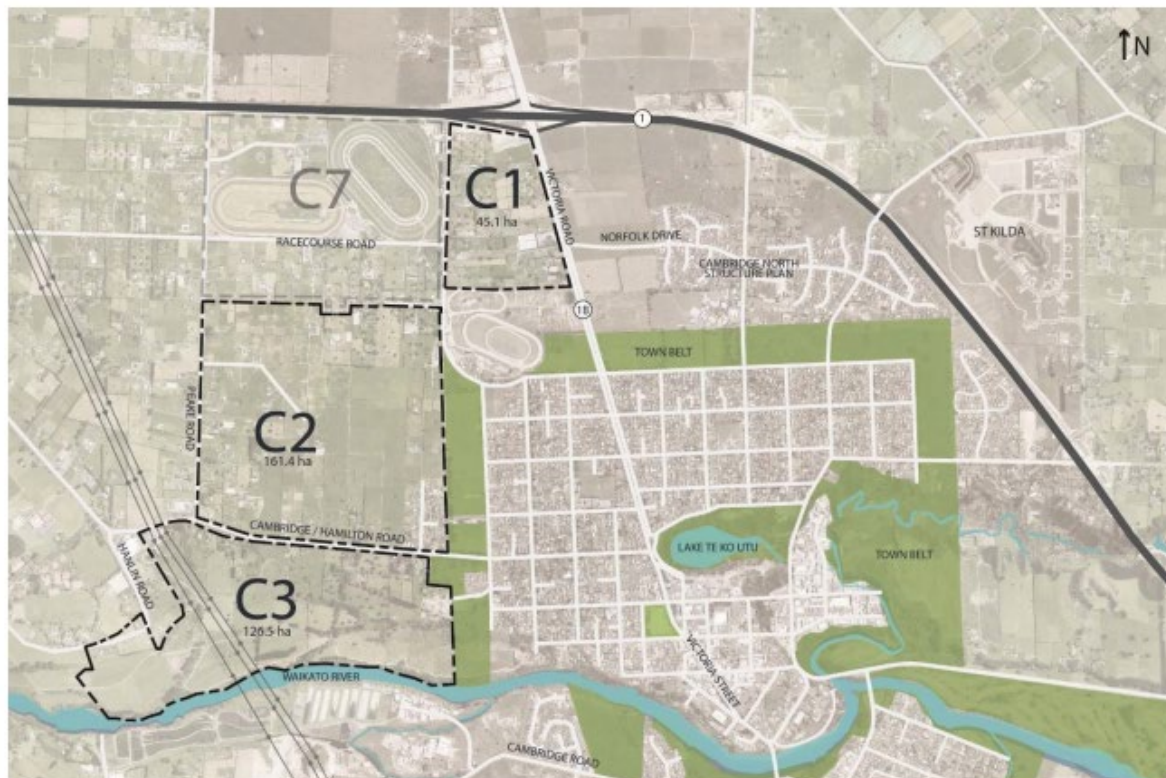


Figure 1: C1 and C2/C3 Growth Cell areas within the Cambridge Context

Figure 2: Growth Cell Structure Plan Locations

## 1.2 Legal interests in the property

These are described in detail in the application Form 9 and Section 29 headed Title Information and adopted for this report.

## 1.3 History

This has been adequately described in Section 2.10 of the application report and adopted for the purpose of this report.

## 1.4 Proposal

Section 3 of this report provides this and is adopted for the purposes of this report. A summary of the main points of the proposal from the description provided in Section 3 is provided below.

- a. 242 residential lots of varying sizes including General Residential lots and defined areas of smaller lots for compact housing.
- b. Community centre including commercial and community facilities located centrally within the site.
- c. Open space for recreation located along the stormwater swales and drainage network and including 2 local parks and an active recreation reserve.
- d. A school site at the northern end of the site.
- e. Collector and local roading network providing access to Cambridge Road on the southern boundary of the site and into the balance of the C2 growth cell to the north and local road connections into adjoining land within the wider C2 growth cell.

## NOTIFICATION REPORT

- f. A large lot not shown as proposed to be subdivided located in the south eastern corner of the site expected to be developed as a retirement village.
- g. A stormwater drainage and onsite infiltration and storage network proposed to collect and discharge stormwater for infiltration within the site, overflow is provided by connection to the relocated stormwater network.
- h. The proposal has a number of variations from the C2 Structure plan. These are shown in Figure 9 below. Figure 7 provides a comparison of the C2 structure plan layout (left plan) and the proposed application layout (right plan). This shows the site within the wider context of the C2 growth cell to show the onsite variations proposed and the offsite variations arising from these.
- i. The offsite variations referred to above are shown in Figure 3 (below).

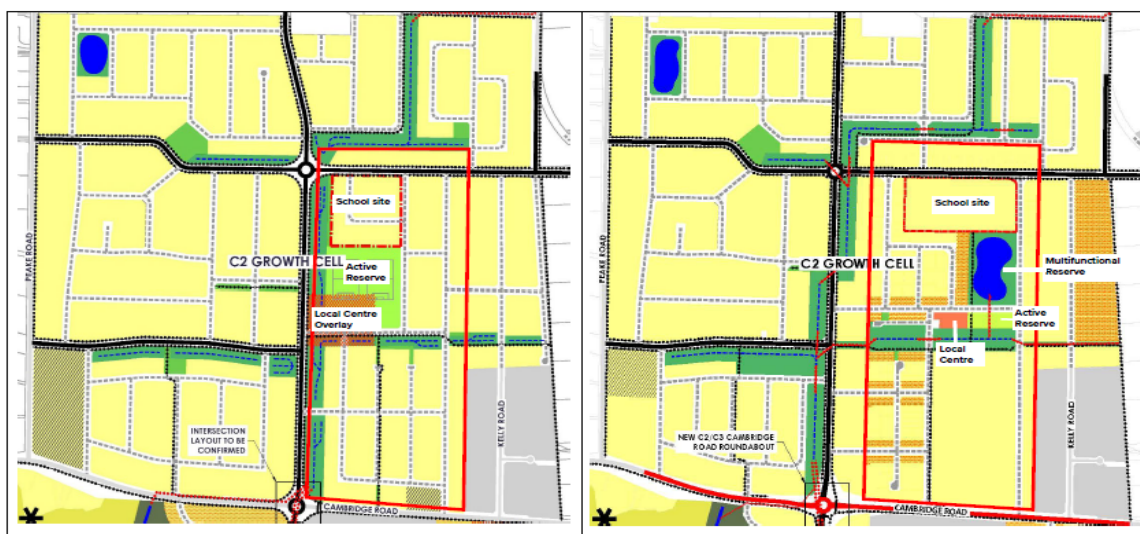


Figure 35. Structure Plan Comparison – 3Ms Site

**Figure 3:** Comparison of the proposed structure plan and the district plan structure plan for the C2 Growth Cell

The following aerial photographs were provided subsequent to lodgement of the application. These show how the boundaries of the site and the proposal compare with the C2 structure plan.

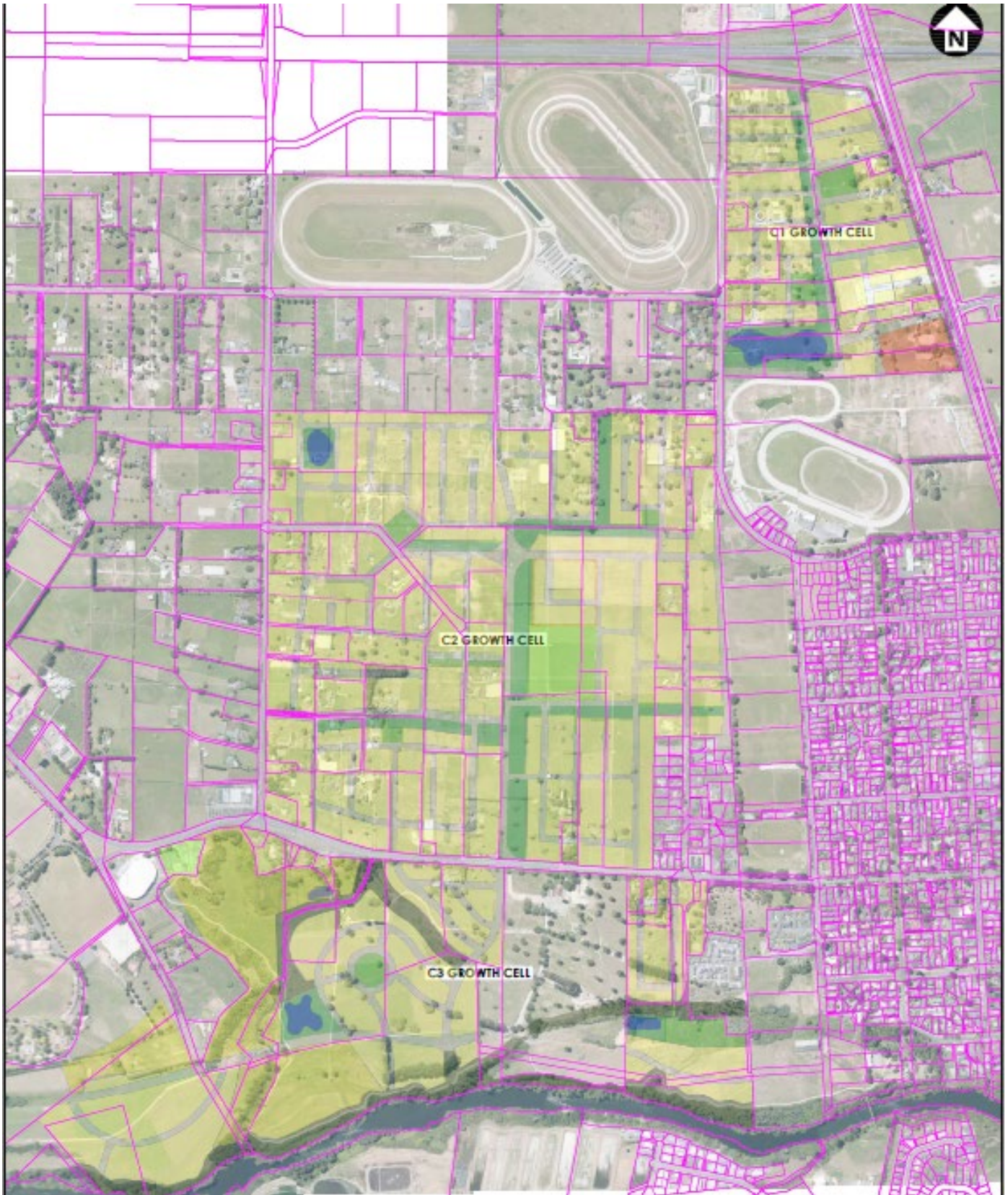


Figure 4: C1 and C2/C3 Structure Plans overlaid onto Cadastral base

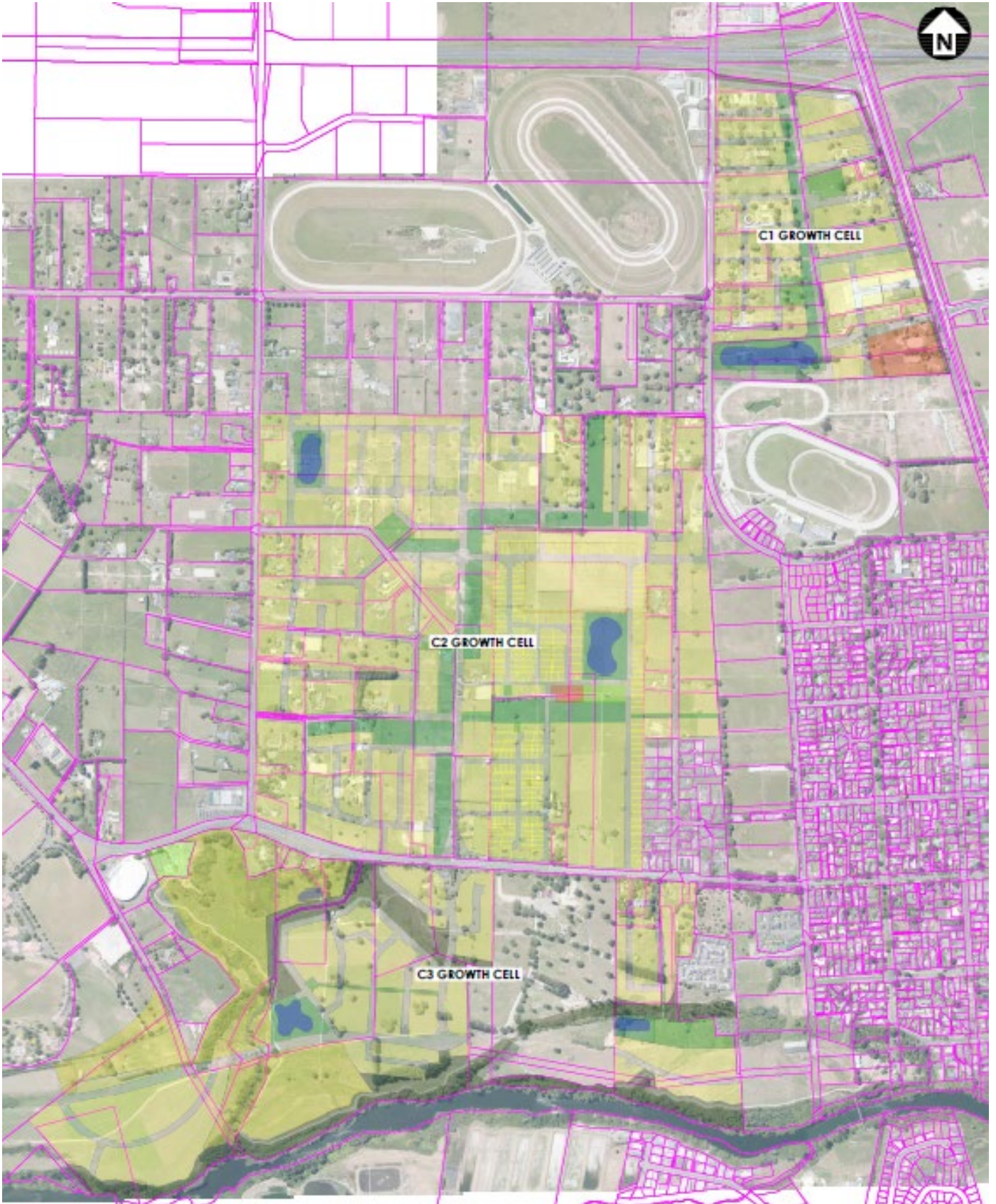


Figure 5: Application site structure plan overlaid onto Cadastral base.

## 1.5 Process Matters

Since the application was lodged Council and the applicant have been discussing matters arising from Council consideration of the application with a view to resolving these. This process is continuing.

The applicant has request to see the draft notification report (this report) prior to the notification decision being made to assist the Councils understanding of any matters that relate to this decision.

A Section 37 notice extending time frames for a decision on notification was issued on 16 December 2020. The reason for this was the size of the application documentation, the extent of variations from the structure plan requiring more consideration than expected and the desire of the Council to try and achieve resolution of some of these matters. At the same time the Council was receiving an unprecedented number of applications causing delays in processing.

Through preparation of this report and the application the applicant and Council have kept in close contact regarding progress and matters arising and alternative solutions.

## 2 REASON FOR THE APPLICATION

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A land use consent as described under Section 87A of the Act is required for the reasons set out below.

### 2.1 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES)

This matters I reported on in Section 4.2 of the application report. Application pursuant to the NESCS are not notifiable therefore not affecting the decision relating to this matter.

### 2.2 Waipa District Plan Rule Assessment

A detailed assessment against the rules and policy of the district plan is provided in Section 4 of the application report. This is adopted for the purpose of this report.

The outcome of this is the proposal is a non-complying activity due to the rules of the Rural Zone but subject to assessment against the policy of the Deferred Zone applied to the site and surrounding C2 structure plan.

The application report identifies a number of potential non-compliances with development standards of the Rural and Deferred (Residential) zones however advises these will be addressed by land use application, if required after subdivision consent is obtained and the non-compliance with the Rural Zone will then become irrelevant.

## 3 STAFF COMMENTS

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### 3.1 Attached reports

Council offers reports applicable to this report are attached. The points from these are summarised below.

### 3.2 Environmental Health

No comments received.

### 3.3 Development Engineering

Council's Development Engineer has reviewed the application. Notes from his advice are attached. The following points arise from this

#### **Earthworks:**

No comments received. This is subject to regional consent already obtained.

#### **Roading/access:**

The variations present effects in regard to traffic safety and efficiency resulting from two additional intersection from the development onto Cambridge Road.

The traffic report from Stantec provided with the application addresses these matters and advises how the effects of these can be mitigated by changes to the manner in which these intersections and timing of construction of a roundabout agreed between the Council and applicant as traffic volumes in the area contributed to by the development, development of the balance of the C2 and C3 growth cells and continuing growth in volume.

#### **Water supply**

Notes indicate effects limited to C2 growth cell and relate to technical and financial arrangements between applicant and Council.

#### **Wastewater**

Notes indicate effects limited to C2 growth cell and relate to technical and financial arrangements between applicant and Council.

#### **Stormwater**

Relocation of the stormwater network serving the C1, C2, C3 and C7 growth cells onto the adjacent land to the west will require the Council to acquire this land as well as that within the development site.

The outcome of the proposal is similar to that provided for by the C1, C2, C3 and C7 structure plans.

Matters of concern arising are ability of the Council to obtain land from the adjoining land owners and effect this may have on progression of residential development of the balance of the C2 growth cell, and any changes in maintenance costs from the variations from the C2 structure plan. The Councils stormwater consultant advises the proposal is in accordance with the relevant assessment and design guidelines.

#### **Reserves and Facilities**

Report from the Councils reserves planner and a report on demand expectation are attached.

## NOTIFICATION REPORT

Matters of concern in this regard are effects on the adequacy of sports fields as demand increased with population growth in Cambridge, maintenance costs on existing facilities to accommodate responses to the manner these are used in response, effects on the structure C2 structure plans proposal for sports fields to be part of the community centre.

The application includes mitigation by increased development and width on the stormwater swales and other open spaces areas associated with the community centre.

Extract from the attached report from the Council reserve planner is provided below. This resulting in discussions between the Council and the applicant. The outcome was the Council agreeing to obtain an independent assessment of this matter. This is being undertaken at present.

*Extent of impacts: (direct copy from attached notes)*

- i. Removal of 2 playing fields:*
  - a. Availability of playing hours within existing sportsfield network – more than minor adverse effect on wider Cambridge community including C1-C3 future residents.*
  - b. Traffic generation and parking demands associated with increased demands on existing sportsfield network – more than minor adverse effect on wider Cambridge community and C2 site to east of 3MS site.*
  - c. Reverse sensitivity issues associated with increased activation of existing sportsfield network - more than minor adverse effect on wider Cambridge community and C2 site to east of 3MS site.*
- ii. Reduced space for neighbourhood reserve and resulting downsizing in play provision together with change in location of the neighbourhood reserve and playground further south and east.*
  - a. Increased demand on existing reserve facilities - more than minor adverse effect on wider Cambridge community.*
  - b. Requirement for C1-C3 residents to travel further to access full range of play facilities - more than minor adverse effect on C1-C3 residents.*
  - c. Traffic generation and parking demands associated with increased demands on existing reserves - more than minor adverse effect on wider Cambridge community.*
  - d. Changes to walkable distance to neighbourhood reserves –minor adverse effect.*
- iii. Change to integrated stormwater management approach with a connected planted swale network. Impacts on the connectivity and amenity of the intended recreational walking/cycling network if this siloed approach was to be adopted by all landowners is that it would be a more than minor adverse effect on C1-C3.*
- iv. Given the 3MS site is going to contain key destinations such as the commercial centre, the school, 2 large stormwater reserves and the neighbourhood reserve, the impacts will be on all C1-C3 residents*



## Urban Design

A copy of these notes is attached. The variations are described as raising the following matters.

- a. Beneficial effects from inclusion of compact housing although north/south orientation of some of these lots presented potential unsuitable fencing responses to privacy concerns unless controlled,
- b. Increased recreational amenity and facilities from the stormwater swales and added reserves areas, changes to the community centre layout presenting potential amenity and CPTED effects,
- c. Amount of permeability through the retirement village, to adjoining C2 land to the east and as a result of the cul de-sac approach to the south western quarter of the site, and
- d. Relationship of the elevation of the roundabout to adjoining lots.

## 4 ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

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### 4.1 Adequacy of information

The information contained within the application is adequate for understanding effects and identify persons potentially adversely affected.

### 4.2 Mandatory Public Notification - Section 95A(2) & (3) – Step 1

Council must publicly notify the resource consent where:

- a. it has been requested by the Applicant; or
- b. a further information request has not been complied with or the Applicant refuses to provide the information pursuant to Section 95C; or
- c. the application has been made jointly with an application to exchange recreation reserve land under Section 15AA of the Reserves Act 1977.

None of the above situations apply, therefore public notification is not required under Section 95A(2) and 95A(3).

### 4.3 Public notification precluded – Section 95A(5) – Step 2

The consent is for a resource consent for one or more activities and there are no rules in a National Environmental Standard or the District Plan relevant to this proposal that preclude public notification.

The application is not for a resource consent for one or more of the following:

- a. Controlled activity;
- b. A restricted discretionary activity or discretionary activity, but only if the activity is a subdivision of land or a residential activity;
- c. A restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;
- d. A prescribed activity (see Section 360H(1)(a)(i)).

## NOTIFICATION REPORT

The application is for subdivision consent within the Deferred Zone. This type of activity under the Waipa District Plan is a non-complying activity. As advised above in Section 4.2 public notification is not precluded pursuant to Section 95A(5)(b).

### 4.4 Public notification required in certain circumstances – Section 95A(8) – Step 3

Council must publicly notify the resource consent where:

- a. The application is for a resource consent for one or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification; or
- b. The consent authority decides, pursuant to Section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.

Public notification is not required by a rule or a national environmental standard. Refer to Section 4.5 and 4.6 of this report for Council's assessment of the effects.

Only the effects off the site are variations related to sports fields and stormwater.

Stormwater effects result from relocation of the that portion of the stormwater network planned to be located within the C2 growth cell being relocated to adjacent land.

Sports field effects are from increased demand for sports fields having to be accommodated by existing resources outside the site.

### 4.5 Effects that may or must be disregarded – Section 95D(a), (b), (d) and (e)

Pursuant to Section 95D, if a rule or national environmental standard permits an activity with that effect the adverse effect of that activity may be disregarded.

#### 4.5.1 Permitted Baseline

Pursuant to Section 95D, a Council may disregard an adverse effect of the activity on the environment if the plan or a national environmental standard permits an activity with that effect (i.e. the Council may consider the 'permitted baseline'). The permitted baseline is a concept designed to disregard effects on the environment that are permitted by a plan or have been consented to with regard to who is affected and the scale of the effects.

Permitted Baseline does not apply to this application as the application is for consent to subdivide, which requires resource consent for the reason of the proposal being subdivision.

#### 4.5.2 Land excluded from the assessment

For the purpose of assessing an application to establish whether public notification is required, effects on owners and occupiers of the subject site and adjacent sites, and persons whom have given written approval must be disregarded.

No written approvals have been provided with the application. Adjacent properties experiencing effects from changes to road connections and stormwater relocation proposals have been identified as likely to be affected.

Notice may be expected to be served on these people.

## 4.6 Assessment of Adverse Environmental Effects – Section 95D

Part 2 of the Act explains the purpose is to “*promote the sustainable management of natural and physical resources*”. In addition, it is noted the meaning of ‘effect’ is defined under the Act as:

*In this Act, unless the context otherwise requires, the term **effect** includes—*

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects —regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact.*

A comprehensive assessment of effects is included in Section 5 of the application. In accordance with Section 42A(1A) and (1B) of the Act I wish to generally adopt the Applicant’s assessment and provide the additional commentary below.

### 4.6.1 General Accordance with Structure Plan

The variations from the C2 structure plan are expected to achieve the same or similar environmental outcomes as the structure plan. The principle of flexibility in structure plans is therefore satisfied.

Only possible exceptions in this regard are the stormwater and sports fields proposals to relocate stormwater outside the site and removal of the sports fields. Considered with regard to the whole structure plan the outcomes is similar to the structure provided by the C2 structure plan.

### 4.6.2 Effects on Rural Character and Amenity

Relationship between the Rural Zone and Deferred Zone provisions based on the Rural Zone provisions applied to the site being limited to rules, and the policy of the Deferred Zone applying to the site result in effects on character being what may be expected.

### 4.6.3 Noise and Vibration Effects

The process of subdivision is not expected to present these effects. Effects on this regard might be identified as being the result of the subdivision proposal, however the earthworks could be carried out for other purposes. No effects are therefore considered to be presented in this regard.

### 4.6.4 Roading network

Effects from variations to the structure planned roading networks are expected to be mitigated as described above. Effects on this regard are expected to be minor.

### 4.6.6 Stormwater

Effects from relocation of the stormwater network planned in the C2 growth cell to be located within the site are assessed below and expected to be limited to the matters described in the assessment provided above. Effects in this regard are expected to be minor.

#### 4.6.7 School Site

Variations to the structure planned school site are proposed. Change in shape and size of the school are not expected to present less than minor effects.

#### 4.6.8 Sports Fields and Reserves

Variations to the structure planned sports fields and reserves are expected to present more than minor effects unless resolved by present discussions between the Council and applicant and additional assessment the Council is carrying out to assist determination of this point.

#### 4.6.9 Community Centre

Variations to the structure planned location of the community centre are proposed, mitigations in regard to adjacent onsite reserve facilities mitigate this and any effects are limited to within the site, resulting in effects being expected to be less than minor.

#### 4.6.10 Super Lot

Variations to the structure planned roading networks are proposed by the super lot. Future development of this will be subject to consideration of a separate application, therefore effects of this are expected to be less than minor.

#### 4.6.11 Visitor Accommodation Sector

Variations by the structure planned visitor accommodation not being proposed are less than minor due to such activities being expected to require resource consent within the Rural Zone and Residential Zone rules expected to result from the Deferred Zone.

#### 4.6.12 Loss of Productive Land Effects (High quality soils)

No effects are expected in this regard as the growth cells have been previously identified for development.

#### 4.6.13 Cultural Effects

The application advises the consultation process with Tangata Whenua including assistance by Te Huia Ltd. The outcome from this is provided in Section 7.2. This advises of support received from Ngāti Korokī-Kahukura, Endorsement from Waikato-Tainui of the position provided by Ngāti Korokī-Kahukura and Ngāti Hauā Iwi Trust.

Further assessment of this matter is provided below.

#### 4.6.14 Reverse Sensitivity Effects

Potential effect are reduced by combination of the C2 and other structure plans being for urban development and including adjacent land and the locality being predominantly rural residential in use and occupation. Effects in this regard are therefore expected to be less than minor.

#### 4.6.16 Summary of Effects

As an overall development the proposal is expected to have similar effects to those provided for by the C2 structure plan and therefore be less than minor.

Only effects from relocation of stormwater network and removal of sports fields are expected to present more than minor effects. Both these matters may however be resolvable.

#### **4.7 Special Circumstances – Section 95A(9) – Step 4**

No special circumstances have been identified.

#### **4.8 Summary of Public Notification Assessment**

Public notification is recommended as a result of the sports fields matter unless this can be resolved by present discussions between the applicant and Council.

## **5 ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION**

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This is required due to the proposal having effects from variations to roading connections to adjoining land and relocation of the stormwater proposals onto adjacent land.

#### **5.1 Affected Customary Rights or Marine Title Groups – Section 95B(2)- Step 1**

The site is not within a protected customary rights group area or a customary marine title area as defined by the Marine and Coastal Area (Takutai Moana) Act 2011.

#### **5.2 Statutory Acknowledgment Area – Section 95B(3) – Step 1**

The site is not within a Statutory Acknowledgement Area.

#### **5.3 Limited Notification Precluded in Certain Circumstances – Section 95B(6) – Step 2**

There are no rules in a National Environmental Standard or in the District Plan relevant to this proposal that preclude limited notification (Section 95B(6)(a)).

The application is not a controlled activity requiring consent under the District Plan (Section 95B(6)(b)(i)) or a prescribed activity as defined by Section 360H(1)(a)(ii) of the Act (Section 95B(6)(b)(ii)).

There are no circumstances relevant to this proposal that preclude limited notification under Section 96B(6) (Step 2).

#### **5.4 Certain other affected persons must be notified – Section 95B(7) – Step 3**

Step 3 required Council to determine whether, in accordance with Section 95E whether the following persons are affected by a boundary activity. The proposal does not include land use proposals.

#### **5.5 Assessment of adversely affected persons - Section 95B(8) – Step 3**

The application has been referred to Waikato Tainui, and Raukawa and Ngati Haua and no response has been received. The Councils practice is to interpret this as advice the iwi have no concerns about the proposal.



## 5.5 Special Circumstances – Section 95B(10) – Step 4

No special circumstances have been identified.

## 5.6 Summary of Limited Notification Assessment

Limited notification is recommend to owners and occupiers of the adjacent lands for the reasons describe in this report.

## 6 SECTION 95 NOTIFICATION RECOMMENDATION AND DECISION UNDER DELEGATED AUTHORITY

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Pursuant to section 95 A & B application for subdivision consent by 3MS of Cambridge Limited under the Waipa District Plan as a non-complying activity is recommended to be publicly notified for the reasons that removal of the sports fields facility has implications beyond the site and persons identified as being directly affected serviced with a copy of the application pursuant to findings in this assessment.

The specific reason for this is the substantial nature of the fields as a component of the C2 cell, the less formal active reserve facilities proposed being distinguishable by function and effects within and outside the cell on supply of reserves with regard to growing population trends that are being contributed to by the locality within the C2 growth cell.

This matter may be resolved by present discussions between Council and applicant. If this reaches agreement this recommendations will be changed to limited notification being recommended.

---

### Reporting Officer:



**Mark Batchelor**  
Planner

**Dated: 02.03.2021**

## **MEMORANDUM**

**TO:** Wayne Allan & Tony Quickfall  
**FROM:** Helen Atkins  
**DATE:** 3 March 2021  
**SUBJECT:** **3MS SUBDIVISION APPLICATION - NOTIFICATION**

### **INTRODUCTION**

1. The purpose of this memorandum is to provide legal advice regarding whether the 3MS subdivision application ought to be publicly notified.
2. The background to the application and the details regarding notification are contained in the report entitled '3MS S95 Report 02.03.2021 (FINAL) including attachments' (**Report**).
3. The Report recommends public notification as follows:

Pursuant to section 95 A & B application for subdivision consent by 3MS of Cambridge Limited under the Waipa District Plan as a non-complying activity is recommended to be publicly notified for the reasons that removal of the sports fields facility has implications beyond the site and persons identified as being directly affected serviced with a copy of the application pursuant to findings in this assessment.

The specific reason for this is the substantial nature of the fields as a component of the C2 cell, the less formal active reserve facilities proposed being distinguishable by function and effects within and outside the cell on supply of reserves with regard to growing population trends that are being contributed to by the locality within the C2 growth cell.

This matter may be resolved by present discussions between Council and applicant. If this reaches agreement this recommendations will be changed to limited notification being recommended,

4. Council has advised that it is in the process of assessing the provision of reserves in the Cambridge growth areas including C2 – which is the relevant one for the purposes of the subdivision application.

### **COUNCIL ADDENDUM REPORT**

5. The Council has produced a Notification Decision Report. This legal advice needs to be read in conjunction with that Decision Report.



6. The Decision states as follows:

The DRAFT notification recommendation assesses reserves to have a more than minor adverse effect beyond the application site. While this is a generally accepted impact at face value, this effect arises from the application proposal to vary the reserves as set out in the operative C2 Structure plan. The DRAFT assessment is based on the premise that this is an adverse effect that can be taken into account.

Legal advice has been provided to Council that the Level of Service for council reserves, beyond the application site, are not RMA effects arising from this application. Rather, these are Levels of Service matters falling under the Local Government Act. These matters are best addressed through Council determining what public reserves Levels of Service is appropriate for the application site as well as the wider area beyond the application site.

Council is in the process of engaging a consultant to undertake a Reserves Levels of Services review, to review and recommend the appropriate Levels of Service for reserves in the general vicinity of the site. This review is in response to the 3MS application, the proposal to vary the operative structure plan reserves (purpose and layout), and the need for the Council and the public to have confidence that the reserves indicated in the Operative Structure Plan (purpose and location) are still applicable. Any changes to the reserves Levels of Service will follow a Local Government Act Special Consultative Procedure and may result in changes to the Waipa District Plan (via a plan change process). These are the appropriate processes for general public input into the Cambridge reserve issues.

Accordingly, it is hereby determined that the off-site impact of the proposal to vary the reserves (purpose and layout) from the operative Structure Plan, is not an RMA adverse effect that is able to be considered for the purposes of the notification decision.

It is however, determined that there are clearly localised effects arising from the proposal to change the function and layout of the reserves. This is addressed under the Limited Notification assessment, and it is determined that landowners in the vicinity may be adversely affected by (*inter alia*) the reserve variations, and that these landowners should therefore be limited notified.

## LEGAL ADVICE

7. As noted in the Decision I have provided advice to the Council that the change to the provision of reserves in the C2 growth cell as a result of the

subdivision application is not a RMA matter. Rather it is a matter the Council may need to address under the Local Government Act 2002 (**LGA02**) in the context of its planning for reserves. As also noted Council has commissioned a report on the matter and any changes will be subject to the LGA02 consultative processes and potentially RMA planning processes if the District Plan needs to be changed.

8. I therefore endorse the recommendation in the Decision Report that full public notification is not necessary from a legal perspective.

**Appendix 2: Supplementary Addendum to Notification Report and Supplementary Legal Advice**

# SUPPLEMENTARY ADDENDUM TO Notification Report Subdivision Consent Application

Sections 95 to 95G of the  
Resource Management Act 1991

<b>Date:</b>	09.03.2021	<b>App Number:</b>	SP/0179/20
<b>Reporting Planner:</b>	Mark Batchelor	<b>Site Visit on:</b>	22.01.2021

<b>Applicant:</b>	3Ms of Cambridge Limited
<b>Property Address:</b>	1881, 1871, 1863, 1865 Cambridge Road, Cambridge.
<b>Legal Description:</b>	<p><b>1881 Cambridge Road</b>, Cambridge (legally described as Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006 comprised in Record of Title SA56C/447);</p> <p><b>1871 Cambridge Road</b>, Cambridge (legally described as Pt Lot 1 DP 29023 comprised in Record of Title SA31C/268);</p> <p><b>1863 Cambridge Road</b>, Cambridge (legally described as Lot 1 DPS 85575 comprised in Record of Title SA68A/9); and</p> <p><b>1865 Cambridge Road</b>, Cambridge (legally described as Lot 2 DPS 85575 comprised in Record of Title SA68A/10).</p>
<b>Site Area:</b>	Total site area: 40.8416ha
<b>Activity Status:</b>	Non-Complying Activity
<b>Zoning:</b>	Deferred Residential
<b>Policy Area(s):</b>	No notation
<b>Designation(s):</b>	New primary school designation in C2
<b>Proposal:</b>	<b>Subdivision</b> to Create of 242 residential lots within the C2 Growth Cell in Cambridge and associated lots for public assets including variations from Growth Cell C2 layout.

## 1 INTRODUCTION

This report sets out a supplementary assessment to my primary recommendation, based on updated plans provided by 3MS of Cambridge Limited.

- a. 3MS lodged an application for resource consent to subdivide 40.8416ha located into 242 residential lots and to provide a school site, 'super lot' site intended for a retirement village, community and commercial centre, recreation facilities, recreation reserves and stormwater network.
- b. This is not and does not include application for land use consent. The application is for subdivision consent only. Any land use consent required after receipt of subdivision consent will be applied for at the time this becomes required. My recommendation was made on the plans submitted with the application as-lodged.

- c. On 9 March 2021, 3MS provided amended application plans.
- d. This report sets out my supplementary assessment (re-assessment) of the amended application plans.

## 2 THE AMENDED PLANS

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The amended plans submitted on March 9<sup>th</sup> propose the following changes, as described by 3MS:

- a. 3Ms is proposing a local road connection through to Kelly Road in the same location as the east/west swale (44A Kelly Road).
- b. The proposed local road would come off Road 10.
- c. It is understood that Waipa District Council were going to require land with a width of 12 metres for the east/west swale outside at the very east of the 3Ms development and through 44A Kelly Road (Glen Reid's property). 3Ms is proposing that this corridor include the local road – and therefore the corridor would need to be extended by around 8 metres in width to 20 metres in width.
- d. A corridor was already needing to be acquired by Waipa District Council – 3Ms considers that widening this corridor by 8 metres to also include the local road represents an efficient use of land.

The updated maps are shown in Appendix B to this report, and these replace the plans submitted with the application.

## 3 RE-ASSESSMENT FOR THE PURPOSE OF PUBLIC NOTIFICATION

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The initial recommendation was for public notification in response to effects related to proposal to not provide the sports fields provided in the structure plan. This matter has been alternatively resolved. This recommendation is therefore withdrawn.

## 4 RE-ASSESSMENT FOR THE PURPOSES OF LIMITED NOTIFICATION

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### **Assessment of adversely affected persons - Section 95B(8) and 95E: Adjacent landowners and occupiers**

The amended plans now include a local road connection across the eastern boundary into the Kelly Road locality. The applicant now proposes to reinstate this in general accordance with the Structure Plan set out in the Waipa District Plan. This change is illustrated by the

attached plan '17001-SK-117-REVC, titled 'Structure Plan Integration General Arrangement' (Appendix B)

This will restore the connection the C2 structure plan provides for. My original assessment was that the owners to the east of C2 were affected (for the purposes of limited notification) due to the removal of the local connector road. As this has now been reinstated, my reassessment is that these parties are no longer affected for the purposes of limited notification, and limited notification of owners and occupiers of land adjacent to this boundary (i.e. to the east of the 3MS application site), is no longer required.

The proposal presented by the applicant includes a proposition that the Council should purchase the land occupied by the road. This is a matter to be determined separately from the effects addressed in the S95 procedure and therefore not requiring consideration.

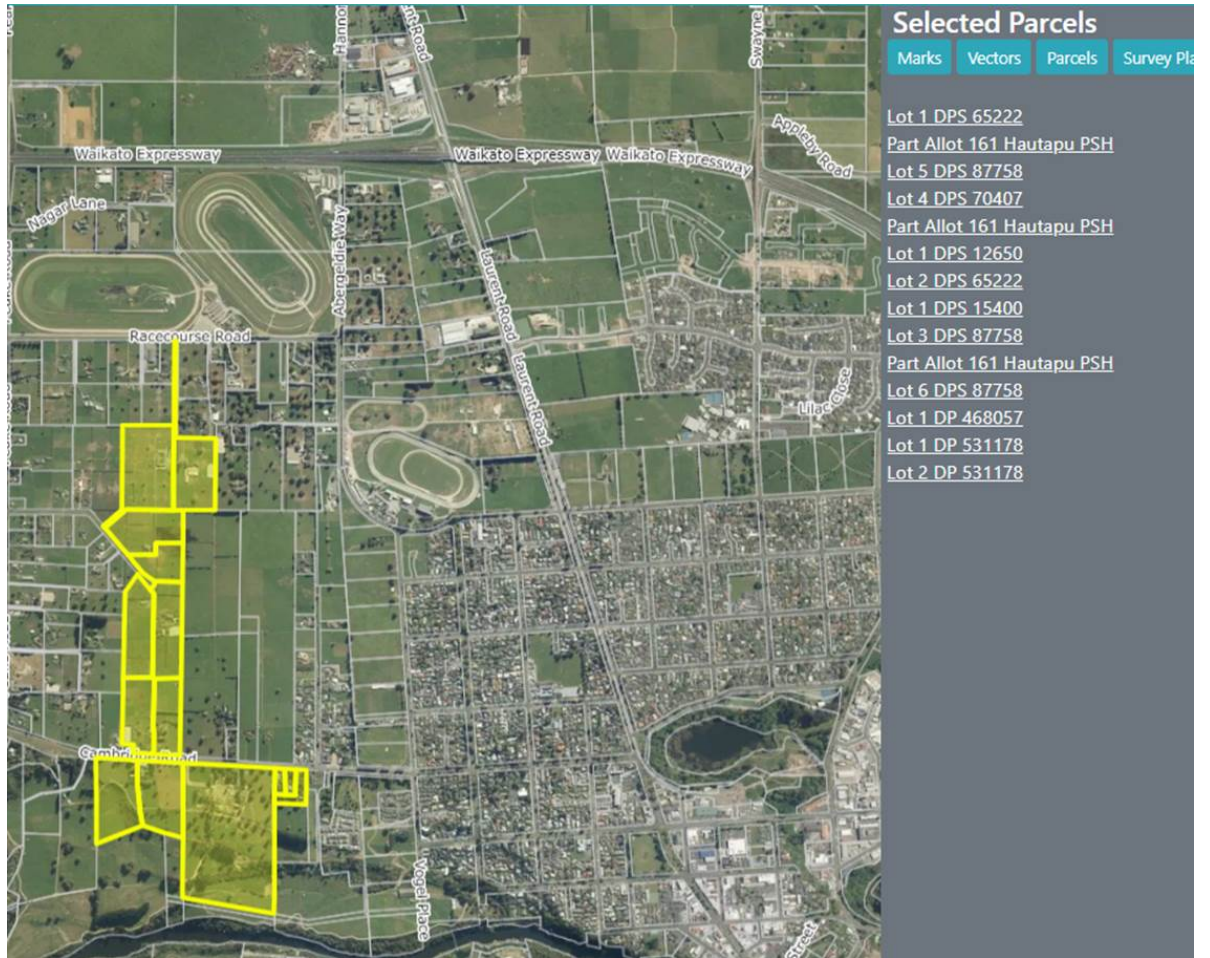
Further consideration regarding the local road shown in the application plan to cross the northern boundary of the application site, and my recommendation of limited notification of the owners and occupiers of the land this road affected, has concluded this is not required. The reason for this reassessment is that establishment of this extension relies on the owners of that land including it in any development. They would therefore be effectively agreeing to it and prior to that, the extension cannot occur.

The proposals affecting land adjacent to the western and southern boundaries and north western corner of the site remain and result in a requirement for limited notification to the owners and occupiers of that land.

In all other respects, effects are generally in accordance with the structure plan applied to this site and the surrounding land within the C2 structure plan and effects in this regard are determined to be less than minor.

Based on the amended plans, I revise my recommendation of those parties with effects that are minor to those shown in Figure 1:

**Figure 1: Revised Parties Recommended to be Limited Notified**



## 5 Summary of Assessment

Based on the amended plans comprising land use concept and structure plan and subdivision scheme plan attached to and forming part of this report, I recommended limited notification to the parties identified in section 4, for the reasons described in section 4.

The amendments are inclusion of a local road reserve in the position shown in the C2 Structure Plan as part of the subdivision and for that road to be vested in the Waipa District Council. The width of the road reserve is suitable for a local road connection.

Mark Batchelor  
**CONSULTANT PLANNER**

**APPENDIX A: ADDENDUM TO LEGAL ADVICE**



## **MEMORANDUM**

**TO:** Wayne Allan & Tony Quickfall  
**FROM:** Helen Atkins  
**DATE:** 9 March 2021  
**SUBJECT:** **3MS SUBDIVISION APPLICATION – NOTIFICATION – ADDENDUM**

### **INTRODUCTIONS**

This memorandum is an addendum to my earlier memorandum dated 3 March 2021 and is provided to update my legal advice regarding notification of the 3MS subdivision application.

The background to the application and the details regarding notification are contained in the report entitled '3MS S95 Report 02.03.2021 (FINAL) including attachments' (**Report**) and in the report entitled 'Supplementary Addendum to Notification Report' (**Addendum Report**).

Since the Report was written 3MS have amended its application such that the recommendation regarding notification has now changed. It is recorded in the Addendum Report as follows:

The amended plans now include a local road connection across the eastern boundary into the Kelly Road locality. The applicant now proposes to reinstate this in general accordance with the Structure Plan set out in the Waipa District Plan. This change is illustrated by the attached plan '17001-SK-117-REVC, titled *'Structure Plan Integration General Arrangement'* (Appendix B).

This will restore the connection the C2 structure plan provides for. My original assessment was that the owners to the east of C2 were affected (for the purposes of limited notification) due to the removal of the local connector road. As this has now been reinstated, my reassessment is that these parties are no longer affected for the purposes of limited notification, and limited notification of owners and occupiers of land adjacent to this boundary (i.e. to the east of the 3MS application site), is no longer required.

The proposal presented by the applicant includes a proposition that the Council should purchase the land occupied by the road. This is a matter to be determined separately from the effects addressed in the S95 procedure and therefore not requiring consideration.

Further consideration regarding the local road shown in the application plan to cross the northern boundary of the application site, and my recommendation of limited notification of the owners and occupiers of this

land, has concluded this is not required. The reason for this reassessment is that establishment of this extension relies on the owners of that land including it in any development. They would therefore be effectively agreeing to it and prior to that, the extension cannot occur.

The proposals affecting land adjacent to the western and southern boundaries and north western corner of the site remain and result in a requirement for limited notification to the owners and occupiers of that land.

In all other respects, effects are generally in accordance with the structure plan applied to this site and the surrounding land within the C2 structure plan and effects in this regard are determined to be less than minor.

Based on the amended plans, I revise my recommendation of those parties with effects that are minor or more than minor, to those shown in Figure 1 (*of the supplementary addendum*).

## **LEGAL ADVICE**

It is my advice that from a legal perspective the changes made to the application (having been made prior to a notification decision) are valid and can be considered by the Council. Those changes have resulted in the notification assessment changing such that limited notification is recommended.

I can endorse the recommendation in the Addendum Report that limited notification is appropriate from a legal perspective based on the changes made by 3MS to the application.

**APPENDIX B: ADDENDUM TO APPLICATION**

10 March 2021

Waipa District Council  
Private Bag 2402  
Te Awamutu 3840

Attention: Wayne Allan

Sent via email: [Wayne.Allan@waipadc.govt.nz](mailto:Wayne.Allan@waipadc.govt.nz)

Dear Wayne

**RE: 3Ms of Cambridge GP Limited – Addendum to Application SP/0179/20**

Firstly, 3Ms of Cambridge GP Limited (“**3Ms**”) wishes to thank the Waipa District Council for providing the draft notification report for 3Ms to review and the opportunity to respond to the issues raised. 3Ms acknowledges that concerns have been raised in the report in respect of the 3Ms development not showing a local road connection into the Kelly Road area. In that regard, 3Ms has worked to find a solution to address Council’s desire to have a local road connection, and also not compromise the lots within the 3Ms development itself.

In that respect, 3Ms is proposing to include a local road connection through to Kelly Road (off Road 10) in the same location as the east-west swale that runs through the 3Ms site into 44A Kelly Road. The application therefore needs to be amended.

It is understood that Waipa District Council was planning on acquiring land with a width of 12 metres for the east/west swale through 44A Kelly Road. 3Ms is proposing that this corridor include the local road; therefore, the corridor would need to be extended by around eight (8) metres in width to 20 metres in width. 3Ms considers that this solution represents an efficient use of land as that corridor was going to be acquired in any event. This solution also does not reduce the number of lots within the 3Ms development (and therefore remove any future potential lots from the Cambridge residential market).

The Waipa District Council has asked 3Ms to formally amend the subdivision application (SP/0179/20) to include the local road connection through to Kelly Road. In that regard, please find enclosed a series of plans that supersede the plans within the resource consent application and assessment of

environmental where there is any inconsistency of conflict between these plans in respect of the local road in question. The key amendments are:

- (a) The eastern stormwater connection reserve will also encompass a road reserve (i.e. future local road link to Kelly Road by others):
- (b) The sizes of the lots on the eastern boundary have been adjusted to accommodate the above update.

The following plans are attached to this letter:

- **3Ms Property Layout Alternative Development** 17001-SK-094-REVK replaces drawing 17001-SK-094-REVJ which is shown as Figure 1 and Figure 7 in the application.
- **Structure Plan Integration General Arrangement** 17001-SK-100-REVH replaces drawing 17001-SK-100-REVG in Appendix D of the application (and Figure 31 of the application).
- **Structure Plan Integration Stormwater Network** 17001-SK-102-REVD replaces drawing 17001-SK-102-REVC in Appendix D of the application.
- **Structure Plan Integration Transport Network** 17001-SK-103-REVD replaces drawing 17001-SK-103-REVC in Appendix D of the application (and Figure 15 in respect of the local road).
- **Structure Plan Integration Walking & Cycling** 17001-SK-104-REVD replaces drawing 17001-SK-104-REVC in Appendix D of the application (and Figure 16 of the application in respect of the local road).
- **Structure Plan Integration Open Space Network** 17001-SK-105-REVD replaces drawing 17001-SK-105-REVC in Appendix D of the application.
- **Structure Plan Integration Staging Plan** 17001-SK-106-REVD replaces drawing 17001-SK-106-REVC in Appendix D of the application.
- **WDC Land Acquisition Updated 3Ms Layout** 17001-SK-117-REVC. A plan of this nature is not shown in the application currently.
- **Structure Plan Integration Revised Land Requirement Plan** 17001-SK-109-REVB replaces drawing 17001-SK-109-REVA which is shown as Figure 43 in the application.
- **44A Kelly Road Updated 3Ms Layout** 17001-SK-129-REVA (new plan).
- **Scheme Plan** drawings 4297-SP-1-REVK, 4297-SP-2-REVK, 4297-SP-3-REVK, 4297-SP-4-REVK, 4297-SP-5-REVK, 4297-SP-6-REVK and 4297-SP-7-REVK replace drawings 4297-SP-1-REVH, 4297-SP-2-REVH, 4297-SP-3-REVH, 4297-SP-4-REVH, 4297-SP-5-REVH, 4297-SP-6-REVH and 4297-SP-7-REVH which are contained in Appendix F of the application and are also shown as Figures 8 – 14. These plans show the area as “Local Purpose Reserve – Stormwater” (Lot 500) as this was the intended function of the reserve; However, as the other plans attached to this letter show, it is proposed that this reserve also encompass a local road.

A full set of master plan engineering drawings set (which are shown in Appendix D of the application) will be provided in due course.

3Ms reiterates that Waipa District Council will need to purchase the land off 3Ms and pay for the construction costs of this local road as the road is not servicing the 3Ms development; future Kelly Road developments will largely benefit from this road. The costs of this could be recovered via development contributions.

One final matter that needs a brief comment is the status of the “Structure Plan Integration” or “Updated Structure Plan” drawings in the resource consent application and assessment of environmental effects, which is a matter that has been discussed with the Waipa District Council. These terms which are used throughout the application are references to the illustrations of how, once the 3Ms subdivision is granted, the existing C1 and C2/C3 Structure Plan features could be given effect to under a slightly different spatial alignment. 3Ms is not seeking an amendment to the Structure Plan that is part of the Waipa District Plan. The subdivision application cannot, and does not, encompass a change to the Structure Plan, and a change of that nature can only occur through a plan change process. It is also noted that no changes need to be made to the operative Structure Plan to encompass the changes shown in the illustration 3Ms plans. Progressive developments can occur within the growth cell under the existing Structure Plan, so long as each is assessed to the extent that any departures from the structure plan are evaluated and accounted for. Ultimately, development will not necessarily follow the existing structure plan identically.

3Ms considers that these “alternative structure plans” are relevant to the current application only to the extent that they illustrate how and why the proposed 3Ms subdivision does not frustrate the delivery of the Structure Plan in the long term. Again, they illustrate how it can be delivered in a slightly different way. This is relevant because the subdivision must be evaluated to the extent that it is consistent with the Structure Plan. To the extent that it is different, those differences need to be evaluated, and the effects of the differences examined. The alternative structure plans prepared by 3Ms (including those that have been updated and attached to list letter) illustrate that the effects of the differences are minimal and easily addressed.

I trust that the information contained in this letter addresses the concerns raised by the Waipa District Council in its notification assessment. Please do not hesitate to contact me directly if any matters in this letter require further clarification.

Yours sincerely,



Abbie Fowler  
Associate  
Mitchell Daysh Ltd

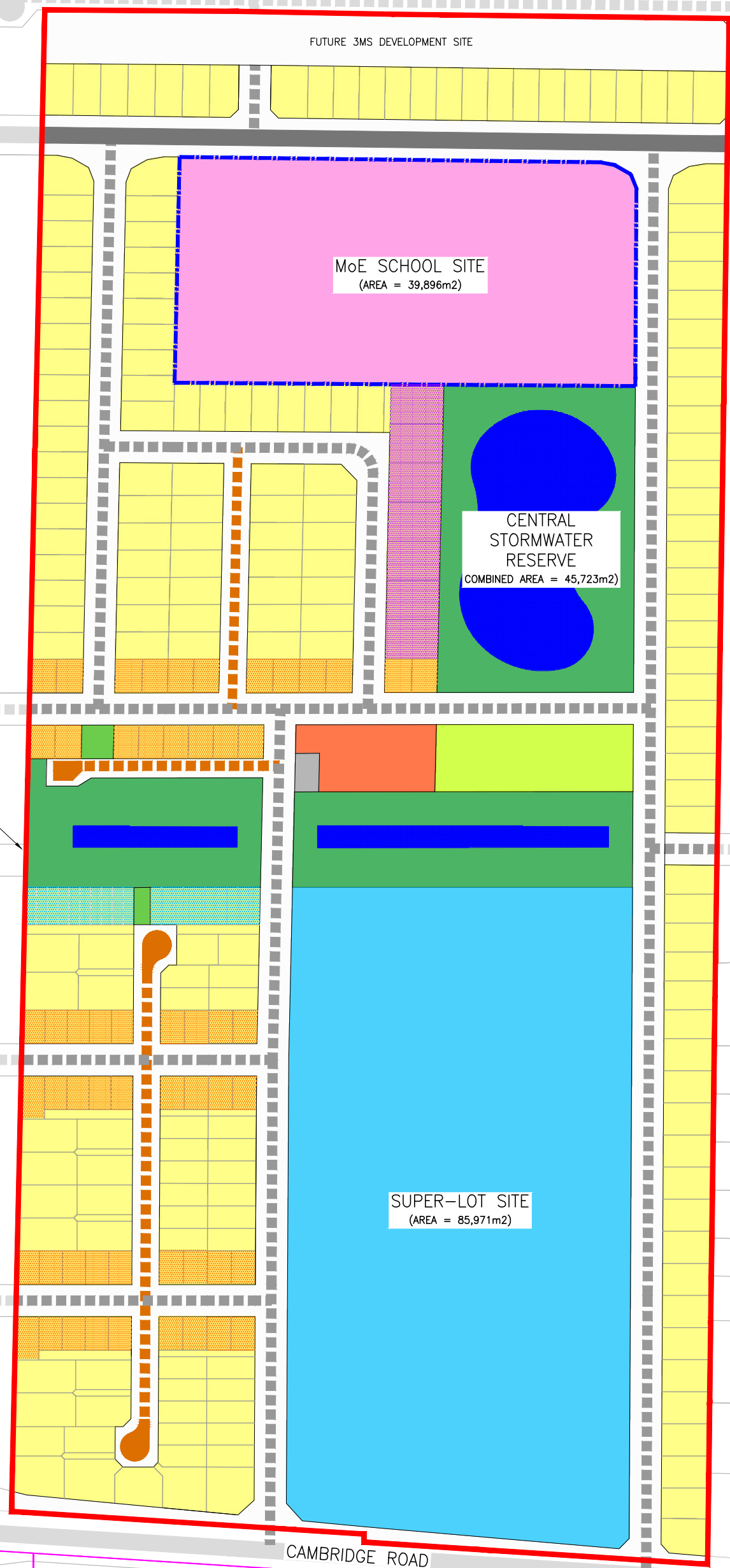
Cc: Helen Aitkens ([helen.atkins@ahmlaw.nz](mailto:helen.atkins@ahmlaw.nz)); Tony Quickfall ([Tony.Quickfall@waipadc.govt.nz](mailto:Tony.Quickfall@waipadc.govt.nz)) and Mark Batchelor ([Mark.Batchelor@ckl.co.nz](mailto:Mark.Batchelor@ckl.co.nz)).

**3MS DEVELOPMENT LAYOUT**



**LEGEND**

- 3MS PROPERTY BOUNDARY
- INDICATIVE BLOCK BOUNDARIES
- COLLECTOR ROAD
- LOCAL ROAD
- LOCAL ACCESS ROAD
- GENERAL RESIDENTIAL
- TERRACED RESIDENTIAL HOUSING OVERLAY
- COMPACT RESIDENTIAL OVERLAY
- HIGH DENSITY HOUSING RESIDENTIAL
- MoE SCHOOL SITE
- SUPER-LOT SITE
- NEIGHBOURHOOD CENTRE
- UTILITY RESERVE (WASTEWATER)
- STORMWATER RESERVE
- STORMWATER DEVICE (SOAKAGE BASIN)
- LOCAL OPEN SPACE (RESERVE)
- ACTIVE RECREATION (RESERVE)



**PROPERTY ASSESSMENT**

BASED ON THE REFINED STRUCTURE PLAN:

GENERAL RESIDENTIAL - AREA	10.46 Ha
GENERAL RESIDENTIAL - No. LOTS	186 LOTS
TERRACED RESIDENTIAL - AREA	0.56 Ha
TERRACED RESIDENTIAL - No. LOTS	14 LOTS
COMPACT RESIDENTIAL - AREA	1.80 Ha
COMPACT RESIDENTIAL - No. LOTS	56 LOTS
HIGH DENSITY HOUSING - AREA	0.32 Ha
HIGH DENSITY HOUSING - No. LOTS	20 LOTS
R.O.W ACCESS LOTS - AREA	0.27 Ha
WDC COLLECTOR ROAD AREA	1.07 Ha
ROAD RESERVE AREA	6.87 Ha
UTILITY RESERVE AREA	0.04 Ha
STORMWATER RESERVE AREA	4.54 Ha
RECREATIONAL RESERVE AREA	0.58 Ha
NEIGHBOURHOOD CENTRE AREA	0.33 Ha
SUPER-LOT SITE	8.60 Ha
MOE SCHOOL SITE	3.99 Ha
FUTURE DEVELOPMENT SITE	1.41 Ha
<b>TOTAL AREA</b>	<b>40.84 Ha</b>
<b>TOTAL RESIDENTIAL LOTS</b>	<b>276 LOTS</b>
<b>TOTAL SUPER-LOT DWELLINGS (ASSUMED)</b>	<b>200 UNITS</b>
<b>GROSS DENSITY</b>	<b>15.1 LOTS/Ha</b>
<b>NET DENSITY</b>	<b>21.6 LOTS/Ha</b>

- NOTES**
- LAYOUT SHOWN IS INDICATIVE AND HAS BEEN DEVELOPED FOR COMPARISON PURPOSES ONLY
  - STRUCTURE PLAN SHOWN IS BASED ON THE APPROVED LAYOUT CONFIRMED AS PART OF PLAN CHANGE 7 INCLUDING AMENDMENTS WITHIN THE 3MS PROPERTY TO ACCOMMODATE CLIENT DEVELOPMENT REQUIREMENTS
  - PROPOSED SCHOOL SITE SHOWN HAS BEEN AMENDED TO ACHIEVE A MINIMUM LOT SIZE OF 4.0Ha (AS REQUESTED BY THE MINISTRY OF EDUCATION)
  - INDIVIDUAL RESIDENTIAL LOTS SHOWN ARE INDICATIVE ONLY AND ARE BASED ON THE FOLLOWING SIZE PARAMETERS:
    - COMPACT - LESS THAN 400m<sup>2</sup>
    - GENERAL - GREATER THAN 400m<sup>2</sup>

DESIGNED BY L. MCCAFFREY	DATE 25.08.20	DRAWN BY L. MCCAFFREY	DATE 25.08.20	APPROVED BY -	DATE -	APPROVAL STATUS <b>FOR INFORMATION</b>	PROJECT NAME 3M RESIDENTIAL DEVELOPMENT PROJECT
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REV	DESCRIPTION	BY	DATE
K	FOR INFORMATION	LPM	09.03.21
J	FOR INFORMATION	LPM	30.11.20
I	FOR INFORMATION	LPM	10.11.20
H	FOR INFORMATION	LPM	29.10.20

CLIENT NAME

DRAWING TITLE

3Ms PROPERTY LAYOUT  
ALTERNATIVE DEVELOPMENT LAYOUT

PRODUCED BY

DRAWING SCALE 1:3000	REVISION No. k
DISCIPLINE CIVIL ENGINEERING	
DRAWING No. 17001-SK-094	

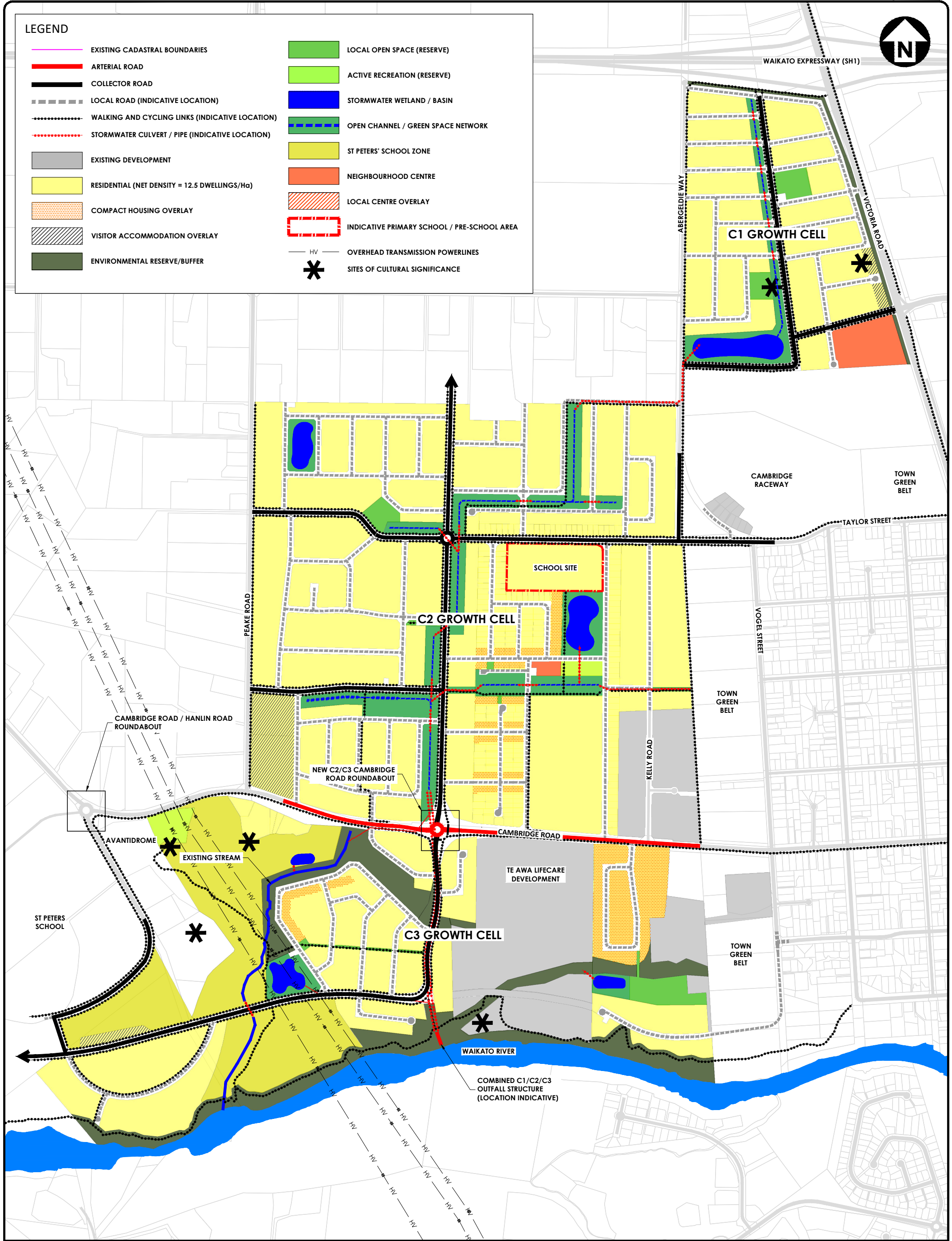


**STRUCTURE PLAN INTEGRATION  
DRAWINGS**



**LEGEND**

	EXISTING CADASTRAL BOUNDARIES		LOCAL OPEN SPACE (RESERVE)
	ARTERIAL ROAD		ACTIVE RECREATION (RESERVE)
	COLLECTOR ROAD		STORMWATER WETLAND / BASIN
	LOCAL ROAD (INDICATIVE LOCATION)		OPEN CHANNEL / GREEN SPACE NETWORK
	WALKING AND CYCLING LINKS (INDICATIVE LOCATION)		ST PETERS' SCHOOL ZONE
	STORMWATER CULVERT / PIPE (INDICATIVE LOCATION)		NEIGHBOURHOOD CENTRE
	EXISTING DEVELOPMENT		LOCAL CENTRE OVERLAY
	RESIDENTIAL (NET DENSITY = 12.5 DWELLINGS/Ha)		INDICATIVE PRIMARY SCHOOL / PRE-SCHOOL AREA
	COMPACT HOUSING OVERLAY		OVERHEAD TRANSMISSION POWERLINES
	VISITOR ACCOMMODATION OVERLAY		SITES OF CULTURAL SIGNIFICANCE
	ENVIRONMENTAL RESERVE/BUFFER		



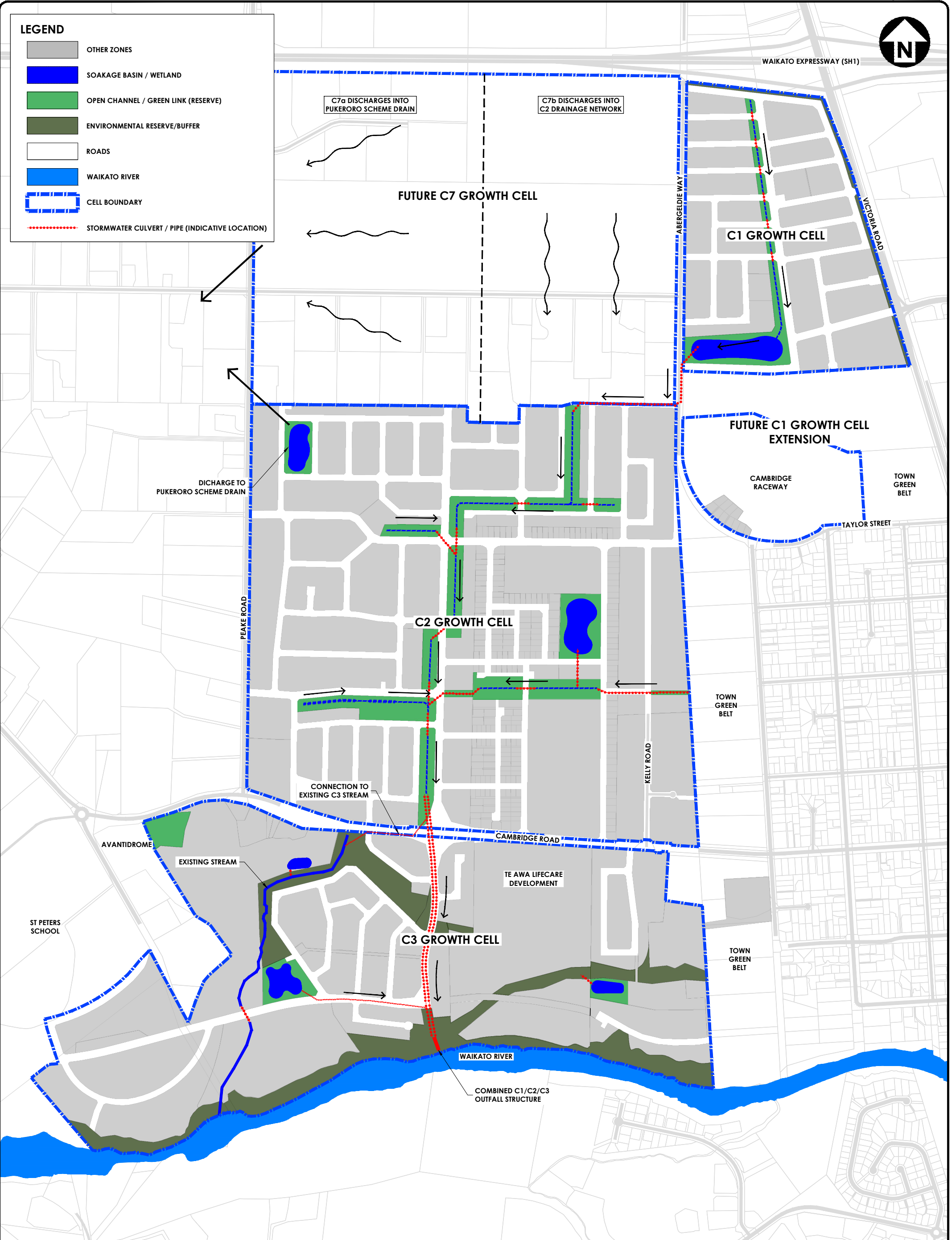
**3MS** 3MS RESIDENTIAL DEVELOPMENT

# STRUCTURE PLAN INTEGRATION GENERAL ARRANGEMENT



**LEGEND**

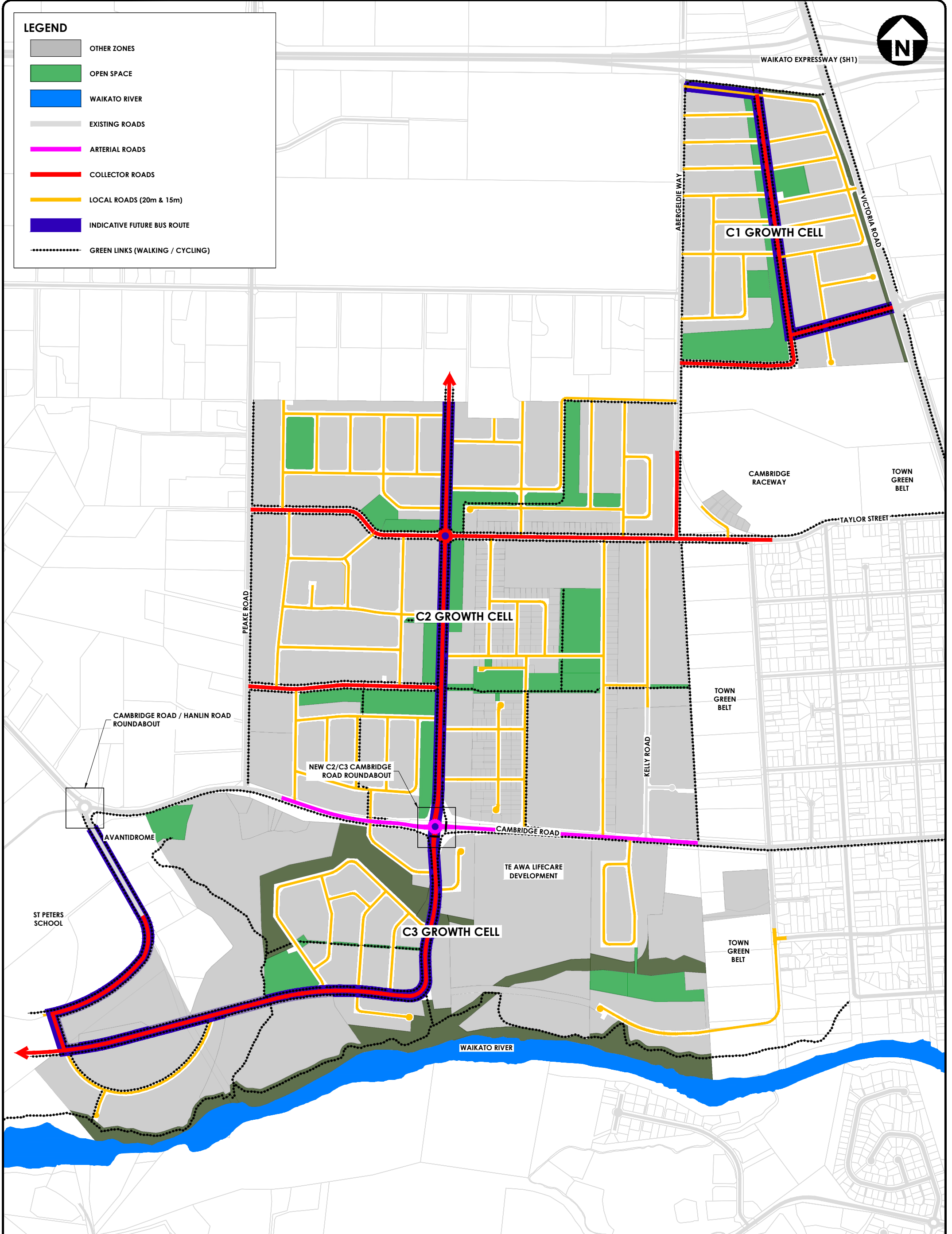
- OTHER ZONES
- SOAKAGE BASIN / WETLAND
- OPEN CHANNEL / GREEN LINK (RESERVE)
- ENVIRONMENTAL RESERVE/BUFFER
- ROADS
- WAIKATO RIVER
- CELL BOUNDARY
- STORMWATER CULVERT / PIPE (INDICATIVE LOCATION)





**LEGEND**

- OTHER ZONES
- OPEN SPACE
- WAIKATO RIVER
- EXISTING ROADS
- ARTERIAL ROADS
- COLLECTOR ROADS
- LOCAL ROADS (20m & 15m)
- INDICATIVE FUTURE BUS ROUTE
- GREEN LINKS (WALKING / CYCLING)



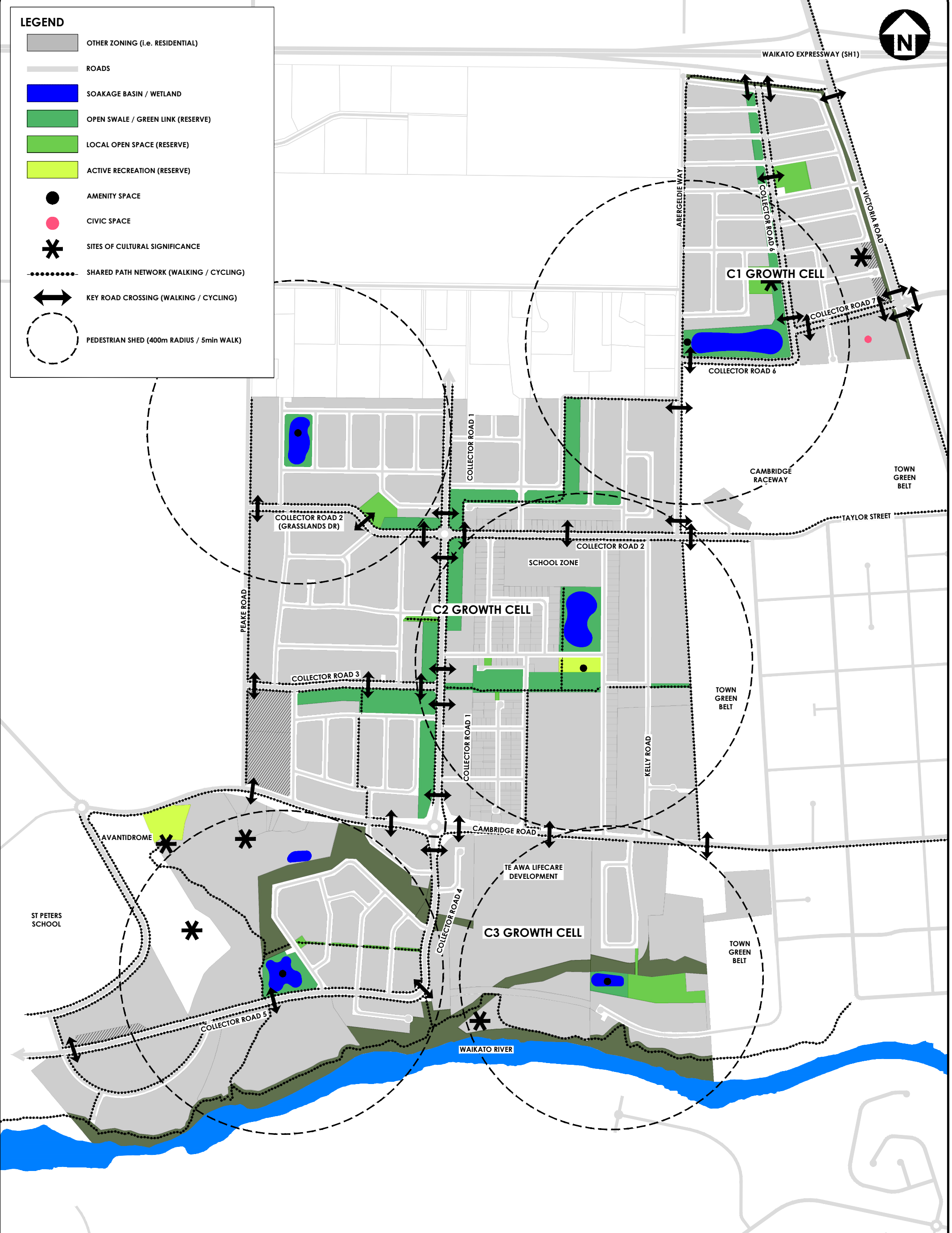
**3MS** 3MS RESIDENTIAL DEVELOPMENT

# STRUCTURE PLAN INTEGRATION TRANSPORT NETWORK




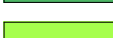


**LEGEND**

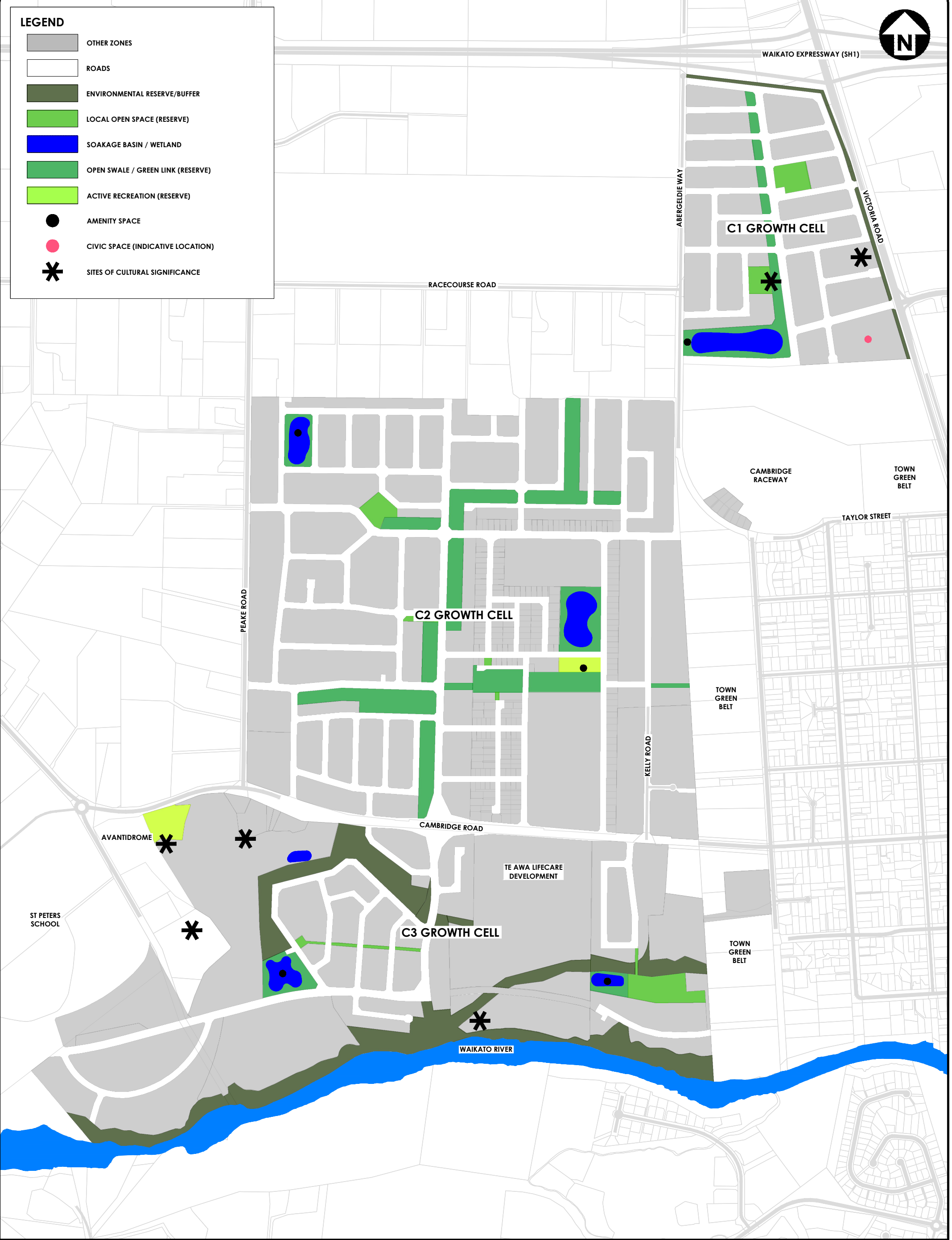
- OTHER ZONING (i.e. RESIDENTIAL)
- ROADS
- SOAKAGE BASIN / WETLAND
- OPEN SWALE / GREEN LINK (RESERVE)
- LOCAL OPEN SPACE (RESERVE)
- ACTIVE RECREATION (RESERVE)
- AMENITY SPACE
- CIVIC SPACE
- ✱ SITES OF CULTURAL SIGNIFICANCE
- SHARED PATH NETWORK (WALKING / CYCLING)
- KEY ROAD CROSSING (WALKING / CYCLING)
- PEDESTRIAN SHED (400m RADIUS / 5min WALK)





**LEGEND**

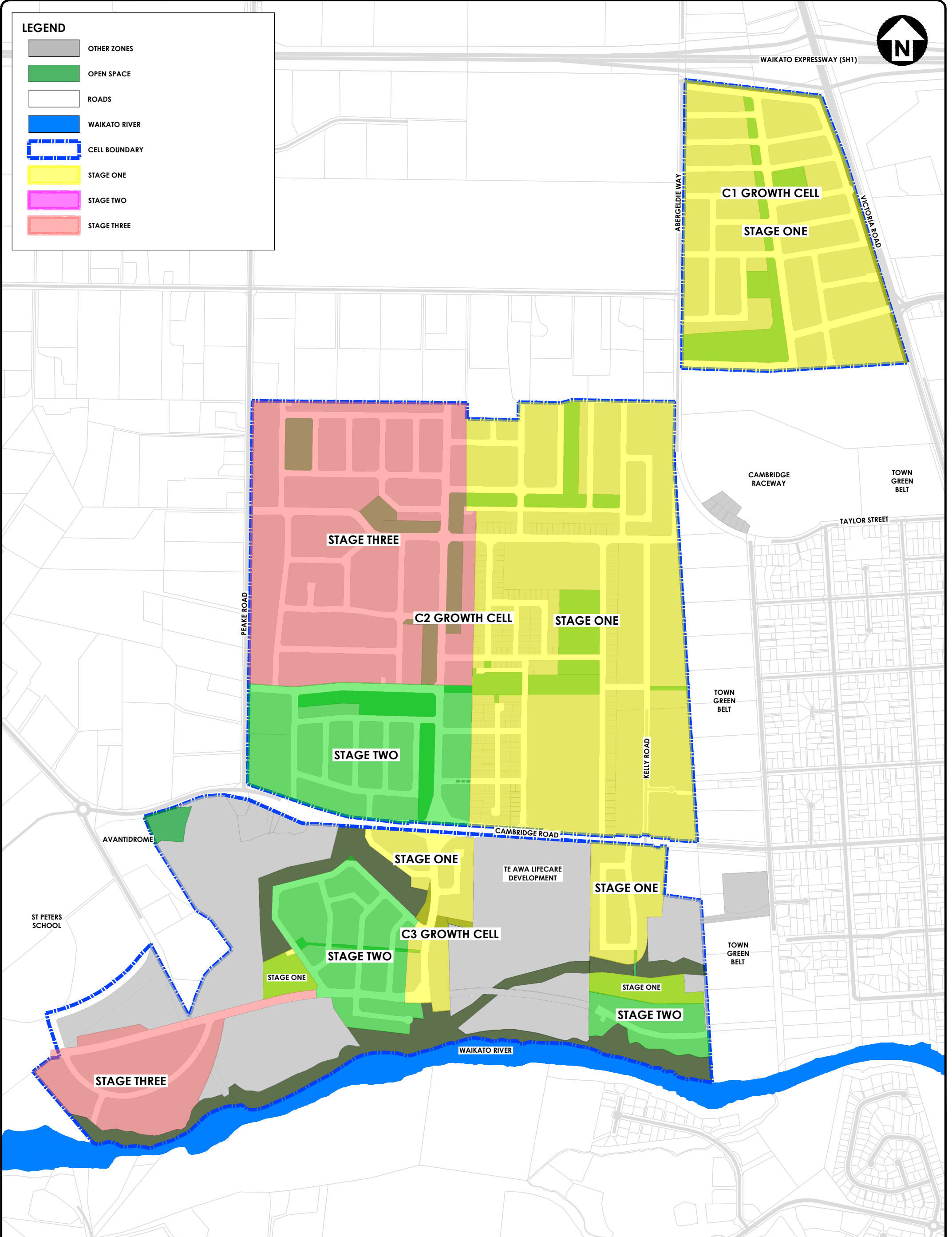
-  OTHER ZONES
-  ROADS
-  ENVIRONMENTAL RESERVE/BUFFER
-  LOCAL OPEN SPACE (RESERVE)
-  SOAKAGE BASIN / WETLAND
-  OPEN SWALE / GREEN LINK (RESERVE)
-  ACTIVE RECREATION (RESERVE)
-  AMENITY SPACE
-  CIVIC SPACE (INDICATIVE LOCATION)
-  SITES OF CULTURAL SIGNIFICANCE





**LEGEND**

- OTHER ZONES
- OPEN SPACE
- ROADS
- WAIKATO RIVER
- CELL BOUNDARY
- STAGE ONE
- STAGE TWO
- STAGE THREE

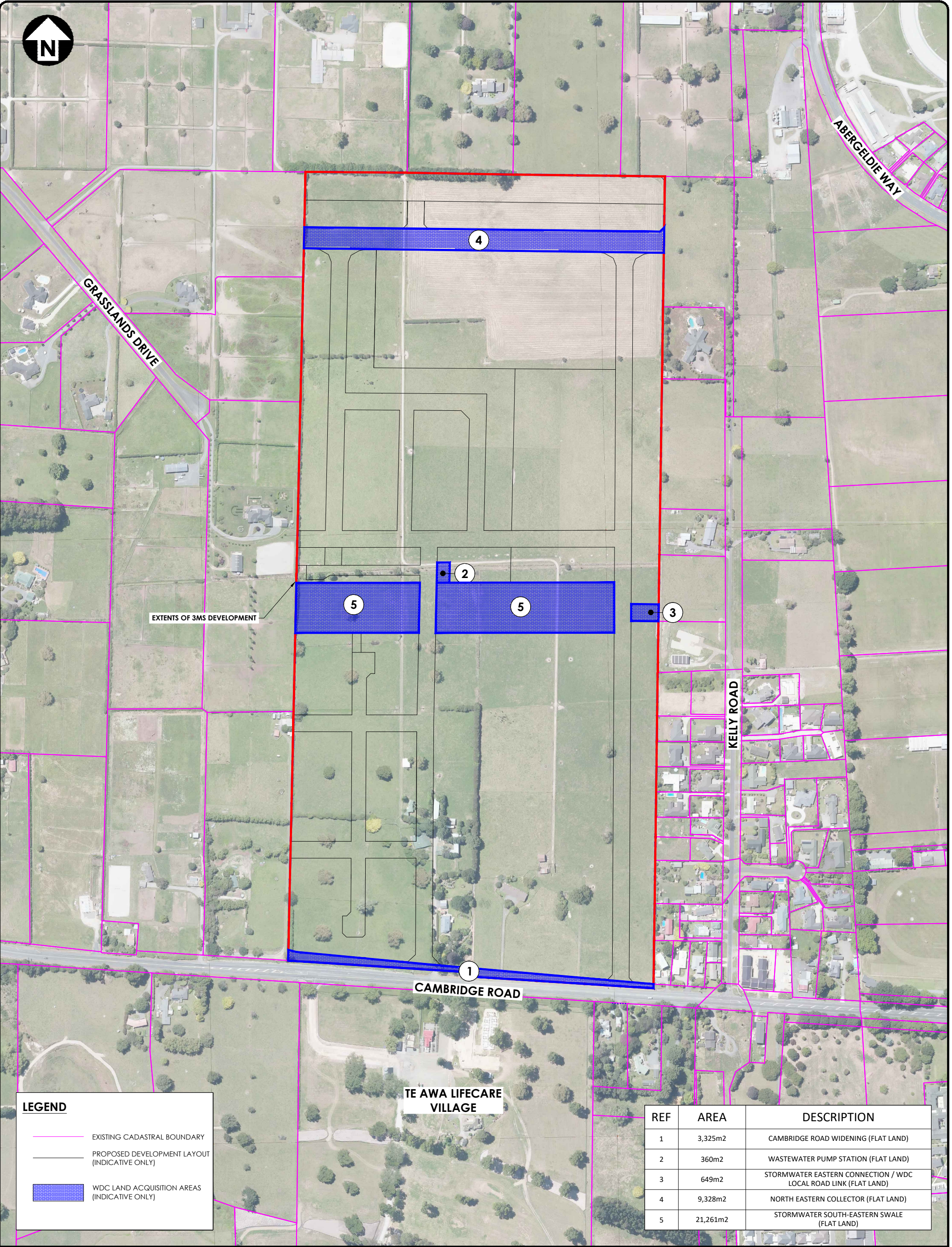


**3MS** 3MS RESIDENTIAL DEVELOPMENT



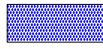
# STRUCTURE PLAN INTEGRATION STAGING PLAN

**LAND REQUIREMENT PLANS**





**LEGEND**

-  EXISTING CADASTRAL BOUNDARY
-  PROPOSED DEVELOPMENT LAYOUT (INDICATIVE ONLY)
-  WDC LAND ACQUISITION AREAS (INDICATIVE ONLY)






REF	AREA	DESCRIPTION
1	3,325m <sup>2</sup>	CAMBRIDGE ROAD WIDENING (FLAT LAND)
2	360m <sup>2</sup>	WASTEWATER PUMP STATION (FLAT LAND)
3	649m <sup>2</sup>	STORMWATER EASTERN CONNECTION / WDC LOCAL ROAD LINK (FLAT LAND)
4	9,328m <sup>2</sup>	NORTH EASTERN COLLECTOR (FLAT LAND)
5	21,261m <sup>2</sup>	STORMWATER SOUTH-EASTERN SWALE (FLAT LAND)



# WDC LAND ACQUISITION UPDATED 3MS LAYOUT

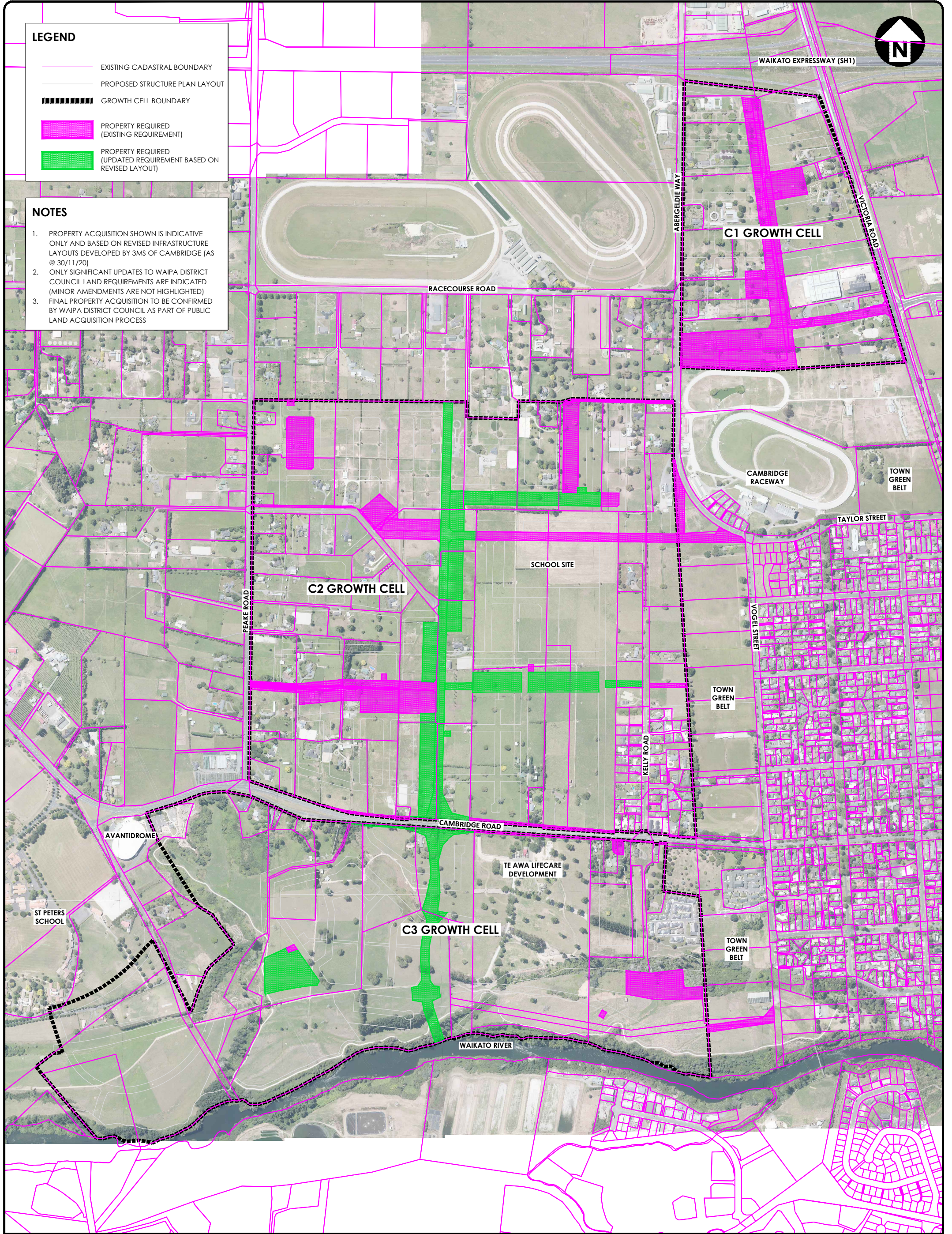


**LEGEND**

-  EXISTING CADASTRAL BOUNDARY
-  PROPOSED STRUCTURE PLAN LAYOUT
-  GROWTH CELL BOUNDARY
-  PROPERTY REQUIRED (EXISTING REQUIREMENT)
-  PROPERTY REQUIRED (UPDATED REQUIREMENT BASED ON REVISED LAYOUT)

**NOTES**

1. PROPERTY ACQUISITION SHOWN IS INDICATIVE ONLY AND BASED ON REVISED INFRASTRUCTURE LAYOUTS DEVELOPED BY 3MS OF CAMBRIDGE (AS @ 30/11/20)
2. ONLY SIGNIFICANT UPDATES TO WAIPA DISTRICT COUNCIL LAND REQUIREMENTS ARE INDICATED (MINOR AMENDMENTS ARE NOT HIGHLIGHTED)
3. FINAL PROPERTY ACQUISITION TO BE CONFIRMED BY WAIPA DISTRICT COUNCIL AS PART OF PUBLIC LAND ACQUISITION PROCESS










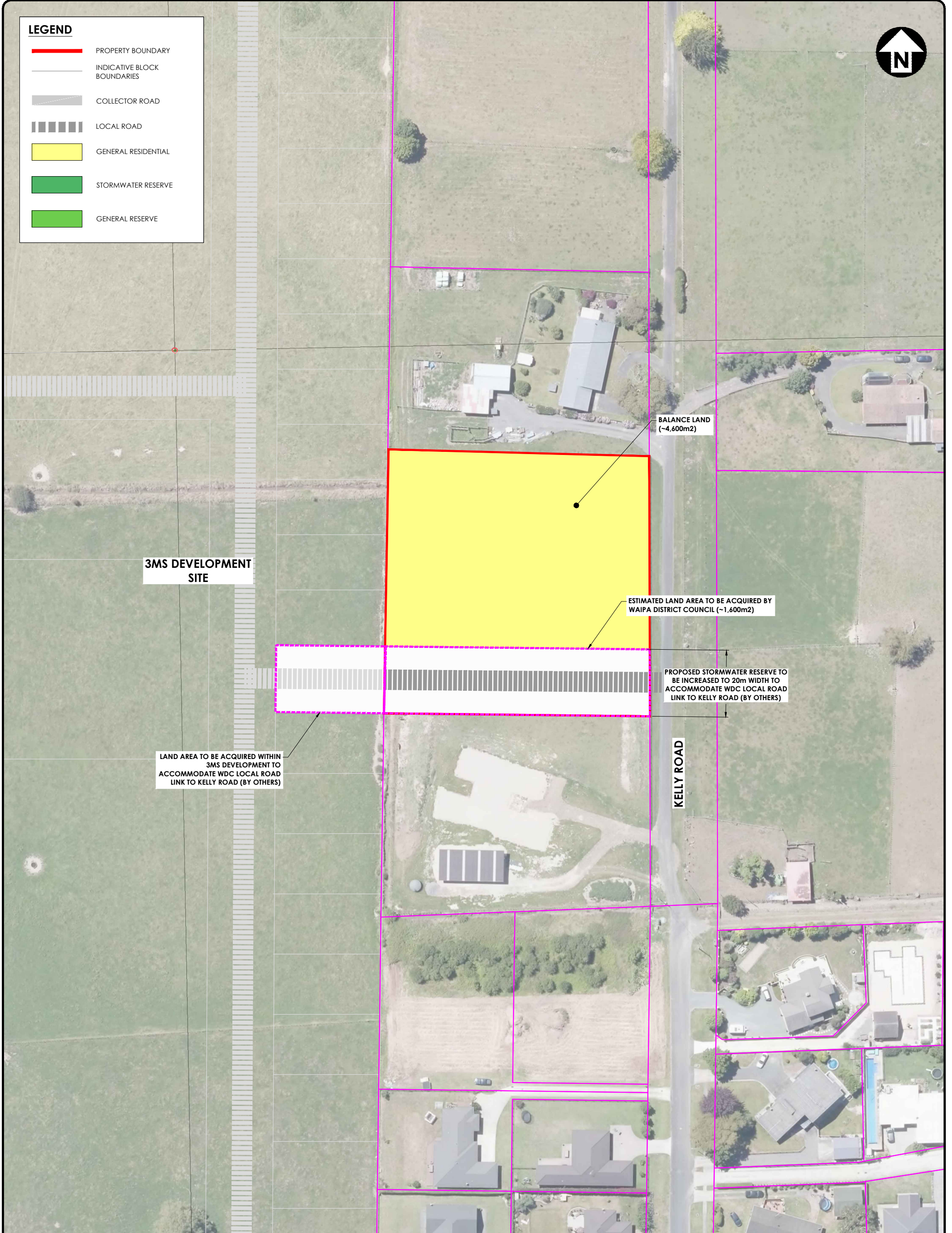
**3MS** 3MS RESIDENTIAL DEVELOPMENT

# STRUCTURE PLAN INTEGRATION REVISED LAND REQUIREMENT PLAN



**LEGEND**

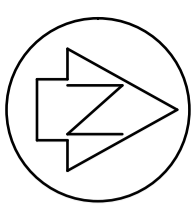
-  PROPERTY BOUNDARY
-  INDICATIVE BLOCK BOUNDARIES
-  COLLECTOR ROAD
-  LOCAL ROAD
-  GENERAL RESIDENTIAL
-  STORMWATER RESERVE
-  GENERAL RESERVE



**3MS** 3MS RESIDENTIAL DEVELOPMENT

# 44A KELLY ROAD UPDATED 3MS LAYOUT

**SCHEME PLAN**



- General Residential
- Compact Residential Overlay
- High Density Residential Overlay (Future Development)
- Terraced Residential Overlay (Future Development)
- Future Development Lot
- Neighbourhood Centre

Number of Lots:	242
Area of Sections:	122,560 m <sup>2</sup>
Area of Commercial:	3,294 m <sup>2</sup>
Area of High Density:	3,873 m <sup>2</sup>
Area of Future Dev.:	19,870 m <sup>2</sup>
Area of Retirement:	85,976 m <sup>2</sup>
Area of School:	39,907 m <sup>2</sup>
Area of ROW's:	1,879 m <sup>2</sup>
Area of Reserve:	52,541 m <sup>2</sup>
Area of Road:	78,458 m <sup>2</sup>
Avg. Lot Size:	508 m <sup>2</sup>
Max. Lot Size:	843 m <sup>2</sup>
Min. Lot Size:	284 m <sup>2</sup>
Yield / Ha:	13.6 households <i>(Yield excludes Commercial &amp; School Site)</i>

### Stage 1

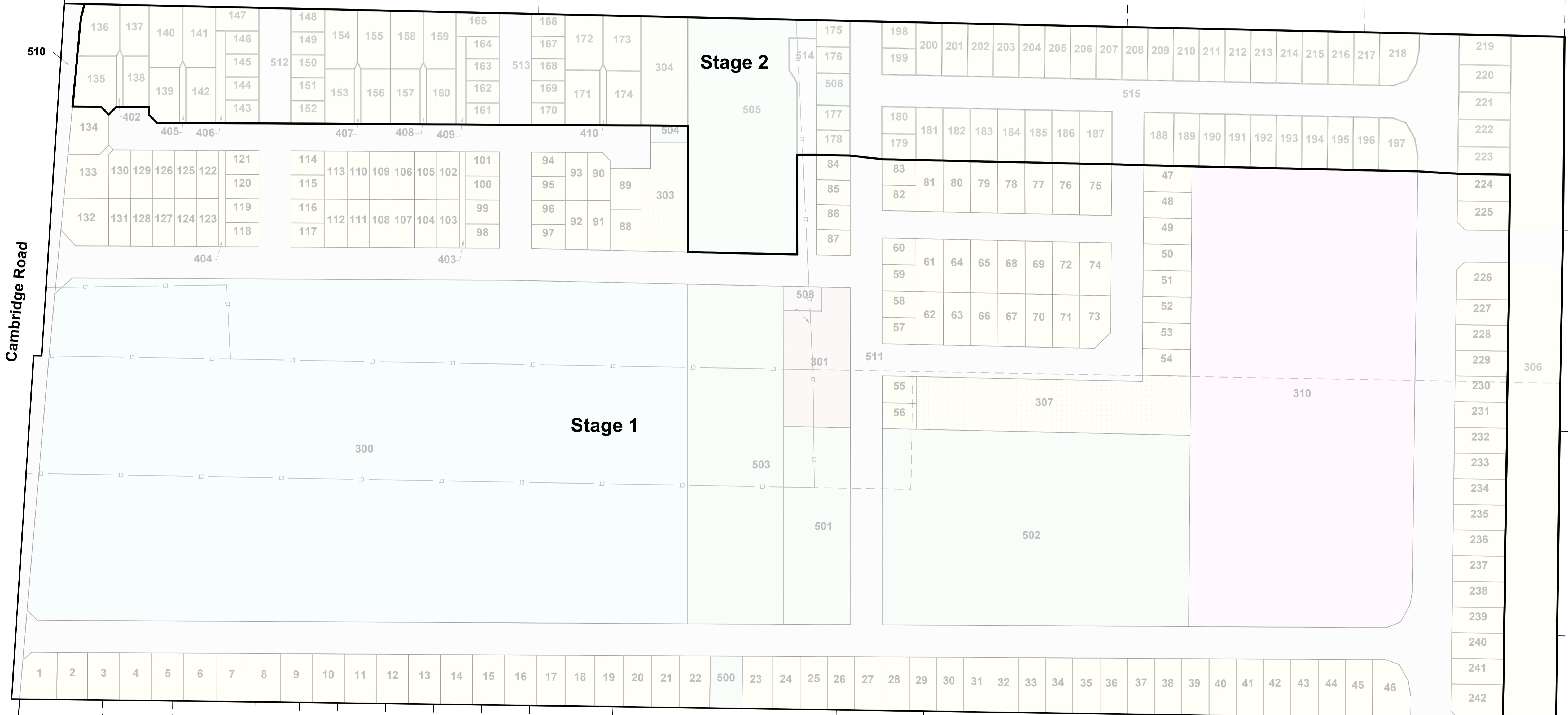
Memorandum of Easements			
Purpose/Interest	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right of Way; Right to convey Electricity; Right to convey Telecommunications; Right to convey Gas; Right to convey Water; Right to drain Water; Right to drain Sewage.	Lot 400	Lot 400	Lots 56 – 60
	Lot 403	Lot 403	Lots 102 – 105
	Lot 404	Lot 404	Lots 122 – 125

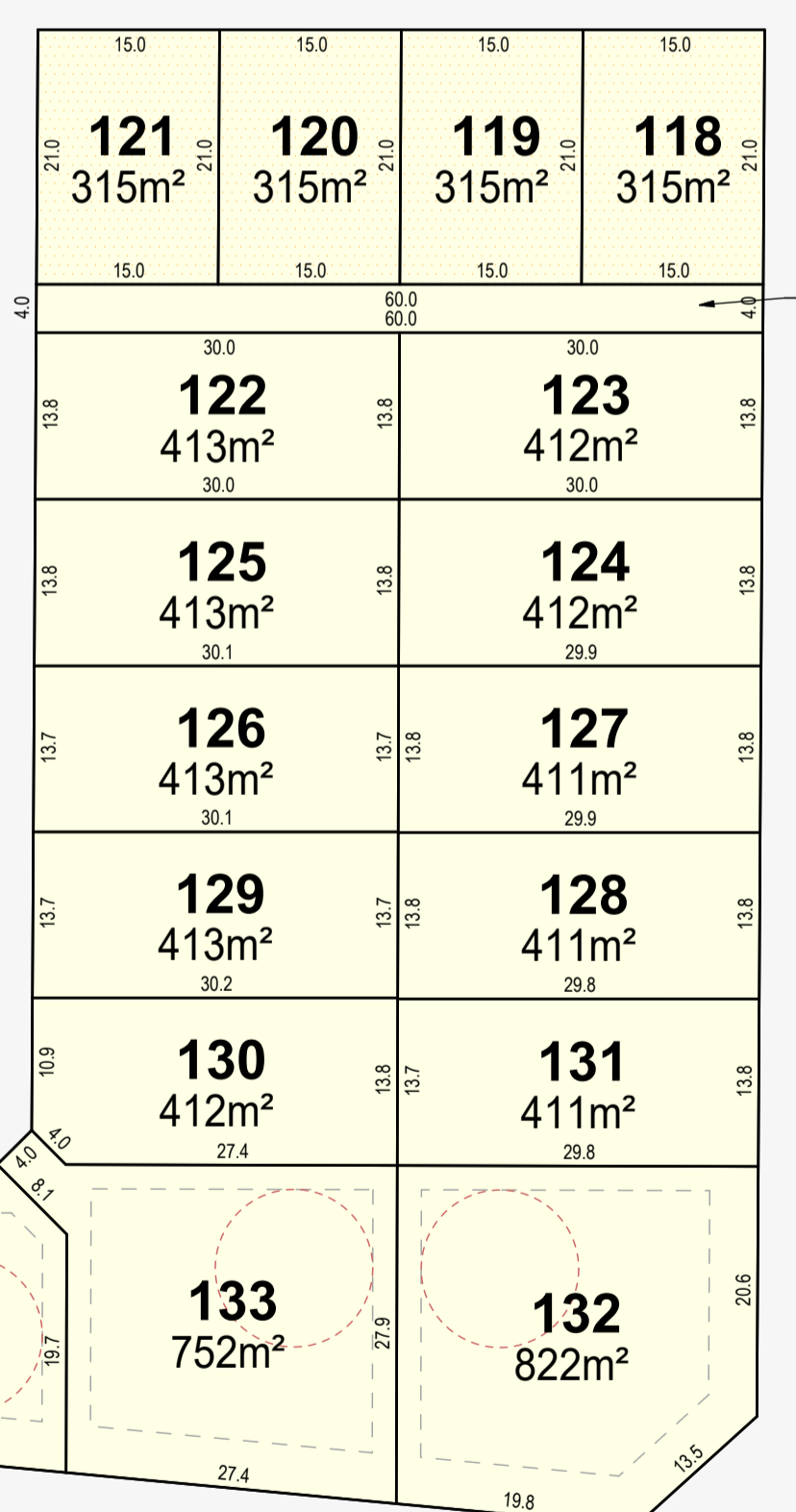
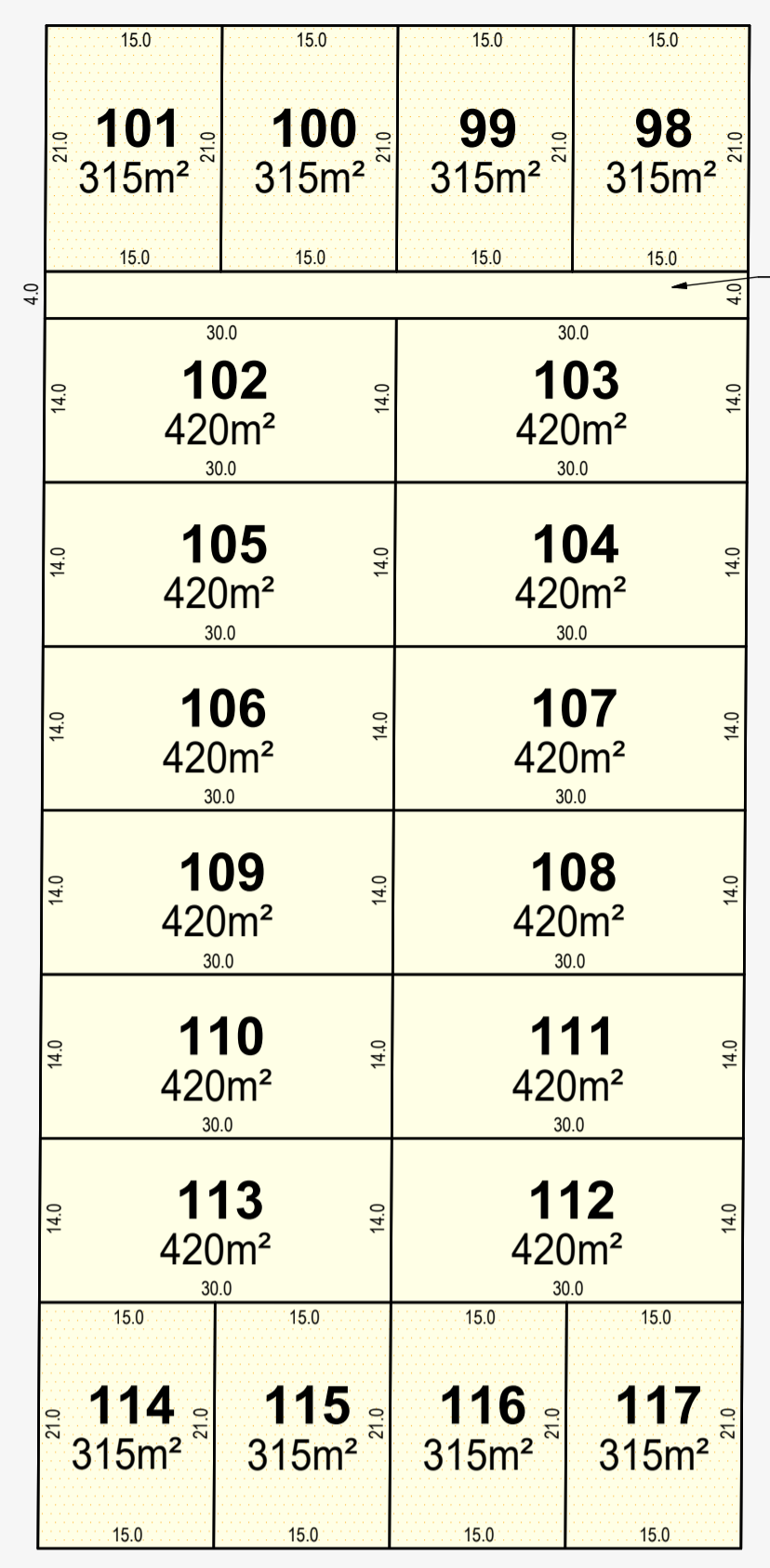
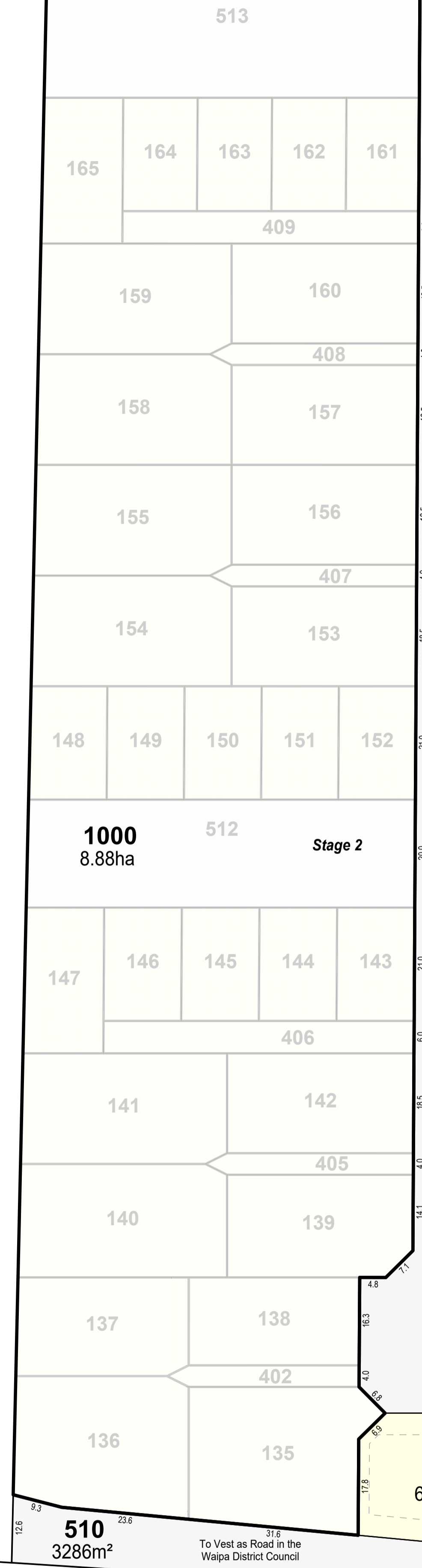
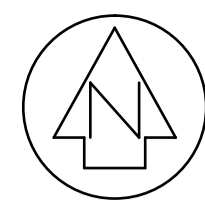
**AMALGAMATION CONDITIONS:**  
 That Lot 400 hereon (Legal Access) be held as to five undivided one-fifth shares by the owners of Lots 56, 57, 58, 59 and 60 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 403 hereon (Legal Access) be held as to four undivided one-quarter shares by the owners of Lots 102, 103, 104 and 105 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 404 hereon (Legal Access) be held as to four undivided one-quarter shares by the owners of Lots 122, 123, 124 and 125 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith.

### Stage 2

Memorandum of Easements			
Purpose/Interest	Shown	Servient Tenement (Burdened Land)	Dominant Tenement (Benefited Land)
Right of Way; Right to convey Electricity; Right to convey Telecommunications; Right to convey Gas; Right to convey Water; Right to drain Water; Right to drain Sewage.	Lot 402	Lot 402	Lots 140 – 142
	Lot 405	Lot 405	Lots 144 – 146
	Lot 406	Lot 406	Lots 147 – 151
	Lot 407	Lot 407	Lots 158 – 160
	Lot 408	Lot 408	Lots 162 – 164
	Lot 409	Lot 409	Lots 165 – 169
Lot 410	Lot 410	Lots 176 – 178	

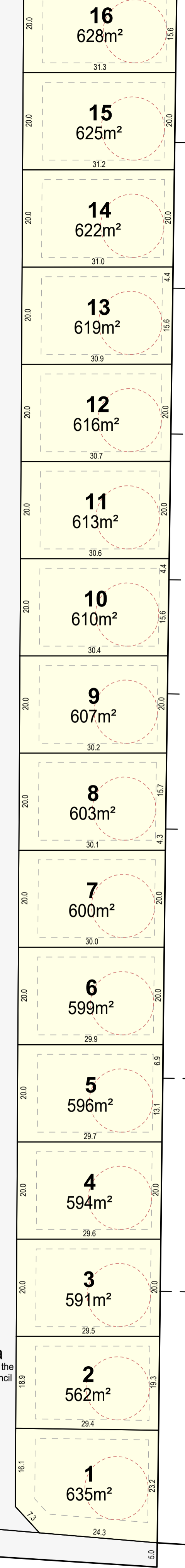
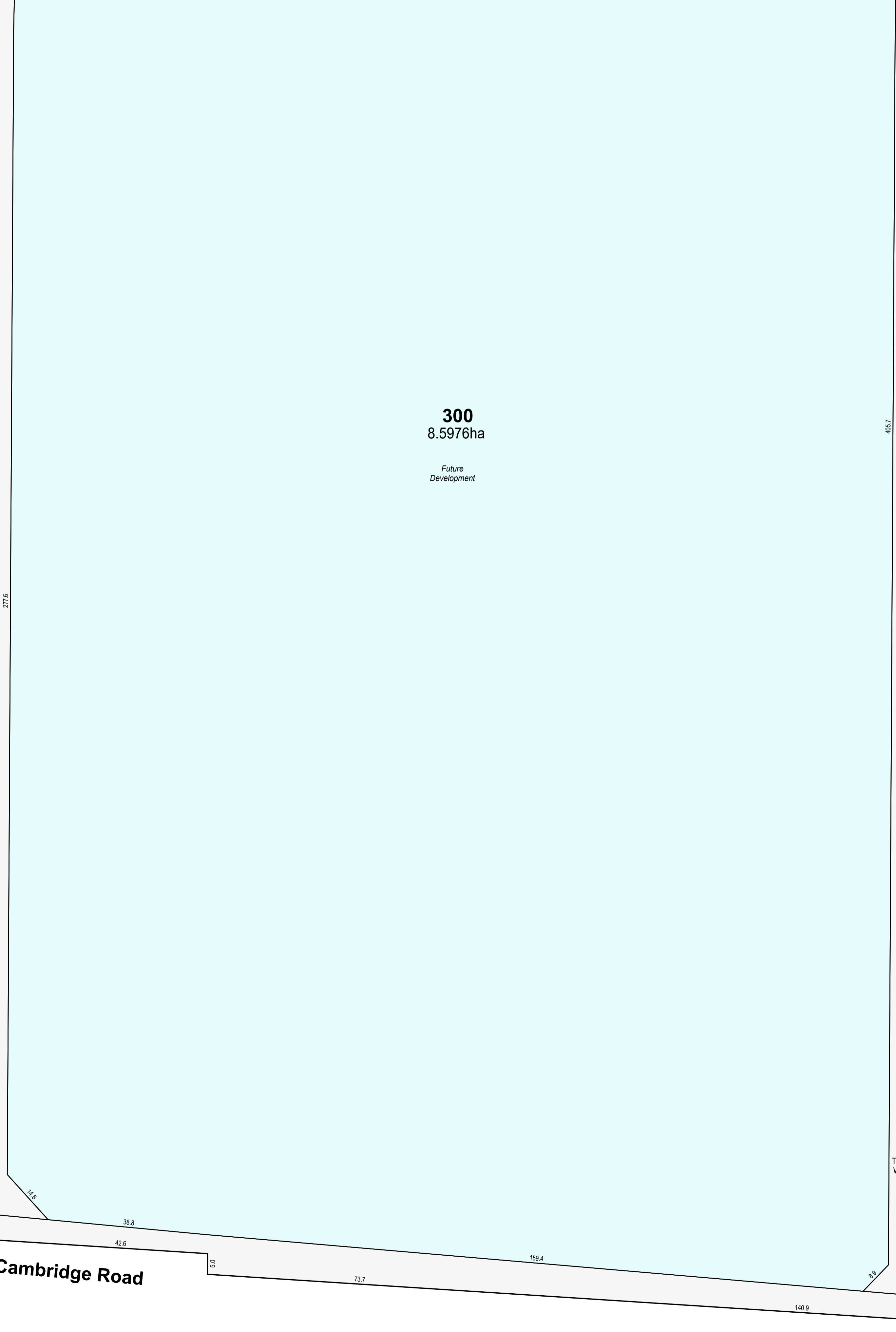
**AMALGAMATION CONDITIONS:**  
 That Lot 402 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 140, 141 and 142 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 405 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 144, 145 and 146 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 406 hereon (Legal Access) be held as to five undivided one-fifth shares by the owners of Lots 147, 148, 149, 150 and 151 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 407 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 158, 159 and 160 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 408 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 162, 163 and 164 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 409 hereon (Legal Access) be held as to five undivided one-fifth shares by the owners of Lots 165, 166, 167, 168 and 169 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith;  
 That Lot 410 hereon (Legal Access) be held as to three undivided one-third shares by the owners of Lots 176, 177 and 178 hereon as Tenants in Common in the said shares and that individual Records of Title be issued in accordance therewith.





403  
240m<sup>2</sup>  
(Access)

404  
240m<sup>2</sup>  
(Access)

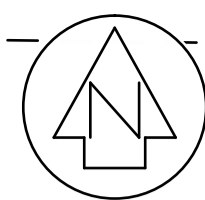


511  
5.9952ha  
To Vest as Road in the  
Waipa District Council

Cambridge Road

= 13mØ Building Shape Factor Circle,  
clear of 2m Side and Rear setback  
or 4m Road setback.





306

Future Development

Future Development

219 220 221 222 223

224 554m<sup>2</sup> 225 575m<sup>2</sup>

226 745m<sup>2</sup>

227 525m<sup>2</sup>

228 524m<sup>2</sup>

229 524m<sup>2</sup>

230 524m<sup>2</sup>

231 524m<sup>2</sup>

232 524m<sup>2</sup>

233 523m<sup>2</sup>

234 523m<sup>2</sup>

235 523m<sup>2</sup>

236 523m<sup>2</sup>

237 523m<sup>2</sup>

238 522m<sup>2</sup>

239 522m<sup>2</sup>

240 522m<sup>2</sup>

241 522m<sup>2</sup>

242 699m<sup>2</sup>

1000 8.88ha

511 5.9952ha To Vest as Road in the Waipa District Council

218

197

46 781m<sup>2</sup>

217

196

45 615m<sup>2</sup>

216

195

44 613m<sup>2</sup>

215

194

43 610m<sup>2</sup>

214

193

42 607m<sup>2</sup>

213

192

41 605m<sup>2</sup>

212

191

40 602m<sup>2</sup>

211

190

39 600m<sup>2</sup>

210

189

38 595m<sup>2</sup>

209

188

37 594m<sup>2</sup>

208

187

36 591m<sup>2</sup>

207

186

35 589m<sup>2</sup>

206

75 642m<sup>2</sup>

74 647m<sup>2</sup>

73 586m<sup>2</sup>

34 586m<sup>2</sup>

205

76 544m<sup>2</sup>

72 561m<sup>2</sup>

71 561m<sup>2</sup>

310 3.9907ha

Proposed School Site

511 5.9952ha To Vest as Road in the Waipa District Council

502 2.3117ha To Vest as Local Purpose Reserve (Drainage) in the Waipa District Council

307

515

Stage 2



COGSWELL SURVEYS SURVEYING | ENGINEERING | PLANNING www.cogswellsurveys.co.nz

CLIENT: 3MS of Cambridge Ltd Partnership

PROJECT: 3MS Residential Development

TITLE: Proposed Subdivision of Lot 2 & Pt Lot 1 DP 29023, Lot 1 DPS 31006, Lot 1 DPS 75243, Lots 1 & 2 DPS 85575 STAGE 1

NOTES: 1. Boundaries, Areas and Dimensions are subject to approval and survey.

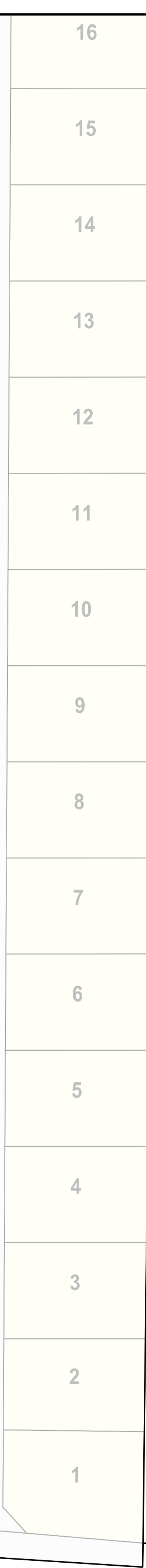
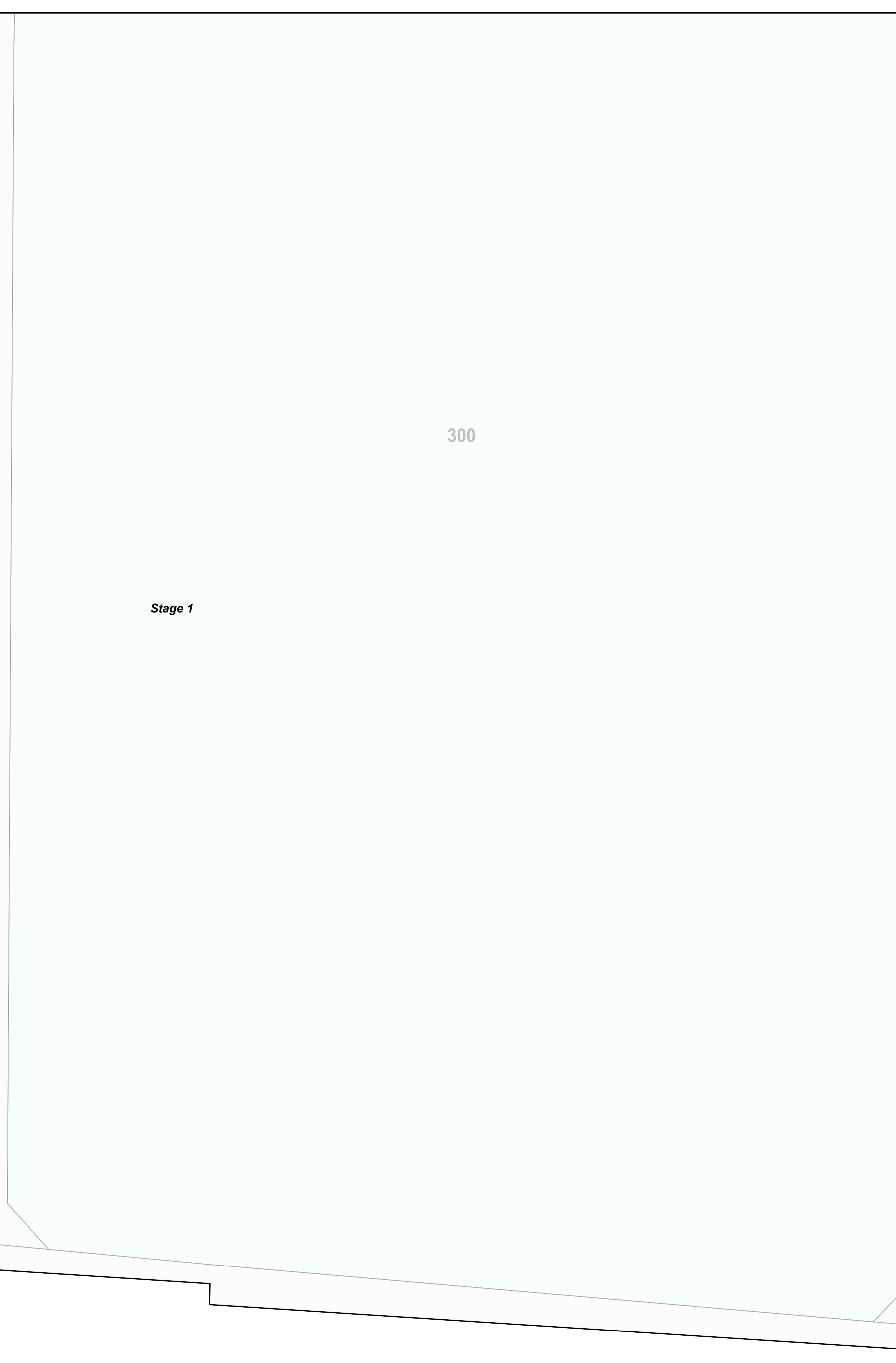
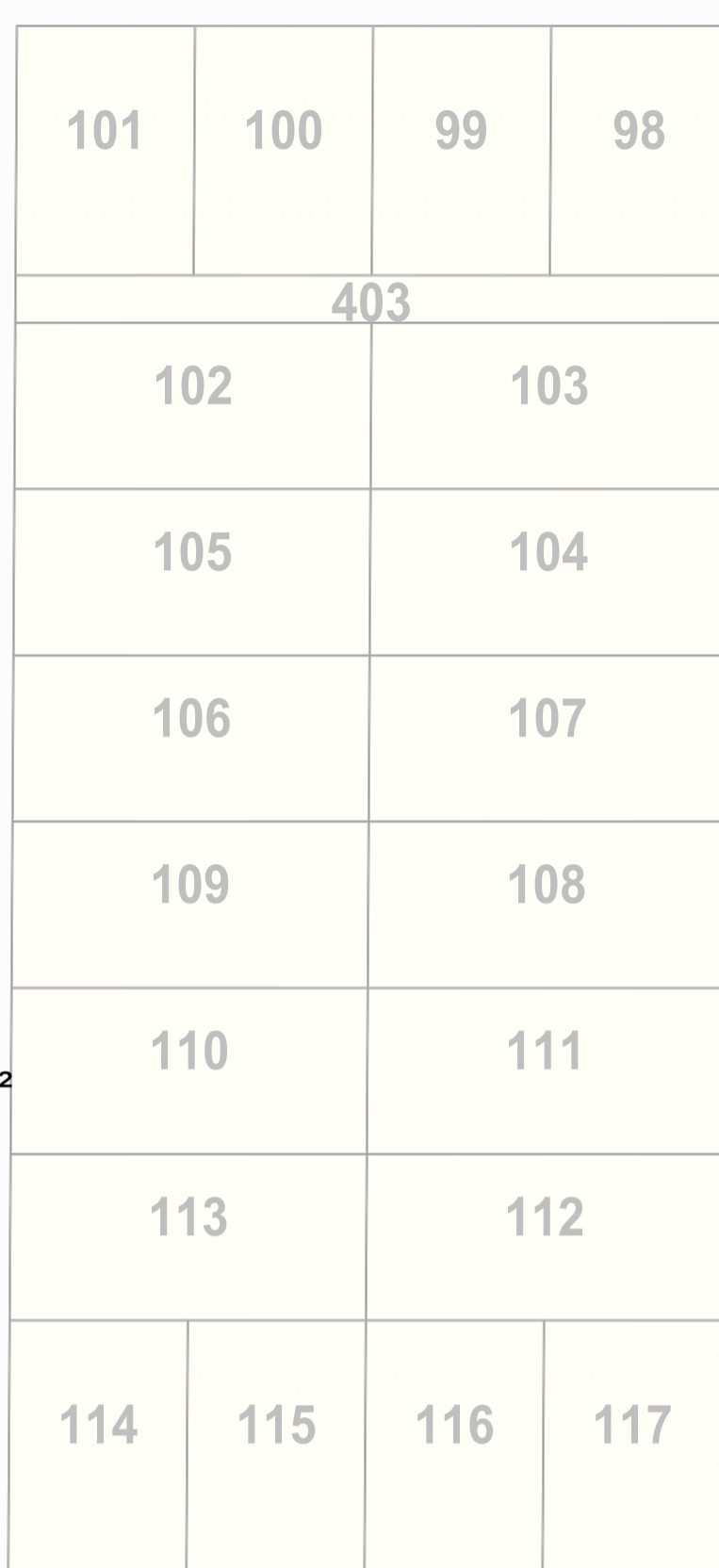
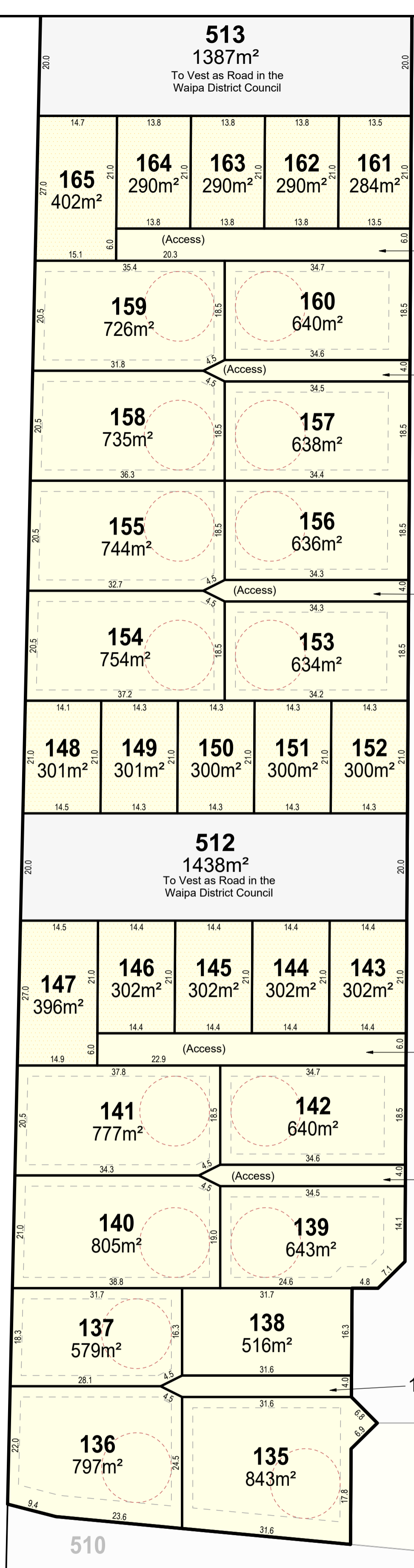
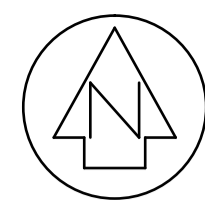
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REF: 4297

DRAWING NUMBER: 4297-SP-4 REV: K

PLOTTED: Wed Mar 10 12:28:58 2021

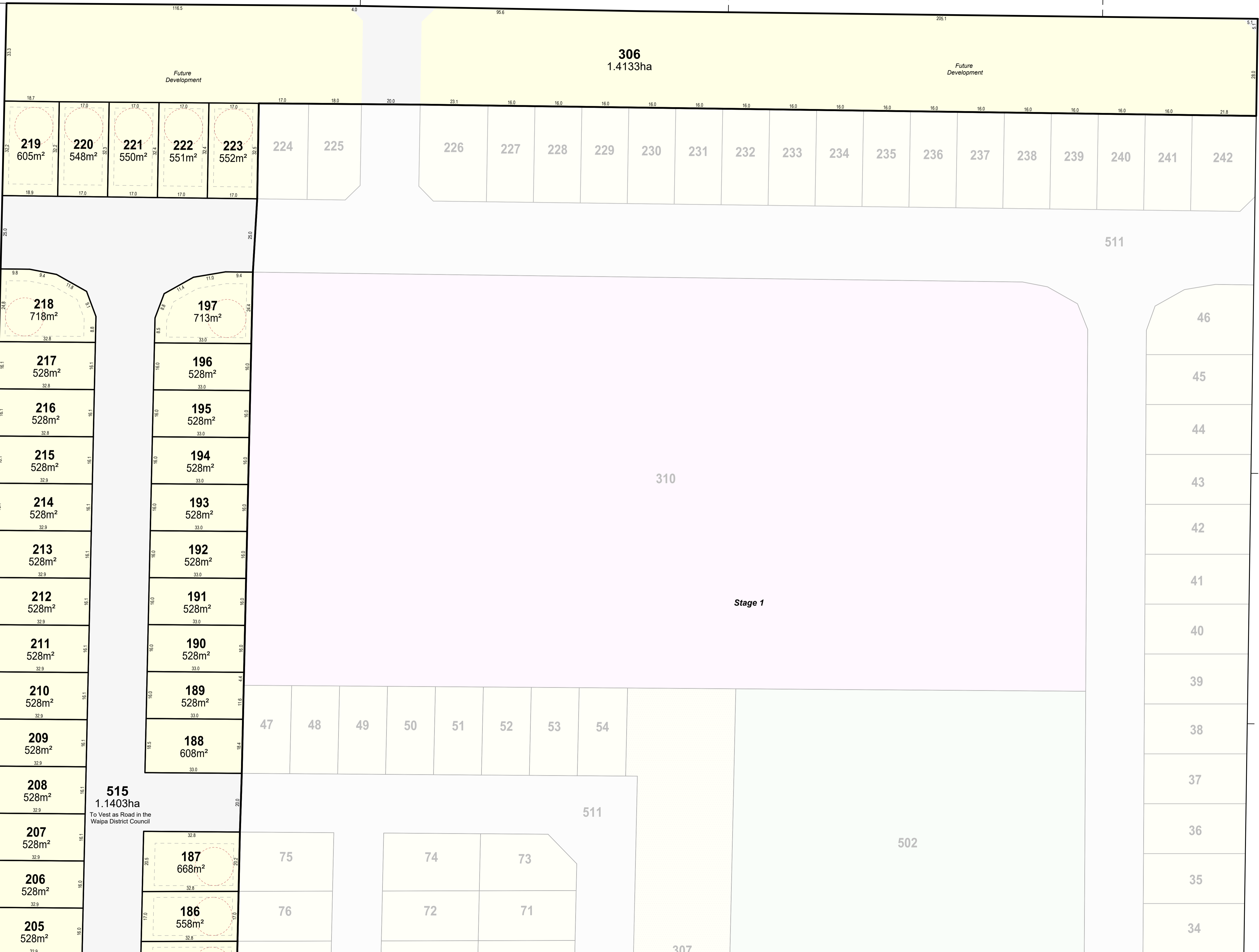




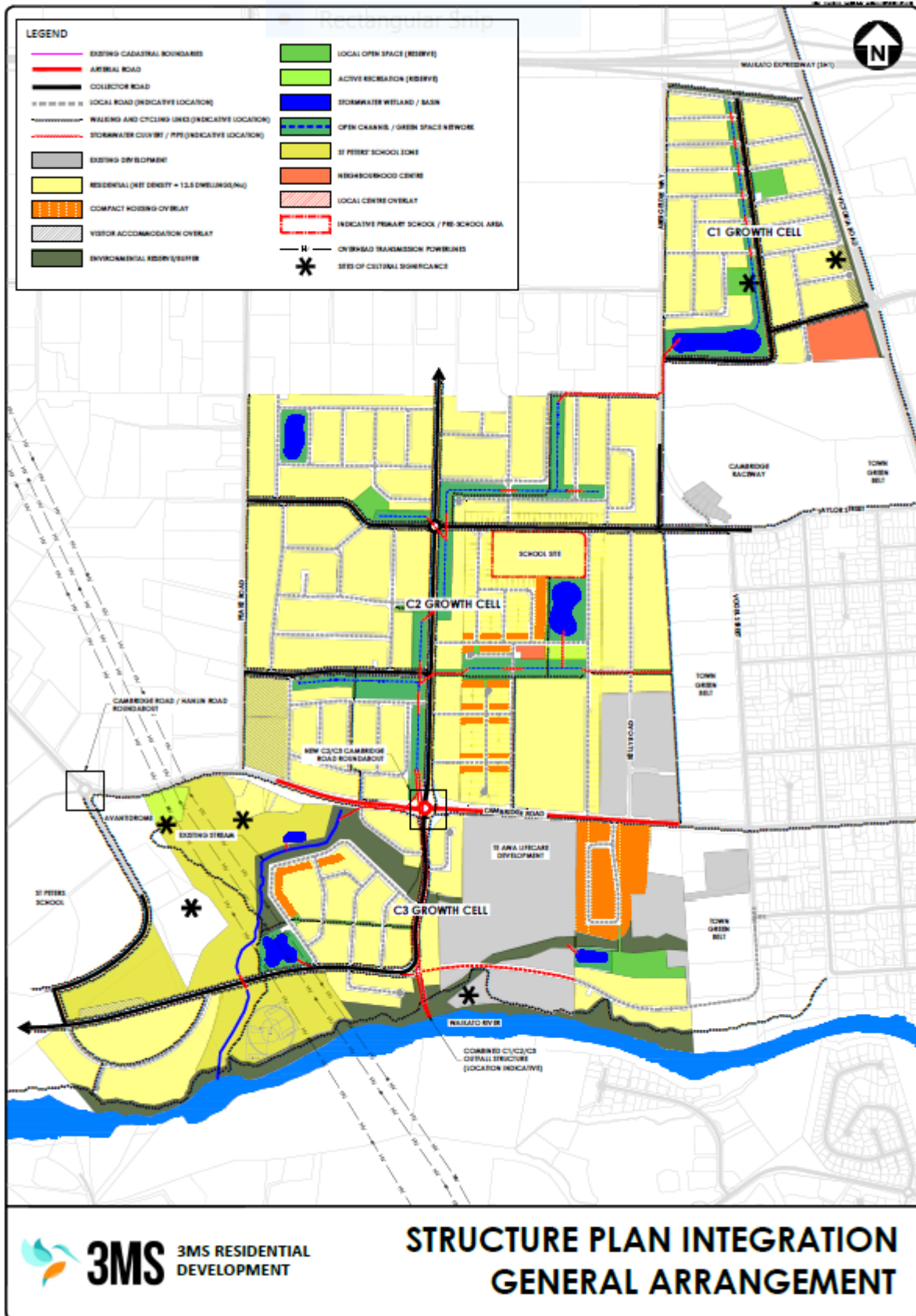
= 13mØ Building Shape Factor Circle,  
clear of 2m Side and Rear setback  
or 4m Road setback.

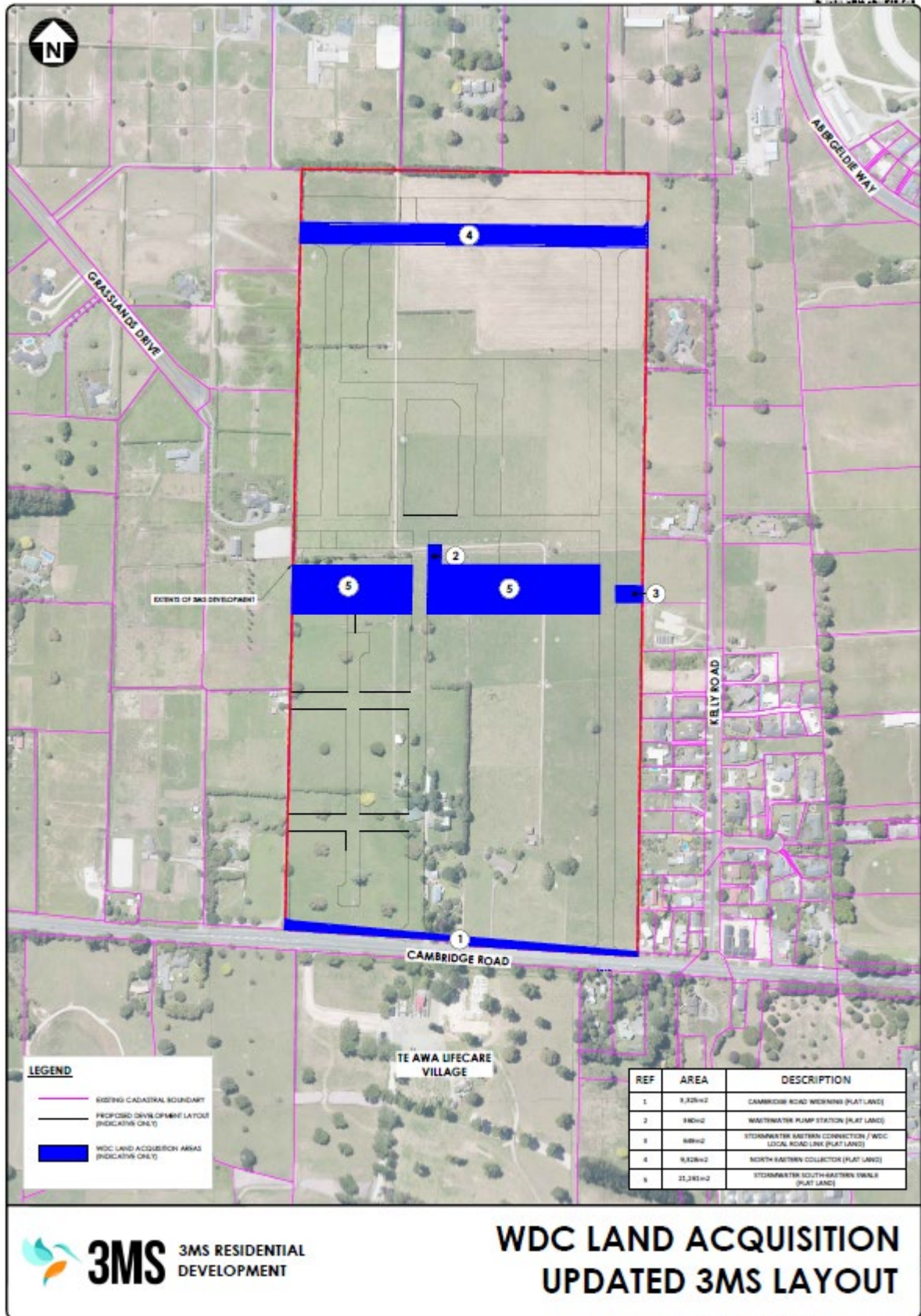


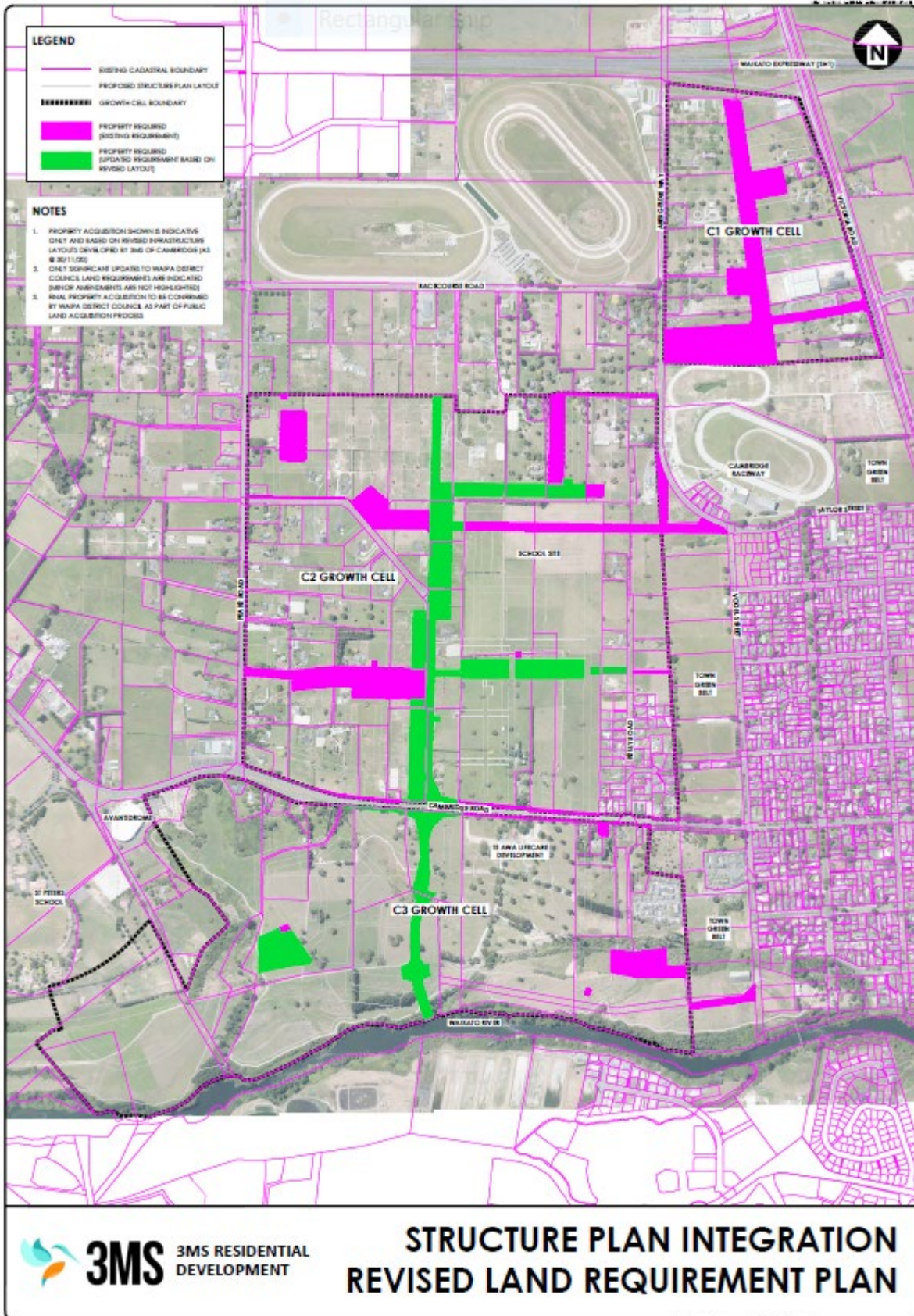




APPENDIX B: AMENDED PLANS AS SUBMITTED MARCH 9 2021







SUPPLEMENTARY ADDENDUM TO NOTIFICATION REPORT

