



PART B

Section 32 Evaluation Report

PART B: SECTION 32 EVALUATION REPORT

2. INTRODUCTION

2.1 OVERVIEW

This report presents an evaluation of the proposed plan change undertaken by Mitchell Daysh Limited in accordance with section 32 of the Resource Management Act (“**RMA**”). The report documents the objective of the proposed plan change, examines the extent to which the plan change objectives are the most appropriate way to promote sustainable management, evaluates the related and proposed provisions, and assesses the scale and significance of the effects anticipated from implementing the proposed plan change.

This report also:

- > Provides an overview of the consultation undertaken in respect of this proposed plan change, noting that the RMA First Schedule process, which includes full public notification, submissions, further submissions and a hearing provides ample opportunities for further consultation and engagement to occur;
- > Addresses the statutory planning documents that the District Plan, and this proposed plan change, must give effect to; and
- > Provides an assessment of the potential effects of the proposed plan change (acknowledging that that a fulsome effects assessment will occur at the resource consent stage).

This report should be read in conjunction with the accompanying expert reports (and drawings) and other documentation, contained in the following appendices:

Appendix A:	Geotechnical Investigation Report
Appendix B:	Three Waters Assessment
Appendix C:	Urban Design Statement
Appendix D:	Integrated Transportation Assessment
Appendix E:	Ecological Impact Assessment
Appendix F:	Cultural Advice Report
Appendix G:	Structure Plan Drawings

Appendix H: Archaeological Assessment

Appendix I: Correspondence and Written Approval

2.2 FRAMEWORK FOR PRIVATE PLAN CHANGES

The private plan change process is subject to the provisions of the RMA, including Part 2 (the Purpose and Principles), section 31 (Functions of Territorial Authorities), section 32 (requirements for preparing and publishing evaluation reports), section 73 (preparation and change of District Plans), section 74 (Matters to be considered by Territorial Authority), and Part 2 of Schedule 1 (Requests for changes to plans).

In summary, it is considered that this section 32 evaluation report addresses all of the applicable statutory requirements.

2.3 STRUCTURE OF THE REPORT

This section 32 evaluation report is set out as follows:

- Section 2:** Introduction and structure of the section 32 evaluation report.
- Section 3:** Provides an overview of the site to which this proposed plan change applies.
- Section 4:** Provides a description of the proposal to which this proposed plan change relates to.
- Section 5:** Sets out the requirements of section 32 of the RMA.
- Section 6:** Provides a description of the resource management issue that currently exists and details the background and context of the proposed plan change which is the subject of this report. This section also sets out the objective of the proposed plan change.
- Section 7:** Sets out the options that were considered to achieve the plan change objective, provides an assessment of those options and sets out why the proposed plan change is the preferred option.
- Section 8:** Provides an evaluation of the provisions of the proposed plan change and provides an assessment of the costs and benefits of the plan change provisions.
- Section 9:** Sets out the reasons for the provisions forming part of the proposed plan change.

- Section 10:** Provides a summary of the consultation undertaken in respect of the formulation of the proposed plan change.
- Section 11:** Provides the assessment of the proposed plan change in relation to the applicable statutory documents, including national policy statements, national environmental standards, and regional planning documents.
- Section 12:** Summarises the assessment of environmental, social, economic and cultural effects likely to arise from the proposed plan change.
- Section 13:** Provides an assessment of the scale and significance of the proposed plan change.
- Section 14:** Provides a conclusion on whether the proposed plan change is the most appropriate option to achieve the plan change objectives and the purpose of the RMA.

3. SITE DESCRIPTION

3.1 SITE LOCATION

The site has an area of approximately 28 hectares and comprises two main parcels of land referred to as the “Northern Block” and “Southern Block”, located as shown in **Figure 5**.

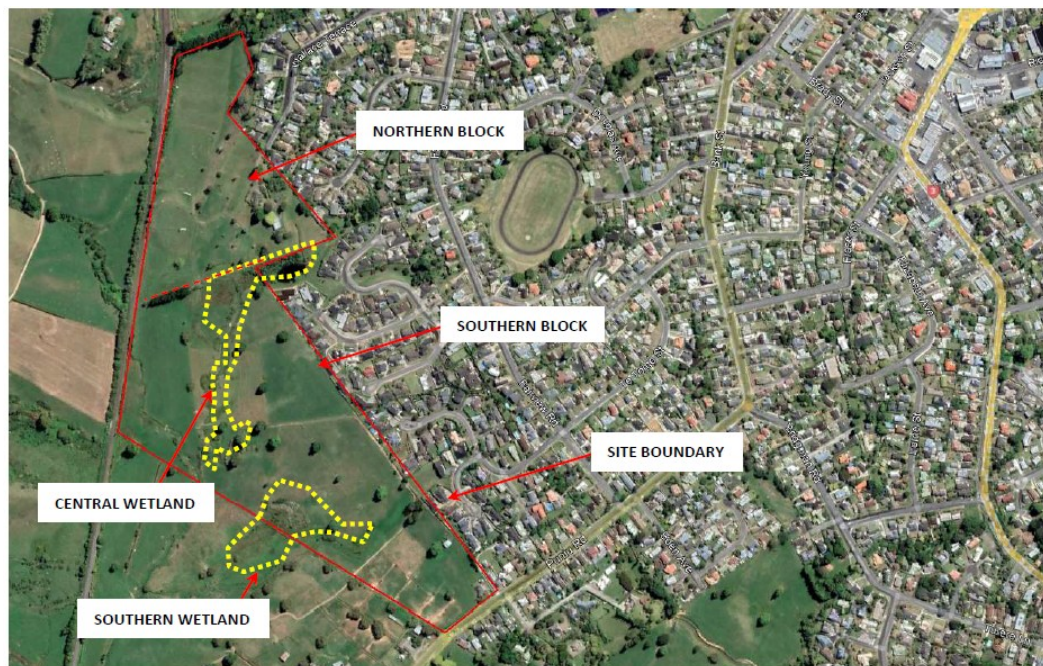


Figure 5: Plan Change Area

A third parcel of land (WDC reserve) has also been added as part of the proposed plan change (shown as the hatched area within the black and wide border on **Figure 6**).

The WDC land was added at a late stage in the process (at the request of WDC) and is therefore not shown on all of the plans and figures that follow in this report, or the associated technical reports and plans included in the Appendices. However, it is shown on the Proposed Structure Plan (**Figure 1**) and the Indicative Staging Plan for the Proposed Plan Change (**Figure 2**) included in Part A of this document.



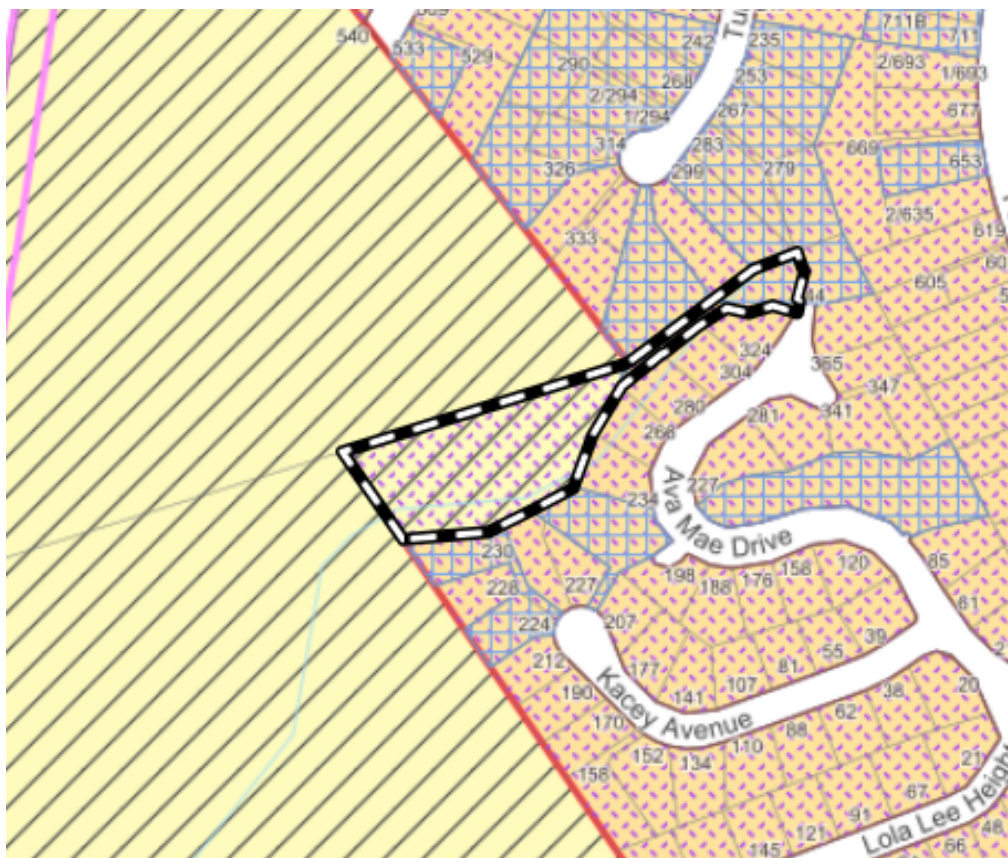


Figure 6: Extent of the WDC land included in the Plan Change - to be rezoned Reserve Zone (Part of Lot 59 DP 375611)

3.2 PROPERTY INFORMATION

The T4 Growth Cell is made up of three properties, with separate owners as follows:

- > **Lyn Cudby** is the owner of the Southern Block (Part Lot 1 DPS 10432) which is approximately 18.25 ha in area;
- > **LY&NZ Investment Limited** is the owner of the Northern Block (Lot 2 DPS 18699) which is approximately 9 ha in area; and
- > **WDC** is the owner of the third block of land (used as a reserve) located on the southern boundary of the Northern Block (Part of Lot 59 DP 375611) which is a small parcel of land of approximately 0.5 ha.



3.3 EXISTING LAND USE ACTIVITIES AND TOPOGRAPHY

To date the site has largely been utilised for farming purposes. The site has a rolling terrain with areas of steeper contours and wetland areas that have not been farmed as intensively as the more level areas. The southern half of the site supports stream courses and there are a number of individual trees scattered across the landscape, particularly where the land is less suitable for crops. Groups of trees are located at boundaries at the centre of the site and at the northern extremity.

3.4 SURROUNDING AREA

The site is bound to the east by residential development (Te Awamutu township), to the southeast by Puniu Road, to the southwest and north by pastoral farmland and to the west by the North Island Main Trunk Railway. The northern part of the site adjoins Centennial Park.

3.5 EXISTING NATURAL FEATURES

The site contains several natural inland wetlands and streams as shown on **Figure 7**:



Figure 7: Natural Inland Wetlands and Streams



While the freshwater habitats onsite are all highly modified due to long-term agricultural land use, longfin eel (*Anguilla dieffenbachii*) and black mudfish (*Neochanna diversus*), were detected in eDNA samples. Longfin eels were detected within the stream channels and black mudfish were detected within the eastern-most wetland (Wetland 1). As a result of the presence of these 'At-Risk' fish, the streams and Wetland 1 have been assessed to be of 'Moderate' ecological value; the remaining site wetlands have been assessed to be of 'Low' ecological value and are considered to have limited aquatic habitat.

In respect of terrestrial ecological values:

- > Onsite vegetation is reflective of the highly modified agricultural environment, dominated by pasture grass and exotic weeds, as well as individual mature exotic trees and shelterbelts of Pinus species along boundaries. The terrestrial vegetation onsite has 'Low' ecological value;
- > Avifauna observed onsite were exclusively either exotic or common native species. The current terrestrial vegetation will provide limited habitat provision for birds;
- > Due to the low quality and quantity of habitat, the likelihood of any native herpetofauna being present onsite is considered low; and
- > No records of short-tailed bats (*Mystacina tuberculata aoupourica*, 'threatened – nationally vulnerable') were identified for the area. The species is known to prefer deep-forest habitat and is associated with old growth indigenous forest. As such, their presence within, or in close proximity to, the subject site is considered unlikely.

3.6 LAND USE CAPABILITY

As shown in **Figure 8**, the site is largely comprised of Land Use Capability (“LUC”) Class 4 land, with areas of LUC Class 2.

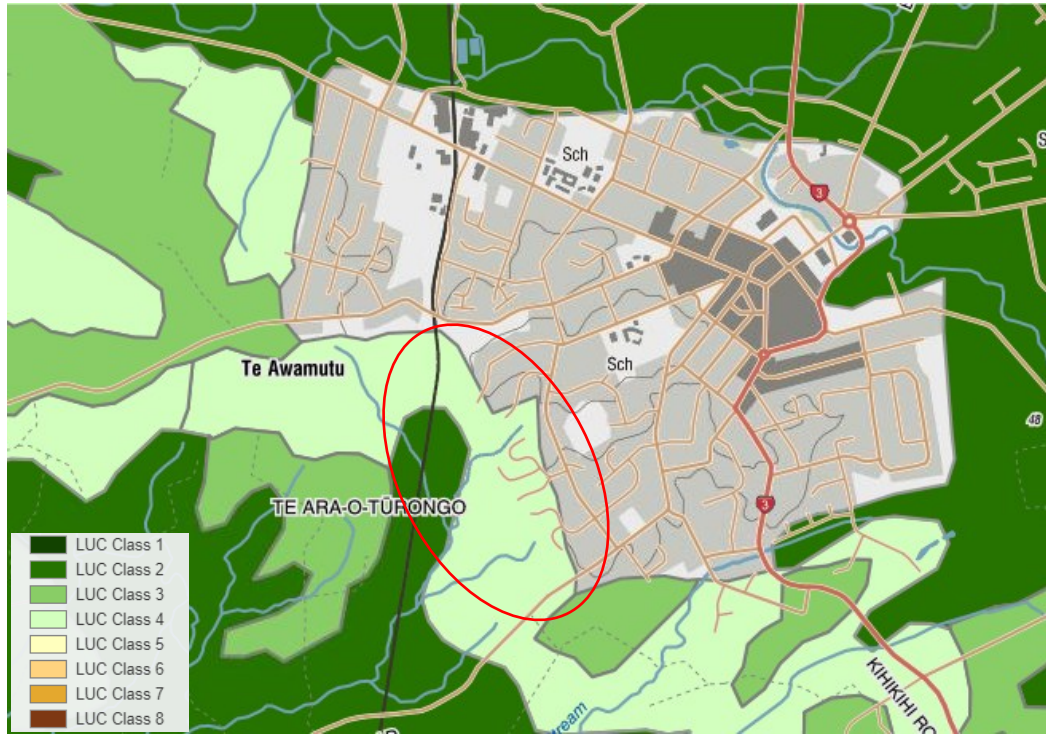


Figure 8: Land Use Capability Soil Maps



3.7 TRANSPORTATION NETWORK

The existing network of roads surrounding the T4 Growth Cell includes Rewi Street, Puniu Road, Wallace Terrace / Teasdale Street and Fairview Road.

Table 1 provides a summary of the main characteristics of each road.

Table 1: Road Network Characteristics

Road Corridor	Road Section	Road Classification		Posted Speed limit	Formed Carriageway width (m)
		District Plan	ONRC		
Rewi Street	Station Road to College Street	Collector Road	Primary Collector	50km/h	11.8 m
Puniu Road	Pokuru Road to Fairview Road	Collector Road	Primary Collector	50km/h	10.4 m
Pokuru Road	Puniu Road to NIMT Overbridge	Collector Road	Primary Collector	80km/h	7.5 m
Wallace Terrace	T4 boundary to Fairview Road	Local Road	Access	50km/h	12.4 m
Teasdale Street	Fairview Road to Princess Street	Local Road	Secondary Collector	50km/h	11.6 m
Downes Street	College Street to Teasdale Street	Collector Road	Secondary Collector	50km/h ¹	12.0 m
Fairview Road	Wallace Terrace to Puniu Road	Collector Road	Secondary Collector	50km/h	11.0 – 11.2 m

3.8 CULTURAL VALUES

As set out in the cultural advice report prepared by Te Huia Natural Resources (and attached as **Appendix F**):

Te Awamutu refers to the end of the navigable river. Canoes could navigate from the Waipa River up the Mangapiko Stream as far as Te Awamutu to the confluence of the Mangaohoi Stream. From there travel had to be across land because both streams were blocked by snags and unsuitable for navigation by canoes.

¹ Part of Teasdale Street is a 40km/hr posted speed limit within the vicinity of the school.



The Te Awamutu area, including the T4 Growth Cell, falls within the raupatu (confiscation) boundary enabled by the Suppression of Rebellion Act 1863 and New Zealand Settlements Act 1963.

There are a number of sites of significance to mana whenua within the Te Awamutu urban area, as set out in **Figure 9** below.

The closest of these sites to the T4 Growth Cell is Otawhao Pa (which is located on land adjacent to the T4 Growth Cell) (refer to the Archaeological Assessment in **Appendix H**).



Figure 9: Te Awamutu Sites of Significance

The cultural advice report describes Otawhao Pa, setting out that:

Otawhao, named after the Tainui tupuna (ancestor) Tawhiao, was first visited by missionaries in 1834. It was at Otawhao Pā that the first church was built in 1838, and where in 1839 Reverend Ashwell asked the Whare Kura (Christian Māori) to leave and set up a separate community at Te Awamutu. During this period there was a significant increase in Māori involvement in agriculture, including the establishment of a number of farms and flour mills, largely funded by Māori parishioners. The resulting produce and crops supplied, amongst other places, the Auckland markets.

3.9 CURRENT PLANNING FRAMEWORK

3.9.1 Waipā District Growth Strategy 2017

The site is identified in Waipā 2050 (the Waipā District Growth Strategy 2017) as a residential growth cell beyond 2035, as shown in **Figure 10** (outlined in red):

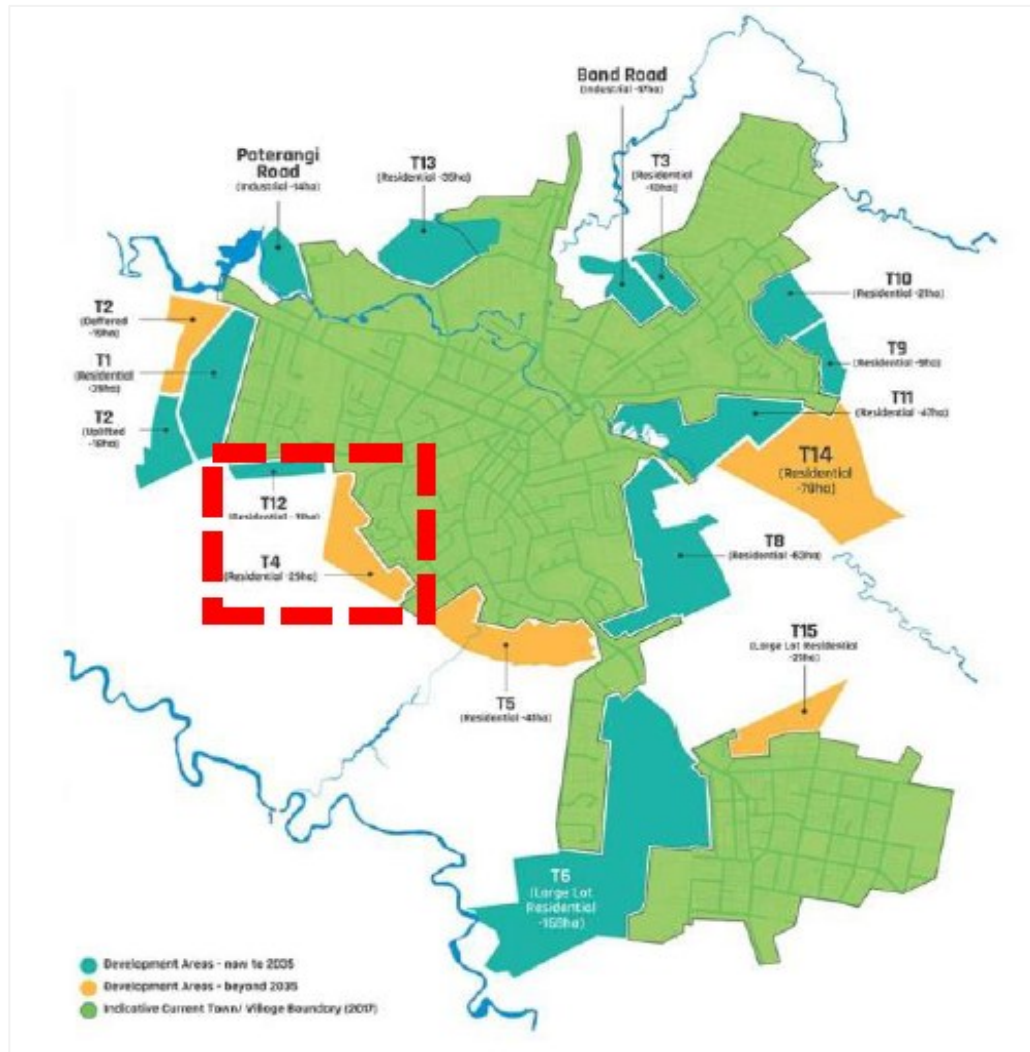


Figure 10: Te Awamutu Growth Cells



3.9.2 Operative Waipa District Plan

Under the District Plan, the T4 Growth Cell is zoned Deferred Residential Zone.

Within the Plan Change site is a roading designation, rail designation and transmission line designation.

Figure 11 is an excerpt from the current District Plan planning map in the vicinity of the Plan Change site.

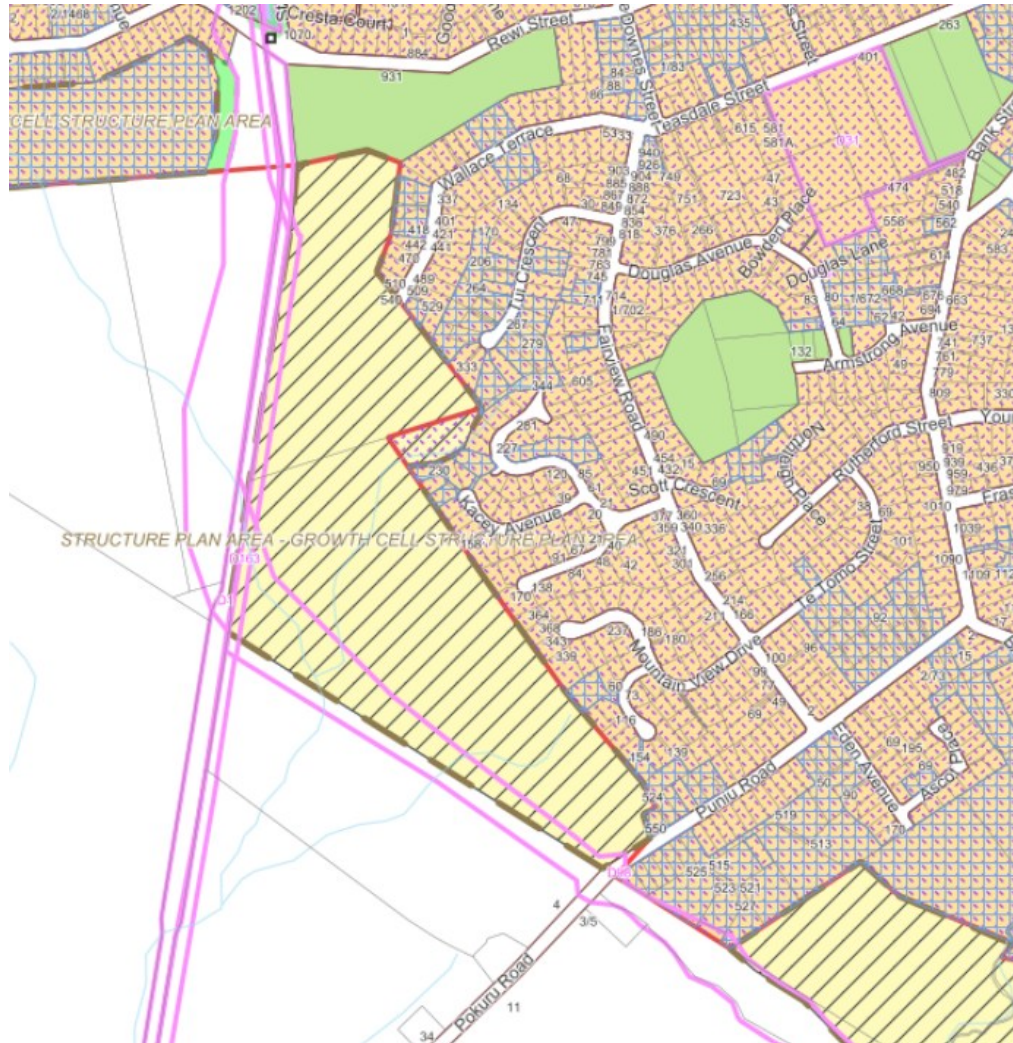


Figure 11: District Plan Zoning Map

Appendix S1 (Future Growth Cells) of the District Plan identifies that the T4 Growth Cell is 29ha (it's actually just less than 28ha) and is only considered appropriate for development if the Western Arterial proceeds (noting that the assessments commissioned to support this proposed plan change demonstrate its appropriateness for development irrespective of the status of the Western Arterial).

Appendix S1 notes that the T4 Growth Cell has a dwelling capacity of approximately 348 dwellings and will be developed beyond 2035.



4. DESCRIPTION OF THE PROPOSAL

4.1 OVERVIEW

As set out in Part A of this report, the applicant is proposing that the development of the T4 Growth Cell for residential use and urban activities be brought forward (so that it can occur before 2035). As such, it is proposed that the T4 Growth Cell be rezoned to Medium Density Residential Zone, and that a Structure Plan be inserted into the District Plan to guide future development of the Growth Cell.

4.2 PROPOSED CHANGES TO THE DISTRICT PLAN

In summary, to enable the development of the T4 Growth Cell to be brought forward, the following changes are proposed to the District Plan:

- > Rezone the T4 Growth Cell from Deferred Residential Zone to Medium Density Residential Zone (and move the urban limit boundary on the planning maps to the western extremity of the T4 Growth Cell);
- > Adopt the Medium Density Residential Zone provisions for the T4 Growth Cell;
- > Rezone part of Lot 59 DP 375611 to Reserve Zone (and adopt the Reserve Zone provisions for this parcel of land);
- > Make minor amendments to the Medium Density Residential Zone rules to provide for commercial activities within the Commercial Overlay Areas and to address potential reverse sensitivity effects in relation to the North Island Main Truck Railway Line corridor;
- > Insert a Structure Plan into the District Plan to guide future development of the T4 Growth Cell; and
- > Make minor amendments to the provisions of Section 15, Section 21 and Appendix S1 of the District Plan to reflect the T4 Structure Plan Area.



4.3 PROPOSED STRUCTURE PLAN

It is proposed that the Structure Plan provided as **Figure 1** in this report (along with supporting explanatory text) be inserted into the District Plan as part of the proposed plan change.

It is also proposed to include the indicative staging plan provided as **Figure 2** in this report into the District Plan.

The key features of the T4 Structure Plan include:

- > The majority of the plan change area will be developed for medium density residential use;
- > Stormwater reserve / artificial wetland areas to service the proposed residential use of the plan change area;
- > A collector road along the western boundary adjacent to the North Island Main Trunk railway and on the southwestern boundary;
- > A local road connection to Wallace Terrace;
- > An environmental buffer located between the proposed collector road to the North Island Main Trunk Railway Line, and underneath the transmission lines;
- > Areas identified as natural inland wetlands, which will be retained and / or enhanced as part of the development; and
- > The provision of two Commercial Overlays (Neighbourhood Centres) - each with a maximum GFA of 1,500 m².

4.4 OTHER CONSENTS AND AUTHORISATIONS

Additional authorisations will be required to realise the full development potential of the plan change area should the plan change be approved. The T4 Structure Plan will set the framework for development, but further resource consents will need to be obtained before any development is progressed. Such consents include:

- > Subdivision consent (which will address the specific servicing requirements of the subsequent development);
- > Consent(s) authorising land disturbance, from both WDC and the Waikato Regional Council (“**WRC**”);
- > Discharge permit from the WRC, authorising the discharge of stormwater generated from the residential development to the environment; and



- > Resource consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“**Freshwater NES**”) to undertake various activities within, and adjacent to, the natural inland wetlands onsite.

Consents will also be required (under both the RMA and the Reserves Act) to enable the proposed roading connection to Rewi Street.

It is during these subsequent consent processes where the exact nature and extent of effects will be considered and assessed.

5. SECTION 32 REQUIREMENTS

5.1 OVERVIEW

This section 32 evaluation is part of ensuring that clear and robust decision making occurs in the context of plan preparation and plan changes. It provides a process for evaluating the proposal, and a transparent way to assess the risks, costs, and benefits of new and amended planning provisions.

Section 32 of the RMA states:

- (1) An evaluation report required under this Act must—*
 - (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions; and*
 - (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) An assessment under subsection (1)(b)(ii) must—*
 - (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
 - (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*



The evaluation, therefore, must:

- > Assess the scale and significance of the problem or issue;
- > Examine whether the objectives of the proposed plan change are the most appropriate way to achieve the sustainable management of natural and physical resources;
- > Examine whether the proposed approach is the most appropriate way of achieving the objective;
- > Identify and assess the benefits and costs of new provisions, including identifying any assumptions and risks; and
- > Assess the risks of acting or not acting if there is uncertain or insufficient information.

In addition to the section 32 requirements, this report sets out the process undertaken to prepare the proposed plan change.

This report records the section 32 evaluation that has been carried out to date, but it recognises that it is an iterative process that will continue through the plan change lodgement, submission, and hearing process.



6. ISSUE AND OBJECTIVE IDENTIFICATION

6.1 DESCRIPTION OF THE RESOURCE MANAGEMENT ISSUE

The resource management issue to be addressed by the proposed plan change relates to ensuring there is sufficient residential development capacity within Te Awamutu, and in the Waipā District more generally, while also ensuring the effects of that residential development can be appropriately avoided, remedied and/or mitigated.

The T4 Growth Cell is an area that the District Plan identifies as being suitable for residential development ‘beyond 2035’. To assist with providing residential development capacity in the medium term, the applicant is proposing that the development of this area be brought forward.

The 2021 NPS-UD Housing Development Capacity Assessment (prepared for the Future Proof Partners) found that a high proportion of the projected residential growth within the Waipā District is for urban dwellings, with significant expansion of the main urban centres of Cambridge and Te Awamutu / Kihikihi. In the short-term, there is projected demand for an addition 1,100 urban dwellings (+1,300 with a margin), in the medium-term, an additional 3,100 dwellings (+3,700 with a margin), and in the long-term an additional 8,400 urban dwellings (+9,600 with a margin).

The 2024 - 2054 Future Proof Strategy projects a similar level of residential growth within the Waipa District. The Future Proof Strategy anticipates residential growth within the identified urban areas of Te Awamutu (which would include the T4 Structure Plan Area)

“In respect of housing, total demand in Waipā district is projected to increase by nearly half (+45 per cent) over the long-term (2022-2052). The level of urbanisation is likely to gradually increase within the district, with dwelling demand in the urban areas projected to grow at a faster rate than the district overall. Almost all (88 per cent) of the long-term dwelling demand growth is for urban dwellings; mainly concentrated in Cambridge and Te Awamutu as the main centres.

...

Future Proof aims to support the 2050 District Growth Strategy through its settlement pattern, which illustrates the majority of growth areas in Cambridge and Te Awamutu. The Future Proof Strategy also provides a flexibility by setting a framework to assess any out-of sequence or unanticipated development in the district”.

Approximately 90 per cent of residential growth within the Waipa District will be within the identified urban areas of Cambridge, Te Awamutu and Kihikihi.

*In Waipā district, roughly two thirds of the currently available capacity is located in and around the main urban centres of Cambridge and **Te Awamutu**. A large amount*



*of additional capacity, in the form of greenfield growth areas around Cambridge and **Te Awamutu**, and also possible intensification via Proposed Plan Change 26.*

To support the compact and concentrated approach the below target has been set to be achieved over the planning period:

*For Waipā district, approximately **90 per cent of growth will be within the identified urban areas** of Cambridge, **Te Awamutu** and Kihikihi.*

*For the Waikato and Waipā districts, as a stretch target approximately 20 per cent of growth **within urban environments will be within existing parts of the townships, preferably in areas close to centres and current and future public transport stops.***

The Proposed Plan Change is intended to address a predicted shortfall of greenfield residential land within the medium-term.

6.2 PLAN CHANGE OBJECTIVE

The objective of the proposed plan change is to enable the residential development of the T4 Growth Cell to be brought forward so that it adds to the residential development capacity in the medium term.

It is considered the plan change objective is the most appropriate way to achieve the purposes of the RMA through providing additional residential development capacity in the Waipā District.

6.3 PROPOSAL

To achieve the plan change objective, the proposed plan change broadly seeks to:

- > Rezone the T4 Growth Cell from Deferred Residential Zone to Medium Density Residential Zone (and move the urban limit boundary on the planning maps);
- > Adopt the Medium Density Residential Zone provisions for the T4 Growth Cell;
- > Rezone part of Lot 59 DP 375611 to Reserve Zone (and adopt the Reserve Zone provisions for this parcel of land);
- > Make minor amendments to the Medium Density Residential Zone rules to provide for commercial activities within the two Commercial Overlay Areas and to address potential reverse sensitivity effects in relation to the North Island Main Truck Railway Line corridor;
- > Insert a Structure Plan into the District Plan as Appendix S27 to guide future development of the T4 Growth Cell; and

- > Make minor amendments to the provisions of Section 2A, Section 15, Section 21 and Appendix S1 of the District Plan to reflect the T4 Structure Plan.

6.4 THE APPLICANT

As described in **Section 2.2** above, the land within the 'Plan Change site' comprises land that is owned by three separate landowners (including the WDC land that has subsequently been added to the Proposed Plan Change and is proposed to be rezoned Reserve Zone).

Lyn Cudby is the owner of the southern land block within the T4 Growth Cell (approx. 18 ha). Subsequent to commissioning the proposed plan change, Lyn Cudby has formed an agreement with LY&NZ Investment Limited who is the owner of the northern land parcel within the T4 Growth Cell. Under the terms of their agreement, Lyn Cudby and LY&NZ Investment Limited have agreed to jointly be one party for the purposes of technical assessments and for the private plan change application.

For clarity, this report refers to the 'Applicant' which includes both Lyn Cudby and LY&NZ Investment Limited.

7. OPTIONS EVALUATION

7.1 OVERVIEW

Section 32(1)(b)(i) of the RMA, requires this report to identify “*other reasonably practicable options*” for achieving the objectives of the proposed plan change. This part of the report outlines the process undertaken and details the other reasonably practicable options considered to achieve the objectives of the proposed plan change.

7.2 OPTIONS

As set out earlier, the objective of the plan change is to enable the residential development of the T4 Growth Cell to be brought forward so that it adds to residential development capacity to help meet forecasted medium-term urban residential demand. The alternative planning options or methods that could have been utilised to bring forward the development of the T4 Growth Cell are as follows:

- Option 1:** Maintaining the status quo (or the ‘do nothing’ option);
- Option2:** Lodging non-complying activity resource consents;
- Option 3:** Waiting for the next review of the District Plan and making submissions to seek the rezoning; and
- Option 4:** Rezoning the land via a private plan change.

Each option is discussed in the sections below.

7.2.1 Option 1: Do Nothing

The do-nothing option would not achieve the objective of the plan change and therefore would not allow for residential development. The current land use (rural) would be undertaken on the land until such time as the land is rezoned.

7.2.2 Option 2: Resource Consents

For this option, the development would be progressed via resource consents. Under the District Plan the development would trigger the need for resource consents under the following key rule:

- > Rule 15.4.1.1(w): Any subdivision that is not a boundary adjustment or boundary relocation in a Deferred Zone – non-complying activity.

In addition, the land use rules of the Rural Zone effectively apply to land that is a Deferred Residential Zone so a land use consent would also be required.

As a non-complying activity, any resource consent application would need to pass one of the two section 104D gateway tests, which could be challenging as the policies clearly set the direction that deferred zones will be rezoned for their intended future use by way of plan change (to enable a comprehensive and integrated structure planning process to ensure that an appropriate development framework is in place prior to development occurring).

7.2.3 Option 3: District Plan Review

For this option, the Applicant could seek to advance the rezoning sought by way of a submission to / on a wider District Plan review (or change) process. This option would be similar to the private plan change option in that any submission would need to be supported by technical evidence confirming that the land is suitable for the intended land use and can be appropriately serviced.

The timeframes for this option, however, are uncertain as it is unclear when the next District Plan review will occur. It is considered unlikely that a full District Plan review will occur in the near future.

7.2.4 Option 4: Private Plan Change

The preferred option is to re-zone the T4 Growth Cell from Deferred Residential Zone to Medium Density Residential Zone, and to insert a Structure Plan into the District Plan, via a private plan change process. For this option, the applicant pays for the private plan change process.

The Structure Plan will guide future development of the site, which will be refined during the subdivision consent process.

7.3 EVALUATION OF OPTIONS

Section 6.2 above outlines the options that have been considered to enable the plan change objective to be achieved. In order to determine whether the options are “reasonably practicable” to achieve the objective of the proposed plan change, a comparative analysis has been undertaken.

The key considerations of this analysis include the relevance of the option in addressing the issue and the usefulness in guiding decision-making. Reasonableness and achievability have also been considered during this analysis.

The following table compares the options:

Table 2: Evaluation of Options

	Option 1 – Status Quo	Option 2 - Non-complying Activity Resource Consent Application	Option 3 - District Plan Review	Option 4 - Private Plan Change
Appropriateness	Not appropriate as it does not enable the residential development of the T4 Growth Cell in the medium term.	Not appropriate as it does not allow for the area to be assessed comprehensively via a plan change (nor does it allow for a structure plan to be developed to guide future development). This option allows for each developer to progress separate subdivision consents which might not allow for an integrated development. Further, it may be challenging for the development to past the section 104D gateway tests.	This option broadly enables the plan change objective to be achieved, however it is unclear the timeframes for when the next plan review would occur (and therefore while this option enables the rezoning, it may not bring the ability to develop the land forward).	This option is considered to be appropriate as it provides for rezoning and enables the growth cell to be available for residential development before 2035.
Reasonableness	Not reasonable as this option would not allow residential development of the growth cell in the medium term.	This option enables residential development (provided resource consent could be obtained), however it is not reasonable in that it does not allow for the integrated management of the two separate land parcels within the growth cell.	This option enables the plan change to be achieved, provided the rezoning request (via submission) is accepted. However, the uncertain timeframes of a plan review make this option unreasonable.	This option is considered to be reasonable as it enables the plan change objective to be achieved in a reasonable time period.
Achievability	This is the current framework.	It is doubtful that any subdivision / land use consent to develop the growth cell	This option is achievable to implement.	This option is achievable to implement. It is not cost prohibitive to achieve, given it's a private plan change (and any



	Option 1 – Status Quo	Option 2 - Non-complying Activity Resource Consent Application	Option 3 - District Plan Review	Option 4 - Private Plan Change
		could pass the section 104D threshold test. It is not cost-prohibitive to the council, given the applicant pays for the resource consent.	This option would likely be funded by the council alongside any submitter.	resource consenting and development is funded by the applicant).
Relevance	This option does not resolve the identified resource management issues.	This option resolves the resource management issue but is not considered to be appropriate for the reasons outlined above.	This option resolves the resource management issue but is not considered to be appropriate for the reasons outlined above.	This option resolves the resource management issue in an appropriate timeframe and provides for residential development in the growth cell (subject to subdivision consenting) in the medium term.
Usefulness	This option is not useful as it does not enable the development of the growth cell for residential purposes	This option is considered to be not as useful as Option 3 or Option 4 but could still enable the objective of the plan change to be achieved.	This option is useful as it partly enables the plan change objective to be achieved. However, it is not as useful as Option 4 as the timeframes for achieving the objective are uncertain.	This option is considered to be the most useful of all options as it allows for the plan change objective to be achieved, in a certain timeframe.



7.4 THE PREFERRED OPTION

The above table demonstrates why Option 4 is the preferred option to achieve the plan change objective. This option consistently meets the criteria in respect of addressing the issue, providing equity, certainty and relevance.

It is also important to note that it has been WDC's clear preference to progress any development of the T4 Growth Cell (or any development of a growth cell / deferred zone) through an RMA First Schedule process, rather than via a resource consent process as it enables a comprehensive and integrated approach to addressing land use and infrastructure servicing, rather than the potential ad hoc approach of a resource consent process.



8. EVALUATION OF PLAN CHANGE PROVISIONS

8.1 OVERVIEW

As part of a proposed plan change, an Applicant is required to assess the efficiency and effectiveness of the proposed provisions in achieving the objectives of the plan change (in accordance with section 32(1)(b)(ii) of the RMA).

This part of the report identifies and assesses the benefits and costs of the environmental, social, cultural and economic effects anticipated from the implementation of the proposed plan change's provisions.

Section 32(2) of the RMA sets out that the assessment must:

- > *Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - *Economic growth that are anticipated to be provided or reduced; and*
 - *Employment that are anticipated to be provided or reduced; and*
- > *Quantify the benefits and costs (if practicable); and*
- > *Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provision.*

The assessment is required to contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

It is important to note that the assessment required under section 32(2) / section 32(1)(b)(ii) does not require a comparative analysis between the various options considered under 32(1)(i) (those options are set out in the previous section of this report). Rather, the required evaluation requires an assessment of the effectiveness and efficiency of the provisions in achieving the objective(s) of the plan change (which is, to bring forward the development of the T4 Growth Cell for residential purposes).

8.2 EVALUATION

The assessment in the following table (**Table 3**) relates to the rezoning of the T4 Growth Cell as part of this proposed plan change, and the minor consequential amendments.

Table 3: Evaluation of Plan Change Provisions

Evaluation Matter	Preferred Option (Private Plan Change) Evaluation
Benefits	Environmental Benefits The key environmental benefits of the proposed plan change include: > The restoration and protection of the water quality in the Waikato River catchment through the reduction in diffuse discharges from farming activities; > Ecological benefits in respect of riparian planting of the streams within the site; and > Ecological benefits in restoring and enhancing the existing natural wetlands (including the establishment of additional wetland areas) within the plan change area. In addition, the structure plan has been developed to integrate with the existing residential activities on the eastern boundary. Economic Benefits The economic benefits of the proposed plan change include: > Additional employment opportunities during construction activities; > Provision of additional residential land within Te Awamutu to increase supply (which may have flow on effects in respect of housing / land affordability); > Ability to comprehensively develop the structure plan area to provide different lot sizes, to assist with affordability; and > The plan change being progressed (and paid for) by the applicant has benefits in ensuring that the cost is not carried by the rate payer. In addition, the infrastructure required to develop the growth cell will likely be funded through development contributions (again, to reduce economic effects on the rate payer). Social Benefits There is a significant social benefit of providing additional residential land within the Waipā District, as well as providing lots at different scales (i.e. including smaller lots) which assist with affordability. There are also social benefits through employment opportunities during construction activities.



Evaluation Matter	Preferred Option (Private Plan Change) Evaluation
	Cultural Benefits Ongoing liaison with mana whenua is required to determine the nature and extent of the cultural benefits (if any). However, it is noted that as there will be positive effects in relation to employment opportunities (during construction), social benefits in respect of provision of additional residential and economic flow on effects there may also be cultural benefits.
Costs	Environmental Costs The development of the growth cell, if undertaken in an inappropriate manner, could adversely affect the amenity of the residential land holdings. However, these effects can be managed (avoided and mitigated) through being developed in accordance with the proposed structure plan, the design and layout of the future subdivision (subject of a separate consent process) and compliance with the relevant standards already included in the District Plan. Further, there may be an environmental cost of modifying small areas of existing natural inland wetland within the site, however these losses are expected to be offset by the additional wetland areas being created (and the enhancement proposed for the existing wetland areas). There will some environmental costs associated with part of Centennial Park being used to provide a roading connection to Rewi Street. This is necessary to provide the roading capacity to enable the density of development within the T4 Growth Cell sought by Council. However, attempts have been made to minimise the amount of land required and any effects on Centennial Park (which will be fully assessed as part of subsequent consenting processes). Economic Costs There may be economic costs associated with changing the land use activities on site from productive rural activities to residential land uses. It is noted that the plan change process is funded by the applicant, and it is anticipated that infrastructure will be funded through development contributions, such that there are limited costs to the general rate payer. Reverse sensitivity effects could arise as a result of the plan change, which could have economic costs if land uses were constrained or curtail. However, the layout of the structure plan, and compliance with existing rules in the District Plan, will manage and minimise the potential for reverse sensitivity.

Evaluation Matter	Preferred Option (Private Plan Change) Evaluation
	Social Costs It is anticipated that there may be a social effect of the proposed plan change on the existing residential neighbours that live adjacent to the plan change area, in that the rural character will be replaced with a residential character. However, residential development is not unanticipated in the growth cell, having been identified for future residential development for several years. Cultural Costs Further engagement with mana whenua is required to determine the nature and extent of cultural costs.
Opportunities for economic growth and employment to be provided or reduced	It is considered that the rezoning of the growth cell will provide opportunities for economic growth, through providing residential land uses, and providing employment opportunities during construction.
Efficiency and effectiveness of achieving objectives	Efficiency: it is considered that the provisions of the proposed plan change are efficient in achieving the plan change objectives as the plan change rezones the land, and makes the land available for development immediately, subject to the funding and development of infrastructure (which will largely be undertaken via development contributions and the installation of infrastructure could be ‘developer led’ if appropriate). The plan change approach, which includes the development of a structure plan, ensures that development is co-ordinated with growth and also ensures that the growth cell is developed in an integrated manner (rather than two very separate / discrete subdivision packages). Effectiveness: it is considered that the plan change provisions are effective in achieving the objectives of the plan change for the following reasons: > The rezoning is efficient as it allows for the development of the growth cell to be brought forwarded; > The proposed plan change is funded by the applicant; > The proposed plan change enables the land to be re-zoned in a timely manner (i.e. there is not reliance on a council led plan change or plan review process);

Evaluation Matter	Preferred Option (Private Plan Change) Evaluation
	> The existing provisions of the District Plan require a structure plan to be prepared prior to the development within a deferred zone. This proposed plan change inserts a structure plan into the District Plan, and amends the provisions of the District Plan to link Section 15 to the proposed structure plan; and The provisions relating to the Commercial Overlay are effective in enabling commercial activities within one of these areas, while also managing the potential effects of these activities.
Risk of acting or not acting if there is insufficient or uncertain information about the subject matter of the provisions.	Section 32(2)(c) of the RMA requires, in the evaluation of the proposed policies and methods, the consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter. Part of the efficiency and effectiveness assessment is to identify if there is uncertain or insufficient information about the subject matter of the provisions. If there is uncertain or insufficient information, an assessment of the risk of acting or not acting in terms of the provisions is required. For the purpose of section 32, risk relates to changes in circumstances or an unforeseen event. This circumstance or event may increase the potential economic, social, cultural, or environmental costs that may result from the proposed plan change. Risk may also be associated with a failure of a provision to achieve or move significantly towards the benefits sought by the objective. Uncertainty relates to possible changes in assumed circumstances which are unknown at the time of evaluation. Uncertainty also relates to a lack of scientific knowledge or other knowledge about the nature or scale of an issue. In this case, it is not considered that there is any uncertainty around the plan change provisions – the key uncertainty regarding the development of the growth cell is in respect of timing for infrastructure provision, however this can be managed through the developer / council working together on infrastructure funding options identified through a Development Agreement. The information behind the method promoted in the proposed plan change is certain, and there is little risk associated with the plan change going ahead. The risk of not acting (not pursuing this plan change) is that the resource management issue remains unresolved, with a risk that there may not be sufficient residential development capacity available in Te Awamutu / Waipā District to cater for residential growth (noting that the Waipā District has largely exceeded growth predictions / modelling in the past). In addition, having more sections available to the market is expected to positively impact affordability.
Overall appropriateness for achieving objectives	It is considered that the plan change provisions achieve the objective of the plan change.

8.3 ALTERNATIVE STRUCTURE PLAN LAYOUTS

A number of alternative Structure Plan layouts were considered as part of the proposed plan change. The Structure Plan proposed as part of the proposed plan change is the result of design input and feedback from various specialist areas. **Figure 12** shows the progression of the structure plan development:

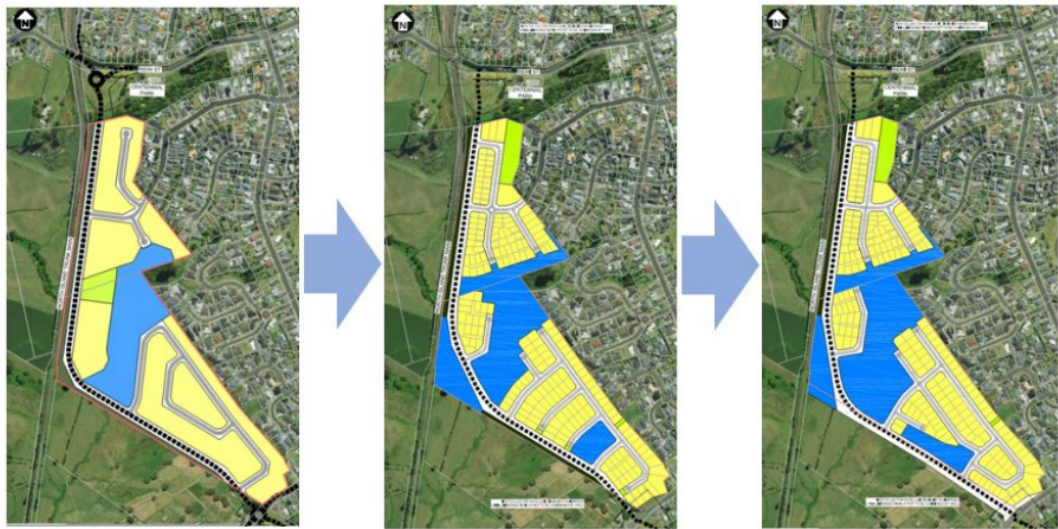


Figure 12: Structure Plan Development

These three development stages have been fit into three categories:

- > **Traditional approach:** Focus on engineering solutions and maximising development layout;
- > **Development phase:** Coordination of different project requirements, with engineering solutions proposed to mitigate loss of existing wetlands. In this phase, the development layout was updated to integrate with requirements in the technical reports; and
- > **Natural features optimised:** Impacts on natural inland wetlands are minimised to the greatest practicable extent. Additional natural wetlands and enhancement proposed where avoidance is not practicable. The development layout is optimised around the existing natural features.

The Structure Plan has been further refined (beyond what is shown in **Figure 12** above) as a result of further information being sought from, and discussions with, Council staff.



The final Structure Plan layout (presented as **Figure 1** of this report) also includes provisions for two Commercial Overlay Areas which were identified by the WRC as being a preferable part of the development to minimise transportation emissions.

The final Structure Plan layout also separates the natural inland wetlands from the stormwater features.

The development of alternative Structure Plan layouts confirms that the proposed T4 Structure Plan is an appropriate way to achieve the plan change objective, and the sustainable management requirements of the RMA (in that it balances the need for residential development while also retaining and enhancing the natural features onsite).

8.4 STRUCTURE PLAN SUPPORTING INFORMATION

A number of supporting plans have been prepared in support of the proposed T4 Structure Plan, including:

- > Indicative Staging Plan;
- > Subdivision Concept – Indicative Layout;
- > Earthworks
 - > indicative levels,
 - > cut/ fill diagram, and
 - > cross sections;
- > Transport network;
- > Intersection layouts;
- > Transport network cross sections; and
- > Stormwater management.

The proposed T4 Structure Plan and supporting drawings are contained in **Appendix G**.

These supporting plans / drawings show, in more detail, how the T4 Structure Plan can be implemented at a more granular level (as well as confirming that the proposed zoning is appropriate for the intended land use) and have provided the basis for the technical assessments supporting the proposed plan change. However, it is noted that it is not proposed that these supporting drawings form part of the District Plan (other than the Structure Plan). Rather, these have been developed as a potential development option that will be refined and confirmed as part of the subdivision consent process.



9. REASONS FOR THE PLAN CHANGE PROVISIONS

9.1 OVERVIEW

Section 32(1)(b)(iii) of the RMA requires that an evaluation report include a summary of the reasons for deciding on the provisions that make the plan change.

9.2 SUMMARY OF PLAN CHANGE PROVISIONS

A summary of the reasons for deciding on the plan change provisions is included in **Table 4**:

Table 4: Reasons for the Plan Change Provisions

Plan Change Provision	Reason for Deciding
Rezoning the site from Deferred Residential Zone to Medium Residential Zone (change to the planning maps)	Changing the planning maps (and thus changing the zoning of the site) is the core element of enabling the site to be developed for residential uses. The effect of this is that instead of the Deferred Zone provisions applying, the Medium Density Residential Zones will apply (which enable residential land uses).
Adopting the (now operative) PC26 provisions	PC26 responded to the government direction to increase density in urban areas, and inserted Section 2A – Medium Density Residential Zone into the District Plan. It is considered that the provisions resulting from PC26 are equally applicable to the T4 Growth Cell. For consistency, as with the rest of Te Awamutu, the infrastructure and stormwater qualifying matters should also apply to the plan change area.
Insertion of new rules to provide for commercial activities within the Commercial Overlay Areas	It is considered appropriate to include specific rules in the Medium Density Residential Zone section of the District Plan to provide for and manage activities within the Commercial Overlay Areas. The rules are similar to the approach taken for the St Kilda Commercial Hub Overlay and the T11 Structure Plan Area.
Amendment to Rule 15.4.2.69	A consequential amendment is required to Rule 15.4.2.69 to ensure that development within the T4 Structure Plan Area is undertaken in general accordance with the Structure Plan contained in the District Plan.



Plan Change Provision	Reason for Deciding
Changing Appendix S1 of the District Plan	This is a consequential amendment to the District Plan and is required to reflect the ‘now to 2035’ status of the T4 Growth Cell, should the proposed plan change be approved.
Insert a new Structure Plan into the District Plan	The existing provisions of the District Plan require that, when enabling the development of a deferred zone or growth cell, a structure plan be developed to guide the development of the area (and to ensure integrated management). To ensure consistency with the District Plan, a proposed Structure Plan for the T4 Growth Cell has been prepared, which was developed based on urban design, transportation, engineering, three waters and ecological expertise.



10. CONSULTATION

10.1 OVERVIEW

This section of the evaluation report sets out the consultation undertaken in supporting the development of the proposed plan change. However, it is emphasised that as the proposed plan change will be publicly notified, with a submissions and further submissions process, consultation and engagement with interested parties will be ongoing throughout the RMA First Schedule process.

10.2 TANGATA WHENUA

The engagement with tangata whenua was led by Julian Williams of Te Huia Natural Resources. This engagement culminated in the cultural advice contained in **Appendix F**, which sets out the matters that need to be undertaken should the proposed plan change be approved.

10.3 WAIPĀ DISTRICT COUNCIL

Meetings have been held with WDC senior planning and engineering personnel in relation to the proposed plan change. This included an initial meeting where WDC planners confirmed they were happy for the T4 Growth Cell to be the subject of a private plan change to 'live zone' it for residential purposes before 2035. Subsequent meetings and discussions have focused on detailed aspects of the plan change and the manner which servicing and environmental issues are proposed to be addressed.

Plan Change 31 was formally lodged with WDC on 19 September 2024, and a further information request was made by WDC on 16 October 2024.

The matters raised in the further information request have subsequently been fulfilled by the Applicant; and WDC and the Applicant have agreed to an updated ruleset and set of plans.

The WDC land (used as a reserve) located on the southern boundary of the Northern Block (Part of Lot 59 DP 375611) has also subsequently been included in the Plan Change site.

The current application is effectively an updated version of the original Plan Change documents - that refers to the latest ruleset and set of plans.



10.4 WAIKATO REGIONAL COUNCIL

Meetings were held with the WRC to discuss the proposed plan change. These meetings discussed:

- > The site, existing planning framework and the existing natural features;
- > The reasons for the proposed plan change;
- > The components of the plan change;
- > Stormwater management approach;
- > Wetland management;
- > Transportation matters; and
- > Statutory framework applying to the plan change.

Key feedback from the WRC included:

- > Need to reduce transportation emissions (including reducing embodied emissions);
- > Potential to increase walking and cycling connections to the existing urban areas;
- > Inclusion of a commercial area within the growth cell, to reduce reliance on vehicles to get day-to-day goods; and
- > Needing to assess the proposed plan change against the Waikato RPS alternative land release provisions / out-of-sequence development provisions.

10.5 WAIPA NETWORKS

Due to the location of the transmission lines, correspondence has been entered into with Waipa Networks in relation to the proposed plan change. This was followed up with a Teams meeting being held with Sunjeet Singh and Warrick Amore from Waipa Networks. This included a discussion about the high voltage power line along the railway corridor.

No concerns were raised in relation to the proposed plan change. Waipa Networks was more interested in the arrangements that would need to be made in the future to supply the area with electricity (which it was agreed would be a matter to be addressed at the subdivision consent phase of any development).



10.6 KIWIRAIL

Due to the proximity of the North Island Main Trunk Railway (“**NIMTR**”), correspondence has been entered into with KiwiRail in relation to the proposed plan change. A letter was received from Allison Tindale, Senior RMA Advisor at KiwiRail, dated 23 August 2024 (presented in **Appendix I**). Ms Tindale states:

“I confirm that KiwiRail has no in-principle objection to the rezoning of this land to ‘Medium Density Residential Zone’, subject to the appropriate management of potential effects on the North Island Main Trunk Line (NIMT) which adjoins the proposed plan change site to the west.”

In terms of specific measures to manage potential effects, KiwiRail recommends:

- > An increase in the distance from the rail corridor for which noise insulation is provided for noise sensitive activities from the current plan standard of 40m to 100m, in order to satisfactorily manage the potential for reverse sensitive effects; and
- > A vibration alert area extending up to 60m of the rail corridor be mapped, which informs future landowners that they may experience vibration levels higher than would normally be expected because of proximity to the rail corridor. This alert would be for information purposes only and need not be accompanied by associated rules;
- > Provisions which prevent the establishment of structures within 5m of any boundary with the rail corridor, without the need for resource consent, including land within the indicated open space/natural wetland and stormwater reserve areas.
- > Confirmation of intended measures to manage stormwater in the proposed plan change, as well as measures to secure their implementation. KiwiRail requires that there is no discharge of stormwater towards the rail corridor that could undermine rail infrastructure. A Grant is required from KiwiRail for any service connections or discharges onto the rail corridor.
- > Confirmation that any earthworks on the plan change site will be managed to prevent adverse effects on the rail corridor.

In relation to each of the four recommendations above:

- > The Applicant accepts the requirement for noise insulation for noise sensitive activities within 100m of the NIMTR (see Section 1.4.5 in Part A above).
- > The Applicant accepts the proposed vibration alert area extending up to 60m of the rail corridor (to be mapped and notated on the District Planning map – see Section 1.9 in Part A above).



- > The Structure Plan already includes an Environmental Buffer which is at least twice the width of the setback requested by KiwiRail within which no structures are proposed or permitted (see the cross-section plan in **Appendix G**).
- > The management of stormwater, including ensuring that any discharge of stormwater does not undermine rail infrastructure, will be a matter to be addressed at the resource consent application stage of any development (i.e. the application that will need to be made to WRC for the discharge of stormwater).
- > The management of earthworks, including preventing adverse effects on the rail corridor, will be a matter that will be the subject of resource consent applications (to both WDC and WRC) at the subdivision consent phase of any development.

10.7 OWNERS OF 4 POKURU ROAD

Because they are located downstream of the T4 Growth Cell and part of the proposed collector road will be on their land (in accordance with the existing designation for the Western Arterial), consultation has been undertaken with the owners of 4 Pokuru Road, being the land adjoining the plan change areas to the southwest.

The consultation with the owners of 4 Pokuru Road has resulted in a written approval to the proposed plan change which is presented in **Appendix I**.



11. STATUTORY CONSIDERATIONS

11.1 OVERVIEW

Section 74(1) of the RMA sets out matters which are to be considered by WDC when preparing or changing district plans. This section states that any change to a district plan must be in accordance with the functions set out in section 31, the provisions of Part 2, a direction given under section 25A(2), its obligation to prepare a section 32 report, a national policy statement, a national planning standard and any regulations.

Section 74(2) of the RMA requires that when preparing or changing a regional district plan a district council shall have regard to:

- (2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*
 - (a) any—*
 - (i) proposed regional policy statement; or*
 - (ii) proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
 - (b) any—*
 - (i) management plans and strategies prepared under other Acts; and*
 - (ii) [Repealed]*
 - (iia) relevant entry on the New Zealand Heritage List/Rārangī Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014; and*
 - (iii) regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Māori customary fishing); and*
 - (iv) relevant project area and project objectives (as those terms are defined in section 9 of the Urban Development Act 2020), if section 98 of that Act applies,—*
to the extent that their content has a bearing on resource management issues of the district; and
 - (c) the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities; and*
 - (d) any emissions reduction plan made in accordance with section 5Z1 of the Climate Change Response Act 2002; and*



(e) any national adaptation plan made in accordance with section 5ZS of the Climate Change Response Act 2002.

(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

Section 75 of the RMA details the requirements for the content of district plans. Section 75 of the RMA states that:

(1) A district plan must state—

- (a) the objectives for the district; and*
- (b) the policies to implement the objectives; and*
- (c) the rules (if any) to implement the policies.*

(2) A district plan may state—

- (a) the significant resource management issues for the district; and*
- (b) the methods, other than rules, for implementing the policies for the district; and*
- (c) the principal reasons for adopting the policies and methods; and*
- (d) the environmental results expected from the policies and methods; and*
- (e) the procedures for monitoring the efficiency and effectiveness of the policies and methods; and*
- (f) the processes for dealing with issues that cross territorial authority boundaries; and*
- (g) the information to be included with an application for a resource consent; and*
- (h) any other information required for the purpose of the territorial authority's functions, powers, and duties under this Act.*

(3) A district plan must give effect to—

- (a) any national policy statement; and*
- (b) any New Zealand coastal policy statement; and*
- (ba) a national planning standard; and*
- (c) any regional policy statement.*

(4) A district plan must not be inconsistent with—

- (a) a water conservation order; or*
- (b) a regional plan for any matter specified in section 30(1).*



The following statutory planning documents are considered relevant to the proposed plan change and have been considered accordingly:

- > Te Ture Whaimana o Te Awa o Waikato (“**Te Ture Whaimana**”);
- > National Policy Statement on Urban Development 2020 (“**NPS-UD**”);
- > National Policy Statement for Highly Productive Land (“**NPS-HPL**”);
- > National Policy Statement for Indigenous Biodiversity (“**NPS-IB**”);
- > National Policy Statement for Freshwater Management (“**NPS-FM**”);
- > Freshwater NES;
- > Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**Soil NES**”);
- > Waikato Regional Policy Statement (“**Waikato RPS**”);
- > Waikato Regional Plan (“**Regional Plan**”); and
- > The District Plan.

The applicable provisions of the RMA are also briefly considered in this report.

In addition, the following matters are also considered in this report:

- > Future Proof Strategy;
- > Te Awamutu Town Concept Plan;
- > Te Hau Mārohi ki Anamata – Aotearoa New Zealand’s First Emissions Reduction Plan;
and
- > Tai Tumu Tai Pari Tai Ao / Waikato -Tainui Environment Plan

The following sections provide an analysis of the proposed plan change against the relevant statutory documents.



11.2 TE TURE WHAIMANA O TE AWA O WAIKATO

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tuwharetoa, Raukawa, and Te Arawa River iwi Waikato River Act 2010 inserted Te Ture Whaimana into the Waikato RPS.

Te Ture Whaimana prevails over any inconsistent provisions in a National Policy Statement or the New Zealand Coastal Policy Statement.

Te Ture Whaimana applies to the area of the Waikato River from Huka Falls to Te Puuaha o Waikato (Port Waikato) and the Waipā River from its junction with the Punui River to its confluence with the Waikato River at Ngaruawhia. Te Ture Whaimana applies to activities in catchments affecting the Waikato or Waipā Rivers, which includes Te Awamutu and the T4 Growth Cell (which are in the Waipā River catchment).

The Vision for the Waikato River is:

“... for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.”

There are 13 objectives included to realise the above Vision, 12 strategies to achieve those objectives, and 18 methods to implement those strategies.

Of these provisions, it is the 13 objectives which contain the desired outcomes for the management of the Waikato River catchment:

- A. The restoration and protection of the health and wellbeing of the Waikato River.
- B. The restoration and protection of the relationship of Waikato-Tainui with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- C. The restoration and protection of the relationship of Waikato River Iwi according to their tikanga and kawa, with the Waikato River, including their economic, social, cultural, and spiritual relationships.
- D. The restoration and protection of the relationship of the Waikato Region’s communities with the Waikato River including their economic, social, cultural, and spiritual relationships.
- E. The integrated, holistic and coordinated approach to management of the natural, physical, cultural, and historic resources of the Waikato River.
- F. The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River.



- G. The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.
- H. The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.
- I. The protection and enhancement of significant sites, fisheries, flora and fauna.
- J. The recognition that the strategic importance of the Waikato River to New Zealand's social, cultural, environmental and economic wellbeing is subject to the restoration and protection the health and wellbeing of the Waikato River.
- K. The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.
- L. The promotion of improved access to the Waikato River to better enable sporting, recreational, and cultural opportunities.
- M. The application to the above of both maatauranga Maaori and latest available scientific methods.

Of note, the proposed plan change would result in:

- > An overall reduction in agricultural discharges (nitrogen, *E coli* and phosphorus) due to the progressive cessation of rural productive activities and subsequent development of residential uses (which will include appropriate stormwater treatment);
- > The establishment of additional wetland areas throughout the T4 Growth Cell area, compensating for the loss of 0.35 ha of wetlands with the provision of 2.12 ha of new and enhanced wetland areas (resulting in 102% increase);
- > Enhancement of the riparian buffer surrounding both the identified and proposed additional wetland areas and onsite streams in the T4 Growth Cell, contributing to compensation gains;
- > Areas of moderate ecological significance being managed to ensure the ecological values are retained and enhanced (through the establishment of additional wetland areas, and the undertaking of restoration and enhancement planting around both wetland and stream edges), providing ecological and amenity benefits; and
- > Public access to the wetland and stream areas will be improved, providing enhanced recreational and cultural opportunities.

These measures will contribute to a “betterment” of the Waikato River catchment as required by Te Ture Whaimana.



Te Ture Whaimana has been fully considered during the formulation of the T4 Structure Plan and associated proposed plan change. In particular, the T4 Structure Plan sets out to provide for a sustainable stormwater management approach, and wetland and stream enhancement that will minimise impacts on the Waikato and Waipā Rivers, and waterbodies within the Waikato and Waipā River catchments.

11.3 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

In August 2020 the Government enacted the NPS-UD, which has been designed to ensure that the towns and cities of New Zealand are well-functioning urban environments that can meet the changing needs of the country's diverse communities. The NPS-UD has identified the Hamilton area (which includes Waipā District) as a Tier 1 urban environment. Tier 1 urban environments have the greatest population size and growth rates and are considered to be locations where the greatest benefits can be realised with targeted and directive provisions for urban growth.

The NPS-UD provides direction to councils for planning and providing for well-functioning urban environments. It recognises the national significance of well-functioning urban environments, with emphasis on:

- > Improving housing affordability;
- > Enabling urban environments to grow and change in response to the changing needs of people, communities, and future generations; and
- > Enabling more residential and business land use in suitable urban environments.

The NPS-UD provides direction on:

- > Providing development capacity for housing and business land;
- > Responsive planning that supports significant development capacity that may not align with the provisions of a plan;
- > Evidence-based decision-making; and
- > Coordination between local authorities and providers of infrastructure.

The following objectives are particularly relevant to the proposed plan change. They relate to ensuring there are opportunities to develop residential areas within urban environments that provide for the changing needs of the population. The T4 Growth Cell's existing 'Deferred Residential Zoning' confirms that this area has already been identified by WDC as being a suitable future urban environment. As has already been discussed, the proposed plan change enables that development capacity to be realised earlier than the current District Plan anticipates.



Objective 3: *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

Objective 4: *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*

The NPS-UD requires that 'at least sufficient development capacity' is provided to meet expected demand for housing over the 'short term', 'medium term', and 'long term' (Policy 2). Development capacity across these time periods must be plan-enabled, infrastructure-ready, feasible and reasonably expected to be realised, and meet the expected demand plus the appropriate competitiveness margin. With regard to these requirements, WDC is required to ensure the following is provided:

- > Short term (within the next 3 years):
 - > 'Plan-enabled' means land that is zoned for housing in an operative district plan;
 - > 'Infrastructure-ready' means there is adequate existing development infrastructure to support the development of the land;
 - > 'Feasible' means commercially viable to a developer based on the current relationship between costs and revenue; and
 - > The competitive margin is 20%.
- > Medium term (between 3 and 10 years):
 - > 'Plan-enabled' means land that is zoned for housing in an operative or proposed district plan;
 - > 'Infrastructure-ready' means there is adequate existing development infrastructure to support the development of the land, or funding for adequate development infrastructure to support development of the land is identified in the long-term plan;
 - > 'Feasible' means commercially viable to a developer based on the current relationship between costs and revenue; and
 - > The competitive margin is 20%.

It is considered that the proposed plan change will enable development of the T4 Growth Cell to commence in the medium term, rather than the long term (which the current planning framework of the District Plan anticipates).

- > Long term (between 10 and 30 years):
 - > ‘Plan-enabled’ means land that is zoned for housing in an operative or proposed district plan, or the development infrastructure to support the development capacity is identified in the local authority’s infrastructure strategy;
 - > ‘Infrastructure-ready’ means there is adequate existing development infrastructure to support the development of the land, funding for adequate development infrastructure to support development of the land is identified in the long-term plan, or the development infrastructure to support the development capacity is identified in the local authority’s infrastructure strategy;
 - > ‘Feasible’ means commercially viable to a developer based on the current relationship between costs and revenue, or on any reasonable adjustment to that relationship; and
 - > The competitive margin is 15%.

In respect to this proposed plan change, it is considered that re-zoning the T4 Growth Cell as proposed, will result in:

- > The growth cell being ‘plan enabled’;
- > The plan change and structure plan (and supporting technical assessments) enable the council to identify funding for development infrastructure (noting that it is anticipated that a Development Agreement between WDC and the developer(s) will address infrastructure funding). Therefore, the proposed plan change enables the T4 Growth Cell to be ‘infrastructure ready’;
- > It is understood from the proponents of this proposed plan change that it is feasible to develop the growth cell for residential purposes; and
- > The proposed plan change will assist with the required competitive margin.

Furthermore, Tier 1 and 2 local authorities are required to set housing bottom lines for the short-medium and long term periods (Policy 7). The Council is obligated to ensure the following is provided:

- > Short-medium term (within the next 10 years): The sum of the amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the short and medium term; and



- > Long term (between 10 and 30 years): The amount of feasible, reasonably expected to be realised development capacity that must be enabled to meet demand, along with the competitiveness margin, for the long term.

The NPS-UD requires councils to provide in their plans enough development capacity to ensure expected demand can be met, both in terms of total demand for housing and business land, and also the demand for different types, price, and locations. WDC must give effect to the NPS-UD.

Initial discussions with WDC have indicated that WDC sees the advancing of the rezoning of the T4 Growth Cell as a positive step, with the proposed plan change being supportive of the principles of the Future Proof Strategy (as discussed later in this evaluation report). WDC acknowledged that the proposed plan change will beneficially contribute to expanding the housing supply of the Waipā District.

The proposed plan change will assist in the implementation of the NPS-UD by providing necessary residential land in the Te Awamutu area.

11.4 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

In October 2020, the Government enacted the NPS-HPL, which has been designed to recognise and protect highly productive land from inappropriate use and development so that it can be utilised for land-based primary production purposes.

The NPS-HPL recognises that highly productive land has finite characteristics and offers long-term values for land-based primary production (Policy 1). Councils are required to map highly productive land in its region, with highly productive land comprising any land that:

- > Is in a general rural zone or rural production zone; and
- > Is predominantly LUC 1, 2, or 3 land; and
- > Forms a large and geographically cohesive area.

Once identified, councils are required to manage highly productive land in an integrated manner which considers interactions with both freshwater management and urban development (Policy 2).

When considered against the highly productive land qualifiers outlined above, the land located within the T4 Growth Cell:

- > Is zoned Deferred Residential Zone. The land is currently utilised for rural production purposes, and under the Deferred Zone provisions of the District Plan, the rules of both the Deferred Zone and Rural Zone are currently applicable to the T4 Growth Cell;

- > Comprises both LUC 2 and LUC 4 land; and
- > Forms a large and geographically cohesive area.

Of relevance to the proposed plan change, the NPS-HPL states that the urban rezoning of highly productive land is to be avoided, except as provided for by the NPS (Policy 5). The NPS-HPL does however go on to state that “*land that, at the commencement date, is identified for further urban development must not be mapped highly productive land*” (Clause 3.4(2)). The zoning of the T4 Growth Cell as Deferred Residential Zone confirms that the subject land has been identified by WDC for further urban (residential) development. As such, the land located within the T4 Growth Cell is excluded from being / does not qualify as highly productive land under the provisions of the NPS-HPL.

11.5 NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY

The NPS-IB, which came into force on 4 August 2023, provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally. The NPS-IB sets requirements for district and regional councils to amend their policies, plans and strategies. The scope of the NPS-IB is limited to terrestrial ecosystems, however there is a degree of overlap in respect of the management of wetlands (noting that the requirements of the NPS-FM and Freshwater NES prevail over any inconsistent requirements of the NPS-IB).

The overarching objective of the NPS-IB is as follows:

The objective of this National Policy Statement is:

- (a) *to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*
- (b) *to achieve this:*
 - (i) *through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*
 - (ii) *by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*
 - (iii) *by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*
 - (iv) *while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.*

The objective is supported by a number of policies which provide strong direction as to how to manage indigenous biodiversity, including promoting and providing for the restoration of indigenous biodiversity (Policy 13).



The key requirements of the NPS-IB include:

- > District councils are required to undertake a district-wide assessment of Significant Natural Areas (“**SNAs**”) and notify a plan or plan change to include SNAs in their plans;
- > Except in the case of special circumstances, the following adverse effects of any new use, subdivision or development on SNAs must be avoided:
 - > Loss of ecosystem representation and extent:
 - > Disruption to sequences, mosaics, or ecosystem function:
 - > Fragmentation of SNAs or the loss of buffers or connections within an SNA:
 - > A reduction in the function of the SNA as a buffer or connection to other important habitats or ecosystems:
 - > A reduction in the population size or occupancy of Threatened or At Risk (declining) species that use an SNA for any part of their life cycle.
- > Significant adverse effects of new subdivision, use, or development on indigenous biodiversity outside of SNAs are also required to be managed by applying the effects management hierarchy included in the NPS-IB (however there is not equivalent ‘avoid’ directive). This involves managing the adverse effects of an activity on indigenous biodiversity so that:
 - > Adverse effects are avoided where practicable; then
 - > Where adverse effects cannot be avoided, they are minimised where practicable; then
 - > Where adverse effects cannot be minimised, they are remedied where practicable; then
 - > Where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then
 - > Where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then
 - > If biodiversity compensation is not appropriate, the activity itself is avoided.



There are no identified SNAs within the T4 Growth Cell, and in that respect, the implementation methods relating to 'indigenous biodiversity outside SNAs' (clause 3.16) are most pertinent to the proposed plan change, which requires effects be managed by applying the effects management hierarchy. As is discussed subsequently in this report, the effects of the residential development on the wetland and stream environments will be managed in accordance with the effects management hierarchy, which is consistent with the requirements of the NPS-IB.

It is further noted that the ecological impact assessment supporting the proposed plan change concludes that *"the restoration of the retained wetland and stream habitat, as well as the creation of new wetland habitat with the additional riparian and terrestrial planting, that would be undertaken in association with the development would enhance indigenous biodiversity values onsite and likely result in ecological gains"*. The proposed plan change, and approach to managing wetlands / streams / indigenous biodiversity is, therefore, demonstrably consistent with the requirements of the NPS-IB.

11.6 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

The NPS-FM came into effect in September 2020 and was then amended in February 2023. The NPS-FM is driven by the fundamental concept of Te Mana o te Wai – recognising the importance of water, and that protecting the health of freshwater protects the health and well-being of the wider environment. Te Mana o te Wai protects the mauri of the wai and seeks to restore and preserve the balance between the water, the wider environment, and the community.

The NPS-FM prioritises the order in which natural and physical resources are to be managed:

- (a) *first, the health and well-being of water bodies and freshwater ecosystems*
- (b) *second, the health needs of people (such as drinking water)*
- (c) *third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.*

The NPS-FM provides a National Objectives Framework that directs how Councils must go about setting objectives, policies and rules in relation to freshwater management in their regional plans. They must do this by establishing freshwater management units across their regions and identifying the values that communities hold for the water in those areas. Councils are required to maintain or improve water quality within their region.

While the NPS-FM is more relevant to regional council related activities (i.e. developing a regional plan and assessing discharge and water permits), given the plan change area includes stream and wetland environments, a full assessment of the NPS-FM has been



undertaken to confirm that the structure plan can be implemented, should the plan change be approved. It is also noted that a number of subsequent resource consents will be required for activities within the T4 Growth Cell, as discussed earlier in this report (i.e. stormwater discharge permit and consent under the Freshwater NES). The requirements of the NPS-FM will be fully considered and implemented through those consent processes.

The NPS-FM is of relevance to the proposed stormwater management provisions in the T4 Growth Cell, and provisions relating to onsite streams and wetland areas. As detailed in the Three Waters Assessment prepared by Harrison Grierson (**Appendix B**), there is a viable solution to managing the stormwater generated within the T4 Growth Cell area which is likely to comprise partial stormwater disposal to ground by soakage, and the utilisation of artificial wetlands for stormwater management. This approach is considered to align well with the existing terrain and natural drainage features of the site.

In addition, and of relevance to the proposed plan change, the NPS-FM seeks to maintain, enhance, protect and restore the extent and values of natural inland wetlands, with Clause 3.22(1) of the NPS-FM requiring regional councils to include the following policy, or words to the same effect:

The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted...

As set out in Clause 3.22(1)(c) of the NPS-FM, a number of activities are excluded from the requirements of the policy above. This includes instances where the regional council is satisfied that:

- (i) *the activity is necessary for the purpose of urban development that contributes to a well-functioning urban environment (as defined in the National Policy Statement on Urban Development); and*
- (ii) *the urban development will provide significant national, regional or district benefits; and*
- (iii) *the activity occurs on land identified for urban development in operative provisions of a regional or district plan; and*
- (iv) *the activity does not occur on land that is zoned in a district plan as general rural, rural production, or rural lifestyle; and*
- (v) *there is either no practicable alternative location for the activity within the area of the development, or every other practicable location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and*
- (vi) *the effects of the activity will be managed through applying the effects management hierarchy*



It is considered that the proposed plan change, and its associated interaction / disruption of natural inland wetlands meets this exclusion for the following reasons:

- > The proposed plan change will enable urban development that will expand and contribute to the well-functioning urban environment of Te Awamutu;
- > As noted in earlier in this report, the Waipā District is recognised by the NPS-UD as being a Tier 1 urban environment, reflecting the districts population size and growth rates. The NPS-UD encourages and supports residential development in Tier 1 urban environments. The proposed plan change will generate benefit at the district level by bringing forward the release / rezoning of deferred residential land for residential use and development in Te Awamutu which will provide for an associated increase in housing supply;
- > The T4 Growth Cell is zoned Deferred Residential Zone, being land that has been identified by the District Plan to be utilised for future urban development purposes;
- > While it is currently being utilised for rural production purposes, the T4 Growth Cell area does not possess any form of rural zoning;
- > The proposed plan change, and the underlying proposed T4 Structure Plan has been carefully designed (with input from a variety of specialists) to determine the best approach for development of the area that will result in the smallest extent of effects on the identified natural inland wetlands. While the proposed design / layout of the T4 Growth Cell will result in areas of the natural inland wetlands being removed to provide for transportation infrastructure and residential development, replacement / additional natural inland wetlands will be established elsewhere within the extents of the T4 Growth Cell, resulting in a net increase in natural inland wetland area within the T4 Growth Cell. As such, the proposed rezoning, and the T4 Structure Plan, is considered to be the best practicable option for enabling residential development in an area which contains natural inland wetlands, and managing the effects on those wetlands; and
- > The effects of the proposed plan change on natural inland wetlands have been assessed and will be managed through applying the effects management hierarchy. In relation to effects of an activity on the extent or values of a wetland, the effects management hierarchy requires that:
 - (a) *adverse effects are avoided where practicable; then*
 - (b) *where adverse effects cannot be avoided, they are minimised where practicable; then*
 - (c) *where adverse effects cannot be minimised, they are remedied where practicable; then*
 - (d) *where more than minor residual adverse effects cannot be avoided,*



minimised, or remedied, aquatic offsetting is provided where possible; then

(e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; then

(f) if aquatic compensation is not appropriate, the activity itself is avoided.

In relation to the requirements set out above:

- > The proposed structure plan for the T4 Growth Cell has been carefully designed to avoid as far as practicable any disruption / modifications to those areas of the site on which natural inland wetlands have been identified. As detailed on the 'Stormwater' drawing of the structure plan drawing set (**Appendix G**), due to roading / transportation requirements (noting that parts of the site have been designated for roading purposes), and to create a balance with enabling residential development, there are some areas (a total of 0.35 ha) of natural inland wetlands that cannot be avoided, and are proposed to be removed, to provide for movement both around the T4 Growth Cell area, and connections between the site and already developed and / or future development areas located adjacent to the site;
- > In those instances where it has not been possible to avoid disruption / modifications to those areas of the site on which natural inland wetlands have been identified, the disruptions / modifications have been minimised in extent as far as practicable (to an area of 0.35 ha). This has been achieved as a result of the development and consideration of alternative structure plan designs, and the careful consideration of infrastructure placement within the site. The chosen structure plan design reflects a balancing of these considerations and the minimisation of effects on natural inland wetlands where practicable; and
- > While the applicant has minimised effects on the identified natural inland wetlands as far as practicable, the proposed removal of 0.35 ha of wetland area is considered to require further management in accordance with the effects management hierarchy. As such, it is proposed that to remedy this removal / loss, 2.12 ha of additional / replacement natural inland wetlands will be established within the T4 Growth Cell (refer to the 'Stormwater' drawing of the structure plan drawing set (**Appendix G**)). The proposed additional / replacement wetlands (resulting in 102% increase) are considered to be sufficient remediation for the proposed removal / loss of wetland areas elsewhere on the site (**Appendix E**).

The avoidance, minimisation, and remediation steps that have been set out above are considered to appropriately manage the effects on natural inland wetlands that will result from the proposed plan change. As such, it is considered that the proposed activities can be appropriately managed through applying the effects management hierarchy.



In relation to streams, Clause 3.24(1) of the NPS-FM requires regional councils to include the following policy, or works to the same effect:

The loss of river extent and values is avoided, unless the council is satisfied that:

- (a) there is a functional need for the activity in that location; and*
- (b) the effects of the activity are managed by applying the effects management hierarchy.*

The proposed plan change, and any resulting development of the T4 Growth Cell in accordance with the T4 Structure Plan will result in approximately 75 m of stream requiring culverting to enable road development. This will impact on the values of the onsite streams. The consideration of structure plan alternatives has deemed that the proposed design and layout of the T4 Structure Plan is the most suitable for the site when taking into consideration the serviceability / functionality of a residential area, and the minimisation of environmental effects as far as practicable. As such, it is considered that there is a functional need for the culverting of approximately 75 m of the streams.

The effects of the proposed plan change on the onsite streams have been assessed and will be managed through applying the effects management hierarchy (as set out above). In relation to the effects management hierarchy requirements:

- > The T4 Structure Plan has been carefully designed to avoid as far as practicable any disruption / modifications to those areas of the site on which streams are located. As detailed further in the ecological impact assessment (**Appendix E**), due to roading requirements, approximately 75 m of stream length requires culverting and cannot be avoided;
- > While the stream culverting cannot be avoided, the extent of impact on stream length has been minimised as far as practicable. This has been achieved as a result of the development and consideration of alternative structure plan designs, and the careful consideration of roading placement within the site. The chosen structure plan design reflects a balancing of these considerations and the minimised of effects on natural inland wetlands where practicable; and
- > While the applicant has minimised effects on the onsite streams as far as practicable, the proposed culverting of 75 m of stream is considered to require further management in accordance with the effects management hierarchy. As such, it is proposed that to remedy the loss of stream values, enhancement planting along the riparian margins of the streams will ensure the overall extent of onsite stream values is maintained and / or enhanced. The proposed riparian planting is considered to be sufficient remediation for the anticipated loss of stream values.



The avoidance, minimisation, and remediation steps that have been set out above are considered to appropriately manage the effects on streams that will result from the proposed plan change. This will be confirmed as part of the consenting of the subsequent development.

Therefore, the proposed wetland and stream solutions, and more widely the proposed plan change (including the conclusions reached in relation to Te Ture Whaimana) are consistent with, and give effect to, the NPS-FM.

11.7 RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARDS FOR FRESHWATER) REGULATIONS 2020

The Freshwater NES came into effect in September 2020. The Freshwater NES regulates activities that pose risks to the health of freshwater and freshwater ecosystems in New Zealand. Of relevance to the proposed plan change, the Freshwater NES includes provisions associated with constructing urban development in close proximity to natural inland wetlands.

Regulation 45C of the Freshwater NES provides for vegetation clearance; earthworks or land disturbance; the taking, use, damming, or diversion of water; and the discharge of water, within, or in close proximity to natural inland wetlands for the purpose of constructing urban development as a restricted discretionary activity. Any resource consents required in relation to the activities above, and future development within the T4 Growth Cell, will be applied for prior to the undertaking of any works onsite. Acknowledging that the Regulation 45C provisions are of relevance for future development within the T4 Growth Cell, they have been considered and provided guidance for the development of the proposed plan change.

Similar to the provisions of the NPS-FM, the Freshwater NES requires restricted discretionary resource consents under Regulation 45C to not be granted unless the consent authority has first:

- (a) satisfied itself that the urban development –*
 - (i) will contribute to a well-functioning urban environment; and*
 - (ii) will provide significant national, regional, or district benefits; and*
- (b) satisfied itself that –*
 - (i) there is no practicable alternative location for the activity within the area of the development; or*
 - (ii) every other practicable alternative location in the area of the development would have equal or greater adverse effects on a natural inland wetland; and*
- (c) applied the effects management hierarchy.*



Furthermore, the Freshwater NES requires restricted discretionary resource consents under Regulation 45C to not be granted if the activity:

- (a) occurs on land other than land that is identified for urban development in the operative provisions of a regional or district plan; or*
- (b) occurs on land that is zoned in a district plan as general rural, rural production, or rural lifestyle.*

As the requirements of the Freshwater NES that are set out above align with those of the NPS-FM that have already been assessed in this document, we have not repeated the assessment here. In addition to the requirements above, Clause 11(a)-(e) of Regulation 45C of the Freshwater NES notes that the discretion of consent authorities is restricted to matters that once again align with those requirements of the NPS-FM which have been assessed earlier in this report.

The matters of discretion that are listed under Regulation 56 of the Freshwater NES will also be applicable to any restricted discretionary resource consents that are required under Regulation 45C. An assessment of the proposed activities associated with future development within the T4 Growth Cell against the matters of discretion will be provided within the relevant resource consent application(s) which will be submitted prior to the undertaking of any works onsite. However, it is noted that the proposed plan change and structure plan were developed to ensure that there is a viable solution to enabling residential development alongside the natural inland wetlands and streams within the subject site.

11.8 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH 2011

The Soil NES provides a nationally consistent set of planning controls and soil values to ensure that land that has been affected by contaminants is appropriately identified and assessed before any development occurs. Where necessary, the Soil NES provides guidance for remediation or containment of contaminants to make the land safe for human use.

The policy objective of the Soil NES is to ensure contaminated land is appropriately identified and assessed when soil disturbance and / or land development activities take place and, if necessary, remediated, or the contaminants contained, to make the land safe for human use.

The Soil NES also provides rules for undertaking activities on sites that are included within the Hazardous Activities and Industries List.



Prior to the undertaking of any future development within the T4 Growth Cell that would be enabled by the proposed plan change, appropriate site investigations will be undertaken to determine if there is any risk to human health and the environment associated with soil disturbance, subdivision, and / or change in land use. If it is determined that any resource consents are required under the Soil NES in association with soil disturbance, subdivision, and / or change in land use, these will be applied for as necessary.

11.9 WAIKATO REGIONAL POLICY STATEMENT

11.9.1 Overview

The Waikato RPS was made operative on 20 May 2016. The Waikato RPS sets out six regionally significant resource management issues which are recognised as being of significance to iwi authorities of the region. The Waikato RPS must give effect to higher order planning documents, and the version of the Waikato RPS which is current at the time of lodging this plan change application has been updated to give effect to the mandatory requirements of the NPS-UD, and to give effect to the National Planning Standards. In turn, district plans in the Waikato Region must give effect to the Waikato RPS.

This assessment has focussed on the Waikato RPS as amended by the Decisions Version of Change 1, as the Change 1 provisions reflect the latest national policy direction.

The RPS sets out six regionally significant resource management issues, all of which are recognised as being significant to mana whenua:

- > Issue 1 – State of Resources;
- > Issue 2 – Effects of Climate Change;
- > Issue 3 – Providing for Energy Demand;
- > Issue 4 – Managing the Built Environment;
- > Issue 5 – Relationship of Tangata Whenua with the Environment (Te Taiao); and
- > Issue 6 – Health and Wellbeing of the Waikato River Catchment.

The most relevant issue to the proposed plan change is Issue 4 – Managing the Built Environment, which is presented in full as follows:

SRMR-I4 – Managing the built environment

Development of the built environment including infrastructure has the potential to positively or negatively impact on our ability to sustainably manage natural and physical resources and provide for our wellbeing.



While addressing this issue generally, specific focus should be directed to the following matters:

- 1. high pressure for development in Hamilton City, Waipā District, Waikato District, around Lake Taupō, along the Waikato River and in the coastal environment;*
- 2. increasing potential for natural hazards;*
- 3. increasing conflict with, and demands for, new infrastructure;*
- 4. the need to use existing infrastructure efficiently and to maintain and enhance that infrastructure;*
- 5. protecting domestic and municipal water supply sources from the adverse effects of land use;*
- 6. the effect of development on access to mineral resources (particularly aggregates), high class soils, and future energy development sites;*
- 7. increasing impacts on and conflicts with existing resource users;*
- 8. the underperformance of some elements of Hamilton's central business district and consequential effects on its function, amenity and vitality as a result of unplanned dispersal of retail and office development;*
- 9. the integrated relationship between land use and development, and the transport infrastructure network;*
- 10. the contribution of regionally significant industry and primary production to economic, social and cultural wellbeing, and the need for those industries to access natural and physical resources, having regard to catchment specific situations;*
- 11. increased need for the future provision of infrastructure to respond to resource demands from within and outside the region and the need to enable efficient installation of that infrastructure;*
- 12. the availability of water to meet existing, and reasonably justifiable and foreseeable domestic or municipal supply requirements to support planned urban growth, including promoting the integration of land use and water planning; and*
- 13. the need to strategically manage urban growth to ensure there is sufficient development capacity for residential and business land whilst contributing to well-functioning urban environments.*

The other key issue of relevance to the proposal is Issue 6 – the Health and Wellbeing of the Waikato River, which is consistent with the requirements of Te Ture Whaimana (which has been assessed earlier in this report).

The objectives and policies in the Waikato RPS that seek to address the issues listed above that are most relevant to the proposed plan change are presented as follows, along with an analysis of the proposed activities in relation to those objectives and policies.



11.9.2 Integrated Management

Objective IM-O3 of the Waikato RPS seeks for resource management decision making to be holistic and consistent; and of particular relevance to the proposed plan change, be aligned across legislation and national and regional strategies, take an integrated approach to managing resources that cross regional and functional boundaries, adopt an appropriate planning timeframe, adopt a precautionary approach, be transparent, have regard to potential cumulative effects, and allow for flexible solutions for local variations.²

The purpose of the proposed plan change (being the early release / rezoning of land for residential development / use) aligns with the underlying objectives of the NPS-UD and has assessed and provided appropriate management with regard to the objectives of the NPS-FM and the existence of natural wetlands onsite.

The proposed plan change has been developed with input from a wide range of technical specialists, ensuring that an integrated approach has been adopted for the proposed management of resources.³

The proposed advancement of the rezoning of the T4 Growth Cell is considered to be an appropriate timeframe for enabling the utilisation of land that has already been identified by WDC as being suitable for residential land use (particularly when the population growth rates of the district have been recognised at a national level by the NPSUD, and actual growth rates in the Waipā District have historically exceeded all growth projections). As the effects of the rezoning are well understood and will not be significant, there is no need to adopt a precautionary approach as part of the decision-making process.

The applicant has been transparent throughout the development of the proposed plan change, and the supporting technical documents have assessed potential cumulative effects. Due to the specific / unique characteristics of the site (i.e. wetlands) and the need to ensure appropriate infrastructure can be provided for residential use of the site, a number of alternative infrastructure solutions have been considered – and while the proposed solution involves the removal of some wetland areas, the proposed remediation to provide additional areas of wetlands (resulting in an overall net increase in wetland areas) aligns with Objective IM-O3's embracement of flexible solutions that cater to local variations.

Objective IM-O4 of the Waikato RPS supports the restoration and protection of the health and wellbeing of the Waikato River and the achievement of Te Ture Whaimana. As noted in section 10.2 of this report, the proposed plan change is consistent with the requirements of

² RPS – Objective IM-O3 Clauses 1, 3, and 8.

³ RPS – Policies IM-P1 and IM-P2.



Te Ture Whaimana and will not impact on the achievement of its objectives, or the health and wellbeing of the Waikato River.

Objective IM-O5 seeks for land use to be managed so to avoid potential adverse effects of climate change on matters including the built environment (including infrastructure), public health and safety; and to ensure urban environments are resilient to current and future effects of climate change. The T4 Structure Plan has taken into consideration climate change effects, with the proposed stormwater management approach having been modelled for anticipated changes to the climate, the connectivity and movement provisions (and inclusion of / provision for a commercial centre within the structure plan) encouraging a reduced reliance on private vehicle use and use of fossil fuels, and support provided for the utilisation of sustainable materials which are known for their resilience and longevity.

Objective IM-O7 directs for the relationship of tangata whenua with the environment to be recognised and provided for, including the use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and the role of tangata whenua as kaitiaki. This objective is closely related to Te Ture Whaimana. Furthermore, the relationship of tangata whenua with the environment and their ability to exercise their role as kaitiaki will be provided for by way of consultation which will form part of the RMA First Schedule Process, and through ongoing liaison between WDC, developers and iwi as the development of the growth cell is progressed, and the participation of tangata whenua in the resource management decision making process which can be addressed through the submissions (and further submissions) process.⁴

Objective IM-O8 supports the sustainable use and development of natural and physical resources in a manner that is efficient and minimises the generation of waste. The proposed plan change supports an efficient use and development of land for residential purposes and is unlikely to result in the generation of resource waste.

Objective IM-O9 seeks for intensification in urban environments to result in attractive, healthy, safe and high-quality urban form which responds positively to the local context, whilst recognising that amenity values change over time in response to changing needs. The proposed plan change will provide for residential intensification and expansion of the Te Awamutu urban environment in a manner that is consistent with and complementary to the existing surrounding context. While the proposed plan change would see a change in the underlying land use of the site (changing from rural to residential), the changes in amenity values associated with this change will not appear out of context with the existing residential

⁴ RPS – Policy IM-P3.



land use to the north and east of the site and will positively contribute towards expanding the housing supply of the Waikato Region.

11.9.3 Land and Freshwater

Of relevance to the application, Objective LF-O1 sets out to maintain or enhance the mauri and identified values of freshwater bodies, including safeguarding the significant values of wetlands, safeguarding ecosystem processes and indigenous species habitat, and enabling people to provide for their social, economic, and cultural wellbeing and for their health and safety.

The proposed removal of 0.35 ha of wetland areas for the establishment of roading infrastructure and residential lots, and the offsetting of this loss of wetland area with the establishment of additional wetland areas within the T4 Growth Cell (providing a net increase in wetland areas) will positively contribute to the underlying intentions of Objective LF-O1, and the enhancement of the freshwater bodies. Similarly, future development undertaken in accordance with the T4 Structure Plan will result in approximately 75 m of stream being impacted due to culverting for road development. The undertaking of future riparian planting along the stream edges (in conjunction with the establishment of additional wetland areas onsite) will positively contribute to the enhancement of the freshwater values of the onsite streams.

It is intended that the additional wetland areas will enhance ecosystem processes and indigenous species habitat within the T4 Growth Cell, and beneficially influence the region's significant value of wetlands.⁵

The proposed changes to the wetland areas of the T4 Growth Cell will support the social, economic, and cultural wellbeing of the people of Te Awamutu, expanding their residential living provisions, and ensuring they have access to a safe roading network.

In accordance with Objective LF-O3, the implementation of a wetland management plan which will be provided and addressed as part of any future resource consent applications that are lodged in relation to the provisions of the Freshwater NES and development in the T4 Growth Cell, will ensure that the amenity values of the wetland areas (i.e. both retained and proposed wetland areas) will be maintained and / or enhanced with regard to water quality, indigenous biodiversity, natural hazard risk reduction, cultural values, riparian habitat, and

⁵ RPS – Policy LF-P2.



wetland quality and extent.⁶ Further detail of the maintenance and enhancement measures will be provided with any necessary future resource consent applications.

Objective LF-O4 seeks to manage the region's soil resource to safeguard its life supporting capacity. Acknowledging that the T4 Growth Cell is already identified for future residential use by WDC, while the proposed advancement in the change of land use will result in the soil resource no longer being utilised for purposes associated with its life supporting capacity, this change is already anticipated by WDC and therefore is not considered to be detrimental or out of alignment with Objective LF-O4.

11.9.4 Urban Form and Development

Objective UFD-O1 and its supporting policies⁷ seek for development and land use to occur in an integrated, sustainable, and planned manner which enables positive environmental, social, cultural, and economic outcomes. The preparation of the proposed plan change has occurred as a collaborative process, with a range of technical experts assisting with assessing and identifying the most appropriate solutions and design for the T4 Structure Plan, with collaboration with technical experts from WDC. This design seeks to provide an optimal and compact residential and urban environment which beneficially provides for residents, visitors, and people transitioning through the area. These benefits include the preservation, protection, and enhancement of onsite ecological features as far as practicable (including with the enhancement of onsite indigenous biodiversity), optimal infrastructural servicing of the T4 Growth Cell (including the provision of a well-connected and multi-modal transport network, and three waters infrastructure that is respectful of onsite ecological features), the delivery of a range of housing options (including both size and pricing), and development that is in character with and respectful of surrounding land uses.

The proposed land use change of the T4 Growth Cell has already been identified as being acceptable by WDC with the deferred residential zoning of the growth cell. The advancement of the anticipated future zone change of the growth cell will assist with increasing the housing supply in the Waipā District (with a range of housing sizes and prices offered) and expanding the well-functioning urban environment of Te Awamutu.

It is sought that urban development is sustainable, with transportation and energy demand reduced, and waste production minimised.⁸ The integration / implementation of best practice measures has been sought throughout the development of the T4 Structure Plan.

⁶ RPS – Policy FL-P3.

⁷ RPS – Policies UFD-P1, UFD-P2, and UFD-P12.

⁸ RPS – Policy UFD-P4.



This has included ensuring appropriate preliminary consideration and implementation of sustainable development principles has taken place, acknowledging that further sustainability concepts are likely to be implemented as part of any subdivision or resource consent applications that are made for the T4 Growth Cell. Sustainable design initiatives that contribute to the T4 Structure Plan include:

- > A connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use;
- > The maximization of solar access / gains;
- > The provision of a range of open / green spaces;
- > Stormwater management provisions that are resilient to the effects of climate change; and
- > An efficient use and development of land for residential purposes that is unlikely to result in the generation of resource waste.

Objective UFD-O2 and Policy UFD-P10 support the provisions and principles of the Future Proof Strategy (discussed later in this report) particularly its goal to ensure sufficient, feasible, and reasonably expected development capacity can be realised in suitably identified areas. The T4 Growth Cell is identified as an Urban Enablement Area, with WDC already anticipating its development for residential use and urban activities post-2035. While the timing of the proposed plan change is ahead of that anticipated by the Future Proof Strategy and the District Plan, the strategy does provide for out-of-sequence development when certain criteria can be met. The proposed plan change's consistency with the principles of the Waikato RPS's 'out-of-sequence' urban development criteria is detailed in Table 5 below. The assessment provided in Table 5 confirms that the residential use and urban development of the T4 Growth Cell which would be provided for by the proposed plan change would be 'significant' in the context of the Waikato RPS's out-of-sequence urban development criteria (and therefore the proposed alteration to the timing of the use of the land for residential purposes is acceptable).



Table 5: Assessment of the Proposed Plan Change Against the Out-of-Sequence Urban Development Criteria in the Waikato RPS:

Regional Policy Statement – Out-of-sequence Urban Development Criteria	Assessment of Proposed Plan Change
1. Development proposals shall only be considered to be ‘significant’ for the purposes of UFD-P11 (7) where the local authority determines that the proposal is consistent with the relevant criteria A and B in APP13.	The proposed out-of-sequence land release pattern of the proposed plan change is consistent with criteria A and B of APP13, and therefore ‘significant’ for reasons including: Criteria A > The proposed plan change would enable urban development that will positively contribute to housing supply (and a range of housing prices, including affordable housing options) in the Waipā District; > The proposed plan change will expand / contribute to the well-functioning urban environment of Te Awamutu, enabling the establishment of a variety of homes whilst limiting adverse impacts on the operation of land and development markets; > The proposed plan change is consistent with the Future Proof Strategy (as discussed later in this report); > The proposed plan change and associated structure plan will support good accessibility and provide for human health and safety; > The applicant is committed to undertaking urban development within the T4 Growth Cell area within the advanced timeframe (i.e. prior to 2035); > Infrastructure provisions within the T4 Growth Cell area will not compromise the efficiency, affordability, or benefits of existing or proposed infrastructure in the area, and will not undermine committed infrastructure investments; > The proposed plan change and associated rezoning of the T4 Growth Cell will not present any compatibility issues with adjacent land uses; > The proposed plan change and associated structure plan supports a multi-modal and active transport network (and the wider medium to long-term transport vision mode-shift for the region); > The proposed plan change will support a reduction in greenhouse gas emissions, noting that the structure plan supports a connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use, and the implementation of sustainable



Regional Policy Statement – Out-of-sequence Urban Development Criteria	Assessment of Proposed Plan Change
	practices such as maximisation of solar access / gains, and the provision of a range of green spaces; and will enable development which is resilient to the effects of climate change with associated consideration given to matters including stormwater management provisions; and > The proposed plan change is not associated with areas of wāhi toitū. Criteria B > The proposed plan change would not affect the feasibility, affordability, and deliverability of planned growth within urban enablement areas or village enablement areas, but would instead support and enable growth in an urban enablement area in a feasible and affordable manner (to be determined through Development Agreements); > The proposed plan change will support value capture through the Development Agreement process, and it is anticipated that this will include the partial developer funded establishment of infrastructure, and the subsequential vesting of that infrastructure to WDC at the completion of the development works. Furthermore, with most development within the T4 Growth Cell anticipated to be developer led, with WDC to receive associated developer contributions, cost neutrality for public finance is anticipated (except in relation to WDC’s share of the costs of the collector road). > The proposed plan change will not adversely affect the function or vitality of existing rural settlements and / or urban areas, but will instead enhance the existing urban area of Te Awamutu; and > The T4 Structure Plan comprises a variety of lot sizes, and a such development enabled by the proposed plan change will facilitate the establishment of a variety of housing types, with a variety of prices. This range in housing options will cater to the varying residential needs of the Te Awamutu population.
2. The timing of land release within urban and village enablement areas may only be amended where it is demonstrated that the proposal is consistent with criteria A in APP 13 except where timing is being	The proposed plan change is located within an urban enablement area. The response provided to matter 1 above sufficiently details how the proposed timing of land release is in accordance with criteria A and B in APP13.



Regional Policy Statement – Out-of-sequence Urban Development Criteria	Assessment of Proposed Plan Change
brought forward from beyond the long term as shown on Map 43, in which case criteria A and B in APP13 must be met.	
3. When identifying additional urban or village enablement areas not shown on Map 43, in which case criteria A and B in APP13.	The area of the proposed plan change is located within an already identified urban enablement area.
4. When seeking to change a planned land use within urban or village enablement areas it must be demonstrated that the proposal is consistent with criteria A in APP13.	The proposed plan change is not seeking to change a planned land use, rather it is proposing to enable development to be brought forward.
5. The effects of the change are consistent with the development principles set out in APP11.	The effects of the proposed plan change are considered to be consistent with the development principles of APP11 for the following reasons: > The proposed plan change supports the expansion of the existing Te Awamutu urban area whilst promoting compact urban form, design and location; > The proposed plan change will occur in a manner that maintains clear delineation between urban and rural areas (in this case, the railway line and the existing roading network provides that clear delineation to the rural zone), and will not result in incompatible adjacent land uses (as discussed later in this report); > The proposed plan change will connect with, and not compromise existing and planned infrastructure and development; > The proposed plan change will support the efficient use of water within the available water limits; > The proposed plan change will result in a net increase in the extent of indigenous biodiversity value within the T4 Growth Cell, and the enhancement and maintenance of ecosystem services associated with the onsite streams and wetlands;



Regional Policy Statement – Out-of-sequence Urban Development Criteria	Assessment of Proposed Plan Change
	> The proposed plan change will increase public access to streams and wetland areas within the T4 Growth Cell; > The proposed plan change will avoid as far as practicable adverse effects on natural hydrological characteristics and processes through methods such as the avoidance of works within areas of hydrological significance as far as practicable, and the undertaking of enhancement planting along riparian margins of streams and wetlands; > Development within the T4 Growth Cell will embrace sustainable design technologies such as the orientation of housing to maximise solar gain. Further technologies to be utilised will be confirmed with future development design; > The proposed plan change will support a reduction in greenhouse gas emissions, noting that the structure plan supports a connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use, and the implementation of sustainable practices such as maximisation of solar access / gains, and the provision of a range of green spaces; and will enable development which is resilient to the effects of climate change with associated consideration given to matters including stormwater management provisions; > As detailed in section 9 of this report, the applicant has, at a high level, engaged with tangata whenua through Te Huia Natural Resources. The RMA First Schedule process (i.e. submissions, further submissions and hearing) will ensure their values have been appropriately recognised and provided for as part of the proposed plan change; > As detailed in Section 10.2 of this report, the proposed plan change supports the implementation of Te Ture Whaimana; and > The T4 Structure Plan supports an efficient use of the T4 Growth Cell for urban activities (noting that alternative layouts and designs of the structure plan were considered).
6. In relation to Table 35, the land area allocated in a particular stage for a Strategic Industrial Node may be increased by bringing forward a future allocation from a later stage	The proposed plan change is not associated with a Strategic Industrial Node.



Regional Policy Statement – Out-of-sequence Urban Development Criteria	Assessment of Proposed Plan Change
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in that node where it is demonstrated that this would be consistent with criteria A in APP13. The total allocation for any one node, across all stages, may only be increased where it is demonstrated that this would be consistent with criteria A and B in APP13.

The proposed plan change would assist with meeting the Waipā District’s medium term (2020-2030) goal for the establishment of an additional 4,100 dwellings; and a net target density (dwellings per hectare) of 25-35 in defined intensification areas, and 20-35 in greenfield locations.⁹

Summary

Based on the analysis above, it is considered that the proposed plan change does not impact upon the ability to achieve the management expectations for natural and physical resources under the Waikato RPS, and it gives appropriate effect to the provisions of the Waikato RPS.

11.10 WAIKATO REGIONAL PLAN

The objectives, policies and rules in the Regional Plan are of relevance to stormwater management and the onsite wetlands within the T4 Growth Cell.

While a matter for Waikato Regional Council consideration through a regional resource consent application process if required, rather than through the proposed plan change process, the provisions of the Regional Plan have been considered to ensure there are appropriate design solutions for the T4 Growth Cell area that avoid, remedy, and / or mitigate potential adverse effects.

⁹ RPS – Policy UFD-P12.



As detailed in the Three Waters Assessment (**Appendix B**) there is a viable solution to managing the stormwater generated onsite and to ensure there is no peak flow increase downstream of the development.

As detailed in the Ecological Impact Assessment (**Appendix E**) there is an appropriate solution for remedying the proposed alterations and interactions with the onsite streams and wetlands that will result in a net increase in wetland areas within the T4 Growth Cell, and the restoration and / or enhancement of riparian planting of both wetlands and streams.¹⁰

Therefore, the stormwater and wetland solutions, and more widely the proposed plan change are consistent with the Regional Plan.

Proposed Plan Change 1 to the Waikato Regional Plan

On 22 October 2016, the Waikato Regional Council notified a proposed change (“**PC1**”) to the Regional Plan in relation to water quality within the Waikato and Waipā River catchments. PC1 introduces regulatory provisions into the Regional Plan to assist with achievement of the Vision and Strategy and would integrate additional provisions to implement the NPS-FM and the Freshwater NES which have both taken effect since the PC1 decisions version was released.

PC1 was appealed by several parties, and the Waikato Regional Council have been working with appellants to better understand concerns raised and to start seeking resolution to appeal matters. Concurrently, the Government has undertaken a review of PC1’s proposed utilisation of Overseer. The Waikato Regional Council are working with appellants to understand the implications of the review for the appeal process.

The focus of PC1 is the management of four contaminants, being nitrogen, phosphorous, sediment, and microbial pathogens. Of relevance to the proposed plan change, the change of use of the land would result in an overall reduction in agricultural discharges (nitrogen, *E. coli* and phosphorus) due to the progressive cessation of rural productive activities and subsequent development of residential uses.

PC1 is a matter for consideration for the Waikato Regional Council, however it is considered that the proposed plan change to the District Plan is consistent with the direction of PC1 in terms of achieving water quality improvements.

¹⁰ Regional Plan – Objective 3.1.2 and Policy 3.A.2.



11.11 WAIPĀ DISTRICT PLAN

The District Plan became fully operative in July 2017.

As set out in the plan, the District Plan promotes the sustainable management of natural and physical resources in the Waipā District, primarily through a planned and strategic approach to subdivision and development, while also giving effect to the Vision and Strategy.

The District Plan contains objectives and policies of relevance to the proposal; however, the proposed plan change does not introduce any new provisions into the operative District Plan as the existing objectives and policies are appropriate for the proposal once the land has been re-zoned.

An assessment of the proposed plan change against the relevant provisions of the District Plan is provided below to confirm that the development that the proposed plan change would enable / provide for is consistent with the operative District Plan.

It is also noted that this proposed plan change does not seek to introduce any new, or alter any existing, objectives and policies of the District Plan (apart from the insertion of a single new policy (Policy 2A.3.2.3A) specific to the T4 Structure Plan Area). The existing District Plan objectives and policies will also still apply to the subsequent development of the T4 Growth Cell.

11.11.1 Strategic Policy Framework

The strategic policy framework of the District Plan includes a selection of issues of relevance to the proposed plan change (i.e. settlement pattern, planned and integrated development, environmental protection and recreation values, implementation of Te Ture Whaimana, and energy and resource efficiency, design, character, and amenity).

In relation to settlement patterns, the District Plan seeks to focus settlement in a consolidated manner around existing settlements of the district, in accordance with the Future Proof Strategy and the District Growth Strategy.¹¹ Furthermore, it is sought that new urban activities are focused within the urban limits (noting that the proposed plan change seeks to move the urban limits on the planning maps so that the growth cell is within the urban limits) of the towns of the district, and within residential zones.¹²

¹¹ District Plan – Objective 1.3.1 and Policies 1.3.1.1 and 1.3.2.1.

¹² District Plan – Policy 1.3.1.2.



The proposed plan change would support these consolidated settlement provisions, enabling the undertaking of residential activities within an area that has already been recognised and planned for residential use by WDC, and which is located adjacent to existing areas of settlement in Te Awamutu.

With regard to planned and integrated development, the District Plan endeavours for development and subdivision to occur in a way and at a rate that is consistent with anticipated settlement patterns, maximises the efficient use of land, and is co-ordinated with cost-effective infrastructure provision.¹³

Policy 1.3.2.2 of the District Plan seeks to avoid any development and subdivision in Deferred Zones which is not generally in accordance with Appendix S1 of the District Plan. Appendix S1 anticipates the rezoning of the T4 Growth Cell for future residential development beyond 2035, and this is only considered to be appropriate if the Western Arterial proceeds (which this plan change demonstrates that the Western Arterial is not required to service the growth cell). Policy 1.3.2.2 provides for flexibility around this provision in instances when development within the T4 Growth Cell can be adequately serviced at the cost of the developer (and does not undermine committed infrastructure investments made by Council), and when the development meets the relevant criteria for alternative / out-of-sequence land release in the Waikato RPS (refer to **Table 5** of this report).

The infrastructure servicing of any future development on the site would be undertaken in accordance with the Development Agreement which will set out the funding arrangements between the WDC and the developer to enable the infrastructure to be developed, and the applicant is not aware of any commitments of WDC for investments of infrastructure within the vicinity of the site which would be disrupted by future development within the T4 Growth Cell.

As a result of *Plan Change 1 – National Policy Statement on Urban Development 2020 and Future Proof Strategy* to the Waikato RPS, the ‘alternative land release’ provisions to which Policy 1.3.2.2 refers have been replaced as part of Proposed Change 1 to the Waikato RPS with ‘out-of-sequence urban development’ provisions. As such, the proposed plan change has been considered against the out-of-sequence urban development criteria (refer to **Table 5** of this report).

¹³ District Plan – Objective 1.3.2.

The District Plan supports maximising the efficient use of existing physical resources, and avoiding development that would compromise the anticipated future uses of Deferred Zones and future growth areas.¹⁴ The layout and design of the T4 Structure Plan demonstrates how the proposed plan change will enable the efficient use of the T4 Growth Cell for urban activities, noting that alternative layouts and designs have been considered for the structure plan as discussed previously in this report. The proposed plan change will not compromise the anticipated future use of the T4 Growth Cell, but instead will realise this anticipated use sooner.

It is sought that development is co-ordinated with the provision of infrastructure (including utility services and the transport network) to ensure increased infrastructure demand can be appropriately managed.¹⁵ As noted, the infrastructure servicing of development in the T4 Growth Cell would be provided in a co-ordinated manner alongside the progression of the development. Preliminary design aspects of the infrastructure servicing (as discussed in the Transportation Assessment and Three Waters Assessment) reflect the available network capacity, and an integration of the proposed infrastructure with surrounding public service provisions. As with most developments, the funding arrangements for infrastructure provision would be determined through a Development Agreement, with the costs of development being largely re-couped through development contributions so that the general rate payer is not funding the infrastructure provision (or only partially funding infrastructure which will have a wider community benefit, i.e. the collector road).

On the matter of environmental protection and recreation values, development within the district is to maintain and where possible enhance the environmental and recreational values of the district.¹⁶ As discussed, while an area of approximately 0.35 ha of wetlands is proposed to be removed as part of the proposed plan change (and the implementation of the T4 Structure Plan), the provision of an additional 2.12 ha of wetland areas elsewhere within the T4 Growth Cell will facilitate a net gain in the presence of wetlands (resulting in 102% increase) and associated indigenous biodiversity in the growth cell.¹⁷ The proposed plan change and undertaking of development in accordance with the T4 Structure Plan will result in areas which have previously been private and inaccessible to the public to be transformed / developed / utilised as recreational areas of open space, wetlands, and streams, with off-road walking and cycling provided throughout.¹⁸

¹⁴ District Plan – Policies 1.3.2.4 and 1.3.2.5.

¹⁵ District Plan – Policy 1.3.2.6.

¹⁶ District Plan – Objective 1.3.4.

¹⁷ District Plan – Policy 1.3.4.1(a).

¹⁸ District Plan – Policy 1.3.4.1(e).

Objective 1.3.5 and Policy 1.3.5.1 of the District Plan relates to the implementation of Te Ture Whaimana. An assessment of how Te Ture Whaimana will be implemented by the proposed plan change is provided in Section 10.2 of this report and has not been repeated here.

The District Plan seeks to maintain, and where possible enhance key elements of character, and to incorporate design and sustainability principles.¹⁹ Key character considerations will be made at such time that development in the T4 Growth Cell occurs, however the proposed street layout and inclusion of pedestrian and cycle pathways are complementary to the low-speed residential nature and character of the area. Design considerations will also occur as future development progresses; however, some contemplation of design has already taken place with consideration given to lot sizes, orientation of sites, a minimisation of rear-access sites, and the locating of the collector road adjacent to the western boundary of the T4 Growth Cell. Similarly, sustainability principles have influenced the stormwater management approach, roading layout, and lot orientation, and sustainability considerations will continue to take place as development of the T4 Growth Cell progresses.

Resource efficiency is embraced by the proposed plan change,²⁰ with the proposed roading layout of the structure plan achieving high connectivity, multi-modal transport options being facilitated (enabling road, cycle, and pedestrian transportation opportunities); and sustainable infrastructure provisions supported (i.e. multi-modal transportation options). Furthermore, energy efficiency is supported with the proposed establishment of sustainable urban form, particularly in relation to connectivity and movement provisions.

11.11.2 Deferred Zone

Objective 14.3.1 seeks for land which has been identified for alternative future land use, and the resources of that land, to be protected for its anticipated use; and for the conversion of that land to occur in a planned manner.

The proposed plan change seeks to realise the underlying 'residential' zoning of the T4 Growth Cell earlier than the planned 'post-2035' timeframe. As the plan change seeks to bring forward the anticipated / planned utilisation of the area for residential use and urban development, it will not be detrimental to the resources of the underlying land and their anticipated future use or result in inappropriate development or subdivision which compromises the future intended use of the land.²¹

¹⁹ District Plan – Objective 1.3.6

²⁰ District Plan – Policy 1.3.6.3.

²¹ District Plan – Policy 14.3.1.2; supported by Objective 15.3.17 and Policy 15.3.17.2.



The District Plan stipulates that the rezoning of deferred zones for their intended future use is to occur by way of a plan change.²² The proposed plan change application is inherently consistent with this directive.

Furthermore, a comprehensive and integrated structure planning process is sought as part of the plan change to ensure appropriate development frameworks are in place for growth areas.²³ The T4 Structure Plan and technical assessments appended to this application provide guidance for the anticipated development framework which would occur within the T4 Growth Cell as a result of the proposed plan change. The anticipated development framework is considered to be appropriate for bringing forward the planned future establishment of residential use and urban development onsite.

11.11.3 Medium Density Residential Zone

The objectives and policies of the Medium Density Residential Zone of relevance to the proposed plan change relate to matters such as residential amenity, neighbourhood safety, changing housing demands and non-residential activities.

These matters will be addressed in greater detail in relation to any future subdivision and resource consenting applications that are required for development within the T4 Growth Cell. However, a high-level assessment of the Medium Density Residential Zone provisions in relation to the plan change process is provided below.

The District Plan objectives for the Medium Density Residential Zone seek a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety now and into the future²⁴; and a residential zone that provides for a variety of housing types and sizes that respond to housing needs and demand and the neighbourhoods planned urban built character²⁵.

The corresponding policies seek to enable a variety of housing typologies with a mix of densities within the zone, and enable a minimum target density of twenty-five to thirty-five dwellings per hectare.²⁶

Objective 2A.3.3 seeks to maintain and enhance the existing elements of Medium Density Residential Character that give Te Awamutu its own character while recognising that the character and amenity of these towns may change over time. While Policy 2A.3.3.3 seeks to

²² District Plan – Policy 14.3.1.3.

²³ District Plan – Policy 14.3.1.4.

²⁴ District Plan – Objective 2A.3.1

²⁵ District Plan – Objective 2A.3.2

²⁶ District Plan – Policies 2A.3.2.1 and 2A.3.2.2

maintain and where appropriate enhance Te Awamutu's character through a number of design features.²⁷

Objective 2A.3.8 and Policy 2A.3.8.4 seek to recognise the non-residential activities (including local shops) as identified with structure plan areas, and therefore expressly provides for the Commercial Overlay Areas identified within the T4 Structure Plan Area.

Throughout the design process of the T4 Structure Plan these matters have been considered and integrated as far as practicable as demonstrated by the street layout and transportation connections being complementary to the existing roading and transport networks, the provision of a low-speed residential environment which embraces pedestrian and cycle mobility, and the focusing of the structure plan around an open and green space which provides recreational amenity for residents.

The land associated with the proposed plan change has already been identified for future residential use, and its early utilisation / release for the establishment of a range of housing options will reduce the need to rezone separate / further land to be utilised for the purpose of meeting current housing needs.

As noted previously, the proposed structure plan reflects an efficient use of the land available within the T4 Growth Cell, providing for optimal residential development opportunities.

11.11.4 Indigenous Biodiversity

The maintenance and enhancement of the existing level of biodiversity is sought within the Waipā District.²⁸

In relation to existing biodiversity, as has already been discussed in this report longfin eel (*Anguilla dieffenbachia*) and black mudfish (*Neochanna diverssus*) which are both classified as 'At Risk – Declining' were detected in eDNA samples, with the longfin eel detected in the stream channels, and black mudfish in one of the wetland areas. It is proposed that the areas in which these indigenous species have been recorded are managed to ensure the biodiversity values are retained and enhanced (through the establishment of additional wetland areas, and the undertaking of restoration and enhancement planting around both wetland and stream edges).

While a loss of wetland areas (and their associated indigenous biodiversity values) is proposed as part of the plan change to facilitate roading provision and connectivity, and for

²⁷ District Plan – Objective 2A.3.3 and Policy 2A.3.3.3

²⁸ District Plan – Objective 24.3.1.

residential lots, the proposed establishment of an additional 2.12 ha of wetland areas within the T4 Growth Cell will ensure that there is no net loss of indigenous biodiversity at a regional scale, and instead a net gain (a 102% overall increase).²⁹ Future planting of indigenous vegetation around the streams and both the retained and proposed wetland areas will enhance indigenous biodiversity value in the T4 Growth Cell.³⁰

11.11.5 Water Bodies

The District Plan seeks to manage activities adjacent to water bodies to avoid, and where possible enhance natural character and water quality.³¹ The design of the T4 Structure Plan ensures activities located adjacent to the onsite streams and wetlands are appropriately distanced from them to avoid potential impacts on their natural character and water quality.³² Of note, public access to / in close proximity to the stream and wetlands is provided for / encouraged by the structure plan. Future planting of vegetation around the streams and wetland areas will enhance the natural character of these water bodies.³³

11.11.6 Infrastructure, Hazards, Development and Subdivision

The proposed plan change has been developed with input from various technical experts to ensure it can appropriately integrate with the existing infrastructure and environment of Te Awamutu, while creating an environment which supports sustainable communities and the enhancement of character and amenity.³⁴ This multi-faceted approach has ensured that a robust understanding of the constraints and opportunities of the T4 Growth Cell have been obtained, and that appropriate consideration has been given to the sustainable design and energy efficiency principles of the District Plan.³⁵ The T4 Structure Plan reflects the natural landforms (where appropriate) and processes of the site (particularly in relation to the onsite streams and wetlands) and has sought to minimise alterations to landforms and ecosystems as far as practicable, while mitigating any alterations which cannot be avoided (i.e. net gain in wetland areas, or having to modify the topography of the site to enable residential development). With regard to the sustainable design and energy efficiency principles, these are supported by the proposed stormwater management approach, and the creation of a sustainable urban form which promotes connectivity and movement.

²⁹ District Plan – Policy 24.3.1.1.

³⁰ District Plan – Policy 24.3.1.8.

³¹ District Plan – Objectives 26.3.1 and 20.3.1.

³² District Plan – Policy 26.3.1.1, 26.3.1.2, 26.3.1.5, 26.3.1.7, and 20.3.1.1.

³³ District Plan – Policy 26.3.1.6.

³⁴ District Plan – Objective 15.3.1.

³⁵ District Plan – Policies 15.3.1.1, 15.3.1.2 and 15.3.1.3.

In accordance with Objective 15.3.2 and Policy 15.3.2.1, a geotechnical assessment has been undertaken to assess the geotechnical suitability of the T4 Growth Cell area for its zoned future residential development and use. This assessment has made consideration of natural hazard effects on the site, and recommended appropriate design measures that will mitigate such effects, including reinforcement of embankments, use of engineered fill in suitable locations, and slope protection measures.³⁶ As noted, consideration of climate change effects has shaped aspects of the proposed plan change, including the stormwater management approach which has been modelled based on anticipated climate predictions.³⁷

The technical assessments which have been prepared to support the proposed plan change have not identified any reverse sensitivity effects that are likely to impact on adjacent sites or activities, or the wider receiving environment.³⁸ Similarly, reverse sensitivity effects resulting from the proposed plan change and any subsequent development onsite is unlikely to generate reverse sensitivity effects on the efficiency of the transport network.³⁹

Through the Development Agreement process, the developer and WDC will ensure that any future development within the T4 Growth Cell will be efficiently serviced and in a cost-effective manner.⁴⁰ The preliminary servicing provisions which have been considered when determining how residential activities will be provided for in the T4 Growth Cell area, are detailed in the technical assessments appended to this AEE.⁴¹ Of note, these provisions include recreational reserves, pedestrian and cycle connections, roading, public transport infrastructure, and three waters provisions.

The transport infrastructure identified on the T4 Structure Plan has been assessed by Stantec to be of design, location, alignment, and dimensions that will ensure safe roads that ensure safety for vehicles, pedestrians and cyclists, whilst contributing to a sustainable and efficient transport system.⁴² Furthermore, the proposed roading layout supports integration and connectivity with the existing transport network, surrounding land uses and public transport infrastructure.⁴³ The proposed plan change's enablement of development in accordance with the T4 Structure Plan, would include transport infrastructure that is

³⁶ District Plan – Policy 15.3.2.2.

³⁷ District Plan – Policy 15.3.2.3.

³⁸ District Plan – Policies 15.3.2.4, 15.3.4.11, and 16.3.5.1.

³⁹ District Plan – Policy 16.3.3.1.

⁴⁰ District Plan – Objective 15.3.3.

⁴¹ District Plan – Policy 15.3.3.1.

⁴² District Plan – Objectives 16.3.1 and 16.3.2, and Policies 15.3.3.3, 16.3.1.1, 16.3.2.1, and 16.3.2.3.

⁴³ District Plan – Objectives 16.3.1 and 16.3.3 and Policies 15.3.3.4, 16.3.1.2, and 16.3.3.1.

complementary and potentially enhancing to the character and amenity of the surrounding Te Awamutu urban area.⁴⁴

Recognising that WDC had previously scheduled development in the T4 Growth Cell to occur post-2035, infrastructure capacity in the area is not currently sufficient for the level of development that would be enabled by the proposed plan change. As such, the developer has prepared the preliminary servicing provisions referenced above and communicated with local servicing providers to seek confirmation of the capacity required to service the T4 Growth Cell. As has already been discussed, the timing and funding of the infrastructure required will be determined through the Development Agreement process.⁴⁵

Section 15.3.7 of the District Plan relates to integrated development and environmental enhancement. It contains objectives and policies relating to the maintenance and enhancement of the natural environment and its functions. In terms of relevance to the proposed plan change, these provisions have strong overlaps with the Indigenous Biodiversity and Water Bodies provisions which have been assessed earlier in this report and, as such, they have not been repeated here.

Section 15.3.13 of the District Plan relates to giving effect to Te Ture Whaimana. An assessment of how Te Ture Whaimana will be implemented by the proposed plan change is provided in Section 10.2 of this report and has not been repeated here.

The establishment of any works and utilities that are required within the T4 Growth Cell will support the economic and social wellbeing of residents and / or users of the area.⁴⁶ The installation, operation, and maintenance of any such works and utilities will be undertaken in a manner that ensures any associated effects on the environment are appropriately avoided, remedied, or mitigated (including the consideration of alternative designs and layouts), noting however that the specific / final design requirements of these works and utilities will become apparent as the design for any future development or subdivision of the site takes place.⁴⁷

⁴⁴ District Plan – Policy 16.3.2.4.

⁴⁵ District Plan – Policy 15.3.3.2.

⁴⁶ District Plan – Objective 17.3.1.

⁴⁷ District Plan – Objective 17.3.2, and Policies 17.3.1.1, 17.3.2.1, and 17.3.2.3.



11.11.7 Residential Zone Intensification

In accordance with the requirements of the NPS-UD, WDC has adopted PC26 to implement the mandatory changes required to enable housing choice across New Zealand's main urban centres. PC26 sought to increase and accelerate medium density housing supply, and to relax policies that would normally protect the urban character and amenity in the district.

Of particular relevance to the proposed plan change, PC26 inserted the mandatory Medium Density Residential Standards into the District Plan (new Section 2A of the District Plan) and rezoned residential areas in Cambridge and Te Awamutu from Residential Zone to Medium Density Residential Zone.

Amongst other intensification enabling provisions, the Medium Density Residential Standards support the development of three homes, up to three storeys on each site, without the need for resource consent. However, there are qualifying matters applied to the Medium Density Residential Zone areas (which this proposed plan change seeks to adopt) which limits permitted development to two homes on each site, up to two storeys.

The Medium Density Residential Zoning of the T4 Growth Cell will ensure that future development and utilisation of land for residential purposes in the growth cell is efficient and positively contributes to housing supply and the facilitation of residential intensification in the Waipā District.

For the reasons that have already been discussed (in respect of the Medium Density Residential Zone objectives and policies), it is considered that the proposed plan change enables a land use that is consistent with the objectives and policies of the Medium Density Residential Zone.

11.11.8 Summary

For the reasons provided in the sub-sections above, it is considered that the proposed plan change is consistent with the existing provisions of the District Plan.

It is noted that the subsequent development of the T4 Growth Cell area will be consistent with the relevant provisions of the District Plan that are referenced in this section.

Furthermore, these provisions will be assessed in the context of the subsequent resource consents that will likely be required from WDC to enable future development.

11.12 RESOURCE MANAGEMENT ACT 1991

The RMA seeks to promote the sustainable management of natural and physical resources:

Managing the use, development and protection of natural and physical resources in a way and at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

The purpose of the RMA is only achieved when the matters in (a) to (c) have been adequately provided for within a District Plan. As a private plan change, the applicant has a duty under section 32 of the RMA to examine whether the objectives of the proposal and its provisions are the most appropriate way for achieving the purpose of the RMA.

In achieving the purpose of the RMA, all persons exercising functions and powers under it, in relation to the use, development and protection of natural and physical resources, are required to recognise and provide for the matters of national importance identified in section 6 of the RMA. In the broadest sense, section 6 of the RMA provides the basis for ensuring that decisions do not adversely impact heritage values, natural character, significant landscapes and habitats. It states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*



- f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- g) *the protection of protected customary rights:*
- h) *the management of significant risks from natural hazards.*

The T4 Growth Cell area is not listed as being of significant heritage or landscape value, however as a result of the presence of onsite natural inland wetlands, the resource use, development, and protection principles of section 6 of the RMA are of particular relevance to the proposed plan change.

With respect to ecology, the site is highly modified as a result of its longstanding utilisation for agricultural / rural production purposes. As has already been discussed, there are mechanisms to ensure that the plan change and subsequent development do not impact the biodiversity of the site (and indeed, create a net gain in biodiversity).

Section 6 of the RMA recognises, as a matter of national importance, the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga (6(e)) and the protection of historic heritage from inappropriate subdivision use and development (6(f)). It is anticipated that these matters will be addressed through the RMA First Schedule process, and through the subsequent resource consents that will be required to enable development of the growth cell.

Section 6 also requires regional councils and territorial authorities to recognise and provide for the management of significant risks from natural hazards. Investigations into liquefaction, lateral spread, slope stability, and load induced settlements have taken place (refer to **Appendix A**), with further considerations to take place (as part of the subdivision consent process) as any development within the T4 Growth Cell progresses.

Section 7 of the RMA identifies other matters that particular regard is to be given to, including the following relevant matters (along with comment as to how the proposed plan change will address each matter):

- (a) *kaitiakitanga: Consultation has been undertaken through Te Huia Natural Resources, and the RMA First Schedule process (submissions and further submissions) will enable mana whenua to express how kaitiakitanga can be expressed through the development of the growth cell. Matters to consider as part of the subsequent residential development are contained in the cultural advice report (**Appendix F**);*
- (b) *the efficient use of and development of natural and physical resources: The proposed plan change promotes the sustainable management of the land resource, including through sustainable stormwater infrastructure and coordinated development;*

- (ba) the efficiency of the end use of energy: Through sustainable urban form, the proposed plan change maximises efficiency of energy use, particularly in relation to connectivity and movement;*
- (c) the maintenance and enhancement of amenity values: Specific regard has been given to maintaining and enhancing amenity values, including in relation to the existing Te Awamutu character, and the freshwater bodies onsite. It is considered that development within the T4 Growth Cell will represent a significant enhancement of the land and contribute to the expanding residential amenity of the Waipā District. In terms of the neighbouring residential land uses, the development of the growth cell that the proposed plan change will enable will represent a change in the rural character and views of the land that they currently benefit from. However, it is not considered that this change in amenity is an adverse effect given that the growth cell has been identified for future residential development for (at least) over a decade;*
- (d) intrinsic values of ecosystems: The proposed plan change promotes development of sustainable stormwater systems, and publicly accessible reserves aimed, in part, at maintaining (and where possible enhancing) ecosystems. Potential also exists to reintroduce flora and fauna through appropriate design and extensive landscape planting;*
- (f) maintenance and enhancement of the quality of the environment: The proposed plan change promotes the development of sustainable stormwater infrastructure, enhanced natural inland wetlands and stream environments, and publicly accessible reserves aimed, in part, at maintaining and enhancing the quality of the environment; and*
- (i) the effects of climate change: Through sustainable urban form and infrastructure planning, the proposed plan change maximises efficiency of energy use, particularly in relation to connectivity and movement.*

Section 8 of the RMA requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

It is considered that the proposed plan change does not contravene the principles of the Treaty of Waitangi.



Section 75 of the RMA sets out the content of district plans, and section 76 sets out the requirements in relation to rules in a District Plan. The purpose of District Plans is to assist councils to carry out their functions in order to achieve the purpose of the RMA. The functions of District Councils are set out in section 31 of the RMA:

31 Functions of territorial authorities under this Act

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
 - (aa) *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
 - (b) *the control of any actual and potential effects of the use, development, or protection of land, including for the purpose of –*
 - (i) *the avoidance or mitigation of natural hazards; and*
 - (ii) *[Repealed]*
 - (iia) *the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:*
 - (iii) *the maintenance of indigenous biological diversity:*
 - (c) *[Repealed]*
 - (d) *the control of the emission of noise and the mitigation of the effects of noise:*
 - (e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*
 - (f) *any other functions specified in this Act.*
- (2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision*

The purpose and contents of the proposed plan change are considered to be consistent with the purpose of a District Plan pursuant to sections 75, 76, and 31 of the RMA.

The RMA First Schedule sets out the process in which district plans may be changed. A request for a private plan change needs to be made in writing to the appropriate local authority and must include:

- > The purpose of the proposed plan change;

- > The reasons for the proposed plan change;
- > The content of the proposed plan change;
- > An evaluation report prepared in accordance with section 32; and
- > An assessment of the anticipated environmental effects of the proposed plan change taking into account the requirements of Schedule 4.

All the requirements in relation to Schedule 1 of the RMA have been incorporated into the proposed plan change documentation.

11.13 FUTURE PROOF STRATEGY

The Future Proof Strategy was initially developed in 2009 (and updated in 2017, 2022 and 2024), being a combined growth strategy project between four councils (Hamilton City Council, Waikato District Council, WDC, and Waikato Regional Council). The Future Proof Strategy provides a strategic plan for land use, infrastructure, and transportation to plan and provide for the future needs of the sub-region. Waka Kotahi is also involved in the strategy as a major partner, recognising the importance of coordinating transportation planning with that of land use.

It is noted that Proposed Change 1 to the Waikato RPS seeks to implement the direction of the latest Future Proof Strategy, so a number of those requirements have been addressed as part of the analysis of the requirements of the Waikato RPS.

The Future Proof Strategy is a 30-year growth management and implementation plan specific to the Waikato sub-region. It considers how the area should develop into the future, with the 30-year vision being as follows:

- > Have a diverse and vibrant metropolitan city centre that is strongly tied and connected to distinctive, thriving towns and rural communities;
- > Be part of the prosperous, dynamic, and nationally significant corridor between Hamilton, Auckland, and Tauranga that accommodates growth while protecting what is most important;
- > Be the place of choice for those looking for opportunities to live, work, play, invest, and visit;
- > Provide a variety of housing options that are affordable and accessible;
- > Be a place where natural environment, landscapes, and heritage are protected, and a healthy Waikato River is at the heart of the region's identity;
- > Have productive partnerships with the community;

- > Have affordable, integrated, and sustainable infrastructure, including social and community infrastructure, with a strong focus on a rapid and frequent multi-modal transport network, and enabling three waters services and community facilities;
- > Have sustainable resource use; and
- > Respond to climate change with urgency, building resilience and supporting the transition to a lower carbon economy including through receiving a more compact urban form and a shift to active modes and public transport.

The strategy has guided the development of the Waikato RPS (including Proposed Change 1), and the growth strategies formulated for the Waikato District, Waipā District, and Hamilton City. The following sets out the value of Future Proof and its partnership approach:

- > Gives effect to Te Ture Whaimana as the primary direction setting document for resource management in the Waikato Region;
- > Provide certainty about the future growth and development direction of the sub-region;
- > Provide thought leadership on key strategic issues relevant to growth management;
- > Affirm partnerships between tangata whenua, the Crown, and Local Government;
- > Advocate collectively on agreed matters;
- > Achieve an integrated settlement pattern that is coordinated, enabling, and aligns with infrastructure and funding;
- > Maintain a common evidence base;
- > Collaborate on growth management and cross-boundary issues;
- > Collaborate on housing affordability initiatives and promote efficient urban development;
- > Work together to protect and enhance the natural environment;
- > Set sub-regional policy and approaches relevant to the Future Proof Strategy and use them to inform key regional documents;
- > Collaborate on place-making initiatives; and
- > Promote sustainable resource use.

For the Waipā District, the strategy estimates that approximately 90 per cent of growth will be within identified urban areas of Cambridge and Te Awamutu (including Kihikihi).

Te Awamutu is identified by the Future Proof Strategy as being an urban enablement area (which is reflected in the Waikato RPS as amended by Proposed Change 1). The strategy

notes that the majority of residential and business growth will be directed to urban enablement areas, encouraging and supporting the development of a more compact urban form. The residential minimum targets which have been set for Te Awamutu seek for 25-35 dwellings to be established per hectare in defined intensification areas, and 20-35 dwellings per hectare in greenfield locations. The proposed plan change is considered to be consistent with the intention of these targets (which also align with the NPS-UD and the Waikato RPS as amended by Proposed Change 1).

The Future Proof Strategy includes provisions for altering the timing / staging of land release, providing for beneficial out-of-sequence development in the district. These provisions require local authorities to have particular regard to plan changes that will create significant development capacity. This is supported by the NPS-UD which requires regional councils to include criteria in regional policy statements to assist authorities in determining whether a proposal provides for significant development capacity.

The out-of-sequence development provisions of the Future Proof Strategy comprise a set of criteria which apply to differing development scenarios. The criteria seek to assist both local authorities and regional councils when responding to plan changes. The criteria are specifically applicable to developments that are urban in nature, and as such are of direct relevance to the proposed plan change.

The proposed plan change is considered to fall into Potential Development Scenario 1 of the Future Proof Strategy (being a development within an urban enablement area which is “out of sequence”).

Table 6 below sets out the criteria which is applicable to the proposed plan change, and provides an assessment against those criteria, noting that the criteria are not ranked (i.e. no one criteria is given more weight than the other).

Table 6: Assessment of the Proposed Plan Change Against Criteria A of Out-Of-Sequence Developments under the Future Proof Strategy

Criteria A	Assessment of Proposed Plan Change
A. <i>That the development contributes to well-functioning urban environment. Proposals are considered to contribute to a well-functioning environment, if they:</i>	The proposed plan change will enable future development on the site of various lot sizes, housing types, and house prices, catering to the varying residential needs of Te Awamutu residents.
➤ have or enable a variety of homes that: meet the needs, in terms of type, price, and location, of different households: and/or enable Maaori to express their cultural traditions and norms; and/or	In respect of cultural traditions and norms, it is anticipated that ongoing engagement with mana whenua, including through the RMA First Schedule Process, will enable an understanding of how these can be expressed.

Criteria A	Assessment of Proposed Plan Change
have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and ➤ support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets	Recognising that WDC have already identified the site as being suitable for residential use and urban development, it is considered that the bring forward of such development will have limited impact on the competitive operation of land and development markets.
<i>B. That the development is consistent with the Future Proof Strategy guiding principles, and growth management directives (as set out in Sections B2, B3, B6, B7, B8, B9 and B11 of the strategy).</i>	The proposed plan change is considered to consistent with the Future Proof Strategy as follows: > High level engagement has occurred with mana whenua through Te Huia Natural Resources. The RMA First Schedule process enables this engagement to continue. It is also anticipated that the restoration and enhancement of the wetlands and stream environments is consistent with the expectations of mana whenua. > It does not impact on any waahi toituu or wāhi toiora areas; > A robust and integrated transportation network would be provided onsite (that is connected to the existing urban area), whilst also encouraging and providing for active modes of transport; > The site has already been identified by WDC as being a suitable area for future residential growth and development; > Development of the site will provide economic prosperity during construction and again as residents locate to the area; > Development of the site will not be detrimental to the rural productivity of the district, recognising that the site has already been identified for future growth by WDC; and > Technical assessments have confirmed that appropriate three waters and other infrastructure provisions can be provided / are achievable for the site.
<i>C. That the development has good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport.</i>	The T4 Structure Plan provides for accessibility and connectivity throughout the site, a range of housing options, ease of transport to jobs / community services, a variety of natural and open recreational spaces.



Criteria A	Assessment of Proposed Plan Change
D. <i>In cases where development is being brought forward (scenario 1 and 1A), whether it can be demonstrated that there is commitment to and capacity available for delivering the development within the advanced timeframe.</i>	If the proposed plan change is approved, the applicant intends to proceed with / support the advancing of development on the site as soon as possible, as demonstrated by the progressing of this private plan change and the substantial financial commitment associated with this.
E. <i>In cases where the development is proposing to replace a planned land use with an unanticipated land use (scenario 2), whether it can be demonstrated that the proposal will not result in a short, medium or long-term shortfall in residential, commercial or industrial land, with robust data and evidence underpinning this analysis.</i>	This criterion is not applicable to the proposed plan change.
F. <i>That the development protects and provides for human health.</i>	The proposed plan change seeks to utilise the site for residential use and urban development, and no adverse effects on human health are anticipated as a result of the development. The integrated / collaborative approach that was implemented as the T4 Structure Plan was developed has ensured that human health and safety has been considered and provided for from various perspectives.
G. <i>That the development would contribute to the affordable housing stock within the sub-region, with robust data and evidence underpinning this.</i>	The proposed plan change will allow for the development of a range of housing options across varying lot sizes. This range of housing provisions will cater to differing levels of housing affordability. The nature of the lot sizes will be determined through the subdivision consent process – and will be consistent with the relevant provisions in the Medium Density Residential Zone.
H. <i>That the development does not compromise the efficiency, affordability or benefits of existing and / or proposed infrastructure in the sub-region.</i>	It is considered that the proposed plan change presents no barriers or detriment to existing and / or proposed infrastructure in the sub-region, with the plan change instead likely to offer improvements to efficiency (i.e. transport) and support for proposed infrastructure (i.e. the proposed Collector Road within the site forming the initial stages of the strategic ‘Western Arterial Corridor’).
I. <i>That the development can be serviced without undermining committed infrastructure investments made by local authorities or central government (including Waka Kotahi NZ Transport</i>	The technical assessments that have been prepared in association with the proposed plan change have identified that appropriate servicing can be provided for the T4 Growth Cell. It is considered that the proposed servicing will not undermine / disrupt any infrastructure

Criteria A	Assessment of Proposed Plan Change
<i>Agency). Development must be shown to be adequately serviced without undermining committed infrastructure investments made by local authorities or central government to support other growth areas.</i>	investments that have already been made by local authorities and / or central government. As noted above, some of the proposed servicing for the site will support infrastructure proposed by local authorities (i.e. forming the initial stages of the strategic 'Western Arterial Corridor'). As is normal practice, the construction of the collector road will need to be the subject of a cost sharing arrangement between Council and the developer(s) of the land in the T4 Growth Cell.
<i>J. That the development demonstrates efficient use of local authority and central government financial resource, including prudent local authority debt management. This includes demonstration of the extent to which cost neutrality for public finances can be achieved.</i>	The proposed plan change will support value capture for WDC through the partial developer funded establishment of infrastructure (as will be addressed through a Development Agreement), and the subsequential vesting of infrastructure to WDC at the completion of the development works. Furthermore, with most development within the T4 Growth Cell being developer led, with the Council to receive associated developer contributions, cost neutrality for public finances is anticipated (except in relation to WDC's share of the costs of the collector road).
<i>K. The compatibility of any proposed land use with adjacent land uses including planned land uses.</i>	The proposed residential use and urban development of the T4 Growth Cell will be complementary to the residential activities which are currently evident to the north, east and south-east of the site. With regard to the North Island Main Trunk Railway Line, which runs along the north-western boundary of the site, the roading layout of the T4 Structure Plan has been designed to minimise direct fronting of any residential properties to the railway. The Structure Plan includes an Environment Buffer beside the rail corridor. Following consultation with KiwiRail (see Section 9.6), and amendments are proposed to Rule 2A.4.2.44 to increase the distance within which noise sensitive activities must be insulated in relation to noise associated with the railway line. A 60m alert has also been proposed on the planning map in relation to vibration from the rail corridor. As such, it is considered that land use within the T4 Growth Cell has been appropriately considered and will be compatible with the surrounding land uses.
<i>L. That the development would contribute to mode-shift that supports the medium and long-term transport vision for the sub-</i>	The design of the T4 Structure Plan, specifically the proposed roading layout, will achieve high connectivity and offer multi-modal transport options (e.g. road,



Criteria A	Assessment of Proposed Plan Change
<i>region being the creation of a rapid and frequent multi-modal transport network and active mode network.</i>	cycle, and pedestrians) to residents, visitors, and those transitioning through the T4 Growth Cell. Furthermore, the roading design will ensure that future public transport provisions can be facilitated if / when they are introduced.
<i>M. That the development would support reductions in greenhouse gas emissions and would be resilient to the likely current and future effects of climate change, with robust evidence underpinning this assessment.</i>	The proposed plan change will support a reduction in greenhouse gas emissions by way of the T4 Structure Plan's connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use, and the implementation of sustainable practices such as maximisation of solar access / gains, and the provision of a range of green spaces. The proposed plan change will enable development which is resilient to the effects of climate change with consideration having been given to matters including stormwater management provisions and appropriate flood protection measures to be integrated into future housing design. The greenhouse gas emissions, and climate change considerations which have taken place to date have been preliminary, with further assessments to be undertaken to support any future subdivision and resource consent applications associated with the T4 Growth Cell.
<i>N. That the development avoids areas identified as waahi toituu. During a review of the Future Proof Strategy (including the development of a Future Development Strategy under the NPS-UD and its subsequent 3-yearly review), or a comprehensive district plan review, consideration may be given to urban development on areas identified as waahi toituu. A strong precautionary approach will be taken such that if the land is not needed to fill an identified shortfall of development capacity in the short or medium term, it should not be considered for urban development. Preference will be given to urban development proposals which are not located on areas identified as waahi toituu.</i>	The proposed plan change is not located on an area identified as waahi toituu.



Criteria A	Assessment of Proposed Plan Change
O. <i>That a precautionary approach be taken when considering development on areas identified as waahi toiora, such that if the land is not needed in the short term or medium term it should not be considered for urban development.</i>	The proposed plan change is not located on an area identified as waahi toiora.

It is considered that the proposed plan change is consistent with the direction of the Future Proof Strategy, with activities such as those encompassed by the proposed plan change anticipated and provided for by the strategy.

11.14 TE AWAMUTU TOWN CONCEPT PLAN

Town Concept Plans are in place for Cambridge, Te Awamutu / Kihikihi, Pirongia, and Ohaupo. The plans provide the basis for the zoning pattern, density requirements, and other provisions in the Waipā District Plan.

It is considered that the proposed plan change is consistent with the Te Awamutu Town Concept Plan (2010) as:

- > It will contribute to providing for the sustainable future growth of Te Awamutu;
- > It will protect and enhance key features of the existing environment for future residents and visitors to enjoy in the future;
- > It will support a diverse, open, and inclusive community, where standards of health and safety reflect very high levels of social well-being;
- > The realisation of development in the T4 Growth Cell will become part of the well-defined urban area, being distinctly separate from the rich open rural hinterland;
- > The enabling of development within the T4 Growth Cell will be located within the 2050 Te Awamutu town boundary, in the Residential Centre area (which comprises residential development overlaid on a street pattern radiating out from Alexandra and Sloane Streets);
- > It will support development within the T4 Growth Cell that incorporates sensitive, high quality, integrated urban, landscape and architectural design which is in character with the Residential Centre Character Area;
- > It will enable the enhancement and extension of connectivity for pedestrians and cyclists;
- > It will provide for appropriate traffic flow and parking requirements; and



- > It will enable the enhancement of public spaces, streets and reserves.

11.15 TE HAU MĀROHI KI ANAMATA – AOTEAROA NEW ZEALAND’S FIRST EMISSIONS REDUCTION PLAN

The purpose of Te Hau Mārohi ki Anamata – Aotearoa New Zealand’s First Emissions Reduction Plan is to outline strategies, policies, and actions for achieving New Zealand’s first emissions budget, as required by the Climate Change Response Act 2002.

It outlines how it is intended that New Zealand will play our part in global efforts to limit warming to 1.5 °C above pre-industrial levels.

The plan is the first statutory plan to require the Government to act to reduce emissions right across the economy and support all New Zealanders to make the most of the transition.

The plan supports the embracing of measures such as increasing access to electric vehicles, increased utilisation of public transport and active transport modes, improved energy efficiency and a move away from the use of fossil fuels, the utilisation of an emissions pricing mechanism for agriculture, reducing the amount of waste going to landfills, establishing nature forests to develop long-term carbon sinks and improve biodiversity, and encouraging climate innovation practices.

The proposed plan change and the underlying T4 Structure Plan will support the emissions reduction goal through measures including the establishment of a well-connected and multi-modal environment that encourages pedestrian and cycle movements and a reduction in private vehicle use, and the implementation of sustainable practices such as the maximisation of solar access / gains, and the provision of a range of green spaces. Additional emissions reduction measures are anticipated to be integrated into the T4 Growth Cell as part of future resource consent applications for development.

11.16 TAI TUMU TAI PARI TAI AO

Introduction

The purpose of the Tai Tumu Tai Pari Tai Ao, the Waikato Tainui Environmental Plan, is ‘to provide a map or pathway that will return the Waikato-Tainui rohe to the modern-day equivalent of the environmental state that it was in when Kingi Taawhiao composed his maimai aroha’. It is intended that the plan be used as a tool for resource users to provide clear high-level guidance on Waikato-Tainui objectives and policies with respect to the environment.

The provisions of Tai Tumu Tai Pari Tai Ao have been reviewed and assessed to determine the extent to which the proposed plan change is consistent with the direction set by

iwi. However, it is acknowledged that only Waikato-Tainui can determine for Waikato-Tainui if, from a Waikato-Tainui perspective, the magnitude, frequency, and duration of the effect, and if the overall effect of an activity is positive or negative.

The following sections of Tai Tumu Tai Pari Tai Ao are considered to be most relevant to the proposed plan change:

- > Te Ture Whaimana (Section 11);
- > Natural heritage and biosecurity (Section 15);
- > Historical items, prized and significant sites (Section 16);
- > Natural hazards (Section 17);
- > Freshwater (Section 19);
- > Wetlands (Section 20);
- > Fisheries (Section 22); and
- > Land use planning (Section 25).

Each are addressed below:

Te Ture Whaimana

Section 11 of the plan addresses Te Ture Whaimana, provides the background to the process of settlement of Raupatu Claims between Waikato-Tainui and the Crown, and outlines the legislative recognition of the Te Ture Whaimana in resource management decision making, including by way of co-management and an Integrated River Management Plan for the Waikato River.

Te Ture Whaimana, and an assessment of the proposed plan change in relation to it, has been addressed previously in this report.

Natural Heritage and Biosecurity

Section 15 of the plan discusses the loss of indigenous biodiversity and the negative effect this has had on the relationship of Waikato-Tainui with the whenua. The plan seeks to restore the rohe to ecological health.

As has already discussed, there are significant opportunities for restoration and enhancement of the wetlands and streams within the growth cell, as well as amenity planting within reserve areas, which is consistent with the direction with this section of the plan.

Historical Items, Prized and Significant Sites

The applicant is familiar with the plans approach to site management protocols (Objective 16.3.1). This proposed plan change, in itself, does not permit any land disturbance activities, which will be considered at the consenting stage should the proposed plan change be approved. However, for completeness it is noted that any developer will need to undertake earthworks in accordance with the discovery protocols relating to taonga (16.4.3.2) and archaeological sites (16.4.3.3). This approach includes many of the methods (a) to (g) giving effect to Policy 16.3.5.1 - Areas and sites of significance, including good project management, clear communication, monitoring of effects, inclusion of protocols and reporting results.

Natural Hazards

Section 17 addresses natural hazards including land use and risk management, taking a wider perspective of community wellbeing over individual property owners.

An initial geotechnical assessment has been undertaken to confirm that the area is suitable for residential development, including an assessment of the natural hazard risk. It has been confirmed that the area can accommodate the proposed land use. Further geotechnical assessments will be undertaken through the subsequent consenting processes.

Freshwater

The objectives and policies on fresh water in Section 19 of Tai Tumu Tai Pari Tai Ao relate mainly to the aspiration of Waikato-Tainui to work alongside government agencies to manage the allocation of fresh water and improve the quality of water across the region.

Objective 19.4.1 (the relationship between Waikato-Tainui and water) seeks to ensure that Waikato-Tainui engage and participate in the highest level of decision-making on matters that affect waters. This is reinforced by Policy 19.4.1.1 (which states the same thing).

Objective 19.4.2 (water quality) seeks to ensure that freshwater is drinkable, swimmable and fishable in all places. This is supported by Policy 19.4.2.1 that seeks that regulators set clearer and higher water quality targets, and also develop and incentivise methods to achieve these targets.

Objective 19.4.3 (water quality (integrated catchment management)) seeks an integrated and holistic approach to the management of water. This is supported by Policy 19.4.3.1 that seeks to ensure that integrated catchment management is effective and informative, and the scope of planning is broad.

Objective 19.4.4 (water quantity and allocation) seeks that water allocation restores and protects the health and wellbeing of water bodies. This is supported by four policies, which

seek: any water allocation framework operates under consistent principles, is equitable and efficient and restores and protects the health and wellbeing of water bodies (Policy 19.4.4.1); any water allocation mechanisms allocate water to Waikato-Tainui for the social, cultural, spiritual, environmental, and economic health and wellbeing (Policy 19.4.4.2); that resource consent processing ensures any allocation of water has regard to best practice and the objective of restoring and protecting the health and wellbeing of Waikato-Tainui water bodies (Policy 19.4.4.3); and, that allocable and minimum flows are determined in partnership with Waikato-Tainui and recognises Waikato-Tainui aspirations (Policy 19.4.4.4).

This section of the plan is particularly relevant in the context of stormwater management. Water quality within the plan change area is to be protected via the measures to be utilised on site to remove contaminants prior to discharge.

Wetlands

Section 20 of the plan relates to wetlands, and includes the following relevant provisions:

Objective – Wetland mauri and condition, hauanga kai, habitat

20.3.1 Existing wetlands are protected and enhanced.

Policy – Improvement to the condition of existing wetlands

20.3.1.1 To encourage improvements to local hydrology (where possible) to support healthy wetland function, and restoration of locally appropriate wetland biodiversity within local planning and land management practice.

Policy – Land use planning and management adjacent to wetlands

20.3.1.2 To ensure that all land use practices that have the potential to impact on wetlands have efficient sediment, drainage, discharge, fertiliser application, and riparian buffer control practices in place to ensure that adverse impacts on wetlands are prevented.

Objective – Access

20.3.2 The relationship of Waikato-Tainui with its wetlands is enhanced through the restoration of wetlands and enhanced/permitted access for cultural purposes.

Policy – Access

20.3.2.1 To ensure that the relationship of Waikato-Tainui with its wetlands is enhanced through the restoration of wetlands and enhanced/permitted access for cultural purposes.

As noted previously, due to requirements associated with roading provisions not all existing wetlands onsite can be protected. However, to remedy the loss of approximately 0.35 ha of

onsite wetlands, the applicant is proposing to establish an additional 2.12 ha of onsite wetlands and to undertake restorative and enhancement planting around all wetlands. As such, the proposed plan change will result in an overall net gain in wetland extent (resulting in 102% increase) and value within the T4 Growth Cell.

Furthermore, activities that are to occur in close proximity to the wetland areas will be appropriately distanced / setback from the wetland edges to ensure ongoing adverse impacts on wetlands can be prevented.

The T4 Structure Plan embraces the presence of wetlands and seeks to enhance public access to / alongside wetlands with adjacent pathways proposed throughout the T4 Growth Cell.

Land Use Planning

Section 25 of the plan covers land use planning, and includes the following relevant provisions:

Objective – Approach to land use and development

25.3.1 Development principles are applied to land use and development (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

Policy – Approach to land use and development

25.3.1.1 To encourage development principles to be applied to land use and developments (urban and rural) and, in particular, development in new growth cells, that enhance the environment.

Objective – Urban and rural development

25.3.2 Urban and rural development is well-planned and the environmental, cultural, spiritual, and social outcomes are positive.

Policy – Urban development

25.3.2.1 To ensure that urban development is well planned and the environmental, cultural, spiritual, and social outcomes are positive.

Objective – Positive environmental and cultural effects

25.3.3 Land use and development has positive environmental and cultural effects.

Policy – Positive environmental and cultural effects

25.3.3.1 To ensure that land use and development, particularly new land use and development, has positive environmental and cultural effects.

A key factor / consideration that has shaped the development of the T4 Structure Plan has been maintaining the existing location and extent of the significant onsite ecological features as far as practicable (being the wetlands and streams) and providing for the enhancement of those features and their values. Enhancement would be achieved through the proposed establishment of additional onsite wetlands, and the undertaking of restorative and enhancement riparian planting along both the streams and wetlands.

The collaborative development of the T4 Structure Plan with input from a variety of technical experts ensures that any future development that is undertaken in accordance with the structure plan will be well-planned and designed to provide an environment that is beneficial for residents, visitors, and people transitioning through the area.

In respect of cultural considerations, Te Huia Natural Resources provided an initial assessment of potential cultural effects, which includes a suite of recommendations to be implemented as the proposed plan change and subsequent residential development is progressed. In that respect, engagement with mana whenua and iwi will be ongoing as the project progresses.

In addition, the plan encourages the use of Low Impact Design principles for all new developments including the:

- > Protection of surface and ground water quality;
- > Maintenance of the integrity of aquatic and terrestrial ecosystems;
- > Preservation of the physical integrity of receiving streams;
- > Protection of soils by providing appropriate sediment and erosion controls; and
- > Use of natural ground levels.

Details as to how any development enabled by the proposed plan change will implement the use of Low Impact Design principles are provided in the technical assessments that have been prepared (and appended to this document). Further consideration of how these principles can be integrated into development will also be provided with any subdivision or resource consent applications that are applied for in relation to development in the T4 Growth Cell.

Conclusion

The proposed plan change is considered to not be inconsistent with the direction of Tai Tumu Tai Pari Tai Ao.

11.17 AHU AKE - WAIPA COMMUNITY SPATIAL PLAN

The Ahu Ake Waipa Community Spatial Plan was adopted by WDC on 26 March 2025 and provides a blueprint for future development within the Waipa District.

“The Ahu Ake – Waipā Community Spatial Plan is the blueprint for what we want our district to look like in 30+ years time. Designed as a roadmap for how we can get there, by the people of Waipā for the people of Waipā.”

The land that is subject to the proposed plan change is identified within the Community Spatial Plan for Te Awamutu as located within the 2050 Town boundaries (see **Figure 13** below).

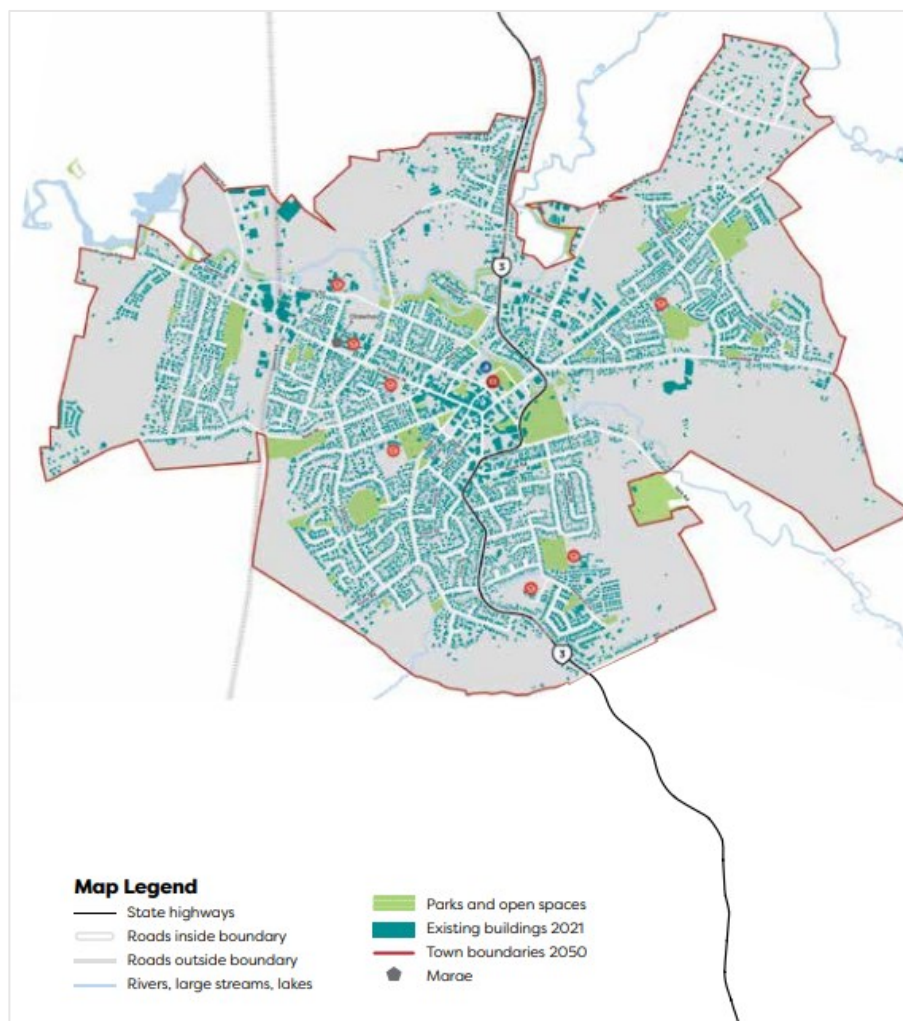


Figure 13: Draft Waipa Community Spatial Plan for Te Awamutu



The Community aspirations for Te Awamutu collected during Ahu Ake engagement include:

“Placemaking, Future Development and Housing:

- > *Support for more housing choices with good quality apartments and multi-unit developments, which need to include the provision of community spaces and facilities.*
- > *Concern over the impact that intensification could have on the character of Te Awamutu and concern the “small town feel” and community cohesion will be lost.”*

The proposal to rezone the T4 Structure Plan Medium Density Residential Zone (and enable future development of the land for residential use and urban development) is therefore consistent with the provisions in the Waipa Community Spatial Plan.

11.18 STATUTORY ASSESSMENT CONCLUSION

It is considered that the proposed plan change appropriately responds to, and gives effect to, the applicable national policy statements and the Waikato RPS, and is not inconsistent with the Regional Plan as required by section 75 of the RMA. Further, in accordance with section 74 of the RMA the proposed plan change has had regard to the emissions reduction plan and has taken into account the requirements of the applicable iwi planning documents.

12. ASSESSMENT OF ENVIRONMENTAL EFFECTS

12.1 OVERVIEW

This section of the evaluation report provides an assessment of the environmental effects of the proposed plan change. Clause 22 (2) of the RMA First Schedule requires that:

Where environmental effects are anticipated, the request shall describe those effects, taking into account clauses 6 and 7 of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.

For completeness, it is noted that the following sections detail the anticipated potential environmental effects in accordance with Schedule 4 in a manner that corresponds with the scale and significance of the potential effects arising from the proposed plan change.

The relevant actual and potential effects are considered to be:

- > Positive Effects;
- > Geotechnical and Groundwater Effects;
- > Stormwater Effects;
- > Water supply and Wastewater Reticulation Effects;
- > Urban design Matters;
- > Transportation Effects;
- > Ecological Effects;
- > Soil contamination Matters;
- > Landscape, Visual and Character Effects;
- > Reverse Sensitivity Effects;
- > Archaeological Effects; and
- > Cultural Considerations.

The assessments of the effects are based on development scenarios undertaken to inform the proposed T4 Structure Plan. The extent and nature of environmental effects of the development of the site will be confirmed during the subdivision consent process (which will include assessments of the specific subdivision layout progressed by each individual developer). Irrespective, the technical assessments commissioned demonstrate that the T4 Growth Cell is appropriate for the intended residential use, can be efficiently serviced and



can be developed in a nature that manages actual and potential adverse environmental effects.

As noted previously, a number of technical assessments have been commissioned to inform this AEE. These technical assessments are referenced, as appropriate, in Sections 11.2 to 11.13 below.

12.2 POSITIVE EFFECTS

The proposed plan change will allow the development of the T4 Growth Cell to be brought forward from 2035, in an area already identified as being suitable for residential development and located directly adjacent to the urban area of Te Awamutu.

From a strategic planning level, it is noted that the Enabling Housing Act amended the RMA with the intention to rapidly accelerate the supply of housing where the demand for housing is high. This will help to address some of the issues with housing choice and affordability that New Zealand currently faces in its largest cities. The proposed plan change is inherently consistent with the central government direction around providing 'plan enabled' residential land.

In summary, the proposed plan change is considered to result in the following positive effects:

- > Additional housing supply in a location where demand is high (in the Waipā District);
- > Greater housing choice and variance of price points to accommodate a wider proportion of the market for dwellings; and
- > Ability to comprehensively plan the entire growth cell area to ensure a development outcome on the site which is coordinated with infrastructure provision, the existing urban area, and achieves a high-quality urban environment.

In addition, it is considered that there are a number of positive environmental effects that will be enabled through the development of the growth cell, namely, the opportunity to restore and enhance the natural inland wetland areas on site which currently have a low ecological value. The ecological effects of the proposed plan change are discussed in more detail later in this section.

12.3 GEOTECHNICAL AND GROUNDWATER EFFECTS

CMW Geosciences prepared a geotechnical investigation of the plan change site to support the application for the proposed plan change. The investigation report is contained in **Appendix A**, and is summarised as follows:

- > Within the Southern Block, the site grades variably from residential properties on the northeastern boundary at approximately RL50m to RL60m towards lower ground to the south and west at around RL40m to RL43m. This low-lying ground includes two wetlands and associated gullies;
- > The Northern Block consists of two main landforms. The south-eastern portion forms northeast to southwest trending ridge spurs and shallow gullies ranging from RL62m to RL45 m while the north-western portion comprises a lower, near level terrace at RL47 to RL50. These two landforms are divided by a steep (1 vertical to 1.5 horizontal) up to 25 m high west facing escarpment;
- > Conceptual earthworks plans show that the proposed development will require cuts of up to 7m deep and fills of up to 4m deep. The finished landform will be predominantly gently sloping within the housing areas. The steep northern escarpment is shown to remain unaltered apart from minor trimming of the gentle slopes at the toe. Locally steeper slopes with gradients are also proposed around the margins of the stormwater reserves and ponds / wetlands and on the site boundaries where the proposed works abut existing properties;
- > In respect to the geology of the site, maps of the area show the elevated rolling hill topography as comprising alluvium dominated by primary and reworked, non-welded ignimbrites of the Walton Subgroup (early to mid-Pleistocene aged). The low-lying wetland areas are depicted as locally derived pumiceous clays, sandy clays, and gravels of the Piako Subgroup (mid to late-Pleistocene);
- > Groundwater levels were encountered at approximately RL40m to RL41m within the low-lying areas of the site and wetlands;
- > The groundwater table rises beneath the more elevated parts of the site to a maximum measured level at RL46m at the south-eastern end of the Southern Block;
- > The liquefaction risk assessment found that liquefaction may occur in some soil layers during an earthquake event. The site has been divided into two liquefaction hazard categories: 'low' liquefaction risk and 'medium' liquefaction risk;
- > Preliminary analyses indicate that the liquefied factor of safety against lateral spreading may approach 1.0 however ground displacements should be minor (i.e. < 5mm);

- > With the exception of the northern escarpment, existing slopes in the Southern Block and the Northern Block are gently or moderately sloping with no visible evidence of previous slope failure. The geomorphology of the northern escarpment slope includes several features which may represent previous failure scarps and colluvial deposits – this requires specific mitigation as part of the development;
- > In respect to load induced settlement, settlement across the more elevated parts of the site can generally be managed by appropriate monitoring during and after earthworks to ensure they have reached an acceptable rate before construction occurs. More significant settlements will occur where fills are placed over weak and compressible soils within the existing wetlands and gully floors, which will require specific design; and
- > Foundation design should consider adopting stiffened raft foundation systems or NZ3604 type foundations to comply with expansive soil class M.

CMW Geosciences concludes that, subject to the recommendations of the report being implemented, it considers that the site is suitable for the proposed development. It is noted that any future subdivision consent will need to address geotechnical matters, which is where these recommendations will be captured and implemented.

12.4 STORMWATER EFFECTS

Harrison Grierson undertook a three waters assessment to support the proposed plan change (**Appendix B**). In respect of stormwater, this assessment sets out that:

- > The northern half of the Northern Block slopes east to west with the southern half sloping to the south;
- > The southern half of the Southern Block slopes to the south and the northern half of the Southern Block has a stream running north to south through the centre;
- > The Northern Block currently takes overland flow from Wallace Terrace, this outlets onto paddocks and there are no streams or drains;
- > The Southern Block has three streams which join south of the lots and outlet into the Puniu River. This block takes some overland flows directly from the Northern Block and from the adjacent residential lots south of Lola Lee Heights;
- > Numerous natural inland wetlands and ponds have been identified in the Southern Block. These will be retained where possible but will not form part of the development's stormwater management system. The portions that are unavoidably impacted by the development (e.g. for the construction of roads for access) will be replaced by additional wetlands adjacent to the existing natural wetlands, with an overall increase in wetland area post-development;

- > In respect of flood hazards, there are some areas of flooding within the site for the 1% AEP storm events within the plan change area. There is flooding on the flat fields in the northern part of the Northern Block where the railway culvert restricts flow to the west;
- > There is also some shallow flooding in the southern portion of the Southern Block where there is an existing overland flow path from the residential areas discharging from Meddings Crescent;
- > Generally, the flooding within the growth cell is contained within the existing drains;
- > Downstream of the growth cell there is a large area of flooding in two locations. This is a result of stormwater flows being restricted by the railway culverts;
- > Harrison Grierson has proposed a stormwater management approach based on treatment and extended detention in artificial stormwater wetlands. The stormwater flows up to the 10-year storm events would be conveyed within a gravity piped network within the road reserves discharging into the artificial wetlands. Storm events above the 10-year event would be conveyed overland within the road reserve to the stormwater reserves; and
- > The results of the post-development flood modelling show that there is an insignificant increase in flooding or flood risk downstream of the site for the 2, 10 or 100-year storm events.

The exact nature of the stormwater management onsite will be confirmed during the subdivision consent and discharge consenting process. However, the three waters assessment confirms that the plan change area can be serviced from a stormwater perspective.

12.5 WATER SUPPLY AND WASTEWATER RETICULATION EFFECTS

The three waters assessment prepared by Harison Grierson (**Appendix B**) also provides an assessment of water supply and wastewater reticulation. The findings of that assessment are set out below:

12.5.1 Water Supply

- > The T4 Growth Cell currently has no water connections. In respect to the adjacent water supply network, there is a 200mm diameter main in Rewi Street north of the site, and a 200mm diameter pipe to the south in Puniu Road. There are 100mm diameter pipes located in Wallace Terrace and Meddings Crescent;
- > WSP carried out a modelling assessment of water supply options. The model results indicated that there are multiple options to supply the T4 Growth Cell, however, some of the options had a greater impact on the residual pressures within the adjacent network.



The preferred option is to supply the growth cell with a DN180PE (150mm ID) connection from Rewi Street and from Puniu Road for T4N and T4S respectively (see Figure 18 in **Appendix B**).

12.5.2 Wastewater

- > The T4 Growth Cell is outside of the current Te Awamutu gravity network area;
- > All of the adjacent network is small diameter gravity pipes falling towards small wastewater pumpstations;
- > The site is generally at a lower elevation than the adjacent network and only a small portion at the southern end of the Southern Block would be able to connect via gravity to the existing system;
- > Harison Grierson identifies two potential solutions for wastewater reticulation, consisting of different configurations of pumpstations, gravity pipes and rising mains. Either of the two options are able to service the proposed development. Both options have merits and constraints. The final solution will be determined during the detailed design stage.

The three waters assessment concludes that there is no reason why the proposed plan change could not proceed from a water supply and wastewater perspective. The nature of the water supply and wastewater servicing will be confirmed during the subdivision consent process.

12.6 URBAN DESIGN MATTERS

Chow: Hill was engaged to provide urban design services in respect of the development of the T4 Structure Plan. The consequential urban design statement is presented in **Appendix C**. The statement sets out that:

- > The proposed concept design and resultant proposed structure plan for the T4 site is based on thorough analysis of site opportunities and constraints. Collectively, these are relatively complex and have resulted in a preferred concept design for the site that is grounded in its context;
- > In terms of development capacity, the proposed scheme is an efficient approach to the site. In addition, the scheme also provides opportunities for development to be staged in accordance with land ownership boundaries or in other combinations; and
- > From the perspective of achieving an attractive place, the proposed approach offers a potentially attractive outcome that transitions from town to country in a distinctive way. The proposed scheme is considered to be a successful plan for the growth of the western side of Te Awamutu.



12.7 TRANSPORTATION EFFECTS

Stantec New Zealand (“**Stantec**”) prepared an Integrated Transportation Assessment (“**ITA**”) to support the proposed plan change, which is presented in **Appendix D**). The ITA sets out that:

- > The rezoning proposal and proposed structure plan have been assessed on the basis of a concept for subdivision development of between 310 and 362 residential lots ranging between 400 m² and 600 m² in size. This is equivalent to a net residential density of between 25 and 27 dwellings per hectare;
- > The proposed residential activities within the T4 Growth Cell are anticipated to generate up to about 2,545 vehicle trips per day and up to 280 vehicle trips per hour during the typical commuter peak periods;
- > The majority of the trips expected to be generated by the proposed land use activities within the structure plan area are anticipated to arrive from / depart to the east and north;
- > A network of internal roads has been designed at a concept level to demonstrate how the structure plan area could be serviced. These include:
 - > A collector road along the structure plan’s western boundary; and
 - > A supporting network of local roads, cul-de-sacs and private rights-of-way’s providing property access.
- > While the proposed structure plan reflects the high-level network configuration, the finer details of the road network will be refined and assessed at future subdivision stages;
- > Vehicle access to the structure plan area is proposed to be provided via the proposed collector road corridor with new connections to the existing road network as follows:
 - > To the north, via a new intersection on Rewi Street;
 - > To the south, via a new intersection on Puniu Road; and
 - > To the east, via a new local road connection to Wallace Terrace.
- > Flexibility is sought on the form of intersection that would be appropriate on Rewi Street and Puniu Road in the interim period. The Stantec report assesses interim intersection design, and also address the long-term configuration of both intersections;
- > The pedestrian and cycle network are designed to enable movement within the structure plan area. Overall, Stantec considers that the proposed walking / cycling

network is expected to create a sustainable and attractive network for pedestrians and cyclists;

- > Adequate space is available within the proposed internal road network to enable public transport infrastructure (such as bus stops) in the future; and
- > Indicative staging recommendations have been made by Stantec to enable development to occur in a way that reduces effects on the immediate adjoining roading network. However, consent conditions regarding staging will be a matter to address via the subsequent subdivision consent process.

It is noted that the ITA describes and evaluates the transportation elements of the proposed plan change to inform the acceptability of the structure plan in terms of its transport impact. Provisional assessment has been undertaken by Stantec of the transport network improvements expected to be necessary to support the development of the land and which can be expected to be established as conditions to any subsequent application for subdivision consent.

Stantec concludes that, overall, it is concluded that the traffic and transport elements of the proposed T4 Structure Plan have been appropriately planned to ensure multi-modal integration with the broader Te Awamutu area. The overall transportation effects on the adjoining road network of the plan change proposal are assessed as being no more than minor, provided any future subdivision consent process addresses staging requirements.

12.8 ECOLOGICAL EFFECTS

While not typically required for a proposed plan change, an ecological impact assessment (**Appendix E**) has been undertaken by Morphum Environmental in support of the proposed plan change. The ecological impact assessment was prepared to ensure that the T4 Structure Plan could be implemented, should the plan change be approved, given the extent of natural inland wetlands and streams within the site. The assessment sets out that:

- > The plan change area contains wetland and stream habitat, particularly around the southern boundary and through the centre of the site;
- > The freshwater habitats identified are all highly modified due to longstanding agricultural use;
- > Longfin eel (*Anguilla dieffenbachii*) and black mudfish (*Neochanna diversus*), both classified as 'At Risk – Declining' were detected in eDNA samples. Longfin eels were detected within the stream channels and black mudfish were detected within the eastern-most wetland;

- > As a result of the “At-Risk” fish, the streams and the eastern-most wetland have been assessed to be of “Moderate” ecological value; the remaining site wetlands have been assessed to be of “Low” ecological value and are considered to possess limited aquatic habitat;
- > In respect of terrestrial ecology, onsite vegetation is reflective of the highly modified agricultural environment, dominated by pasture grass and exotic weeds, as well as individual mature exotic trees and shelterbelts of *Pinus* spp. along boundaries;
- > Common native birds may utilise the site and mature exotic trees, and the rank pasture grass and scattered logs and farm debris may provide low value habitat for the native copper skink, classified as ‘At Risk – Declining’. However, the condition of site vegetation and lack of connectivity to any forested areas, as well as the regular disturbance associated with the existing land use, is considered likely to restrict the species present onsite;
- > There are a number of potential effects associated with the development of the plan change area, should the plan change be approved. These include erosion and sedimentation of waterbodies from earthworks, vegetation clearance and effects on terrestrial fauna, injury and mortality to freshwater fauna, degradation of freshwater habitat, ongoing anthropogenic disturbances from the urban environment, increased imperviousness and stormwater effects and residual loss of stream and wetland habitat. These effects could be addressed at the resource consenting stage;
- > To provide for the development, approximately 0.35 ha of natural inland wetland will be lost to provide primarily for roading, as well as a small portion of residential development, resulting in a loss in extent and value of wetland habitat. Additionally, approximately 75 m of stream will require culverting for road development, resulting in further loss of freshwater values. The losses represent residual adverse effects that will require offsetting;
- > A high-level assessment has been undertaken to demonstrate that it is possible to adequately address these residual effects through enhancement onsite.

Overall, Morphum Environmental considers that the restoration of the retained wetland and stream habitat, as well as the additional riparian and terrestrial planting that would be undertaken in association with the development would enhance indigenous biodiversity values onsite and likely result in ecological gains.

12.9 SOIL CONTAMINATION MATTERS

There are no known potential 'HAIL' sites located within the plan change area. However, any subdivision resource consent will need to be supported by an assessment under the Soil NES.

It is considered that the subdivision consent process will enable any potential risks associated with soil contamination to be addressed.

12.10 LANDSCAPE, VISUAL AND CHARACTER EFFECTS

It is acknowledged that the residential development that the proposed plan change will enable will represent a change to the site, especially for the properties that back on to the plan change area (along Kacey Ave, Lola Lee Heights, Mountain View Drive, Meddings Crescent and Puniu Road). Most of these properties have outdoor living spaces that look over the plan change area. The properties that back onto the plan change area currently back on to a rural working property and experience wide vistas of the rural zone.

A change in the views and character is not necessarily an adverse effect. In the case of the T4 Growth Cell, it has been identified as a future residential growth cell since at least 2009 (it is identified as a future growth cell in the 2009 District Growth Strategy).

Given the change in elevation from the existing dwellings backing onto the growth cell, and the growth cell itself (which drops down in elevation) it is not anticipated that any residential land uses within the growth cell would impact views the of Maunga's in the distance, or the open vistas, that the current dwellings experience.

It is also noted that the density of residential development is expected to allow for areas of private garden space. In addition, there are substantial areas of public open space, including the natural inland wetlands (which will include wetland and riparian planting). In the public realm the smaller streets are planned as 20 m wide reserves which can support good tree planting. The extent of open space will assist in managing the visual effects of any subsequent development on the existing dwellings neighbouring the plan change area.

12.11 REVERSE SENSITIVITY EFFECTS

There is the potential for reverse sensitivity effects to occur associated with establishing residential activities near productive rural land (which can generate odour or noise effects associated with permitted productive farming activities). In this case of this proposed plan change, it is not considered that subsequent residential activities will result in reverse sensitivity effects as the railway line and roading network provide a 'buffer' between rural land uses and the residential activities proposed within the growth cell.

Any area potential for reverse sensitivity effects relates to the North Island Main Trunk Railway Line and the transmission lines on the western boundary of the plan change area. The layout of the proposed structure plan manages the potential for reverse sensitivity by:

- > Including an 'environmental buffer' area adjacent to the North Island Main Trunk Railway Line and the transmission lines; and
- > Separating the residential land uses from the North Island Main Trunk railway and the transmission lines via the proposed collector road (which is approximately 25 metres wide).

In addition, it is proposed that Rule 2A.4.2.44 be amended to require noise insulation for noise sensitive activities within 100m (rather than only 40m) of a railway track. Finally, a proposed vibration alert area extending up to 60m of the rail corridor on the western edge of the plan change area is proposed on the planning map. It is considered that these mechanisms will appropriately control the potential for reverse sensitivity effects.

12.12 ARCHAEOLOGICAL EFFECTS

Archaeological effects are concerned with the potential to disturb, modify or destroy archaeological material or features buried at the site. There are no recorded archaeological sites identified within the plan change area, based on Archsite records and the District Plan. However, due to the proximity of the Otawhao Pa an Archaeological Assessment has been completed (**Appendix H**).

As set out in the cultural advice report, one of the recommendations from Te Huia Natural Resources is that an archaeological assessment is commissioned to determine what areas should be "protected from development and the process for its recognition" as part of the consenting process.

It is therefore considered that any potential archaeological effects of the plan change can be appropriately managed through the subsequent consenting process that is required to enable development within the growth cell. The Archaeological Assessment makes recommendations as to how any actual or potential archaeological effects can be managed (which can be addressed as part of the consenting process).



12.13 CULTURAL CONSIDERATIONS

Te Huia Natural Resources prepared a cultural advice report (**Appendix F**) which provides an early assessment of the potential cultural impacts of subsequent development that will be enabled should the proposed plan change be approved. This report provides recommendations for future engagement with mana whenua by the plan change applicant and WDC. These recommendations include:

- > WDC and mana whenua reciprocate obligations to Te Tiriti o Waitangi through continued engagement, regarding the plan change, to actively provide for the considerations in the cultural advice report;
- > That a full mana whenua assessment should be undertaken against development activities as part of consenting. Mana whenua should determine the appropriate provider for the cultural assessment;
- > That the applicant continues to facilitate and resource ongoing engagement with mana whenua;
- > Where possible the developments should provide opportunities to provide for expressions of cultural history;
- > The applicant should clearly identify opportunities to restore and protect the health and wellbeing of the Waikato and Waipā Rivers;
- > Solutions proposed in the Stormwater Management Plan and the Catchment Management Plan (developed for the WDC comprehensive stormwater consent replacement applications) should be applied;
- > Mana whenua to work with the developer to designate where onsite water conveyance pathways and water service structures (abstraction / discharge) should be;
- > An archaeological report be commissioned by Mana whenua to determine what areas should be protected from development and the process for its recognition;
- > Mana whenua will apply appropriate protocols to be implemented e.g. discovery protocols; and
- > A full assessment of proposed activities against the objectives of Te Ture Whaimana is undertaken.

13. IMPLEMENTATION OF PLAN CHANGE

13.1 OVERVIEW

This evaluation report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of the proposed plan change. 'Scale' refers to the magnitude of effects, and 'significance' refers to the importance that the wider community places on those effects.

13.2 SCALE & SIGNIFICANCE - IMPLEMENTATION OF THE PLAN CHANGE

The following table outlines the criteria considered to determine the scale and significance of the effects that are anticipated from implementation of the proposed plan change. An ordinal scale has been used for this assessment.

Table 7: Scale and Significance of the Proposed Plan Change

Criteria	Assessment High / Medium / Low / NA
Number of people who will be affected	Low – largely those who neighbour the plan change site
Magnitude and nature of effects	Low – in relation to adverse effects High – in relation to positive effects
Immediacy of effects	Low
Geographic extent	Low
Degree of risk or uncertainty	Low
Stakeholder interest	Low – wider public High – immediate neighbours to the growth cell
Māori interest	Moderate (however, this needs to be confirmed by mana whenua and iwi)
Information and data is easily available	High
Information and data is easily quantified for assessment	High
Extent of change from status quo	Medium – development is brought forward by around 10 years



In this instance, the scale and significance of the adverse effects that are anticipated from the implementation of the proposed plan change are considered to be low for the following reasons:

- > The proposed plan change involves a discrete area (approximately 28 ha), in an area already identified as being suitable for future residential development, and therefore is of only localised interest to stakeholders;
- > The proposed plan change area is surrounded by wider residential uses and rural land uses. The railway line and roading network will provide the interface between the urban and rural areas;
- > The adverse effects of residential development can be appropriately managed through existing controls in the District Plan;
- > The proposed plan change and subsequent residential development facilitates significant restoration and enhancement of the natural inland wetlands onsite;
- > The NPS-UD has introduced additional requirements on WDC to ensure that, in respect of residential land, district plans must provide 'at least sufficient development capacity' over the short, medium and long term. The proposed plan change assists WDC in meeting these requirements;
- > The proposal is consistent with the Future Proof Sub-Regional Growth Strategy and the provisions of the Waikato RPS in respect of the built environment, urban growth and industrial land allocation; and
- > The proposal is consistent with the Waipa Community Spatial Plan, Ahu Ake insofar as the land is located within the 2050 town boundaries for Te Awamutu, and the plan change proposes to enable development of the land for future residential use and urban development.
- > The positive effects of the proposed plan change in providing development capacity outweigh the adverse effects.



14. CONCLUSION

This report presents an evaluation undertaken by Mitchell Daysh Limited on behalf of the applicant in accordance with section 32 of the RMA for the proposed plan change to amend the District Plan to rezone the T4 Growth Cell from Deferred Residential Zone to Medium Density Residential Zone.

This report outlines the process that was taken to identify the resource management issue, the objective of the plan change, the options available to achieve the objective, and an evaluation of those options. It then evaluates the preferred option in detail compared with the only realistic alternative approach. The report provides an assessment of the scale and significance of the effects anticipated from the plan change, concluding that any adverse effects are considered to be low while the positive effects resulting from the proposed plan change will be significant.

As such, it is considered appropriate for the rezoning of the T4 Growth Cell to occur in the manner proposed in this report.

