

REGULATORY HEARING REPORT



To: The Hearing Commissioners
From: Mark Batchelor (Consultant planner on behalf of Waipa District Council)
Subject: Subdivision to create 246 Residential Lots within the C2 Growth Cell, and associated lots for public assets.
Hearing Date: 26 and 27th May 2021
File Reference: SP/0179/20

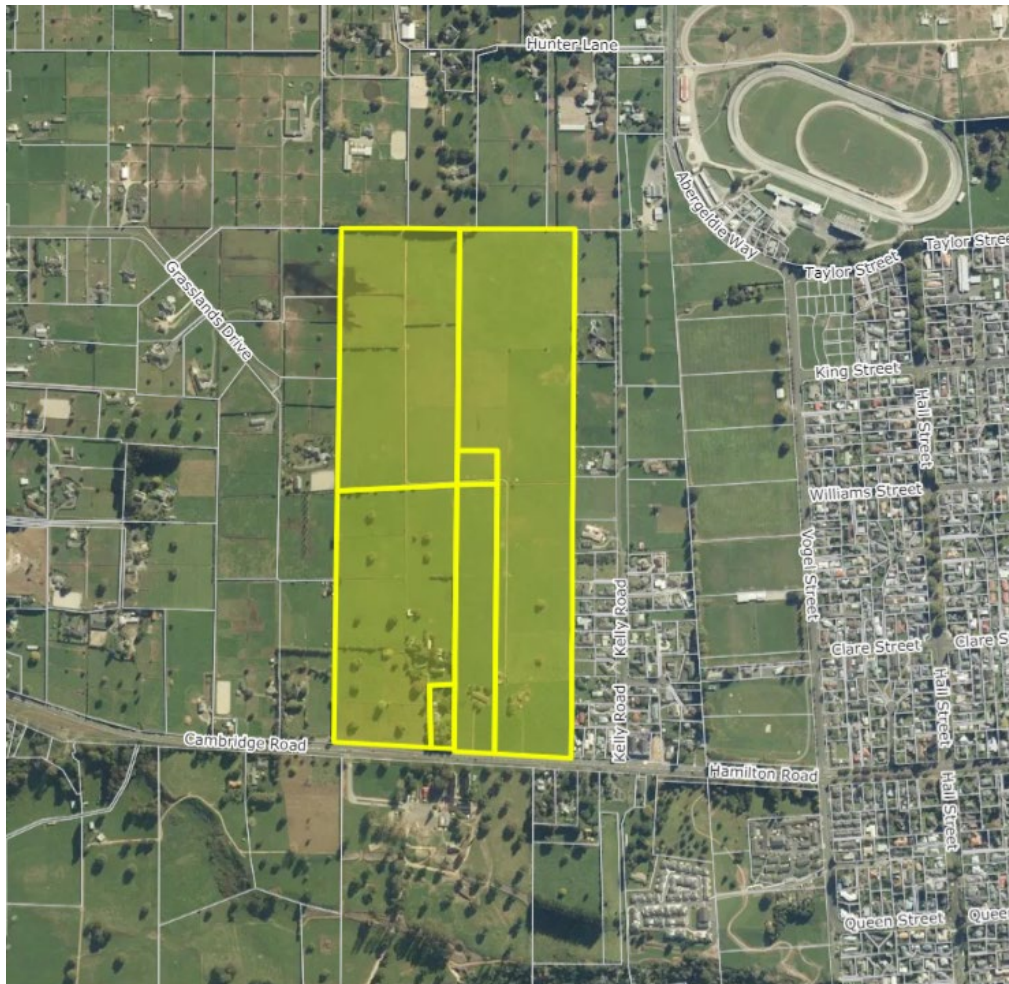
APPLICANT:	3MS Of Cambridge Limited Partnership
PROPERTY ADDRESS:	1865, 1863, 1871, 1881 Cambridge Road, Cambridge,
LEGAL DESCRIPTION:	Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006, Pt Lot 1 DP 29023, Lot 1 DPS 85575, Lot 2 DPS 85575
SITE AREA:	40.8416ha
ZONING – DISTRICT PLAN:	Deferred Zone / C2 Structure Plan
PROPOSAL:	Subdivision to create 262 lots including 246 residential lots and 16 lots for future subdivision for residential, commercial and various public assets within the C2 Growth Cell.
APPLICANTS CONSULTANT	Mitchell Daysh Limited

1 THE SITE

- 1.1 The site is flat rural residential land (by character) on the edge of Cambridge with a house on each of the lots.
- 1.2 Access to the site is from the northern side of Cambridge Road.
- 1.3 The site is presently subject to earthworks pursuant to a regional council earthworks consent.

- 1.4 Surrounding properties are of similar rural residential character. There is a small residential locality adjoining the south eastern boundary of the site accessed by Kelly Road adjoining Cambridge Road. A detailed description of the site and locality is provided in Section 2 of the application. This is adopted for the purpose of this report.
- 1.5 Aerial photograph (refer Figure 1 below) shows site and locality.

FIGURE 1: AERIAL PHOTOGRAPH OF SITE AND LOCALITY



2 BACKGROUND

- 2.1 Land within the C2 structure plan on the western side of Cambridge is proposed to be subdivided for development into residential sections.
- 2.2 The proposal includes variations from the C2 structure plan. The more significant of these are removal of a central sports field, relocation of a stormwater reserve and walk and cycle ways and a collector road off the site onto adjacent land, relocation of a community centre from a central location within the structure plan to a central

location within the site. **NB:** Refer to paragraph 2.15 regarding a Council resolution relating to these sports fields.

- 2.3 The site is zoned Deferred Residential Zone. This applies the C2 structure plan onto the site and surrounding land not within the site but within the wider structure plan area.
- 2.4 The C2 structure plan is one of a number of structure plans around the outskirts of the Cambridge urban area providing for residential development.
- 2.5 The Deferred Zone requires a plan change or a resource consent to be granted to allow residential development.
- 2.6 The provisions of the Deferred Zone include reference to a resolution separately from resource management procedures prescribed in the RMA, which has been determined by the Council not to be available. An application for resource consent resolves this.
- 2.7 Proposed Plan Change 13, for which the submissions period has closed, provides the plan change option. This changes the zone from Rural to Residential. The hearing for this is set down for June this year (2021).
- 2.8 Record of title information is provided in Section 2.9 of application report. Summary of this information is provided by Figure 2 below. Records of titles are provided in the application at Appendix B.

FIGURE 2: TITLE INFORMATION

Address	Legal Description	Area	Owners
1881 Cambridge Road	Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006 comprised in Record of Title SA56C/447	26.9866ha	3MS of Cambridge GP Limited
1871 Cambridge Road	Pt Lot 1 DP 29023 comprised in Record of Title SA31C/268	3.593ha	
1863 Cambridge Road	Lot 1 DPS 85575 comprised in Record of Title SA68A/9	0.510ha	
1865 Cambridge Road	Lot 2 DPS 85575 comprised in Record of Title SA68A/10.	9.752ha	
Total Area		40.8416ha	

- 2.9 **Legal interests** in each lot are described in Section 2.9.2 (Table 2) of the application. These comprise amalgamations, Limited Access Road frontage (SH1) along Cambridge Road (now withdrawn), easements (some redundant requiring cancellation), rights of ways and easements for access, and various utilities easements for power and telecom.
- 2.10 Required easement cancellations are reported in Section 2.9.3 of the application. These are all provided on the subdivision scheme plan.
- 2.11 **School designation;** has been confirmed and acquired by the Ministry of Education. The site is shown on the application plans.
- 2.12 **Historical subdivision** consent SP/0136/20 granted 29 May 2020 for 5 lot subdivision described in the application (refer to Section 2.9.4) to provide for roading, reserves and a school site. This subdivision is not proposed to be proceeded with. The applicant has requested this consent be cancelled.
- 2.13 **Other resource consents** (refer to Section 2.10 application report) LU/0166/20 for earthworks have been obtained from the Waipā District Council for earth works being undertaken at present.
- 2.14 **Land for infrastructure** relies on the collector road and stormwater reserve corridor shown on the application plan as being relocated onto adjacent land being acquired. Council staff are assessing options at present. Outcomes are able to be reported at the hearing.
- 2.15 **Reserve Land acquisition** On April 27th the Council resolved in a public excluded meeting to offer to purchase land within the application site for an active Recreation reserve and a destination playground. This site is shown in plans provided in Appendix 2 of this report. This purchase is conditional on a sale and purchase agreement and resource consent being granted for this subdivision. Because this remains conditional, my report covers both scenarios, these being with and without the active reserve on the application site.
- 2.16 Resource consent from Waikato Regional Council for other construction related activities associated with earthworks has also been applied for.

3 THE PROPOSAL

- 3.1 Detailed description is provided in Section 3 of the application report. This is adopted for the purpose of this report. The application is however summarised in paragraphs 3.2 to 3.9 below.
- 3.2 The 40.8398ha lot is proposed to be subdivided into 262 lots including 246 residential lots and 16 lots for a mixture of future subdivision for residential, commercial and

3.6 **Residential lots (246 lots)** comprising the following.

- i. General Residential lot areas –ranging from 409m² to 843m²,
- ii. Residential - Compact Housing lots – ranging from 284m² to 402m².

3.7 **Other lots for a range of other purposes** are listed below.

- i. Retirement Village (Lot 300).
- ii. Community commercial centre (commercial Lot 301),
- iii. Future Residential Development (Balance Lot 306),
- iv. Super Lot 307 (likely but not assured) high density residential development with lot areas not described),
- v. Proposed School Site (Lot 310),
- vi. Access lots (lots 402 – 410) – providing access to rear residential lots,
- vii. Roads to vest (lots 510 - 515)
- viii. Local Purpose Reserves for recreation, access, drainage, stormwater, and associated utilities equipment such as pump stations (lots 500 – 508).

3.8 **The subdivision is divided into 2 stages** illustrated in Figure 3.

- i. Stage 1 is the majority of the site area.
- ii. Stage 2 is a strip of land along the western and northern boundaries of the site.
- iii. Stage 2 occupies land shown in the C2 structure plan that contains the north/south stormwater reserve and collector road. This land is proposed to be developed into residential lots instead of the stormwater and road corridor.
- iv. Stage 2 effectively cuts the site off from adjacent land to the west and north until that stage is developed.

3.9 **Comparison of the C2 structure plan** with the district plan and the structure plan proposed in the application is provided in Section 4.1.3.4 (refer to figures 34 & 35 - pages 105 and 106) of the application report.

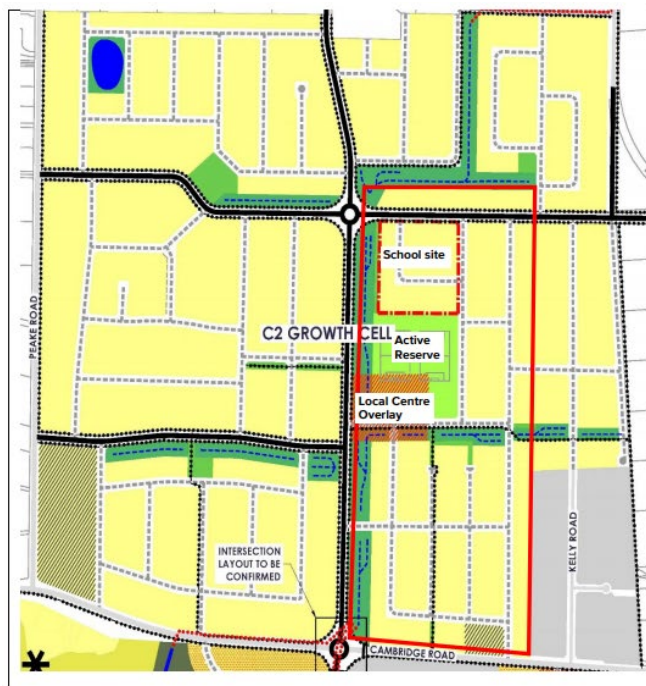
3.10 **Differences between the C2 structure plan and application structure plan** proposed in the application are summarised below.

- i. Variations in location and shape of the school site.
- ii. The sports field is removed. Negotiations between the Council and applicant have reached a stage where replacement of the sports fields to their original location planned in the C2 structure plan has been suggested and sale and purchase negotiations have been initiated (refer above to paragraph 2.15).
- iii. The local community/commercial centre is reduced in size and relocated towards the east to a location more central to the application site rather than a location central to the wider C2 structure plan. This separates the community centre from the collector roading that contribute to this separation by being moved west onto adjacent land, within the C2 structure plan.
- iv. Introduction of higher density (compact) housing areas.
- v. Variations in roading layout from the C2 structure plan including variations in connections with adjacent land within the C2 structure plan.
- vi. Variations to the C1 and C3 and balance of the C2 structure plans are shown on the plans. These have been described for the purpose of indicating how the variations on the site can be accommodated in these other plans and within the balance of the C2 plan.
- vii. There is a proposal to vary the C3 structure plan that the applicant is involved with. This has been a factor in relocation of the roundabout and possibly influencing the proposal to relocate the north/south stormwater reserve and collector road corridor so the main access routes to both the C2 and C3 structure plans will be served by that intersection.
- viii. Increase in width of central east/west drainage swale and reserve to increase its stormwater capacity and pathway and overall amenity contributions to the community. This is described in the application as compensating for removal of the sports fields and the stormwater reserve from the western boundary of the site.
- ix. Disconnection of the site from the C2 structure plan stormwater network, that includes an east/west component from the C1 draining into the C2 structure plan, then towards the C3 structure plan, and replacement of this with onsite stormwater collection and infiltration within a stormwater infiltration basin.
- x. Inclusion of a large 'super lot' area in the south east quarter of the site identified for a retirement village.

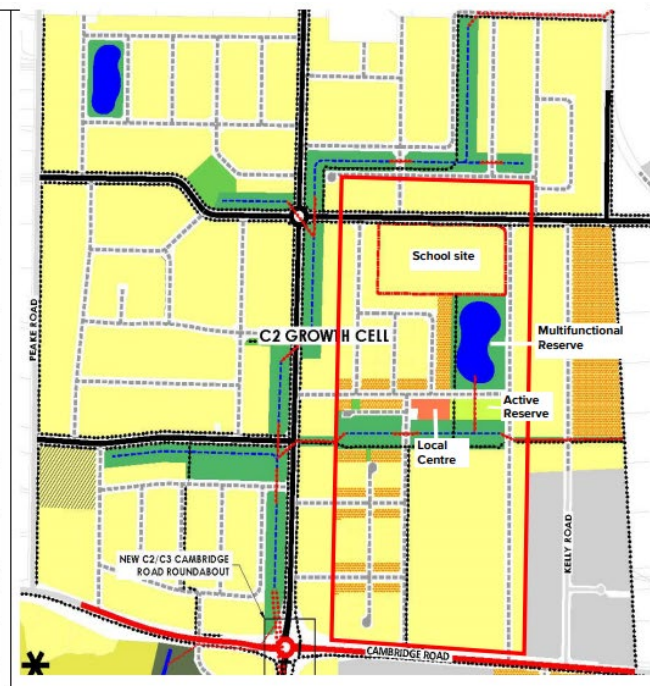
- xi. Removal of identified visitor accommodation locality adjacent to Cambridge Road.
 - xii. Removal of the north/south collector road from the site and relocation of this to adjacent land to the west and consequent need for acquisition of that land.
 - xiii. Relocation of the intersection of the north/south collector road within the C2 structure plan with Cambridge Road, as referred to above. This is not part of the application; it has been negotiated with the Council separately. This relates directly to the north/south stormwater reserve and collector road corridor proposed to be removed from the application site to line up with the roundabout. Further advice from the Council Development Engineer may be required if the details of this or any agreement are needed.
 - xiv. Like the collector road, removal of the north/south stormwater reserve from the site and relocation of this to adjacent land to the west and consequential need for acquisition of that land.
 - xv. A short local road connecting the eastern side of the site to land to the east (Kelly Road) was initially proposed to be replaced as a lot identified for stormwater purposes. This has now been replaced, subsequent to lodgement of the application, but is now proposed as a lot for road and stormwater and requested to be acquired by the Council.
 - xvi. The application proposes financial contributions related to stormwater should not be payable due to the proposal to manage all stormwater on the site and not rely on the proposed stormwater network and north/south swale provided in the C2 structure plan. The value of the land within reserves areas is also referred to as a possible basis for a similar approach to development contributions.
- 3.11 The layout of the stages and their potential development at different times and variations from the C2 structure plan described above provide potential for the site to be legally separated from land adjoining the western and northern boundaries until Stage 2 is developed.
- 3.12 Comparison of the C2 structure plan and application structure plan is provided by Figure 4 below.

FIGURE 4: COMPARISON OF C2 AND APPLICATION STRUCTURE PLANS

C2 Structure Plan

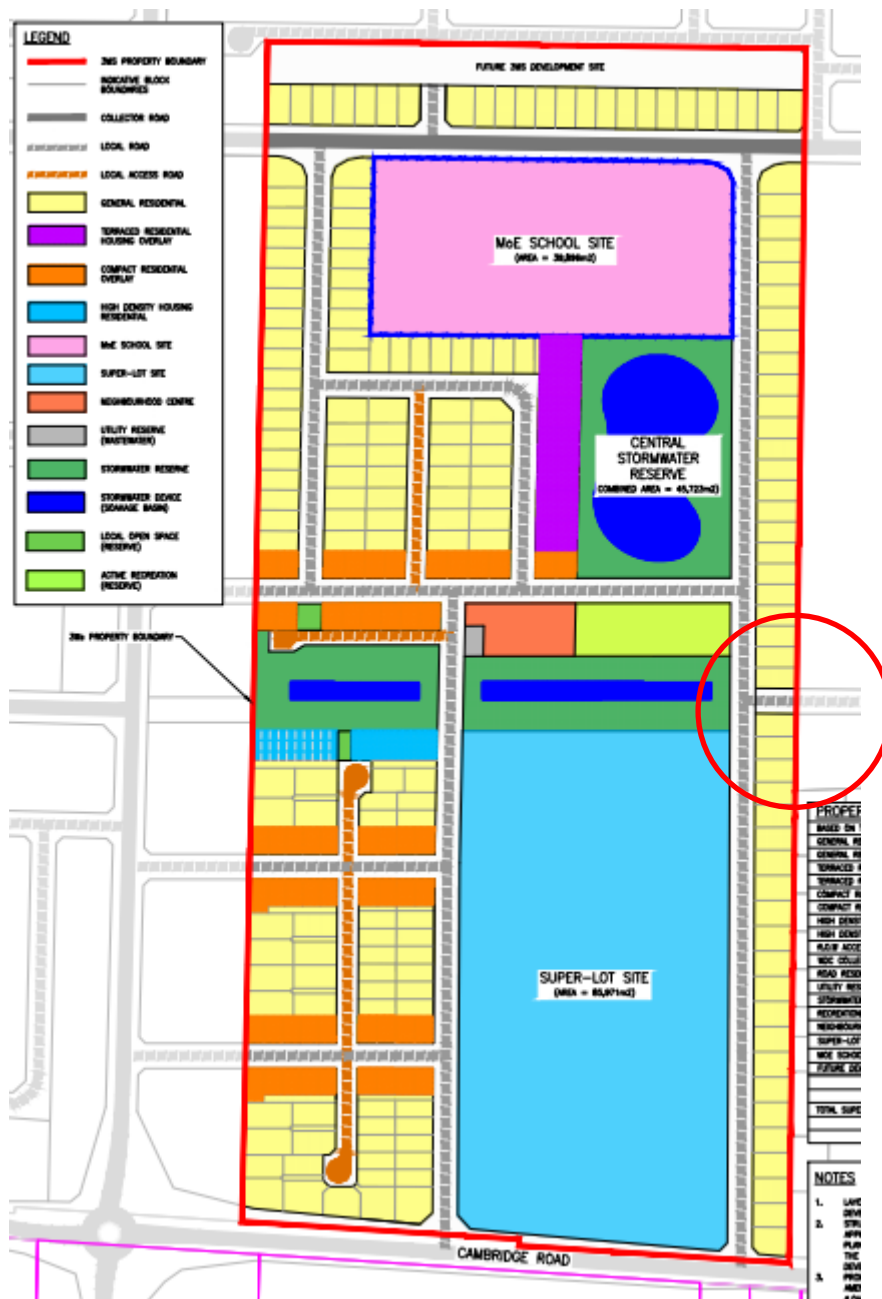


Application Structure Plan



- 3.13 **A revised structure plan** has been lodged subsequent to requests for further information, the applicant has provided this on the 10th March 2021. This is provided in Appendix 3.
- 3.14 **Replacement of the Kelly Road link** referred to in paragraph 3.12 above is shown in the attached replacement scheme plan as a Lot 500 as drainage and road reserve.
- 3.15 That link is provided as a lot for acquisition rather than a local road to be vested as shown in the C2 structure plan.
- 3.16 An extract of the proposed (application) structure plan is provided below as Figure 5. The Kelly Road connection is shown within the red circle.

FIGURE 5: AMENDED APPLICATION STRUCTURE PLAN – INCLUDING CONNECTION TO KELLY ROAD LOCALITY



3.17 The Council has requested the applicant provide a plan showing the location of the active reserve (sports fields). This plan has been provided by email from Abbie Fowler acting for 3M dated 19/04/2021. This is also provided in Appendix 2. A reduced copy is provided below as Figure 6. This was explained to be subject to 3Ms obtaining resource consent approval and Council approval. **NB:** While this is contained in the Amended plans Appendix 2, it is not considered as an amended plan.

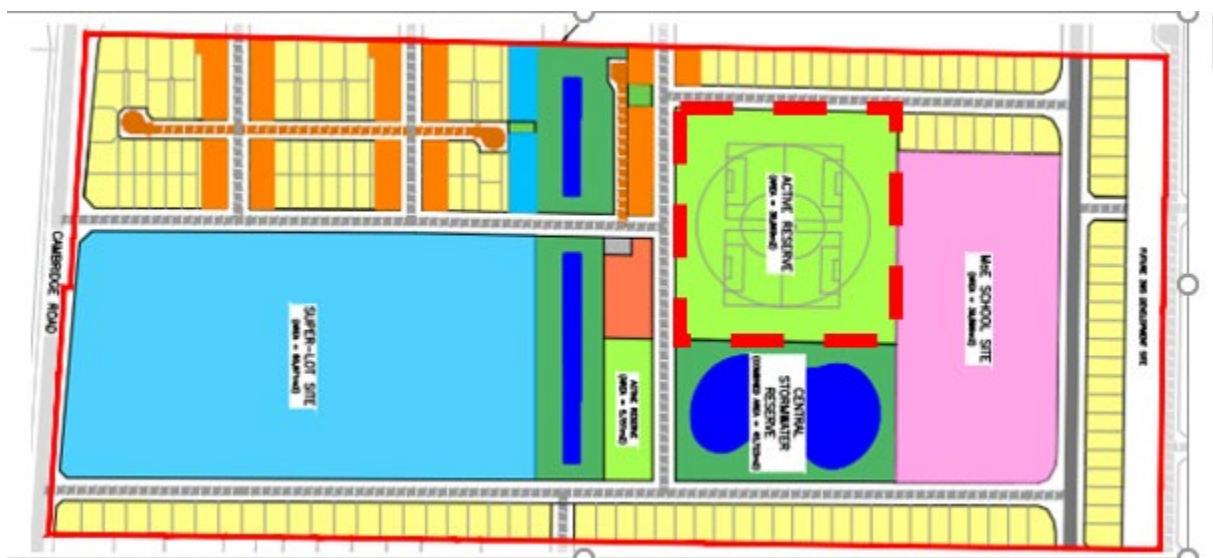
3.18 The email accompanying the plan advised it was not proposed as part of the application at that time and the application would be amended at a later date with

amended plans being supplied. An extract from the email advising this is provided below.

As stated in the email below, this plan does not yet form part of the subdivision application but when the actions I've described in my earlier email have been completed, 3Ms will formally amend the application by sending through updated plans (including an updated scheme plan showing the lots to vest) attached to a letter which amends the application and documents which plans have been superseded, and which plans are the proposal.

- 3.19 At the date of this report's preparation, as described in paragraph 2.15, on April 27th the Council resolved to offer to purchase land within the application site for recreation reserve and a destination playground. This site is shown in plans attached in Appendix 2 of this report. A reduced extract from the structure plan provided by the applicant showing the position of these fields is provided below as Figure 6. This purchase is conditional on a sale and purchase agreement and resource consent being granted for this subdivision. If agreement is reached the applicant is understood to propose to provide amended plans showing this.
- 3.20 This agreement is for an offer to be made to purchase land for sports fields and playground. It is not an agreement to a sale and purchase at the date of this report. This leaves this matter unresolved. Its resolution would be achieved by a signed agreement for the sale and purchase of this land for that purpose. The land identified for the sports fields is shown in Figure 6 (refer to red dashed outline). The destination playground is also shown to the south of the community centre.
- 3.21 The matter will not be resolved if such a purchase does not occur. Provision can be made in conditions of resource consent for any negotiations and procedures to continue towards this objective. If sport fields are not obtained for this site or in proximity and within the C2 structure plan, removal of the fields from the structure plan presents a significant adverse effect. This effect would need to be mitigated by the Council if not mitigated by the applicant.

FIGURE 6: REINSTATED SPORTS FIELDS LOCATION – STILL UNDER NEGOTIATION



or close by. Expectations from discussions is replacement of the sports fields is proposed and being actively pursued (refer to paragraph 2.15 in this regard).

- 5.4 The link road between the application site and the Kelly Road locality was also returned to the proposal (refer to Appendix 3).
- 5.5 Replacement of the link road to the Kelly Road locality is reported above in paragraphs 3.14 and 3.15 and shown by the red circle on Figure 5.
- 5.6 The result was limited notification to the owners and occupiers of the land identified in Figure 1 of the Supplementary Addendum to Notification Report dated 09.03.2021. This is the land the stormwater reserve and collector road are shown proposed to be relocated onto. Figure 7 above provides a copy of the plan provided in the report that identified that land.
- 5.7 The application being for only subdivision consent was a significant factor in the assessment that provided for the decision to limit notification to owners of the land the collector road and stormwater swale is proposed to be relocated onto.
- 5.8 This enabled finding the application would not change land use character and effects. This relies on the difference in purpose of a subdivision consent and land use consent. This has been described several times in the application to the effect of being Augier in effect. This is described further in Section 8.9 of this report.
- 5.9 The rationale for this approach is Plan Change 13 (PC13) proposes to change the district plan to apply the Residential Zone to the site and the wider growth cells. This will affect the nature of any application for the land use component of this proposal. The expected relative time frames of this application and PC13 procedures make awaiting the outcome of the change reasonable.
- 5.10 That resulted in the finding that the application did not propose a change in land use other than relocation of the stormwater swale and collector road onto property adjacent to the application sites western boundary of the site.
- 5.11 This resulted in a finding that effects will be limited to the land the stormwater and collector road corridor are shown to be relocated onto.
- 5.12 The applicant has also advised in discussions that showing the relocated stormwater reserve and collector road shown placed on adjacent land was not part of the proposal. This was described by the applicant as illustration of a potential alternative location for these.
- 5.13 The land subject to that suggestion was also not included in the legal description provided in the application. The result being the suggestion becomes an illustration of expected effects of the variations from the structure plan. This might be

interpreted to mean the proposal includes removal of the stormwater reserve and collector road corridor from the C2 structure plan.

- 5.14 Regarding the applicant’s advice that the relocation of the stormwater and collector road from the site onto adjacent land was not part of the proposal, I disagree. The applicant would seem to think similarly as it identified the people who owned the land onto which the stormwater and road corridor was shown to be relocated to as potentially adversely affected.
- 5.15 Written approval has also been sought by the application from these people.
- 5.15 The corridor has also been established by way of a change to the district plan applying the Deferred Residential Zone to the site and surrounding locality and becoming part of the provisions of the district plan rather than a document held separately as an ‘other matter’. The provisions of that zone include the structure plan.
- 5.16 Further in this regard, the proposal is a Non-complying Activity, which provides for any matters to be considered.
- 5.17 At the least, removal of the opportunity for the Council to establish the corridor on this land is an effect on that and on the adjacent land and consequentially on achievement of its stormwater and collector road access strategy for the structure planned environment.

6 SUBMISSIONS

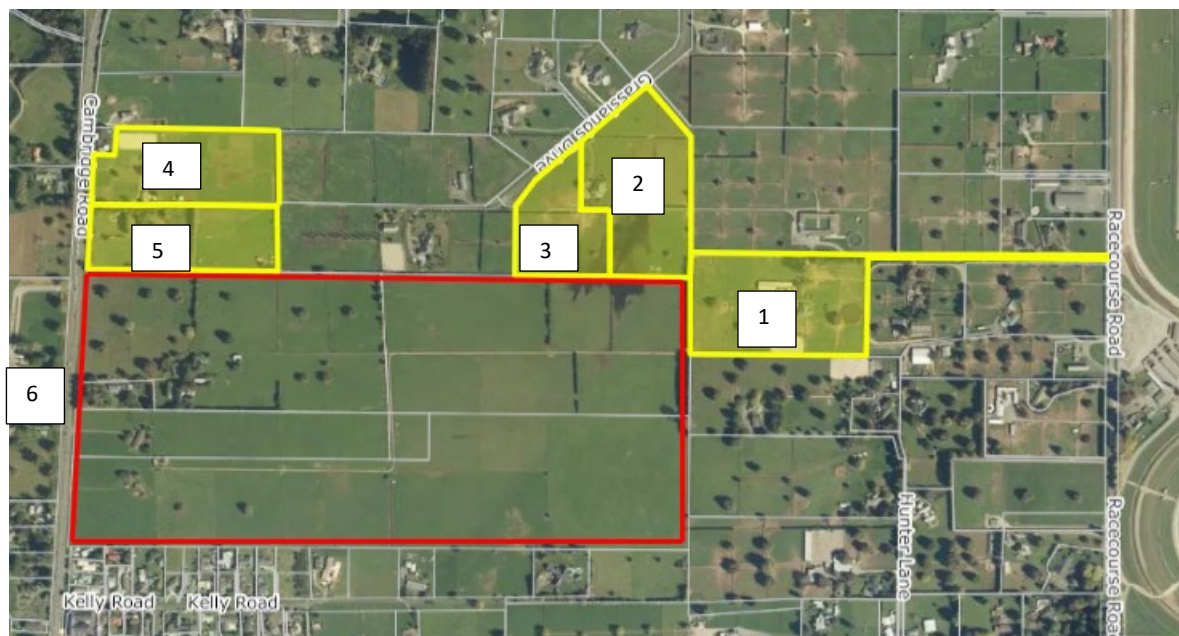
- 6.1 One general submission in support was received (Chartwell Properties) seeking to grant the application. Five (5) submissions in opposition have been lodged. These are provided in Appendix 4.
- 6.2 Table 1 below provides a list of the persons who lodged submissions. The ‘Map ID No’s’ provided in the table and the matching numbers on the aerial photograph provided as Figure 8 identify the land referred to in each submission.
- 6.3 The application site is identified by the Red outline.

TABLE 1: SUBMITTERS

Submitter	Land	Figure 8 ID No.	Opposed/Support
Frank and Colleen Ritchie and John Coltman as Trustees of the Frank and Colleen Ritchie Family Trust.	397 Grasslands Drive Cambridge.	2	Opposed

Cary Alton	59 Racecourse Road Cambridge.	1	Opposed
Jeanette and Desmond Brough in association with Cambridge Cohousing Project Society	1835A Cambridge Road.	5	Opposed
Gareth Hawthorn	Grassland Drive Cambridge.	3	Opposed
Xiaofeng Jiang & Liping Yang	1835 Cambridge Road	4	Opposed
Chartwell Properties	Cambridge Road	6	Support

FIGURE 8: SUBMITTERS LAND



6.4 Matters raised in submissions are listed below.

- i. Inconsistency with district plan and structure plan.
- ii. 'Triggers' for uplift of Deferred Zone not met. Trigger (c) was particularly referred to as not met as the land is not serviced by at least being set aside.
- iii. Effects of re-location of the north/south collector road and stormwater reserve onto adjacent land, including development potential of that land.
- iv. Potential effects on ability of Council to establish north/south stormwater swale and reserve and the collector road.
- v. Effects on timing and certainty of achieving structure plan objectives as a result of potential difficulties with acquiring land for alternative routes.

- vi. Urban design considerations related to orientation of lots and houses relative to north/south collector.
- vii. Effects on amenities of land occupied or adjacent to the re-located collector road route.
- viii. Consideration of the proposal in isolation from other proposals within the C2 growth cell is not appropriate.
- ix. Effects on already committed investment, continuing viability and timing on affordable housing schemes for land affected by the alternative locations of the stormwater and collector road routes suggested in the application.
- x. Additional costs to the community resulting from work required to re-plan and design an alternative network.
- xi. Early establishment of stormwater and roading services within the C2 growth cell is made possible by location on the application site. This provides more certainty for continuing development and release of other land within the C2 growth cell than having to rely on acquisition of other land. The proposal to move them off the site removes this certainty.
- xii. Significant disruption from location of the stormwater and collector road on established smaller properties and effects on their continuing viability for established occupation and use.

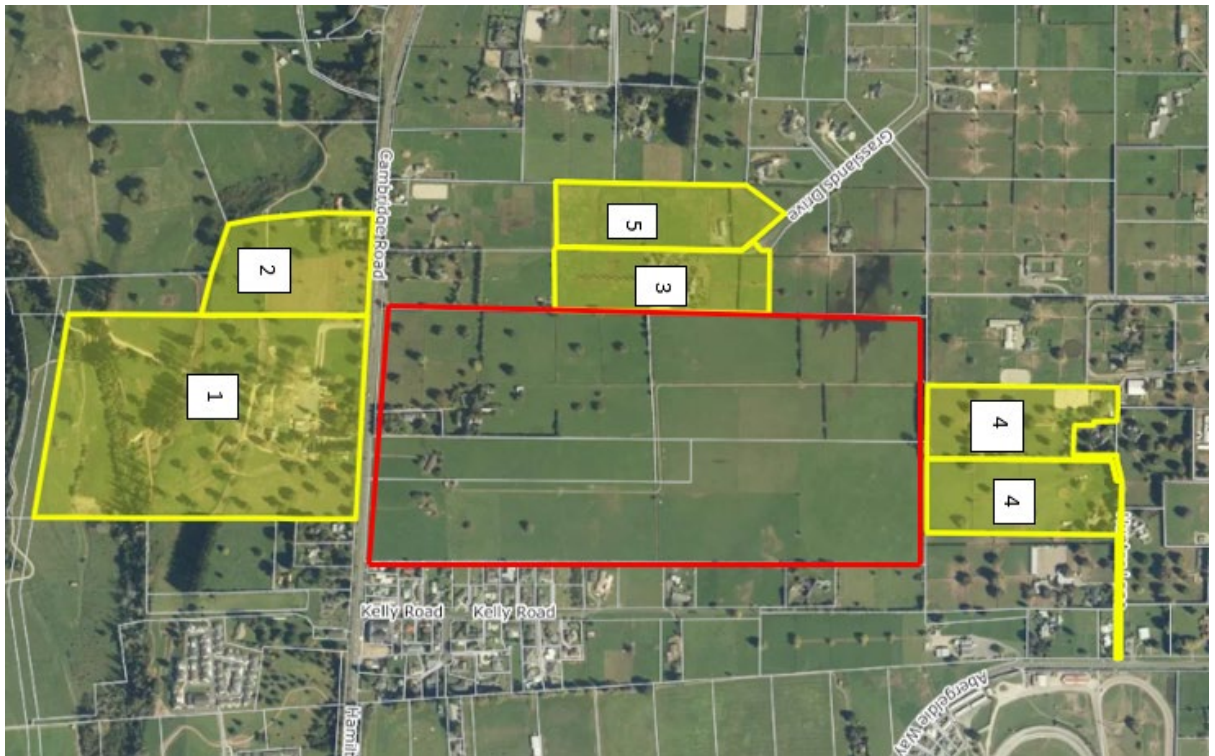
6.5 Written Approvals

- 6.5.1 Five (5) written approvals have been received. These are attached to this report. Table 2 below provides a list of these people. The Map ID No's' in the table identify the property on the aerial photograph provided as Figure 8. The application site is identified by the Red outline.

TABLE 2: WRITTEN APPROVALS

Submitter	Land	Map ID No.	Opposed/Support
St Peters School	1832 Cambridge Road	2	Support
Te Awa Life Care	1866 Cambridge Road.	1	Support
Blackwood Lodge	690 Grasslands Drive	5	Support
Ron and Thea Gussey	694 Grasslands Drive.	3	Support
Plaw Family	3 and 5 Hunter Lane	4	Support

FIGURE 8: WRITTEN APPROVALS PROPERTIES



6.5.2 No discussion was provided with any of the approvals.

6.5.3 Submitters or people notified of the application have not had an opportunity to assess the proposed plan amendments.

6.5.4 The plan showing the sports fields replacement has not been formerly offered as a change to the application. I understand the applicant is expected to lodge an amended plan to show the sports fields in position if a sale and purchase agreement has been achieved.

7 OFFICER COMMENTS

7.1 Development Engineering

7.1.1 Council's Development Engineering report is provided in Appendix 6. The report includes a number of conditions recommended for any consent granted.

7.1.2 The engineering report is summarised in the following points.

a. Earthworks;

Required consents have been issued allowing stripping and sediment erosion control, and approval for the south eastern portion of the site to be stripped and stockpiling has been given. These works are occurring now.

b. Foundations;

Consent notices requiring specific design of foundations in response to slope stability and potential for liquefaction are recommended. The lots subject to these matters are identified in the recommended conditions.

c. Transportation;

Moving the collector road from the site onto land to the west has a number of implications. These are listed below.

- i. This is technically feasible subject to land availability and no constraint from geotechnical issues.
- ii. Relying on acquisition of land not owned by the applicant presents significant risk to being able to establish the roading network proposed for the wider C1, and C2/C3 structure plan area.
- iii. Delay of acquisition of land after this subdivision may increase Development Contribution costs to development of other properties.
- iv. Safety issues from inadequate capacity of local roads proposed to provide access.
- v. Relocation of the C2/C3 intersection on Cambridge Road requires consents from affected landowners, separation distance requirements apply to the existing planned position of the intersection, and who will be paying for the land required to accommodate the intersection has not been determined.
- vi. Conditions requiring adequate design and construction standards, construction effects mitigation, traffic calming, and track maintenance are recommended.
- vii. Proposal for right turning traffic into Cambridge Road is identified as problematical if the C2/C3 roundabout is not able to be constructed in time. This is reliant on acquiring land for the roundabout and the collector road and stormwater corridor.
- viii. Subsequent discussion regarding the roundabout and closure of the local road connections

d. Water supply;

Little change from the designed network is required other than pipe sizes that is addressed in recommended conditions of consent.

e. Wastewater;

Recommended conditions of consent provide requirements.

f. Development Agreements;

This is referred to in the wastewater section of the comments but addresses a number of matters.

The comments advise the applicant and Council have agreed that a Development Agreement (DA) and an Infrastructure Works Agreement (IWA) are required for this development.

The agreements will be firstly for the Development Contributions payable, and secondly, via the IWA, for works the Council wants the applicant to undertake on the site.

g. Stormwater;

Relocation of the stormwater network from the site to adjacent land is technically feasible.

As reported for roading, uncertainties from reliance on land acquisition, geotechnical suitability, cost and development contribution implications on other developments within the C1 and C2/C3 structure plan are referred to.

Soakage rates in the proposed infiltration basin are less than desirable. The infiltration basin is however proposed to be oversized to resolve this.

Waikato Regional Council (WRC) staff are reported to have advised they would require an application for a change of conditions of the WRC consent to reflect the change in the manner stormwater is proposed to be disposed of.

Regarding this being expected to be an application for change of conditions, if it proposes a different process of management and discharge and regarding the extent of the change, any such proposal may be determined to require a new resource consent. This is a matter to be determined by the WRC and at that time.

7.3 Recreation Reserves

7.3.1 The Council has had a Sports Fields Options Analysis (GLG, January 2021) and Cambridge C2 Open Space Assessment (Xyst, 08/03/2021) carried out to assess effects of the sports fields being removed from the Structure Plan and mitigation options. Copies of these reports are attached to the reserves' officers report provided in Appendix 7.

7.3.2 The points from the assessment and the two reports are listed below.

- i. As a Tier 1 urban area, reserves including sporting facilities adequate reserves is an essential part of providing adequate servicing of growth areas.

- ii. The proposal includes a network of recreation, drainage and access reserves that are connected by shared paths that provide for informal recreation, significant native plantings and safe and accessible commuting options. These have been assessed as a suitable open space network, subject to details being established at the stage of their development.
- iii. The sports fields provided for in the C2 structure plan are not provided. This is a significant departure from the structure plan with potential for effects on the wider Cambridge community.
- iv. The sports fields provided in the structure plan are in response to expected demand from the C1, C2, C3 and C7 structure plans and will be a critical component of Waipā's sports field network.
- v. The central location provided in the C2 structure plan is a location where growth in demand is expected, is central and accessible to this and the other growth cells and compliments the planned community centre and school within the C2 growth cell.
- vi. If the location provided in the C2 structure plan cannot be achieved, an alternative location close to or within the C2 growth cell is the most desirable outcome.
- vii. Negotiations to acquire an alternative site will be without the advantage of the structure plan layout identifying and supporting acquisition of the land for this purpose.
- viii. The Council is, at the time of this report being prepared, working to obtain land for sports fields. At this stage there is no assurance this will be successful.
- ix. If land for sports fields within C2 cannot be acquired, other options to provide for sports field playing hours have been identified. This may be challenged by the community in response to potential for resulting changes to the environments of those localities, higher ongoing maintenance costs and reduction in capacity within the existing sports field network to cater for future intensification of Cambridge's urban area.

7.3.3 Acquisition of land for sports fields, will resolve these matters. At the time of preparing this report, confirmation had not been received. Receipt of a signed sale and purchase agreement will assist to resolve this.

7.3.4 At the date of this report, the plan provided as Figure 6 has been received. This shows the location the sports fields being discussed with the applicant. Confirmation of this as being proposed as an amendment to the application is however still required. This location is similar to where the sports fields were removed from in the application. This would resolve structure plan issues in this regard.

7.4 Urban Design

7.4.1 The Urban Design Report is attached in Appendix 8. Findings from the report are summarised in the following points.

7.4.2 The provisions of the structure plan provided in Appendix S19 and the Section 15 of the Waipa District Plan objectives, policies and rules have been combined into the following list of themes relevant to assessment of the proposal. These are copied below. Detailed assessment in regard to each is provided in Section 8 of the urban design report.

1. Legibility and character:

The subdivision should enable the establishment of a legible urban form that is easy to navigate through (positive wayfinding) and contributes to the character of the neighbourhood.

2. Connectivity and permeability:

The movement network should be well-connected, permeable, and prioritise safe walking and cycling routes.

3. Community focal point and access to amenities:

The proposed subdivision should have access to amenities, including a future centre and public open space, that is easily accessible and will act as a community focal point.

4. Housing choice and diversity:

The subdivision should provide housing choice and diversity.

5. Positive streetscape outcomes and good on-site amenity:

The size, shape and frontage characteristics of lots should enable positive streetscape outcomes and good on-site amenity.

6. Integration with adjoining land:

The subdivision layout should enable adjoining land to develop in a manner that achieves good urban form and contributes to Structure Plan outcomes.

7.4.3 The following statement in Appendix S19 of the structure plan is identified in the urban design report as providing direction on how the structure plans and development proposals should be implemented.

'The Structure Plans provide a broad framework within which landowners and developers can prepare development proposals in a flexible manner while maintaining an integrated approach to development.'

7.4.4 This is explained in the urban design assessment as understood to mean that adherence to every aspect of the Structure Plan diagrams is not required. The

structure plans provide a broad framework. Departures from the framework are acceptable subject to demonstration that the overall outcomes of Appendix S19 can be achieved, particularly the overarching goal of integrated development.

7.4.5 The following points summarise the concluding comments of the report.

- a. The proposal achieves good internal legibility for itself within the C2 growth cell.
- b. Legibility of the wider C2 Growth Cell is affected by separation of the main collector road and stormwater reserve shown to be moved off the site onto land to the west, and the community centre and active reserve area moved to the east.
- c. These changes remove focus of direct access to the community centre of the C2 growth cell from the surrounding wider locality.
- d. Establishment of the stormwater reserve network and north-south collector road becomes dependent on the Council being able to find and establish a suitable alternative location for these. This could have implications on continuing development of the wider C2 growth cell.
- e. The relocated community centre is still expected to form a local community focus. Its proposed new location remains within the structure plan guideline of a ten-minute walking distance from the western most parts of Growth Cell 2.
- f. The internal road network achieves a reasonable level of permeability. The superlot (Lot 300) proposed to be developed as a retirement village affects this negatively. However, this is not a fundamental concern as the north/south connections through the subdivision facilitate the primary movement route to and from the community centre.
- g. The proposal achieves a good level of walking and cycling connectivity, both within the site and to adjoining areas, with shared paths being wide and these being well overlooked. The residential zone fencing rule 2.4.2.21, which prescribes a maximum 1.2m high fence adjoining roads, and reserves will contribute to this.
- h. The relationship between the southern side of the community centre building and adjoining reserve will require consideration in its design to manage effects from the interface of activities expected to be located in this area and the adjoining reserve.
- i. Compact / intensified housing is not provided for in the C2 structure plan. Provision of these is beneficial. The proposed locations provide generally good level of access to amenities.
- j. Lots identified as compact housing are supported subject to them being developed to accommodate a single dwelling per site. The appropriateness of these lots being developed for terraced housing is a matter for future land use consent applications.

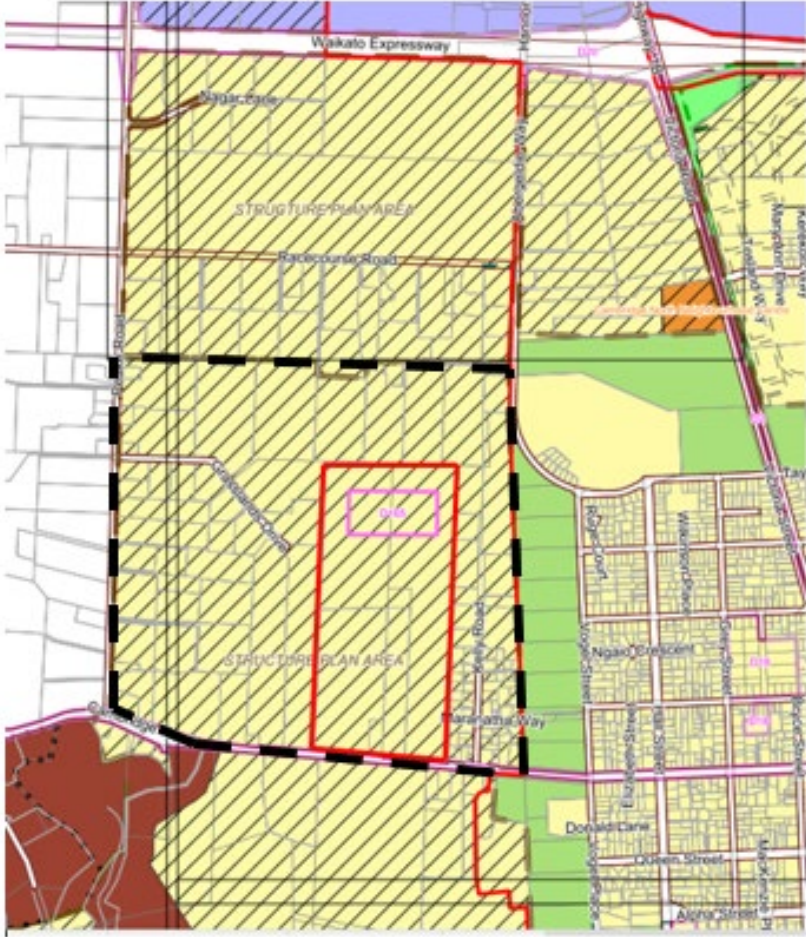
- k. Overall, the size, shape, orientation, and street boundary widths of Lots are such that future development of housing on the Lots contribute to positive streetscape outcomes.
- l. The layout presents some challenges to future development of adjoining land to the west. The relocation of the swale and collector road off the site and onto adjoining land will create difficulties in design of the subdivision of that land.
- m. Superlot 306, at the northern end of the 3Ms site is wider than shown on the C2 structure plan. Before it can be subdivided a road will need to be constructed along the northern boundary on adjoining land. This varies from the C2 structure plan that does not require a road to be constructed.
- n. In conclusion, the proposal is generally consistent with the urban design related outcomes expected for urban development in the C2 Growth Cell and for subdivision in Section 15 of the District Plan and is acceptable from an urban design perspective. This is subject to the Council being able to obtain and establish the north/south collector road and stormwater network.
- o. **URBAN DESIGN EXPERT - RECOMMENDED CONDITIONS**
 - a. A consent notice be placed on the Local Centre Lot 301 requiring any building development on the Lot to screen building servicing areas adjoining stormwater reserve and to have the southern elevation composed of windows comprising no less than 20% in area of that elevation.
 - b. The traffic plans show priority walking/cycling crossings across some roads within the site, for example across Road 20 between the active recreation and stormwater reserves. A condition of consent requiring this, and approval of its details is recommended.
 - c. The Council be satisfied it can achieve a north south stormwater reserve and collector road network serving the balance of the C2 growth cell prior to the land within the application site shown occupied by these routes being developed.

8 DISTRICT PLAN PROVISIONS

- 8.1 The Operative Waipa District Plan is relevant to this application.

- 8.2 **Subdivision consent as a Non-complying Activity** is required pursuant to Rule 14.4.1.5(a) from the Deferred Zone and Rule 15.4.1.1(w) from Section 15 of the district plan providing rules applied to subdivision in all zones.
- 8.3 **Zoning** is shown by Figure 10 below. The application site is zoned Deferred Residential.
- 8.4 This also shows the designated school site (the pink rectangle) provided in the application structure plan. The application site is outlined in Red. The C2 structure plan area is identified by the dashed black outline.

FIGURE 10: DISTRICT PLAN ZONE MAP



- 8.5 Detailed assessment of the proposal against the relevant provisions of the District Plan is provided in Section 4.1.3 of the application. This is agreed with and adopted for the purpose of this report. The assessment is summarised by the points provided in the following.

8.6 **Rule 14.4 (a) of the Deferred Residential Zone** applies the activity tables and rules in both the Deferred Zone and the Rural Zone to the Deferred Residential Zone. Rule 14.4 is copied below.

14.4 Rules

The rules that apply to activities are contained in:

- (a) *The activity status tables and rules in this zone and the Rural Zone and Industrial Zone in the locations referenced below; and*
- (b) *The activity status tables and the performance standards in Parts E District Wide Provisions and Part F District Wide Natural and Cultural Heritage of the Plan.*

8.7 **Rule 14.4.1.5(a) of the Deferred Residential Zone** classifies subdivision in the Rural Zone as a Non-complying Activity. Rule 14.4.1.5(a) is copied below.

14.4.1.5	Non-complying activities
(a)	Within a Deferred Residential Zone, Cambridge North Deferred Residential Zone, Deferred Reserves Zone within the Cambridge North Structure Plan Area and the Deferred Commercial Zone for the Cambridge North Neighbourhood Centre, Deferred Large Lot Residential Zone, Deferred Commercial Zone, Deferred Industrial Zone, Deferred Reserves Zone excluding the Deferred Commercial Zone at Carters Flat, any activity listed as a discretionary activity or non-complying activity within the Rural Zone.

8.8 **Subdivision rules** for all zones are provided in Section 15 – (Infrastructure, Hazards, Development and Subdivision) of the district plan.

8.9 Rule 15.4.1.1(w) from Section 15 also classifies subdivision in the Deferred Residential Zone as Non-complying Activity. An extract from the activity status table providing this is copied below.

15.4.1 Activity Status Table

15.4.1.1	Activity	Residential Zone	Commercial Zone	Industrial Zone / Airport Business Zone	Reserve Zone	Large Lot Residential Zone	Rural Zone & any other zone not listed in this table	Deferred Zones
Deferred Zones - Specific activity status rules								
(w)	Any subdivision that is not a boundary adjustment or boundary relocation.	NA	NA	NA	NA	NA	NA	NC

8.10 The application advises only subdivision consent is applied for and land use consent is proposed to be applied for at a later date if subdivision consent is granted.

8.11 Extracts from the application explaining this are copied below.

- i. From page 1 of the application form (Form 9),

3Ms of Cambridge GP Limited applies for the following resource consents:

- › **Subdivision consent** to enable the creation of 242 residential lots within the C2 Growth Cell in Cambridge and associated lots for public assets.

While the development would breach a number of Deferred Zone / Rural Zone land use rules, land use consent is not being sought at this present time. It is anticipated that at the time that dwellings will be constructed, Plan Change 13 will have rezoned the C1 and C2/C3 Growth Cells from Deferred Residential Zone to Residential Zone. In that regard, land use consent may be required at a later date.

- ii. From Section 4.1.3 – page 80 of application report,

While 3Ms is not seeking land use consent as part of this development given that the underlining zoning is likely to change in 2021 as part of Plan Change 13 to the Waipa District Plan (and it would be more appropriate to consider the individual dwellings against the rules of the Residential Zone), the suite of Waipa District Council rules have been assessed to provide a fulsome analysis of the proposal against the provisions of the plan.

- iii. From Section 4.3 – page 125 of the application report,

Resource Consents Sought - Summary

'In 3Ms is therefore seeking resource consent for the following activities: Subdivision consent - to enable the creation of 242 residential lots within the C2 Growth Cell in Cambridge and associated lots for public assets. This application is not seeking a land use consent for the development'.

- 8.12 Discussion of the possibility of an Augier condition restraining residential land use being established until land use consent for that has been obtained has been discussed with the applicant. The purpose of this was to provide assurance subdivision consent would not result in residential land use and development becoming established prior to land use consent being granted. An Augier condition has not been offered. A condition with similar effect could however be alternatively accommodated on the basis of the extracts from the application reported above. This would need to be applied by way of a consent notice.
- 8.13 Section 4.1.3 – *'Waipa District Plan Assessment'* (beginning at page 79) of the application report includes assessment of the proposal against rules from the Deferred Residential, Rural and Residential zone. Points from this are reported below.
- 8.14 The Deferred Residential Zone (Section 14 of the district plan) (reported in Section 4.1.3.2 of the application at page 8)) applies non-complying activity classification and refers to the Rural Zone rules being applied to the proposal by Rule 14.4.1.5(a).

- 8.15 Section 4.1.3.1 of the application (page 81) provides assessment against the Rural Zone rules. That assessment advises the subdivision will result in non-compliances with development standards for setbacks from boundaries (refer to Rules 4.4.2.1 and 4.4.2.2), maximum building coverage (refer to Rule 4.4.2.10), and daylight control (refer to Rule 4.4.2.12). The non-compliances are explained in the application as able to be addressed in a later land use consent application. This is appropriate as any decisions not to grant consent in these regards would not prevent use of these lots by a different design.
- 8.16 Non-compliances with Rural rules is expected due to the subdivision being for residential development and creating smaller lots than provided for in the Rural Zone. The residential lot sizes will be too small to accommodate the dimensions and areas required in the Rural Zone.
- 8.17 With regard to reference to the Augier condition discussed in Section 8.12, non-compliance with the Rural Zone standards is also expected to prevent residential activities and development being able to be established on the lots from the subdivision until either land use consent has been obtained or the zone changed to Residential via proposed Change 13.
- 8.18 **Assessment against the subdivision standards** is provided in Section 4.1.3.3 (Table 10. Section 15 Activity Status Table and Table 11 – Subdivision Performance Standards) of the application provide an assessment against the Residential Zone subdivision standards provided in the Deferred Residential Zone rules and applicable to this proposal.
- 8.19 The assessment provided in tables 10 and 11 of the application advises non-compliances are expected with are minimum lots sizes, lot shape factors, building platforms not being provided, and the transportation and roading standards in Appendix T4 (referred to in Rule 15.4.2.65) and roading hierarchy (referred to in rules 16.4.2.1, 2 and 3).
- 8.20 Reference to Appendix T4 in the non-compliances (referred to in paragraph 8.4.12 above) is the criteria for public and private roads. Assessment against the provisions of Appendix T4, is provided in Section 3.1.3.5 of the application.
- 8.21 The assessment against Appendix T4 has been carried out against the residential provisions from Appendix T4. This is appropriate due to the intended development and reasonably expected zoning being residential and as the intended residential use and development characteristics will not be able to be established until then.
- 8.22 Section 4.1.3.5 of the application (at page 107) advises the non-compliances with the rules of Appendix T4 are related to collector roads, local roads, cycling connections, local access roads and right of ways. The non-compliances identified are road widths and cross section details. Each of these non-compliances are described as the result of increased provision for cycling pathways. This is described as provided by either

separate cycling paths or identified cycle lanes separate from the motor vehicle lanes. This has resulted in reduced road widths and variations in cross sectional details.

- 8.23 **Development contributions** are assessed at Section 4.1.3 of the application report. These provisions are provided for in Section 18 – Financial Contributions of the district plan.
- 8.24 Financial contributions are described in Section 18.1 of the district plan as providing for contribution from development to the costs of services and infrastructure resulting from development or subdivisions. This is for the purpose of avoiding, remedying, or mitigating effects on the environment and to offset the cost of future development work and the cost of capital already invested where the development utilises capacity and other related costs.
- 8.25 The application advises at Section 3.9 (page 71) that development contributions may not be applicable to stormwater matters. The reasons provided are on site stormwater management is proposed and this will result in no reliance on the stormwater network therefore no effects on this are expected. In this regard, a connection between the site and the stormwater network is proposed. This has however been explained as being provided to accommodate stormwater contributed from adjacent upstream growth cells.
- 8.26 A similar approach is suggested with regard to the reserves. In this regard the difference in value of land is identified as the reason.
- 8.27 **A development agreement** between the Council and applicant is referred to in section 3.9 of the application. This provides alternative means by which these matters may be provided for. This can be provided for by a condition of resource consent.
- 8.28 Rules prescribing the circumstances in which development contributions may be taken are provided in Section 18.4 of the district plan. Use of Development Contributions or the development agreement procedures provide an alternative to the financial contribution regime. Discussions regarding a development agreement have been proceeding with the Council. A consent condition can provide for this to be completed after any consent granted. Such a condition would need to prevent any work beginning prior to a developer agreement being established.
- 8.29 The Council has provided a condition it commonly uses to provide this outcome. This is provided below.

Development Contributions

- # *In accordance with Council’s Development Contribution Policy, the consent holder must either:*
- a) *Prior to the approval of any works associated with this subdivision, sign a Development Agreement with Waipa District Council that establishes the general financial terms, works and provisions for the*

subdivision. The Development Agreement must establish the framework for the outcomes that will be required.

Or

b) *The Development Contributions as specified on the Development Contribution Notice (DC/xxxx/xx (insert relevant notice number here)) attached to this decision shall be paid prior to the issuing of the certificate under Section 224(c) of the Resource Management Act 1991.*

- 8.30 **Works and Utilities** and **Health and General Amenity** are assessed in sections 4.1.2 and 4.1.4 respectively against the provisions of Section 17 – Works and Utilities and Health and General Amenity (Section 20 of the district plan). These are described as being proposed to be complied with or do not apply according to the particular provision referred to.
- 8.31 With regard to Works and Utilities (Section 17); this permits underground services installation and associated facilities such as transformers. This can be provided for by conditions of resource consent reflecting the applicant’s advice to this effect.
- 8.32 With regard to General Amenity (Section 20 of the district plan); matters of odour, smoke, fumes and dust, lighting and glare, noise. and maintenance of infrastructure are referred to. These are performance standards applied to land use development therefore would apply to any land use consent or permitted activity established. They are not applicable to a subdivision proposal.
- 8.33 **Assessment against the requirements of the C2 structure plan** is provided in Section 4.1.3.4 (pages 104 to 106 of the application) This includes reference to Appendix S19 of the district plan that provides the provisions applicable to the C2 structure plan. That assessment advises the applicants layout is in general accordance with the C2 structure plan. The assessment also includes reference to the wider locality shown in the application plans including the suggestions for relocation of the north/south stormwater reserve and collector road.
- 8.34 Section 3.10 and Figure 4 of this report provide a comparison of the C2 structure plan and the structure plan provided in the application. The points provided in that comparison describe variations that are significant.
- 8.35 **The Residential Zone**, referred to in Section 4.1.3.6 of the application, despite the Deferred Zone applying the Rural Zone provisions to the site, provides the appropriate provisions of the district plan. The reason for this is a residential development is proposed and the Deferred Residential Zone applied by the C2 structure plan provides for residential development.
- 8.36 Assessment against each of the rules applied to the Residential Zone is provided in ‘Table 14 – Residential Zone Performance Standards’ beginning on page 109 of the application.

- 8.37 The matters assessed in Table 14 are development standards applicable to residential development, performance standards and land use type. The assessment identifies those rules as *'likely to comply'* and that *'May not comply'*, and *'Complies'*.
- 8.38 The rules reported as not complied with are site coverage, permeable surface area, outdoor living areas. These rules would have the effect of preventing residential development on each individual lot until land use consent has been obtained. This may allow the Augier effect condition referred to above to be avoided.

9 ASSESSMENT OF MATTERS TO BE CONSIDERED UNDER THE RESOURCE MANAGEMENT ACT 1991 (RMA)

9.1 Introduction

- 9.1.1 As a non-complying activity, the application is required to be assessed with regard to the relevant matters in Sections 104(1) of the RMA, whether they meet either of the conditions in Section 104D and, if either or both of those conditions of Section 104D is satisfied, whether consent can be granted under Section 104B.

9.2 Section 104

- 9.2.1 Section 104 sets out those matters that a consent authority must consider when assessing an application for resource consent. Matters relevant to this application (subject also to Part II, Purpose and Principles) are:

- (a) any actual and potential effects on the environment of allowing the activity; and*
- (ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and*
- (b) any relevant provisions of—*
 - (i) a national environmental standard:*
 - (ii) other regulations:*
 - (iii) a national policy statement:*
 - (iv) Not relevant (a New Zealand coastal policy statement):*
 - (v) a regional policy statement or proposed regional policy statement:*
 - (vi) a plan or proposed plan; and*
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.*

- 9.2.2 These matters are assessed in this report in Section 10 with regard to s104(1)(a) - *actual and potential effects on the environment*, and s104(1) (ab) measures to assure

positive effects), sections 11 and 12 with regard to s104(1)(b) *any relevant provisions....*), and Section 13 (104(1)(c) - *any other matters*).

9.3 Part II – Purpose and Principals of the RMA

9.3.1 Part II provides the purpose and principals of the RMA. The overall purpose of the RMA is to promote the sustainable management of natural and physical resources. “Sustainable management” is defined to mean managing the use, development, and protection of such resources in a way that enables people and communities to provide for their social, economic and cultural well-being and their health and safety. At the same time they must:

- Sustain the potential of resources to meet the reasonably foreseeable needs of the future generations.
- Safeguard the life-supporting capacity of air, water, soil and ecosystems.
- Avoid, remedy or mitigate adverse effects on the environment of the activity.

9.3.2 Part II matters must be given effect to in policy, plan, rules and decisions on resource consents. The District Plan provides the objectives, policies and rules established for the purpose of sustainable management within the Waipa District.

9.3.3 The District Plan provides for rural land use and subdivision by application of the Rural Zone rules to the site and wider C2 structure plan area.

9.3.4 Residential subdivision is also provided for by the Deferred Residential Zone ‘uplifting methodologies’ and the C2 structure plan. Application for resource consent is one manner in which the resolution methodology provided in the Deferred Zone provisions may be effectively ‘uplifted’ or as an alternative to that. This application has taken the resource consent application approach.

9.3.5 Despite the Rural rules being applied to land use and subdivision in the Deferred Residential Zone, the district plan restricts the provisions of the Rural Zone that are applicable to the Deferred Residential Zone to only the rules of the zone. Relevant policy is provided in the Deferred Residential Zone. Relevant policy provides for residential development, but in accordance with the structure plan provisions applied by the Deferred Residential Zone.

9.3.6 The result is residential subdivision and development would be consistent with the sustainable management aims of the RMA. This is however subject to the nature of any particular proposal.

9.4 Section 104D

9.4.1 Section 104D (1) of the RMA states that a consent authority may only grant a resource consent to a non-complying activity if it is satisfied that either:

- (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
- (b) the application is for an activity that will not be contrary to the objectives and policies of—
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity

- 9.4.2 A consent authority can only grant an application for a non-complying activity if one of the alternative conditions above is satisfied.
- 9.4.3 Sufficient information is provided in the application to enable understanding of effects and assessment.
- 9.4.4 Variations from the C2 structure plan presenting effects not otherwise expected from the residential development in accordance with the structure plan are relocation of the north/south stormwater reserve and collector road to adjacent land, removal of the sports fields from the site, and variations in layout including roading and location of community facilities.
- 9.4.5 Assessment of the matters of adverse effects on the environment and objectives and policies is provided in sections 10 (Effects on the environment), 11 and 12 (Waikato Regional Policy Statement and Waipa District Plan).
- 9.4.6 Removal of the sports fields, which is continuing to be negotiated with the applicant, and return of these to either the site or alternative location within the C2 structure plan or alternatively close by to achieve a relatively central location and accessibility as indicated in the amended plan provided as Figure 6 would resolve this matter.
- 9.4.7 Relocation of the stormwater reserve and collector road has not been addressed in any discussions with the applicant. The Council is undertaking discussions with people whose land this infrastructure is shown in the application as having to be relocated onto.
- 9.4.8 The relationship between the staging of the development and roading layout presents potential to affect continuing release of land within the C2 structure plan area. Timing and location of delivery of the collector road with progress of development of the site will resolve this.

- 9.4.9 Resolution of these matters could be achieved by land for these assets being secured either on the site in accordance with the C2 structure plan, or on an alternative site to assure their establishment. If this can be achieved effects in this regard will be similar to the expected outcome of the infrastructure being provided on the site as planned and therefore may be described as being minor and in accordance with policy. If this is not achieved, due to the significance of these facilities to the wider locality, the effects will be significant and contrary to policy.
- 9.4.10 Essentially the proposal is changing the structure of a locality that was established through a plan change process. This indicates that a change to the outcome of that may also require a plan change process if these matters cannot be resolved.
- 9.4.11 This report includes the results of considering the possible solutions to this. These have been described in the assessment carried out.
- 9.4.12 Other matters relating to layout have been assessed as having no more than minor effects.

9.5 Section 104B

- 9.5.1 Section 104B defines the power of a consent authority to grant resource consent for a non-complying activity. Section 104B states:

“104B Determination of applications for discretionary or non-complying activities – After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- a) may grant or refuse the application; and*
- b) if it grants the application, may impose conditions under section 108.”*

- 9.5.2 This is subject to the findings with regard to those matters referred to above and that are assessed in detail below and any conditions determined to be required.

10 ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT OF ALLOWING THE ACTIVITIES

Following is an assessment of the potential environmental effects from the proposed activity.

10.1 Positive Effects

10.1.2 Section 5.1 of the application described these. These are agreed with and adopted for the purpose of this report.

10.1.3 Further positive effects are potential for provision of the services and facilities that will provide for the wider structure planned area and wider Cambridge community as part of the amenities required to support growth. This however also relies on the outcomes of present discussions relating to the sports fields and stormwater and roading corridor.

10.2 Other Effects

10.2.1 This section provides a description and assessment of the effects of the various changes and variations to the structure plan and a subdivision for residential purposes. This includes consideration of matters raised in Council officers and consultants reports and submissions.

10.3 Character and Amenity

10.3.1 Character and amenity include the aesthetic, visual, landscape, and recreational amenity of the proposal and contribution the various components of it provide.

10.3.2 The assessment in Section 5.2 (page 127) of the application regarding character and amenity is agreed with in regard to the land use and development character planned for the growth cells. The landscape and community facilities are represented in the application as being of and providing considerable quality of landscape and resulting amenity.

10.3.3 This agreement is however subject to the effects of the variations from the structure planned layout proposed, particularly removal of the sports fields and stormwater reserve from the site.

10.3.4 Removal of the sports fields, and stormwater reserves from the site has effects on amenity and character by removing the visual and formal and informal recreation amenities these would provide to particularly the C2 structure plan and wider locality.

10.3.5 The significance of effects results from their significant scale as a component of the C2 structure plan and the extent of their contribution as a visual amenity and pathways

for cyclists and pedestrians including their part in achieving interconnectedness and integration within the C2 structure plan and wider area of structure plan development.

- 10.3.6 With regard to the stormwater and walking and cycling pathways, the effects of this could to a large extent be mitigated. This would however rely on this being a component of the application.
- 10.3.7 The significant alternative reserve areas proposed provide mitigation of these effects. It however does not mitigate loss of the amenity the north/south route of the stormwater reserve provides through the spine of the C2 and wider structure plan.
- 10.3.8 This could be alternatively achieved by the alternative location of the facilities outside the application site onto adjacent land to the west shown in the contextual plans in the application. This is however not being included in the application site, which has been confirmed by the applicant in their advice to that effect and that they are only shown as a suggestion of an alternative location.
- 10.3.9 Removal of the sports fields is proposed to be mitigated by the 'active reserve' area. This provides some mitigation in the form of community outdoor space reserve and informal sporting or activity facilities. Representation of this in the application indicates it is proposed to be of a high aesthetic quality. This however does not mitigate the amenity provided by the sports fields being provided for formal sporting activities that require dedicated and structure facilities. There is also no alternative provided for these in the C2 structure plan.
- 10.3.10 The size of each of these facilities on their own and particularly in combination, as a component of the application site and wider C2 structure plan result in their removal having a significant effect.
- 10.3.11 Mitigation of this would require these facilities to be replaced either in the C2 structure plan or proximity. Within the site this can be addressed by the applicant. Siting outside the site requires the Council to achieve this mitigation.
- 10.3.12 With regard to the stormwater reserve, this would need to be practicable for integration with the wider network its part of, which has been illustrated in the application contextual structure plans. Achievement of this is however subject to the ability of the Council to achieve this alternative.
- 10.3.13 Not achieving a practicable alternative siting option for the stormwater and collector road will require a significant reconsideration of how these matters are addressed in the C2 and wider connecting structure plan areas. A change of this nature is possibly significant enough to require a plan change. Hence the importance of the Council being able to acquire alternative siting for this infrastructure.

10.4 Community Centre

- 10.4.1 The assessment does not refer to effects on character and amenity of the non-residential activities proposed. These are provided for in the structure plan and are part of the overall character and amenities planned and that may be expected for the site and wider C2 structure plan. They will also provide a community centre for the wider structure plan area.
- 10.4.2 These facilities are indicated in the application plans to be reduced in size and are shown to be relocated further to the east away from the location planned in the Structure plan as the centre of the C2 structure plan and closer to the centre of the application site.
- 10.4.3 Separation of them from the north/south collector route being moved west, while the community centre is proposed to be moved east has contributed to this effect. This has also removed them from the main access route into the wider C2 structure plan and wider community of structure plan areas.
- 10.4.4 This indicates their location has been varied to provide a centre for the application site rather than the wider community within the wider areas of the structure plans.
- 10.4.5 This does however result in the vehicle movement associated with access being required to focus on a particular local road environment rather than what is commonly accepted as more optimal, being a collector road. The collector road locations tend to provide an access pattern of collecting distributed access movements to congregate into a single location rather than congregating in local higher sensitivity street.
- 10.4.6 Access is however still provided by local roads therefore is not lost and is described in the urban design assessment to the effect of being not optimal but still acceptable and accessible. This is however subject to recommendation of mitigation of effects of concentrated traffic movement on a local road.
- 10.4.7 Mitigation of these matters may be achieved by changing the road providing access to the community centre to a collector road or some hybrid format and if its size is increased to reflect a multi-structure plan focus ensuring access roads to it have a similar character.
- 10.4.8 Provision for driver behaviour and awareness and pedestrian safety will contribute to this.

10.5 Sports Fields

- 10.5.1 The sports field are proposed to be removed from the site and not shown to be replaced anywhere in the C2 structure plan or the wider locality of structure plans.
- 10.5.2 The specialist reserves assessments obtained by the Council advise there is a wider community requirement for sports fields. These are proposed to be part of that.

- 10.5.3 This wider community perspective provides possibility for them to be located outside the application site within the C2 structure plan or in proximity within the wider structure plan community.
- 10.5.4 This however does not provide the accessibility they are proposed to provide for the C2 community and the open space amenity they provide either on their own or as part of the community centre in its structure planned location. This has however been addressed by the active reserve areas proposed to compensate for this effect.
- 10.5.5 At the date of this reports' preparation, the sports fields matter was still under negotiation. The applicant has provided a plan showing the possibility of them being returned to the structure planned position. This has not been provided as an amendment to the proposal. It is an illustration of what might be possible depending on the outcome of negotiations still underway.
- 10.5.6 The significance of effect from this matter result from the size of the facility as a component of the C2 structure plan and particularly the application site. In the later regard presenting significance also to the applicant as a matter requiring community contribution to the cost of supplying the resource.
- 10.5.7 Mitigation and assurance of the outcome presently being negotiated may require any consent granted to include amended plans showing the sports fields and a legally binding agreement such as a sale and purchase or even a purchase occurring.
- 10.5.8 Continuance of these negotiations needs to be provided for if they have not reached a stage of providing any certainty of outcome. Permanent removal of these sports fields is significant enough of an effect due to their place in the structure planning for the C2 structure plan, the wider area of structure plans and the wider Cambridge community to challenge the appropriateness of the structure plan proposed by the application.

10.6 Stormwater reserve

- 10.6.1 The stormwater reserve provides a significant amenity and has a significant services and facilities role in the character of the development provided for in the C2 and wider structure plan areas relying on the stormwater and movement network it provides. This is specifically recognised in the policy and guidelines provided for this growth cell. These are discussed in Section 12 of this report.
- 10.6.2 Recognising the site is proposed to be separated from this network by managing all stormwater it collects on site, the stormwater reserve is a significant component as an alternative circulation route and the open space, recreation, visual and aesthetic resource to the application site, the C2 structure plan and adjacent areas. This facility is also significant as part of the interconnectedness within and between the structure plans in the wider locality.

- 10.6.3 The facility is also still proposed to be connected to as part of the wider stormwater network. Hence the proposed connection from the east/west part of it to the relocated north/south part shown relocated.
- 10.6.4 The difficulty in this regard is the north/south part of this network is effectively removed from the structure plan as an alternative site for it has not been provided.
- 10.6.5 The applicant's advice that illustration of these on adjoining land is not part of the proposal and the site they have been shown on not being included in the application may present a circumstance in which an alternative location needs to be found and obtained before the subdivision can proceed and the alternative of the site identified in the structure plan is not available.
- 10.6.6 Until an alternative location is found, the effects of the proposal, despite the suggested alternative position being shown in the application, is the effects of this change are not mitigated.
- 10.6.7 Provision for mitigation of this, subject to an alternative site being obtained, needs to allow this to be resolved by the Council prior to the opportunity provided by their inclusion on the application site is lost by approval or construction of subdivision in the position they are shown in the structure plan.
- 10.6.8 Mitigation can be achieved by replacement or assurance of an alternative location. Any alternative location should be in proximity to the C2 growth cell and their connection to the development and the balance of the C2 structure plan and wider growth cell assured.
- 10.6.9 Division of the site into stages 1 and 2 may provide the opportunity for this by providing for a timing difference between the two stages or portion of them. That portion of Stage 2 could be delayed until an alternative site for the stormwater reserve has been obtained.
- 10.6.10 The shape of this stage to some extent follows the route of the stormwater route and collector road corridor provides an opportunity for recovery of this route if acquisition of an alternative site is not successful or timely enough to provide continuing and rapid enough release of land to the market to meet demand.
- 10.6.11 The mitigation described above could be provided for by a condition specifying that development of Stage 2, that to some extent follows the shape of the stormwater reserve and collector road route, is delayed, or not permitted until an alternative location has been obtained or the corridor is returned to the structure plan position.
- 10.6.12 A condition of consent might be able to provide for a process of resolving the issues of concern as well as provide a time frame that would fit within the time frames applicable to the construction and subdivision time frames for the subdivision.

10.6.13 The terms of such a condition would be concerned with specifying that in order to achieve a suitable circumstance for consent to be granted and given effect to, conditions must be made or become 'right'. This would need to provide specific terms that are for the resource management reasons applicable to this proposal, be fair and reasonable, and not unreasonable, and able to be enforced.

10.6.14 The terms of any such condition may include or comprise the following.

- i. A specified time frame between the resource consent being granted and work to construct the subdivision beginning.
- ii. The purpose of the condition and the time frame referred to in point i. be described as providing a time frame the Council has to establish a site for the stormwater and roading corridor.
- iii. Specify that if the Council has not achieved the objective of the time frame, the development may proceed.
- iv. To recognise one of the options is for the land or part of the land within Stage 2 identified on the scheme plan to be acquired and there are definitive plans showing the nature of this land, that just that area may be delayed in being developed.
- v. To provide the consent holder with the choice of proceeding within that time frame to construct the subdivision within that area up to the point and no further than earthworks, or at the agreement of the consent holder that it is responsible for any liability for cost or risks incurred in carrying out more work.

10.6.13 Such terms would be specific in what was required, be fair and reasonable by providing time for the Council to resolve the issues but limiting this to a time frame and providing a specific date when the time frame expires, while allowing the consent holder to proceed to a specified extent, being for the purpose of allowing mitigation of a resource management effect of the activity and being enforceable.

(Refer Newbury DC v Secretary of State for the Environment: Newbury DC v International Synthetic Rubber Co Ltd and Estate Homes Limited v Waitakere City Council)

10.6.14 If difficulties with how to or whether a condition can be written in the manner suggested above still exist, it may be the applicant agrees to offer this or similar condition or to similar effect as an Augier condition.

10.6.15 An observation at this stage is use of the stormwater network result in the land within the stormwater infiltration basin available for residential development. This might be of benefit to the supply of lots within the development. This raises the question of whether the proposal in this regard is, pursuant to Part 2 of the RMA, the most

efficient manner in which the land resource should be utilised. The relative size of the infiltration basin v the stormwater and road corridor area would influence the balance of effects in this regard. The applicant may be able to provide more information that assist answering this. Including consideration of the area that would also be occupied on the adjacent land by the stormwater and roading is also a relevant factor in this equation.

10.6.16 At present the application is essentially removing this facility from the structure plan and the locality that will rely on it and that has been determined to be most efficient manner to manage stormwater in this locality to enable a high yield of land for residential development. The community is being left with the problem of resolving the effects this presents. The approach suggested above would provide for both needs of the applicant and the community to be resolved.

10.7 Staged Development and Land Release

10.7.1 The staged development proposal has a potential separation or 'spite strip' effect if Stage 2 is not proceeded with or depending on how connection with land to the west is provided for.

10.7.2 Stage 2 occupies land that follows the route and is of a similar shape to the stormwater reserve and collector road along the western and northern boundary of the site. These are the boundaries providing direct connection to the balance of the C2 and C1 structure plans.

10.7.3 Removal of the stormwater reserve and collector road or relocation of this onto adjacent land and the separation of these from the western boundary of the application site produces a physical separation between the application site and the stormwater reserve.

10.7.4 The position of Stage 2 provides the separation controlling access to the west and north.

10.7.5 This also separates the sports fields and community centre and balance of the subdivision (Stage 1) from the balance of the C2 structure plan and other structure plan areas until Stage 2 is developed or routes through it are established.

10.7.6 This relationship and subject to the timing of the development of Stage 2 and the manner it is developed including roading connections across this area presents potential for this to preventing access between the application site and the stormwater and road and balance of the C2 structure plan.

10.7.7 This outcome presents potential to restrain the rate/timing land in the surrounding C2 structure plan and others reliant on the collector road, proposed to be removed, to be released.

- 10.7.8 This would restrain supply of residential land unless an alternative route was established.
- 10.7.9 This may be found to be contrary to the purpose of the structure plan regime and the National Policy Statement on Urban Development regarding its provisions related to supply of residential land.
- 10.7.10 This effect can be mitigated by assurance of road connections across the Stage 2 site being established or these connections being provided for in any consent in a manner that does not depend on Stage 2 being developed.
- 10.7.11 Any consequential effects resulting from time required to establish this mitigation and other responses to other matters on release of residential land to the market is intended to be avoided by use of conditions suggested as mitigations and these being accommodated within the later stages of the subdivision construction and legal process.

10.8 Transportation

- 10.8.1 Section 5.3 of the application report refers to transportation effects. Council engineering assessment has identified potential for significant effects if an alternative location for the collector road cannot be established in time to accommodate growing traffic volumes on Cambridge Road.
- 10.8.2 The collector road is shown in the C2 structure plan to connect to a round-about on Cambridge Road. The roundabout position is proposed to be relocated further to the west than shown in the structure plan.
- 10.8.3 The relocated position of the collector road shown in the structure context plan provided in the application is necessary to connect to the roundabout position shown in this plan.
- 10.8.4 Advice from the applicant that the alternative location shown in the application plans is not part of the proposal contributes to this effect as this leaves the effect in the hands of the Council to resolve. To date the roundabout location and construction time frames have been established. Construction of the collector road has not.
- 10.8.5 This effect could be mitigated by the Council being able to establish an alternative route by the time population growth reaches a point where this connection and collector road become required.
- 10.8.6 This solution however relies on the collector road having been constructed and the interconnections with and within the wider C2 structure plan to this road being established.
- 10.8.7 The Council and applicants traffic engineering assessments have suggested conditions to manage this. These are based on expected traffic volume growth and have been

translated to a year when the collector road and round about connection are expected to be required to be. The application proposes the round about to be constructed by 2027.

- 10.8.8 I understand there is concern within Council about the length of time to 2027 and how any unexpected rate of increase is accommodated.
- 10.8.9 A condition of consent providing for the connections and road construction to be required to have occurred prior to the subdivision proceeding past a particular stage might resolve this matter.
- 10.8.10 I understand from discussion with the Council traffic engineers, that consideration has been given to use of the staged development shown in the application.
- 10.8.11 As this approach provides for the local road connections from the subdivision onto Cambridge Road as temporary solutions to access, this would also need to include assurance of road connections from both stages of the subdivision, either together or separately, to the collector road being available and traffic volumes had reached a level at which the local road connections were not adequate.
- 10.8.12 Such a condition could specify a maximum time period such as the 2027 period when the roundabout is proposed to be constructed or alternatively 2031 when traffic volumes are expected to be sufficient to require replacement of the local road connections to Cambridge Road. This could also provide for monitoring of the traffic volumes and review of the requirement either as a formal review of the condition pursuant to Section 128 of the RMA, or alternatively to specify volumes (sustained over a period of time prescribed in the condition) to be used in the traffic assessment as the factors resulting in 2017 being found suitable. This would provide a fair outcome of either earlier or later dates depending on actual effects.

10.9 Structure Plan Layout

- 10.9.1 Section 5.5 of the application addresses the effect of the changes to the location of the collector road and stormwater reserve corridors from that provided in the C2 structure plan. The assessment provided presents the proposition that the effects would be minor due to the acquisition process providing fair compensation for land acquired.
- 10.9.2 The assessment provided in the application also recognises this will require relocation of these assets onto neighbouring properties.
- 10.9.3 As the alternative location suggested is not part of the application site, and the illustration in the application plans of this alternative has been described by the applicant as not being part of the application, it becomes an effect.
- 10.9.4 The separation effect of Stage 2 contributes to this in the manner described above.

- 10.9.5 The overall structure plan layout has preserved interconnection with the surrounding wider locally other than the potential effects of the stage 2 relationship with the balance of the site and adjacent land that can be resolved.
- 10.9.6 The land acquisition process is therefore a vital part of the methods of mitigating effects of the proposal in this regard. To make this effective, assurance of land being acquired is essential.
- 10.9.7 A condition of consent could be used to provide for this and avoid finding relocation of the stormwater and collector road corridor is not appropriate.
- 10.9.8 More discussion regarding this matter is provided in sections 10.6.12 to 10.6.15.
- 10.9.9 Mitigation of effects from other changes proposed has been described above in the discussion of each.

10.10 Structure Plan Background

- 10.10.1 The structure plan was established through a public process as a plan change including working closely with the development community.
- 10.10.2 The process resulted in the structure plan becoming part of the regulatory provisions of the district plan.
- 10.10.3 The structure plan is therefore part of the policy of the plan including rules, objective and policies.
- 10.10.4 The guidelines are effectively discretions providing limitations on variances to the structure plan to allow for varying solutions to be utilised towards achieving a similar environmental outcome to that expressed by the structure plan.
- 10.10.5 The variance provided is described as varying in the same manner as any variant from standards, conditions and policies, more is accommodated within a site than on the edge of a site.
- 10.10.6 The classification of the proposal as a Non-complying Activity determines the breadth of effects that may be considered.
- 10.10.7 The structure plans have rules. These are those of the Rural Zone and those provided in the Deferred Zone chapter of the district plan. These include the 'Triggers' set out in Rule 14.4.1.9. These include reference to infrastructure required being either in place or the Council being satisfied that there is a solution to provide the necessary infrastructure. Refer to the extract provide below.
- 10.10.8 Rule 14.4.1.9 provides for a process to be developed that will*'that there is a solution that can be delivered'* This is discussed in paragraphs 10.6.11 to and including 10.6.13.

Extract from District Plan Section 12 – Deferred Zones

Rule - Deferred Zones within the C1 and C2/C3 cells west of Cambridge

- 14.4.1.9 In the C1 and C2/C3 growth cells located to the west of Cambridge, the uplifting of deferred zoning shall occur in the staged order as shown in Appendix S19 – Cambridge C1 and C2/C3 Structure Plan - Figure 22. The staged uplift of the deferred zoning shall be subject to the following:

Stage	Triggers
Stage 1	<p>(a) A Structure Plan has been approved for the C1 and C2/C3 areas; and</p> <p>(b) A stormwater discharge permit has been granted by the Waikato regional Council that allows stormwater to be discharged to ground and to the Waikato River from the C1 and C2/C3 growth cell areas, except for those parts of the C3 growth cell that will have a standalone stormwater system, being:</p> <p>(i) Land to the east of the Te Awa Lifecare Village.</p> <p>(c) Development Infrastructure required to service Stage 1 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.</p>
Stage 2	<p>(a) Development Infrastructure required to service Stage 2 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.</p>
Stage 3	<p>(a) Development Infrastructure required to service Stage 3 is either in place, or Council is satisfied that there is a solution that can be delivered to provide the necessary infrastructure.</p>

For the purposes of this rule:

- (a) For the avoidance of doubt, the C1 and C2/C3 cells are solely reliant on Rule 14.4.1.9 for the uplifting of deferred zoning in this area, and Rule 14.4.1.10 does not apply.
- (b) The uplift of Stages 2 and 3 are not dependent on development reaching a certain capacity in Stages 1 and 2 respectively. Provided the triggers in Rule 14.4.1.9 are met, there shall be no impediment to uplifting the deferred zoning in any stages.
- (c) The uplifting of deferred zoning does not need to occur across all stage areas at the same time. By way of example, if one area earmarked as Stage 2 meets the required triggers, the deferred zoning can be uplifted in isolation from any other Stage 2 area.

10.11 Assessment of Environmental Effects Conclusion

10.11.1 The effects of the subdivision that require resolution are related to relocation of the stormwater reserve and north/south collector road, time and assurance of roading connections to the wider road network and adjacent land, removal of the sports fields, and the resulting effects related to the community centre. Each of these has been discussed above and suggested mitigations provided in that discussion.

10.11.2 Precedent Effects

10.11.3 The application report includes consideration of the effects resulting from the non-complying classification of the proposal.

10.11.4 The assessment and findings of the application report are agreed with in this regard.

10.11.5 The following additional matters also relate to this matter.

- i. The non-complying activity classification is not on its own the determining factor in this. The proposal is in accordance with the general direction of policy that provides for residential development to be established on the site and the surrounding locality.
- ii. The provisions of the district plan specifically provide for a process that includes application for resource consent.
- iii. Those matters that challenge policy are not challenging the policy providing for residential development. They relate to specific aspects of the proposal.
- iv. The manner the non-complying activity classification is applied to this proposal and generally development of the growth cells also effectively provides policy providing for residential development. The only distinction being the methodology required to be used. The outcome is the same.
- v. The non-complying classification has been utilised and is described as ensuring use and development of the land within the structure plans is not adversely affected by any activity or development that may become proposed, while also protecting rural use of the land in the interim. This proposal is in accord with the purpose of the structure plans and therefore is in accordance with this.

11 WAIKATO REGIONAL POLICY STATEMENT

11.1 The Regional Policy Statement (RPS) became largely operative on 1 October 2000. The RPS provides an overview of the significant resource management issues of the Waikato region and provides objectives, policies and methods to achieve integrated management of the natural and physical resources of the whole region.

11.2 Assessment against the RPS is provided in Section 6.5.2.4 (beginning on pg. 150) of the application. Points from consideration of this assessment are provided below.

- i. The assessments regarding objectives 3.1, 3.4, 3.5, 3.9, 3.21 and 3.27 are agreed with. The assessments regarding objectives 3.2, 3.10, and 3.12 present matters not completely aligned with the objectives. These are described below.
- ii. Assessment regarding Objective 3.2 includes advice that the proposal will be facilitating future residential subdivision which is in accordance with the objective's reference to providing for economic social and cultural wellbeing. While this is correct as residential development is being provided, some

aspects of this proposal present effects that may have less than ideal outcomes in this regard as a result of the proposed layout presenting potential for restraint on continuing release of residential land outside the site boundaries. The conditions discussed earlier in this report provide for mitigation of this.

- iii. Assessment regarding Objective 3.10 includes advice the proposal is consistent with the land use patterns of the structure plans and efficient use and development of land within them. The variations proposed by removal of the sports fields and location of the stormwater reserve and collector road to outside the site are not in accordance with the land use structure provided in the structure plan for the reasons described earlier in this report. Conditions are recommended that would mitigate this. These conditions are concerned with providing process for replacing the removed or relocated facilities and infrastructure. This approach has been taken to provide a means by which effects that are significant enough to make the proposal potentially unsuitable for resource consent can be resolved.
- iv. Assessment regarding Objective 3.12 includes advice that a significant investment has been put into producing a high-quality environment. Reference is made to the cycle and pedestrian networks and reserves and design of the layout. The variations proposed may however be inconsistent with the provisions of clause c) of this objective that is concerned with integrating land use and infrastructure. The variations to location of the stormwater and collector road corridor are requiring the Council to acquire alternative location for them. The condition suggested in this report that is concerned with requiring new sites for these to be obtained or assured will resolve this. This will allow the difference between the Councils infrastructure planning and the proposal to be resolved without presenting a challenge to consenting the subdivision.

12 WAIPA DISTRICT PLAN

12.1 Rules

12.1.1 Assessment against relevant rules has been provided in Section 8 of this report.

12.2 Objectives and Policies

12.2.3 Assessment against the objectives and policies of the district plan is provided in Section 6.5.2.5 of the application.

12.2.4 The assessment refers to Section 1 (Strategic Policy Framework), Section 14 (Deferred Zone), Section 15 (Infrastructure, Hazards, Development and Subdivision). Section 16

(Transportation) and Section 17 (Works and Utilities) and the provisions of the C1 and C2/C3 Structure Plan.

12.2.5 Findings from consideration of the assessment provided in the application are provided below.

12.2.6 **Section 1 (Strategic Policy Framework);** The objectives 1.3.1 to 1.3.6 and supporting policies are reported on page 155 to 160 of the application. Objective 1.3.2 and supporting policies 1.3.2.1 to 1.3.2.6 are most relevant.

12.2.7 These policies refer to the Deferred Zone and structure plans. They specify that subdivision should be within the areas identified by the structure plans, achieve an overall density target of 12 to 15 dwellings per ha, avoiding development that will compromise continuing development of Deferred Zones, and overall growth patterns provided by the wider structure planned growth patterns and in the Deferred Zones. Further, that their development is generally in accordance with structure plans unless they can be alternatively serviced in a manner that does not undermine committed infrastructure investments of the Council and is coordinated and integrated with the infrastructure of the district.

12.2.8 Relocation of the stormwater reserve and collector roading and removal of the sports fields vary from the structure plan. The effect of this regarding these policies is to require alternative locations for these to replace land identified for them within the application site or ensure the alternative locations still enable them to be integrated with the structure planned and existing services and utilities and roading infrastructure.

12.2.9 Continuing negotiations between the applicant and Council regarding the sports fields and work the Council is doing to secure alternative locations for the stormwater reserve and collector roading is addressing these matters. At the date of this report, they have not provided an outcome other than, as reported in paragraph 2.15, agreement to make an offer to purchase land for that purpose.

12.2.10 **Section 2 (Residential Zone)** – (Page 195 of the application); The assessment of the proposal against these provisions focusses on all the relevant objectives and policies. These are Objective 2.3.1 and supporting policies describing the key elements of residential character, Objective 2.3.4 concerned with provision of housing options, Objective 2.3.5 referring to comprehensive design and development and particularly policy 2.3.5.2 relating to the Cambridge Park, and C1 and C2/C3 Structure Plan Areas.

12.2.11 Regarding Objective 2.3.1 referring to key elements of residential character, those of relevance to this proposal are reference to the grid roading pattern, provision for wide road verges sufficient for trees, connections including provision for access to the town belt, providing for low density development and maintaining a mixture of house types while also providing identifiable areas of housing styles and types. The application satisfies or provides for satisfaction of these matters.

- 12.2.12 Regarding Objective 2.3.4 concerned with provision of housing options, the focus is on providing opportunity for a wider range of housing options. Reference is made to a requirement to meet changing housing needs (policy 2.3.4.1) by comprehensive design. The application is described as satisfying these provisions by the variety of housing typologies proposed to be provided for.
- 12.2.13 Regarding Objective 2.3.5; this refers to comprehensive design and development and particularly policy 2.3.5.2 relating to the Cambridge Park, and C1 and C2/C3 Structure Plan Areas. Subdivisions are limited in the extent they can contribute to these matters other than by providing a range of lot types and options that influence design and house typology choices.
- 12.2.14 While architectural illustrations are provided in the application, these are not presented as specific proposals other than illustrations of the various housing types that may be expected in various parts of the development. Achievement of this to any further extent to that provided for in the application would require specification of dwelling densities and typologies for identified parts of the subdivision. The varying lot sizes and their locations within the development will contribute to that. That may also not be in accordance with the policy relating to the nature of residential proposed for these areas, describing this as low density.
- 12.2.15 All the other provisions in the Residential Zone provisions objectives and policies are oriented towards specifying outcomes from development on an individual lot basis therefore are not relevant to consideration of this application.
- 12.2.16 **Section 14 - Deferred Residential Zone** – (page 160 of application); Objective 14.3.1 and supporting policy 14.3.1.2 referred to in the application are relevant. The assessment provided in this regard is agreed with. Policies 14.3.1.3 to 14.3.1.6 regarding Structure Planning have not been referred to. There is a recognised inadequate supply of land ready for residential development or already developed residential land. The proposal is in response to this.
- 12.2.17 **Section 15 Infrastructure, Hazards, Development and Subdivision** - (page 161 to 166 of the application) are departed from. The stormwater and roading variations and removal of the sports fields from the site vary from Objective 15.3.15 and supporting policy 15.3.15.1. These refer to structure planning and require development to be integrated within structure plan areas and with the development pattern and infrastructure requirements specified within individual structure plans.
- 12.2.18 The proposal also varies from Policy 15.3.3.4 referring to roading and requiring ensured connectivity to adjacent land. Negotiations and work being carried out by the Council in response to this proposal may resolve the matters related to the services and utilities and the sports fields. Requirements related to assuring connections with adjoining land outside the application site will address matter of roading connectivity.

- 12.2.19 **Reserve's objectives and policies;** objective 15.3.10 and supporting policies 15.3.10.1, 15.3.10.2 and 15.3.4 are not referred to in the application. These are concerned with ensuring subdivisions include contributions to the provision of reserves, neighbourhood and sports reserves are designed and located to provide for the anticipated recreational demands of the community and can be accessed by pedestrians and vehicles, and where reserves serve a dual function, this is recognised in the layout and design of the subdivision.
- 12.2.20 Removal of the sports fields from the application site and the structure plan is contrary to this policy. The proposal does however propose significant areas of reserves. The sports fields are however a significant element in the structure plan and distinct from the informal less sporting code orientation of the reserve areas.
- 12..2.21 Return of the sports fields to the site according to the structure plan or within proximity within the wider structure plan would resolve this matter. The reserves have been designed and located to provide for the anticipated recreational demands of the community. Regarding the sports fields, this includes the wider Cambridge/district community. The reserves proposed can be accessed by pedestrians and vehicles, and where reserves serve a dual function, this has been provided for in the detailed design of the components of the reserves proposed in the application to be provided.
- 12.2.22 The proposal appears to have removed the reserves that would provide service to the wider C2 structure plan community from the application site. These are the open space areas along the north/south portion of the stormwater reserve route and the sports fields.
- 12.2.23 The stormwater reserves network has been shown to be relocated onto land outside the site. This however delays and reduces the opportunity for it to be successfully established unless the Council can establish land within an alternative location for this, as suggested by the application.
- 12.2.24 The Sports fields have not been provided with an alternative location, ongoing negotiations between the applicant and the Council may resolve this.
- 12.2.25 **Section 16 (Transportation)** - Policy 16.3.1.2 has not been referred to. This is concerned with ensuring future connections in the design of subdivisions including linkages with existing networks including roads, walking, cycling and passenger transport and accommodating future network connections in deferred zones and future growth areas.
- 12.2.26 This is provided for by inclusion of provision for connections with the surrounding existing and proposed road, walking and cycling networks. The proposed development provides more connections between it and the collector road than provided in the structure plan. This increases interconnectivity. Establishment of this is however subject to the effects regarding timing of Stage 2 connections to the

balance of the C2 structure plan being practicable and timing of the collector road and round-about intersection with Cambridge Road.

- 12.2.27 With regard to effects of Stage 2 on connections, the timing of connections relating to Stage 2 will require provision for these to be established independently if they are not available at the time adjacent land is developed.
- 12.2.28 With regard to connections with the surrounding roading network and particularly the collector road network and Cambridge Road, replacement of the local road connections with Cambridge Road by the roundabout and collector road may be provided for by conditions requiring these to have been established prior to the proposal reaching a defined size. Interim temporary solutions concerned with making connections between Cambridge Road and the local road network within the development are proposed.
- 12.2.29 The timing of this is recommended in the traffic assessment provided in the application for this to be constructed by 2027. The possibility of this being required prior to this date has been raised in Council assessment. This would depend on when or whether the collector route is able to be established at the same time as the round about proposal, both of which require acquisition of land in different locations to those provided in the Structure plan. A method of responding to the complications presented by acquisition and traffic volumes and construction times can be accommodated by conditions of consent. Such an approach has been described earlier in this report (refer to paragraph 10.5.12).
- 12.2.30 **17 (Works and Utilities)** - Description of these is provided in the application. They are proposed to be established in accordance with applicable standards and are part of an asset design and approval development works approval process.
- 12.2.31 Policy 17.3.1.4 is relevant to the proposals to relocate the stormwater and collector road corridor. The policy refers to co-siting of infrastructure to maximise the use of existing infrastructure corridors, facilities, and developed land through co-siting of infrastructure.
- 12.2.32 The purpose of co-siting is described in the policy to avoid compromising efficient functioning and the technical and operational requirements of utility networks. The proposed relocation of the collector road and stormwater reserve corridor follows.
- 12.2.38 **C1 and C2/C3 Structure Plans** are referred to in pages 170 to page 179. This provides assessment against each of the provisions in Appendix S19. This does not include reference to a number of sections in the structure plan section. Each of these is referred to below from paragraphs 12.21 to 12.42.
- 12.2.39 **S19.3.4 relating to visitor accommodation**, refers to areas being identified for development of visitor accommodation that are located along the main entrance roads to Cambridge including specific reference to near St Peters School and neighbourhood centres. This has been shown in the application structure plan to be

relocated outside the C2 structure plan. Whether this requires a plan change, this does not reduce the effectiveness of policy in directing visitor accommodation to such locations.

- 12.2.40 **S19.4.1.11 relating to stormwater strategy** describes the proposed approach to stormwater management from the C2 structure plan is to direct stormwater south to the Waikato River. There is also recognition of alternative methods (refer to S19.4.1.12). These are not intended to be excluded provided they are acceptable to both the district and regional councils and are consistent with the stormwater outcomes for the structure plans.
- 12.2.41 The particular characteristics proposed for the C2 part of the strategy are provided in clauses (i) to (w) of S19.4.1.13 (refer to pages 17 and 18). These can be summarised to include the C2 drain serving the C2, C1 and part of the C7 structures plan areas, on-site measures being required with overflow to the C2 drain, a number of soakage basins being provided in the C2 structure plan and attenuation and water quality treatment being provided within channels, swales and soakage basins. The proposals are generally in accordance with this scheme.
- 12.2.42 S19.4.2.1 provides a description of the outcomes desired. These can be summarised to include capacity to accommodate water from the C1, C2 and C3 structure plans, to accommodate flood risk, providing ecological and aesthetic facilities integrated with the wider open space network, is overlooked from surrounding activities, including engineering solutions providing for variations in open spaces and reduced corridor width to allow more housing and includes low impact methods.
- 12.2.43 The Staging description in S19.4.4 makes provision for centrally located facilities located on-site or within structure plan as temporary solutions that can be converted to open space or further residential areas.
- 12.2.44 **S19.5.2 Street Hierarchy** from Section S19.5 describing the ‘Movement Network’ is subject to S19.5.2.1. This describes street having been organised in a hierarchical pattern. Structure Plans are described as providing for two tiers of road typology within Growth Cell boundaries. These comprise Collector Roads and the Local Roads. The Council is described as responsible for funding Collector Roads within the Structure Plan areas, and Local Roads are to be funded by the developer and designed in collaboration with Council.
- 12.2.45 **Collector Roads** are described in S19.5.2.2, as shown on the Structure Plans. Within Figure 13: C1 and C2/C3 Movement Network they are generally fixed in location, subject to the outcomes of detailed design.
- 12.2.46 This presents some resistance to proposed removal of the collector road from the site. This is an effect, and the application has not offered any mitigation for this effect. Mitigation of effects from this would require an alternative location for the route to be established and for this to provide the same or similar service as the planned position.

- 12.2.47 **Local Roads** are described in S19.5.2.3, as shown on the Structure Plans and being indicative in terms of their location with their exact location varying as further detailed design is undertaken. Achievement of the outline and intent. The outline and intent are described in S19.5.2.4 and .5, the road layout plan provided as Figure 13 and the guidelines provided in S19.5.
- 12.2.48 S19.5.2.4 and .5, Figure 13 and the guidelines provided in S19.5 may be summarised to the Council providing preferred trees for key routes, provision of typical cross sections including flexibility and narrower road being located adjacent to open space areas, the collector/local road layout shown in Figure 13, provision for choices in methods of transport and movement, high levels of connectivity and permeability, and streetscape guidelines. The proposal is generally in accordance with these guidelines.
- 12.2.49 **Specific guidelines for Cambridge Road** as it passes through the C2/C3 structure plan area are provided in S19.5.4.5. These prescribe a number of standards and qualities applied to this frontage. These can be referred to, but include references to pedestrian and visual amenity, integration with surrounding land uses, reduced speeds, signalised pedestrian crossings, avoidance of on-street parking, provision for street surveillance from properties including maximum fence heights and visually permeable materials and construction, landscape, provision of a cycle lane and shared pathway.
- 12.2.50 Detailed assessment of the layout requirements have been provided in the application. These are provided in the Stantec report provided as Appendix G and landscape report.
- 12.2.51 Figure 13: C1 and C2/C3 Movement Network – (copied below) illustrates the roading network showing collector and local roads and the relationship between them and general location and alignment of them.
- 12.2.52 Figure 13 illustrates the importance for collector roads to be connected to the wider network as well as relating to the internal local road layout while providing for the later to be flexible in its alignment and location.
- 12.2.53 The difference in flexibility is where roads connect to adjacent growth cells and provide for connections within and across each structure plan.
- 12.2.54 The overall principles illustrated by the structure plan and Figure 13 below from the district plan is to ensure connection to adjacent structure plans is provided for in or close to planned positions, division of structure plans into identifiable neighbourhoods and access to each of these neighbourhoods being by collector roads. This proposal varies from this but still provides the connections. The differences with implications of significance are the temporary connections to Cambridge Road and the position of and linkages to the north/south collector road and the position of its intersection with Cambridge Road.

Figure 13: C1 and C2/C3 Movement Network



12.2.55 **S19.6 Parks and Public Space** is referred to. S19.6.1.2 and 3, are not referred to. These can be distilled into the following points.

12.2.56 S19.6.1.2 The parks and open space strategy will create a number of open spaces, buffer spaces and connecting spaces that are evenly distributed throughout the community and are linked to provide a continuous and uninterrupted open space network. The open space network is illustrated in Figure 18.

12.2.57 Extract from Figure 18 is copied below. Removal of the stormwater reserve removes part of the linking referred to and removes the linkage to the south and Cambridge Road.

12.2.58 S19.6.1.3 There are approximately 70 hectares of land allocated to reserve space in C2/C3. These uses include, local parks, sports fields, stormwater management areas, civic spaces, and environmental reserve / buffer areas. The character of each open space area should meet the outcomes for each park type set out in the Parks and Open Space hierarchy below. The supply of park land meets the national guidance for the provision of open space within existing and future growth areas (New Zealand Recreation Association Parks Categories and Levels of Service Guidance, 2011).

12.2.59 Extracts from Figure 18 referred to in S19.6.1.3 is copied below. This combined with the descriptions provided above reinforces the desirability of the sports fields being provided centrally within the structure plan and the green space network provided by the stormwater drainage network connecting to smaller neighbourhood parks.

Figure 18: C1 and C2/C3 Open Space Network

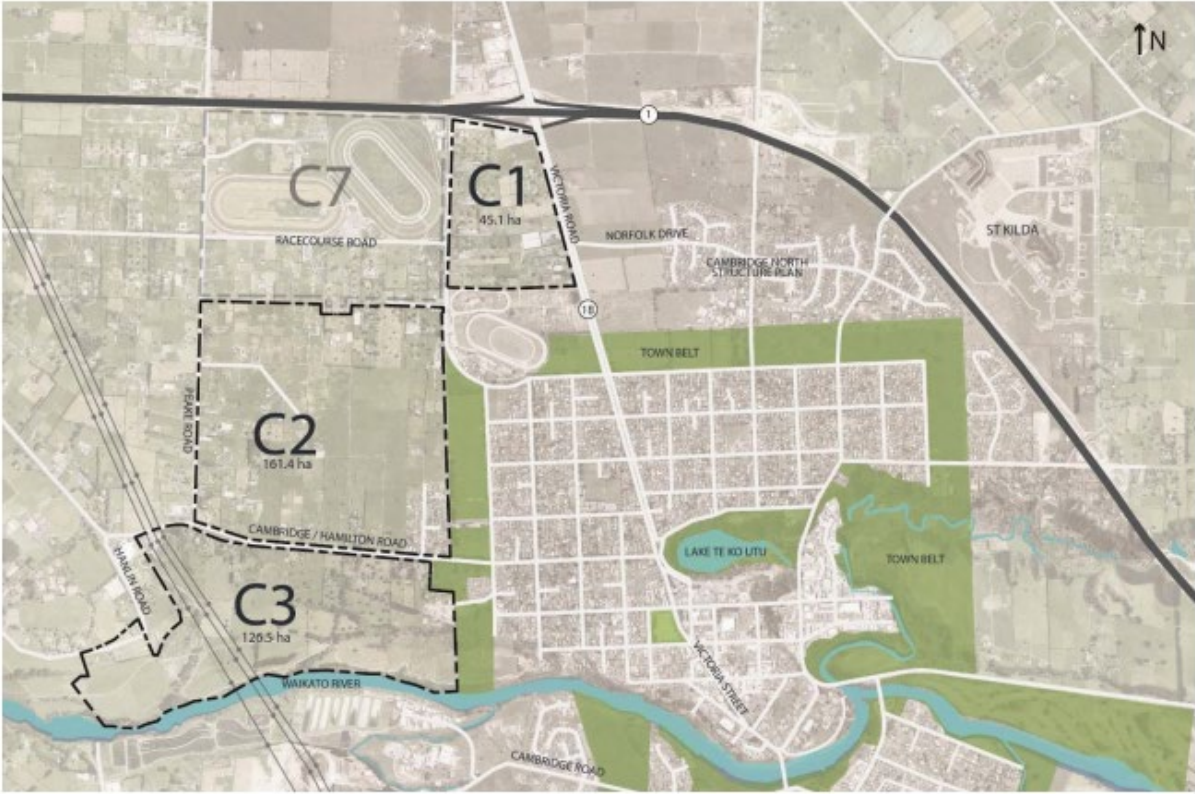


12.2.61 Comparison of the roading and open space and park network shown in 18 and the roading network shown in Figure 13 demonstrates they are both planned to be connected and aligned for their length rather than on occasion where their paths cross. In combination they are illustrated to contribute to complimentary and adjoining on and off-road networks within and through the structure plan.

12.2.62 Figure 19 provides an overview of the geographical relationship between the various growth cells showing each structure plan area.

Figure 19 – Growth Cell – Structure Plan Locations

This can be accessed at page 2 of Appendix S19 – Cambridge C1 and C2/C3 Structure Plans.

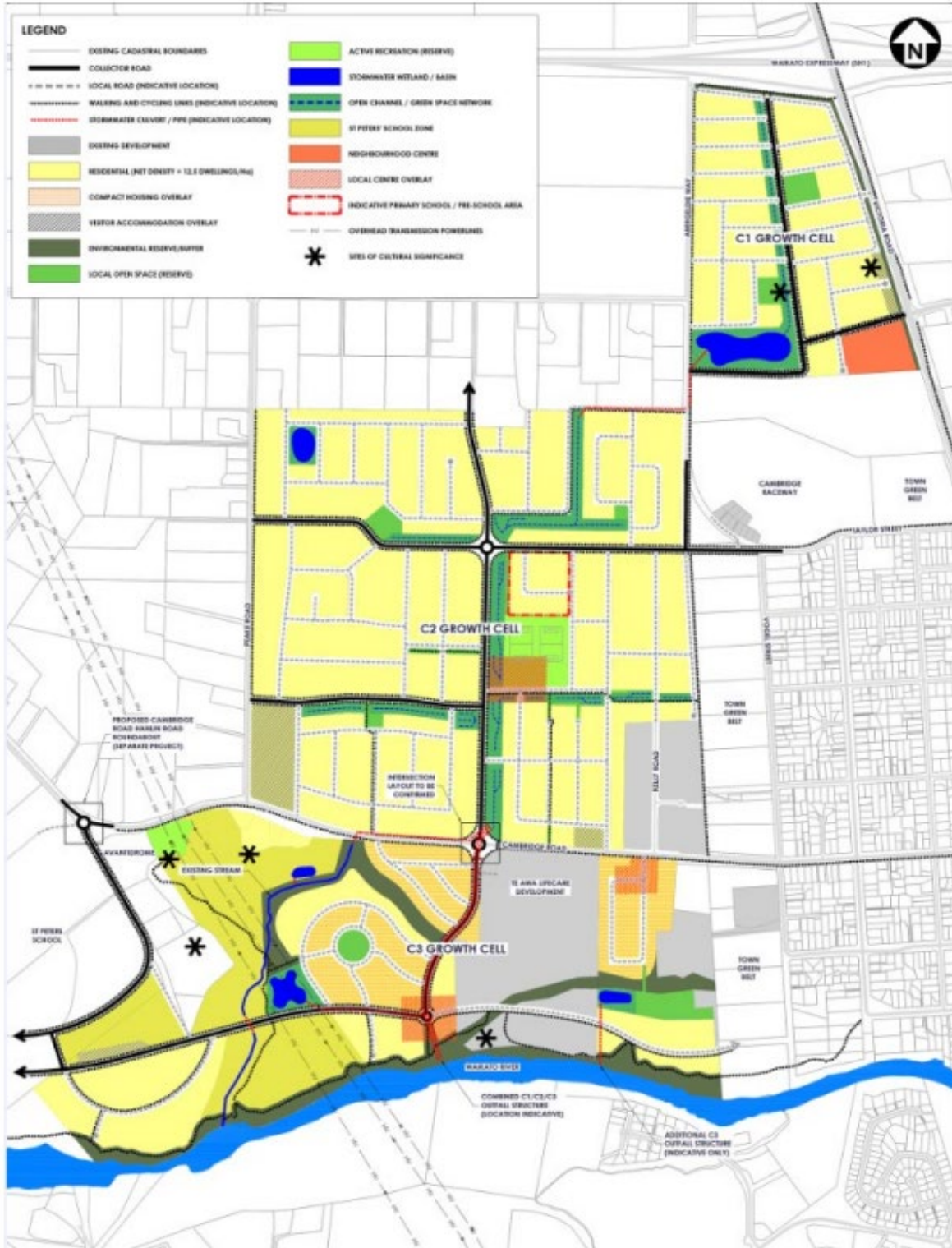


12.2.6.3 Figure 20 below provides an extract from the plan of Attachment A of the C1, C2/C3 structure plans provided on page 45 of the Appendix S19 – Cambridge C1 and C2/C3 Structure Plans Appendix of the district plan. This shows the structural relationship between each of the individual (C1, C2 and C3 structure plans.

[Continued on next page]

Figure 20 Appendix S19 – Cambridge C1 and C2/C3 Structure Plans

Attachment A - C1, C2/C3 Structure Plans



13 OTHER MATTERS

13.1 The application identifies and provides assessment in regard to other matters in Section 6.5.2.7. These are iwi management plans (Section 6.5.2.7.1), Plan Change 13 (Section 6.5.2.7.2).

13.2 Iwi Management Plans

13.2.1 Detailed assessment is provided in the application and no submissions in response to Council's referral of the application to iwi has been received by the Council. The Council operational policy in this regard is to interpret this as being indications of no concerns. The application includes significant assessment in this regard. This is adopted for the purpose of this report.

13.3 Change 13 (PC13)

13.3.1 PC13 is concerned with providing for 'uplifting' of the structure plans. At the date of preparation of this report PC13 was still within the submission It therefore has no application to this proposal other than providing the policy required to be considered.

13.3.2 The applicant's strategy is to wait until PC13 has become operative or prior to utilise the outcome of procedures to that stage to determine how to proceed including application for any consents that may become required.

13.3.3 This is appropriate and allows any matters arising from the change to be responded to during those procedures.

13.3.4 Reference to the summary of PC13 on the Council web site provides indication the only implication this has is deletion of the references to uplifting by council resolution and making the decision to uplift the Deferred Zones.

13.3.5 The applicant's evidence and submissions will be able to provide further detail in this regard.

13.3.6 Reference to the planning maps provided in PC13 (particularly Map 4) shows the sports fields and stormwater reserve are retained and provided for as Reserve Zoned areas on the C2 structure plan. This results in a reasonable expectation that they will be provided.

13.3.7 Alternative location of the stormwater reserve and collector road outside those areas they are shown and zoned to be located will present resource consenting requirements.

13.4 National Environmental Standards for Assessment and Management of Contaminants in Soil to Protect Human Health

13.4.1 This has been assessed in Section 4.2 of the application. The application advises the provision of the standards are not applicable. The reason for this advice is there is no evidence identified that indicates the site may have contamination and it has not been listed as a HAIL site.

13.4.2 The land was however previously used for production purposes therefore presents potential as a piece of land under the standards. The earthworks having been carried out however mitigate this.

13.5 National Policy Statement on Urban Development Capacity

13.5.1 This is assessed in Section 6.5.2.3 of the application. The findings of this are agreed with and adopted for the purpose of this report. The prime focus of those applicable to this proposal is provision of opportunity for increased housing stock, variable housing types and quality outcomes. The application is providing this.

13.5.2 This matter has been raised earlier in this report; the manner in which stormwater is proposed to be managed on the site rather than the structure planned drainage option could be tested to establish whether adoption of the structure planned option would provide more housing supply.

13.5.3 This may be particularly so when considered regarding return of the sports fields to the site and the cumulative effect this would have on supply of residential lots.

13.5.4 Location within a significant area of structure planned residential land will provide some mitigation of this effect.

13.5.5 Access to this other land is however an important part of this mitigation. The collector road and interconnection between individual subdivision developments influential to this.

14. SECTION 106 – CONSENT AUTHORITY MAY REFUSE SUBDIVISION CONSENT UNDER CERTAIN CIRCUMSTANCES

Section 106 of the Act sets out additional circumstances when a consent authority may refuse to grant subdivision consent or impose conditions in the grant of a subdivision consent, if it considers that there is significant risk from natural hazards or sufficient provision has not been made for access.

In the course of considering whether there is significant risk from natural hazards, the Council has assessed the following matters:

i. The likelihood of natural hazards occurring;

The effects of natural hazards are embedded within the infrastructure assessment and feed into the overall conditions. Earthquake risk is quantified into earthworks and foundation assessment as well as wastewater core infrastructure requirements. Tornado or wind risks are embedded into bracing requirements of NZBC and is considered minor. Due to topography, location and elevation, geothermal and tsunami risks are not considered appropriate for assessment. Flooding risk is captured in volumetric design requirements of the consent conditions imposed.

ii. The material damage to the land, other land, or structures;

The land, other land, or structures on the land may be subject to material damage by natural hazards such as erosion, falling debris, subsidence, slippage, or inundation. Conditions are therefore recommended to address this.

III. Any likely subsequent use of the land that would accelerate, worsen, or result in material damage to the land, other land, or structures resulting from natural hazards.

The likely subsequent use of the land may accelerate, worsen, or result in material damage to the land, other land, or structures resulting from natural hazards. Conditions are therefore recommended to address this.

Council considers that:

Sufficient provision has not been made for legal and physical access to each allotment to be created for the subdivision. Conditions are therefore recommended to address this.

The land containing the proposed subdivision was inspected by Council's Development Engineer prior to the approval of this consent. At the time of approval the consent authority had reason to set conditions for natural hazards relating to the land as prescribed by Section 106 (1A) of the Act.

15 CONCLUSIONS

- 15.1 In conclusion, having considered the various matters of Sections 104 and 104D of the RMA, resource consent is suitable in principle.
- 15.2 This is subject to the matters described below being resolved.
- 15.4 The matters requiring resolution are listed below.
- i. Assure the north/south collector road and stormwater reserve corridors shown in the application are able to be physically and legally established either within the site or outside the site but remaining within the C2 structure plan.
 - ii. Assure separation effects potential that Stage 2 along the western and northern boundaries of the site presents are avoided.
 - iii. Assurance the sports fields removed from the site are being re-established either within the site or within the wider C2 structure plan.
 - iv. Matters related to the location of community centre are comparatively minor in the wider scheme of things. This might however be improved. Description of how this might be addressed has been provided in Section 10.4 of this report.
- 15.5 Consideration has been given to how conditions can be used to provide for these matters to be resolved either prior to or after a decision is made to facilitate finding consent is appropriate. This will require either or combination of (i) the applicant making changes to the proposal, (ii) offer conditions of consent or (iii) a condition making specific requirements.
- 15.6 The expected outcome from these options would be replacement of the sports fields and replacement of the north/south stormwater and collector road corridor on the site or an alternative site being provided. Both matters would benefit from time being provided to achieve these outcomes and the applicant and Council continuing to work with each other, a matter the commissioners may have powers to facilitate.

The reasons for the conclusions provided above are described in the following section.

- i. Residential development of the site is in accordance with applicable policy and in line with proposed policy and in principle suitable for consent. Several details however need attention. These are described below with suggested solutions.
- ii. Design of the layout of residential subdivision and development is required to be 'generally in accordance with' the guidance provided by the C2 structure plan.
- iii. Flexibility is provided in the structure plan provisions for variation in location and alignment, not for inclusion or exclusion of various components. Those that are significant infrastructure components to the C2 and adjacent structure plan areas

and that will utilise these should be replaced either within or in proximity to the sites shown on the C2 structure plan. These are the north south collector road and stormwater and linked pedestrian and cycle way paths reserve and the sports fields.

- iv. Flexibility in location and alignment of significant utilities and services infrastructure, roading, stormwater, and reserves facilities is limited within the structure plan and particularly at its boundaries with little flexibility being provided at that position.
- v. Increased flexibility exists within the structure plan boundaries for less significant components such as local roading.
- vi. Location of this site within the C2 structure plan and not providing any of the boundaries to the structure plan provides flexibility to all components of it. This is however subject to the nature of the component, which results in varying flexibility. Significant components have little flexibility, minor components have more.
- vii. While flexibility is provided, the principles of integration and connectedness with adjacent land and the wider locality are required to be satisfied. The result is large infrastructural components that connect between properties within the structure plans and individual sites and with adjacent structure plans must be located where shown by the structure plans or alternative locations that enable them to be practicably established and provide the service they were provided for. They are not expected to be removed.
- viii. The principles of integration and connectedness as they apply to the C2 structure plan are illustrated by the various plans for roading, land use, stormwater and open space provided in the structure plan provisions of the district plan. These show how development within the structure plans relate internally to themselves and externally with the adjacent structure plans and wider community.
- ix. There is clear policy recognising the requirement for an integrated transport and roading network and that this should be planned and that there may be requirements resulting from development and subdivision to provide this prior to being initially proposed.
- x. Removal of the north/south collector road and stormwater reserve corridors from the site may be appropriate if they are assured of still being established with connection, aligned with and connected to each other and with the utilities and services, roads and parks and reserves network within and outside the structure plan. No assurance in this regard exists at the date of this report's preparation. Removal of this infrastructure would be a significant change to the manner in which the C2 and other structure plans become required to manage stormwater

and how access is provided to and from the C2 structure plan and structure plans proposed to be connected to this structure plan.

- xi. Removing the stormwater and collector road network from the site and not providing mitigation for this by providing an alternative site for the infrastructure is presenting effects to the whole locality reliant on it to facilitate its development for residential purposes. This effect is significant and requires mitigation by provision of an alternative practicable option. If this is not provided, the proposed subdivision is contrary to the policy applied to development of the locality for residential purposes and is having effects that are not being mitigated and may be determined to be more than minor if not significant due to the extent they will be experienced.
- xii. Return of the sports fields is understood to be subject to continuing negotiation between the Council and applicant. These are an identified and significant component of the C2 structure plan. Expectation of return of these to the site or wider C2 structure plan was a basis on which effects considered pursuant to Section 95 were found to allow limited notification procedures. Continuing absence of the sports fields from either the site or alternatively located within the C2 structure plan would be a significant change and effect.
- xiii. Regarding the importance of the sports fields, the independent assessments the Council has had carried out (attached) have identified there is a requirement now and is expected to be a continuing requirement, particularly as a result of the growing population of Cambridge and the provisions made for its continuing growth. District plan policy is also clear on the value of open space including sporting facilities to this community. Removal of the sports fields would be a significant change and have significant effects within and beyond to the adequacy of sport fields facilities in the community.
- xiv. Increased densities in our urban environments and consequential loss of private open space are making public open space increasingly important to the health and welfare of the community. If open reserve space within urban communities is not obtained when they are established or such space is lost as a result of being occupied for other purposes, it is difficult if not impossible to recover. This is also being recognised as requiring ease of access to and increased numbers of public open space in closer proximity to residential areas.
- xv. A characteristic of further importance to this sports field is its location within the centre of a proposed new suburban residential area, both as a community facility and as a venue for the wider community to utilise as part of its recreation resource.
- xvi. Sport is an important part of the Cambridge community's culture. Assuring sporting facilities grow with the community's growth is vital to that culture and the associated and resulting health and welfare of the community. My experience in other communities has demonstrated to me the importance of ensuring acquisition of open space resources and other facilities of a sporting and cultural

nature as the community's grow is vital in these regards. The also contribute to the economic welfare of a community. These are matters prescribed in Part 2 principles of the RMA.

- xvii. The reserves assessment including the independent assessments on reserves supply and demand in Cambridge have clearly advised more reserves are required and can be expected to be required as a result of the community's growth.
- xviii. Sports fields provide a distinct difference from less formal non-sporting code reserve space. Their removal can therefore not be effectively mitigated by reserve facilities of a different character. This is clearly demonstrated throughout Cambridge by the differences in the manner existing reserve space is used.
- xix. There is clear policy to meet immediate and foreseeable needs for reserves.
- xx. The manner in which the development is proposed to be constructed in two stages and how the roading, reserves and stormwater layouts are proposed indicate potential for interconnections with the balance of the structure plan and wider surrounding area to be difficult to establish. This outcome would be contrary to the policies concerned with connectedness and integration and facilitating release of further land for residential development, and access to the community facilities proposed in Stage 1. These effects should be avoided.
- xxi. The alternative locations of the stormwater and collector roading corridors should be desirably combined and close to the position they are shown in the C2 structure plan. This is in line with the limited flexibility applied to significant structure plan components such as these. This does not require them to be within the application site, they must however be in close proximity and connected or able to be connected.
- xxii. The proposed location of the community commercial centre further to the east from its structure plan site and being required to be accessed by local roads is a variation from the centralised location to the wider C2 structure plan and movement of it to be located more as a central location within the development site. This has also removed access to it from access via collector roads provided by the C2 structure plan. This makes assurance of connections through and into the structure plan from the surrounding locality essential to maintain efficient access.
- xxiii. Changes to the location of the community centre result is a requirement for design attention being given to how the centre relates to the surrounding land uses and roading. Suggestions have been made in this regard.
- xxiv. Any proposition for local roading links within the site to be acquired and constructed by the Council is contrary to the policy of the structure plan provisions. Plan policy clearly advises local roads should be constructed at the developers' expense and collector roads will be constructed by the Council. That is the common manner in which subdivision developments occur.

- xxv. This proposal will add significantly to and be part of further increasing the supply of residential land to the community. Examples of the applicant's work and the documentation with the application show potential for a high-quality product. The recommended terms of the decision have been written in such a manner as they refer to these documents in a generic manner to provide recognition of this.
- xxvi. Considering this application on the assumption the illustrated outcome will be achieved and from the perspective of how to resolve the matters described herein will assist achievement of the expected quality product and mitigation of the effects the wider community will need to resolve as a result of the proposal departure from the structure plan.
- xxvii. The departures from the structure plan are required to be considered with regard to the effects. While the proposed alternative means of managing stormwater and access to the development may be successful in achieving the similar or better outcomes in that regard, 'in the round' this has other effects of significance described herein that need to be resolved.
- xxviii. Questions have been asked about the influence a structure plan can be attributed regarding the placement of activities. This may depend on the relationship between the district plan and the structure plan and the purpose of the activities in question.
- xxix. In the circumstance of this proposal, the structure plan is part of the provisions of the district plan, was part of the basis for determining the suitability of residential expansion into the structure planned areas and how it could be provided.
- xxx. The structure plan provides a network that supports the relationships between and within the structure plan areas in a manner found to be in accord with the principles of the RMA. Particularly the efficiency of the used and development of natural resources.
- xxxi. Regarding the relationship of the structure plans to the district plan, the structure plans have been the basis for the finding that residential on the application site and wider area is appropriate. The structure plan is part of the rules, and objectives and policies, the regulatory regime of the district plan. It is not a plan sitting to the side and outside of that environment, it is an integral component. The structure plan provisions include rules, objectives and policies, and guidelines that are of a nature that can be effective objectives and policies in the manner they are cross referenced in the provisions of the district plan as components of policy and provide matters regarding which discretions may be exercised. The rules of the deferred zones also make specific requirements on development within structure plans.
- xxxii. Regarding the basis for determining the appropriateness of expansion onto the land the structure plans have been applied to; this has included the ability to

adequately service these areas with coordinated infrastructure and in a planned and integrated manner following a comprehensive and integrated structure plan process. The infrastructure design has been the basis of the finding that expansion into these areas is appropriate. To an extent the applicant's inclusion of the stormwater and road corridor onto the adjacent land as a means of indicating how effects of its removal from the site can be mitigated, reinforces recognition of the importance of that infrastructure. Cumulative relationships between effects and outcomes relies on the reliability of infrastructure to achieve its objective.

- xxxiii. Regarding the efficiency of the use of land resource, this is visually comparable with the cumulative outcome of the land required for replacement of the sports fields, inclusion of the infiltration basin and the alternative manner in which other informal passive and active recreation space is proposed.

16 RECOMMENDATION

That

a) The report of Mark Batchelor (CKL) be received; and

b) In consideration of Sections 104 and 104D, and pursuant to Sections 104B, 108 and 220 of the Resource Management Act 1991, the Waipa District Council grants consent subject to conditions in Appendix 1 for the subdivision of the land at 1865, 1863, 1871, 1881 Cambridge Road, Cambridge, legally described as Lot 2 DP 29023, Lot 1 DPS 75243 and Lot 1 DPS 31006, Pt Lot 1 DP 29023, Lot 1 DPS 85575, Lot 2 DPS 85575 (Certificates of Title identifiers SA56/C447, SA31C/268, SA31C/268, SA68A/9, SA68A/10 subject to the following conditions:

RECOMMENDED CONDITIONS

General Conditions

1. The subdivision shall be generally consistent with the approved plans listed below, unless otherwise altered by the conditions of the consent.
 - i. 3Ms Property Layout Alternative Development 17001-SK-094-REVK
 - ii. Structure Plan Integration General Arrangement 17001-SK-100-REVH
 - iii. Structure Plan Integration Stormwater Network 17001-SK-102-REVD
 - iv. Structure Plan Integration Transport Network 17001-SK-103-REVD
 - v. Structure Plan Integration Walking & Cycling 17001-SK-104-REVD
 - vi. Structure Plan Integration Open Space Network 17001-SK-105-REVD
 - vii. Structure Plan Integration Staging Plan 17001-SK-106-REVD
 - viii. WDC Land Acquisition Updated 3Ms Layout 17001-SK-117-REVC.
 - ix. Structure Plan Integration Revised Land Requirement Plan 17001-SK-109-REVB
 - x. 44A Kelly Road Updated 3Ms Layout 17001-SK-129-REVA
 - xi. 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
 - xii. Any plans prepared to show reinstatement of sports fields reserves and north/south oriented stormwater reserve and collector road corridor if agreement is reached or required by this resource consent.

Note: This condition is providing for the outcome of any continuing process related to the facilities and infrastructure referred to.

2. Consent shall not be given effect to until such time as a sale and purchase agreement for the sports fields reserve land on the application site is signed by the consent holder and Council.
3. **AUTHOR'S NOTE – THIS CONDITION (3) IS RECOMMENDED AS A VOLUNTEERED CONDITION, AND THE RECOMMENDATION GRANTING CONSENT IS SUBJECT TO THIS CONDITION (OR ALTERNATIVE SOLUTIONS HAVING THE SAME EFFECT) BEING PROVIDED BY THE APPLICANT *Land with a location agreeable to the Council (either in the location shown in the C2 structure plan or alternative practicable location) shall be***

secured to provide a north/south oriented stormwater and pathway linkages reserve (as drainage and recreation reserve) and north south collector road.

4. The landscape development illustrated in the approved consent plans shall follow the general themes and characteristics and quality of amenity indicated in these plans. Prior to construction Detailed landscape plans and specifications shall be lodged with the Council for approval by the Consents Team Leader.
5. Prior to any construction, the road link shown as Lot 500 shall be vested with the Council for the purpose of public road and stormwater drainage.
6. From the date of granting of consent, no additional residential dwellings shall be established on the application site, unless the Waipā District Plan provides for additional dwellings as a permitted activity. A condition to this effect shall be registered as a consent notice on record of title for each lot.

The purpose of this condition is to avoid de facto residential use and development being established on lots within the subdivision until resource consent has been obtained for them or the provisions of the district plan changed to provide for residential use.

7. No restriction, either legal or physical, shall be put in place or allowed to occur which restricts the connection of a legal public roadway across the land shown as Stage 2 of the subdivision scheme plan.

The purpose of this condition is to prevent legal and physical separation of the land subject to this resource consent and land adjacent to that land being established or created.

8. The local roadways connecting between the subdivision and Cambridge Road shall be closed in accordance with the recommendations provided in the Stantec report titled Residential Subdivision, C2 Growth Cell, dated 2 December 2020 (refer Planning Report, Appendix xxxx).
9. If traffic volumes provided in the Stantec report (titled Residential Subdivision, C2 Growth Cell, dated 2 December 2020) are reached prior to 2027 this condition shall be reviewed pursuant to S128 of the Resource Management Act 1991 for the purpose of determining the effects of the earlier occurrence of those traffic volumes and the need for and practicality of early closure of the local roads.
10. Any building development on Lot 301 shall include in its design and development of the site, screening of servicing and rear access and storage areas adjoining the reserve on the southern boundary of that lot unless, otherwise developed as and used for customer outdoor areas. The southern elevation of any building on Lot 301 shall have windows comprising no less than 20% in area of that elevation.

A consent notice shall be registered on the record of title to Lot 301 for the purpose of this rule being continually complied with.

11. A plan showing priority walking/cycling crossings and measures to restrict vehicle speeds on that portion of Road 20, between the active recreation and stormwater reserves and the Local Centre on Lot 301, shall be lodged with the Consents Rounding Manager for approval prior to construction of that road. The crossings shall provide for high pedestrian and cycle use, and vehicles shall be given low user priority in the design.
12. A sale and purchase agreement between the consent holder and Waipa District Council for Reserve land for the purpose of sports fields shall be signed prior to the commencement of any subdivision construction works.
13. All existing easements shall be cancelled, and easements listed in the application shall be placed on titles issued pursuant to this consent.
14. In the event of any koiwi or other artifacts being discovered during any site works associated with construction of the subdivision the consent holder shall stop work within in that area (to be defined by consultation with a registered and suitably qualified and experienced Archaeologist and advise Council of the discovery immediately until Heritage New Zealand advises what procedures are required to be followed.
15. All earthworks shall be carried out in accordance with NZS 4404:2004 and the following as they apply to effects that are subject to the jurisdiction of the district council. In other regards the conditions from the regional consent shall prevail.
 - i. Ground conditions, including any fill shall be assessed and reported to Council's Team Leader Development Engineering by a Chartered Professional Geotechnical Engineer during the earthworks stage.
 - ii. Recognised engineering practice standards shall apply.
 - iii. Earthworks shall provide stable foundations for any structure to be placed on or build on the resulting land.
 - iv. There shall be no adverse effect including discharge of contaminants or contaminated water or water with suspended solids or sediment and dust from the site or to surface or ground water or into drains, pipes or other reticulation.
 - v. A dust management plan shall be prepared and lodged with and approved by the Council prior to any subdivision construction or earth works being carried out.
 - vi. A stormwater management plan shall be prepared and lodged with and approved by the Team Leader, Development Engineering prior to any subdivision construction or earth works being carried out.
 - vii. No stormwater shall be permitted to discharge from the site to any drains or any surface.
 - viii. Any storage of fuels and oils or any chemicals on the site during works shall be stored in a manner that will avoid any spill to the ground.

- ix. No works shall be carried out on or that adversely affects adjoining or adjacent property.
 - x. All formation and construction works shall be carried out in accordance with any required consents obtained pursuant to the Waipa District Council Code of Practice for Land Development and Subdivision.
16. Noise generated from activities on the site shall comply with the New Zealand Standards construction noise standards (NZS 6803:1999) or any subsequent replacement of that standard.
17. Any change to or departure from the subdivision stages shown in the approved subdivision scheme plan shall be approved by the Consents Team Leader prior to occurring.
18. The Council's Team Leader Development Engineering shall be notified at least 5 days prior to any construction works commencing.
19. A site management plan shall be lodged with and approved by Council's Team Leader Development Engineering, prior to any works commencing. The site management plan shall include: contacts responsible for works on the site; and methods and procedures proposed to respond to any non-compliances, complaints or unexpected effects, including discharge of dust, stormwater and contaminants from the site and to any water and water courses on the site or ground water.
20. The design for any landscaping and structures proposed for any reserve and land proposed to be vested shall be lodged with Council for the approval by the Consents Team Leader prior to any works commencing.
21. Neighbouring owners and occupiers of land adjoining the site shall be advised when works will begin and the type of works and likely effects of this, with this advice provided at least 5 days prior to those works commencing.
22. Prior to the issue of s223 and 224 certificates, confirmation shall be provided to the Consents Team Leader that all lots identified in the geotechnical report lodged with the application have been constructed according to the recommendations in that geotechnical report.
23. Any lots or other land identified in the engineering report lodged with the application shall have a consent notice that requires construction of those sites and any buildings on those sites any other activities and structures to be in accordance with the recommendation of that engineering report.
24. Certificates for consent notices, easements and memorandums shall be prepared and registered on records of titles by the consent holder at the consent holder's cost.
25. If any of conditions 1-25 are inconsistent with the engineering conditions provided below (condition 27), the engineering conditions shall prevail.

26. Consents notices, easement and memorandum documentation and other certifications and procedures shall be at the consent holder's cost.

27. Engineering Conditions provided below shall apply.

1) Roding

Stage 1:

Transportation

Submit Roding Design Drawings

The consent holder shall submit Design/construction plans for the roads to vest Lots 510 and 511 as shown on the SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. All work associated with the roads vested to council shall be designed to the satisfaction of the Council's Team Leader – Development Engineering, and at the consent holders expense. The submitted plans shall include, but is not limited to:

- a) Pavement design;
- b) Connection to existing infrastructure;
- c) Fixed entrance locations;
- d) Maintenance access tracks;
- e) Tracking curve analysis;
- f) Line marking and signage;
- g) Longitudinal sections;
- h) Common services trench;
- i) Surface treatments;
- j) Streetscape & berm planting; and
- k) Pedestrian calming measures.

Construct Roads to Vest

The consent holder shall construct roads to vest as shown in Lots 510 and 511 within the scheme plan of subdivision SP/0179/20 as per the approved design/construction approved submitted under **Submit Roding Design Drawings** condition above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the road areas required under Condition **Construct Roads to Vest** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Roding as-built plans

The consent holder shall provide as-built plans of the proposed road to vest, relevant quality assurance, and the structures located within the proposed road to vest prior to

the issuing of the section 224 certificate, to the satisfaction of Council's Team Leader – Development Engineering.

Advice Notes: Road Corridor

Road Design

The Council's standards are set out in the Regional Infrastructure and Technical Specification (RITS) and provide a means of compliance for approval.

Safety in Design Workshop

Given nature of the shared facility identified along Road 20, relevant staff should be consulted regarding a safety in design workshop to ensure the best outcome going forward for the road corridor users is obtained. Development engineering can facilitate the appropriate WDC staff.

Streetscape design

Streetscape design shall follow relevant standards set out in the Regional Infrastructure and Technical Specification (RITS) and follow the councils Tree Policy circa 2019. Streetscape design shall include, but not be limited to, the following the species, locations, expected heights of any proposed plants and reason for any deviation from the above.

Streetscape As-builts

As-built plans and 'Parks Asset Recognition Form' (provided by council) of landscaping works that are to be owned/managed by Council shall be submitted as part of the overall roading As-built submission. The Streetscape As-built plans shall include the following:

- a) Location and extent, types of materials*
- b) Botanical and Common name and location (measured position in the berm) of street trees*
- c) Names, grades, number, planting density of traffic island planting*
- d) Installation date.*

Property Numbering

Once the section 224C completion certificate has been issued by Council for this subdivision, Council will advise the consent holder of property number(s).

Reasons: *Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change.*

2) Water Supply

Submit water reticulation design

The consent holder shall submit Design/construction plans for the water reticulation system to supply the proposed lots and connect existing reticulated network shown on scheme plan SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council's Team Leader – Development Engineering, and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a) Reticulation layout;
- b) Pipe size, material, and pressure ratings;
- c) Hydrant Locations;
- d) Valves and fittings details;
- e) Connection locations to service lots;
- f) Bedding/service trench details; and
- g) Thrust Block details.

Construct water reticulation

The consent holder shall construct water reticulation as per the approved design/construction approved submitted under **Submit water reticulation design** condition above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the water reticulation required under Condition **Construct water reticulation** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Submit as-built plans

The consent holder shall submit an as-built plan of all water infrastructure including connections to relevant Lots within stage 1. All work shall be to the satisfaction of Council's Team Leader – Development Engineering and be at the consent holder's expense.

Advice Notes:

Water Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all Water infrastructure assets.

Location of new water connections

The location of the water connection shall comply with all aspects of Waipa District Council Water Supply Bylaw 2013.

Connection to Council's main procedure

To ensure the new infrastructure constructed can connect to council infrastructure safely and comply to the New Zealand Drinking Water Standards 2005 (Revised 2018), the consent holder shall complete a network shutdown request and submit to development engineering, councils shut down applications forms:

Shutdown request: WS-WSU-07 a(F) – APPENDIX A

Shutdown methodology: WS-WSU-07 b(F) – APPENDIX B

(These forms can be provided upon request)

As part of these applications requirements, the consent holder will need to provide the compliant pressure and water quality tests 3 days before the selected date. This is to ensure correct notifications to affected parties can be undertaken. The consent holder shall also identify any potential high-risk water users and undertake direct liaison with them.

As-built plans to be submitted

As-built plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection. This information is a statutory requirement. The Regional Infrastructure and Technical Specification (RITS) has an acceptable standard for the recording of all council assets.

3) Wastewater

Submit wastewater pump station and reticulation design

The consent holder shall submit Design/construction plans for the Pump station and gravity wastewater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council's Team Leader – Development Engineering, and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a) Flow direction and grades;
- b) Pipe sizing and material;
- c) Bedding details;
- d) Manhole sizing and details;
- e) Longitudinal sections;
- f) Connections to service Lots;
- g) Pump sizing details;
- h) Telemetry and electrical schematic details;
- i) Scour/air valve locations and details;
- j) Screen planting or amenity other requirements;
- k) Gantry design;

- l) Odor control details; and
- m) Seismic Resiliency details.

Construct wastewater pump station and reticulation

The consent holder shall construct wastewater gravity reticulation as per the approved design/construction approved submitted under **Submit wastewater pump station and reticulation design** condition above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the wastewater gravity reticulation required under Condition **Construct wastewater pump station and reticulation** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Submit As-built plans

As-built plans and information of all Wastewater infrastructure assets, which are to be vested in Council, shall be provided to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense.

Advice Notes:

Wastewater Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all Wastewater infrastructure assets.

As-built plans to be submitted

Draft As-built plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection followed by a final set for 224 sign off. This information is a statutory requirement. The Regional Infrastructure and Technical Specification (RITS) has an acceptable standard for the recording of all council assets.

4) Stormwater

Submit Stormwater Management Plan (If not submitted with application)

The consent holder shall provide a Stormwater Management Plan, from a suitably qualified professional to Council's Team Leader – Development Engineering and shall be at the consent holder's expense. The submitted plan shall include, but is not limited to:

- a) Compliance with Stormwater Discharge consent (AUTH141099.01.01);
- b) Compliance Specific catchment C1 -3 requirements;
- c) Geotechnical investigations;
- d) Catchment analysis;
- e) Flood management;
- f) Water sensitivity design; and
- g) Ecological requirements.

Stormwater – Design

The consent holder shall submit Design/construction plans for the stormwater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0179/20. The Design/Construction plans shall be based on the approved Stormwater Management Plan under **Condition x – Stormwater Management Plan** above and shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council’s Team Leader – Development Engineering, and shall be at the consent holder’s expense. The submitted plans shall include:

- a) Flow direction and grades;
- b) Pipe sizing and material;
- c) Longitudinal sections;
- d) Overland flow paths;
- e) Receiving network outlet details;
- f) Bedding details;
- g) Manhole sizing and details;
- h) Green Infrastructure details; and
- i) Connections locations, including rodding eyes.

Stormwater – Construct

The consent holder shall construct the stormwater reticulation as per the approved design/construction under **Condition X – Stormwater - Design** above and to the satisfaction of Council’s Team Leader – Development Engineering at the consent holder’s expense.

Stormwater - Quality assurance certificates

Following completion of the stormwater reticulation required under Condition X - **Stormwater - Construct** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council’s Team Leader – Development Engineering for acceptance.

Stormwater - As-built Plans

As-built plans and information of all stormwater infrastructure assets provided under Conditions X to Y (**Design/Construct/QA**), which are to be vested in Council, shall be

provided to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense.

Stormwater - Wetlands Planting Management Plan

The Consent Holder shall provide a detailed Planting Management Plan prepared for the design and implementation of the stormwater treatment pond/wetland plantings.

This plan shall include but not be limited to:

- a) Site plantings including species to be planted, size of plants, and where they are to be planted, density of planting, sourcing of plants and fertilising;
- b) Site preparation for planting including weed and pest control;
- c) Timeline for planting;
- d) Ongoing weed and pest control;
- e) Ongoing mowing requirements;
- f) Ongoing watering requirements;
- g) Supplementary/replacement planting plans specifications; and
- h) Timing of monitoring maintenance inspections.

The Planting Management Plan shall be submitted to Council's Team Leader – Development for approval within one month of the commencement of stormwater treatment device construction on site and shall be implemented on site within the first planting season following completion of these devices unless otherwise agreed with the Council's Team Leader – Development. The implementation of the approved plan shall be for a minimum of 24 months and be at the consent holders expense.

Stormwater - Wetlands Operations and Maintenance

The Consent Holder shall provide a Stormwater Operation and Maintenance Plan ('SOMP') for the stormwater management system. The objective of the SOMP shall be to outline specific operation and maintenance procedures to be implemented to ensure the long-term effectiveness of the stormwater system in achieving the design stormwater management treatment and attenuation functions. The SOMP shall provide for all operational, maintenance, planting and monitoring measures associated with the stormwater discharge activity authorised and may include but not be limited to:

- a) A programme for regular monitoring and inspection of the stormwater management system including details of monitoring and inspection frequency;
- b) A programme for the regular collection and disposal of debris, sediment *and litter* collected by the stormwater management devices to ensure that attenuation volumes are not compromised and that appropriate contaminant removal procedures are established;
- c) Inspection checklists for all aspects of the stormwater management system including monitoring and maintenance of water quality and vegetation;
- d) Details of who will be responsible for the operation and maintenance works;
and

e) Details of recording and reporting of operation and maintenance activities.

The SOMP shall be submitted to the Council's Team Leader – Development Engineering for approval within 1 month of the commencement of the subdivision construction activities at the site and shall be implemented on site for the duration of the stormwater diversion and discharge activities. Any changes to the approved SOMP shall be confirmed in writing by the consent holder and approved in writing by the Council's Team Leader – Development Engineering prior to the implementation of any changes proposed. The implementation of the approved plan shall be for a minimum of 24 months and be at the consent holder's expense.

Advice Notes:

Stormwater Management Guidelines

Waikato stormwater management guideline (TR2020/07) and Waikato stormwater runoff modelling guideline (TR2020/06), set out an appropriate means of compliance.

C1 – 3 specific requirements

Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments, sets out an appropriate means of compliance with the specific C1 -3 specific catchment requirements.

Stormwater Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all stormwater infrastructure assets.

Council inspections

Confirmation of Council's inspections shall be made at the Pre-Construction Meetings. Council's Engineers require a minimum of 48 hours' notice prior to an inspection.

Stormwater Bylaw

*All private stormwater infrastructure shall comply with Waipa District Council's Stormwater Bylaw 2019;
Section 7: Protection of Land Drainage Systems – Item 7.5; and
Section 9: Private Stormwater Systems - All items.*

As-builts

Draft As-built Plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection followed by a final set for Section 224 sign off. This information is a statutory requirement.

5 CCTV

The consent holder shall conduct a CCTV survey of all public wastewater and stormwater reticulation constructed for the proposed subdivision, to assess, but not be limited to, pipe condition, pipe jointing, and gradient variations. The CCTV survey shall be submitted for approval to Council's Team Leader – Development Engineering to Council's CCTV recording system, "Retic Manager Ltd". The following matters shall also be included when submitting "Retic Manager Ltd":

- a) CCTV report from a suitably qualified professional;
- b) Details on each separate pipe line surveyed highlighting any defects and damages found; and
- c) Suggested remedies for the repair/elimination of defects found.

Advice Notes:

Inspection Guidelines

All work shall be carried out in accordance with the Guidelines as set out in the New Zealand Pipe Inspection Manual 2019 (4th Edition) and be at the consent holders expense.

Retic Manager

All Councils gravity reticulation systems are submitted through to Retic Manager Ltd. Submitters must register to upload through <https://reticmanager.com/app/account/login>. There is no upload application fee is applicable for submissions to Retic Manager Ltd, although there will be a review charge associated with Development Engineering's audit.

6) Future building site

The following conditions shall be registered as a consent notice on the certificate of title for this lot for the purpose of them being complied with on a continuing basis by the subdividing owner and subsequent owners:

Stormwater design

That for subsequent development of Lots 1 – 134 and 224 - 242 a suitably qualified and experienced Engineer will be required to inspect the site and submit to Council for approval, at the time of building consent, design details on the proposed on-site stormwater disposal system.

Reasons: The above condition is required to ensure that stormwater generated from the development on Lots 1 – 134 and 224 - 242 is wholly disposed of on site and in compliance with their requirements of the overarching Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments. The design should reflect the outcomes of the Stormwater manage plan accepted.

Advice Note:

Stormwater Bylaw

All private stormwater infrastructure shall comply with Waipa District Council's Stormwater Bylaw 2019;

Section 7: Protection of Land Drainage Systems – Item 7.5

Section 9: Private Stormwater Systems - All items

C1 – 3 specific requirements

Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments, sets out an appropriate means of compliance with the specific C1 -3 specific catchment requirements.

Before the deposit of the survey plan the Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 specifying the above condition.

Foundation

That for subsequent development of Lot 303 a suitably qualified and experienced Engineer will be required to inspect the site and submit to Council for approval, at the time of building consent, design details on the foundations of the buildings.

Reasons: *The above condition is required as the is subject to direct frontage to Local purpose reserve bank slopes as identified in the application scheme plans and designs.*

Before the deposit of the survey plan the Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 specifying the above condition.

Such consent notice shall be either prepared or checked at the cost of the subdividing owner by the Council's solicitors and shall be registered against the title to Lot 303.

7) Stage 2:

Transportation

Collector connection

The consent holder shall not be permitted to undertake any civil construction works associated with Stage 2 (or limit as defined by the council i.e. Lot 300) development) until the consent holder can provide an established connection of the internal collector road within the C2 structure plan and this to an external collector road.

Submit Roding Design Drawings

The consent holder shall submit Design/construction plans for the roads to vest Lots 512, 513, 514 and 515 as shown on the SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. All work associated with the roads vested to council shall be designed to the satisfaction of the Council's Team Leader – Development Engineering,

and at the consent holders expense. The submitted plans shall include, but is not limited to:

- a) Pavement design;
- b) Fixed entrance locations;
- c) Maintenance access tracks;
- d) Tracking curve analysis;
- e) Line marking and signage;
- f) Longitudinal sections;
- g) Common services trench;
- h) Surface treatments;
- i) Streetscape & berm planting; and
- j) Pedestrian calming measures.

Construct Roads to Vest

The consent holder shall construct roads to vest as shown in Lots 512, 513, 514 and 515 within the scheme plan of subdivision SP/0179/20 as per the approved design/construction approved submitted under **Submit Rooding Design Drawings** condition above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the road areas required under Condition **Construct Roads to Vest** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Rooding as-built plans

The consent holder shall provide as-built plans of the proposed road to vest, relevant quality assurance, and the structures located within the proposed road to vest prior to the issuing of the section 224 certificate, to the satisfaction of Council's Team Leader – Development Engineering.

Advice Notes: Road Corridor

Road Design

The Council's standards are set out in the Regional Infrastructure and Technical Specification (RITS) and provide a means of compliance for approval.

Streetscape design

Streetscape design shall follow relevant standards set out in the Regional Infrastructure and Technical Specification (RITS) and follow the councils Tree Policy circa 2019. Streetscape design shall include, but not be limited to, the following the species, locations, expected heights of any proposed plants and reason for any deviation from the above.

Streetscape As-builts

As-built plans and 'Parks Asset Recognition Form' (provided by council) of landscaping works that are to be owned/managed by Council shall be submitted as part of the overall roading As-built submission. The Streetscape As-built plans shall include the following:

- a) Location and extent, types of materials*
- b) Botanical and Common name and location (measured position in the berm) of street trees*
- c) Names, grades, number, planting density of traffic island planting*
- d) Installation date.*

Property Numbering

Once the section 224C completion certificate has been issued by Council for this subdivision, Council will advise the consent holder of property number(s).

Reasons: *Entrances are required to be accurately numbered in accordance with the Rural and urban addressing standard, AS/NZS4819:2011. To conform to the above standard, the existing property numbering may need to change*

8) Water Supply

Submit water reticulation design

The consent holder shall submit Design/construction plans for the water reticulation system to supply the proposed lots and connect existing reticulated network shown on scheme plan SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a) Reticulation layout;
- b) Pipe size, material, and pressure ratings;
- c) Hydrant Locations;
- d) Valves and fittings details;
- e) Connection locations to service lots;
- f) Bedding/service trench details; and
- g) Thrust Block details.

Construct water reticulation

The consent holder shall construct water reticulation as per the approved design/construction approved submitted under **Submit water reticulation design** condition above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the water reticulation required under Condition **Construct water reticulation** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Submit as-built plans

The consent holder shall submit an as-built plan of all water infrastructure including connections to relevant Lots within stage 1. All work shall be to the satisfaction of Council's Team Leader – Development Engineering and be at the consent holder's expense.

Advice Notes:

Water Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all Water infrastructure assets.

Location of new water connections

The location of the water connection shall comply with all aspects of Waipa District Council Water Supply Bylaw 2013.

Connection to Council's main procedure

To ensure the new infrastructure constructed can connect to council infrastructure safely and comply to the New Zealand Drinking Water Standards 2005 (Revised 2018), the consent holder shall complete a network shutdown request and submit to development engineering, councils shut down applications forms:

Shutdown request: WS-WSU-07 a(F) – APPENDIX A

Shutdown methodology: WS-WSU-07 b(F) – APPENDIX B

(These forms can be provided upon request)

As part of these applications requirements, the consent holder will need to provide the compliant pressure and water quality tests 3 days before the selected date. This is to ensure correct notifications to affected parties can be undertaken. The consent holder shall also identify any potential high-risk water users and undertake direct liaison with them.

As-built plans to be submitted

As-built plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection. This information is a statutory requirement. The Regional Infrastructure and Technical Specification (RITS) has an acceptable standard for the recording of all council assets.

Submit gravity wastewater reticulation design

The consent holder shall submit Design/construction plans for the gravity wastewater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0179/20. The Design/Construction plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense. The submitted plans shall include, but is not limited to:

- a) Flow direction and grades;
- b) Pipe sizing and material;
- c) Bedding details;
- d) Manhole sizing and details;
- e) Longitudinal sections;
- f) Connections to service Lots.

Construct gravity reticulation

The consent holder shall construct wastewater gravity reticulation as per the approved design/construction approved submitted under **Submit gravity wastewater reticulation design condition** above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Quality assurance certificates

Following completion of the wastewater gravity reticulation required under Condition **Construct gravity reticulation** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Submit As-built plans

As-built plans and information of all Wastewater infrastructure assets, which are to be vested in Council, shall be provided to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense.

Advice Notes:

Wastewater Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all Wastewater infrastructure assets.

As-built plans to be submitted

Draft As-built plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection followed by a final

set for 224 sign off. This information is a statutory requirement. The Regional Infrastructure and Technical Specification (RITS) has an acceptable standard for the recording of all council assets.

9) Stormwater

Stormwater - Design

The consent holder shall submit Design/construction plans for the stormwater reticulation system to supply the proposed lots and existing receiving network shown on scheme plan SP/0179/20. The Design/Construction plans shall be based on the approved Stormwater Management Plan and Stormwater Management Report prepared for the previous stage. The Design/Construction Plans shall be submitted to Council for acceptance prior to carrying out any construction work required by this consent. This system shall be designed to the satisfaction of Council's Team Leader – Development Engineering, and shall be at the consent holder's expense. The submitted plans shall include:

- a) Flow direction and grades;
- b) Pipe sizing and material;
- c) Longitudinal sections;
- d) Overland flow paths;
- e) Receiving network outlet details;
- f) Bedding details;
- g) Manhole sizing and details;
- h) Green Infrastructure details; and
- i) Connections, including rodding eyes, to service all new lots.

Stormwater – Construct

The consent holder shall construct the stormwater reticulation as per the approved design/construction under Condition X – Stormwater - Construct above and to the satisfaction of Council's Team Leader – Development Engineering at the consent holder's expense.

Stormwater - Quality assurance certificates

Following completion of the stormwater reticulation required under Condition X - Stormwater - **Construct** above, Quality Assurance Certificates from a suitably qualified and experienced professional shall be completed, signed, and submitted to Council's Team Leader – Development Engineering for acceptance.

Stormwater – Waipa District Council Resource Consent with Waikato Regional Council for Stormwater Disposal

This consent is subject to all associated regional consents for stormwater discharge being granted, including any changes to existing stormwater.

Stormwater - As-built Plans

As-built plans and information of all stormwater infrastructure assets provided under Conditions X to Y (Design/Construct/QA), which are to be vested in Council, shall be provided to the satisfaction of Council's Team Leader – Development Engineering and shall be at the consent holder's expense.

Advice Notes:

Stormwater Management Guidelines

Waikato stormwater management guideline (TR2020/07) and Waikato stormwater runoff modelling guideline (TR2020/06), set out an appropriate means of compliance.

C1 – 3 specific requirements

Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments, sets out an appropriate means of compliance with the specific C1 -3 specific catchment requirements.

Stormwater Design

The Regional Infrastructure and Technical Specification (RITS) sets out a means of compliance for the design and construction of all stormwater infrastructure assets.

Council inspections

Confirmation of Council's inspections shall be made at the Pre-Construction Meetings. Council's Engineers require a minimum of 48 hours' notice prior to an inspection.

Stormwater Bylaw

*All private stormwater infrastructure shall comply with Waipa District Council's Stormwater Bylaw 2019;
Section 7: Protection of Land Drainage Systems – Item 7.5; and
Section 9: Private Stormwater Systems - All items.*

As-builts

Draft As-built Plans and information of all infrastructure assets, which are to be vested in Council, shall be provided prior to the final inspection followed by a final set for Section 224 sign off. This information is a statutory requirement.

10) CCTV

The consent holder shall conduct a CCTV survey of all public wastewater and stormwater reticulation constructed for the proposed subdivision, to assess, but not be limited to, pipe condition, pipe jointing, and gradient variations. The CCTV survey shall be submitted for approval to Council's Team Leader – Development Engineering to Council's CCTV recording system, "Retic Manager Ltd". The following matters shall also be included when submitting "Retic Manager Ltd":

- a) CCTV report from a suitably qualified professional;

- b) Details on each separate pipe line surveyed highlighting any defects and damages found; and
- c) Suggested remedies for the repair/elimination of defects found.

Advice Notes:

Inspection Guidelines

All work shall be carried out in accordance with the Guidelines as set out in the New Zealand Pipe Inspection Manual 2019 (4th Edition) and be at the consent holders expense.

Retic Manager

All Councils gravity reticulation systems are submitted through to Retic Manager Ltd. Submitters must register to upload through <https://reticmanager.com/app/account/login>. There is no upload application fee is applicable for submissions to Retic Manager Ltd, although there will be a review charge associated with Development Engineering's audit.

Future building site

The following conditions shall be complied with on a continuing basis by the subdividing owner and subsequent owners:

Stormwater design

That for subsequent development of Lots 135 - 223 a suitably qualified and experienced Engineer will be required to inspect the site and submit to Council for approval, at the time of building consent, design details on the proposed on-site stormwater disposal system.

Reasons: The above condition is required to ensure that stormwater generated from the development on Lots 135 - 223 is wholly disposed of on site and in compliance with their requirements of the overarching Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments. The design should reflect the outcomes of the Stormwater manage plan accepted.

Advice Note:

Stormwater Bylaw

All private stormwater infrastructure shall comply with Waipa District Council's Stormwater Bylaw 2019;

Section 7: Protection of Land Drainage Systems – Item 7.5

Section 9: Private Stormwater Systems - All items

C1 – 3 specific requirements

Stormwater management plan: Cambridge C1 and C2/C3 infrastructure Cambridge West Pukeroro and Waikato River catchments, sets out an appropriate means of compliance with the specific C1 -3 specific catchment requirements.

Before the deposit of the survey plan the Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 specifying the above condition.

Foundations

That for subsequent development of Lots 304 and 190 - 197 a suitably qualified and experienced Engineer will be required to inspect the site and submit to Council for approval, at the time of building consent, design details on the foundations of the buildings.

Reasons: The above condition is required as the is subject to direct frontage to Local purpose reserve bank slopes as identified in the application scheme plans and designs and Lots are identified in potential lateral spread area, respectively.

Before the deposit of the survey plan the Council shall issue a consent notice pursuant to Section 221 of the Resource Management Act 1991 specifying the above condition.

Such consent notice shall be either prepared or checked at the cost of the subdividing owner by the Council's solicitors and shall be registered against the title to Lot 304.

General conditions continued

28. Financial / Development Contributions

In accordance with Council's Development Contribution Policy, the consent holder shall either:

- a) Prior to the approval of any works associated with this subdivision, sign a Development Agreement with Waipa District Council that establishes the general financial terms, works and provisions for the subdivision. The Development Agreement must establish the framework for the outcomes that will be required.

Or

- b) The Development Contributions as specified on the Development Contribution Notice (DC/xxxx/xx (*insert relevant notice number here*)) attached to this decision shall be paid prior to the issuing of the certificate under Section 224(c) of the Resource Management Act 1991.

29. Development Engineering

CCTV The consent holder shall conduct a CCTV survey of all public wastewater and stormwater reticulation constructed for the proposed subdivision, to assess, but not be limited to, pipe

condition, pipe jointing, and gradient variations. The CCTV survey shall be submitted for approval to Council's Team Leader – Development Engineering to Council's CCTV recording system, "Retic Manager Ltd". The following matters shall also be included when submitting "Retic Manager Ltd":

- a) CCTV report from a suitably qualified professional;
- b) Details on each separate pipeline surveyed highlighting any defects and damages found; and
- c) Suggested remedies for the repair/elimination of defects found.

Advice Notes:

Inspection Guidelines

All work shall be carried out in accordance with the Guidelines as set out in the New Zealand Pipe Inspection Manual 2019 (4th Edition) and be at the consent holder's expense.

Retic Manager

All Councils gravity reticulation systems are submitted through to Retic Manager Ltd. Submitters must register to upload through <https://reticmanager.com/app/account/login>. There is no upload application fee is applicable for submissions to Retic Manager Ltd, although there will be a review charge associated with Development Engineering's audit.

30 Reserves

Neighbourhood reserve:

1. Lots 501 shall vest in the Waipā District Council as recreation reserve pursuant to s239 of the Resource Management Act 1991 subject to Council approving the vesting. This shall be shown on the Section 223 survey plan.

2. Prior to the issue of a s224 certificate, the consent holder shall submit to Council's Senior Reserve Planner for approval a Development Plan for lot 501. The Development Plan shall include, but not be limited to, the following:

a) A plan showing:

- i. Finished site contours.
- ii. Planted area detailing the proposed plant species, plant sourcing, plant sizes at time of planting, plant heights at maturity, plant locations, plant numbers density of planting, and timing of planting. - existing vegetation (including all trees and shrubs greater than 2m) to be retained; - grassed area detailing the seed mixture
- iii. Location and design of any boundary fencing/gates/retaining walls/treatment.
- iv. Location and design of any hard landscaping (including walkways/footpaths/vehicle crossings/operational access hardstand areas)
- v. Location and design of play infrastructure
- vi. Location and design of any entranceway features and signage location and design of any other visitor infrastructure such as seating, toilets, water fountain etc

- vii. Location and design of any underground services.
- viii. Location and design of an irrigation system if required.

b) A schedule of the species to be planted or retained including botanical name, average plant height at time of planting and maturity and planting density.

c) An implementation programme that includes site preparation (topsoil, fertilising, weed removal/spraying, drainage) and planting timeframes d) A 2 year operational maintenance programme that includes: - pest plant and weed control, watering, supplementary/replacement planting plan specifications, mowing, litter control, - timing of monitoring maintenance inspections, and - defects liability for grassing, plantings, assets and subsidence.

3. As-built plans for all assets developed on the recreation reserve (lot 501) which are to be vested in council, shall be provided to the satisfaction of Council's Senior Reserve Planner and shall be at the consent holder's expense.

Stormwater reserves (lots 502 and 503)

4. That section of Road 20 between the proposed neighbourhood reserve and the stormwater reserve on the opposite sides of the road shall be designed and constructed as a shared space between vehicles and pedestrians in which pedestrians have the priority and will be designed in a manner to create a coherent connection between the reserve areas and prioritise pedestrian and cyclist safety.

Street trees

5. Prior to the issue of a s224 certificate, the consent holder shall submit to Council's Arborist for approval a street tree plan that complies with Appendix S19

- i. Cambridge C1 and C2/C3 Structure Plans the layout and implementation requirements of the Regional Technical Infrastructure Specification (RITS). In particular, street trees must:
- ii. Enhance the character and biodiversity values of the locality;
- iii. Not block sightlines of pedestrians, cyclists and vehicles
- iv. Comply with planting clearance zones;
- v. Contain adequate root barrier protection; and,
- vi. Be maintained to ensure establishment.

Fencing and landscaping

6 Any landscape planting or fencing between reserves and adjoining lots shall allow visibility between the proposed dwelling and the boundary. With the exception of the boundary between lots 502 and 310, any fence shall be no higher than 1.2m in height; fence design and materials shall retain a level of transparency (visually permeable) so as not to provide a blank façade adjacent to the street edge, public walkway or reserve.

Note: For the avoidance of doubt visually permeable is materials with continuous vertical or horizontal gaps of at least 50mm width creating 50% or more see through visibility; OR using any materials for the lower half of the fence, wall or hedge, and materials with continuous vertical or horizontal gaps of at least 50mm width creating 50% or more see through visibility on the upper half.

7. Any landscape planting or fencing shall allow visibility between the proposed school site (lot 310) and the proposed stormwater reserve lot 502. Any fence shall be no higher than 1.8m in height; fence design and materials shall retain a level of transparency (visually permeable) so as not to provide a blank façade adjacent to the street edge, public walkway or reserve.

Note: For the avoidance of doubt visually permeable is materials with continuous vertical or horizontal gaps of at least 50mm width creating 50% or more see through visibility; OR using any materials for the lower half of the fence, wall or hedge, and materials with continuous vertical or horizontal gaps of at least 50mm width creating 50% or more see through visibility on the upper half.

8. The consent holder shall enter into a fencing covenant with Council which is to be registered against the titles adjoining Lots 501, 502, 503, 504, 505 and 506 (lots 56, 176, 177, 300, 301, 303, 304 and 307), in regard to the boundary fence between these lots to the effect that the Council will not be liable nor called on to erect or repair or contribute to the cost of work as defined in the Fencing Act 1987 on any dividing or boundary fence. The covenant must also stipulate that any fence must be in accordance with the above condition. The covenant must be prepared by Council's solicitor at the consent holders' expense.

Variations to Reserves

9. A number of matters are still under negotiations between the applicant and the Council that may result in variations to the dimensions and other details of the lots and various sites referenced in these conditions. These variations may be accommodated by the requirements and proposals specified in the consented plans applying to the varied sites as if those sites were as granted consent.

Review Condition

- 31 Pursuant to section 128 of the RMA, Council may review the conditions of the consent once within any 6 month period, for the purposes of:
- a. avoiding, remedying or mitigating any adverse effect that may arise from the exercise of the consent; and
 - b. requiring information to be provided to Council pertaining to the exercise of the consent where that information is necessary to inform the monitoring of the consent or any consent conditions and determination of requirements from the review.

17 Reasons for Recommendation

- a) The application was processed by limited notified procedures.
- b) Submissions in opposition and support were received.
- c) Written approvals were provided.
- d) The application presents effects on the environment and is contrary to policy in respects of specific matters, but not contrary to the overall direction of policy to establish residential activities n the site.
- e) Those matters that are contrary to policy and that that have effects requiring mitigation are able to be resolved in the manner described in this report.
- f) This matter presenting effects required to be resolved are replacement of the sports fields and provision of a site for the north/south part of the stormwater and reserve and collector road corridor.
- g) If these are resolved, resource consent is suitable.
- h) These matters are expected to be resolvable, and the Council is proceeding at present with achieving this.
- i) Less significant effects identified in the assessment can be resolved and have little effect on the consentability of this proposal. The recommendations in these regards are of improvements that could be made in the outcome not necessary changes or mitigations.
- j) Provision has been made in recommended conditions to provide process by which the matters requiring attention can be resolved within the terms of a resource consent. This approach has been taken for the purpose of facilitating provision of a resource consent and achievement of residential development that overall is in accordance with the direction of policy.
- k) On balance the application can be granted resource consent, but subject to provision being included in any consent granted for process to resolve those matters requiring resolution.
- l) Conditions have been prepared in a manner that provides for this process and describes the outcome required.

 - 29 April 2021

Mark Batchelor
CONSULTANT PLANNER

Reviewed for Release by



Wayne Allan
GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES