



HONEYCOMB DEVELOPMENTS LP

**PRIVATE PLAN CHANGE TO THE
WAIPĀ DISTRICT PLAN**

24 November 2025

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REPORT INFORMATION

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1. APPLICANT AND PROPERTY DETAILS

Table 1: Site Summary

Applicant	Honeycomb Developments LP
Site Address	4336 Ohaupo Road, RD4 Ohaupo 3883 13 Ryburn Road RD 3 Ohaupo 3883 7 Ryburn Road RD 3 Ohaupo 3883 5 Ryburn Road RD 3 Ohaupo 3883
Address for Service	Mitchell Daysh Limited Attention: Madi Lawry Email: Madison.Lawry@mitchelldaysh.co.nz Phone: 021 222 0065
Legal Description	Lot 1 DP 606747 Lot 2 DP 606747 Lot 2 DP 597425 Lot 3 DP 597425 The Records of Title are presented in Appendix A . A summary of the various instruments attached to each Record of Title (e.g. easements and covenants) is also presented in Appendix A .
Site Area	21.505 ha
District Plan	Waipā District Plan
District Plan Zoning	Rural Zone
Road Classification	State Highway 3 – Major Arterial Route Ryburn Road – Local Road
Utilities	No utilities are present within the land parcel.
Designations	None
Heritage Features	The site is not subject to any known heritage features.
Hazards	The site is not subject to any known hazards.



2. INTRODUCTION

This report makes and supports a request by Honeycomb Developments LP (“**Honeycomb**” or “**the Applicant**”) to Waipā District Council (“**WDC**”) for a Private Plan Change (“**PPC**”) to the Waipā District Plan (“**WDP**”).

This PPC seeks to rezone rural land on the southern side of Ōhaupō Township, to Large Lot Residential Zone to ensure that sufficient supply of residential land is available to the market for development. The subject site is as summarised in Table 1 above and covers four Records of Title located at 4336 Ōhaupō Road and 5, 7 & 13 Ryburn Road, Ōhaupō (the “**Site**”). The PPC will enable opportunities for growth within Ōhaupō that do not currently exist. Given the Site directly adjoins residential land to the north, the rezoning of the Site represents a logical addition to the existing settlement pattern. The current proposal is seen as a logical southern ‘bookend’ to the development of Ōhaupō.

Following this Introduction (Section 2) and a Description of the Site (Section 3), the proposed amendments to the WDP, including the introduction of a Structure Plan, are documented in Section 4 of this report. The full version of the Ōhaupō Structure Plan is presented in **Appendix B** which is proposed to become a new Appendix SXX¹ in the District Plan.

The consultation undertaken as part of the preparation of this PPC, and the results of that consultation, is summarised in Section 5.

An assessment of environmental effects is undertaken in Section 6. It has been undertaken with the benefit of various technical assessments presented as **Appendices C – J**.

An assessment of the PPC against relevant statutory considerations, including relevant policy and planning documents, is set out in Section 7.

An evaluation of the Proposed PPC in accordance with Section 32 of the RMA is discussed in Section 8 and presented in **Appendix K**.

Finally, an overall conclusion is presented in Section 9.

¹ WDC to confirm the number of the new Appendix

3. SITE DESCRIPTION

3.1 SITE LOCATION

The PPC relates to approximately 21.505 ha of land located in the southern end of Ōhaupō, south of Hamilton (refer **Figure 1**). The land is bound by Ryburn Road to the north, State Highway 3 to the east, farmland to the south and the North Island Main Trunk Railway Line to the west. A number of residential properties are north of the site as well as the small number of businesses that make up the Ōhaupō Township.

The Site is approximately 17 km from Hamilton and 10 km from Te Awamutu.

The Site consists largely of exotic pastoral paddocks with a few farm sheds and three dwellings developed at the northeastern corner of the Site. There is one stream that traverse the western boundary and four ponds within the Site. The Site contains a small number of scattered individual exotic trees and farm shelterbelt hedgerows.

Apart from the three dwellings at the north-eastern corner of the Site, the land is predominantly used for livestock grazing.

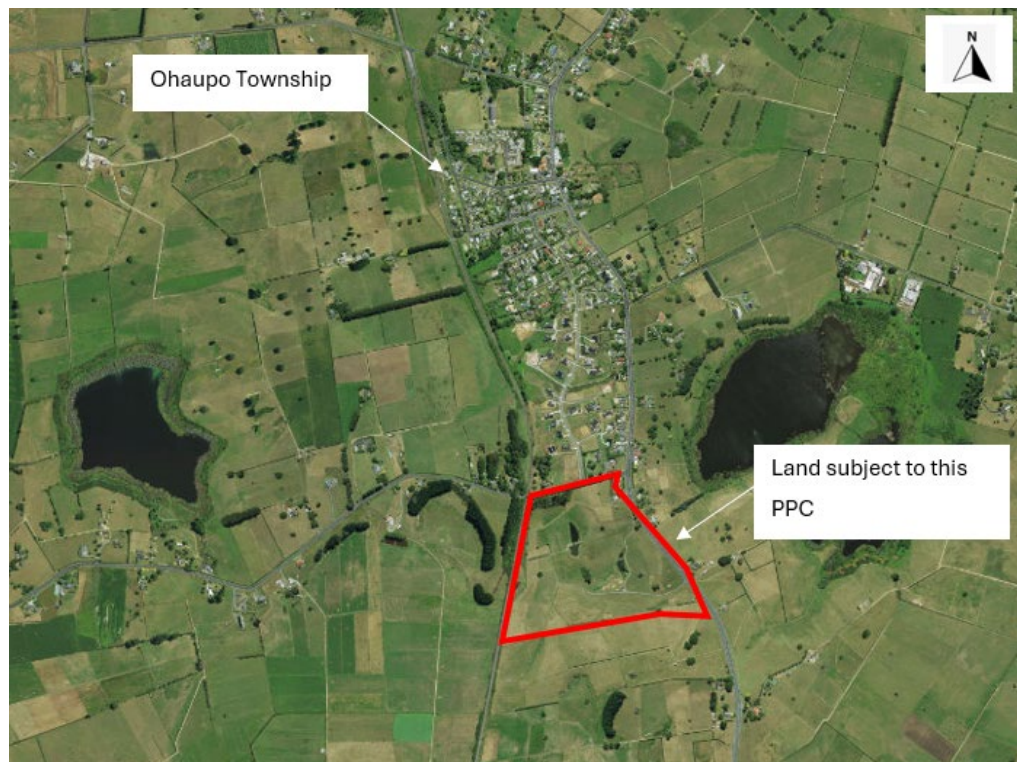


Figure 1: Aerial view showing the PPC parcel and surrounding area

3.2 EXISTING SERVICING

There are no formal stormwater disposal systems across the site. Nor are there public reticulated sewer mains or potable water supply lines within the site. There are, however, public reticulated water supply pipelines traversing the road network (Ryburn Road and State Highway 3) surrounding the site.

3.3 TRANSPORT NETWORK

The Site is bound by Ryburn Road (north) and State Highway 3 (east). The Site will be accessed off of Ryburn Road, and a new road will be constructed within the Site.

3.4 CURRENT ZONING, OVERLAYS AND CONTROLS

The Site is zoned “Rural Zone” under the WDP (as shown in **Figure 2** below). The Site is also subject to the State Highway 3 Scenic Corridor Landscape Overlay and is part of the Peat Lake Catchment Area Overlay. Surrounding the eastern and western boundaries of the Site are Designation D37 (State Highway 3) and D1 (North Island Main Trunk Railway Line).

The site does not contain any archaeological sites, heritage sites, known sites of significance to mana whenua and it is not identified as containing contaminated land.



Figure 2: Zoning and Overlays under the WDP

3.5 EXISTING NATURAL FEATURES

The natural features present on site are shown in **Figure 3**. One stream is present on the site and 15 drainage canals. There are also four ponds and three wetlands. The trees that can be seen in the northwestern corner of the site no longer exist.



Figure 3: Watercourse and ponds within the Site

The Ecological Report (**Appendix C**) summarises these features as follows:

Context: The predominant existing land use of the site is pastoral agriculture.

Vegetation: All original vegetation within the site has been removed, and vegetation present now consists of maize, exotic pasture, and exotic trees and scrub. There are no significant natural areas, no indigenous vegetation communities, and no threatened plant species at the site.

Birds: Eight (8) native and 15 exotic bird species typical of rural or peri-rural Hamilton were detected within the site. One (dabchick) is Threatened – Nationally Increasing but is known to be common within the Ōhaupō peat lake catchment area and this site does not support habitat suitable for its breeding; its presence on this site is likely to be occasional for foraging and resting.

Bats: While there are no records for bats at the site, long-tailed bats are recorded in the general area, including one record within 200 m of the site. ‘High-risk’ bat habitat in the form of eight solitary or grouped exotic trees exists at the site. While bats may on occasion use these, it is very unlikely that these trees are used for maternity nest sites or for long-term roost. There are standard protocols developed by DOC for the removal of potential bat roost trees such as this, and we recommend that these are followed if these trees are proposed to be removed.

Lizards: Lizard habitat quality at the site is poor. There is no habitat for arboreal geckos and low-to-no quality habitat for native skinks. No native lizards were observed during our site visits, and based on the low-quality skink habitat present and high level of disturbance to the site during its normal farm management it is unlikely that native skinks are present at site.

Wetlands: There is one (1) NPS-FM qualifying natural inland wetland within the site located at the top of one of the farm drainage canals. The wetland is dominated by exotic and weedy grasses and is of low ecological value. Several other similarly small and degraded potential wetlands may exist off the site over the southern boundary.

Streams: There is around 500 m of permanent stream within the site and 1,900 m of farm drainage canals. The permanent stream is typically degraded from straightening and excavation to increase flood flow capacity and has moderate ecological value.

Fish: Native longfin eel and shortfin eel were recorded within the surveyed area. Common smelt were detected using eDNA within the permanent stream upstream catchment. No black mudfish were detected.”

3.6 LAND USE CAPABILITY

As shown in **Figure 4**, the Site is comprised of Land Use Capability (“LUC”) mostly Class 4 and a small area of Class 2 in the south-western corner.

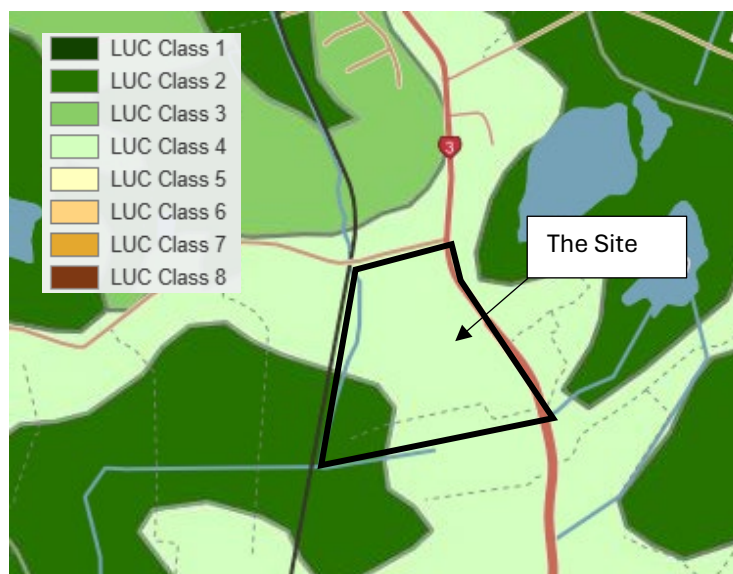


Figure 4: Land use capability map

3.7 CULTURAL VALUES

The Cultural Impact Assessment prepared by Te Hira Consultants Ltd (**Appendix D**) provides a historic account of the Site and wider environs. The assessment notes:

“Ōhaupō sits within a landscape of deep cultural, historical, and environmental significance. The area has long been connected to mana whenua through whakapapa, occupation, and use of the land, waterways, and surrounding resources. Its streams, wetlands, and peat lakes form part of a living cultural landscape, carrying stories, practices, and heritage that are valued by generations of Ngāti Hauā, Ngāti Korokī-Kahukura, and Waikato-Tainui.

Nearby taonga include Lake Rotomanuka, approximately 260 metres from the site, and a Significant Natural Area along the lake margins. These areas are important both ecologically and culturally, forming part of the wider wetland and peat lake system.

From a mana whenua perspective, the site is part of the broader cultural landscape of Ōhaupō and Waipā. Its ridgelines, terraces, waterways, and nearby peat lakes carry the history of connection, occupation, and use. Despite changes to the land, the whenua continues to retain its mauri—the life force of the land, waters, and remaining wetlands which remains significant for mana whenua.”

3.8 EXISTING ŌHAUPŌ GROWTH CELLS

There are three yet to be developed growth cells currently planned for within the Ōhaupō area (as shown in yellow outline on **Figure 5** below) over the next 35-years. The proposed site is not included within these growth cells, however it has become clear there is immediate demand for sections within the area, and as the owners of the three growth cells are not intending to undertake subdivision within the short-medium term, the Site subject to this application is proposed for subdivision and development in the short term (i.e. immediately following the approval of this PPC should the PPC be approved).

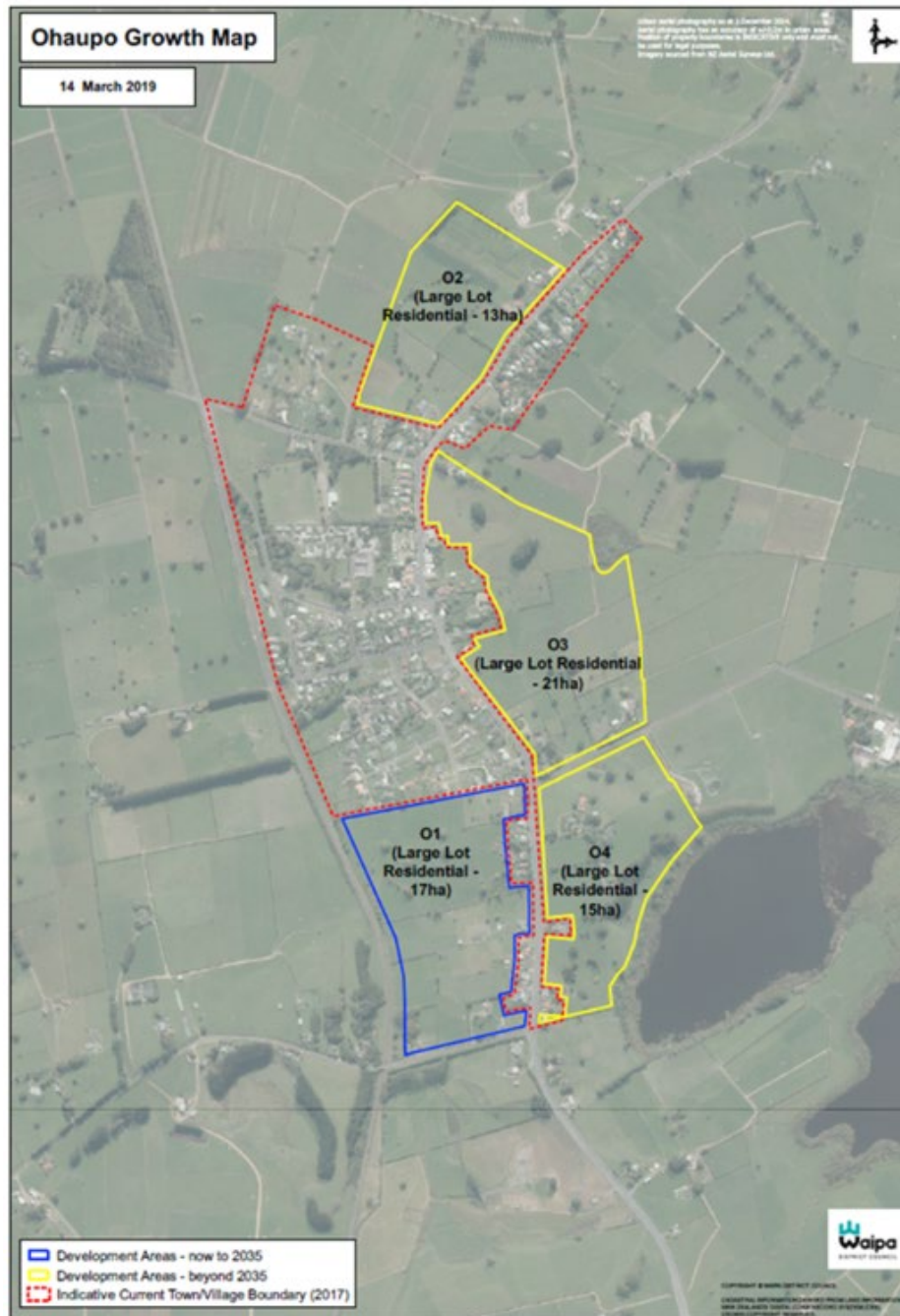


Figure 5: Existing Growth Cells

4. PROPOSED CHANGES TO THE WAIPĀ DISTRICT PLAN

4.1 PURPOSE AND REASON FOR THE PROPOSED PLAN CHNAGE

The purpose of the PPC is to rezone 21.505 ha of land at 4336 Ōhaupō Road, RD4 (Ōhaupō 3883) from Rural Zone to Large Lot Residential Zone to align with the zoning of the land to the north of the Site and the future zoning of the three yet to be developed growth cells surrounding the Ōhaupō Township. It is considered this will provide housing for the growing population within the township and surrounding area.

4.2 CHANGES TO THE WAIPĀ DISTRICT PLAN

To achieve its purpose (as described above), this PPC proposes to make changes to the following sections of the WDP:

- > Planning Maps (i.e., the change of zoning from Rural Zone to Large Lot Residential Zone and removal of the State Highway 3 Scenic Corridor Landscape Overlay); and
- > Appendix SXX – Ōhaupō South Structure Plan.

As there are no specific references to the land parcel within “Section 25 Landscapes and View Shafts” or “Appendix N9 - Description of Natural Landscapes and Cultural Landscapes” no changes to these sections are required. In addition to this, no additional or amended provisions are required within Section 3 – Large Lot Residential Zone to accommodate the PPC.

These proposed changes are discussed in the following sections.

4.3 PLANNING MAPS

Figure 6 below shows the current Planning Map in the WDP relating to the area. This proposal seeks to rezone the Rural Zone land to Large Lot Residential Zone. It also seeks to remove the State Highway 3 Scenic Corridor Landscape Overlay to the extent to which it relates to the Site. The new zoning as requested in the PPC is shown in **Figure 7 below**. **Figure 8** identifies an indicative concept plan (noting this is subject to refinement at the subdivision consent stage and this does not form part of the Structure Plan to be inserted into the WDP).



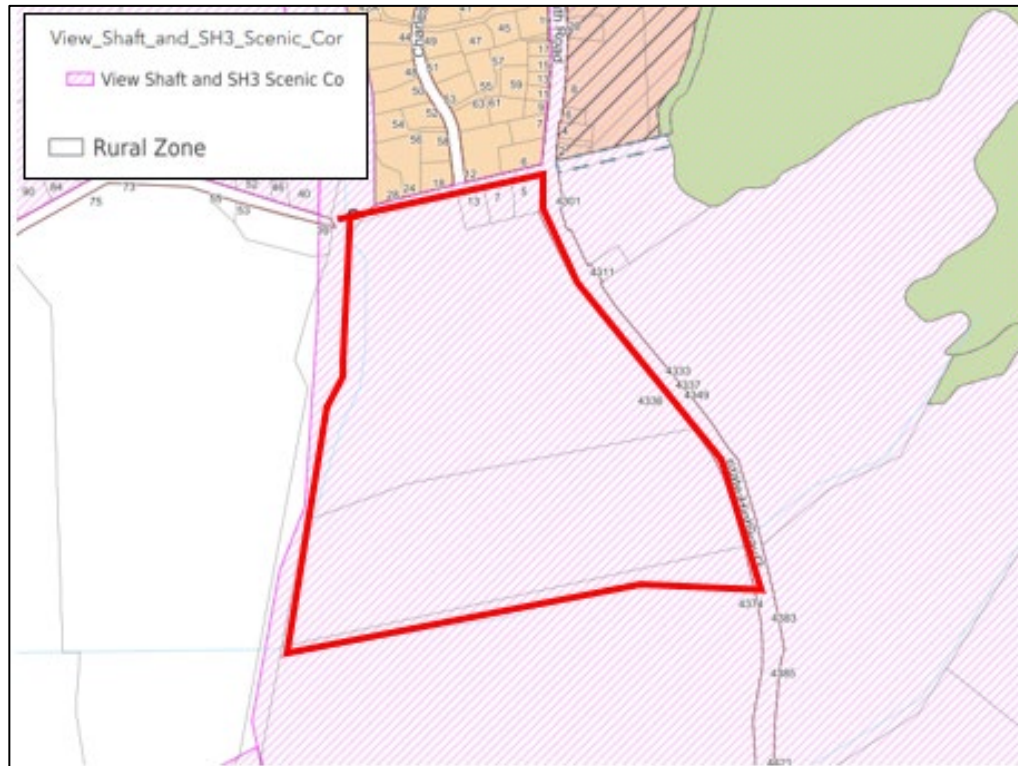


Figure 6: Existing Planning Map in the Waipa District Plan relating to the site and surrounding area

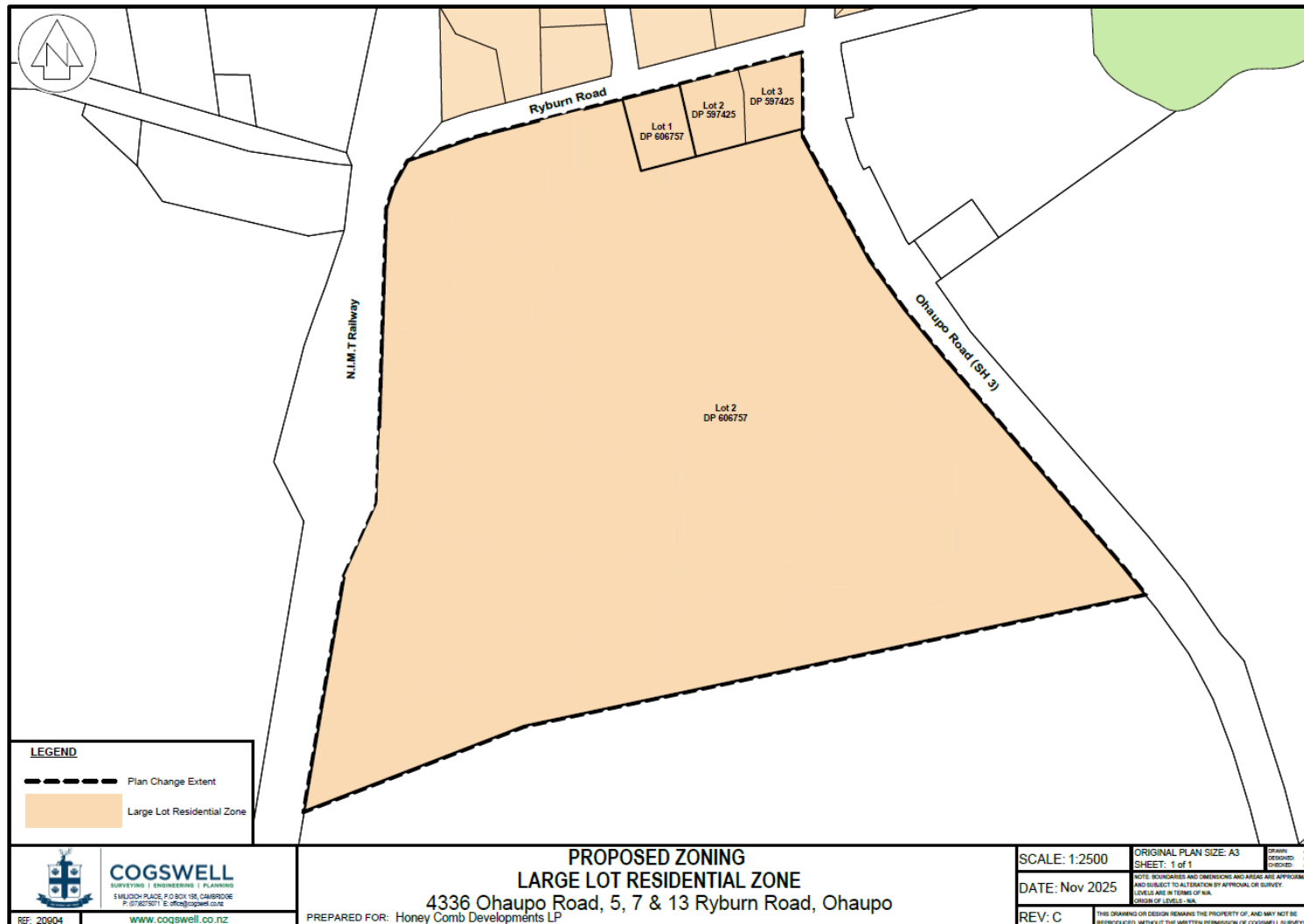


Figure 7: Proposed new zoning under the Waipa District Plan



Figure 8: Indicative Concept Plan

4.4 POLICY OVERLAYS

It is proposed under the PPC to remove the State Highway 3 Scenic Corridor Landscape Overlay. This change is shown on **Figure 7**, where the pink cross hatch is no longer present.

4.5 ŌHAUPŌ SOUTH STRUCTURE PLAN

It is proposed to introduce a new Structure Plan for the land that is subject to the Proposed Plan Change as a new Appendix SXX² to the WDP. It is called the “Ōhaupō South Structure Plan” and is presented in **Figure 9**.

They key elements of the Structure Plan are:

- > Land development area for large lot residential use;
- > Protection and enhancement of natural features and areas of ecological value;
- > The provision for three-waters servicing and treatment areas; and
- > Identification of a local road and the point of connectivity to the wider roading network.

These key elements are to be reflected in the Structure Plan as follows:

Transport and Access

- > The provision of a T-intersection connecting to Ryburn Road;
- > The extension of the footpath from within the site to be opposite the Charles Edwards Street intersection with dropped kerbs to integrate with the existing footpath on Charles Edwards Street; and
- > The removal of the existing vehicle crossings to SH3.

Stormwater

The provision for roadside soakage swales within the roadside catchments.

Wastewater

Wastewater is to be managed on-lot through private engineered wastewater disposal systems providing a secondary level of treatment.

² Waipa District Council to insert appendix number

Water Supply

To be provided through either trickle fed through the public main or from rainwater harvesting.

Ecology

- > A 10 m wide buffer around Wetland 1;
- > The retaining of the overland flow path / stream (on the western boundary) with a 5 m wide buffer area for riparian planting;
- > The maintaining of the two large ponds on the site;

Landscape

- > The earthworks for the building platforms being kept to a minimum. With the building platform being cut to sit the building down 'in' the landscape, rather than 'on' the landscape. The cut and fill slopes are to be carefully shaped to blend the building sites into the surrounding natural landform, avoiding artificial bumps and banks.
- > The earthworks required to form access ways to the building sites are to be kept to a minimum. With any cut and fill faces being hydro-seeded or planted, to ensure that earthworks scars are vegetated to integrate with the adjacent land cover.
- > Along the SH3 boundary, single-story buildings are to be a maximum building height of 5 m and fencing and hedge planting limited to a height of 1.2 m along road frontage (in accordance with the WDP standards).

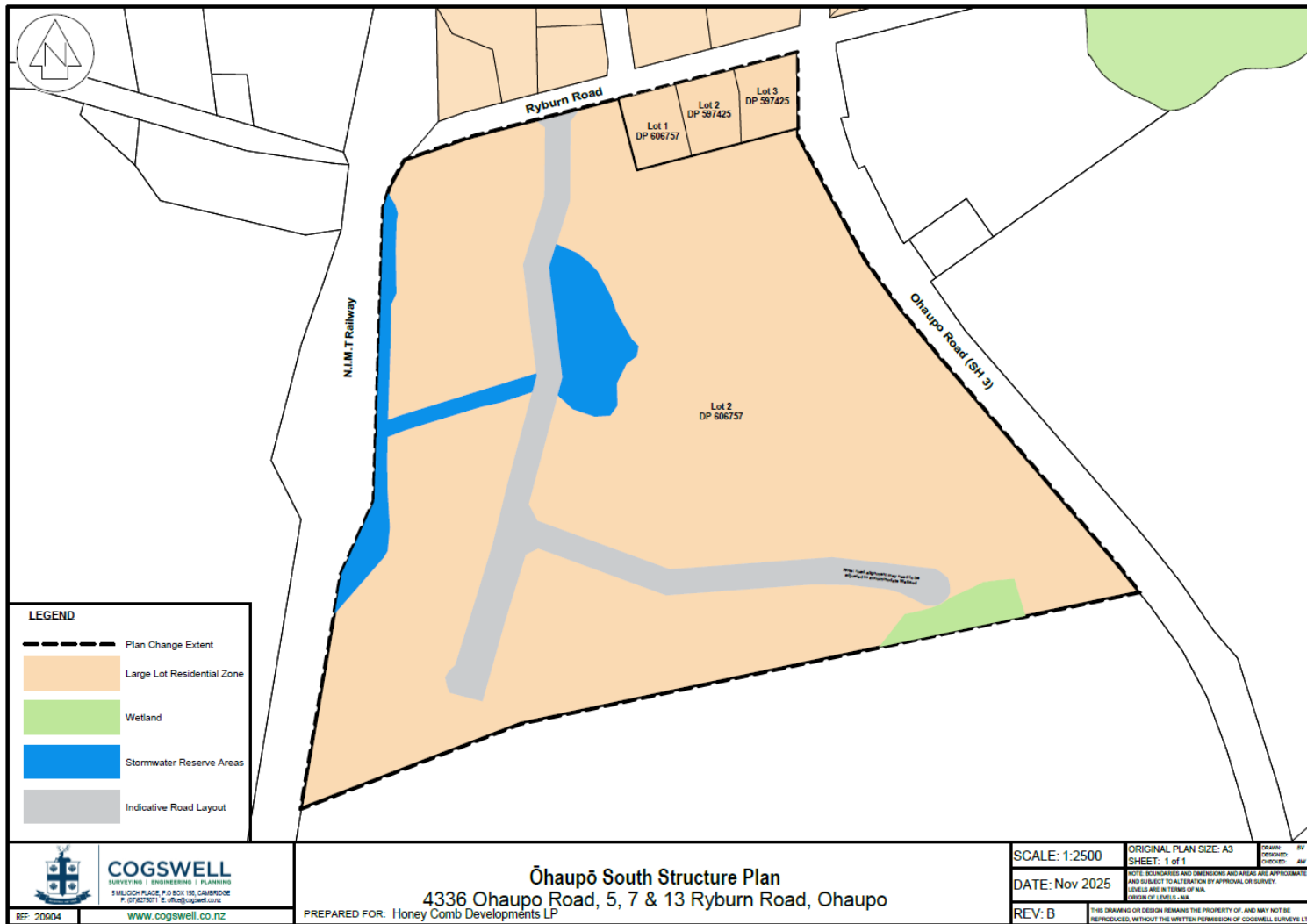


Figure 9: Ōhaupō South Structure Plan



4.6 OTHER CONSENTS AND AUTHORISATIONS

Additional authorisations will be required to realise the full development potential of the plan change area should the PPC be approved. These consents will be obtained prior to any development being undertaken and will or may include:

- > Subdivision consent (which will address the specific servicing requirements of the subsequent development);
- > Consent(s) authorising land disturbance, from both Waipā District Council and the Waikato Regional Council;
- > Discharge permit from the Waikato Regional Council, authorising the discharge of stormwater generated from the development to the environment;
- > Resource consent under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 to undertake various activities within, and adjacent to, the natural inland wetlands onsite.

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

5. CONSULTATION

The following describes the consultation that has been undertaken as part of the preparation of the PPC and the results of that consultation.

5.1 WAIPĀ DISTRICT COUNCIL

Several meetings have been held with WDC prior to the preparation of this PPC to discuss the proposal. The key outcome of these meetings was the need for Honeycomb to engage with the principal landowners of the identified growth cells, the landowners who surround the PCC area, KiwiRail, NZTA and mana whenua. It was also requested a geotechnical assessment (to include flooding), and a CIA were undertaken.

As discussed further in the sections below, the engagement requirements have been undertaken. Following confirmation there was no intention from the landowners of the growth cells to develop in the medium to long-term, WDC representatives confirmed their support for this PPC to proceed.

5.2 MANA WHENUA

The engagement with mana whenua was led by Norm Hill of Te Hira Consultants Ltd, and included engagement with Waikato-Tainui, Ngāti Korokī-Kahukura, Ngāti Hauā and Ngā Iwi Tōpū o Waipā (“**NITOW**”). This engagement culminated in the Cultural Impact Assessment contained in **Appendix D**, which sets out the cultural protocols that need to be undertaken and matters to be addressed should the PPC be endorsed by mana whenua. The Applicant has accepted these recommendations and as such mana whenua have endorsed the PPC.

5.3 KIWIRAIL

Engagement with KiwiRail has been in process since July 2025. This engagement has included two meetings with KiwiRail representatives to discuss the PPC, the providing of the technical reports for review and feedback and the opportunity for KiwiRail to provide comments on the proposal or to circulate draft conditions (for inclusion within the subsequent subdivision consent). Initial feedback from KiwiRail was supportive of the Plan Change processes, with further feedback to be provided in relation to the overlandflow path traversing the Site. Unfortunately, no comments have been received and as such, KiwiRail has been informed of the intention to lodge the PPC with the understanding that any feedback they have during the processing of the PPC or at subdivision stage is welcome.

5.4 NZTA

Engagement with NZTA has been undertaken for the PCC. This has resulted in a letter of support from NZTA, subject to the closing of the existing vehicle entrance onto SH3 and

confirmation of this to NZTA, which the Applicant has accepted and will carry through as a condition of consent for the subdivision. The Letter of Support is attached as **Appendix E**.

5.5 AKU AKE

Honeycomb, engaged with Aku Ake through a submission on the Draft Aku Ake Waipā Community Spatial Plan 2024 (“**Ahu Ake**”). The submission sought for Aku Ake to not exclude merit worthy development proposals (such as this) proposed in advance of being reflected within Aku Ake and that the Site is included within the Ōhaupō section of Aku Ake.

The points of submission were not ultimately accepted however it is not considered this inhibits the PPC from being considered on its merits.

5.6 FUTURE PROOF

Engagement was also undertaken with Future Proof seeking the inclusion of the Site within the Future Proof Strategy for large lot residential development. In discussion with Future Proof, it was determined plan changes such as those seeking out of sequence / unanticipated development should be undertaken through the private plan change process where a more detailed analysis can be undertaken. This PPC pursues that approach.

5.7 SURROUNDING LANDOWNERS

As requested by WDC, Honeycomb has undertaken engagement with the surrounding landowners to the south of the Site and the owners of land that make up the three growth cells. The landowner to the south of the Site did not want their land included within this PPC and the landowners of the growth cells confirmed, for various reasons, they do not have the intention of rezoning or undertaking residential subdivision and development within the medium term.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 INTRODUCTION

This section provides an assessment of the environmental effects of this PPC. Clause 22(2) of the RMA First Schedule requires that:

“where environmental effects are anticipated, requests to change a plan shall describe those effects in such detail as corresponds with the scale and significance of the actual or potential effects arising from the implementation of the proposed plan change.”

The relevant actual and/or potential effects are considered to be:

- > Positive effects;
- > Landscape, visual amenity and character effects;
- > Ecological effects;
- > Archaeological effects;
- > Three Waters effects;
- > Transport effects;
- > Geotechnical and Natural Hazards;
- > Reverse Sensitivity; and
- > Cultural considerations.

As noted previously, a number of technical assessments have been commissioned to inform this AEE. These technical assessments are referenced, as appropriate, in Sections 6.2 to 6.10 below and are presented in full as **Appendices C to I**.

6.2 POSITIVE EFFECTS

The PPC will have positive effects on the Ōhaupō Township and wider Waipā District through the provision of residential land, located directly adjacent to the urban area of Ōhaupō.

From a strategic planning level, it is noted that the National Policy Statement for Urban Development outlines the requirements for local authorities to provide sufficient development capacity within its district to meet the expected demand for housing. 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 sufficient development capacity.

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) and particularly in Ōhaupō where there is current no land supply for residential development;
- > 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 PPC area to ensure a development outcome on the Site which is coordinated with infrastructure provision and the existing urban area, is contained by well-defined edges in SH3 and the main trunk railway line, 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 PCC Area, namely, the opportunity to restore and enhance the two remaining ponds and stream on site which are currently highly modified. The ecological effects of the proposed plan change are discussed in more detail later in this section.

6.3 LANDSCAPE, VISUAL AMENITY AND CHARACTER EFFECTS

It is acknowledged that the residential development that the PPC will enable, represents a change to the site, especially for the properties that back on to the plan change area (Ryburn Road and Charles Edwards Street). While many of these properties back onto the plan change area (i.e. it is located to the south of those properties) it is noted they are largely screened from the Site by the existing vegetation and through the undulating nature of the area.

The most notable landscape effect will be the removal of the SH3 Scenic Corridor Overlay from the Site. As outlined in the WDP, this viewshaft:

“provides prominent and memorable views to the outstanding landscape features, the volcanic cones and the significant views to the peat lakes, and these views are vulnerable to the effects of development.”

Boffa Miskell, have undertaken an assessment of the Landscape and Visual Effects (**Appendix F**) associated with the proposal, with particular emphasis on the removal of the viewshaft. The findings of this assessment are presented verbatim below:

“The site is zoned Rural and is located within the Scenic Corridor (Hamilton to Te Awamutu) Special Landscape Character Area under the WDP.

The guidelines for this Special Landscape Character Area seek to maintain views to outstanding landscape features—such as volcanic cones and peat lakes—and protect the rural character of the surrounding landscape. The development of the site will not obstruct these key views as experienced from the elevated ridge of SH3. Accordingly, removal of the Scenic Corridor overlay from the site, as proposed through this PPC, is considered appropriate.

The proposal involves the rezoning of land to allow for large lot residential development along with associated road infrastructure. The majority of the building platforms are located on the flatter parts of the site, with only three of the six platforms situated on the upper slopes within the Scenic Corridor area along SH3.

The site is well positioned to accommodate built form. The proposed plan change enables residential development in a manner that preserves the site's landscape qualities and responds to the surrounding context. While the site does not contain features of significant ecological or cultural value (such as Significant Natural Areas or notable trees), the proposed layout reflects the site's topography and includes open space areas that connect with existing stormwater features, including the pond.

From the local context, viewers will perceive a change in character—from rural to rural-residential. In the short term, this will introduce new visual elements and built forms into the landscape. However, the proposed development is designed to integrate with the existing and planned residential development on the southern edge of Ōhaupō. Based on this assessment, the PPC will have a less than minor effect on the landscape and visual amenity of the surrounding areas and it is considered appropriate to remove the SH3 Scenic Corridor Overlay.

Based on this assessment, it is considered the effects of the PPC on landscape and visual amenity will be less than minor.

6.4 ECOLOGICAL EFFECTS

An Ecological Assessment has been undertaken by RMA Ecology (**Appendix C**) in support of the PPC. The assessment was undertaken to ensure the Structure Plan can be implemented, should the Plan Change be approved, given the presence of natural features within the Site. The assessment identified the Ecological Values set out above in Section 3.5 of this report.

The assessment found that the adverse effects associated with the development on ecology will be less than minor with the implementation of the following measures:

- > *“Either avoid removal of the 8 x large potential bat roost trees, or apply the DOC tree clearance protocols to ensure that no bats are injured or otherwise harmed during the removal of these trees. We understand that removal of these trees is a permitted activity under the existing District Plan rules.*
- > *Works within Wetland 1 and a 10 m wide buffer to wetland 1 should be avoided. This will require the existing concept cul-de-sac turning head and Lot layout to be*



realigned. The wetland is utterly degraded; however, it could serve as part of a stormwater management system for the site. Buffer planting of the wetland would increase its ecology values, although this wetland will never become a locally or regionally important wetland for wildlife or native vegetation communities because of its very small size, disconnected hydrology through historic farming, and disconnect to other wetland areas.

- > *Stream 1 should be conserved on its current path, and a minimum 5 m wide riparian margin planting added to provide shade, shelter and organic inputs into the stream for native fish and instream macroinvertebrates.*
- > *Of the four ponds, the two largest are proposed to be preserved under the concept subdivision layout. These larger of the ponds are also the areas where dabchick were recorded. Enhancement of these two large ponds with margin planting to provide potential nesting habitat, and buffer planting to provide visual screening from future housing and people use would benefit the ecological values of these ponds.”*

These measures have been accepted by the applicant and will be reflected as part of the subdivision application. As such that ecological effects can be considered to be appropriately mitigated.

6.5 ARCHAEOLOGICAL EFFECTS

There are no known or mapped archaeological sites identified as being present at the site. To mitigate any potential risk, any work to develop the subsequent subdivision will be undertaken in accordance with an Accidental Discovery Protocol, which will be offered as a condition of subdivision consent. Based on this, it considered the effect of the PPC on archaeological matters is negligible.

6.6 THREE WATERS

A Three Waters Assessment has been undertaken by Te Miro Water in relation to this PPC. The full report is presented in **Appendix G**. Further detail on the assessment of each of the three-waters is outlined below however in summary the Three Waters Assessment concludes:

“Overall, the site is suitable for large lot rural residential development from a 3 waters viewpoint. The site area and lot sizes meet the minimum size requirements to enable private services for water supply, wastewater and stormwater. For example, there are a range of council approved engineered wastewater systems with secondary treatment with disposal fields adjusted for site specific infiltration rates that are overall suitable for lots of this size.

Likewise, water supply can be achieved via on-lot rainwater harvesting and overflow to on-lot soakage pits or dispersed via flow splitters still within each lot boundary, or alternately the council trickle supply to each household to ‘top up’ rain tanks.



Stormwater from internal road networks present the key contaminant of concern. Runoff will be treated and conveyed via grass or planted swale network and disposed via soakage to ground. Building footprints will need to be safeguarded from existing flood ponding areas in low lying areas and existing overland paths protected or modified safely in accordance with Waikato RITS, NZ4404 and NZBC E1.

Site specific soakage testing is recommended at resource consent stage to confirm final swale sizing and final lot layout and road configuration to confirm final overland flow path provisions and easements if required.”

6.6.1 Stormwater

In relation to stormwater management, the Three Waters Report concludes that a stormwater management system can be developed that provides for site drainage, flood protections and other stormwater management requirements, in a manner that will appropriately avoid or mitigate any adverse effects. The following key points were noted:

- > *“Roadside swale networks will provide treatment, soakage and conveyance for the internal roads to pass through the development.*
- > *Retention for up to the 10-year ARI event is provided for across the development – within roadside soakage swales from the road catchments and via on lot tanks in private properties (which require their own water supply and wastewater servicing).*
- > *The existing receiving environments remain unchanged for overland flow – eventually through to the Waikato River.*
- > *The soakage approach reinforces the intention to recharge existing river terrace water tables and remove frequent runoff volumes from exiting the site. This approach is best practice and aligned to the RITS stormwater hierarchy which promotes on-lot tanks and disposal to soakage.*
- > *The overall solution therefore aligns with Te Ture Whaimana through returning rainfall to ground ‘at source’ and via filtration swales thereby mimicking the natural flow path regime. In this way direct pipe outlets to the Waikato River are avoided.”*

In summary, the assessment demonstrates that there are feasible options to service and satisfy the stormwater requirements of the PPC site, noting these would be subject to refinement in the resource consent and future design process.

6.6.2 Wastewater Reticulation

In relation to wastewater, the Three Waters Assessment has determined that wastewater will be managed by on-lot private engineered wastewater disposal systems that provide a secondary level of treatment, as is normal practice within semi-rural large lot residential

areas. To protect the existing ponds and wetlands, setbacks from the wastewater disposal systems will be required.

Based on this assessment, it is considered the effects of wastewater treatment and discharge to the wider environment will be less than minor. Further assessment of any effects of wastewater discharge on the environment will also be undertaken as part of any future consents required from Waikato Regional Council.

6.6.3 Water Supply

In relation to water supply, the Three Waters Assessment has considered various options/approaches to providing water services to the site. These are described as follows:

- > *“An adequate water supply of water will be supplied to each lots as per the WDC requirements for residential supply, and including firefighting as stated in the district plan.*
- > *Accessible to firefighting equipment; and*
- > *Between 6 and 90 metres from the building; and*
- > *On the same site as the building in the case of a rainwater tank or swimming pool; and*
- > *Either stores 45,000 litres; or provides at least 25 litres per second for 30 minutes*
- > *For the purposes of this rule, supplies that meet these requirements either on their own or in combination, may include rainwater tanks, ponds, dams, rivers, swimming pools or any other water supply.”*

In summary, the assessment demonstrates that there are feasible options to service and satisfy the water requirements of the Site to support the PPC, noting these would be subject to refinement in the resource consent and future design process.

6.7 TRANSPORTATION EFFECTS

CKL have undertaken an Integrated Transport Assessment (“ITA” – refer **Appendix H**) associated with the PPC. The assessment considers access to the site, effects on the surrounding road network and the relevant WDP standards. The assessment concludes:

“This Broad ITA has been prepared to assess the effects of the proposed Plan Change re-zoning from Rural to Large Lot Residential Zone. To support the Plan Change, a new intersection is proposed on Ryburn Road which is a give-way T-intersection. The Plan Change is considered to align with the overarching transportation policies and can integrate with the surrounding environment.

The proposed re-zoning of the subject site is expected to enable residential activities, similar to the developments directly north of the site. The modelling undertaken and further SIDRA analysis has identified that the performance of the SH3 / Ryburn Road



intersection remains broadly unchanged with future residential development. The cross-section of the expected local road through the spine of the subject site complies with the minimum road reserve width identified within the District Plan. A footpath on one side of the road has been included within the cross-section which is similar to that of the surrounding roads.

Based on this assessment, the following features are recommended to support the proposed Plan Change:

- > *Shift the existing 50/80 speed limit signs to be west of the future intersection.*
- > *Trim the vegetation on the western side of the railway to be no higher than the bridge abutments.*
- > *Extend footpath from within the site to be opposite the Charles Edwards Street intersection with dropped kerbs to integrate with the existing footpath on Charles Edwards Street.*
- > *Remove existing vehicle crossings to SH3.*

With the above recommendations in place, the Plan Change area is unlikely to have a significant adverse effect on the safety or function of the transport network”.

The Applicant has accepted the recommendations of the ITA and as such based on this assessment, the effects of the PPC on the surrounding road network will be less than minor.

6.8 GEOTECHNICAL AND NATURAL HAZARDS

CMW Geosciences has undertaken a geotechnical investigation of the Site in support of the PPC, attached as **Appendix I**. The investigation confirms the Site is geotechnically suitable for the proposed residential zoning as outlined below:

We consider that the site is suitable for the proposed level of development subject to our geohazard assessment and geotechnical recommendations summarised as follows:

- > *Slope stability analyses for the hills is recommended at detailed design stage to demonstrate compliance with the project design criteria.*
- > *Preliminary estimates of static settlements for widespread floor loads of 10 to 42kPa are calculated to range from 5mm to 50mm (primary, over 6 months) and an additional 0 to 10mm (secondary, over design life of 50 years) for a floor size of 50m². The majority of the settlement appears to be occurring within 1m of the ground surface.*
- > *The ULS liquefaction risk for this site is minor (<45mm predicted vertical settlement) based on the liquefaction analysis results, without an ageing factor applied. Typically, shallow foundation types are considered feasible, subject to further assessment.*
- > *A preliminary geotechnical ultimate bearing pressure of 300 kPa should be available for foundations in most areas. However reduced bearing pressures may*



be required in the low lying areas where slightly lower shear strength/ density soils are exposed near finished levels. Improvement of near surface soil bearing capacity could be achieved with conventional compaction equipment.

The CMW Geotechnical assessment does not identify any reasons that would preclude residential subdivision and development over the Site on geotechnical or natural hazard grounds. It is noted that any future subdivision and building consent applications will need to address geotechnical matters, which is where these recommendations will be captured and implemented.

6.9 REVERSE SENSITIVITY

Reverse sensitivity effects could arise as a result of the PPC, with particular regard to the road and rail networks and surrounding rural land parcels. To mitigate the risk on the road networks, engagement has been undertaken with NZTA and KiwiRail (refer Section 5). Based on this engagement, no reverse sensitivity effects have been raised. With regard to the surrounding rural land parcels, the location of the site being adjacent to existing residential areas, layout of the development, and compliance with existing rules in the Waipā District Plan, will manage and minimise the potential for reverse sensitivity.

6.10 CULTURAL VALUES ASSESSMENT

Te Hira Consultants has prepared a Cultural Impact Assessment (**Appendix D**) which provides an assessment of the potential cultural impacts of subsequent development that will be enabled should the PPC be approved. This report provides recommendations for future engagement with mana whenua by the Applicant and WDC. These recommendations include:

- > Improving the ecological function of waterbodies, farm drains and wetlands where possible;
- > The use of locally sourced native plants;
- > The management of stormwater runoff, to allow for the soakage and detention of stormwater;
- > The works being undertaken in accordance with an Archaeological Discovery Protocol; and
- > The provision of a partnership approach with mana whenua.

The Applicant confirms acceptance of the recommendations and as such no negative cultural effects are anticipated.

7. STATUTORY CONSIDERATIONS

7.1 INTRODUCTION

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.

WDC shall also have regard to any proposed regional policy statement, proposed regional plan, and management plans and strategies prepared under other acts, together with any relevant planning document recognised by an iwi authority lodged with the territorial authority.

Section 75(3) of the RMA requires that a district plan must give effect to:

- > Any national policy statement;
- > Any New Zealand coastal policy statement;
- > A national planning standard; and
- > Any regional policy statement.

The following statutory planning documents are therefore considered relevant to PPC and are assessed accordingly below:

- > 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 2022 (“NPS-HPL”);
- > National Policy Statement for Freshwater Management 2020 (“NPS-FM”);
- > National Policy Statement for Indigenous Biodiversity 2023 (“NPS-IB”);
- > Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (“NES-FW”);
- > Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“NES-CS”);
- > Waikato Regional Policy Statement (“RPS”);
- > Waipā District Plan;
- > Tai Tumu, Tai Pari, Tai Ao - Waikato-Tainui Environmental Plan; and

- > Te Rautaki Tāmata Ao Turoa o Hauā - Ngāti Hauā Environmental Management Plan.

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

- > Future Proof Strategy; and
- > Waipā 2050 District Growth Strategy.

The following sections provide an analysis of the PPC against the relevant statutory documents listed above.

7.2 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 the Vision and Strategy for the Waikato River (the “**Vision and Strategy**”) into the Waikato Regional Policy Statement.

The Vision and Strategy prevails over any inconsistent provisions in a National Policy Statement or the New Zealand Coastal Policy Statement.

The Vision and Strategy 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 Ngaruawahia. This area includes Cambridge and the C10 Industrial Growth Cell.

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:

- 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 of 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 PPC 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 wastewater and stormwater treatment). The discharge associated with the onsite wastewater servicing will be less than that resulting from existing farming activities which will have a positive impact on waterways;
- > Enhancement of the riparian buffer surrounding the identified wetland areas, ponds and onsite stream;
- > Areas of moderate ecological significance being managed to ensure the ecological values are retained and enhanced, 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 Structure Plan and associated proposed plan change. In particular, the 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.

7.3 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.



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 PPC Area to commence in the short term, rather than the long term which we understand is the existing Ōhaupō Growth Cells timeframe.

- > 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 the PPC Area as proposed, will result in:

- > The future development being ‘plan enabled’;
- > The plan change and structure plan (and supporting technical assessments) enable the council to identify funding for development infrastructure. Therefore, the proposed plan change enables the PPC Area to be ‘infrastructure ready’;
- > As set out in the Te Miro Water Three Waters Assessment it is feasible to develop the PPC area for large lot residential purposes based on on-site infrastructure; 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 they are supportive of the PPC, subject to engagement with surrounding landowners and the owners of the land subject to growth cell identification, which has been undertaken (refer Section 5.4).

The proposed plan change will assist in the implementation of the NPS-UD by providing necessary residential land in the Ōhaupō area (addressing the current lack of land supply), which will provide large lot residential housing choice and capacity.

7.4 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND 2020

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).

The rezoning of highly productive land is to be avoided except where provided for by the NPS-HPL (**Policy 5**).

The land within the site is classified as mostly LUC 4 and with a small area of LUC 2 (see **Figure 4** above). The latter is therefore identified as “Highly Productive Land” under the NPS-HPL. **Clause 3.6** of the NPS-HPL sets out the matters Waipā District Council, as a Tier 1 territorial authority, must consider when rezoning highly productive land.

In this regard, it is noted that:

- > There is no land currently available for development within the Ōhaupō area;
- > The identified growth cells will not be developed within a timely manner to provide residential growth opportunities within Ōhaupō;
- > The Site predominantly consists of LUC 4 land which has “Significant limitations for arable use or cultivation, very limited crop types, suitable for occasional cropping, pastoralism, tree crops and forestry³” making it largely unsuitable for rural production purposes. As such there is greater social, economic and cultural benefit in rezoning it for residential development. Further to this, such benefits would outweigh the benefits of excluding the small area of LUC 2 land and retaining it in land based primary production (when in reality it would only be a small rural residential lifestyle block); and
- > With regard to the LUC 2 land, it is noted that the wider district has approximately 77,443 ha of land identified as Highly Productive Land. This indicates that the district has extensive rural productive and that can contribute to its primary production both currently and in the future. On this basis, the loss of Highly Productive Land associated with the PPC is negligible (0.027%) and will not have a detrimental impact on the total level of the district’s primary production. The LUC2 part of the Site is too small for any economic rural production activities to occur and, if excluded from the PPC, would only be used as a small rural residential lifestyle block.

The Proposed Plan Change is therefore considered to be consistent with the requirements of Clause 3.6 of the NPS-HPL and can be rezoned from Rural Zone to Large Lot Residential Zone.

7.5 NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT 2020

The NPS-FM came into effect in September 2020, with latest amendments in January 2024. 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*

³ Our Environment: LUC Class 4 Definition

- (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 (together with the National Environmental Standards for Freshwater 2020 (“**NES-F**”) has been considered in preparation of the PPC in that investigation has been undertaken to understand the site and associated ecological values and to understand how best these can be managed appropriately.

The proposed Structure Plan has been developed in order to ensure freshwater is managed in an integrated way that gives effect to Te Mana o te Wai (**Policies 1 and 3**). The natural features are protected from infilling and diversion of water, and their enhancement is promoted with opportunity to undertake native restoration planting. These measures ensure that there is no further loss of natural inland wetlands (**Policy 6**), or loss of stream extent or values (**Policy 7**), and the habitats of indigenous freshwater species are protected (**Policy 9**).

Consideration has also been given to stormwater management to ensure appropriate water quality treatment and flood mitigation to ensure the health and well-being of receiving water bodies and freshwater ecosystems is maintained (**Policies 3 and 5**). The Three Waters Report confirms that such outcomes will be able to be achieved through the detailed subdivision design.

It is therefore considered that the PPC gives effect to the objective and relevant policies of the NPS-FM. It is also noted that resource consent would be required from the Waikato Regional Council for stormwater discharges from the future subdivision and should any future activities not permitted by the NES-F be proposed within 10 m of the identified natural features.

7.6 NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY 2023

The NPS-IB came into force in August 2023 and provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally.

The overarching objective of the NPS-IB 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.

An Ecological Assessment (**Appendix C**) was commissioned to inform the development of the PPC and the Structure Plan. In accordance with the findings and recommendations of that report, indigenous biodiversity within the PPC area can be maintained and enhanced in a manner consistent with the NPS-IB policies, as follows:

- > Indigenous vegetation is to be retained and planted setbacks around the wetlands and other natural features are proposed to improve resilience to the effects climate change and to provide for the restoration of indigenous biodiversity in an urban environment (**Policies 4, 13 and 14**);
- > No Significant Natural Areas were identified (**Policies 6 and 7**); and
- > The PPC contributes to New Zealand’s social, economic, cultural and environmental well-being (**Policy 10**).

Accordingly, the Proposed Plan Change gives effect to the NPS-IB objective to maintain indigenous biodiversity across New Zealand.

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

The NES-F came into effect in September 2020. The NES-F regulates activities that pose risks to the health of freshwater and freshwater ecosystems in New Zealand. Of relevance to the PPC, the NES-F 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 PPC Area, 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 PPC Area, they have been considered and provided guidance for the development of the PPC.

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.*

This PPC seeks the rezoning of the Site from Rural Zone to Large Lot Residential. Therefore, if approved, the land would be identified for urban development in the District Plan and the zoning would not be rural. Accordingly, at the time of subdivision resource consent will be able to be sought for urban development in proximity to the wetland as a restricted discretionary activity under Regulation 45C.

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 PPC Area 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 PPC and Structure Plan were developed to ensure that there is a viable solution to enabling development alongside the waterbodies within the subject site, and to ensure that the identified wetland and a 10m buffer area can remain undisturbed by development.

7.8 RESOURCE MANAGEMENT (NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH) REGULATIONS 2011

The Contaminated 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 Contaminated Soil NES provides guidance for remediation or containment of contaminants to make the land safe for human use.

The purpose of the Contaminated 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.

This 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 PPC Area, 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. Given the pastoral and cropping land uses on the property, it is not anticipated that there will be any significant contamination that could not be practicably mitigated or remediated to make the land safe for residential use.

7.9 THE 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.*

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, outstanding landscapes, significant habitats, and the relationship of Māori with land and natural resources. 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 PPC 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 relevance.

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 does not impact the biodiversity of the site.

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)). Engagement has been undertaken with mana whenua as outlined in Section 5 and with the implementation of the recommendations outlined within the CIA, the PPC will not impact on the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

Section 6 also requires regional councils and territorial authorities to recognise and provide for the management of significant risks from natural hazards. Investigations into geotechnical matters have taken place (refer to **Appendix I**), with further considerations to take place (as part of the subdivision consent process) as any development within the PPC Area progresses. The geotechnical assessment has not identified any significant natural hazards risks within the PPC area. The Te Miro Water Report identifies that the southwestern portion of the Site is within an identified 100-year flood hazard area and sets out how that flood hazard will be mitigated by future subdivision and housing development.

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 PPC will address each matter):

(a) kaitiakitanga:

Consultation has been undertaken through Te Hira Consultants and has resulted in the preparation of the CIA that enables mana whenua to express how kaitiakitanga with regard to the PPC. The outcome of this CIA was mana whenua support for the PPC.

(b) the efficient use and development of natural and physical resources:

The proposed plan change promotes the sustainable management of the land resource, including through sustainable stormwater infrastructure, protection of the natural inland wetland and water bodies, and through efficient and coordinated development in providing residential land supply;

(ba) the efficiency of the end use of energy:

The proposed plan change will not have a negative impact on the efficient end use of energy;

(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 Ōhaupō character, and the freshwater bodies onsite. It is considered that development within the PPC Area 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 PPC Area 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.

(d) intrinsic values of ecosystems:

The proposed plan change promotes development of sustainable stormwater systems, retention and protection of the natural inland wetland and freshwater bodies, and publicly accessible reserves aimed, in part, at maintaining (and where possible enhancing) ecosystems.

(e) 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.

(i) the effects of climate change:

Through sustainable urban form and infrastructure planning, the proposed plan change will ensure that the land and future housing is not at risk from flooding.

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 PPC does not contravene the principles of the Treaty of Waitangi. Supporting this is the engagement undertaken with mana whenua and the CIA which has



provided mana whenua the opportunity to review the technical information, assess the proposal and provide recommendations for the PPC. It is considered that the engagement and preparation of the CIA has taken into account 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 the 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 PPC documentation.

7.10 WAIKATO REGIONAL POLICY STATEMENT: TE TAUĀKĪ KAUPAPAHERE TE-ROHE O WAIKATO

7.10.1 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 request 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 PPC are presented as follows, along with an analysis of the proposed activities in relation to those objectives and policies.

7.10.2 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 PPC, 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.⁴

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

The PPC has been developed with input from a range of technical specialists, ensuring that an integrated approach has been adopted for the proposed management of resources.⁵

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 PPC, and the supporting technical documents have assessed potential cumulative effects. Due to the specific / unique characteristics of the site, the avoidance of wetlands and stream habitat aligns with Objective IM-O3's embracement of flexible solutions that cater to local variations.

⁴ RPS – Objective IM-O3 Clauses 1, 3, and 8.

⁵ RPS – Policies IM-P1 and IM-P2.

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 7.2 of this report, the proposed plan change is consistent with the requirements of 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 Structure Plan is not considered to exacerbate climate change and will contribute positively to a reduction in climate change effects through the provision of servicing. The Structure Plan will enable specific provision to be made for avoiding flood effects inclusive of climate change, through the detailed subdivision design as set out in the Te Miro Water Report.

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 has been provided for through the engagement undertaken and the agreement to the recommendations of the CIA (refer Section 5). It is considered that this engagement has provided for the relationship of tangata whenua and the environment.⁶

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 PPC supports an efficient use and development of land for residential purposes and is unlikely to result in the generation of resource waste.

7.10.3 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.

⁶ RPS – Policy IM-P3.



The avoidance of wetlands and waterbodies will positively contribute to the underlying intentions of Objective LF-O1 and safeguarding the values of the freshwater bodies. The undertaking of future riparian planting along the pond edges, to be detailed in the subdivision consent applications, will positively contribute to the enhancement of the freshwater values of the onsite streams. The proposed avoidance of the identified natural inland wetland area, and a 10m buffer surrounding it, will beneficially influence the region's significant value of wetlands.⁷

The proposed new Large Lot Residential Zone within the PPC Area will support the social, economic, and cultural wellbeing of the people of Ōhaupō while expanding their residential living options.

In accordance with Objective LF-O3, the avoidance of wetland areas will ensure that the amenity values of the wetland will be maintained and / or enhanced with regard to water quality, indigenous biodiversity, natural hazard risk reduction, cultural values, riparian habitat, and wetland quality and extent.⁸ Further detail of the maintenance and enhancement measures will be provided with any necessary future resource consent applications associated with subdivision and development.

Objective LF-O4 seeks to manage the region's soil resource to safeguard its life supporting capacity. While the proposed advancement in the change of land use to residential will result in the soil resource no longer being utilised for purposes associated with its life supporting capacity, including its existing agricultural use, on balance the benefits from the additional residential land supply are considered sufficient to justify the change in land use.

7.10.4 Urban Form and Development

Objective UFD-O1 and its supporting policies⁹ 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 PPC 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 Structure Plan. This design seeks to provide an optimal low density residential environment which will beneficially provide for future residents and visitors. 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 (including

⁷ RPS – Policy LF-P2.

⁸ RPS – Policy FL-P3.

⁹ RPS – Policies UFD-P1, UFD-P2, and UFD-P12.

a safe connection to the road network, and three waters infrastructure that is respectful of onsite ecological features), and development that is in character with and respectful of surrounding land uses.

The proposed land use change will assist with increasing the housing supply in the Waipā District and expanding the existing well-functioning urban environment of Ōhaupō.

The RPS seeks urban development is sustainable, with transportation and energy demand reduced, and waste production minimised.¹⁰ The integration / implementation of best practice measures has been sought throughout the development of the Structure Plan, albeit in a low-density residential context. 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 PPC Area. Sustainable design initiatives that will contribute to the Structure Plan include:

- > The provision 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 Ōhaupō Area is identified as a Village Enablement Area, with WDC anticipating further residential development. As the PPC is seeking to rezone land that has not been identified for urban development in accordance with Future Proof it is considered to be unanticipated development.

The strategy does provide for unanticipated development when certain criteria can be met. The proposed plan change's consistency with the principles of the Waikato RPS's 'unanticipated' urban development criteria is detailed in Table 2 below. The assessment provided in Table 2 confirms that the residential use and urban development of the PCC Area which would be provided for by the proposed plan change would be 'significant' in the

¹⁰ RPS – Policy UFD-P4.



context of the Waikato RPS's unanticipated development criteria (and therefore the proposed use of the land for residential purposes is acceptable).

Table 2: Assessment of the Proposed Plan Change Against the Unanticipated Development Criteria in the Waikato RPS PC1 (Decisions Version) Appendix 13

Criteria	Assessment of Proposed Plan Change
Criteria A	
A. That the development would add significantly to meeting a demonstrated need or shortfall for housing and business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring.	Under the NPS-UD, WDC have an obligation to provide land for development within the District. Currently there is no land available for residential subdivision development within Ōhaupō and it is understood the existing growth cells to the east and north of the township have a long-term (30 year) timeframe for development. As such it is considered the development would add significantly to meeting the short-fall of short and medium term residential land supply within Ōhaupō.
B. That the development contributes to a well-functioning urban environment. Proposals are considered to contribute to a well-functioning environment, if they:	The PPC will enable urban development that will positively contribute to the supply of land for residential use in the Waipā District by providing for future development on the Site that provides for housing options consistent with the needs of the community, with onsite wastewater servicing. The PPC will therefore provide this option of housing for those wishing to reside in a semi-rural location, in contributing to the range of housing choices available in the wider district.
> Have or enable a variety of homes that: meet the needs, in terms of type, price, and location, of different households: and/or enable Māori to express their cultural traditions and norms; and/or have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and	In respect of cultural traditions and norms, a CIA has been prepared as part of the plan change process to provide a better understanding of relevant cultural values. The implementation of the recommendations in the CIA will provide further opportunities for mana whenua to exercise kaitiakitanga as part of the development.
> Support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.	As no development is currently proposed within Ōhaupō, it is considered that this development will be of benefit to the competitive operation of land and development markets as it will ensure that sufficient supply of residential land is available to the market.



Criteria	Assessment of Proposed Plan Change
C. That the development is consistent with the Future Proof Strategy guiding principles, and growth management directives.	The PPC will not offend any of the applicable Future Proof Strategy guiding principles and growth management directions, which include: > Principle 2.6 -As the PPC area directly adjoins the existing residential area, it is not considered to create unnecessary sprawl; > Principle 2.9 – The PPC will provide access to housing within the Ōhaupō Township that is not currently provided for; > Principle 3.3 - Te Ture Wahimana o Te Awa o Waikato has been given effect to; > Principles 5.1-5.4 have been given effect to through the engagement with tangata whenua; > Directive 9.1: Highly Productive Land is protected for its productive potential including food production in recognition of the sub-region’s role in domestic food security and exports. > Directive 9.2: Rural residential development on highly productive land is limited to existing areas zones for rural lifestyle. > Directive 9.6: Avoid further development and subdivision at and around the Hamilton urban periphery that adversely affects the use of land for rural purposes, and cumulatively results in a change in character from rural to low-density urban, which can prejudice future desired growth directions and alignment with the Future Proof settlement pattern. There is however tension between the Future Proof directives, as although the PPC is unanticipated development, which is provided for within Future Proof the directives are not supportive of unanticipated development, which makes consistency with the directives impossible to be completely consistent with. With this in mind we consider it important to weight this criteria against the other criteria



Criteria	Assessment of Proposed Plan Change
	matters, such as supplying housing in short-fall, supporting development where it contributes to well-functioning urban environments and the other criteria matters discussed further below - where the criteria can be achieved and allows for unanticipated development.
D. 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.	The PPC provides connectiveness from the development to the wider road network allowing residents to safely access the wider community. The reserve area will also provide access to open and natural spaces for future residents.
E. In cases where development is being brought forward, whether it can be demonstrated that there is commitment to and capacity available for delivering the development within the advanced timeframe.	N/A -While not being development brought forward, there is commitment from the developer to deliver the development within a short-term/medium-term (3 - 10 year) timeframe.
F. In cases where the development is proposing to replace a planned land use with an unanticipated land use, 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.	The PPC is unanticipated land use, but it will contribute to the increase in housing supply within Ōhaupō and the wider Waipā District.
G. That the development protects and provides for human health.	The future development will not compromise human health. The land has not been previously used for activities likely to cause soil contamination and the proposed green spaces will contribute to the social well-being of future residents.
H. That the development would contribute to the affordable housing stock within the sub-region, with robust data and evidence underpinning this.	As no land is currently available for development within Ōhaupō, and the development will allow for large lot residential housing options, it is considered the development will contribute to affordable housing stock.
I. That the development does not compromise the efficiency, affordability or benefits of existing and / or proposed infrastructure in the sub-region.	The future development will not compromise existing or proposed infrastructure in the sub-region. As described in the Three Waters Report, provision of three waters infrastructure can largely be provided by on-site means and will not



Criteria	Assessment of Proposed Plan Change
	result in a cost burden for infrastructure investment by local authorities.
J. That the development can be serviced without undermining committed infrastructure investments made by local authorities or central government (including Waka Kotahi NZ Transport 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.	The future development will not compromise existing or proposed infrastructure in the sub-region. As described in the Three Waters Report, provision of three waters infrastructure will be by onsite means and will not require additional infrastructure investment by local authorities. The transportation assessment demonstrates that the PPC area can be safely connected to the existing road network from a single point of connection to Ryburn Road.
K. 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.	The PPC will support value capture for Waipā District Council through the vesting of infrastructure to Waipā District Council at the completion of the development works.
L. The compatibility of any proposed land use with adjacent land uses including planned land uses.	The proposal is compatible with the adjacent land uses which are similarly large lot residential to the north. Farmland to the east will be buffered by the SH3 corridor, while farmland to the west will be buffered by the stream corridor and the railway line. There will be a rural interface to the south, but as outlined in Section 5 there is not anticipated to be an effect to the surrounding rural land uses. It is also noted that under standard 3.4.2.2 of the District Plan a 10m setback from the southern Site boundary with the Rural Zone will be required for future habitable buildings.
M. That the development would contribute to mode-shift that supports the medium and long-term transport vision for the sub-region being the creation of a rapid and frequent multi-modal transport network and active mode network.	The Structure Plan will not inhibit the medium or long-term transport vision. It will also facilitate transport around the PCC Area and wider road network supporting any future transport infrastructure development. Currently there is no multi-modal transport or dedicated active mode network for the PPC area to connect to, however the proposed rezoning and development does



Criteria	Assessment of Proposed Plan Change
	not preclude such connections occurring if they become available.
N. 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.	There are opportunities to reduce greenhouse gas emissions through measures such as orientating buildings to maximise solar access, however the provision of solar panels will be up to individual landowners. The PPC will also enable development which is resilient to the effects of climate change with consideration having been given to matters including stormwater management provisions and avoiding flood risk.
O. That development avoids areas identified as wāhi toitū on Map 44.	the The Ōhaupō Area as a whole is identified as a wāhi toitū area. Technical assessments and a CIA have been undertaken with consideration of the wāhi toitū and determined the Site is suitable for the PPC and subsequent development.
P. During a review of the Future Proof strategy (including the development of a Future Development Strategy under the National Policy Statement on Urban Development 2020 and its subsequent 3-yearly review), or a comprehensive district plan review, consideration may be given to urban development on areas identified as wāhi toitū. 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-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 wāhi toitū.	As above.
Q. 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-medium term it should not be considered for urban development.	As above.
Criteria B	



Criteria	Assessment of Proposed Plan Change
A. That the development demonstrates that it would not affect the feasibility, affordability and deliverability of planned growth within urban enablement areas and/or village enablement areas over the short (0-3 years), medium (0-10 years) and long-term (0-30 years). In the interest of clarity proposals in areas currently identified for development in 30+years and which are proposed to be brought forward into an earlier timeframe (scenario 1A) must demonstrate that they do not affect the feasibility, affordability and deliverability of planned growth in the earlier time periods.	The development of the Site facilitated by the rezoning is not considered to impact the ability of the growth cells to the east of Ōhaupō to develop within the future. As there is currently no land being developed within Ōhaupō it is considered there is a short-fall which needs to be addressed. In addition to this, Honeycomb is committed to providing the development within the short-medium term where it is understood the growth cells are looking to develop within the long-term.
B. That the development demonstrates that value capture can be implemented and that cost neutrality for public finance can be achieved.	The PPC will support value capture for Waipā District Council through the developer funded establishment of roading infrastructure, and the subsequential vesting of infrastructure to Waipā District Council at the completion of the development works.
C. That the proposed development would not adversely affect the function and vitality of existing rural settlements and/or urban areas.	As a logical expansion to the existing large lot residential area the PPC will not compromise the feasibility, affordability or deliverability of the existing Ōhaupō settlement.
D. That the development would address an identified housing type/tenure/price point need.	The PPC will enable future development at the southern extent of Ōhaupō in providing large lot residential land supply.



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. While it is noted there is some tension with meeting the Future Proof directives, it is considered that heavier weighting should be given to the criteria which allow for unanticipated development, which the proposal is consistent with, as the Future Proof directives are circular in nature and as written would not allow for unanticipated development (something that is clearly provided for as part of Future Proof) .

7.11 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 (aside from zoning map amendments and a new structure plan) 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 PPC would enable / provide for is consistent with the operative District Plan.

It is also noted that the existing District Plan objectives and policies will also still apply to the subsequent development of the PPC Area.

7.11.1 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

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



urban activities are focused within the urban limits of the towns of the district, and within residential zones.¹²

The proposed plan change would support these consolidated settlement provisions, enabling the undertaking of residential activities located adjacent to the existing settlement of Ōhaupō and in providing a logical extension of that settlement.

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 1.3.2.3 seeks to maintain the natural and physical resource of the rural area and character by undertaking large lot residential development in large lot residential zones and by providing new retail activities and commercial services within Ōhaupō to provide for these communities. The rezoning of the land to large lot residential is therefore considered to be in general accordance with this provision insofar as it provides a logical extension to the existing settlement. Additionally, although no commercial activities are proposed as part of the plan change, the provision of land will not inhibit the development of further commercial activities within Ōhaupō and will be complimentary to the establishment of such activities by providing additional population to increase viability.

It is sought that development is co-ordinated with the provision of infrastructure (including electricity and telecommunications utility services and the transport network) to ensure increased infrastructure demand can be appropriately managed.¹⁴ As noted above, the construction of roading infrastructure will be developer lead and will not be carried by the ratepayer. In addition to this, 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.

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.¹⁵ As discussed, the areas of wetlands and other waterbodies will be maintained where appropriate and enhanced with planting and fencing (to be implemented

¹² District Plan – Policy 1.3.1.2.

¹³ District Plan – Objective 1.3.2.

¹⁴ District Plan – Policy 1.3.3.7.

¹⁵ District Plan – Objective 1.3.5.

upon subdivision). This will also maintain the indigenous biodiversity of the Site.¹⁶ The PPC and undertaking of development in accordance with the Structure Plan and via the subdivision design process 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.¹⁷

7.11.2 Large Lot Residential Zone

It is not considered the objectives and policies of the Large Lot Residential Zone are applicable at this stage of the proposal but will of course be relevant once the land has been rezoned. The relevant objectives and policies will be assessed in detail as part of the subdivision consenting. There is however a particular Policy regarding the character of Ōhaupō, which is set out as follows:

3.3.3.2 For Ōhaupo, to maintain and enhance character by:

- a. Focusing large lot residential development on the slopes heading down from the ridgeline of the State Highway into the rural peat land plains; and*
- b. Maintaining low density residential development, around a commercial service area; and*
- c. Enhancing the visual and recreational connections to Lake Rotomanuka through pedestrian and cycle routes; and*
- d. Enhancing the connectivity of the community through developing transport links where practicable, and safe cycle and pedestrian links to the school.*

The PPC area is fully consistent with (a) above in sloping down from SH3 to the rural peat land plains. It will also maintain low-density residential development in an area accessible to the commercial service area of Ōhaupō in achieving consistency with (b).

The PPC area is located to the southwest of Lake Rotomanuka and is physically separated by SH3. In achieving consistency with (c) above, it will not block any visual connections to the Lake from the existing settlement and the proposed internal road connection to Ryburn Road will provide future residents with access to the existing pathway on Charles Edwards Street and any future connections from there. Similarly in regard to (d) the proposed internal roading network will deliver safe cycle and pedestrian connections to Ryburn Road and Charles Edwards Street from which to access the school.

¹⁶ District Plan – Policy 1.3.5.1(a).

¹⁷ District Plan – Policy 1.3.5.1(e).



The above assessment demonstrates that consistency can be achieved with the character sought by the District Plan for the Large Lot Residential Zone in Ōhaupō.

7.11.3 Indigenous Biodiversity

The maintenance and enhancement of the existing level of biodiversity is sought within the Waipā District.¹⁸

In relation to existing biodiversity, as has already been discussed in this report, indigenous biodiversity will be maintained through the avoidance of wetland and stream areas by the proposed urban development and enhancement of the most significant freshwater areas and margins through the proposed reserve development.

7.11.4 Water Bodies

The District Plan seeks to manage activities adjacent to water bodies to avoid, and where possible enhance natural character and water quality.¹⁹ The design of the Structure Plan ensures activities located adjacent to the most significant freshwater bodies are appropriately distanced from them via the proposed reserve, to avoid potential impacts on their natural character and water quality.²⁰ Of note, public access to / in close proximity to the stream and ponds will be provided for and encouraged by the Structure Plan. Future planting of vegetation around the streams, ponds and wetland areas will enhance the natural character of these water bodies.²¹

7.11.5 Infrastructure, Hazards, Development and Subdivision

The PPC has been developed with input from various technical experts to ensure it can appropriately integrate with the existing infrastructure and environment of Ōhaupō, while creating an environment which supports sustainable communities and the enhancement of character and amenity.²² This multi-faceted approach has ensured that a robust understanding of the constraints and opportunities of the PCC Area have been obtained, and that appropriate consideration has been given to the sustainable design and energy efficiency principles of the District Plan.²³ The Structure Plan reflects the natural landforms (where appropriate) and processes of the site (particularly in relation to the onsite streams

¹⁸ District Plan – Objective 24.3.1.

¹⁹ District Plan – Objectives 26.3.1 and 20.3.1.

²⁰ District Plan – Policy 26.3.1.1, 26.3.1.2, 26.3.1.5, 26.3.1.7, and 20.3.1.1.

²¹ District Plan – Policy 26.3.1.6.

²² District Plan – Objective 15.3.1.

²³ District Plan – Policies 15.3.1.1, 15.3.1.2 and 15.3.1.3.



and ponds) and has sought to minimise alterations to landforms and ecosystems as far as practicable. 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 proposed structure plan which promotes the connection of the PPC Area to the existing Ōhaupō settlement.

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 PPC Area for its zoned future residential development and use²⁴. It is also noted that the change of land use is not anticipated to exacerbate climate change effects as demonstrated by the Te Miro Water Report, and upon detailed subdivision design (inclusive of flood level information) the PPC Area can be adequately serviced for stormwater and overland flow to mitigate flood risk.²⁵

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. Further to this the existing Large Lot Residential Zone setback standards ensure there will be a 10m buffer from habitable buildings to the Rural Zone boundary.²⁶ 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.²⁷

The developer will ensure that any future development within the PPC Area will be efficiently serviced and in a cost-effective manner.²⁸ The preliminary servicing provisions which have been considered when determining how residential activities will be provided for in the PPC Area, are detailed in the technical assessments appended to this AEE.²⁹ Of note, these provisions include reserve area, roading, and three waters provisions (independent of Council reticulated services).

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

²⁴ District Plan – Policy 15.3.2.2.

²⁵ District Plan – Policy 15.3.2.3.

²⁶ District Plan – Policies 15.3.2.4, 15.3.4.11, and 16.3.5.1.

²⁷ District Plan – Policy 16.3.3.1.

²⁸ District Plan – Objective 15.3.3.

²⁹ District Plan – Policy 15.3.3.1.



Biodiversity and Water Bodies provisions which have been assessed earlier in 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 7.2 of this report and has not been repeated here.

The establishment of any works and utilities that are required within the PPC Area will support the economic and social wellbeing of residents and / or users of the area.³⁰ 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.³¹

7.11.6 Summary

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

It is noted that the subsequent development of the PPC 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 subdivision consents and resource consents that will likely be required from WDC and/or WRC to enable future development.

7.12 WAIPĀ 2050 GROWTH STRATEGY

Waipa 2050 was updated in 2017 and provides direction for growth in the Waipā District. The document seeks to ensure that there is a comprehensive land use planning growth framework in place for a well-planned urban and rural environments. In Waipa 2050 it is anticipated an additional 190 dwellings will be required for the growing population within Ōhaupō. It has been anticipated the growth will occur within the existing growth cells between 2017 and 2050. While it is acknowledged growth may occur in these areas, there is currently no development proposed and as such there is a current shortfall of land supply

³⁰ District Plan – Objective 17.3.1.

³¹ District Plan – Objective 17.3.2, and Policies 17.3.1.1, 17.3.2.1, and 17.3.2.3.



within the area. The rezoning and then development of this land parcel will provide an additional 40+ dwellings in an accessible location to the Ōhaupō community.

7.13 FUTURE PROOF STRATEGY

The 2024 Future Proof Strategy is a 30-year growth management and implementation plan specific to the Waikato sub-region. 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. The Future Development Strategy also gives effect to the regulatory and policy requirements of the NPS-UD.

It is noted that Proposed Change 1 to the Waikato RPS seeks to implement the direction of the latest Future Proof Strategy, and as such the requirements of the Future Proof Strategy have been assessed within Section 7.10 and not repeated here.

7.14 TAI TUMU, TAI PARI, TAI AO – WAIKATO TAINUI ENVIRONMENTAL MANAGEMENT PLAN

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 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 been discussed, there are significant opportunities for restoration and enhancement of the waterbodies within the PPC Area which is consistent with the direction with this section of the plan.

Historical Items, Prized and Significant Sites

The applicant is familiar with the plan's approach to site management protocols (Objective 16.3.1). This Proposed Plan Change, in itself, does not permit any land disturbance activities, such activities will be considered at the consenting stage should the PPC 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 development, including an assessment of the natural hazard risk. Further to this the Te Miro Three Waters Assessment has had regard to flooding risk. It has been confirmed that the area can accommodate the proposed land use. Further geotechnical assessments and best-practice stormwater management to ensure stormwater and flooding effects are avoided will be confirmed through the subsequent consenting processes, noting that any subdivision must be able to satisfy section 106 of the RMA before it can be approved.

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, noting future development will incorporate best practice stormwater management to avoid adverse stormwater effects on receiving waterbodies. Planned setbacks are proposed around waterbodies and other natural features.

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 outlined throughout this report, the wetland areas within the Site will be avoided and fenced off to avoid disturbance, this will protect the values of the wetlands and maintain their use for cultural values.

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 Structure Plan has been maintaining the existing location and extent of the ecological features as far as practicable and providing for the enhancement of those features and their values. Enhancement would be achieved through the undertaking of restorative and enhancement riparian planting the details of which will be addressed in the subdivision consent process.

The collaborative development of the 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 and visitors to the area.

In respect of cultural considerations, Te Hira Consultants has provided an assessment of cultural effects, which includes a suite of recommendations to be implemented as the PPC and subsequent development is progressed. In that respect, engagement with mana whenua and iwi will be ongoing as the project progresses.

Conclusion

The Proposed Plan Change is considered to be consistent with the outcomes sought to be achieved by Tai Tumu Tai Pari Tai Ao.

7.15 TE RAUTAKI TĀMATA AO TUROA O HAUĀ — NGĀTI HAUĀ ENVIRONMENTAL MANAGEMENT PLAN

Te Raukati Tāmata Ao Turoa O Hauā (Ngāti Hauā Environmental Management Plan) was developed in 2018 and is described as an expression of Ngāti Hauā’s values, frustrations, aspirations and position statements in relation to te taiao.

The provisions of Te Raukati Tāmata Ao Turoa O Hauā have been reviewed and assessed to determine the extent to which the PPC is consistent with the direction set by iwi. However, it is acknowledged that only Ngāti Hauā can determine from a Ngāti Hauā 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 Te Raukati Tāmata Ao Turoa O Hauā are considered to be most relevant to the Proposed Plan Change.

Sustainable land use and development (Section 9)

Section 9 observes that past and current actions and decisions have had a significant impact on Ngāti Hauā connection to, and health of their lands, waters and people. The extent of forests, wetlands and shrublands within Ngāti Hauā's rohe have been drastically reduced. Pastoral farming, exotic forestry, industrial and urban development are now the main productive land uses. The Plan seeks a more integrated and holistic approach to sustainable land use, one that provides for population growth without compromising the life supporting capacity of the environment.

The Plan advocates for land use within Ngāti Hauā's rohe that matches the capability of the land. The Plan also encourages the revegetation of erodible land, the restoration and enhancement of riparian margins and the reduction of agricultural runoff.

The proposal presents the opportunity for restoration and enhancement of riparian margins wetlands within the PPC Area, consistent with the direction with this section of the plan.

Te Wai Māori (Section 11)

Ngāti Hauā's relationship with their waterways is described as lying at the heart of their physical, spiritual and cultural well-being, with the health and well-being of freshwater resources being inherently connected to the health of the whenua and community. Water users are encouraged to take a holistic approach by considering and providing for the range of values that iwi and the community hold for a water body.

The objectives of Te Wai Māori chapter include the restoration and protection of the mauri of the freshwater (Objective 11.2) as achieved through greater collaboration to ensure a holistic and integrated management approach (Policy 11A) and avoiding further degradation of water quality (Policy 11C).

The future development enabled by this PPC will incorporate best practice stormwater management to avoid adverse stormwater effects on receiving waterbodies.

Nga Repo (Section 12)

The loss and fragmentation of wetlands within Ngāti Hauā's rohe is recognised in section 12. Objective 12.2 looks to protect, restore and enhance the mauri of all wetlands, and this is supported by Policy 12B1 that advocates for an increase in the extent of wetlands including in gullies.

The future development enabled by this PPC presents opportunities to maintain and enhance the natural features of the site, including natural wetland features.

Cultural Heritage (Section 15)

Ngāti Hauā acknowledges the loss of their cultural heritage that has arisen from previous land use and development, resulting in the disconnection of whānau from traditional sites and places. Objective 15.2 seeks the identification, protection and where possible enhancement of Ngāti Hauā's sites and areas of cultural significance, supported by Policy 15A that relates to the management of the effects of land disturbance activities.

This PPC has had regard to cultural heritage policies, noting that no waahi tapu or mapped heritage sites have been identified on the site.

8. SECTION 32 EVALUATION

An assessment under Section 32 of the RMA has been undertaken in support of this private plan change application. This assessment has demonstrated:

- > The objectives of the proposal are the most appropriate way to achieve the purpose of the Act;
- > The provisions of the PPC are the most appropriate way to achieve the relevant objectives and are preferred to alternative options;
- > The overall benefits of the proposal outweigh the costs on the community, the economy and the environment; and
- > The provisions are an efficient and effective way of achieving the objectives.

The Section 32 Evaluation Report is attached as **Appendix J**.

9. CONCLUSION

This report has been prepared to make and support the request from Honeycomb Development for a PPC to the WDP. This PPC seeks to rezone 21.505 ha of land from Rural Zone to Large Lot Residential Zone to supply residential land to the Ōhaupō market in the short-medium term.

The request to advance this PPC has been made in accordance with the requirements of Section 32, 74 and 75, and Schedule 1 of the RMA. The assessment has:

- > Demonstrated that the objectives of the PPC are the most appropriate way to give effect to the purpose of the RMA and the proposed provisions are the most appropriate way to achieve the objectives;
- > Demonstrated that the PPC will have positive environmental, social and economic effects and that any potential adverse effects can be managed through the proposed Structure Plan, District Plan provisions and subsequent resource consent applications; and
- > Found that the request will give effect to the relevant National Policy Statements, National Environmental Standards and the Waikato RPS.

Taking the above into account, it is considered that there is sufficient information for WDC to accept, advance and approve this PPC.

