

Waikato District Plan

Proposed Plan Change 20 Lakeside Developments Limited Private Plan Change

S42A

Planning Report on Submissions and Further Submissions

March 2018



Waikato District Council
15 Galileo Street
Private Bag 544
Ngaruawahia 3742

Notice of Hearing
Waikato District Council

NOTICE is hereby given that a hearing will be held at the St Andrews Church Hall, 11 Scott Road, Te Kauwhata on 12th and 13th March 2018 and may continue on 15th March 2018 to complete the Hearing. The purpose of the Hearing is to hear submissions and further submissions on **Private Plan Change 20 Lakeside Developments**.

This notice is given under section 46 of the Local Government Official Information and Meetings Act 1987.

GJ Ion
CHIEF EXECUTIVE

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Attachment 1: Rail crossing Safety Assessment Review

Attachment 2: Submissions 10 and 23 comments - Lakeside

Attachment 3: List of submitters

Attachment 4: Recommendations

I Introduction

This report is prepared in accordance with section 42A of the Resource Management Act 1991 (RMA).

2 Summary of Plan Change

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| Waikato District Plan | Waikato Section of Waikato District Plan |
| Status of Document | Operative 5 th April 2013 |
| Name of Plan Change | Plan Change 20 - Lakeside Development Limited Private Plan Change |
| Date of notification | 22 nd September 2017 |
| Number of submissions received | 34 (including one late submission) |
| Date summary of submissions notified | 1 st December 2017 |
| Number of further submissions received | 3 |
| Main issues emerging from submissions | Village Character Density / Lot size Stormwater Wastewater |

3 Hearing Report

3.1 Purpose of the Plan Change

Lakeside Development Limited (LDL) has applied to Waikato District Council to rezone a large area of land on the southern edge of the Te Kauwhata village for residential development. The proposed plan change covers an area of approximately 194 hectares and if made operative would provide for up to approximately 1600 residential dwellings at medium and high density. To support the proposed residential development, the proposed plan change also includes a small area of business zone to provide a community centre that complements the existing Te Kauwhata Village Centre. A large area of rurally zoned land with an open space overlay is also proposed. This will provide public access to Lake Waikare and access to open space amenity for residents.

The proposed plan change contributes towards providing for population growth in the existing township over the next 30 years.

The plan change includes a proposed new zone with bespoke planning provisions that provide for medium and higher density development.

3.2 Submissions and late submissions

PC20 was publicly notified on 22 September 2017, with a closing date for submissions of 20 October 2017. The summary of submissions was publicly notified on 1 December 2017. The period for further submissions closed on 19 December 2017.

There were 33 original submissions received. One late submission was received (KiwiRail Holdings Limited). The late submission was received in time to be notified with the other submissions received. As the lateness of the submission has not prejudiced the ability for further submissions to be made, it is recommended that this late submission is accepted. Including the late submission, a total of 34 submissions were received on PC20.

Three further submissions were received.

The names of all submitters and further submitters are listed in Attachment 3. The submissions and further submissions are currently available on Council's website and copies will be available at the hearing.

3.3 Statutory requirements (including Section 32)

Lakeside Developments Ltd provided an s32 analysis at the time of notification of PC20. The Section 32 evaluation forms an integral part of the decision making, including the hearing process, and this report is a further extension of the Section 32 process.

The relevant statutory tests when assessing the merits of the provisions of a plan change are found in sections 31, 32, 72, 74, 75 and 76 of the RMA. These tests have been summarised by the Environment Court in decisions such as *Long Bay-Okura Great Park Society Incorporated v North Shore City Council*.

Given that the District Plan objectives and policies are operative, and are not subject to PC20, the relevant requirements are whether the provisions of PC20:

- a) have regard to the actual and potential effect of activities on the environment (in relation to rules) under s76;
- b) give effect to the Waikato Raupatu Claims (Waikato River) Settlement Act 2010 and the Waikato Regional Policy Statement as required by s75(3);
- c) have regard to the Future Proof Implementation Strategy, Waikato District Development Strategy, Waikato District Long Term Plan and the Regional Land Transport Plan as required by s74(2)(b);
- d) implement the policies and therefore the objectives of the District Plan in accordance with s32;
- e) are the most appropriate method for achieving the objectives of the District Plan, having regard to their efficiency and effectiveness (taking into account the benefits and costs, the opportunities for economic and employment growth, and the risk of acting or not acting if there is uncertain or insufficient information);
- f) have been designed to accord with and assist the Council to carry out its functions under Section 31 so as to achieve the purpose of the RMA; and
- g) Are in accordance with the provisions of Part 2 of the RMA (which covers the purpose of the act; matters of national importance; matters that must be given particular regard and taking account of Treaty of Waitangi principles).

This report addresses each of the above.

3.4 Decision Making

When making its decision, the Council is required, under clause 10 of the First Schedule of the RMA to give reasons for accepting or rejecting any submissions. The Decision of the

¹EnvC Auckland A078/08, 16 July 2009 at [34]

Council may also include consequential amendments arising out of submissions and any other matters the Council considers relevant and within the scope of aspects raised in submissions.

3.5 Background to the plan change

LDL formally lodged the initial plan change request with Waikato District Council on 10 April 2017. The plan change request seeks to amend the zoning of 194 hectares of land to the south of the existing Te Kauwhata Village land from 'Rural Zone' to a bespoke set of zones over the area.

This includes amendments to include:

- 'Living: Te Kauwhata Lakeside Zone'
- 'Te Kauwhata Lakeside Business Zone'
- Rural Zone: The inclusion of a 'Lakeside Rural Zone Overlay' and a 'Cultural and Heritage Overlay'.

The proposed plan change incorporates the "Lakeside Precinct Plan" to ensure development occurs in a comprehensive and integrated manner. This precinct plan identifies some 132.5 ha for residential development in a range of typologies. This is supported by a community business hub of 1.1ha with 43.4ha being retained as open space. 17.0 ha continue as rural land with an overlay designed to prevent residential development taking place on it.

After requests for further information were addressed, and lwi consultation requirements as per Section 4A of Schedule 1 were carried out, the plan change was notified on 22 September 2017.

3.6 Other relevant documents

3.6.1 Vision and Strategy under the Waikato Raupatu Claims (Waikato River) Settlement Act 2010.

The Waikato Raupatu Claims (Waikato River) Settlement Act 2010 ('The Settlement Act') gives effect to the 2009 Deed of Settlement in respect of the Raupatu claims over the Waikato-Tainui area. This legislation also records that the Waikato River and its contribution to New Zealand's cultural, social, environmental and economic wellbeing is of national importance. The overarching purpose of the Settlement Act is to restore and protect the health and well-being of the Waikato River for future generations and provides for the establishment of a Vision and Strategy for the Waikato River and co-governance and co management arrangements to achieve the overarching purpose of the Settlement Act.

The proposed plan change is within the Waikato River Catchment and is therefore subject to the 'Vision and Strategy'. LDL has consulted with Tangata whenua throughout the development of the plan change, particularly around the issue of wastewater infrastructure which is particularly relevant to Lake Waikare. Waikato District Council currently holds consent from the Waikato Regional Council to discharge wastewater from the Te Kauwhata village to Lake Waikare. This consent is up for review in 2025 and Waikato District Council is currently working on options for the disposal of existing and future wastewater discharges from the Te Kauwhata Structure Plan area. As at the time of preparing this s42A report, the options were still under consideration in terms of future wastewater disposal.

The Vision and Strategy for the Waikato River is set out in the schedules to the Waikato-Tainui Raupatu Claims Settlement Act 2010, the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 and the Nga Wai o Maniapoto (Waipa River) Act 2012. As stated in the Waikato Regional Policy Statement (WRPS): *“the Vision and Strategy is the primary direction-setting document for the Waikato and Waipa Rivers and their catchments.”* Under the Acts listed above, the Vision and Strategy is deemed, in its entirety, to be part of the Regional Policy Statement and the RPS cannot be inconsistent with the Vision and Strategy. In the event of any inconsistency, the Vision and Strategy prevails.

Section 2.5.2 of the WRPS sets out the Objectives for the Waikato River which include the overarching provision for the restoration and protection of the health and wellbeing of the Waikato River and the relationships of Waikato River iwi and the communities of the Waikato Region with the river. Other objectives set out the importance of an integrated and holistic approach to managing the rivers’ resources, adopting a precautionary approach towards decisions that may result in adverse effects on the river and the protection of significant sites, fisheries, flora and fauna. Improving the water quality within the river along with promoting improved access to it for recreation, sporting and cultural opportunities is also contained in the Objectives.

It is considered that the LDL proposal is generally consistent with the Vision and Strategy as set out in the WRPS for the following reasons:

- a) The proposal will see a large area of land adjacent to Lake Waikare which sits on a tributary of the Waikato River retired from dairy farming with the associated reduction in the runoff into the lake contaminated with dairy cow effluent and associated fertilisers.
- b) The proposal to transfer an area of land near the south eastern end of the LDL development to local iwi for a reserve will assist in restoring the relationship of Waikato River iwi with the Lake. This is particularly relevant for local iwi as the location of the iwi reserve was selected in consultation with Nga Muka Development Trust to commemorate the exodus of their ancestors at the time of the battles at Rangiriri.
- c) The proposed development of a series of walkways and other recreational assets such as an equestrian centre will assist the communities of Te Kauwhata and further afield to access the lake for more sporting and recreational activities over time as the water quality in the Lake improves.

Waikato-Tainui has been consulted and have largely deferred to the Nga Muka Development Trust as the representative organisation for the local iwi. However Waikato Tainui remain involved in the broader issues around wastewater disposal from Te Kauwhata and other matters related to the Vision and Strategy on a broader level. Waikato Tainui provided a letter of support for the walkway network in the LDL proposal and deferred to Nga Muka Development Trust in respect of the rest of the project.

The Nga Muka Development Trust (Nga Muka) has also been consulted during the development of the proposed plan change and has provided feedback to the applicant. Nga Muka has provided a written submission in full support of the Lakeside Plan Change and state in that submission that: “Nga Muka has been extensively consulted by Lakeside Development 2017 Limited over the plan change and associated works.”

3.6.2 Waikato Regional Policy Statement (WRPS)

The Waikato Regional Policy Statement was made operative on 20 May 2016. Waikato District Council is required to give effect to an operative regional policy statement. The WRPS provides an overview of the resource management issues of the region and establishes policies and methods to achieve integrated management of the region's natural and physical resources. The following chapters are considered relevant to the proposed plan change:

- Section 2 includes the Vision and Strategy for the Waikato River. This has been addressed above.
- Section 6 of the WRPS addresses the Built Environment. This includes the allocation and staging of residential growth throughout the region – adopting the Future Proof Sub Regional Growth Strategy.
- Section 8 addresses Fresh Water Bodies and the integrated management of catchments including the effects of subdivision, use and development. This is of relevance due to the proposed plan changes proximity to Lake Waikare.
- Section 11 addresses Indigenous Biodiversity and section 12 Landscape, Character and Amenity.
- Section 13 addresses natural hazards which include flooding. This is relevant due to the topography of the plan change area and the proximity to Lake Waikare.

These are addressed in detail below.

Section 6: Built Environment

Policy 6.1 requires subdivision and development to have regard to the development principles in section 6A, recognise and address potential cumulative effects of subdivision, land use and development, based on sufficient information to understand the potential long-term effects of subdivision and have regard to the existing built environment.

The WRPS identifies that these principles are not absolutes, however need to be considered when managing the built environment. It is considered that the proposed plan change generally meets those principles. Infrastructure will be required to be upgraded to accommodate future development as there are already issues with the wastewater treatment plant in Te Kauwhata. The development principles of 6A have been assessed by the applicant in the plan change report, however a separate high level assessment has been carried out below.

| Assessment of Schedule 6A | | |
|---------------------------|--|--|
| a) | support existing urban areas in preference to creating new ones; | The proposed LDL plan change area (LDL) is located adjacent to the existing Te Kauwhata urban area. Through the upgrade to Scott Road and the future second connection to Rimu Street along with proposed pedestrian connections, LDL will support and enhance the existing Te Kauwhata village. |
| b) | occur in a manner that provides clear delineation between urban areas and rural areas; | The proposed boundaries for the LDL proposal have been selected based on logical physical, natural or topographical boundaries so as to provide a clear delineation between the new urban area and the surrounding rural zone. The western boundary comprises the North Island |

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| | | Main Trunk Railway line, the southern boundary comprises a watercourse, and the eastern boundary comprises the shore of Lake Waikare while the northern boundary abuts the existing Te Kauwhata Structure plan boundary. |
| c) | make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas; | Not applicable. Any opportunity to intensify this zone would have to occur through a Council driven process such as the review of the Operative Waikato District Plan. This process has already commenced and the Proposed Waikato District Plan is due to public notification on 18 May 2018 with hearing to be held later in the year. |
| d) | not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated; | The LDL proposal will result in an increase in vehicular traffic onto Scott Road and Te Kauwhata Road. The applicant has proposed an upgrade to Scott Road along with the development of a second access to Rimu Street once 400 dwellings have been constructed on the site. |
| e) | connect well with existing and planned development and infrastructure; | The LDL proposal will connect well to the existing Te Kauwhata urban area via Scott Road, the new link to Rimu Street and |
| f) | identify water requirements necessary to support development and ensure the availability of the volumes required; | The applicant has provided confirmation that reticulated water supply is available for the LDL proposal while Council has agreed to provide wastewater disposal services for the first 400 dwellings. Concurrently, LDL are in the process of lodging consents with the Waikato Regional Council for a Membrane Bio-Reactor plant to cater for the long-term wastewater disposal needs of both the LDL proposal and the existing Te Kauwhata urban area (if required). |
| g) | be planned and designed to achieve the efficient use of water; | It is expected that the LDL proposal will involve the development of housing that utilises low flow fixtures in houses and will use water efficiently. |
| h) | be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils; | The LDL proposal will not compromise any identified mineral resources and is not located on a natural hazard area apart from the flood hazard associated with Lake Waikare. This has been addressed through retaining a Rural Zone (with specific overlays to prevent housing development) over that part of the site that is subject to flooding. There are neither energy nor transmission corridors through or near the site nor any regionally significant industry. The LDL proposal will occupy some areas of high quality soil as set out in the application |
| i) | promote compact urban form, design and location to: i) minimise energy and carbon use; ii) | The LDL proposal will provide for a more intensive urban form than currently available within the Te Kauwhata Structure Plan area |

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| | <p>minimise the need for private motor vehicle use; iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport; iv) encourage walking, cycling and multi-modal transport connections; and v) maximise opportunities for people to live, work and play within their local area;</p> | <p>through a High density and Medium density precinct. There is also provision for a retirement village within the LDL proposal.</p> <p>The current public transport offering in Te Kauwhata is limited although this may change as the town grows in size. The LDL proposal includes a limited size business zone and is located within a convenient distance of the existing Te Kauwhata town centre, reinforcing the existing facilities. There will be opportunities for walking and cycling along with the provision of local recreation reserves to maximise the opportunities for live, work and play in the local area.</p> |
| i) | maintain or enhance landscape values and provide for the protection of historic and cultural heritage; | The LDL proposal includes the retention of a Rural Zone with a series of policy overlays that will ensure this area adjacent to Lake Waikare will remain undeveloped except for walkways, an equestrian centre and an iwi reserve. The site does not have any identified landscape values that are significant enough to warrant specific protection in the plan provisions. |
| k) | Promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged; | The LDL site does not contain significant indigenous vegetation however it does border onto Lake Waikare on the eastern boundary. The proposal involves the retention of the Lake Waikare margins of the site in the Rural Zone with an overlay to prevent residential development. This will ensure that the lake margins can be improved and enhanced over time. |
| l) | maintain and enhance public access to and along the coastal marine area, lakes, and rivers; | The LDL proposal includes the development of a lake margin walkway so public access to Lake Waikare will be maintained and enhanced. |
| m) | avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD); | The lake margins of the LDL site are flood prone and the plan change proposal is to retain this area as Rural zone with overlays to prevent residential development. Objectives and policies have been recommended to ensure that the flood plain capacity is retained. Stormwater off the site will be managed according to appropriate standards. |
| n) | adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling | It is anticipated that the proposal will be consistent with this provision. |

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| | techniques where appropriate; | |
| o) | not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure; | Reverse sensitivity effects associated with the proximity of the LDL proposal to the railway will be avoided through specific provisions that address this matter. This has been the subject of discussions between the Council, LDL and Kiwirail and as at the time of preparing this s42A report, Kiwirail was happy with the proposal. |
| p) | be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes; | The residential component of the LDL proposal is located on land that is not flood prone and will therefore not be affected by climate change. |
| q) | Consider effects on the unique tāngata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tāngata whenua connections within an area should be considered; | The LDL proposal has been extensively discussed with local iwi, the Nga Muka Development Trust. Elements of the proposal that come out of that relationship are the provision of an iwi reserve on the Lake Waikare margins and the proposal to apply for a Membrane Bio-reactor wastewater disposal facility which has the support of local iwi as well. |
| r) | support the Vision and Strategy for the Waikato River in the Waikato River catchment; | It is considered that the LDL proposal will support the Vision and Strategy for the Waikato River catchment and this has been discussed above at paragraph 3.6.1 of this report. |
| s) | encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and | It is anticipated that the LDL proposal will be consistent with this proposal but it is not clear from the application that this will be the case. |
| t) | Recognise and maintain or enhance ecosystem services. | The LDL proposal has considered stormwater management, localised flooding and ground conditions in developing the site concept. |

As per the above comments, it is considered that the proposed plan change is broadly aligned with the principles of 6A.

Policy 6.1 b) requires development to recognise and address potential cumulative effects of subdivision and development. Due to the rural nature of the site, any rezoning/redevelopment will change the character of the area, particularly due to the medium and higher density that is sought by the applicant. Cumulative effects that need to be managed will relate to the progress of development such as three waters and transportation. These effects can be considered and appropriately managed through the consenting process.

Policy 6.1 c) requires sufficient information to have been provided to understand the potential long-term effects of subdivision, use and development. Implementation method 6.1.8 provides an outline of the level of information expected for the proposed rezoning. These are addressed below. Submissions have been received regarding the level of information provided with the plan change, and the requirements for infrastructure provision, timing and staging. These submissions are addressed in Section 4.

| Assessment of 6.1.8 Information to support new urban development and subdivision | | |
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| Information | | Comment |
| a) | the type and location of land uses (including residential, industrial, commercial and recreational land uses, and community facilities where these can be anticipated) that will be permitted or provided for, and the density, staging and trigger requirements; | Information related to land use, density, staging and trigger requirements is included. |
| b) | the location, type, scale, funding and staging of infrastructure required to service the area; | The Candor3 Report provided with the application contains information relating to the infrastructure needs of the LDL proposal. |
| c) | multi-modal transport links and connectivity, both within the area of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced; | Transportation has been addressed within the plan change area with triggers for a secondary access road included. Provisions have been drafted to require the development of a second road access to Rimu Street once 400 dwellings have been developed on the site. Upgrades to Scott Road, the Scott Road/Te Kauwhata Road intersection and the Te Kauwhata Road railway level crossing have been investigated and agreed with Council roading advisors and Kiwirail. |
| d) | how existing values, and valued features of the area (including amenity, landscape, natural character, ecological and heritage values, water bodies, high class soils and significant view catchments) will be managed; | The change from rural to residential land use will impact on some of these values, however the LDL proposal has demonstrated the manner in which the Lake Waikare margins will be retired, the archaeological assessment has confirmed that there are no known archaeological sites within the project. The features of Lake Waikare will be available for public access and will provide for additional recreational activity over time as the lake water quality improves. |
| e) | potential natural hazards and how the related risks will be managed; | The site is adjacent to Lake Waikare and contains areas that are prone to flooding. These areas have been retained as Rural Zone with overlays to prevent residential development. Other provisions have been included to ensure that the flood plain capacity is retained in the event of any filling within it. It is considered that this is an appropriate response to manage this natural hazard. |
| f) | potential issues arising from the storage, use, disposal and transport of hazardous substances in the area and any contaminated sites and describes how related risks will be managed; | The site was previously used for rural activities. The NES for Contaminated Soil will apply during the consenting process. |

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| g) | how stormwater will be managed having regard to a total catchment management approach and low impact design methods; | Candor3 have provided a conceptual Stormwater Management Plan that sets out the manner in which stormwater will be managed across the site and this has been reviewed as acceptable by Council staff. |
| h) | any significant mineral resources (as identified through Method 6.8.1) in the area and any provisions (such as development staging) to allow their extraction where appropriate; | There are no significant natural mineral resources within the LDL site. |
| i) | how the relationship of tāngata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga has been recognised and provided for; | Tangata Whenua has been consulted as part of the plan change process. They have provided a submission of support for the plan change. |
| j) | anticipated water requirements necessary to support development and ensure the availability of volumes required, which may include identifying the available sources of water for water supply; | The Candor3 report confirms that the existing reticulated water supply in Te Kauwhata has sufficient capacity to provide for the LDL proposal. |
| k) | how the design will achieve the efficient use of water; | The development is likely to be consistent with this provision through the use of low flow fixtures in the housing development. |
| l) | how any locations identified as likely renewable energy generation sites will be managed; | There are no renewable energy sites identified. |
| m) | the location of existing and planned renewable energy generation and consider how these areas and existing and planned urban development will be managed in relation to one another; and | There are no existing or planned renewable energy sites. |
| n) | The location of any existing or planned electricity transmission network or national grid corridor and how development will be managed in relation to that network or corridor, including how sensitive activities will be avoided in the national grid corridor. | The site is not affected by the national grid corridor. |

Policy 6.1d) the proposed plan change represents a change from the existing environment and will provide a different urban environment than currently exists in the Te Kauwhata Village with a noticeable change in urban character and density. The plan change proposes a rural zone with an open space overlay in the eastern and southern sections of the plan change area. This will provide a transition between the Rural Zone to the south and the Lakeside Development. Submissions have been received relating to the density enabled by

the proposed zoning in general and the density on the northern end of the plan change area. This is addressed in detail in Section 4.

With regard to reverse sensitivity, the applicant has acknowledged the presence of the North Island Main Trunk Line and has provided provisions to address development next to the NIMT. Submissions have been received regarding reverse sensitivity issues from surrounding uses, including the NIMT - these are addressed in detail in Section 4. There are submissions relating to reverse sensitivity. These are addressed in detail in Section 4.

Policy 6.3 relates to the co-ordination of growth and infrastructure. It directs the nature, timing and sequencing of new development to be co-ordinated with the development funding and implementation of transport and other infrastructure. This includes ensuring new development doesn't occur until provision for appropriate infrastructure necessary to service the development is in place.

Specialist reports have been prepared by LDL to address the level of infrastructure required by the development. Reports on roading infrastructure, water and stormwater provision have all been provided to demonstrate that there is either sufficient capacity or will be sufficient capacity within these systems to provide for the needs of the LDL proposal. Wastewater is more challenging in that the resource consent for the existing wastewater treatment plant in Te Kauwhata is up for renewal in 2025. The Council have offered to accommodate the first 400 dwellings in the LDL proposal within the existing Te Kauwhata wastewater plant and are currently undertaking a Business Case for an application to the Ministry of Business Innovation and Employment (MBIE) to access some interest free loan money from the Housing Infrastructure Fund (HIF). The Business Case has not yet been lodged with MBIE but is in the final stages of development. The outcome of the Business Case to MBIE will be a revised method of wastewater treatment for Te Kauwhata but this has not yet been confirmed and at the time of writing this s42A report was still a work in progress.

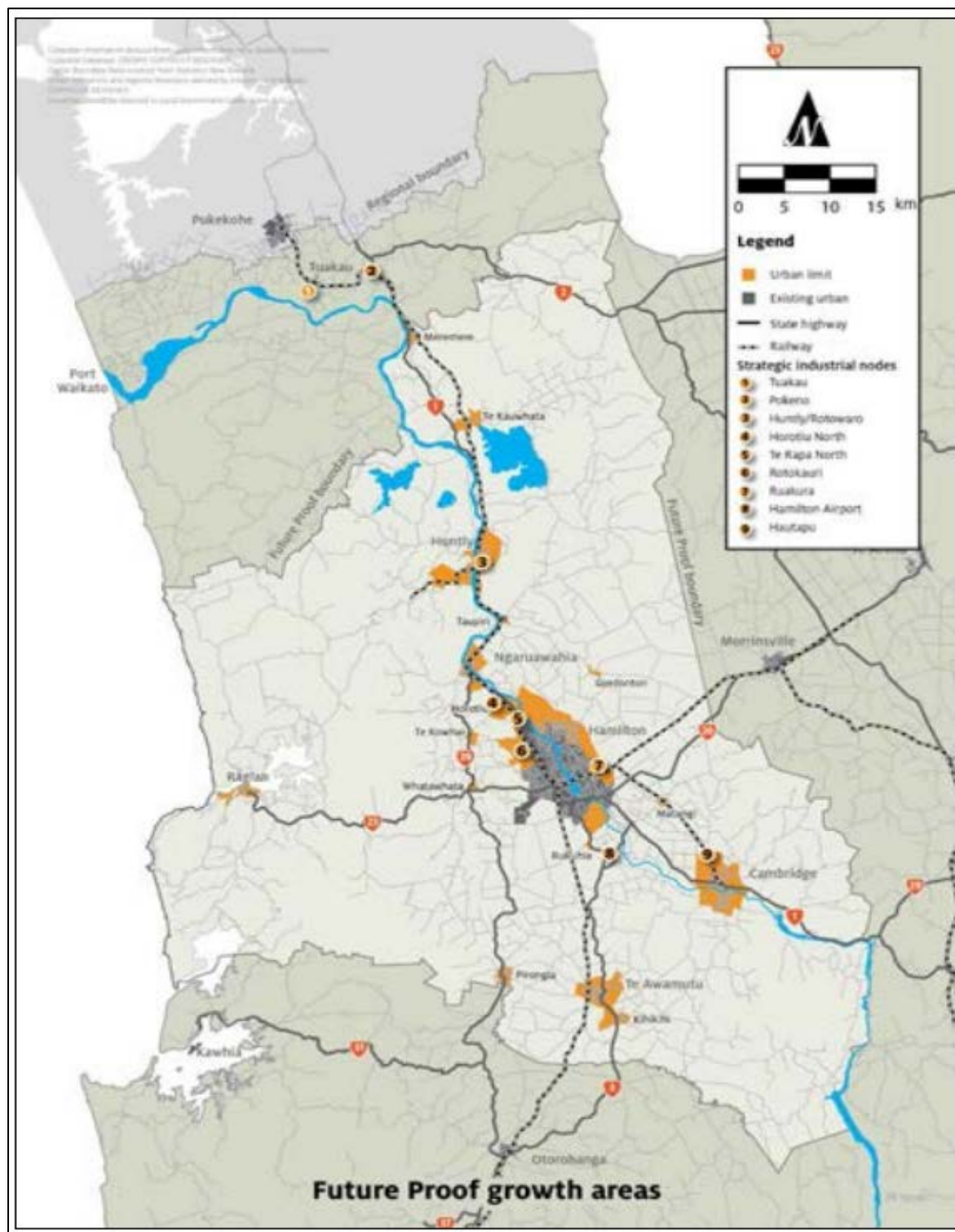
Policy 6.5 Energy demand Management directs development to minimise transport, energy demand and waste production. The plan change seeks to establish a medium to high density expansion of the existing Te Kauwhata Village, creating a compact urban form. The proposal includes a small central neighbourhood centre which will service the proposed development, the compact nature of the proposed zoning has the potential to reduce trip demand within the village. The location of Te Kauwhata means that it is likely that residents will commute by private motor vehicle. While not currently available, Te Kauwhata's location on the NIMT means that it is well placed to take advantage of any commuter rail service that may be established in the future.

Policy 6.14 addresses the adoption of the future proof land use pattern. As per 6.14a) urban development in Te Kauwhata is required to occur within the indicative urban limits shown on Map 6.2 with growth managed in accordance with the timing and population for growth areas in Table 6-1. These reflect the Future Proof Growth Strategy 2009. It is noted that since the notification of the plan change, the review of the Future Proof Growth Strategy has been finalised and has been adopted by Waikato District Council and Hamilton City Council. Waikato Regional Council and Waipa District Council will take the Strategy to Council for adoption early in 2018. The basis of the reviewed strategy is discussed in more detail in 'Section 3.6.5 Future Proof Sub-Region'.

Future Proof and the RPS identify indicative urban limits and provide allocation for residential growth and staging from 2006 to 2061. These are prescribed through Table 6-1 (section 6D) and Map 6-2, anticipating growth over the next 45-50 years. Te Kauwhata has a current population of approximately 1500 people.

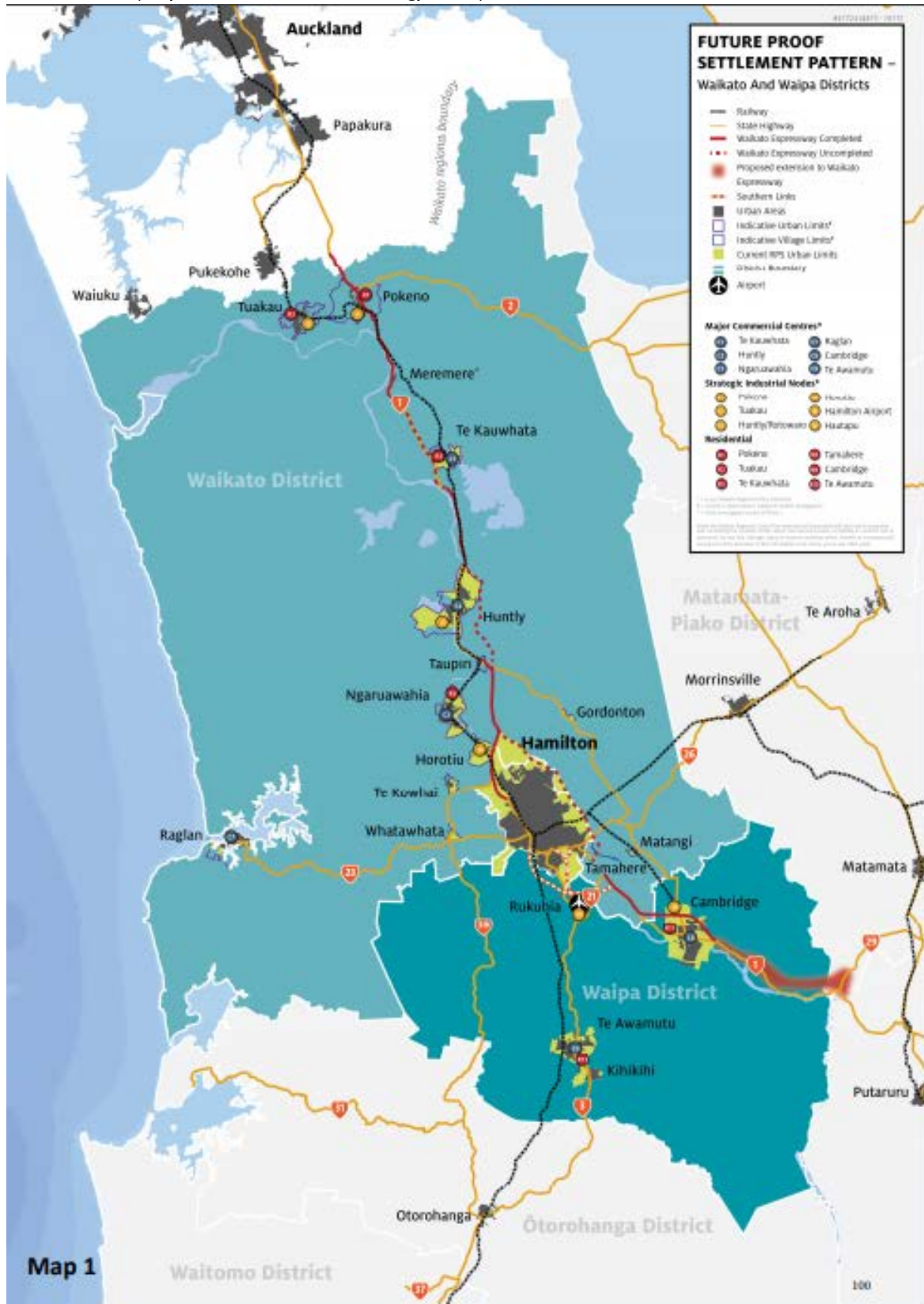
The extract from Table 6D of the RPS allocates growth for Te Kauwhata accordingly:

| Growth Area | Residential Population | | | |
|-------------|------------------------|------|------|------|
| | 2006 | 2021 | 2041 | 2061 |
| Te Kauwhata | 1020 | 3430 | 5825 | 7675 |



Map 6-2 Future Proof indicative urban limits (WRPS, 2016)

The land covered by the proposed plan change sits outside of the indicative urban limits as set out by Map 6-2, it also sits outside the indicative urban limits of the latest review of Future Proof (Map 1 – Future Proof Strategy 2017) as shown below.



As the proposed plan change is outside of the indicative urban limits, there is a need to consider the requirements of the WRPS where alternative residential land release is proposed. It is noted that these urban limits are indicative only and are to be used to guide implementation of the settlement pattern at a district level. District plans are to establish the urban limits at a property scale.

Where alternative residential land release patterns are promoted, justification is required to demonstrate consistency with the principles of the Future Proof land use pattern as per 6.14.3 – Criteria for Alternative Land Release, set out below:

| | | |
|--|---|---|
| <i>District plans and structure plans can only consider an alternative residential or industrial land release, or an alternative timing of that land release, than that indicated in Tables 6-1 and 6-2 in section 6D provided that:</i> | | |
| a) | <i>to do so will maintain or enhance the safe and efficient function of existing or planned infrastructure when compared to the release provided for within Tables 6-1 and 6-2;</i> | <p><u>Transportation</u></p> <p>The assessment of transportation effects has concluded that the effects of the proposed plan change can be dealt with through appropriate infrastructure upgrades and the provision of an additional connection to the existing Te Kauwhata Village. A trigger is proposed in the plan provisions to require the additional connection</p> <p><u>Wastewater</u></p> <p>An upgrade of the wastewater treatment plant will be required to accommodate future growth in Te Kauwhata as the current waste water treatment plant is considered to be almost at capacity, although Council has confirmed that LDL can put the wastewater from the first 400 lots into the existing wastewater treatment plant. This includes growth that is anticipated outside of the proposed plan change area and within the existing Te Kauwhata Structure Plan area.</p> <p>WDC has applied to the HIF for funding to support Te Kauwhata's development through a new wastewater solution, water reservoir and roading investment support including the growth that would be enabled by the private plan change. This application includes the Lakeside proposed plan change and additional development in Te Kauwhata.</p> <p>The applicant has also proposed the construction of an MBR plant which could be constructed to service the proposed development. A consent application for the MBR plant is to be lodged with WRC in the near future.</p> <p>Wastewater infrastructure solutions are being worked through and will need to be delivered</p> |

| | | |
|----|---|---|
| | | <p>before any development is enabled and the proposed provisions confirm this.</p> <p><u>Potable Water Supply</u></p> <p>The infrastructure report carried out by Candor3 and peer reviewed by Council has identified that while upgrades to water supply infrastructure will be required, there is no obvious impediment to these occurring.</p> <p><u>Stormwater</u></p> <p>The management of the proposed developments stormwater has been assessed by Candor3 and peer reviewed by Opus. The peer review concludes that the general approach and design philosophy set out in the Candor 3 report is “in accordance with best practice and appears sound in principle”. However, at present there is limited information to provide evidence that these principles will be applied soundly such that stormwater will be treated and managed efficiently to avoid adverse effects at the site and on the surrounding environment.</p> <p>It is noted that this is an application for a plan change to enable development and detailed design information is not available at this time. A detailed assessment can be carried out at resource consent stage.</p> <p>It is considered that if enabled the alternate land release will not adversely affect the safe and efficient function of existing or planned infrastructure as there is either sufficient capacity or upgrades are required to accommodate any further growth in Te Kauwhata.</p> |
| b) | <i>the total allocation identified in Table 6-2 for any one strategic industrial node should generally not be exceeded or an alternative timing of industrial land release allowed, unless justified through robust and comprehensive evidence (including but not limited to, planning, economic and infrastructural/servicing evidence);</i> | The application is for a residential zoning, therefore clause b) is not applicable. |
| c) | <i>sufficient zoned land within the greenfield area or industrial node is available or could be made available in a timely and</i> | The plan change application seeks to rezone land to make it readily available for development. Additional growth in Te Kauwhata will require an upgrade to the wastewater treatment. Waikato |

| | | |
|----|---|--|
| | <i>affordable manner; and making the land available will maintain the benefits of regionally significant committed infrastructure investments made to support other greenfield areas or industrial nodes; and</i> | <p>District has made an application to the Housing Infrastructure Fund (HIF) and has provisionally been awarded \$37 million to assist with this upgrade. A detailed business case is being prepared by WDC. The upgrade will also enable development of land that is already zoned for development.</p> <p>As an alternative, Lakeside Developments are proposing to consent and construct a Membrane Bioreactor Plant to address wastewater capacity issues.</p> <p>The transportation assessment states that the levels of service on State Highway 1 are likely to be unchanged as a result of the full development of the plan change area.</p> <p>The rezoning of the land will enable its development to deliver additional housing to Te Kauwhata.</p> |
| d) | <i>the effects of the change are consistent with the development principles set out in Section 6A.</i> | An assessment of the principles of Section 6A has been carried out it above at section 3.6.2 and it concludes that the proposal will be consistent with the principles of Section 6A. |

When the above assessment is taken into account, it is appropriate to consider the expansion of the Te Kauwhata village as proposed by the private plan change.

Policy 6.15 provides direction on the 'average gross density targets' across the Future Proof Sub-Region. These are to be achieved over time and aim to provide a more compact urban form. The average gross density target for Te Kauwhata is 12-15 households per hectare, which is considered to be low density. The Future Proof Review has not changed the density target for Te Kauwhata.

The Future Proof Review has however expanded the indicative urban limits of Te Kauwhata to the north to include a large portion of Country Living Zone of approximately 240 ha. The reviewed indicative urban limits have been considered when addressing the aspirational density of Te Kauwhata.

The existing Te Kauwhata village within the new indicative urban limits is a mix of Living Zone, Living Zone Te Kauwhata West, Living Zone Te Kauwhata Ecological, New Residential and Country Living Zones which have the following subdivision requirements:

| Zone | District Plan Lot Size Requirements | Approximate area | Approximate Gross Density* |
|------------------------------|---|-------------------------|-----------------------------------|
| Living Zone | Min 450m ² # | 63 ha | 22.2 d/ha |
| Living Zone Te Kauwhata West | Min 650m ² / Average 875m ² | 82 ha | 11.4 d/ha |
| New Residential Zone | Min 450m ² / Average | 40 ha | 16.6 d/ha |

| | | | |
|------------------------------------|---|--------|-----------|
| | 600m ² | | |
| Living Zone Te Kauwhata Ecological | Min 750m ² / Average 875m ² | 50 ha | 11.4 d/ha |
| Country Living | Min 5000m ² | 240 ha | 2 d/ha |

*Using district plan lot size requirements calculated as 1ha/avg lot size

the majority of the living zone is already developed with larger lot sizes than the stipulated minimum.

When the average gross density target includes the land zoned for Country Living the gross density across the entire Te Kauwhata urban area is relatively low. This is due to the minimum lot size in the Country Living Zone being 5000m², a density of approximately 2 dwellings per hectare.

The proposed Lakeside development seeks to enable higher density development across the plan change area than what is typical of Te Kauwhata, including medium density (an average lot size of 400m²) and high density (an average lot size of 250m²). When combined this represents an average section size of 325m² across the plan change area, a density closer to 30 dwellings per hectare. While this is higher than the gross density target, it balances out the country living zone to the north west. This is aligned with the directive to ensure urban development becomes more compact over time.

Policy 6.16 manages commercial development in the Future Proof area and seeks to consolidate such activities in commercial centres, particularly those identified in Table 6-4 which includes the existing Te Kauwhata town centre.

The plan change proposes a small community hub with a business zoning that provides for a small amount of commercial activity. The proposed provisions include caps on the size of these activities to ensure that they do not compete with the existing town centre. It is intended that the new community hub predominantly services the new residential area.

Policy 6.16 requires new commercial centres to be consistent with 6.16 a) to f). The applicants section 32 report has not addressed these criteria specifically.

New centres also required to avoid effects on:

- i) the distribution, function and infrastructure associated with those centres identified in Table 6-4 (section 6D);
- ii) people and communities who rely on those centres identified in Table 6-4 (section 6D) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;
- iii) the efficiency, safety and function of the transportation network; and
- iv) The extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.

The provisions relating to the proposed new centre restrict the size of permitted retail activities to ensure that applications over a certain size are able to be assessed taking into account the potential effects on the existing Te Kauwhata town centre.

Section 8 - Fresh Water Bodies

Section 8 of the WRPS deals with Fresh Water Bodies of which Lake Waikare, adjacent to the LDL proposal site is one. The approach taken in the LDL proposal of retiring the site

from dairy farming, retaining the lake margins as Rural Zone with policy overlays to prevent residential development and planning Lake Margin walkways to facilitate public access to the lake itself are all considered appropriate responses to the values associated with the lake. The applicant has also proposed a stormwater management approach that will ensure that stormwater derived from exposed surfaces during construction and the completed urban form will be appropriately slowed and treated before being discharged into the lake. The applicant will also have to obtain the appropriate resource consents from the Waikato Regional Council and the Waikato District Council to progress the development at the time of implementation and when these specific details are provided, Council staff will be able to undertake the necessary assessment of each application.

Although the lake is considered to be degraded at present, every action taken to improve the lake catchment is part of the picture to eventually improving the lake surroundings and public access to it. The applicant has also worked with local iwi, the Nga Muka Development Trust, in the development of the LDL proposal and this relationship is understood to be an ongoing one through the life of the project. It is considered that the LDL proposal will be consistent with the policy direction contained in Section 8.

Section 11 – Indigenous Biodiversity

This section seeks to achieve no net loss of indigenous biodiversity at a regional scale and the continuing functioning of ecological processes. While the extent of indigenous biodiversity on the site is relatively low, the applicant has assessed the existing ecological features and proposed a number of measures to provide ecological restoration for the site.

As set out in the Boffa Miskell report, the proposal involves establishing a sequence of wetland and shrub land associations that reinstate some of the habitats, processes and functions of the Waikato Region's once extensive wetland habitat, specifically the 'fen' vegetation communities. In summary the restoration approach includes:

- a) regrading the margins of the surface drains to establish localised wetland communities;
- b) developing raised bunds to impound surface water around the lake margins and in low lying boggy areas to create natural shallow water wetlands; and
- c) Retaining meadow grasslands with newly planted buffer areas around wetland features and walkways.

It is considered that the LDL proposal will be consistent with the policy direction contained in the WRPS in relation to biodiversity.

Section 12 – Landscape, natural character and amenity

This section of the WRPS deals with Landscape, natural character and amenity and seeks to protect the identified values and characteristics of outstanding natural features of regional or district significance from adverse effects arising from inappropriate development. While there are no outstanding natural landscapes directly associated with the LDL proposal, the proximity of the site to Lake Waikare and the adjacent Whangamarino wetland are important aspects for consideration.

It is considered that the proposal to retain the low lying flood prone parts of the LDL site as Rural Zone with appropriate overlays and provisions to prevent residential development will ensure that the margins of the lake are protected from development while enabling access for recreational purposes and to ensure that ecological functioning can continue, including natural flooding events.

Section 13 - Natural Hazards

This section aims to ensure that natural hazard risks are managed using an integrated and holistic approach. As set out above, the LDL proposal to retain the natural flooding events associated with Lake Waikare and allow these to continue to inundate the low lying areas of the site and to retain that part of the site in an undeveloped state is an appropriate response. It is considered that the LDL proposal appropriately recognises the existing risks from natural hazards and will avoid the creation of new risks while allowing natural systems to operate within the lake.

3.6.3 Waikato Regional Plan (WRP)

Investigation into the capacity of the existing Te Kauwhata wastewater treatment plant has revealed issues with its ability to accommodate further development in the area. Further to this, there are a number of issues WDC will be required to address when their current discharge consent expires.

Due to the issues identified with the current wastewater treatment plant in Te Kauwhata, two options have been presented to address wastewater infrastructure.

The first, being progressed by LDL, is the development of a Membrane Bio-Reactor ('MBR') Plant. An application is proposed to be lodged with Waikato Regional Council for discharge consent to treat the wastewater from the LDL proposal and discharge it through a constructed wetland on the LDL site and eventually to Lake Waikare.

Waikato District Council is also separately investigating wastewater treatment options, utilising the Housing Infrastructure Fund (HIF). The 'in-principle' allocation of the HIF fund was announced in July 2017, including \$37 million being allocated to Waikato District for Te Kauwhata, for upgraded roads, water supply, wastewater treatment and reticulation network for approximately 2,500 homes. The Lakeside development is included in this funding. A detailed business case is currently being prepared by WDC in relation to the funding application and is still under development at the time of preparing this s42A report.

Numerous consents are likely to be required under the Waikato Regional Plan. These are likely to relate to storm water, construction or infilling of floodplain areas, earthworks, works within or over any water courses and wastewater.

3.6.4 Iwi Management Plans (IMP)

Council must take into account any relevant planning document recognised by an iwi authority such as iwi management plans. The IMP articulates the aspirations of Tangata Whenua and addresses matters of resource management activity of significance within their respective rohe (region). An IMP also considers the environment in a holistic manner and is inseparable from people.

The proposed Lakeside development is located on the southern boundary of Te Kauwhata and sits within the tribal boundary of Waikato Tainui, and as such Waikato-Tainui has Mana Whakahaere (authority) over its lands, resources, including the Waikato River and its associated lakes such as Lake Waikare and Lake Kopuera.

Nga Muka Development Trust (the Trust) is the mandated hapuu entity that has mana whenua status in Te Kauwhata and the surrounding rohe and is responsible for addressing cultural and environmental matters of importance.

The fundamental purpose of the trust is to:

- uphold the principles of kaitiakitanga in a holistic sense, in the role of guardian, custodian and protector of the environment and all its natural resources.
- ensure the well-being of the physical environment such as forests, water, air and soil, but also maintain the spiritual and meta physical balance.

The Trust represents Okarea, Taniwha, Waikare, Maurea and Horahora Marae.

The area has high significance to mana whenua associated with the escape of iwi during the Maaori land wars from the Rangiriri Pa, and the battle that ensued around Lake Waikare.

LDL undertook Iwi engagement with the assistance of Norman Hill. The planning report identifies:

“This was with both Nga Muka Development Trust who is the mandated hapu that has manu whenua status for the Te Kauwhata area, and the Waikato Rauapatu River Trust. Lakeside Developments met with iwi and hapu leaders through ‘Kanohi ka te kanohi’ (face to face dialogue).”

The consultation raised a number of cultural and environmental issues associated with the Lakeside development. The table below, taken from the Applicants Planning Report raised the following issues and proposed measures of mitigation proposed include:

| Identified Cultural Issue | Mitigant |
|--|--|
| <ul style="list-style-type: none"> • Te Kauwhata’s Wastewater Infrastructure | <ul style="list-style-type: none"> • The Lakeside development proposal includes an overall wastewater treatment solution for the township of Te Kauwhata that will see the removal of the existing wastewater treatment ponds and the elimination of the discharging that is currently occurring into Lake Waikare. • The proposed wastewater treatment solutions will have an extremely positive impact on the water quality of Lake Waikare and the surrounding environment. |
| <ul style="list-style-type: none"> • Access to Lake Waikare and its surrounds | <ul style="list-style-type: none"> • The Lakeside development proposal will see the creation of a formal public access to Lake Waikare, and its edge, for the first time. • Lakeside Developments has included within the Lakeside master plan an Iwi Reserve which is to be located on the most eastern point of the development. This reserve will |

| Identified Cultural Issue | Mitigant |
|--|--|
| | <i>include memorial site and lookout over Lake Waikare.</i> |
| Cultural significance of whenua (land) Lake Waikare and Lake Kopuera | <ul style="list-style-type: none"> • <i>Lakeside Developments has included within the Lakeside master plan an Iwi Reserve to be located on the most eastern point of the development. This reserve will include memorial site and lookout over Lake Waikare.</i> • <i>Naming of roads within the Lakeside development to reaffirm and support the culturally significant individuals or events.</i> • <i>Lakeside Developments has commissioned an additional archaeological review of the area by a local archaeological expert Warren Gumbley.</i> • <i>Provision to employ competent local iwi members from the tribal and local employment database.</i> |
| Environmental significance of Lake Waikare | <ul style="list-style-type: none"> • <i>Lakeside Developments are exploring the opportunity to contribute towards Lake Waikare Catchment Management Plan (CMP).</i> |

Iwi have supported the proposed plan change after amendments have been made through the consultation period. Of particular interest and importance is the proposed upgrade to the Te Kauwhata wastewater treatment plant.

As per Section 4A of Schedule One of the RMA 1991, Nga Muka Development Trust has been provided a copy of the draft plan provisions and have submitted in support of the plan change.

3.6.5 Future Proof Sub-regional Growth Strategy (Future Proof)

The Future Proof Strategy and Implementation Plan ('the Strategy') is the collaboration between Hamilton City Council, Waikato Regional Council, Waipa District Council, Waikato District Council New Zealand Transport Agency and Tangata Whenua for the development of a sub-regional growth strategy covering the areas of the three territorial authorities and the region covered by the Waikato Regional Council.

The purpose of the Strategy is to provide a comprehensive and robust growth management strategy for the sub-region taking a long-term view of land and infrastructure. It is important to highlight that the Strategy will need to adapt to take into account changing circumstances over its 50-year timeframe. The Future Proof is currently under a two-stage review and

with stage one having been completed in late 2017 to reflect changes regarding growth in the sub-region in the eight years since its adoption.

There are a number of key features of the Strategy including:

- Increased densities in new residential development (compact urban form);
- Hamilton City a vibrant and lively place to live and work;
- Towns in the sub-regions are to be supported by thriving business centres;
- Protection of versatile and productive farmland through directing rural residential development and business activities closer to towns and villages; and
- Integrated transport and land use planning.

The Strategy sets out the proposed settlement pattern for the Future Proof sub-region, which includes Te Kauwhata. Future Proof has identified the following key features of the settlement pattern for Te Kauwhata:

- It is a targeted growth settlement in Waikato District
- It is principally planned as a residential village with amenity benefits
- The village plays and will continue to play an important role as a service centre for the surrounding farming areas
- It is strategically important for growth between Auckland and Hamilton
- Connection with Huntly for employment
- Needs better public transport and improved opportunities for walking and cycling.

It is considered that the LDL proposal is generally in accord with Future Proof and it is noted that Future Proof have lodged a submission in support of the plan change and confirmed that alignment.

National Policy Statement (NPS) on Urban Development Capacity

The National Policy Statement on Urban Development Capacity ('NPS-UDC') provides direction to decision makers under the RMA on planning for urban environments. It recognises the significance of well-functioning urban environments, with particular focus on ensuring that local authorities through their planning both;

- Enable urban environments to grow and change in response to the changing needs of communities and future generations.
- Provide enough space for their populations to happily live and work. This can be both through allowing development to go "up" by intensifying existing urban areas, and "out" by releasing land in Greenfield areas.

The NPS-UDC aims to ensure that planning decisions enable the supply of housing needed to meet demand, contributing to minimising artificially inflated housing prices.

The NPS-UDC contains different policy directives depending on whether or not the respective Territorial Authority is considered to be a high growth urban area as defined in the NPS-UDC. The Introductory Guide to the NPS-UDC confirms that the territorial area of the Waikato District Council is a high growth urban area². The NPS-UDC targets different policies at high growth areas such as the Waikato District and provides greater direction in terms of planning for future growth. Waikato District must ensure, among other matters, that there is sufficient development capacity in the short, medium and long-term, ensure there is sufficient land to promote choice [of housing options], promote the efficient use of

² Introductory Guide on the NPS-UDC 2016 (November 2016), Table 1, Page 9.

land and infrastructure, limit adverse effects on competition, provide an additional margin of feasible capacity, actively monitor market and price indicators and produce a housing and business development capacity assessment.

The Waikato District does not have designated growth areas under the NPS-UDC, rather the NPS addresses the entire District as a high growth area. As such, all objectives and policies of the NPS-UDC apply to the District, with those of particular relevance being OA1, OA2 and OA3

- *OA1 - effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing”.*
- *OA2 – urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.*
- *OA3 – Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.*

WDC is in the process of carrying out a housing and business development capacity assessment as part of a sub-regional initiative (Future Proof). The preliminary results of the assessment indicate that Te Kauwhata is projected to have the second fastest growth in additional dwelling demand over the long-term within the district. The assessment, which has factored in the proposed Lakeside development into the anticipated (district wide) capacity over the short- (years 1-3), medium- (years 3-10) and long- (years 10-30) term shows that it will help meet the required total demand at a district-wide level over these periods. The preliminary assessment also indicates that over the long term the total capacity of enabled (already zoned land) and anticipated developments (such as Lakeside development) within Te Kauwhata specifically will help meet the expected demand within the town (subject to price factors).

Section 31(1)(aa) of the RMA has been amended through the Resource Legislation Amendment Act 2017 to make it a function of regional and territorial authorities to ensure residential and business development capacity to meet long-term demand.

“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:” Section 31(1) (aa)

3.6.6 Housing Infrastructure Fund (HIF)

On 1 February 2017 the government publicly announced that high-growth councils had until 31 March to submit final proposals for a share of the \$1 billion Housing Infrastructure Fund. Waikato District Council made an application to the HIF to address shortfalls in infrastructure in Te Kauwhata.

The ‘in-principle’ allocation of the fund was announced in July 2017, including \$37 million being allocated to Waikato District for Te Kauwhata, for upgraded roads, water supply, wastewater treatment and reticulation network for approximately 2,500 homes. The Lakeside development is included in this funding. A detailed business case is currently being prepared by WDC in relation to the funding application. As at the date of preparing this s42A report, the Detailed Business Case for the HIF fund had not been completed and lodged with the government for consideration. It is expected that this will go before full council in April.

3.6.7 Regional Land Transport Plan (RLTP)

The Regional Land Transport Plan (RLTP) provides the strategic direction for land transport in the Waikato Region over the period 2015 to 2045.

The plan contains two key components:

- A policy framework to direct decision-making and implementation actions for key regional transport stakeholders;
- A regional perspective on land transport investment activities 2015-2021.

The RLTP focuses on investment and effort in three core components:

- Strategic corridors and wider network connectivity improvements and the strategic importance to the upper North Island;
- Road safety;
- Managing demand and transport choices

Technical reports commissioned for the structure plan conclude that the development enabled by the proposed plan change will generate a level of effect on the transportation network. In order to address these, there are a number of proposed methods of mitigation. This includes the requirement of an additional access road to the Lakeside development once development reaches 400 dwellings. An upgrade of Scott Road will also be required, this can be carried out within the existing road reserve. It is considered that the service levels of State Highway 1 are unlikely to change as a result of the full development of the plan change area.

3.6.8 Waikato District Development Strategy (DDS)

The Waikato District Development Strategy (DDS) was adopted in September 2015. This strategy does not specifically identify any growth areas but has a key urban outcome of focusing future urban developments in and around the district's existing towns as per structure plans and the Regional Policy Statement.

The DDS identifies a number of key influences in the District, including:

- Southward growth of Auckland;
- Waikato Expressway;
- Growth of Hamilton;
- Intensification and change in agriculture; and
- Land use change.

The DDS identifies the key urban outcomes with a focus on:

- Future urban development in and around existing towns as per structure plans and the Regional Policy Statement;
- Using Structure Plans to guide the staged provision of additional urban land;
- To maintain and re-develop existing urban infrastructure and services;
- To improve access to public transport and for walking, cycling, horse and mobility scooter riding through good development and service provision.

The DDS identifies that the small towns and villages within the structure plan area will provide for natural growth and any spill over growth from Auckland and Hamilton City. The loss of productive land to urban expansion to accommodate population growth around existing settlements is planned for and managed through the use of structure plans and as per the principles for managing growth in the Regional Policy Statement.

The proposed plan change is located within an area that is outside of the identified growth areas of the Regional Policy Statement. An assessment against the WRPS is included in Section 3.2.6.

3.6.9 Waikato District Long Term Plan (LTP)

WDC adopted the 2015 - 2025 LTP on 30 June 2015. Within the long-term plan sits the 30 year Infrastructure Strategy which identifies projects for each town and village in the district. The LTP identifies that residential growth is planned for Te Kauwhata (amongst other areas) and the township is predicted to experience a high level of growth in the future.

The LTP identifies that growth in the Mid-Waikato is hindered by the capacity of the water treatment plant. It also identifies that there may be some issues renewing the discharge consent, requiring an alternative form of effluent disposal. These issues have helped inform the proposed response from LDL in relation to the proposed MBR Plant and the application of WDC for funding to the HIF. It is identified that the wastewater network will also need to be expanded to meet the needs of growth in the area. Upgrades are also planned for stormwater reticulation in parts of Te Kauwhata.

The LTP also identified the development of a heavy vehicle bypass through Te Kauwhata, however Council decided in early 2017 that this bypass would no longer proceed and have allowed the bypass designation to be revoked.

3.7 Consultation and development of the Plan Change

Lake Development Limited undertook consultation in the development of the proposed plan change. A summary of the consultation is provided below. This is extracted from the Tattico Planning Report.

Consultation included the following groups:

- Waikato District Council
- Waikato Regional Council
- Iwi
- NZTA
- KiwiRail
- Adjoining landowners
- The wider community

Waikato District Council

Consultation addressed the need to provide for growth in the northern Waikato and how the proposed private plan change could address this by enabling development to the south of Te Kauwhata. Council staff and LDL have worked collaboratively to develop the plan provisions as notified in an attempt to move to an agreed set of provisions for the Lakeside area.

Discussions also covered the need to ensure that sufficient infrastructure was in place prior to development and how this could be adequately addressed. These have focussed on the two options for addressing wastewater.

Waikato Regional Council

Discussions with WRC focussed on flood plain management, stormwater, wastewater, cultural elements, the Lake Waikare foreshore and margins. Feedback from WRC has been taken on board for the plan change.

A consent application is being prepared and will soon be lodged with WRC in relation to the MBR Plant. Other regional consents will be needed for development associated with the private plan change.

Iwi

LDL met and consulted with Waikato Raupatu River Trust and the Nga Muka Development Trust. A large focus of the consultation with Iwi and Tangata Whenua was how the development would address issues relating to wastewater and particularly the discharge to Lake Waikare.

Iwi have also supported the recognition of cultural significance of the edge of Lake Waikare and the vesting of the Iwi Reserve.

Consultation has also carried out as per section 4A of Schedule 1 of the RMA. Feedback on this has been support by Nga Muka Development Trust for the plan change provisions.

The development of two wastewater options has been supported by Iwi

NZTA

NZTA were primarily concerned with the capacity of the Rangiriri / Te Kauwhata off-ramps and interchange at State Highway 1. The traffic assessment carried out identified that there are no capacity issues with interchange and that the development would have no adverse effects.

KiwiRail

KiwiRail were concerned with reverse sensitivity issues along the North Island Main Trunk Line (NIMT). Based on this the private plan change provisions include specific setbacks for development near the NIMT. Specific criteria have also been included to address reverse sensitivity and LDL has commissioned a rail assessment report from Beca. This report recommended a number of site specific upgrades to the Te Kauwhata Road level crossing along with the Scott Road/Te Kauwhata Road intersection upgrade already proposed through the transportation assessment. Kiwirail have now confirmed that with the inclusion of specific provisions to address noise and vibration effects in the plan change provisions, their concerns have been addressed. LDL is invited to address this at the hearing with respect to progress on this matter.

Adjacent Landowners

There are a limited number of land owners adjacent to the area of the proposed plan change. They have been individually consulted. Consultation with some adjacent landowners has resulted in the extension of the area covered by the plan change.

Public Consultation

LDL hosted a community open day in Te Kauwhata in late 2016. The purpose of this was to outline the private plan change application proposal, the process and associated timings. A range of feedback was received and aspects of this were incorporated into the plan change. The inclusion of the equestrian park concept into the open space area was a result of community feedback.

It is considered that the applicant has demonstrated that they have consulted with a range of stakeholders and taken on feedback where they have considered this appropriate. Plan Change 20 was publicly notified on the 22 September 2017 and the public have had a chance to submit on the proposal. This s42A report addresses those submissions.

4 Consideration of submissions and further submissions

4.1 Introduction

This section contains a summary presentation of the submissions and further submissions received on PC 20. Submissions have been grouped under the proposed plan provision numbers to assist the Hearing Panel consider the submissions made and the Planning Officer's report.

The format of the Submissions table is as follows:

- the first line has details of the original submission;
- following lines detail any further submissions on that original submission. Further submission numbers are prefixed by FS and are in *Italic* font.
- blank cells differentiate between each original submission;

Example as follows:

| Analysis: Topic | | | | | | |
|---|-------------------------------|----------------|-----------|---|----------------|-----------|
| Discussion of submission topic/provision. | | | | | | |
| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary | Recommendation | Reasoning |
| John Doe | 100.1 | Map 1 | S | The proposed plan change is supported as the submitter considers it is relevant for the area. | XXX | |
| <i>Smith Enterprises</i> | <i>FS161.2</i> | <i>Map 1</i> | <i>O</i> | <i>The submission is opposed as the further submitter considers it is not appropriate to rezone this land</i> | XXX | |
| | | | | | | |

4.2 Submission Topic Area

Submissions have been assessed in groups according to the following topic areas:

- 4.3 General Submissions
- 4.4 Te Kauwhata Structure Plan
- 4.5 21E Te Kauwhata Lakeside Living Zone Rules, Precinct Plan and Comprehensive Subdivision
- 4.6 23C Te Kauwhata Lakeside Business Zone Rules, Precinct Plan and Comprehensive Subdivision
- 4.7 25H Te Kauwhata Lakeside Rural Zone Rules, Overlay Control and Precinct Plan
- 4.8 Planning Maps

4.3 General Submissions

Analysis: General Submissions

Nichola Smith (1.1) seeks the deletion of the entire plan change as it is considered the proposal will detract from the village character and lifestyle currently offered by Te Kauwhata. The Waikato District is experiencing growth pressure and it is considered that if able to be serviced, the plan change represents an opportunity to deliver more housing options in the Waikato District. As a result of submissions changes are recommended to ensure that the proposed plan change will meet the requirements of Future Proof, the Regional Policy Statement and the RMA.

Robin Baird (2.1 & 2.2) represents Te Kauwhata Health Centre and has submitted in support of the integrated and sustainable nature of the proposed growth in Te Kauwhata. They are seeking clarity on the nature of the commercial activity in the new proposed business centre due to the influence this may have on their plans for extension and seek for the size of the proposed healthcare centre to be specified in the plan. The plan provisions allow for business activity to establish as a permitted activity as long as the total GFA of all buildings in the business zone doesn't exceed 4,000m² and there are no more than two individual leasable units between 400m² 650m². The proposed plan change does not stipulate the type of activity that may eventually locate in the proposed centre, therefore it is impossible for the plan change to provide the level of detail sought by the Te Kauwhata Health Centre. The applicant may be able to provide more detail.

David Lloyd (4.1 & 4.2) supported by **Waikato Regional Council (FS36.1)**, **Waikato District Council (FS35.1)** & **Auckland Waikato Fish and Game (FS38.1)** supports the proposed development and the creation of public access to the lake, however has reservations around the effects of wastewater discharge into the Lake. He submits that wastewater should be removed from the lake to the Waikato River and on to the Tasman Sea. Support for the development is noted. Recommendations have been made in response to other submissions relating to wastewater discharge and infrastructure. These recommendations will ensure that sufficient infrastructure is available to suitably deal with wastewater from future development.

Waikato District Council (6.1) supports the proposed plan change in principle. WDC have submitted on the importance of providing a range of living opportunities and experiences whilst ensuring the landscape and other environmental values. The rule framework and design guide need to ensure that development is integrated into the existing Te Kauwhata township.

Waikato Regional Council (7.1) support by **Auckland Waikato Fish and Game (FS38.5)** have neutrally submitted that the proposed plan change needs to be assessed against Chapter 6 of the Waikato Regional Policy Statement to ensure certainty around the timing, staging and delivery of infrastructure. In particular the proposal needs to be tested against the alternative land release criteria in 6.14.3 of the WRPS. The WRPS has been assessed in Section 3.6.2 of this report and amendments are recommended to the plan provisions to ensure that infrastructure is available to service any proposed

development. Development where adequate infrastructure is not available, triggers are recommended to ensure that the requirements of the WRPS are able to be met.

WRC (7.2) have also submitted neutrally that the provisions of proposed plan change and seek amendments to ensure that PC20 is consistent with the existing provisions of the Waikato District Plan. Minor changes have been made to ensure plan consistency. These relate to:

- Amending cross references relating to earthworks in the Rural Zone as the proposed provisions cross linked to either non-existent or irrelevant standards in the plan.
- Inserting cross references to subdivision design standards to ensure consistency of approach for subdivision within the Lakeside Precinct.

Submissions 7.10 & 7.11 supported by Auckland Waikato Fish and Game (FS38.9, FS38.10) have submitted regarding the presence of Alligator Weed, which is listed in the Waikato Regional Pest Management Plan 2014 (RPMP) as a progressive containment plant species. WRC seek amendment to the proposed plan change to ensure that the management of alligator weed is addressed including amendments to objectives, policies, activity status, rules and assessment criteria, no specific relief is provided. Under s74(2) of the RMA, a district plan must have regard to any management plans and strategies prepared under other Acts. The RPMP has been prepared in accordance with the Biosecurity Act 1993 and the Biosecurity Law Reform Act 2012 and contains rules that relate to urban and per-urban subdivision and land development. It is appropriate that the provisions direct development to the requirements to ensure the management of alligator weed. Amendments have been recommended to the provisions to include the management of Alligator weed as an issue to be addressed and a policy direction to implement a management plan to address Alligator Weed. As the RPMP provides direction for pest management for land development and subdivision, it is considered that duplication of process by including rules within the plan provisions is unnecessary. Additional assessment criteria that allow council to consider as a matter of discretion the preparation and implementation of an alligator weed management plan when considering restricted discretionary applications. This allows for consent conditions to ensure an appropriate management strategy is in place.

Submission 7.14 supported by **Waikato District Council (FS35.2)** and **Auckland Waikato Fish and Game (FS38.12)** in relation to stormwater, note that a number of regional consents may be required in relation to the proposed Lakeside Development, no specific relief is sought. The appropriate consents will need to be obtained by LDL from WRC before development takes place.

Future Proof (8.1) supported by **Waikato Regional Council (FS36.2)** subject to other amendments, support the plan change and seek its retention as notified, as Te Kauwhata has always been identified as a growth area in the Future Proof Strategy. The support is noted, however changes have been recommended to the provisions that were notified.

David Hulme (12.4 & 12.5) has submitted that the development will disturb soil that is possibly contaminated by animal effluent and fertilizer which could create dust and contaminate drinking water supply. Mitigation options are sought that include cleaning of their roof and water tank including refilling

with water. The NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 controls development of land that may be contaminated. A preliminary site investigation has been carried out for the plan change area by *Pattle Delamore Partners Ltd* and has identified a number of potential contamination issues at the site and provided recommendations to address these issues. Development is required to follow the requirements of the NES which will address contaminated soils, any required remediation and the process to carry out that remediation. The NES Soil Contamination sits outside of the district plan and therefore no further actions are recommended at this time. Dust from construction will be addressed through the resource consent process.

David Hulme (12.6 and 12.7) and **Rochelle Hulme (13.4 & 13.6)** have submitted in relation to issues of reverse sensitivity from farming activities and have sought that properties adjacent to rural sections are larger in size or are retained as green belt areas to mitigate the issue and specifically that the area between 58 and 74 Scott Road is kept as a green belt. The inclusion of a green belt in this location would not represent an efficient use of land and would only provide a limited number of people with access to an open space. The location of areas of open space will be determined through the subdivision process. The majority of the area near Scott Road is in the Medium Density Precinct. Recommended changes to the provisions have increased the average lot size required in this area to be more in keeping with the character of Te Kauwhata. It is considered that due to the location of the Lakeside Precinct to the south of the town and the area of open space and industrial zoning between the proposed plan change area and the majority of existing residential development that there is little value in requiring additional amendments to further increase lot sizes along Scott Road

Rochelle Hulme (13.5) seeks upgrades to footpaths and the Scott Road/Main Road intersection to avoid congestion. The provisions allow council to reserve its discretion over matters relating to the roading network and compliance with a Council approved roading standard and the location of roads and their connections. Council therefore has the opportunity to assess the need for any required road upgrades to accommodate proposed development. In order to ensure the information supplied to Council is up to date, information requirements are recommended to require an integrated transport assessment at specific stages of the Lakeside development. The recommended stages are when development is to exceed 400 lots or dwellings, 800 lots or dwellings, 1200 lots or dwellings and 1600 lots or dwellings. This will ensure that the growth of the wider Te Kauwhata township is taken into account as the Lakeside Precinct grows.

Submission 13.7 is in regards to potential adverse effects of flooding on 58 Scott Road as parts of it are already subject to minor flooding in heavy rain events. The objectives and policies of the Te Kauwhata Structure plan apply to the proposed plan change area, confirmed by the proposed amendment of the Structure Plan boundary in the planning maps. Subdivision is generally located outside of the flood plain, however where development is proposed in the identified flood hazard area council's discretion includes matters relating to natural hazards including flooding. Amendments are proposed to ensure earthworks do not exacerbate the adverse effects of flooding.

Robyn and Scott McGuire (14) have made a number of general submissions on the plan change which are entirely supported by **David Hulme (FS37.2)**. These are addressed below.

Submission 14.3 states that more trees should be planted to offset the carbon footprint of the proposed development. Planting will be addressed at the resource consent stage and at detailed design of the streets through the infrastructure technical specifications. The inclusion of specific tree requirements in the district plan is considered to be overly prescriptive.

Submission 14.4 seeks for the house designs to be more in line with the values of Te Kauwhata and be aligned with the size of dwelling matching 450m² sections and be of low maintenance brick instead of the high maintenance designs included in the proposal. Controlling the architectural style and materials used within the proposed Lakeside Precinct through district plan provisions is considered to be inappropriate as it would result in an overly prescriptive regulatory framework reducing plan efficiency.

Submission 14.5 requests the washing of their house at appropriate intervals during construction due to increased levels of dust anticipated from construction. The effects of construction, including dust, will be managed through the resource consent process and conditions of consent. Including provisions within the plan to require house washing are considered to be overly prescriptive, however the submitter may wish to approach the developer to discuss.

Submission 14.6 is in regard to the possible effects on trees planted along their boundary. Assuming the trees are within the boundary of the submitter's property, they are protected under private property rights. The resource consent process will assess the effects of development and take into account any effects or potential effects on the receiving environment, therefore specific provisions protecting the trees are considered unwarranted.

Submissions 14.7 & 14.9 address non – RMA matters requesting the inclusion of CCTV monitoring for Scott Road and future access points to deter criminal activity, and limiting the number of rental properties in the development and therefore cannot be considered. No changes are recommended.

Submission 14.10 requests the staging of development begins further south and east of Scott road to prevent neighbours for as long as possible. Staging of the development will be addressed through the resource consent process, however it is likely that this will be carried out in the most efficient order to allow for construction and delivery of the necessary infrastructure required. No changes are recommended.

Submissions 14.11 - 14.17 seek specific road design responses to the increased number of vehicle movements that will occur with the development. These include:

- Reduction in speed to 50km/h
- Curb and channel, footpaths and a crossing on Scott Road
- Establishment of a secondary access point as soon as possible before the proposed 400 dwelling trigger.
- Keep clear zones on Te Kauwhata Road to allow access/egress from Scott Road and keep the railway clear during peak hours.
- Replacement for their feijoa hedge should damage occur during any future road widening.

The detailed design to respond to an increase in traffic will be carried out at resource consent stage. The provisions allow council to reserve its discretion over matters relating to the roading network and compliance with a Council approved roading standard and the location of roads and their connections. Council therefore has the opportunity to assess the need for any required road upgrades to accommodate proposed development. In order to ensure the information supplied to Council is up to date, information requirements are recommended that require an integrated transport assessment to be provided at specific stages of the Lakeside development. The recommended stages are when development is to exceed 400 lots or dwellings, 800 lots or dwellings, 1200 lots or dwellings and 1600 lots or dwellings. This will ensure that the growth of the wider Te Kauwhata township is taken into account as the Lakeside Precinct grows.

Auckland Waikato Fish and Game (15.4) supported by **Waikato Regional Council (FS36.3)** and **Waikato District Council (FS35.3)** have submitted that the proposal should only be approved as operational to the extent that development does not increase contaminant loading on Lake Waikare from current levels. The issue of water quality is a regional council function and should be dealt with by WRC. Provisions that do not relate to the functions of WDC should not be included in the plan. No changes related to water quality are recommended.

Submission 15.6 supported by **FS36.3** seeks to require development to minimise stormwater generation at source. Amendments recommended as a result of other submissions allow Appendix B (Engineering Standards) of the WDP to be considered. This includes low impact design requirements for development in the Te Kauwhata Structure Plan of which the Lakeside Precinct is a part of.

Submission (15.12, FS38.21) seeks additional amendments to address pest and pet predation of avifauna around the subdivision. The control of pets and pests is not considered to be a relevant district plan matter. The control of animals may be more appropriately controlled by other Council methods.

The Department of Conservation (16.1) supported by **Waikato Regional Council (FS36.4)**, **Waikato District Council (FS35.4)**, **Auckland Waikato Fish and Game (FS38.22)** seek for the proposed plan change to only be approved if the total contaminant loading on Lake Waikare from stormwater and wastewater is reduced. The proposed provisions require development in the Lakeside Living Zone to also adhere to the majority of rules in Chapter 21: Living Zone Rules, this includes provision 21.28 Impervious surfaces. This allows for a maximum impervious surface area of 70% of the site and requires stormwater to be managed in accordance with Appendix B: Engineering Standards of the Waikato District Plan.

Appendix B contains the engineering standards that apply to subdivision use and development of land. Section B5 addresses stormwater which includes requirements for stormwater disposal systems to, amongst other standards, protect the environment from the effects of heavy metals and other contaminants in stormwater discharges. There are also specific provisions requiring the use of low impact design features in the Te Kauwhata Structure Plan area.

Wastewater will be addressed through recommended amendments to ensure adequate infrastructure, including wastewater, is available to service

development. The provision of wastewater treatment will be addressed through both the district and regional consenting process with adequate capacity in a consented and operating treatment plant being required before land development can take place. This will address contaminant loading on Lake Waikare.

The issue of water quality is a regional council function and should be dealt with by WRC. Provisions that do not relate to the functions of WDC should not be included in the plan. No changes related to water quality are recommended.

Submission 16.4 supported by **Waikato Regional Council (FS36.6) & Auckland Waikato Fish and Game (FS38.25)** seeks that the proposed plan change should only be approved if a bio security plan is created that provides management options, raises awareness, and does not exacerbate the spread of pest plants. As a result of other submissions, amendments have been recommended that identify the need to ensure the management of alligator weed.

Melissa Epiha (17.2 & 17.3) generally supports development however seeks for it to align with the character of the existing Te Kauwhata township increasing the minimum lot size to 450m². It is considered that the high-density precinct provides Te Kauwhata with further housing choice and a different price point, providing for a range of housing tenure options. The location of the majority of the high-density precinct is separated from the existing township by the medium density precinct, which provides a transition between the high and what may be considered low density development (lots averaging 600m²). Changes have been recommended to increase the average lot size in the medium density precinct to 450m² to more closely align with the current character of Te Kauwhata. Changes are also recommended to the minimum lot size in the high-density precinct.

Ester Pilbrow (19.1) submits in relation to the safety of Scott Road and requests that changes are made to improve conditions for cyclists and pedestrians, particularly children. Changes sought include a reduction of the speed limit from 100km/h and provision of a footpath. The detailed design to respond to an increase in traffic will be carried out at resource consent stage. The provisions allow council to reserve its discretion over matters relating to the roading network and compliance with a Council approved roading standard and the location of roads and their connections. Council therefore has the opportunity to assess the need for any required road upgrades to accommodate proposed development. In order to ensure the information supplied to Council is up to date, information requirements are recommended to require an integrated transport assessment at specific stages of the Lakeside development. The recommended stages are when development is to exceed 400 lots or dwellings, 800 lots or dwellings, 1200 lots or dwellings and 1600 lots or dwellings. This will ensure that the growth of the wider Te Kauwhata township is taken into account as the Lakeside Precinct grows.

Nga Muka Development Trust (20.1) has submitted in support of the proposed plan change. Nga Muka is directly affected as mana whenua and has been consulted with during the development of the plan change process. They consider that there is a need for growth in the northern Waikato region. They seek to approve the plan change in full. Amendments have been recommended in response to a number of submissions, none of which change the general intent of the proposed plan change. Further to the plan change Nga Muka have also communicated their desire to be a part of the conversation regarding solutions for wastewater treatment and look forward to working with Council in a mana enhancing engagement to address wastewater infrastructure.

NZTA (22.1) supported by **Waikato Regional Council (FS36.7)** have an interest in the proposed plan change due to the proximity of the Waikato Expressway and being a co-investor in the local transport network. They have submitted that the development may have the potential to impact on the function of the nationally significant Waikato Expressway. NZTA request that the hearings committee ensure that they are satisfied that the plan change promotes an integrated approach to managing growth and infrastructure generally. Transport evidence prepared by the applicant and peer reviewed on behalf of WDC shows that the level of service on the State Highway remains at a service level D (the same level it is currently at) therefore it is considered that the effects on SH1 are acceptable. Amendments are recommended to the planning provisions to ensure adequate infrastructure is available to service the development and allow the effects of transportation to be considered as the area grows. It is therefore recommended that the submission is accepted.

Submission 22.2 supported by **FS36.8** is in regard to two projects that are on-going with respect to growth management in the Waikato. These include the North Waikato Integrated Growth Management Programme Business Case and the Future Proof Review. Stage 1 of the Future Proof review has been finalised with Stage 2 continuing to be developed. The North Waikato Integrated Growth Management PBC is still in draft form. Each of these documents addresses strategic land use planning to identify community and infrastructure needs. NZTA has submitted that the final outcomes of each of these documents will produce relevant and helpful information and requests that Council are open to re-visiting and re-testing the development plans proposed by PC20 in the up-coming District Plan Review Process. The District Plan Review process is separate to the current private plan change process and it is considered that decisions should be made taking into account the current information available. If new information is raised during the district plan review that is of consequence to the Te Kauwhata area, it should be referred to and taken into account as part of the District Plan Review.

Te Kauwhata Community Committee (TKCC) has made a number of general submissions on the proposed plan change. In general **(23.1)** they are neutral on the proposed plan change however have a number of concerns with how the proposed plan change will impact the current village. They are neutral **(23.5)** on the development on the grounds of Future Proof provisions and the identification of Te Kauwhata as a growth node and acknowledge the NPS – Urban Development Capacity. TKCC **(23.2)** are neutral on the proposal to create a primary school on the Lakeside Development area. The Ministry of Education have not submitted on the plan change and any proposed development of a primary school will be driven by the Ministry of Education. TKCC **(23.7)** are neutral on the proposed density for the retirement village.

Submission 23.10 states that the original plans shown at the community open day contained more open space and pocket parks than the plan that was notified. TKCC have advised that the community supported in principle the plans showing minimal high-density development close to rural boundaries and showing a greater portion of neighbourhood pocket parks, whereas the new notified proposal does not allow all houses to view a park. TKCC have requested that the “pocket parks” are reinstated as per the original plan with future maintenance determined via a range of funding mechanisms, not necessarily just WDC. This is supported by **Waikato District Council (FS35.5)** who further submitted that the provision of pocket parks to provide on-site amenity for residents is supported. The current plan provisions allow for the development of privately owned communal open space within the high-density precinct. The provision and location of open space will be determined through subdivision. It is recommended that at least two areas of public open space are identified on the precinct plan in locations that will maximise their use by future residents. It is recommended that these complement the location of the rural open space overlay, providing amenity for residents in the west and in the south of the Lakeside Precinct. Amendments to CS and CLDC Rules are recommended to require their provision.

The locations shown on precinct plan 21E.3.3 show a recommended approach to the plan methodology, feedback on location of parks by the applicant is welcomed.

FT and JF Siraa (24.1) have submitted that all of Te Kauwhata should be treated in the same way where rezoning is concerned. The proposed plan change for the Lakeside area proposed to extend the Te Kauwhata structure plan while providing a bespoke set of provisions that relate to the development of the area. The s32 analysis attached within the plan change provides justification for the planning provisions and sets out how these meet the requirements of the RMA 1991. The proposed zoning is considered to provide for the efficient use of land and enable the growth of Te Kauwhata with a range of housing options. The Te Kauwhata Structure Plan currently contains a number of different zones that enable residential development. The proposed Lakeside precinct provisions will offer alternative development options to those other areas.

Heritage New Zealand (25.1 and 25.2) seeks an archaeological assessment for the area to be zoned rural, including the area to be zoned rural with the Open Space and Cultural and Heritage Overlay to be undertaken prior to the determination of resource consent. They also request that in the event that an application is approved and the archaeological assessment recommends an archaeological authority is obtained from Heritage New Zealand it must be included as part of the advice notes in the conditions and advice notes section. Heritage New Zealand have since contacted Council and clarified that their submission was intended to seek an archaeological assessment of the Rural Zone before a decision on the proposed plan change was made.

An archaeological assessment was prepared as part of the background information put together for the plan change by Clough and Associates, this was subject to peer review by Warren Gumbley Ltd. In response to the peer review, further work was undertaken by Sian Keith Archaeology Ltd. The archaeology assessment addendum recommends that an application is made to Heritage New Zealand Pouhere Taonga for an authority to modify or destroy a potential archaeological site rather than the alternative of operating under an Accidental Discovery Protocol (ADP) to ensure works can continue in accordance with the authority should a discovery be made. With future earthworks, it is recommended that areas of higher risk should be monitored at the discretion of a suitably qualified archaeologist. The addendum assessment has not covered the area proposed to be retained in the rural zone including the proposed recreation overlay. This is identified as a limitation of the assessment.

As no evidence of archaeological material was identified, no provisions have been proposed that relate to archaeology.

At this stage no recommendations are made and Heritage New Zealand is invited to clarify their position at the hearing. Provisions may be appropriate that include the need to undertake a heritage assessment as part of any application in the rural zone that has not been covered by the assessment prepared as part of the plan change documentation.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|---|-----------------------|---|
| Nichola Smith | 1.1 | General | Oppose | <p>TK is a small rural village. There are not enough businesses to provide employment for anticipated increase of people in the area. Road infrastructure to Auckland cannot cope with existing commuters, development will exacerbate that problem. Commuters do not contribute to the local community. Target market of proposed housing is unclear as the small 200m² sections are not desirable for families. Opening paragraphs of the plan change provide an argument for the proposal to not go ahead. Proposed development will ruin the slower, quiet lifestyle of TK. Proposal should wait until housing in current developments in TK is sold. If the land must be developed allow a rural village style of lifestyle sections.</p> <p>Delete the entire plan change.</p> | Reject | The submission seeks the deletion of the entire plan change. It is considered that the plan change provides Waikato District with an opportunity to accommodate further residential growth. Amendments have been recommended to ensure the plan change meets the necessary requirements of the RMA. |
| Robin Baird | 2.1 | General | Support | Supports the integrated and sustainable nature of the proposed growth. | Accept in part | Changes have been recommended to the proposed plan change, therefore it is recommended that the submission is accepted in part. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|--|-----------------------|--|
| Robin Baird | 2.2 | General | Support | <p>The Health Centre provides essential services to the community. Large unexpected changes to the population are likely to impact their ability to plan for growth and the viability of the service. Growth needs to be planned to provide efficient health care, by either expanding the existing centre or developing a new site.</p> <p>Seeks cooperation between them and Council to provide and develop appropriate health care for future growth in the area. AND Specify the size of the proposed healthcare site.</p> | Reject | The submission seeks a level of detail that is not currently available as the proposed plan change enables a range of development to occur in the business zone which may not result in the development of a health care centre. It is recommended that the submitter seeks the detail from the applicant. |
| David Lloyd | 4.1 | General | Support | <p>Welcomes Lakeside development and public access to the lake.</p> <p>Supports proposed Lakeside Development.</p> | Accept | Support for the proposal is noted. |
| David Lloyd | 4.2 | General | Seek amendment | <p>Seeks that wastewater from TK be discharged into the Waikato River and Tasman sea within 24 hours</p> <p>Waste water should not be discharged into Lake Waikare.</p> | Accept in part | Changes have been recommended to the provisions to ensure wastewater is adequately addressed prior to development. |
| Waikato | FS36.1 | General | Neutral | <i>The relief sought is consistent with</i> | <i>Accept in part</i> | <i>The relevant submission is recommended</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---|--|---------------------------|------------------|---|-----------------------|--|
| <i>Regional Council</i> | | | | <i>policies 8.3, 8.5, 11.1 and 11.2 and method 8.3.10 of the RPS. WRC to be part of discussions relating to discharges into Lake Waikare</i> | | <i>to be accepted in part</i> |
| <i>Waikato District Council</i> | <i>FS35.1</i> | <i>General</i> | <i>Support</i> | <i>Consideration needs to be given to the appropriate wastewater disposal. Seeks that the submission be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part</i> |
| <i>Auckland Waikato Fish and Game</i> | <i>FS38.1</i> | <i>General</i> | <i>Support</i> | <i>Allow the submission</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part</i> |
| Waikato District Council | 6.1 | General | Support | Supports PPC20 in principle, is consistent with NPS-UDC, the Regional Policy Statement and the sub-regional Future Proof Growth Strategy. Requires a balance between maintaining the existing character of TK and providing a range of opportunities and different living experiences as stated in 15D.1. It is important to Council to maintain the landscape and other environmental values. The rule framework and design guide need to be developed in a way to ensure the integration of Lakeside Development and existing TK. | Accept in part | The submission supports the proposed plan change in principle. It is recommended that the plan change is accepted with changes recommended to a number of provisions throughout the Lakeside Precinct. |
| Waikato Regional Council | 7.1 | General | Neutral | PPC20 needs to be assessed against Chapter 6 of the Waikato RPS. Including planned and co-ordinated | Accept | Certainty around the provision, timing and staging of infrastructure is important to ensure that the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | <p>approach to urban development, particularly in relation to infrastructure delivery. The development is outside of the indicative urban limit and in excess of the residential allocation for TK therefore needs to be assessed against alternative land release criteria. Plan change documents do not provide sufficient clarity and certainty about timing and sequencing of infrastructure.</p> <p>Amend the proposed plan change to include greater certainty about the timing, staging and delivery of infrastructure, including wastewater, stormwater and roading infrastructure.</p> | | proposed plan change is able to be adequately serviced. Changes have been recommended to ensure that the provision of infrastructure is addressed. |
| Auckland Waikato Fish and Game | FS38.5 | General | Support | Allow the submission as it seeks to give greater certainty around timing, staging and delivery of infrastructure. | Accept | The relevant submission point is recommended to be accepted. |
| Waikato Regional Council | 7.2 | General | Neutral | <p>Lack of clarity as to how PPC20 is consistent with existing Waikato District Plan provisions, particularly Te Kauwhata Structure Plan provisions.</p> <p>Amend the plan to ensure</p> | Accept in part | Amendments have been recommended to ensure that the proposed plan change area is integrated into the Waikato District Plan. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | consistency with existing provisions of the District Plan. | | |
| Waikato Regional Council | 7.10 | General | Neutral | <p>WRC believe alligator weed (progressive containment plant species) is on the property and this has not been addressed in the ecological report or ecological restoration plans submitted with the application. Invasive characteristic of alligator weed creates high probability of it being spread across/beyond the site through soil disturbance and vehicle movements.</p> <p>WRC seek to discuss with applicant to ensure compliance with RPMP rules regarding alligator weed.</p> | Accept | The management of identified pest species is important and it is appropriate that the applicant liaises with WRC to implement a strategy to manage alligator weed. |
| Auckland Waikato Fish and Game | FS38.9 | General | Support | <i>Allow the submission as it seeks to ensure compliance with RPMP rules regarding Alligator Weed.</i> | Accept | <i>The relevant submission is recommended to be accepted.</i> |
| Waikato Regional Council | 7.11 | General | Neutral | WRC believe alligator weed (progressive containment plant species) is on the property and this has not been addressed in the ecological report or ecological restoration plans submitted with the application. Invasive characteristic of alligator weed creates high probability of it being spread | Accept | The management of identified pests is important, amendments have been recommended to ensure that the need to manage alligator weed is included in the provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | across/beyond the site through soil disturbance and vehicle movements. Amend PPC20 to ensure management of alligator weed is addressed – may include amendments to objectives, policies, activity status, rules and assessment criteria. | | |
| Auckland Waikato Fish and Game | FS38.10 | General | Support | Allow the submission as it seeks to ensure Alligator Weed management is addressed. | Accept | The relevant submission is recommended to be accepted. |
| Waikato Regional Council | 7.14 | General | Neutral | Note that a number of consents are likely to be required from Waikato Regional Council, including stormwater discharge, construction or infilling within the floodplain, earthworks, potential stream diversions or works within or over water courses and wastewater discharge activities. | Accept | The need for Waikato Regional Council consents is noted. |
| Waikato District Council | FS35.2 | General | Support | Wastewater needs to be appropriately consented and discharged. Seeks that the part of the submission relating to wastewater discharges be allowed. | Accept | The relevant submission is recommended to be accepted. |
| Auckland Waikato Fish and Game | FS38.12 | General | Support | Allow the submission. | Accept | The relevant submission is recommended to be accepted. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|------------------------------|------------------------|----------------|----------------|---|----------------|---|
| Future Proof | 8.1 | General | Support | TK has always been identified as a growth area in Future Proof and Waikato RPS. It is a key principle for Future Proof Strategy to develop existing settlements and growth areas. | Accept in part | Recommendations have been made to amend the plan change as notified, therefore it is recommended that the submission is accepted in part. |
| Waikato Regional Council | FS36.2 | General | Support | Allow the relief sought by the submitter, subject to the relief sought by WRC. | Accept | The relevant submission is recommended to be accepted in part. |
| David Hulme | 12.4 | General | Seek amendment | Disturbance of possibly contaminated soil could contaminate drinking water supply. Require house and roof at 58 Scott Road to be cleaned at least once a year or when required while development takes place. (At developer's expense) | Reject | Soil contamination and remediation will be addressed through the NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011. It is suggested that the submitter raises their concerns with the developer. |
| David Hulme | 12.5 | General | Seek amendment | Disturbance of possibly contaminated soil could contaminate drinking water supply. Require the water tank at 58 Scott Road to be drained annually, cleaned and refilled while development takes place. (At developer's expense) | Reject | Soil contamination and remediation will be addressed through the NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011. It is suggested that the submitter raises their concerns with the developer. |
| David Hulme | 12.6 | General | Seek amendment | Reverse sensitivity effects of animals and the use of farm equipment on | Accept in part | Amendments are recommended to increase the average lot size in the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | existing lots is a possibility. Amend the sections sizes adjacent to existing properties to be of a larger size or are green belt areas. | | medium density precinct and the minimum lot size in the high density precinct. |
| David Hulme | 12.7 | General | Seek amendment | Reverse sensitivity effects of animals and the use of farm equipment on existing lots is a possibility. Section between 58 Scott Road and 74 Scott Road is kept as a green belt. | Reject | The location of a green belt in this location is not considered to be an efficient use of land and would only provide outdoor amenity to limited number of the proposed dwellings. Open space will be provided through the subdivision process. |
| Rochelle Hulme | 13.4 | General | Seek amendment | Proposal does not comply with minimum allotment sizes in the District Plan. Proposals currently show a green belt between 58 and 74 Scott Road and should be retained. Section between 58 Scott Road and 74 Scott Road is kept as a green belt. | Reject | The location of a green belt in this location is not considered to be an efficient use of land and would only provide outdoor amenity to limited number of the proposed dwellings. Open space will be provided through the subdivision process. |
| Rochelle Hulme | 13.5 | General | Seek amendment | Scott Road is not currently designed to cope with the proposed increase in traffic, Carriageway Consulting stated that it is only fit to service 400 lots. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | Upgrade Scott Road with footpaths for pedestrian safety AND that Scott Road and Main Road intersection is designed to handle traffic proposed and to avoid congestion. | | requirements to ensure an appropriate level of transportation effects. |
| Rochelle Hulme | 13.6 | General | Seek amendment | Reverse sensitivity effects of animals and the use of farm equipment on existing lots is a possibility. Sections adjacent to existing properties are of a larger size or are green belt areas. | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high density precinct. |
| Rochelle Hulme | 13.7 | General | Seek amendment | Concerns with reshaping of adjacent land in regards to that causing flooding on 58 Scott Road where minor flooding in heavy rain already occurs. Subdivision and development should not be located in areas subject to flooding or natural seepage. | Accept in part | Amendments have been recommended that allow council to assess the impacts of earthworks on the adverse effects of flooding |
| Robyn and Scott McGuire | 14.3 | General | Oppose | A development this size needs to offset its carbon footprint. Request more tree planting to address some of the carbon footprint of the development. | Reject | Planting and landscaping will be address through resource consent applications – street planting will be required to be in line with the infrastructure tech specs. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | <i>to be Rejected.</i> |
| Robyn and Scott McGuire | 14.4 | General | Oppose | The house designs should reflect the Te Kauwhata context and be of low maintenance. Amend the proposed house designs to be more in line with existing Te Kauwhata values and 450m ² lot sizes | Reject | The relief sought would result in overly prescriptive planning provisions reducing the efficiency of the plan. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Robyn and Scott McGuire | 14.5 | General | Oppose | Construction and increased traffic will create dust. Add requirement to have house at 56 Scott Road washed at appropriate intervals during construction. | Reject | The relief sought is considered to be overly prescriptive. The effects and management of dust will be addressed at the resource consent stage and it is suggested that the submitter raises their request with the developer about washing of their house. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Robyn and Scott McGuire | 14.6 | General | Oppose | Trees planted along the boundary of 56 Scott Road will be affected. Add provisions that guarantee that excavation will not cause damage to tree roots. | Reject | The relief sought is currently protected by private property rights. Specific provisions to protect trees on private property are not considered to be appropriate. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Robyn and Scott McGuire | 14.7 | General | Oppose | An increase in concentration of people may lead to an increase in theft and safety issues. Add CCTV monitoring of Scott Road and the possible future access point be implemented to deter any criminal activity. | Reject | The relief sought is not considered to be an RMA issue. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Robyn and Scott McGuire | 14.9 | General | Oppose | Concern over the diversity of housing proposed. Add controls imposed around the number of rental dwellings and overseas investments allowed (i.e. 15%). | Reject | The relief sought is not considered to be an RMA issue. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Robyn and Scott McGuire | 14.10 | General | Oppose | Concerns about effects of construction on existing residents of Scott Road. Add requirement that if building commences, it starts further South and East of Scott Road to prevent neighbours for as long as possible. | Reject | The staging of development will be addressed though the resource consent process. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission is recommended</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | <i>to be Rejected.</i> |
| Robyn and Scott McGuire | 14.11 | General | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement for Scott Road to have a reduced speed limit of 50kmph. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part</i> |
| Robyn and Scott McGuire | 14.17 | General | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement that if roads are widened, a suitable replacement to fencing at 56 Scott Road be provided. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | General | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Auckland Waikato Fish and Game | 15.4 | General | Support in part | Lake Waikare is listed as regionally significant in the Auckland Waikato Sports Fish and Game Bird Management Plan, the Whangamarino Wetland are listed as nationally significant. They are | Reject | The amendment sought relates to a regional council function and are therefore inappropriate to be included in the provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | also internationally recognised. Only approve the proposed plan change if it does not result in an increase in total contaminant loading on Lake Waikare from current levels. | | |
| Waikato Regional Council | FS36.3 | General | Neutral | The relief sought is consistent with policies 8.3, 8.5, 11.1 and 11.2 and method 8.3.10 of the RPS. WRC to be part of discussions relating to discharges into Lake Waikare and stormwater management. | Reject | The relevant submission is recommended to be Rejected |
| Waikato District Council | FS35.3 | General | Support | Contaminant loading in Lake Waikare needs to be reduced. Seeks for the submission to be allowed. | Reject | The relevant submission is recommended to be Rejected. |
| Auckland Waikato Fish and Game | 15.6 | General | Support in part | Fish and Game own and manage large portions of land in Whangamarino and on the western shores of Lake Waikare and have undertaken significant investment in the area. Any increase in contaminants will be detrimental to these efforts and is considered to be inconsistent with the Vision and Strategy for the Waikato River, the Regional Policy Statement and the National Policy Statement for Freshwater Management. | Accept in part | Amendments are recommended as a result of other submissions that address the relief sought. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | Development should only be enabled where it minimises stormwater generation at the source. | | |
| Waikato Regional Council | FS36.3 | General | Neutral | <i>The relief sought is consistent with policies 8.3, 8.5, 11.1 and 11.2 and method 8.3.10 of the RPS. WRC to be part of discussions relating to discharges into Lake Waikare and stormwater management.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| Auckland Waikato Fish and Game | 15.12 | General | Seek amendment | To address avifauna predation, encourage communities to value and protect wildlife and require resource consents to include financial contributions or services by the developer to contribute to pest management. Amend the plan provisions to include any other amendments to address pet and pest predation around the subdivision. | Reject | The district plan is not the appropriate mechanism to control the ownership of pets, nor is it able to control residential pests. |
| Auckland Waikato Fish and Game | FS38.21 | General | Support | <i>Allow the submission and note that Fish and Game seek amendments to the plan provision.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Department of Conservation | 16.1 | General | Oppose in part | Te Kauwhata is located adjacent to Lake Waikare and water from the lake flows into the Whangamarino Wetland to the Waikato River. | Accept in part | Amendments have been recommended as a result of other submissions that ensure stormwater management is able to be adequately |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>Contaminants that end up in the lake will ultimately end up in the river. The creation of an MBR plant is undesirable and contrary to the Regional Policy Statement and the Vision and Strategy for the Waikato River. Any increase in contaminants as a result of stormwater runoff is also opposed.</p> <p>Only approve proposed plan change if total contaminant loading on Lake Waikare from stormwater and wastewater is reduced.</p> | | assessed. The management of water quality is a regional council function and should not be included in the plan. |
| Waikato Regional Council | FS36.4 | General | Neutral | <i>The relief sought is consistent with policies 8.3, 8.5, 11.1 and 11.2 and method 8.3.10 of the RPS. WRC to be part of discussions relating to discharges into Lake Waikare.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Waikato District Council | FS35.4 | General | Support | <i>Contaminant loading in Lake Waikare need to be reduced and new development needs to address this. Seeks for the submission to be allowed.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Auckland Waikato Fish and Game | FS38.22 | General | Support | <i>Allow the submission as activities should not result in further contaminant loading on Lake Waikare.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Department | 16.4 | General | Oppose in | DoC currently undertakes weed | Accept in part | Amendments have been |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| of Conservation | | | part | control in Lake Waikare and the Whangamarino Wetland to control pest species. Any activities that may exacerbate or spread pest plants without adequate controls in place is opposed. Only approve the proposed plan change if a biosecurity plan is created to provide management options, raise awareness and not exacerbate the spread of pest plants. | | recommended that address the need to ensure the management of alligator weed. |
| Waikato Regional Council | FS36.6 | General | Support | WRC is concerned that Alligator weed may spread as a result of the development without appropriate controls. This is relevant to Method 11.2.1(j) and 8.3(e) of the RPS. Allow the relief sought by the submitter. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Auckland Waikato Fish and Game | FS38.25 | General | Support | Allow the submission as it seeks to ensure compliance with RPMP rules regarding Alligator Weed. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Melissa Epiha | 17.2 | General | Support | Support development and consider it to be a high priority. | Accept in part | The plan change is recommended to be accepted albeit with amendments recommended in response to other submissions. |
| Melissa Epiha | 17.3 | General | Neutral | It is important to remember that while providing for new | Accept in part | Amendments have been recommended in response to other |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>development and residents that there are current residents that have lived in Te Kauwhata for generations and are responsible for creating the village character.</p> <p>Requests development proceeds with respect to current residents and that the existing environment only diversifies but does not change the character of Te Kauwhata</p> | | submissions that are considered to improve the integration of new development within Te Kauwhata. |
| Ester Pilbrow | 19.1 | General | Not stated | <p>Scott Road has a 100 km/h speed limit and is used by residents to walk to school, shops. Construction traffic does not need to travel 100 km/h and needs to be careful of pedestrians.</p> <p>Council to agree the proposed plan change on the condition that Scott road is made safe for pedestrians and cyclists before works begin, including a reduced speed limit and construction of a footpath.</p> | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| Nga Muka | 20.1 | General | Support | The need for growth in the northern Waikato is acknowledged, Te Kauwhata is a suitable and logical place for this to occur. Nga Muka have been extensively consulted | Accept in part | The plan change is recommended to be accepted albeit with amendments recommended in response to other submissions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | with over the plan change and associated works. Approve the plan change in full. | | |
| NZTA | 22.1 | General | Not Stated | Development in the area has the potential to impact on the function of the nationally significant Waikato Expressway. NZTA also has an interest as co-investor in the local transport network. Requests Hearings Committee to ensure it is satisfied the plan change promotes an integrated approach to managing growth and infrastructure. | Accept in part | Amendments have been recommended to the plan provisions to ensure that adequate infrastructure is available to service the development proposed and the effects of transportation are able to be considered as the area grows. |
| Waikato Regional Council | FS36.7 | General | Support | <i>The submission seeks to ensure that PC20 promotes an integrated approach to managing growth. This is consistent with Policies 6.1 and 6.3 of the RPS. Allow the relief sought by the submitter.</i> | Accept in part | <i>The relevant submission point is recommended to be accepted in part</i> |
| NZTA | 22.2 | General | Support | It is considered that PPC 20 may be inconsistent with the Waikato Regional Policy Statement 2016 and Future Proof. There are a number of processes underway to address growth management in the north Waikato. NZTA notes that growth beyond that signalled in the RPA and Future Proof is anticipated and | Accept in part | The submission is noted. There is no ability to review decisions at a later date that are made as part of the private plan change process should this become operative. The upcoming District Plan Review may provide the opportunity for further evidence to be considered and amendments made if |

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>PPC20 is considered to be generally consistent with the expected outcomes of these projects. There are a number of processes underway that will inform growth management in the North Waikato and NZTA considers that the assumptions used in the development of PPC20 should be tested against the updated information when available.</p> <p>Requests Waikato District Council remains open to revisiting decisions made through this plan change following the conclusion of and information derived from the North Waikato Integrated Growth Management Programme and the Future Proof Strategy Review, potentially as part of the Waikato District Plan review process.</p> | | necessary. |
| Waikato Regional Council | FS36.8 | General | Support | <p><i>The submission seeks that the decisions made on PC20 are able to be revisited at the conclusion of the North Waikato Integrated Growth Management Programme and Future Proof Strategy Reviews. This is will give effect to RPS Policies 6.1, 6.3, 6.13, 6.14 and 6.19. Allow the relief sought by the submitter.</i></p> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | |
| Te Kauwhata Community Committee | 23.1 | General | Neutral | Neutral on the proposed private plan change however there are some concerns with the impact on the existing village. | Accept | No relief has been sought, therefore the submission is accepted. |
| Te Kauwhata Community Committee | 23.2 | General | Neutral | Neutral on the proposal to create a primary school in the Lakeside Development. | Accept | No relief has been sought, therefore the submission is accepted. |
| Te Kauwhata Community Committee | 23.5 | General | Neutral | Neutral on the development on the grounds of Future Proof provisions and the identification of Te Kauwhata as a growth node and acknowledging the NPS-UDC. | Accept | No relief has been sought, therefore the submission is accepted. |
| Te Kauwhata Community Committee | 23.7 | General | Neutral | Neutral on the density related to the retirement village proposal. | Accept | No relief has been sought, therefore the submission is accepted. |
| Te Kauwhata Community Committee | 23.10 | General | Oppose | The plan has been amended from what was originally shown at the community open day. It no longer provides sufficient open space throughout the development for all houses to have a view of a park. | Accept in part | Recommendations have been made to require the provision of public open space and provisions of private community open space as part of the consent process. |
| Waikato District Council | FS35.5 | General | Support | <i>The provision of pocket parks to provide onsite amenity for residents is supported, seeks the submission to be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| FT and JF Siraa | 24.1 | General | Not Stated | Whatever the outcome of the plan change, all of Te Kauwhata is treated | Reject | The relief sought would not enable the provision of a range of housing |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | the same in regards to zoning. Treat all of Te Kauwhata the same where re-zoning is concerned. | | and density options within Te Kauwhata. |
| Heritage New Zealand | 25.1 | 25H | Seek amendment | The archaeological assessment of the proposed plan change area doesn't appear to pertain to the land zoned rural. Based on current information there is reasonable cause to suspect the presence of unrecorded archaeological sites. As substantial development is proposed in the area, it is reasonable to extend the assessment to include the rural zone to determine the need for an archaeological assessment. Amend the provisions to include a requirement for an archaeological assessment to be undertaken prior to the determination of resource consent for the area to be zoned rural including the open space and cultural and heritage overlay. | Reject | The relief sought from the submitter is unclear. They are welcome to clarify their position at hearing. Amendments may be appropriate to ensure that the risk of adversely affecting archaeological sites is minimised. |
| Heritage New Zealand | 25.2 | General | Seek Amendments | If the application is approved and the archaeological assessment recommends an archaeological authority is obtained from Heritage | Reject | The relief sought from the submitter is unclear. They are welcome to clarify their position at hearing. Amendments may be appropriate to ensure that the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>New Zealand this must be included as part of the advice note in the conditions and advice notes section.</p> <p>Amend the provisions to include a requirement for advice notes to state the need for the applicant to supply the archaeological assessment to HNZ for confirmation of the requirement to obtain an archaeological authority.</p> | | <p>risk of adversely affecting archaeological sites is minimised.</p> |

4.4 Te Kauwhata Structure Plan

4.4.1 15A Te Kauwhata Structure Plan

Analysis: Introduction

Te Kauwhata Community Committee (23.8) support pedestrian oriented retail development that provides active frontages and the provision of community facilities provided provisions are made to avoid duplication of those presently existing in the town centre. Provisions are included to limit the size of retail activities in the proposed community hub/business zone to ensure that the new centre does not have an adverse economic effect on the existing Te Kauwhata village centre. The RMA does not allow trade competition to be considered as an adverse effect, therefore provisions limiting the specific business type that can establish and operate in the new centre are inappropriate.

TKCC have provided the observation that there is no provision for a park and ride facility in the village. If a commuter transport service was to be established, the provision of a park and ride would be an activity that would be reasonably anticipated in the Te Kauwhata township. The location of a park and ride service is likely to be more appropriate in a non-residential area or in close proximity to a bus/rail/multimodal station and therefore provision for such a service is likely to establish outside of the lakeside plan change area. If a park and ride is to establish in the future, a resource consent application is the appropriate pathway.

TKCC also oppose the high and medium density lot sizes, seeking a minimum lot size of 450m². Changes are recommended to the plan provisions to increase the average lot size in the Lakeside Medium Density Precinct to 450m². This will ensure the medium density development is more in line with the character of the existing Te Kauwhata Township. The majority of the high-density precinct is located towards in internal portion of the plan change area and therefore the contrast in lot sizes when compared to the existing township will be less pronounced. The higher density is considered to be appropriate as it provides for an efficient use of land ensuring that the development delivers a compact urban environment. The range of densities enabled in the wider Te Kauwhata area (225 - 5000m²) provides a range of housing choice and price-points.

KiwiRail Holdings Limited (34.11) has sought that a Level Crossing Safety Impact Assessment (LCSIA) be carried out to assist in decision making for the proposed plan change in relation to traffic and the safety of the level crossing. Changes are requested to be made in response to the outcomes of the LCSIA if required. The applicant and Waikato District Council have both commissioned LCSIA reports for Te Kauwhata employing BECA and AECOM respectively. Both reports have identified that safety improvements are needed to be made to ensure that the risk from the increased level of traffic movements is appropriately managed. Amendments are recommended throughout the plan change to ensure the appropriate mitigation can be put in place.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Te Kauwhata Community Committee | 23.8 | 15A2.4 | Seek amendment | <p>In relation to the town centre, pedestrian orientated retail development is supported. Community facilities should not duplicate those previously existing in the town centre. Seeks provisions that relate to a park and ride. The high and medium density residential is contrary to the WDC Plan and is in line with urban rather than village environment.</p> <p>Amend the proposed medium density, this should remain as per Rule 21.63 of the district plan.</p> | Accept in part | The relief sought is recommended to be accepted in part as changes are recommended to the average lot size in the Medium Density Precinct. Other points of relief sought in the submission are recommended to be rejected. |
| KiwiRail Holdings Ltd | 34.11 | 15A.3.10 | Seek amendment | <p>There are currently 180-200 trains per week using the NIMT through Te Kauwhata, this is likely to increase. A risk assessment of the effects of the Plan Change should have been undertaken as part of the Transport Assessment. A Level Crossing Safety Impact Assessment (LCSIA) would assess the adequacy of the Te Kauwhata Road level crossing for all modes of transport generated by the new development. This would enable Council to consider whether any mitigation measures are required now or could be staged as part of</p> | Accept in part | An LCSIA has been undertaken and amendments have been recommended to address the outcomes of that report. The detailed delivery of safety improvements will be addressed outside of the District Plan provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>further development. The 400 lot threshold before a secondary access is required is noted and supported however this may not fully address all transportation issues, particularly those affecting the safe operation of the level crossing for the anticipated growth in population. The efficient and effective use and development of the rail network is promoted through Part 2 of the RMA. An appropriate balance is required between ensuring the rail network can be used, and development being facilitated without compromising the safety of people and communities.</p> <p>Complete a LCSIA for the Plan Change before decisions are made. AND Amend the Precinct Plan in regard to level crossing safety to have regard to the LCSIA that has been completed for the proposed plan change area. The LCSIA will confirm the need for any phasing of infrastructure provision and possible level crossing upgrade and may have an impact on the 400 lot threshold that triggers the secondary route.</p> | | |

4.4.2 15D Introduction

Analysis: Introduction

The introduction to Chapter 15D provides an outline of the key issues for residential development in the proposed Lakeside Precinct Area. While not included in any resource consent assessment, it provides a useful background on the purpose of the zone. Two submissions have been received on the introduction, these are addressed below.

Future Proof (8.2) supported by **WRC (FS36.2)** seek for the inclusion of reference to the Waikato Regional Policy Statement ('WRPS') in the introduction to Chapter 15D – Te Kauwhata Lakeside Precinct Plan. The entire Waikato District Plan is required to give effect to the WRPS, therefore the specific mention of the WRPS in the Lakeside Plan Provisions is not required. For plan consistency no changes are recommended.

KiwiRail Holdings Ltd (34.1) seek reference to the North Island Main Trunk Line ('NIMT'), recognising its strategic importance and the need to avoid or mitigate issues associated with reverse sensitivity and issues of level crossing safety. The NIMT is identified as a piece of regionally significant infrastructure as per Map 6.1 of the WRPS and it is important to ensure that the development does not adversely impact on its continued operation. Provisions have been included and recommended in the provisions to address the NIMT, it is therefore appropriate to acknowledge its location and particular issues in the introduction.

KiwiRail Holdings Ltd (34.2) supported by **Waikato Regional Council (FS36.9)** also seek to amend 15D to identify the management of reverse sensitivity on existing infrastructure, particularly the NIMT. As provisions have been recommended to manage issues around reverse sensitivity regarding the NIMT, it is considered appropriate to include this in the list of issues that are being managed. The wording offered by KiwiRail Holdings Ltd includes the use of the word avoid when describing the management of reverse sensitivity. The RPS directs local authorities to have "particular regard" for reverse sensitivity when changing district plans, particularly around sensitive activities, therefore it is considered the use of the word "avoid" as proposed by KiwiRail is overly prescriptive. Wording has been recommended that acknowledges the management of reverse sensitivity issues is an important issue for development near the railway corridor in the plan change area. It is therefore recommended that the submission is accepted in part.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|---|
| Future Proof | 8.2 | 15D.1 | Seek amendment | It is important to have a policy cascade from Future Proof and the RPS into the District Plan. Amend 15D.1 to include reference to RPS in the introduction. | Reject | The WDP is required to give effect to the WRPS as per the RMA. The specific mention of the WRPS in the introduction for one zone would be inconsistent with the rest of the plan. |
| Waikato | FS36.2 | 15D.1 | Support | Allow the relief sought by the submitter, | Accept in part | The relief sought in submission 8.2 is |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Regional Council | | | | subject to the relief sought by WRC. | | recommended to be accepted. Further relief sought from WRC is addressed elsewhere in the s42A report. |
| KiwiRail Holdings Ltd | 34.1 | 15D.1 | Seek amendment | <p>The proposed precinct plan should specify the strategic nature and importance of the existing North Island Main Trunk Railway (NIMT). The plan change should reinforce and recognise the need to address reverse sensitivity, and the need to avoid or mitigate road safety issues.</p> <p>Amend 15D.1 to include reference to the NIMT and the need to avoid or mitigate issues associated with reverse sensitivity and issues of level crossing safety.</p> | Accept | The relief sought seeks to include reference to the NIMT in the introduction to Chapter 15D. This will provide useful background on a significant piece of infrastructure in close proximity to the proposed zoning. |
| KiwiRail Holdings Ltd | 34.2 | 15D | Seek amendment | The Waikato Regional Policy Statement notes that new development should not compromise the safe, efficient and effective operation and use of infrastructure. Development should not result in incompatible adjacent land uses, including those that may result in reverse sensitivity. Reverse sensitivity is an important RMA issue and needs to be addressed. The integration of the proposed development can be addressed through high quality urban design and a focus on internal | Accept in part | The relief sought by the submission is considered to aid in plan interpretation however includes a strong directive in the use of the word “avoid”. Amendments have been recommended to ensure reverse sensitivity effects in relation to the NIMT are acknowledged. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | residential amenity. Amend I5D to include reference to avoiding reverse sensitivity issues impacting on existing transport networks, including level crossings, noise and vibration. | | |
| Waikato Regional Council | FS36.9 | I5D | Support | The submitter seeks amendments to avoid reverse sensitivity issues this is consistent with policies 6.1 and 6.3 of the RPS. Allow the relief sought by the submitter. | Accept in part | The relief sought in the relevant submission is recommended to be accepted in part |

4.4.3 I5D.3 Objectives and Policies

Analysis: Objectives and Policies

Waikato District Council (6.5) seeks to amend Policy I5D.3.6(b) to include reference to the existing streetscape of Te Kauwhata to ensure that the streetscape is complementary to other parts of Te Kauwhata. There is no consistent streetscape throughout the existing Te Kauwhata township, therefore requiring all new streets to be complementary to what already exists is difficult. No changes are recommended.

Submission 6.6 seeks to amend I5D.3.6(h) to remove the word “highly” from the policy as it is considered to be subjective. This is supported and amendments will be made to reflect this.

Waikato Regional Council (7.3) supported by **Auckland Waikato Fish and Game (FS38.6)** supports the intent of Objective and Policies I5D.3.19, I5D.3.20 and associated explanation I5D.4.8, however seek changes to ensure that these are implemented through the subsequent activity status, rules and assessment criteria as there is a lack of certainty around infrastructure provisions. They seek to either establish a Discretionary Activity Status for Comprehensive Subdivision Consent, Comprehensive Land Development Consent, number of dwellings, and subdivision and/or amend the provisions to provide more certainty regarding the provision, timing, staging, triggers and the sequencing of infrastructure and land use.

It is recommended that due to the complexity of the consents and the uncertainty regarding infrastructure the activity status for Comprehensive Subdivision and Comprehensive Land Development is amended to become a restricted discretionary activity. This will enable a more rigorous assessment

of consent applications and ensure that all necessary aspects of the development are able to be considered. With appropriate matters of discretion, a restricted discretionary status provides certainty to the applicant of what Council will assess through the consent process whilst retaining the ability, if necessary, to decline an application if it fails to meet the requirements of the plan. Provisions relating to the amendment of CS or CLD Consents should be considered under s127 and therefore have Discretionary Activity status. While a Discretionary Status could be applied in the plan provisions, it is recommended that to avoid confusion they are simply deleted.

Recommendations are also made to amend the provisions of the plan to ensure there is certainty around the availability and capacity of infrastructure within the Lakeside Precinct Area. These include the addition of an objective and policy to ensure that urban development of the Lakeside area will not be allowed unless appropriate infrastructure is available and has capacity to adequately service the proposed development. This is given effect to by proposed amendments to the rules for subdivision and land development. These put in place requirements for infrastructure to be available and capable of adequately servicing the proposed development. Where reticulated infrastructure is not available to service proposed development a non-complying activity status is recommended. This will ensure that the 'infrastructure triggers' proposed provide clear direction for plan users on the importance of ensuring adequate infrastructure is available to service development in the area. Unlike the provisions that apply for site development in the rest of the Living Zone, alternative methods for delivery of infrastructure are not provided for. This is considered appropriate due to the level of density proposed by the plan change and its proximity to Lake Waikare and the nationally significant Whangamarino wetland. These two factors mean the use of other methods of treatment such as septic tanks and rainwater tanks are inappropriate.

The recommendation to amendment to a restricted discretionary activity status in combination with the recommended standards regarding infrastructure will ensure that development is able to be adequately assessed, particularly with regard to the provision of infrastructure. It is considered that these recommendations address the concerns of the submission.

Submission 7.5 seeks to include policies and/or assessment criteria to address the integration of walking and cycling with the existing settlement of Te Kauwhata to ensure the proposed plan change gives effect to RPS implementation methods 6.1.8(c) and 6.3.1(b) & (e).

Proposed Policy 15D.3.4 (f) states: *"The layout and form of urban development: Provides safe and efficient vehicle, pedestrian and cycle connections within the Lakeside Precinct Plan area, and into the existing village and wider area"*. This is considered to provide policy direction for the connection of the proposed development area to the existing Te Kauwhata village. There are a number of assessment criteria that address walking and cycling within the plan change area and connecting to the existing Te Kauwhata township. These include:

The extent to which:

3. *A transport network that is safe, legible, logical and well connected for vehicles, pedestrians and cyclists*
5. *The walking and cycling network allows for a future alternative public access between the village and the Lakeside Precinct Plan Area,*
8. *Pedestrian walkways and cycle paths that connect to the existing village, Lake Waikare, and to the development; provide a network throughout the area as indicatively illustrated on Precinct Plan 21E.3.2.*

It is therefore considered that there are adequate matters of discretion to ensure integrated walking and cycling connections and no further changes are recommended.

Submission 7.8 supports the intent of Objective 15D.3.9 and its associated policies. However, the submitter considers that there is little ability to assess the matters addressed in these objectives and policies through the resource consent process due to the permitted and controlled activity status for grazing of stock, earthworks, subdivision and development and the lack of a design guide or adequate consideration in the proposed assessment criteria. Amendments are sought to the activity status of comprehensive development, comprehensive subdivision, number of dwellings, subdivision and earthworks to Discretionary to ensure Objective 15D.3.9 and its associated policies are given more consideration. They have also requested amendments to assessment criteria to ensure these matters are adequately assessed. Additions are also proposed to address the use of the stormwater network to provide ecological corridors. As well as this, they seek the inclusion of a design guideline that supports the achievement of Objective 15D.3.9 and its associated policies.

Recommendations are made to amend the activity status of comprehensive subdivision and comprehensive land development to 'restricted discretionary' in combination with amendments to the assessment criteria. These amendments will ensure that the directives of Objective 15D.3.9 and its associated policies are able to be assessed and considered through the resource consent process. In combination, it is considered that a Restricted Discretionary status provides Council adequate ability to assess the application whilst retaining a level of certainty for the applicant. The amendments proposed to the assessment criteria reflect the wording of the policy and are considered to provide clarity of direction rather than introducing new matters of assessment.

The inclusion of an additional assessment criteria that recognises and provides for dual stormwater and flood management areas to have a dual ecological function where appropriate is recommended. This recognises that the proposed stormwater treatment and flood management areas can contribute positively to the local ecosystem in some, but not all places. It is also recommended that changes are made to 25H.1 to require stock to be excluded from Lake Waikare and natural waterways, giving effect to Objective 15D.3.9 as notified.

The provision of design guidelines is not recommended to be included as this creates a further layer of scrutiny and assessment that will achieve a similar outcome as the recommended provisions. It is considered the move to a Restricted Discretionary activity, with changes to activity standards and assessment criteria allows for adequate assessment through the resource consent process.

Submission 7.9 supported by **David Hulme (FS37.3)** notes that at certain times Lake Waikare may be subject to cyanobacteria blooms causing implications in terms of public access. This is noted, and health warnings and restrictions to the water can be implemented when and as needed. No changes are requested or proposed.

Submission 7.13 supported by **Auckland Waikato Fish and Game (FS38.11)** seeks amendment to Policy 15D.3.6(g) to ensure that the flood protection role of the rural zone surrounding the proposed residential development is included. It is not considered appropriate by WRC to intensively develop the land below the design flood level (DFL) of the Lake which is 7.37m. The flood plain is addressed in Policy 15D.3.18 which states that "*An appropriately sized flood plain is maintained as open space and/or rural land so as to allow this land to continue its function*". To clarify the function of the flood plain, an amendment

is recommended in line with the WRC submission. A further policy is recommended that seeks to ensure the flood plain area is appropriately managed to ensure that any modifications result in no material difference to the holding capacity of the flood plain.

Future Proof (8.3) supported in part by **Waikato Regional Council (FS36.2)** support the objectives and policies of the proposed plan change and seek their retention as notified. Amendments have been recommended in response to other submissions.

Jenny Kelly (11.2) considers walkways, cycleways and public access as described in 15D.3.10 are positive. No relief is sought, and no changes are recommended.

Auckland Waikato Fish and Game (15.5) supported by **Waikato Regional Council (FS36.3)** seek amendment to 15D.3.16 to ensure that contaminant loading on Lake Waikare is reduced. The issue of water quality is a regional council function and should be dealt with by WRC. Provisions that do not relate to the functions of WDC should not be included in the plan. No changes related to water quality are recommended.

Submission 15.7 supported by **Auckland Waikato Fish and Game (FS38.16)** seeks relief to recognise the effects of increased cat, dog and animals pests on Lake Waikare and Lake Kopuara avifauna as a result of increased household density in the living zone. The control of pets and pests is not considered to be a relevant district plan matter. The control of animals may be more appropriately controlled through other Council methods.

Department of Conservation (16.2) supported by **Waikato Regional Council (FS36.5)** and **Auckland Waikato Fish and Game (FS38.23)** seek additional objectives and policies to include a precautionary approach to likely adverse effects on the Whangamarino Wetland which is located to the north of Te Kauwhata and receives water from Lake Waikare through the Pungarehu Stream. As the Lakeside Precinct is located within the Te Kauwhata Structure Plan area, the objectives and policies of the Te Kauwhata Structure Plan apply. These include objectives and policies that address the Whangamarino Wetlands (15A.2.18, 15A.2.22 and 15A.2.26). Therefore, no further amendments are considered necessary.

Te Kauwhata Community Committee (23.8) has provided comments on objective 15D.3.7 which relates to the proposed Community Hub (Business Zone). They have sought that the medium density of the proposed development is kept in line with the existing density included in 15A.2.4 (Te Kauwhata Structure Plan). In the Te Kauwhata Structure Plan 23A.9 Mixed Use Policy Area Concept Plan identifies medium density residential development. 23A.1 states that all rules in Chapter 23: Business Zone also apply unless otherwise specified. This includes the minimum allotment size for development within the Te Kauwhata Mixed Use Policy Area, which is 225m² (Rule 23.63). This reflects the minimum lot size recommended for the high-density zone and not the medium density zone. It is noted that other submissions from TKCC have requested an increase in minimum lot size which seems to be contrary to the relief sought under this submission point. Therefore, the submitter is welcome to clarify their position at hearing.

KiwiRail Holdings Limited (34.3) seeks additional objectives and policies that relate to the safety of road users at the railway level crossing and the management of reverse sensitivity issues that relate to the railway corridor. Objective 15D.3.5 provides direction to ensure a high level of amenity for residents of Lakeside. Additional policies are recommended that address noise and vibration from the NIMT. The recommended amendments address the need to ensure the NIMT is able to continue to efficiently operate while managing the risk associated with the level crossing and the reverse sensitivity

issues that may arise from noise and vibration. Objective 15D.3.19 in the proposed provisions relates to urban development occurring in co-ordination with roads and other infrastructure. Amendments are proposed to include additional policies that address the NIMT and the need to include safety improvements for the nearby level crossing. This is considered to be appropriate as the NIMT is identified as regionally significant infrastructure in the WRPS. Policy 6.6 of the WRPS requires particular regard to be given to the protection of the effectiveness and efficiency of regionally significant infrastructure.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|--|------------------|--|-----------------------|--|
| Waikato District Council | 6.5 | 15D.3.6(b) | Seek amendment | Amend Policy 15D.3.6(b) to ensure existing streetscape is integrated into new development. Amend Policy 15D.3.5(b) to integrate existing streetscape into new development by adding “complimentary to other parts of Te Kauwhata” to the end. | Reject | There is no consistent streetscape throughout the existing Te Kauwhata township, therefore requiring all new streets to be complementary to what already exists is difficult. |
| Waikato District Council | 6.6 | 15D.3.6(h) | Seek amendment | The word ‘highly’ is subjective. Delete the word “highly” from Policy 15D.3.5(h). | Accept | The relief sought removes the subjectivity from the policy aiding in plan clarity. |
| Waikato Regional Council | 7.3 | 15D.1, 15D.3.19, 15D.3.20 15D.4.8 | Support in part | The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of infrastructure cannot be appropriately scrutinised. Controlled activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density | Accept in part | Amendments have been recommended to address the relief sought to ensure certainty regarding the availability and capacity of infrastructure whilst retaining a level of certainty for the applicant regarding the matters to be assessed by council through the use of a Restricted Discretionary activity status for Comprehensive Land |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|---|
| | | | | <p>development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity. A permitted activity for medium density development could allow development without an assessment of infrastructure. A full assessment of an application needs to be undertaken to ensure coordination between development and infrastructure. There are concerns regarding small comprehensive subdivision and land use consents coming together to provide integrated infrastructure solutions. Amendments are required in order for PPC20 to give effect to the RPS.</p> <p>Amend PPC20 to address the Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies. AND/OR Amend PPC20 to address the provision, timing, staging, triggers and the</p> | | Development Consents and Comprehensive Subdivision. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | sequencing of infrastructure and land use. | | |
| Auckland Waikato Fish and Game | FS38.6 | 15D.1, 15D.3.19, 15D.3.20 15D.4.8 | Support | Allow the submission as a robust activity framework is required. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Waikato Regional Council | 7.5 | 15D.3 | Support with amendments | <p>PPC20 is broadly consistent with the Waikato RLTP however further consideration needs to be given to provision of public transport in the future and the walking and cycling networks need to be identified on the precinct plans to ensure connections from new development to existing TK settlement.</p> <p>Add policies/assessment criteria for integration of walking and cycling connections to existing Te Kauwhata settlement.</p> | Accept in part | The relief sought in relation to the inclusion of an additional policy and assessment criteria is already addressed in the proposed provisions therefore the submission is recommended to be accepted in part. |
| Waikato Regional Council | 7.8 | 15D.3.9 | Support in part | The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled activity status of grazing of stock, earthworks, subdivision and development gives little | Accept in part | Amendments have been recommended to address the relief sought to ensure the effects in relation to stormwater, earthworks stock, ecological opportunities and the natural values of the lake can be addressed whilst retaining a level of |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it provides ecological corridors appropriate to locality.</p> <p>Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled to give more consideration to Objective 15D.3.9 and associated policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies.</p> | | certainty for the applicant regarding the matters to be assessed by council. |
| Waikato Regional Council | 7.9 | 15D.3.10 | Neutral | Cyanobacteria has been found in Lake Waikare during regular testing of water quality and health warnings have been issued. | Accept | The submission does not specify any relief sought and merely notes that at certain times the water quality of the Lake has restrict public access. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | Where health warnings are in place, the lake should not be used for activities involving skin contact with lake water. | | |
| David Hulme | FS37.3 | 15D.3.10 | Support | <i>The above submission point be allowed.</i> | Accept | <i>The relevant submission point is recommended to be accepted.</i> |
| Waikato Regional Council | 7.13 | 15D.3.6(g) | Support with amendments | Intensive development of land below the 7.37m design flood level for Lake Waikare is not appropriate. It is important to recognise the underlying purpose of this land is for flood protection purposes. Amend Policy 15D.3.6(g) to add reference to underlying purpose of the land as flood protection. | Accept in part | The relief sought by the submitter is addressed elsewhere in the plan provisions 15D.3.18. To clarify the role amendment is recommended to 15D.3.18. |
| Auckland Waikato Fish and Game | FS 38.11 | 15D.3.6(g) | Support | <i>Allow the submission as housing development below flood levels for Lake Waikare is inappropriate. The purpose of land for flood protection should be recognised.</i> | Accept in part | <i>The relevant submission has been accepted in part.</i> |
| Future Proof | 8.3 | 15D.3.1-15D.3.20 | Support | Supports objectives and policies, particularly 15D.3.2 (which promotes a compact urban form). Retain as notified. | Accept in part | Changes have been recommended to some of the objectives and policies supported by the submitter, therefore the submission is accepted in part. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Waikato Regional Council | FS36.2 | 15D.3.1-15D.3.20 | Support | Allow the relief sought by the submitter, subject to the relief sought by WRC. | Accept in part | The relevant submission has been accepted in part. |
| Jenny Kelly | 11.2 | 15D.3.10 | Support | Walkways, cycleways and public access are supported. No relief sought. | Accept | No relief is sought in relation to the submission and no changes are recommended. |
| Auckland Waikato Fish and Game | 15.5 | 15D.3.16 | Seek amendment | Fish and Game own and manage large portions of land in Whangamarino and on the western shores of Lake Waikare and have undertaken significant investment in the area. Any increase in contaminants will be detrimental to these efforts and is considered to be inconsistent with the Vision and Strategy for the Waikato River, the Regional Policy Statement and the National Policy Statement for Freshwater Management. Amend 15D.3.16 to include reducing the contaminant load on Lake Waikare. | Reject | The amendments sought relate to a regional council function and are therefore inappropriate to be included in the provisions. |
| Waikato Regional Council | FS36.3 | 15D.3.16 | Neutral | WRC to be part of discussions relating to discharges into Lake Waikare and stormwater | Reject | The relevant submission point is recommended to be Rejected. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <i>management.</i> | | |
| Auckland Waikato Fish and Game | 15.7 | 15D.3.9 | Seek amendment | The proposal does not recognise the effects of an increased population of cats and dogs and animal pests. The areas surrounding the proposed plan change will be subject to increased levels of predation. Amend 15D.3.9 to include an additional Policy under Objective 15D.3.9 regarding effects of increased cat, dog and animal pests on Lake Waikare and Lake Kopuera. | Reject | The district plan is not the appropriate mechanism to control the ownership of pets, nor is it able to control residential pests. |
| Auckland Waikato Fish and Game | FS38.1 6 | 15D.3.9 | Support | <i>Allow the submission and note that Fish and Game seek amendments to the plan provisions.</i> | Reject | <i>The relevant submission is recommended to be Rejected.</i> |
| Department of Conservation | 16.2 | 15D | Seek amendment | Whangamarino wetland is of international importance and has been a RAMSAR site since 1989 it is home to many threatened plant and animal species and there need to be amendments to the objectives and policies to reflect this. Amend the objectives and policies to consider significant values of Whangamarino Wetland and take | Accept in part | The relief sought is already included in the wider Te Kauwhata Structure Plan Objectives and Policies, therefore no further amendment is required. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | a precautionary approach to effects on the wetland. | | |
| Waikato Regional Council | FS36.5 | 15D | Support | The relief sought is consistent with policies 8.3, 8.5, 11.1 and 11.2 and method 8.3.10 of the RPS. Allow the relief sought by the submitter. | Accept in part | The relevant submission is recommended to be accepted in part |
| Auckland Waikato Fish and Game | FS38.2 3 | 15D | Support | Allow the submission as it seeks to recognise the internationally significant values of the Whangamarino Wetlands. | Accept in part | The relevant submission is recommended to be accepted in part |
| Te Kauwhata Community Committee | 23.8 | 15D3.7 | Seek amendment | In relation to the town centre, pedestrian orientated retail development is supported. Community facilities should not duplicate those previously existing in the town centre. Seeks provisions that relate to a park and ride. The high and medium density residential is contrary to the WDC Plan and is in line with urban rather than village environment. Amend the proposed medium density, this should remain as per Rule 15A.2.4 of the district plan. | Accept in part | The relief sought seeks amendments to the density proposed throughout the plan. Changes have been recommended in response to other submissions. |
| KiwiRail Holdings Ltd | 34.3 | 15D.3 | Seek amendment | Development adjacent to a rail corridor can create safety issues from residents entering the | Accept in part | Amendments that differ from the specific relief sought have been recommended that address reverse |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>corridor for maintenance purposes.</p> <p>Amend 15D.3 to include new objectives that address the safety of users of the transportation network at level crossings, and the potential effects of reverse sensitivity on the NIMT including noise and vibration.</p> <p>AND Add new policies that require effects of subdivision on road/rail level crossings to be avoided remedied or mitigated and the location of subdivision to be controlled to address issues of noise, vibration and safety.</p> | | sensitivity, the need to ensure the efficient operation of the rail network and the implementation of safety improvements at the level crossing. |

4.4.4 15D.4 Reasons and Explanations for Objectives and Associated Policies

Analysis: 15D.4 Reasons and Explanations for Objectives and Associated Policies

Future Proof (8.4) supported by **Waikato Regional Council (FS36.2)** support the reasons and explanations for objectives and policies. No amendments are recommended to this section.

KiwiRail Holdings Limited (34.11) have sought reference to a Level Crossing Safety Impact Assessment (LCSIA) within the infrastructure sub-section of the 15D.4 Reasons and Explanations for Objectives and Associated Policy. The proposed drafting included in the submission includes the possibility of changing plan provisions to accommodate outcomes of the LCSIA. Assessment at a later date will not allow changes to the plan provisions that eventually

become operative without the Schedule I process, therefore it is considered that the amendments sought are inappropriate. The LCSIA has however resulted in changes to the recommended plan provisions and therefore amendments are recommended to refer to the LCSIA and the level crossing.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|--|-----------------------|--|
| Future Proof | 8.4 | 15D.4.1 | Support | Supports reasons and explanations for objectives and policies, particularly 15D.4.1. Retain as notified. | Accept | 15D.4.1 is recommended to be retained as notified. |
| Waikato Regional Council | FS36.2 | 15D.4.1 | Support | Allow the relief sought by the submitter, subject to the relief sought by WRC. | Accept | The relevant submission point is recommended to be accepted. The relief sought by WRC elsewhere in the recommended amendments. |
| KiwiRail Holdings Ltd | 34.1.1 | 15D.4.8 | Seek amendment | There are currently 180-200 trains per week using the NIMT through Te Kauwhata, this is likely to increase. A risk assessment of the effects of the Plan Change should have been undertaken as part of the Transport Assessment. A Level Crossing Safety Impact Assessment (LCSIA) would assess the adequacy of the Te Kauwhata Road level crossing for all modes of transport generated by the new development. This would enable Council to consider whether any mitigation measures are required now or could be staged as part of further development. The 400 lot threshold | Accept in part | The relief sought is considered to be inappropriate as it refers to the need to change provisions as a result of future assessments. An LCSIA has been undertaken and amendments have been recommended to address the outcomes of that report. The detailed delivery of safety improvements will be addressed outside of the District Plan provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>before a secondary access is required is noted and supported however this may not fully address all transportation issues, particularly those affecting the safe operation of the level crossing for the anticipated growth in population. The efficient and effective use and development of the rail network is promoted through Part 2 of the RMA. An appropriate balance is required between ensuring the rail network can be used, and development being facilitated without compromising the safety of people and communities.</p> <p>Complete a LCSIA for the Plan Change before decisions are made. AND Amend the Precinct Plan in regard to level crossing safety to have regard to the LCSIA that has been completed for the proposed plan change area. The LCSIA will confirm the need for any phasing of infrastructure provision and possible level crossing upgrade and may have an impact on the 400 lot threshold that triggers the secondary route.</p> | | |

4.4.5 15D.5 Methods of Implementation

Analysis: 15D.5 Methods of Implementation

Auckland Waikato Fish and Game (15.8, FS38.17) supported by **Auckland Waikato Fish and Game (FS38.17)** seek amendment to include promotion within the community the significance of avifauna within nearby waterbodies and the need to controls pests and limit cat and dog numbers and their ability to roam within the information, education and advocacy section of the plan provisions. The control of pets and pests is not considered to be a relevant district plan matter. The control of animals may be more appropriately controlled through other Council methods.

Submission (15.10, FS38.19) seek amendment to 15D.5.1 to include an additional point to require financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland which mitigate the effects of predation on avifauna through pest control. Amendments to the RMA through the Resource Legislation Amendment Act 2017 repealed the use of Financial Contributions. While these amendments come into force 5 years from Royal Assent it is considered inappropriate to include provisions that would be required to be removed in the future.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|---|
| Auckland Waikato Fish and Game | 15.8 | 15D.5.3 | Seek amendment | The proposal does not recognise the effects of an increased population of cats and dogs and animal pests. The areas surrounding the proposed plan change will be subject to increased levels of predation. Amend method 15D.5.3 to promote within the community the need to control pests and limit cat and dog number and their ability to roam. | Reject | The district plan is not the appropriate mechanism to control the ownership of pets, nor is it able to control residential pests. |
| Auckland Waikato Fish and Game | FS38.17 | 15D.5.3 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provisions. | Reject | The relevant submission is recommended to be Rejected. |
| Auckland | 15.10 | 15D.5.1 | Seek | Planting as environmental | Reject | The part of the Act that the relief |

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------------|-------------------------------|----------------|----------------|--|----------------|---|
| Waikato Fish and Game | | | amendment | restoration without considering effects of proposed activity on fauna will not promote maintained or enhanced ecological and indigenous biodiversity or protection of habitat. Amend 15D.5.1 to include requiring financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland for pet and pest control. | | sought relies on has been repealed. |
| <i>Auckland Waikato Fish and Game</i> | <i>FS38.19</i> | <i>15D.5.1</i> | <i>Support</i> | <i>Allow the submission and note that Fish and Game seek amendments to the plan provision.</i> | <i>Reject</i> | <i>The relevant submission is recommended to be Rejected.</i> |

4.4.6 15D.6 Reasons for Methods

Analysis: 15D.6 Reasons for Methods

Auckland Waikato Fish and Game (15.9) supported by **Auckland Waikato Fish and Game (FS38.18)** seek amendment to 15D.6.4 to include reference to Council continuing to educate and inform the Te Kauwhata community to protect ecologically sensitive species, particularly avifauna through trapping programmes and limiting cat/dog numbers. The control of pets and pests is not considered to be a relevant district plan matter. The control of animals may be more appropriately controlled through other Council methods.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|-------------------|---|-----------------------|---|
| Auckland Waikato Fish and Game | 15.9 | 15D.6.4 | Seek amendment | <p>The proposal does not recognise the effects of an increased population of cats and dogs and animal pests. The areas surrounding the proposed plan change will be subject to increased levels of predation.</p> <p>Amend 15D.6.4 to encourage the community to protect and enhance avifauna through trapping programmes and limiting cat and dog numbers.</p> | Reject | The district plan is not the appropriate mechanism to control the ownership of pets, nor is it able to control residential pests. |
| Auckland Waikato Fish and Game | FS38.18 | 15D.6.4 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provisions. | Reject | The relevant submission is recommended to be Rejected. |

4.5 21E Te Kauwhata Lakeside Living Zone Rules, Precinct Plan and Comprehensive Subdivision

4.5.1 21E Te Kauwhata Lakeside Living Zone Rules, Precinct Plan and Comprehensive Subdivision

Analysis: 21E Te Kauwhata Lakeside Living Zone Rules, Precinct Plan and Comprehensive Subdivision

Future Proof (8.5) has sought the retention of amendments to 21 Living Zone and 21E.3.1-21E.3.3 as notified. Amendments have been recommended as response to other submissions.

Auckland Waikato Fish and Game (15.1) supported by **Auckland Waikato Fish and Game (FS38.13)** seek to include reverse sensitivity related to game bird hunting within assessment criteria and matters of control for development within the Lakeside Living Zone. The proposed plan change seeks to provide for residential development to the south of the existing Te Kauwhata township. As residential development moves into the rural hinterland there is an inevitable transition from urban to rural character and the associated land use which needs to be managed. The proposed plan change includes an open space overlay with a rural zoning which provides open space for the development. It also acts to provide a buffer between the lake and residential land use. Given the restricted window of the game bird season and the limited shooting hours that apply to game bird hunting i.e. 6:30am- 6:30pm (as per Waikato Fish and Game Region Gazetted regulations 2017/2018), it is considered that this is sufficient to address issues of reverse sensitivity from the proposed residential development and no amendments are recommended.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|--|
| Future Proof | 8.5 | 21E | Support | Support amendments to Part 21 Living Zone and the Lakeside Precinct Plan in 21E.3.1-21E.3.3. Retain as notified. | Accept in part | Amendments have been recommended in response to other submissions that have resulted in changes. |
| Auckland Waikato Fish and Game | 15.1 | 21E | Seek amendment | Lake Waikare is a regionally significant recreational site with multiple maimai locations near the proposed plan change site. New residential development can create issues of reverse sensitivity with regard to noise and hinder future recreational hunting. Amend restricted discretionary and controlled activities under 25H and 21E to include discretion and control over reverse sensitivity issues related to gamebird hunting or other similar provisions. | Reject | It is considered that the plan provisions adequately address the issues raised without further provision being required. |
| <i>Auckland</i> | <i>FS38.13</i> | <i>21E</i> | <i>Support</i> | <i>Allow the submission and note that Fish</i> | <i>Reject</i> | <i>The relevant submission is recommended</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|-----------------|
| Waikato Fish and Game | | | | and Game seek amendments to the plan provision. | | to be Rejected. |

4.5.2 2IE.2.1 Comprehensive Subdivision

Analysis: 2IE.2.1 Comprehensive Subdivision

Allan Ross and Judy Garrick (3.1), Mrs Juliet and Mr Ian Sunde (5.1), John Cunningham (9.1), Jenny Kelly (11.1), David Hulme (12.1), Rochelle Hulme (13.1), Robyn and Scott McGuire (14.1) supported by *David Hulme (FS37.2), Ian Hartley (18.1), Tony Cox (21.1), Te Kauwhata Community Committee (23.6), Phillip John Castles (27.1), Jason and Tarina Moorfield (31.1), Kimberley Brown (32.1) and Wendy Peach(33.1)* have all submitted regarding the minimum lot size that is proposed to be enabled by Comprehensive Subdivision within the Lakeside Living Zone.

Note: Other submitters have also submitted regarding proposed standard 2IE.2.23 Allotment Size, where these submissions are tagged against this provision, they are included in Section 4.5.10 of this report. Amendments are proposed that relate to 2IE.2.23. The following addresses allotment size across the proposed plan change.

Generally, the submissions argue that the proposed lots sizes are not in keeping with the current character of the existing Te Kauwhata township, which is described by a number of the submitters as being in a rural environment and having an agricultural and rural atmosphere. Others use the term “Rural Village” with a “village character”. It is argued that the proposed lot sizes do not promote or enhance a village feel and would be aesthetically detrimental to the local area. A number of submitters refer to the proposed density being inconsistent with the current district plan provisions for the various zones within Te Kauwhata. The submissions seek that the minimum lot size is increased across the entire plan change area. Requested minimum lot size ranges from a minimum of 450m² up to reflecting the requirements for the other Te Kauwhata Living Zones. These vary in minimum lot size from 450m² (TK Living Zone), a minimum of 450m² with average of 600m² (TK Living – New Residential Zone), a minimum of 650m² with an average of 875m² (TK West Living Zone) or a minimum of 750m² with an average of 875m² (Living – TK Ecological Zone). The variety of lot sizes throughout Te Kauwhata is to mitigate the effects that are relevant in the different areas of the township.

The proposed provisions as notified include a medium and a high density precinct with lot sizes that reflect the following:

| | Minimum lot size | Average lot size |
|-------------------------|-------------------|-------------------|
| Medium Density Precinct | 300m ² | 400m ² |
| High Density Precinct | 200m ² | 250m ² |

The plan change is located to the south of the existing Te Kauwhata Village and is proposed to be included within the existing Te Kauwhata Structure Plan. 15A.1, the introduction to the Te Kauwhata Structure Plan describes the need to ensure orderly development of the Te Kauwhata area. Te Kauwhata is described as being located on elevated land between the Whangamarino Wetlands and Lake Waikare and *visual connectivity between the built-up area of the village and the surrounding countryside is strong and reinforces the rural feel and ambience of the village*. The Structure Plan seeks to ensure that this distinct character is maintained and enhanced by “*establishing strong physical and visual connections to the Whangamarino Wetland and Lake Waikare and defining boundaries that relate to distinctive landscape features and physical constraints such as flooding*”. While there is variance in lot size the village character is to be retained with development being primarily residential.

The TK structure plan identifies the ‘effects of growth’ as the issue that the structure plan is to address stating:

Poorly managed urban growth within the Te Kauwhata Structure Plan area can result in adverse environmental effects including: a loss of village character; a lack of community or neighbourhood identity; a loss of landscape values; low residential amenity; conflicts with heavy and through traffic; poor connectivity and a lack of transport options; inefficient development of infrastructure; conflicts between land uses; degraded water quality and loss of natural habitat and ecosystems; and a lack of quality open space and amenity, including streetscapes (15A.2 Issue – Te Kauwhata effects of growth).

When considered against the purpose of the zone, the structure plan is concerned with ensuring growth occurs in a way that Te Kauwhata retains its character though being predominantly residential and responding to its context, providing visual and physical connections to the surrounding rural hinterland and the key natural features of Lake Waikare and the Whangamarino Wetland. The issues statement also implies that community and neighbourhood identity is important and needs to be retained and provide quality open space ensuring a high level of amenity. Other issues relate to addressing natural hazards, the natural environment and ensuring the efficient development of infrastructure. These themes are identified in the objectives and policies that relate to the Te Kauwhata Structure Plan as a whole, which this plan change seeks to be a part of.

15A3.1 – Reasons and explanations provides further detail on the Te Kauwhata Village Character:

Te Kauwhata is a distinctive rural village connected to the surrounding rural landscape, lakes, wetlands and with clear views to the surrounding hills. An important element of the Structure Plan is to ensure that this Te Kauwhata village character is not lost as the village expands.

The objectives and policies aim to ensure that:

- *residential lots are of a size, shape and orientation to provide high quality private open space,*
- *streetscapes are attractive,*
- *trees associated with previous development are retained,*
- *public open space is conveniently located,*
- *views to, and connections with, the surrounding natural features are retained,*
- *buildings integrate into natural landforms, and*
- *the town centre is developed as an integral part of the community.*

The reasons and explanations focus on providing a high level of onsite amenity for residents through the provision of quality private open space. This requires an appropriate size, shape and orientation.

As this is a proposed plan change, section 32 of the RMA is the appropriate test to determine the appropriateness of the provisions proposed to achieve the relevant objectives. Objective 15A.2.1 seeks to maintain and enhance the village characteristics. Policy 15A.2.2 provides guidance on how development should contribute to the character of Te Kauwhata. These requirements need to be considered as a package and where they conflict should be weighed accordingly. Those policies that are considered to be most relevant are included below. Further emphasis is placed on those of particular to allotment size

- a) a predominance of residential lots that contain significant open space
- c) *public open space which is conveniently accessed and highly visible*
- d) *retaining views to natural landscapes and features*
- e) *a strong association with rural amenity values*
- f) a compact form that does not sprawl into the countryside
- k) *the integration of buildings, private open space and public open space*
- l) *a general consistency of building scale and form that integrate into the natural landscape*
- m) *compliance with the Te Kauwhata Structure Plan and Urban Design Guide*
- n) *a strong association with ecological values of the wetland environments in the vicinity of the township, in particular Whangamarino Wetland and Lake Waikare.*

Policies a) and f) require a balanced approach to ensure that the policies are met across the township. The required predominance of residential lots with significant open space contrasts with the need to ensure a compact urban form that does not sprawl into the countryside.

The requirement of a compact urban form follows the direction of Future Proof, the Regional Policy Statement and the NPS Urban Development Capacity. The current range of lot sizes required in Te Kauwhata does not lend themselves to establishing a 'compact urban form'. The average lot sizes of 600-875m² required in most of the zones are considered to be low density and represent an inefficient use of land. If growth continued to be provided for at this density, it would be considered to "sprawl into the countryside". While the proposed plan change seeks to enable the development of rural land or "the countryside", it proposes a higher density, which represents a more efficient use of land, reducing sprawl. It is considered that the proposed lot sizes meet the directive of 15A.2.2 f).

Policy 15A.2.2 a) seeks a predominance of lots that contain significant open space. As above, the existing provisions require large minimum lot sizes and consequently provide large areas of open space. These zones will remain the predominant zoning in the Te Kauwhata Structure area.

To address the submissions and ensure an appropriate balance is met in achieving the policy regarding character amendments are proposed to the minimum lot size provisions. Firstly, an amendment is recommended to the average lot size in the medium density zone, increasing the required average lot size to 450m². This aligns with the smallest minimum lot size currently relevant to Te Kauwhata (TK Living Zone). The minimum lot size of 300m² is recommended to be retained to provide flexibility in lot size in the medium density precinct. This will achieve a balance of lot sizes over the precinct with smaller sections being balanced out by larger sections. To put it into perspective, a 300m² will require a 600m² to balance it out and achieve a 450m² average lot size. This will achieve a better integration with the existing density of the Te Kauwhata Living Zone. This is the zoning applied to the older residential development in Te Kauwhata.

The high-density precinct is generally separated from the existing township either via the proposed rural zone or the medium density precinct. These act as a buffer and allow for a transition to occur. The higher density zone provides an efficient form of development that also provides a range of housing choice and enables the development of smaller houses, assisting with housing affordability. It is considered that the provision of higher density housing is appropriate, however amendments are proposed to increase the minimum lot size to 225m².

The proposed increase is considered appropriate as the 225m² minimum lot size aligns with the density enabled in the Mixed Use Policy Zone of the Te Kauwhata Structure Plan by Rule 23A.1 which cross-references to include Rule 23.63. It is recommended that the required 250m² average lot size standard is retained.

To address concerns relating to the character of the area raised in submissions, it is recommended to amend the activity status of the establishment of multiple dwellings on one site to restricted discretionary to allow council discretion over aspects of design and location of buildings, amenity values and privacy on other sites. This will enable council to ensure the development of retirement villages, semi-detached

houses and terraced houses, which present a more intensive urban form, deliver an appropriate response to the Lakeside context.

The combination of discretion over design for multiple dwellings on one site and the increase in lot sizes proposed is considered to work in combination to address concerns regarding the future character and amenity of the Lakeside Precinct.

Other submitters such as Mr Ian Hartley have raised concerns regarding the impact of higher density development on stormwater run-off and the capacity of infrastructure and the adverse effects this may cause. In response to other submissions, amendments are proposed that ensure the effects of stormwater run-off and the capacity of infrastructure are able to be assessed through the resource consent process.

Waikato District Council (6.4) have sought changes to the density provisions to require 5% of the proposed rezoning or the area immediately adjacent to existing residential houses at Scott Road to be an average of 600m² with a minimum of 450m² in order to better integrate the proposed zoning with the existing township and provide a transition from the existing development. The majority of the area near Scott Road is in the Medium Density Precinct. Recommended changes to the provisions under a number of submissions have increased the average lot size required in the medium density precinct to be more in keeping with the character of Te Kauwhata. Amendments have also recommended an increase in the minimum lot size in the high density precinct. It is considered that due to the location of the Lakeside Precinct to the south of the town and the area of open space and industrial zoning between the proposed plan change area and the majority of existing residential development that there is little value in requiring additional amendments to further increase lot sizes along Scott Road.

Submission 6.10 seeks to amend the provisions of 21E.2.1.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.

Waikato Regional Council (7.3 & 7.4) supported by **Fish and Game (FS38.6)** supports the intent of Objective and Policies 15D.3.19, 15D.3.20 and associated explanation 15D.4.8, however seek changes to ensure that these are implemented through the subsequent activity status, rules and assessment criteria as there is a lack of certainty around infrastructure provisions. They seek to either establish a Discretionary Activity Status for Comprehensive Subdivision Consent, and/or amend the provisions to provide more certainty regarding the provision, timing, staging, triggers and the sequencing of infrastructure and land use. Recommendations have been made in response to the submission, these are addressed in detail in Section 4.4.3 of this report.

Submission 7.8 also supports the intent of Objective 15D.3.9 and its associated policies. However, the submitter considers that there is little ability to assess the matters addressed in these objectives and policies through the resource consent process due to the permitted and controlled activity status for grazing of stock, earthworks, subdivision and development and the lack of a design guide or adequate consideration in the proposed assessment criteria. Amendments are sought to the activity status of comprehensive development, comprehensive subdivision, number of dwellings, subdivision and earthworks to Discretionary to ensure Objective 15D.3.9 and its associated policies are given more consideration. They have also requested amendments to assessment criteria to ensure these matters are adequately assessed. Additions are also proposed to address the use of the stormwater network to provide

ecological corridors. In addition to this they seek the inclusion of a design guideline that supports the achievement of Objective 15D.3.9 and its associated policies. Recommendations have been made in response to the submission, these are addressed in detail in Section 4.4.3 of this report.

Future Proof (8.5) supports the provisions and request they are retained as notified. Amendments have been recommended in response to other submissions.

David Hulme (12.3) and **Robyn and Scott McGuire (14.12, 14.14, 14.15 & 14.16)** supported by **David Hulme (FS37.2)** have submitted regarding roading and the need to ensure appropriate upgrades occur to Scott Road with the development. The necessary roading upgrades and their detailed design will be addressed at subdivision stage in accordance with council's road engineering standards. Amendments are recommended to ensure that the effects of transportation are assessed as Te Kauwhata grows, this will inform the need for future upgrades.

Robyn and Scott McGuire (14.13) supported by **David Hulme (FS37.2)** have sought that the secondary access road is provided earlier than the proposed 400 dwelling trigger. Transportation evidence prepared by Carriageway Consulting on behalf of the applicant and peer reviewed by Gray Matter on behalf of WDC has identified that 400 dwellings is an appropriate trigger for the creation of a secondary access road. Provisions have been included in the plan change that requires the secondary access road be open to traffic before development exceeds 400 lots. A Non-Complying resource consent application is required for development without the secondary access road.

Auckland Waikato Fish and Game (15.11) supported by **Auckland Waikato Fish and Game (FS38.20)** have sought amendment to include an additional point to require financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland which mitigate the effects of predation on avifauna through pest control. Amendments to the RMA through the Resource Legislation Amendment Act 2017 repealed the use of Financial Contributions. While these amendments come into force 5 years from Royal Assent it is considered inappropriate to include provisions that would be required to be removed in the future. Therefore, no changes are recommended.

Te Kauwhata Community Committee (23.11) seeks the removal of the ability to use communal open space where legal rights to access exist, as it is contrary to the character of Te Kauwhata. Where exclusive access to a communal open space is provided, it is considered an appropriate way to provide amenity for residents of high density living. An amendment is proposed to reference private communal open space to be clear that the communal open space needs to be for exclusive use by those that have ownership rights and that the provision does not include public open space.

Jason and Tarina Moorfield (31.2) have sought the amendments to the minimum section size and greenbelts adjacent to rural properties. The majority of the area near Scott Road is in the Medium Density Precinct. Recommended changes to the provisions have increased the average lot size required in the medium density precinct to be more in keeping with the character of Te Kauwhata. Amendments have also recommended an increase in the minimum lot size in the high density precinct. It is considered that due to the location of the Lakeside Precinct to the south of the town and the area of open space and industrial zoning between the proposed plan change area and the majority of existing residential development that there is little value in requiring additional

amendments to further increase lot sizes along Scott Road. The provision of open space will be addressed through subdivision application.

KiwiRail Holdings Ltd (34.5) supports the site density control for lower density near the NIMT. Changes are recommended to increase the average density requirements.

KiwiRail Holdings Limited (34.11) has sought reference to a Level Crossing Safety Impact Assessment (LCSIA) within 21E.2.2.1. The proposed drafting included in the submission includes the possibility of changing plan provisions to accommodate outcomes of the LCSIA. A LCSIA has been undertaken by the applicant and council, these reports have been considered and recommendations made to ensure that level crossing safety is able to be addressed. Assessment at a later date will not allow changes to the plan provisions that eventually become operative without the Schedule I process, therefore it is considered that the amendments sought in relation to future amendments are inappropriate.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-----------------------------------|------------------------------|-------------------|-------------------|---|----------------|--|
| Allan Ross and Judy Garrick | 3.1 | 21E.2.1 | Oppose | TK is a farming community, building a house on a 200m ² section is not in keeping with the character of the community. Amend the minimum section size to 650 m ² to reflect the current character. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Mrs Juliet and Mr Ian Sunde | 5.1 | 21E.2.1 | Oppose in part | Proposed section sizes are not in keeping with existing agricultural and rural atmosphere. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|--|
| | | | | Amend minimum lot sizes to be consistent with the existing District Plan rules for Te Kauwhata. AND Amend the provisions to take into consideration the Environment Court ruling for minimum lot sizes in Travers Road/Wayside Road. | | minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. Travers Road was determined under a different policy and growth context to the current proposal. |
| Waikato District Council | 6.4 | 21E.2.1 | Seek amendment | Amendments to the site density to include some sections that reflect the existing lot sizes in Te Kauwhata will provide integration between new and existing development. Amend site density controls to require 5% or areas adjacent to existing development have average lot sizes of 600 m ² and minimum lot sizes of 450m ² . | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high density precinct. |
| Waikato District | 6.10 | 21E.2.1.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is | Accept | The relief sought will improve plan clarity. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-----------------------------------|-----------------|--|----------------|---|
| Council | | | | <p>reliant on the previous rule, the thresholds should be consistent.</p> <p>Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous.</p> | | |
| Waikato Regional Council | 7.3 | 15D.1, 15D.3.19, 15D.3.20 15D.4.8 | Support in part | <p>The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of infrastructure cannot be appropriately scrutinised. Controlled activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity. A permitted activity for medium density development could allow development without an assessment of infrastructure. A full assessment of an application needs to be undertaken to ensure coordination between development and infrastructure. There are concerns</p> | Accept in part | <p>Amendments have been recommended to address the relief sought to ensure certainty regarding the availability and capacity of infrastructure whilst retaining a level of certainty for the applicant regarding the matters to be assessed by council through the use of a Restricted Discretionary activity status for Comprehensive Subdivision.</p> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------------|---|----------------|---|
| | | | | <p>regarding small comprehensive subdivision and land use consents coming together to provide integrated infrastructure solutions. Amendments are required in order for PPC20 to give effect to the RPS.</p> <p>Amend PPC20 to address the Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies. AND/OR Amend PPC20 to address the provision, timing, staging, triggers and the sequencing of infrastructure and land use.</p> | | |
| Waikato Regional Council | 7.8 | 15D.3.9 | Support in part | <p>The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled activity status of grazing of stock, earthworks, subdivision and development gives little opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it</p> | Accept in part | <p>Amendments have been recommended to address the relief sought to ensure the effects in relation to stormwater, earthworks stock, ecological opportunities and the natural values of the lake can be addressed whilst retaining a level of certainty for the applicant regarding the matters to be assessed by council.</p> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|----------------------|-------------------------|---|----------------|--|
| | | | | <p>provides ecological corridors appropriate to locality.</p> <p>Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled to give more consideration to Objective 15D.3.9 and associated policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies.</p> | | |
| Waikato Regional Council | 7.4 | 21E.2.1 21E.2.1.4 | Support with amendments | The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of infrastructure cannot be appropriately scrutinised. Controlled activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity. | Accept in part | Amendments have been recommended to address the relief sought to ensure certainty regarding the availability and capacity of infrastructure whilst retaining a level of certainty for the applicant regarding the matters to be assessed by council. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|----------------------|-----------|---|----------------|--|
| | | | | <p>Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies.</p> <p>AND/OR</p> <p>Amend PPC20 to address the provision, timing, staging, triggers and the sequencing of infrastructure and land use.</p> | | |
| Auckland Waikato Fish and Game | FS38.7 | 21E.2.1 21E.2.1.4 | Support | Allow the submission as a robust activity framework is required. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Future Proof | 8.5 | 21E | Support | <p>Supports amendments to Part 21 – Living Zone and the Lakeside Precinct Plan in 21E.3.1-21E.3.3.</p> <p>Retain as notified.</p> | Accept in part | Amendments have been recommended as a result of other submissions. |
| Waikato Regional Council | FS36.2 | 21E | Support | Allow the relief sought by the submitter, subject to the relief sought by WRC. | Accept in part | The relevant submission is recommended to be accepted in part. |
| John Cunningham | 9.1 | 21E.2.1 | Oppose | <p>The District Plan contains minimum section sizes of 450m² lots which are considered appropriate for a village environment to keep the village amenity and atmosphere.</p> <p>Amend the proposed minimum lot</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | size from 200m ² in section 21E.2.1 to 450m ² . | | site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jenny Kelly | 11.1 | 21E.2.1 | Oppose | <p>250m² sections are inappropriate in a rural environment. Denser population will lead to transport infrastructure problems and reduce the quality of village life.</p> <p>Amend 250m² lot size to maintain existing lot size in Rule 21.63.1(A) of the Waikato District Plan.</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| David Hulme | 12.1 | 21E.2.1 | Oppose | 200m ² allotments do not meet the current requirements of the District Plan. Te Kauwhata is not an urban area and the proposed lot sizes do not promote or enhance a village feel. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|---|
| | | | | Amend allotment sizes so they are bought in line with the existing District Plan (i.e. 21.63.1 and 21A.18) lot sizes of 450m ² minimum with a percentage ranging from 550-600m ² . | | site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| David Hulme | 12.3 | 21E.2.1 | Seek amendment | <p>Scott Road is incapable of coping with proposed increase in traffic</p> <p>Scott Road to be upgraded with footpaths for pedestrian safety AND Scott Road and Main Road intersection is designed to handle traffic proposed to avoid congestion.</p> | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. |
| Rochelle Hulme | 13.1 | 21E.2.1 | Seek amendment | <p>Proposal does not comply with minimum allotment sizes in the District Plan. Proposal does not promote a village feel. Te Kauwhata is designated as a rural village, not urban living zone.</p> <p>Amend minimum lot sizes to be made larger, more in line with the existing District Plan (i.e. Rule 21.63, Rule 21A.17 and Rule 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | retaining a predominance of sites that contain larger areas of open space. |
| Robyn and Scott McGuire | 14.1 | 21E.2.1 | Seek amendment | Not opposed to proposed development however does not currently reflect Te Kauwhata village character. Supports walkways/cycleways and sewerage ideas. Limited commercial zoning for Te Kauwhata and people will have to commute for work. Concerns with flooding following the contouring of land near the boundary of 56 Scott Road. The proposed development will create a busy urban atmosphere. The Region's current 30 year plan does not include more housing. Rural outlook will change to high density urban development. Reverse sensitivity effects for new neighbours. Amend lot sizes to enforce District Plan Rule 21.63.1(a) with a minimum of lot size of 450m ² . | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott McGuire | 14.12 | 21E.2.1 | Oppose | An increase in population will increase the traffic volume, creating safety issues. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|---|
| | | | | Add requirement that kerbing, footpaths and a crossing on Scott Road be established. | | Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott Mcguire | 14.13 | 21E.2.1 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Amend the threshold for secondary access point into the Lakeside development is established before the proposed 400 dwelling suggestion. | Reject | There is insufficient evidence to justify the relief sought by the submission. Transportation evidence prepared on behalf of the applicant and peer reviewed for Council identifies the 400 lot trigger is appropriate. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission point is recommended to be Rejected.</i> |
| Robyn and Scott Mcguire | 14.14 | 21E.2.1 | Oppose | Add requirement for widening the exit at Scott Road/Te Kauwhata Road intersection to allow a left turning lane out of Scott Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended</i> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-------------------|---|-----------------------|---|
| | | | | | | <i>to be accepted in part.</i> |
| Robyn and Scott Mcguire | 14.15 | 21E.2.1 | Oppose | An increase in population will increase the traffic volume, creating safety issues Add requirement for 'no parking lines' at least 6m at the developments entrance on Scott Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott Mcguire | 14.16 | 21E.2.1 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement for a keep clear zone on Te Kauwhata Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.1 | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Auckland Waikato Fish and Game | 15.11 | 21E.2.1 | Seek amendment | WDP Policy 2.2.5 requires plant and pest control to be undertaken and housing developments should be avoided near areas of significant indigenous vegetation and significant habitats of indigenous fauna | Reject | The part of the Act that the relief sought relies on has been repealed. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-------------------|--|----------------|--|
| | | | | Amend comprehensive subdivision consents to include conditions requiring financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland to mitigate effects on avifauna. | | |
| Auckland Waikato Fish and Game | FS38.2 0 | 21E.2.1 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provision. | Reject | The relevant submission is recommended to be Rejected. |
| Ian Hartley | 18.1 | 21E.2.1 | Seek amendment | Development is needed in Te Kauwhata, however there is concern with the size of the properties allocated to the dwellings. The small section sizes are appropriate for an urban city but not Te Kauwhata. An increase in hard surfaces will have a detrimental effect on the development as the increased water run-off and increase the possibility and scale of flooding subsidence and have an adverse effect on the local environment. The development proposed exceeds current and proposed service development for sewerage and water reticulation, putting stress on community services. The density will be aesthetically detrimental to the local | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|--|
| | | | | area. Amend the minimum lot size to an average of 450m ² -500m ² as per Rules in the District Plan. (21A.17 and 21A.18) | | |
| Tony Cox | 21.1 | 21E.2.1 | Seek amendment | The small sections proposed oppose the village life style and have the potential to create a ghetto Amend the provisions to require minimum section size of 450m ² . | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Te Kauwhata Community Committee | 23.6 | 21E.2.1 | Oppose | Recognise the government directive to open up more and affordable housing under the NPS-UDC but do not feel that this is appropriate in Te Kauwhata. The proposed lot sizes are in direct contradiction of the Waikato District Plan “protect the village character of Te Kauwhata” | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|--|
| | | | | Amend and increase the minimum section size to 450m ² as per Rule 21.63.1 (a) of the District Plan. | | by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Te Kauwhata Community Committee | 23.9 | 21E.2.1 | Oppose | <p>There are a number of established rural properties on Scott Rd which carry out activities appropriate to a rural zone sections near these properties should be larger to minimise contact with rural/country living properties, avoiding reverse sensitivity.</p> <p>Amend and increase the size of sections near rural or country living boundaries and arrange these in such a way as to minimise contact with these properties to avoid reverse sensitivity.</p> | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high density precinct. |
| David Hulme | FS37.1 | 21E.2.1 | Support | Section sizes bordering rural properties should be of larger size for reverse sensitivity. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Te Kauwhata Community Committee | 23.11 | 21E.2.1.1 | Oppose | Believe that the inclusion of communal open space in the calculation of average site size is contrary to the Te Kauwhata Village | Reject | The inclusion of private communal open space is considered an appropriate option to provide on-site amenity for residents in higher density. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>character.</p> <p>Delete the provision that allows communal open space to be included in average site size calculations.</p> | | |
| Phillip John Castles | 27.1 | 21E.2.1 | Oppose | <p>Concern is raised regarding small sections in a small town setting.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jason and Tarina Moorfield | 31.1 | 21E.2.1 | Oppose | <p>The proposed allotment sizes of 200-250m² are contrary to the established standards in the district plan and fail to protect the village character.</p> <p>Amend the minimum section size to reflect those established in Rule 21.63.1(a) of the Waikato District</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|----------------------------------|------------------------------|-------------------|-------------------|---|----------------|--|
| | | | | Plan (min of 450m ²) to better protect the village character. | | high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jason and Tarina Moorfield | 31.2 | 21E.2.1 | Oppose | <p>The proposed plan change will be in contradiction to the Te Kauwhata Village characteristics which are sought to be protected. The community is rural living not urban fringe. The rural properties surrounding the development will be inhibited.</p> <p>Amend the provisions to provide for greenbelts and larger lot sizes adjacent to rural properties to address issues of reverse sensitivity.</p> | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high density precinct. |
| Kimberley Brown | 32.1 | 21E.2.1 | Seek amendment | <p>The proposed section sizes are not aligned with the current plan. Medium and low density housing is preferred in Te Kauwhata over in-fill density similar to Auckland.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|--|
| | | | | | | considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Wendy Peach | 33.1 | 21E.2.23 | Seek amendment | <p>The minimum section size should be in keeping with the remainder of the village and the district plan.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| KiwiRail Holdings Ltd | 34.5 | 21E.2.1 | Support | <p>The proposed density and 5m setback from the NIMT is supported as a way of addressing reverse sensitivity.</p> <p>Retain site density controls which provide for a lower density development adjacent to the railway corridor (300m² minimum).</p> | Accept in part | The 5m setback has been retained as has the location of the medium density precinct adjacent to the NIMT. Amendments are recommended in response to other submissions that increase the average lot size of the medium density precinct. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-------------------|---|----------------|--|
| KiwiRail Holdings Ltd | 34.11 | 21E.2.1 | Seek amendment | There are currently 180-200 trains per week using the NIMT through Te Kauwhata, this is likely to increase. A risk assessment of the effects of the Plan Change should have been undertaken as part of the Transport Assessment. A Level Crossing Safety Impact Assessment (LCSIA) would assess the adequacy of the Te Kauwhata Road level crossing for all modes of transport generated by the new development. This would enable Council to consider whether any mitigation measures are required now or could be staged as part of further development. The 400 lot threshold before a secondary access is required is noted and supported however this may not fully address all transportation issues, particularly those affecting the safe operation of the level crossing for the anticipated growth in population. The efficient and effective use and development of the rail network is promoted through Part 2 of the RMA. An appropriate balance is required between ensuring the rail network can be used, and development being facilitated without compromising the | Accept in part | The relief sought is considered to be inappropriate as it refers to the need to change provisions as a result of future assessments. An LCSIA has been undertaken and amendments have been recommended to address the outcomes of that report. The detailed delivery of safety improvements will be addressed outside of the District Plan provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|-----------|
| | | | | <p>safety of people and communities.</p> <p>Complete a LCSIA for the Plan Change before decisions are made. AND Amend the Precinct Plan in regard to level crossing safety to have regard to the LCSIA that has been completed for the proposed plan change area. The LCSIA will confirm the need for any phasing of infrastructure provision and possible level crossing upgrade and may have an impact on the 400 lot threshold that triggers the secondary route.</p> | | |

4.5.3 21E.2.2 Comprehensive Land Development Consent

Analysis: 21E.2.2 Comprehensive Land Development Consent

Waikato District Council (6.10) seeks to amend the provisions of 21E.2.2.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.

Waikato Regional Council (7.4) supported by **Fish and Game (FS38.6)** supports the intent of Objective and Policies 15D.3.19, 15D.3.20 and associated explanation 15D.4.8, however seek changes to ensure that these are implemented through the subsequent activity status, rules and assessment criteria as there is a lack of certainty around infrastructure provisions. They seek to either establish a Discretionary Activity Status for Comprehensive Subdivision Consent, Comprehensive Land Development Consent, number of dwellings, and subdivision and/or amend the provisions to provide more certainty regarding the provision, timing, staging, triggers and the sequencing of infrastructure and land use.

Amendments have been recommended to address the submission and have been addressed in detail in section 4.4.3 of this report.

David Hulme (12.3) and **Robyn and Scott McGuire (14.12, 14.14, 14.15 & 14.16)** supported by **David Hulme (FS37.2)** have submitted regarding roading and the need to ensure appropriate upgrades occur to Scott Road with the development. The necessary roading upgrades and their detailed design will be addressed at subdivision stage in accordance with council's road engineering standards. Amendments are recommended to ensure that the effects of transportation are assessed as Te Kauwhata grows, this will inform the need for future upgrades.

KiwiRail Holdings Limited (34.11) has sought reference to a Level Crossing Safety Impact Assessment (LCSIA) within 21E.2.1. The proposed drafting included in the submission includes the possibility of changing plan provisions to accommodate outcomes of the LCSIA. A LCSIA has been undertaken by the applicant and Council, these reports have been considered and recommendations made to ensure that level crossing safety is able to be addressed. Assessment at a later date will not allow changes to the plan provisions that eventually become operative without the Schedule I process, therefore it is considered that the amendments sought in relation to future amendments are inappropriate.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------------------|---|----------------|---|
| Waikato District Council | 6.10 | 21E.2.2.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is reliant on the previous rule, the thresholds should be consistent. Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous. | Accept | The relief sought will improve plan clarity. |
| Waikato Regional Council | 7.4 | 21E.2.2 | Support with amendments | The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of infrastructure cannot be | Accept in part | Amendments have been recommended to address the relief sought to ensure certainty regarding the availability and capacity of infrastructure whilst retaining a level of certainty for the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|--------------------|--|----------------|---|
| | | | | <p>appropriately scrutinised. Controlled activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity.</p> <p>Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies. AND/OR Amend PPC20 to address the provision, timing, staging, triggers and the sequencing of infrastructure and land use.</p> | | applicant regarding the matters to be assessed by council through the use of a Restricted Discretionary activity status for Comprehensive Land Development Consents. |
| Auckland Waikato Fish and Game | FS38.7 | 21E.2.2 | Support | Allow the submission as a robust activity framework is required. | Accept in part | The relevant submission is recommended to be accepted in part. |
| David Hulme | 12.3 | 21E.2.2 | Seek amendments | <p>Scott Road is incapable of coping with proposed increase in traffic.</p> <p>Scott Road to be upgraded with footpaths for pedestrian safety AND Scott Road and Main Road intersection is designed to handle traffic proposed to avoid congestion.</p> | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| Robyn and Scott McGuire | 14.12 | 21E.2.2 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement that kerbing, footpaths and a crossing on Scott Road be established. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.2 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott McGuire | 14.14 | 21E.2.2 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement for widening the exit at Scott Road/Te Kauwhata Road intersection to allow a left turning lane out of Scott Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.2 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott McGuire | 14.15 | 21E.2.2 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement for 'no parking lines' at least 6m at the developments entrance on Scott Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|-------------------|--|-----------------------|--|
| David Hulme | FS37.2 | 21E.2.2 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| Robyn and Scott McGuire | 14.16 | 21E.2.2 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Add requirement for a keep clear zone on Te Kauwhata Road. | Accept in part | Detailed road design will occur as part of the resource consent process including any upgrades necessary to accommodate the increase in traffic. Amendments have been recommended to information requirements to ensure an appropriate level of transportation effects. |
| David Hulme | FS37.2 | 21E.2.2 | Support | <i>The above submission point be allowed.</i> | Accept in part | <i>The relevant submission is recommended to be accepted in part.</i> |
| KiwiRail Holdings Ltd | 34.11 | 21E.2.2.1 | Seek amendment | There are currently 180-200 trains per week using the NIMT through Te Kauwhata, this is likely to increase. A risk assessment of the effects of the Plan Change should have been undertaken as part of the Transport Assessment. A Level Crossing Safety Impact Assessment (LCSIA) would assess the adequacy of the Te Kauwhata Road level crossing for all modes of transport generated by the new development. This would enable Council to consider whether any mitigation measures are required now or could be staged as part of further development. The 400 lot | Accept in part | The relief sought is considered to be inappropriate as it refers to the need to change provisions as a result of future assessments. An LCSIA has been undertaken and amendments have been recommended to address the outcomes of that report. The detailed delivery of safety improvements will be addressed outside of the District Plan provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|-----------|
| | | | | <p>threshold before a secondary access is required is noted and supported however this may not fully address all transportation issues, particularly those affecting the safe operation of the level crossing for the anticipated growth in population. The efficient and effective use and development of the rail network is promoted through Part 2 of the RMA. An appropriate balance is required between ensuring the rail network can be used, and development being facilitated without compromising the safety of people and communities.</p> <p>Complete a LCSIA for the Plan Change before decisions are made. AND Amend the Precinct Plan in regard to level crossing safety to have regard to the LCSIA that has been completed for the proposed plan change area. The LCSIA will confirm the need for any phasing of infrastructure provision and possible level crossing upgrade and may have an impact on the 400 lot threshold that triggers the secondary route.</p> | | |

4.5.4 21E.2.6 Carparking

Analysis: 21E.2.6 Carparking

The **Te Kauwhata Community Committee (23.12)** has sought an increase in the minimum number of on-site carpark spaces required for dwellings on lots under 300m². They reason that there is no public transport option for residents of Te Kauwhata and therefore residents will be required to provide their own transport. They seek an increase to onsite parking requirements for smaller lots to avoid the congestion of streets.

As a result of the submission, the expert opinion of council's traffic engineer was sought. After a review of the submission it is concluded that the submission is supported as the number of households in Te Kauwhata with two and three cars is the same as across the Waikato District, therefore the same number of parks should be required. Given the lack of public transport employment options within the township available to residents, it is likely that most households will own more than one car. Given the smaller lot sizes, smaller dwellings may be anticipated and therefore it is considered appropriate to control parking in relation to bedrooms, which provide a proxy for the number of residents and therefore car ownership. It is therefore considered reasonable to reflect the standards of the district plan that apply to the Rangitahi Living Zone which is located in Raglan and also has limited employment and public transport options in close proximity. These require a minimum of 2 carparking spaces for dwellings with two or more bedrooms and one carparking space for one-bedroom dwellings.

The review did consider that a degree of flexibility in the provision of parking for small lots has some value. An approach is suggested that will ensure a minimum of two lots per dwelling be provided as per the requirements elsewhere in the district, with allowance for 1 park per dwelling to be provided on the street in a way that ensures the adverse effects of parking (i.e. safety, efficiency, amenity and infrastructure – e.g. verge damage) are managed appropriately within each subdivision stage to the satisfaction of Council. It is considered that including a permitted activity standard which relies on Council's discretion would be difficult to administer. Currently, if a development fails to meet the required parking standard, a restricted discretionary activity status applies. Discretion is restricted to impacts on the safety and efficiency of the road network and impacts on the infrastructure condition and expected life. It is considered that these matters of discretion are appropriate and provide the opportunity for an applicant to suggest other viable alternatives where they consider a reduction in onsite parking is appropriate. Amendments to the provisions are recommended to increase the number of onsite parks required to two.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Te Kauwhata Community Committee | 23.12 | 21E.2.6 | Oppose | There is no public transport option for residents of Te Kauwhata therefore residents must provide | Accept in part | The relief sought is considered appropriate, however a degree of flexibility has value when addressing |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| | | | | <p>their own transport. More onsite parking should be provided to avoid street congestion.</p> <p>Amend and increase the minimum number of on on-site carparks required for dwellings on lots under 300m² from one.</p> | | smaller lots. Amendments are proposed to ensure that adequate parking spaces are available. |

4.5.5 21E.2.7 Earthworks

Analysis: 21E.2.7 Earthworks

WRC (7.8) supported by **Auckland Waikato Fish and Game (FS38.8)** have sought amendment to the earthworks standards outside of a CLDC to a Discretionary status to ensure a full assessment of effects is able to be taken into consideration through the resource consent process. It is considered that a Discretionary activity for earthworks is overly onerous, however given the location of the plan change area next to Lake Waikare and Lake Kopuera a greater level of assessment is appropriate. Therefore, it is recommended that additional standards are added to the earthworks standards that are in line with the standards throughout the Living Zone. These include requirements to be outside of the Flood Risk Area, compliance with engineering standards, be revegetated within 12 months and the implementation of sediment controls as standards to be adhered to as part of a permitted activity status. These standards reflect the approach to earthworks within the general Living Zone provisions and will ensure that the potential effects from earthworks are able to be managed.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|---|
| Waikato Regional | 7.8 | 21E.2.7.2 | Seek amendment | The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled | Accept in part | It is considered that the relief sought is overly onerous, however it is accepted that additional standards are warranted |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|---|
| Council | | | | <p>activity status of grazing of stock, earthworks, subdivision and development gives little opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it provides ecological corridors appropriate to locality.</p> <p>Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled to give more consideration to Objective 15D.3.9 and associated policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies.</p> <p>Add assessment criteria in 21E.4 that implements Policy 15D.3.13 regarding stormwater. AND Add design</p> | | to ensure earthworks provisions are able to implement the intent of the objectives and policies relevant to development in the Lakeside Precinct. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------|------------------------|----------------|-----------|---|----------------|---|
| | | | | guidelines that supports achievement of 15D.3.9 and associated policies | | |
| Auckland Waikato Fish and Game | FS38.8 | 21E.2.7.2 | Support | Allow the submission as it seeks to give more consideration to objective 15D.3.9 and associated policies. | Accept in part | The relevant submission is recommended to be accepted in part |

4.5.6 21E.2.10 Number of Dwellings

Analysis: 21E.2.10 Number of Dwellings

WRC (7.3 & 7.8) supported by **Auckland Waikato Fish and Game (FS38.7)** seek to amend the number of dwellings per title to become a Discretionary Activity to allow for the robust assessment of the adequate provision and co-ordination of infrastructure and the assessment of the impact on natural values of the lake, the establishment of ecological corridors and creation of ecological linkages and habitats.

Standard 21E.2.10 provides a density control for the development of houses within the Lakeside precinct. Requiring discretionary resource consent for the construction of dwellings is considered to be overly onerous. As a result of other submissions, amendments are recommended to the activity status of multi-unit dwellings to ensure that they are able to be adequately assessed. In response to this submission it is recommended that the matters of Appendix B (Engineering Standards) are also included in the matters of discretion.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|------------------------------|------------------------|--|-----------------|--|----------------|---|
| Waikato Regional Council | 7.3 | 15D.1, 15D.3.19, 15D.3.20 15D.4.8 | Support in part | The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of | Accept in part | Certainty regarding the provision of infrastructure is important, therefore amendments have been recommended to address the relief sought to ensure |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| | | | | <p>infrastructure cannot be appropriately scrutinised. Controlled activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity. A permitted activity for medium density development could allow development without an assessment of infrastructure. A full assessment of an application needs to be undertaken to ensure coordination between development and infrastructure. There are concerns regarding small comprehensive subdivision and land use consents coming together to provide integrated infrastructure solutions. Amendments are required in order for PPC20 to give effect to the RPS.</p> <p>Amend PPC20 to address the Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies. AND/OR Amend</p> | | certainty regarding the availability and capacity of infrastructure whilst retaining a level of certainty for the applicant regarding the matters to be assessed by council. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|---|
| | | | | PPC20 to address the provision, timing, staging, triggers and the sequencing of infrastructure and land use. | | |
| Waikato Regional Council | 7.8 | 21E.2.10 | Seek amendment | <p>The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled activity status of grazing of stock, earthworks, subdivision and development gives little opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it provides ecological corridors appropriate to locality.</p> <p>Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled to give more consideration to Objective 15D.3.9 and associated</p> | Accept in part | It is considered inappropriate to require discretionary consent for each dwelling. Amendments have been recommended to ensure clarity regarding the assessment of land development. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-----------|---|----------------|---|
| | | | | <p>policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies.</p> <p>Add assessment criteria in 21E.4 that implements Policy 15D.3.13 regarding stormwater, AND Add design guidelines that supports achievement of 15D.3.9 and associated policies</p> | | |
| Auckland Waikato Fish and Game | FS38.7 | 21E.2.21 | Support | Allow the submission as a robust activity framework is required. | Accept in part | The relevant submission is recommended to be accepted in part |

4.5.7 21E.2.15 Living Court Medium Density Precinct

Analysis: 21E.2.12 Living Court Medium Density Precinct

The **Te Kauwhata Community Committee (23.13)** seeks amendment to the living court standards for the proposed medium density precinct increasing the proposed sizes to align with the existing Living Zone rules. The submitter refers to amenity, quality of life and the maintenance and enhancement of the Te Kauwhata Village Characteristics as reasons for their submission.

It is considered that 60m² with a 6m diameter of outdoor living area is a suitable area for smaller lot sizes to enable efficient development of the site. The existing Living Zone standards of 21.47.1D provide the option of providing a balcony where a dwelling does not have a habitable room on the ground floor. It is suitable to continue to provide this option in the proposed Lakeside Medium Density Precinct. The submission requests an increase to the minimum balcony size to 15m², an increase of 5m² over the proposed 10m². If a ground floor outdoor living area is not provided, the balcony should provide enough space for the inhabitants of the dwellings to use together ensuring a level of outdoor amenity. 10m² is considered appropriate for small dwellings i.e. 1 bedroom units that would accommodate 1-2 people. Units with 2 bedrooms or more are likely to have a higher level of occupants and therefore a larger outdoor living area is required to provide a suitable level of onsite amenity. It is therefore considered that a minimum balcony area of 15m² is appropriate

for dwellings with 2 or more bedrooms when a ground floor outdoor living area is not provided.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|-----------|--|----------------|--|
| Te Kauwhata Community Committee | 23.13 | 21E.2.15 | Oppose | Outdoor living areas should be consistent with 21.47.1D Amend the outdoor living area requirements to 80m ² and a balcony of at least 15m ² . | Accept in part | Amendments are recommended to increase the balcony area required for larger dwellings. |

4.5.8 21E.2.18 Building Setback from North Island Main Trunk Line

Analysis: 21E.2.10 Number of Buildings

KiwiRail Holdings Ltd (34.6) supports the inclusion of standards to address reverse sensitivity from the NIMT, however they seek further provisions to ensure reverse sensitivity is well managed. These include standards to address internal noise and vibration and additional assessment criteria to address failures.

The use of performance based standards to address internal noise and vibration for those dwellings close to the NIMT is considered to be a valid approach for managing reverse sensitivity. The use of a 10m setback alone is not considered to reduce noise effects from the NIMT sufficiently to ensure an acceptable level of internal amenity. KiwiRail have provided their preferred provisions for addressing noise, these require dwellings within 100m of the NIMT to adopt acoustic design and ventilation to ensure that appropriate internal noise levels are provided to ensure an appropriate living environment. It is recommended that these are adopted to ensure that dwellings constructed near the NIMT have an appropriate internal noise level, ensuring on-site amenity. Amendments are sought to include vibration standards for sensitive activities within 60m of the rail corridor boundary, with further standards for buildings constructed within 20m of the rail corridor.

The applicant has provided an acoustic and vibration assessment of the site in relation to reverse sensitivity issues from the NIMT, prepared by Marshall Day Acoustics. This report has undertaken acoustic and vibration survey and provided recommendations regarding appropriate provisions to address development in proximity to the NIMT. The results show that dwellings within 100m of the NIMT will require acoustic reverse sensitivity measures to

apply. This is aligned with the relief sought from KiwiRail.

The results of the vibration survey have shown that compliance with the KiwiRail reverse sensitivity guidelines will be able to be achieved provided dwellings are further than 40m from the tracks. This differs from the KiwiRail submission which seeks to impose standards on dwellings with 60m of the tracks.

The applicant has provided suggested relief to address the submission from KiwiRail that is aligned with the acoustic and vibration report received and provisions are recommended that reflect this.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|--------------------------------------|------------------|--|-----------------------|---|
| KiwiRail Holdings Ltd | 34.6 | 21E.2.18 21E.2.18.1 21E.2.18.2 | Support in part | <p>The 5m setback from the NIMT is supported as it ensures access to buildings without needing to enter into the rail corridor. The proposed 10m setback from habitable buildings is also supported as a potential method. KiwiRail's preferred approach is a performance based system that is required for all permitted activities. It is considered that the benefits of such a system outweigh the costs.</p> <p>Amend the provisions that relate to the NIMT to remove the 10m setback rule and replace this with an internal noise standard for buildings within 100m of the railway corridor. AND Add provisions that require</p> | Accept in part | The relief sought will ensure that those dwellings constructed close to the NIMT will maintain an appropriate level of internal amenity. Amendments have been recommended that address the concerns of the submitter. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|---|-----------------------|------------------|
| | | | | compliance with vibration and shock standards for buildings within 60m of the rail corridor boundary. AND Amend the activity status for failure of these standards to become a restricted discretionary activity with discretion restricted to new assessment criteria proposed that relate to reverse sensitivity issues related to the NIMT | | |

4.5.9 21E.2.21 Subdivision (other than earthworks approved as part of a CS)

Analysis: 21E.2.21 Subdivision (other than earthworks approved as part of a CS)

Waikato Regional Council (7.4 & 7.8) supported by **Auckland Waikato Fish and Game (FS38.7)** seek to amend the activity status of subdivision outside of a comprehensive subdivision application to a Discretionary Activity Status and/or other amendments to allow for the robust assessment of the adequate provision and co-ordination of infrastructure and the assessment of the impact on natural values of the lake, the establishment of ecological corridors and creation of ecological linkages and habitats.

Ensuring that subdivision can be serviced is important, however it is considered that a Discretionary activity status is overly onerous in a zone that has the purpose of enabling residential development. As subdivision outside of CS can only be carried out on lots less than 10ha it is considered that a controlled activity is appropriate as this will be the second subdivision consent application required, with an initial assessment having been carried out through the Comprehensive Subdivision Consent.

Amendments are proposed to include a subdivision standard that relates to provision of infrastructure to ensure that lots are able to connect to reticulated services, reflecting the approach of the Living Zone throughout the rest of the district, with the difference being a non-complying activity status should infrastructure requirements not be met. Amendments are also recommended to ensure that adequate matters of discretion are included to allow a robust level of assessment should subdivision be applied for outside of the Comprehensive Subdivision provisions. These recommendations reflect the location of the Lakeside Precinct in relation to Lake Waikare and the importance of ensuring adequate infrastructure is provided to service development. The amendments proposed in relation to earthworks and assessment criteria are considered to address the other issues raised in these submission points.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|-----------------|---|----------------|---|
| Waikato Regional Council | 7.4 | 21E.2.21 | Support in part | The policy direction for infrastructure is not implemented through activity status therefore timing, staging and sequencing of infrastructure cannot be appropriately scrutinised. Controlled | Accept in part | Amendments have been recommended to address the relief sought to ensure that an appropriate level of assessment is undertaken in relation to the provision of infrastructure for subdivision outside of the CS process. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|-----------|
| | | | | <p>activity status for Comprehensive Subdivision and Land Use consents and permitted activity status for medium density development does not provide robust framework for coordination of infrastructure. If an unacceptable infrastructure proposal is proposed there is no ability to decline it as a controlled activity.</p> <p>A permitted activity for medium density development could allow development without an assessment of infrastructure. A full assessment of an application needs to be undertaken to ensure coordination between development and infrastructure. There are concerns regarding small comprehensive subdivision and land use consents coming together to provide integrated infrastructure solutions. Amendments are required in order for PPC20 to give effect to the RPS.</p> <p>Amend Rules 21E.2.1, 21E.2.2, 21E.2.10 and 21E.2.21 so that discretionary activity status applies. AND/OR Amend PPC20 to address the provision, timing, staging, triggers</p> | | |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|--------------------|---|----------------|---|
| | | | | and the sequencing of infrastructure and land use. | | |
| Auckland Waikato Fish and Game | FS38.7 | 21E.2.21 | Support | Allow the submission as a robust activity framework is required. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Waikato Regional Council | 7.8 | 15D.3.9 | Support in part | <p>The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled activity status of grazing of stock, earthworks, subdivision and development gives little opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it provides ecological corridors appropriate to locality.</p> <p>Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled to give more consideration to Objective 15D.3.9 and associated</p> | Accept in part | Amendments have been recommended to address the relief sought to ensure that an appropriate level of assessment is undertaken in relation to the provision of infrastructure for subdivision outside of the CS process. |

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|-----------|--|----------------|-----------|
| | | | | policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies. | | |

4.5.10 21E.2.23 Allotment Size

Analysis: 21E.2.23 Allotment Size

A number of submitters **Allan Ross and Judy Garrick (3.1), Mrs Juliet and Mr Ian Sunde (5.1), John Cunningham (9.1), Jenny Kelly (11.1), David Hulme (12.1), Rochelle Hulme (13.1), Robyn and Scott McGuire (14.1)** supported by **David Hulme (FS37.1), Melissa Epiha (17.1), Ian Hartley (18.1), Te Kauwhata Community Committee (23.6), Nicola Jane Patterson (26.1), Phillip John Castles (27.1), Jason and Tarina Moorfield (31.1), Kimberlee Brown (32.1), Wendy Peach (33.1)** have submitted on the minimum lot size. These generally request the minimum allotment size to be increased to a range of sizes ranging from 450m² to 650m² and include requests to reflect the existing standards for the Te Kauwhata Structure Plan which includes requirements for average lot sizes up to 875m² (Te Kauwhata Ecological Living Zone).

The submissions relating to lot size are addressed in detail in Section 4.5.2 of this report. Recommendations are made to increase the average lot size in the medium density precinct to 450m² and the minimum lot size in the high density precinct to 225m². There are no matters of discretion identified where a failure of an allotment size standard occurs in 21E.2.23.1. To ensure Council is able to adequately assess any failures of standards, it is recommended that the matters of control are also included as matters of discretion. Discretion is also recommended to be retained over 'lot size'. Amendments are also recommended to the activity status for multiunit dwellings on one site to ensure that council have the ability to assess the design and amenity of semi-detached and terraced houses.

Waikato District Council (6.4) have sought changes to the density provisions to require 5% of the proposed rezoning or the area immediately adjacent to existing residential houses at Scott Road to be an average of 600m² with a minimum of 450m² in order to better integrate the proposed zoning with the existing township and provide a transition from the existing development. The majority of the area near Scott Road is in the Medium Density Precinct. Recommended changes to the provisions have increased the average lot size required in the medium density precinct to be more in keeping with the character of Te Kauwhata. Amendments have also recommended an increase in the minimum lot size in the high-density precinct. It is considered that due

to the location of the Lakeside Precinct to the south of the town and the area of open space and industrial zoning between the proposed plan change area and the majority of existing residential development that there is little value in requiring additional amendments to further increase lot sizes along Scott Road.

Submission 6.7 seeks to amend the matters of Control in Allotment Size to remove location and include size, stating that there is little ability to control the location of a lot within the context of the zone. Variation in allotment size is already a matter of control, therefore lot size does not need to be duplicated in the matters of control. The inclusion of size as a matter of control is moot as this is dictated by the standard, which if failed, becomes a restricted discretionary activity. Retaining discretion over lot size is appropriate where a standard is failed, it is therefore recommended that size is included as a matter of discretion. As there is little ability to control the location of an application, it is recommended to be removed.

Submission 6.9 seeks to amend 21E.2.23 to be consistent with 21E.2.1.1 to ensure the average lot size requirements are consistent with the 'Comprehensive Subdivision Consent' standards. It is important that the plan provision relating to subdivision is consistent to avoid uncertainty.

Te Kauwhata Community Committee (23.9) supported by **David Hulme (FS37.1)** seek to amend and increase the size of sections near rural or country living boundaries. The majority of the area near Scott Road is in the Medium Density Precinct. Recommended changes to the provisions have increased the average lot size required in the medium density precinct to be more in keeping with the character of Te Kauwhata. Amendments have been recommended an increase in the minimum lot size in the high-density precinct. It is considered that due to the location of the Lakeside Precinct to the south of the town and the area of open space and industrial zoning between the proposed plan change area and the majority of existing residential development that there is little value in requiring additional amendments to further increase lot sizes along Scott Road.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-----------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| Allan Ross and Judy Garrick | 3.1 | 21E.2.23 | Oppose | TK is a farming community, building a house on a 200m ² section is not in keeping with the character of the community. Amend the minimum section size to 650m ² to reflect the current character. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-----------------------------------|------------------------------|-------------------|-------------------|---|----------------|---|
| | | | | | | high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Mrs Juliet and Mr Ian Sunde | 5.1 | 21E.2.23 | Oppose in part | <p>Proposed section sizes are not in keeping with existing agricultural and rural atmosphere.</p> <p>Amend minimum lot sizes to be consistent with the existing District Plan rules for Te Kauwhata. AND Amend the provisions to take into consideration the Environment Court ruling for minimum lot sizes in Travers Road/Wayside Road.</p> | Accept in part | <p>Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space.</p> <p>Travers Road was determined under a different policy and growth context to the current proposal.</p> |
| Waikato District Council | 6.4 | 21E.2.23 | Seek amendment | Amendments to the site density to include some sections that reflect the existing lot sizes in Te Kauwhata will provide integration between new and existing development. | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|---|
| | | | | Amend site density controls to require 5% or areas adjacent to existing development have average lot sizes of 600m ² and minimum lot sizes of 450m ² . | | |
| Waikato District Council | 6.7 | 21E.2.23(a) | Seek amendment | There is little ability to control the location of lots within a zone but there is an ability to control their size. Amend Rule 21E.2.23(a) to say “size” rather than “location”. | Accept in part | Amendments have been recommended that allow discretion to be reserved over lot size where standards are failed. |
| Waikato District Council | 6.9 | 21E.2.23.1 | Seek amendment | Rule should be consistent with 21E.2.1.1 and include a minimum average site size alongside minimum site size. Amend Rule 21E.2.23.1 to include a minimum average site size of 250m ² alongside the minimum site size of 200m ² . | Accept | The relief sought ensures consistency with other standards within the proposed plan change. |
| John Cunningham | 9.1 | 21E.2.23 | Oppose | The District Plan contains minimum section sizes of 450m ² lots which are considered appropriate for a village environment to keep the village amenity and atmosphere. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | Amend the proposed minimum lot size from 200m ² in section 21E.2.1 to 450m ² . | | development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jenny Kelly | 11.1 | 21E.2.23 | Oppose | 250m ² sections are inappropriate in a rural environment. Denser population will lead to transport infrastructure problems and reduce the quality of village life Amend 250m ² lot size to maintain existing lot size in Rule 21.63.1(A) of the Waikato District Plan. | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| David Hulme | 12.1 | 21E.2.23 | Oppose | 200m ² allotments do not meet the current requirements of the District Plan. Te Kauwhata is not an urban area and the proposed lot sizes do not promote or enhance a village | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | <p>feel.</p> <p>Amend allotment sizes so they are bought in line with the existing District Plan (i.e. 21.63.1 and 21A.18) lot sizes of 450m² minimum with a percentage ranging from 550-600m².</p> | | development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Rochelle Hulme | 13.1 | 21E.2.23 | Seek amendment | <p>Proposal does not comply with minimum allotment sizes in the District Plan. Proposal does not promote a village feel. Te Kauwhata is designated as a rural village, not urban living zone.</p> <p>Amend minimum lot sizes to be made larger, more in line with the existing District Plan (i.e. Rule 21.63, Rule 21A.17 and Rule 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Robyn and Scott McGuire | 14.1 | 21E.2.23 | Oppose | Not opposed to proposed development however does not currently reflect Te Kauwhata village character. Supports walkways/cycleways and sewerage ideas. Limited commercial zoning for | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------------|--|-----------------------|--|
| | | | | <p>Te Kauwhata and people will have to commute for work. Concerns with flooding following the contouring of land near the boundary of 56 Scott Road. The proposed development will create a busy urban atmosphere. The Region's current 30 year plan does not include more housing. Rural outlook will change to high density urban development. Reverse sensitivity effects for new neighbours.</p> <p>Amend lot sizes to enforce District Plan Rule 21.63.1(a) with a minimum of lot size of 450m².</p> | | development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| David Hulme | FS37.2 | 21E.2.23 | Support | <i>The above submission point be allowed.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Melissa Epiha | 17.1 | 21E.2.23 | Seek amendments | <p>Higher density development is strongly opposed. Development in line with the 450m² lot sizes will allow development without detriment to the character of Te Kauwhata</p> <p>Amend the minimum allotment sizes to 450m² as per Rules in the District Plan. (i.e. 21.63, 21A.17 and 21A.18).</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|--|
| | | | | | | a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Ian Hartley | 18.1 | 21E.2.23 | Seek amendment | <p>Development is needed in Te Kauwhata, however there is concern with the size of the properties allocated to the dwellings. The small section sizes are appropriate for an urban city but not Te Kauwhata. An increase in hard surfaces will have a detrimental effect on the development as the increased water run-off and increase the possibility and scale of flooding subsidence and have an adverse effect on the local environment. The development proposed exceeds current and proposed service development for sewerage and water reticulation, putting stress on community services. The density will be aesthetically detrimental to the local area.</p> <p>Amend the minimum lot size to an average of 450m² -500m² as per Rules in the District Plan. (i.e. 21.63, 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Te Kauwhata | 23.6 | 21E.2.23 | Oppose | Recognise the government directive | Accept in part | Recommendations have been made to |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| Community Committee | | | | <p>to open up more and affordable housing under the NPS-UDC but do not feel that this is appropriate in Te Kauwhata. The proposed lot sizes are in direct contradiction of the Waikato District Plan “protect the village character of Te Kauwhata”</p> <p>Amend and increase the minimum section size to 450m² as per Rule 21.63.1 (a) of the District Plan</p> | | <p>increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space.</p> |
| Te Kauwhata Community Committee | 23.9 | 21E.2.23 | Oppose | <p>There are a number of established rural properties on Scott Rd which carry out activities appropriate to a rural zone sections near these properties should be larger to minimise contact with rural/country living properties, avoiding reverse sensitivity.</p> <p>Amend and increase the size of sections near rural or country living boundaries and arrange these in such a way as to minimise contact with these properties to avoid reverse sensitivity.</p> | Accept in part | <p>Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct.</p> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|--|
| David Hulme | FS37.1 | 21E.2.1 | Support | Section sizes bordering rural properties should be of larger size for reverse sensitivity. | Accept in part | The relevant submission is recommended to be accepted in part. |
| Nicola Jane Patterson | 26.1 | 21E.2.23.2 | Oppose | <p>200m² is very small for a rural town with existing minimums of 450m². The current district plan minimums should be retained as they are consistent with a rural village not an urban centre.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Phillip John Castles | 27.1 | 21E.2.23. | Oppose | <p>Concern is raised regarding small sections in a small town setting.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jason and Tarina Moorfield | 31.1 | 21E.2.23 | Oppose | <p>The proposed allotment sizes of 200-250m² are contrary to the established standards in the district plan and fail to protect the village character.</p> <p>Amend the minimum section size to reflect those established in Rule 21.63.1(a) of the Waikato District Plan (min of 450m²) to better protect the village character</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Jason and Tarina Moorfield | 31.2 | 21E.2.23 | Oppose | <p>The proposed plan change will be in contradiction to the Te Kauwhata Village characteristics which are sought to be protected. The community is rural living not urban fringe. The rural properties surrounding the development will be inhibited.</p> <p>Amend the provisions to provide for</p> | Accept in part | Amendments are recommended to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | greenbelts and larger lot sizes adjacent to rural properties to address issues of reverse sensitivity. | | |
| Kimberlee Brown | 32.1 | 21E.2.23 | Seek amendment | <p>The proposed section sizes are not aligned with the current plan. Medium and low density housing is preferred in Te Kauwhata over in-fill density similar to Auckland.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18).</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |
| Wendy Peach | 33.1 | 21E.2.23 | Seek amendment | <p>The minimum section size should be in keeping with the remainder of the village and the district plan.</p> <p>Amend minimum section size to 450m² as per those established in the district plan. (i.e. Rule 21.63 and 21A.17 and 21A.18)</p> | Accept in part | Recommendations have been made to increase the average lot size in the medium density precinct and the minimum lot size in the high-density precinct. Amendments are also recommended to ensure the development of multiple units on one site is able to be adequately assessed by council to ensure they provide a high level of amenity. These are considered to ensure the plan provisions meet the need to establish |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | a compact urban environment whilst retaining a predominance of sites that contain larger areas of open space. |

4.5.11 21E.2.26 Offroad walkways

Analysis: 21E.2.26 Offroad walkways

Waikato District Council (6.8) seeks to amend 21E.2.26 to include cycleways as well as walkways. This will enable walkways and cycleways to be provided in future development providing a range of transportation and recreation options through the plan change area. Consequential amendments to this change are recommended throughout the provisions.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|--|
| Waikato District Council | 6.8 | 21E.2.26 | Seek amendment | Promote walkways and cycleways. Amend 21E.2.26 to include cycleways as well as walkways | Accept | The relief sought will enable the development of cycleways and walkways. |

4.5.12 21E.3.1 Lakeside Precinct Plan I: Precinct Areas

Analysis: 21E.3.1 Lakeside Precinct Plan I: Precinct Areas

Lakeside Development 2017 Ltd (10.1 & 10.2) seeks to amend Precinct Plan I to realign the intersection of the primary road at the Scott Road entrance to provide a more logical road layout and to consolidate the business zone/community hub. This consequentially requires the amendment of the business zone to the south. The proposed amendment provides a more logical road layout and consolidates the community centre on one side of the road.

This allows the business activities to be separated from residential activities on three of the four sides by a road, providing a buffer between the two zones. A transportation assessment provided by the submitter indicates that the proposed amendment is able to be accommodated without adverse transportation effects. Gray Matter has reviewed the proposed changes from a transportation perspective and support the submission. They have suggested that the relevant subdivision consent application provides a preliminary design to demonstrate space to allow the intersection to be constructed for safe and efficient operation for all users (e.g. pedestrians, cyclists and local property access). The information requirements require specific design proposals for new roads and the upgrading of existing roads. Discretion for all Comprehensive Subdivision and Comprehensive Land Development applications reserves discretion over the roading network and compliance with a Council approved roading standard. It is considered there are sufficient mechanisms within the proposed provisions to ensure the construction of a safe and efficient intersection.

David Hulme (12.2), Rochelle Hulme (13.2), Robyn and Scott McGuire (14.2) supported by **David Hulme (FS37.2)** have submitted in relation to the area which has been identified as the possible location for a retirement village. They have sought that the area only be used for a retirement village and not be used for further high density residential housing. This relief would unduly restrict the development potential of the area of land identified and provide an inflexible rule framework for development to occur. Such a framework would mean that non-complying consents or a further plan change may be required to enable its development should a retirement village not be a viable option. It is considered that a better approach is to ensure flexibility in the zone and retain the ability for the area to be developed as residential dwellings.

KiwiRail Holdings Ltd (34.4) has requested the retention of the Precinct Plan as notified, particularly in relation to the medium density precinct on the western boundary adjacent to the NIMT. Changes have been recommended to the Precinct Plan, however these have not changed the density on the western edge of the plan change area.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|--|
| Lakeside Development 2017 Ltd | 10.1 | 21E.3.1 | Seek amendment | The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub. Amend the realignment of the | Accept | The relief sought creates a more logical road layout and provisions exist that ensure the design of the intersection will be safe and efficient. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|---|
| | | | | primary road network to align two roads at the Scott Road entrance to the development adjacent to the business zoned community hub as included in the attached diagrams. | | |
| Lakeside Development 2017 Ltd | 10.2 | 21E.3.1 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the extents of the business zone as shown on the attached map.</p> | Accept | The amendments proposed reflect the relocation of the indicative road network. It also allows the road network to act as a buffer between the two zones. |
| David Hulme | 12.2 | 21E.3.1 | Seek amendment | <p>The area designated for retirement village be used for that purpose rather than high density living.</p> <p>Retain retirement village land for development of retirement village.</p> | Reject | The relief sought would unduly restrict development in the area. If a retirement village is not developed, other alternatives need to be able to be considered. |
| Rochelle Hulme | 13.2 | 21E.3.1 | Seek amendment | <p>Retain area designated for retirement village to be used for that purpose and not reassigned to anything else.</p> <p>Retain retirement village land for development of retirement village.</p> | Reject | The relief sought would unduly restrict development in the area. If a retirement village is not developed, other alternatives need to be able to be considered. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-------------------|--|----------------|---|
| Robyn and Scott McGuire | 14.2 | 21E.3.1 | Seek amendment | The land identified for a retirement village should be used for this activity and not be able to be re-appropriated for residential. Add assurance regarding land proposed to be used for Retirement Village to be developed as retirement village. | Reject | The relief sought would unduly restrict development in the area. If a retirement village is not developed, other alternatives need to be able to be considered. |
| David Hulme | FS37.2 | 21E.3.1 | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relative submission point is recommended to be Rejected.</i> |
| KiwiRail Holdings Ltd | 34.4 | 21E.3.1 | Support | The proposed density and 5m setback from the NIMT is supported as a way of addressing reverse sensitivity. Retain the precinct plan as shown. | Accept in part | The submission point is accepted in part as changes have been recommended in light of other submissions. These changes have not impacted on the medium density precinct on the western boundary of the proposed plan change area. |

4.5.13 21E.3.2 Lakeside Precinct Plan 2: Public Transport, Primary Road network and Walkways

Analysis: 21E.3.2 Lakeside Precinct Plan 2: Public Transport, Primary Road network and Walkways

Waikato Regional Council (7.6) seek amendment to the walking and cycling network identified on the precinct plans to ensure that it is connected to and integrated with the existing village. The location of the proposed plan change in relation to the existing township means that there is a narrow point of connection, providing limited opportunity or need for north south pedestrian/cycle access. The Lakeside Precinct Plan provides 3 road connections between the plan change area and the existing Te Kauwhata Village, these will also be able to provide walking and cycle connections. No amendments are recommended.

Lakeside Development 2017 Ltd (10.1 & 10.2) seeks to realign the intersection of the primary road at the Scott Road entrance to provide a more logical road layout and to consolidate the business zone/community hub. This submission is addressed in detail above in section 4.5.12.

David Hulme (12.8) supports the building of walking and cycle ways to open up the lake area for public use. No relief is sought or recommended.

Robyn and Scott McGuire (14.13) supported by **David Hulme (FS37.2)** have sought that the secondary access road is provided earlier than the proposed 400 dwelling trigger. Transportation evidence prepared by Carriageway Consulting on behalf of the applicant and peer reviewed by Gray Matter on behalf of WDC has identified that 400 dwellings is an appropriate trigger for the creation of a secondary access road. Provisions have been included in the plan change that requires the secondary access road be open to traffic before development exceeds 400 lots. A Non-Complying resource consent application is required for development without the secondary access road.

Wendy Peach (28.1) seeks that the alternative road is constructed before, not after 400 lots. As above the provisions of the plan are considered to be appropriate due to the advice from transportation experts. The submitter seeks that solutions for the intersection of Scott Road and Te Kauwhata and congestion problems for the rest of Te Kauwhata are considered. Road upgrades and their design will be able to be addressed through the resource consent process. Amendments are recommended to the planning provisions to ensure adequate infrastructure is available to service the development and allow the effects of transportation to be considered as the area grows. It is therefore recommended that the submission is accepted in part.

Te Kauwhata Community Committee (23.4) supports the interconnectivity of walkways and cycleways to connect Lakeside development with Te Kauwhata.

Courtney Howells OR Marlene Raumati (29.1) supports the enhancement of the proposed heritage trail from the Rangiriri Pa site along the edge of Lake Kopuera joining with Lake Waikare.

Jason and Tarina Moorfield (31.3) supported by **Waikato District Council (FS35.6)** support the proposed cycleways, parks and reserves as this will enhance Te Kauwhata's character and rural lifestyle.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-----------------------------------|------------------------|----------------|----------------|--|----------------|--|
| Waikato Regional Council | 7.6 | 21E.3.2 | Support | <p>PPC20 is broadly consistent with the Waikato RLTP however further consideration needs to be given to provision of public transport in the future and the walking and cycling networks need to be identified on the precinct plans to ensure connections from new development to existing TK settlement.</p> <p>Amend walking and cycling network to ensure connections to existing Te Kauwhata settlement.</p> | Accept in part | Amendments have been recommended to ensure that the proposed Lakeside Precinct integrates with the existing Te Kauwhata Structure Plan. |
| Lakeside Development 2017 Limited | 10.1 | 21E.3.2 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the realignment of the primary road network to align two roads at the Scott Road entrance to the development adjacent to the business zoned community hub as included in the attached diagrams.</p> | Accept | The relief sought creates a more logical road layout and provisions exist that ensure the design of the intersection will be safe and efficient. |
| Lakeside | 10.2 | 21E.3.2 | Seek | The road alignment at the Scott | Accept | The amendments proposed reflect the |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| Development 2017 Limited | | | amendment | Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub. Amend the extents of the business zone as shown on the attached map. | | relocation of the indicative road network. It also allows the road network to act as a buffer between the two zones. |
| David Hulme | 12.8 | 21E.3.2 | Support | Supports opening up the lake area for public use. No relief sought. | Accept | The submission supports the construction of walkways and cycleways. |
| Robyn and Scott McGuire | 14.13 | 21E.3.2 | Oppose | An increase in population will increase the traffic volume, creating safety issues. Amend the threshold for secondary access point into the Lakeside development be established before the proposed 400 dwelling suggestion | Reject | There is insufficient evidence to justify the relief sought by the submission. Transportation evidence prepared on behalf of the applicant and peer reviewed for Council identifies the 400 lot trigger is appropriate. |
| David Hulme | FS37.2 | 21E.3.2 | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission point is recommended to be rejected.</i> |
| Te Kauwhata Community | 23.4 | 21E.3.2 | Support | Support the interconnectivity of walkways and cycleways to connect | Accept | No changes are recommended therefore the submission is |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|--|-----------------------|--|
| Committee | | | | Lakeside development with Te Kauwhata. | | recommended to be accepted. |
| Wendy Peach | 28.1 | 21E.3.2 | Seek amendment | <p>Council needs to ensure the alternative road is built prior to housing construction for trucks usage not after 400 houses. Council also needs to explore solutions to Scott Road/Te Kauwhata Road intersection to address congestion.</p> <p>Amend rules to require the alternative road to be built prior to housing construction and not after 400 houses.</p> <p>AND</p> <p>Amend the rules to require an upgrade Scott Road/Te Kauwhata Road intersection to address congestion</p> | Accept in part | <p>There is insufficient evidence to justify the relief sought by the submission. Transportation evidence prepared on behalf of the applicant and peer reviewed for Council identifies the 400 lot trigger is appropriate.</p> <p>Amendments have been recommended to the plan provisions to ensure that adequate infrastructure is available to service the development proposed and the effects of transportation are able to be considered as the area grows.</p> |
| Courtney Howells OR Marlene Raumati | 29.1 | 21E.3.2 | Support | The development company has been supportive in enhancing the proposed heritage trail from Rangiriri Pa along the edge of Lake Kopuera and to join with the Proposed Walk/Cycle way to Lake Waikare. | Accept | The support for the walkway is noted. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|----------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| | | | | Support the proposed heritage trail from Rangiriri Pa along the edge of Lake Kopuera and to join with the Proposed Walk/Cycle way to Lake Waikare. | | |
| Jason and Tarina Moorfield | 31.3 | 21E.3.2 | Support | Support the proposed cycleways, parks and reserves and believe this enhances the Te Kauwhata Village characteristics and rural lifestyle. Support proposed cycleways, parks and reserves. | Accept | Support for the cycleways, parks and reserves are noted. |
| Waikato District Council | FS35.6 | 21E.3.2 | Support | <i>Parks and reserves enhance the character of an area and are essential to provide on-site amenity to residents. Seeks that the submission be allowed.</i> | Accept | <i>The relevant submission is recommended to be accepted.</i> |

4.5.14 21E.3.3 Lakeside Precinct Plan 3: Rural Zones: Overlays and Open Spaces

Analysis: 21E.3.3 Lakeside Precinct Plan 3: Rural Zones: Overlays and Open Spaces

Lakeside Development 2017 Ltd (10.1 & 10.2) seeks to realign the intersection of the primary road at the Scott Road entrance to provide a more logical road layout and to consolidate the business zone/community hub. This submission is addressed in detail above in section 4.5.12.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|--|-----------------------|--|
| Lakeside Development 2017 Limited | 10.1 | 21E.3.3 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the realignment of the primary road network to align two roads at the Scott Road entrance to the development adjacent to the business zoned community hub as included in the attached diagrams.</p> | Accept | The relief sought creates a more logical road layout and provisions exist that ensure the design of the intersection will be safe and efficient. |
| Lakeside Development 2017 Limited | 10.2 | 21E.3.3 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the extents of the business zone as shown on the attached map.</p> | Accept | The amendments proposed reflect the relocation of the indicative road network. It also allows the road network to act as a buffer between the two zones. |

4.5.15 21E.4 Assessment Criteria for Approval of a Comprehensive Subdivision Consent or a Comprehensive Land Development Consent and any amendments thereto.

Analysis: 21E.4 Assessment Criteria for Approval of a Comprehensive Subdivision Consent or a Comprehensive Land Development Consent and any amendments thereto

Waikato District Council (6.2a) opposed by **Auckland Waikato Fish and Game (FS38.2)** seek to amend the terminology associated with the assessment criteria for controlled and restricted discretionary activities, amending “assessment criteria” to read “assessment factors” stating that “criteria” are rules or standards that must be met and “factors” are able to be taken into consideration. They argue that a number of the assessment criteria may conflict with each other and request these are referred to as “factors” in order to allow them to be weighed and assessed appropriately.

The use of the term “assessment criteria” is well accepted and used in district plan terminology, the use of the term “assessment factors” may cause confusion. It is appropriate to carry out a weighting exercise as part of a resource consent assessment balancing and weighting the different criterion. No amendments are recommended.

Submissions 6.2b and 6.3 supported by **Auckland Waikato Fish and Game (FS38.3, FS38.4)** seek to include further matters of control/discretion into the plan. These include matters of discretion to address and assess the amenity and safety of any proposed neighbourhood parks and communal open space and provisions to address urban design and amenity. They seek to include:

Whether parks and areas of open space and private communal open space provide for the amenity and safety of the community in terms of:

- A. Spatial variety;
- B. A mix of recreation opportunities, both public and private;
- C. Accessibility;
- D. The application of CPTED principles; and
- E. Ease and cost of maintenance (where the park is not maintained or managed by Council).

It is important that any areas of open space proposed during subdivision are able to be assessed to ensure that they will provide a level of amenity for the community and that they will be located and designed to maximise public safety as per the principles of CPTED. It is therefore recommended that the matters of discretion related to open space and communal open space are adopted with minor amendments to ensure they adopt a more general approach and can be used to assess public and private communal open space.

The matters of discretion related to urban design and visual amenity seek to provide council the ability to assess the masterplan that is required to be provided under 21E.5.1 to determine the extent it integrates with the Te Kauwhata township and its surroundings. As the wider masterplan will not be applied for as part of resource consent, it is unnecessary to assess the masterplan. The purpose of requiring the latest version of the masterplan as part of

the information required as part of a consent application is to allow council to understand how a comprehensive subdivision or land development application integrates into the context of the existing Te Kauwhata Village and is able to integrate into the wider Lakeside Precinct, ensuring it is well integrated from a design perspective and connected to the township and enables connection to other areas of Lakeside. Amendments are recommended that enable the integration of the proposal with the wider context to be considered by council.

The submitter also seeks discretion over effects on visual amenity, rural character and urban character within the application area and surrounding visual character. The proposed plan change seeks to enable the rezoning of rural land to allow urban development, therefore it is expected that there will be some effect on the 'visual catchment' of the proposed plan change as a rural land transitions to an urban area. There are standards that relate to density, building height and site coverage which will dictate the form of development. The inclusion of "effect on visual amenity" is broad and allows a wide range of discretion, particularly when effects on the surrounding visual catchment are taken into account and have been considered in the development of the proposed plan change. If a development proposal was to deviate from the Lakeside Precinct Plans, an assessment of the wider effects of this deviation is considered appropriate. Amendments are recommended to allow council discretion over the effects of any inconsistencies with the Lakeside Precinct Plans.

Discretion is also sought over the extent the proposed development is consistent with or allows the implementation of the required road design and upgrading of existing roads. It is important that there is consistency between the proposal and more detailed design work.

Waikato Regional Council (7.7) seeks the addition of assessment criteria to address the integration of walking and cycling with the existing settlement of Te Kauwhata. It is considered that the integration of walking and cycling networks between the proposed plan change area and the existing Te Kauwhata township is adequately addressed under 21E.4 – Permeability 3, 5 and 8 listed below and no changes are recommended.

The extent to which:

- 3. A transport network that is safe, legible, logical and well connected for vehicles, pedestrians and cyclists*
- 5. The walking and cycling network allows for a future alternative public access between the village and the Lakeside Precinct Plan Area,*
- 8. Pedestrian walkways and cycle paths that connect to the existing village, Lake Whakaari, and to the development; provide a network throughout the area as indicatively illustrated on Precinct Plan 21E.3.2.*

The submitter seeks to add assessment criteria that address the future needs of public transportation in the design and layout of the road network. This is considered appropriate as it will ensure the future needs of Te Kauwhata are considered.

Waikato Regional Council (7.8) supported by **Auckland Waikato Fish and Game (FS38.7)** seeks to include additional assessment criteria to implement Policy 15D.3.13. Amendments are proposed to include assessment criteria that address the dual role of stormwater and flood management areas in providing ecological functions where appropriate. This is considered to be appropriate as not all stormwater/flood management areas will be able

to provide suitable habitat or act as ecological corridors.

Submission 7.12 seeks allowance for an easement alongside the WRC managed town drain. It is considered that it is more appropriate that this is addressed outside of the district plan provisions and it is recommended that the submitter approaches the land owner to address issues of maintenance and access. No changes are recommended.

Auckland Waikato Fish and Game (15.3) supported by **Auckland Waikato Fish and Game (FS38.15)** seek to include assessment criteria to address issues of reverse sensitivity from gamebird hunting on Lake Waikare, reasoning that noise from hunting may cause issues for new dwellings and activities such as the equestrian centre. The proposed plan change includes an open space overlay with a rural zoning which provides open space for the development. It also acts to provide a buffer between the lake and residential land use. Given the limited window of the game bird and the limited shooting hours that applies to game bird hunting i.e. 6:30am- 6:30pm (as per Waikato Fish and Game Region Gazetted regulations 2017/2018). It is considered that this is sufficient to address issues of reverse sensitivity from the proposed residential development. An equestrian centre is considered to be an activity that would be expected to locate and operate in the rural environment. The use of firearms is also expected in a rural setting and occurs throughout the district and not just in proximity to Lake Waikare. The inclusion of specific rules for the Lakeside Rural Zone is therefore considered unnecessary and no amendments are recommended.

KiwiRail Holdings Limited (34.7) seeks to add assessment criteria to allow reverse sensitivity effects from the NIMT to be addressed. Standards have been included to address reverse sensitivity from the NIMT, therefore it is considered appropriate to include assessment criteria that allow this to be taken into account if standards are failed.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|---|
| Waikato District Council | 6.2 | 21E.4 | Seek amendment | The matters which Council maintain control over through assessment criteria does not allow for sufficient scrutiny of design and relationship of the proposal with the existing character of TK as Comprehensive Subdivision and Land Development consents must be approved under a 'controlled' activity status. A criteria | Reject | The relief sought will not aid in plan clarity. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-------------------|---|----------------|---|
| | | | | <p>is a standard that must be achieved and a factor is something that must be taken into consideration. The factors listed in 21E.4 have potential to conflict with each other, however can be weighted according to best practise urban design if considered as factors</p> <p>Amend the word “criteria” where used in 21E.4 to read “factors”.</p> | | |
| Auckland Waikato Fish and Game | FS38.2 | 21E.4 | Oppose | Disallow allow the submission to ensure all matters of assessment are taken into account. | Accept | The relevant submission is recommended to be Rejected. |
| Waikato District Council | 6.2 | 21E.4 | Seek amendment | <p>The matters which Council maintain control over through assessment criteria does not allow for sufficient scrutiny of design and relationship of the proposal with the existing character of TK as Comprehensive Subdivision and Land Development consents must be approved under a ‘controlled’ activity status.</p> <p>Amend the assessment criteria in 21E.4 to ensure urban design and visual amenity are able to be assessed.</p> | Accept in part | Amendments have been recommended to allow Council discretion over the integration of the application with the wider context, consistency with proposed designs and to allow assessment of any inconsistency with the Lakeside Precinct Plans. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---|--|---------------------------|-------------------|--|-----------------------|--|
| <i>Auckland Waikato Fish and Game</i> | <i>FS38.3</i> | <i>21E.4</i> | <i>Support</i> | <i>Allow the submission as it seeks to include matters of safety and amenity.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Waikato District Council | 6.3 | 21E.4 | Seek amendment | The urban design/visual amenity and landscape character assessment factors which are required to be included at time of application should be included as matters which Council reserves control over. Amendments will also ensure that neighbourhood parks and communal open space are also assessed and CPTED principles are considered. Add assessment factors in 21E.4 regarding urban design and visual amenity and add assessment factors relating to Neighbourhood parks and communal open space. | Accept in part | The relief sought is recommended to be adopted with minor amendments to ensure usability. |
| <i>Auckland Waikato Fish and Game</i> | <i>FS38.4</i> | <i>21E.4</i> | <i>Support</i> | <i>Allow the submission as it seeks to include matters of safety and amenity.</i> | <i>Accept in part</i> | <i>The relevant submission is recommended to be accepted in part.</i> |
| Waikato Regional Council | 7.7 | 21E.4 | Seek amendment | PPC20 is broadly consistent with Waikato RLTP however further consideration needs to be given to provision of public transport in the future and the walking and cycling networks need to be identified on the precinct plans to ensure | Accept in part | It is considered that the relief sought in relation to walking and cycling is adequately addressed in the proposed provisions. Amendments are recommended in relation to future public transport needs. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|---|
| | | | | connections from new development to existing TK settlement. Add assessment criteria into section 21E.4 regarding design and layout of the road network. | | |
| Waikato Regional Council | 7.8 | 21E.4 | Seek amendment | The intent of Objective 15D.3.9 and its associated policies is supported, however the Permitted/controlled activity status of grazing of stock, earthworks, subdivision and development gives little opportunity for these matters to be considered during consenting process. These matters are not adequately addressed in the assessment criteria and no supporting design guide has been provided. The stormwater network provides opportunity to achieve multiple outcomes, in addition to storm water functions it provides ecological corridors appropriate to locality. Amend rules 21E.2.1, 21E.2.2, 21E.2.10, 21E.2.21 and 21E.2.7.2 to impose a discretionary activity status rather than permitted or controlled | Accept in part | Amendments are proposed that allow the consideration of stormwater and flood protection areas also having an ecological function where appropriate. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|--|
| | | | | <p>to give more consideration to Objective 15D.3.9 and associated policies through consent processes. AND Add assessment criteria in 21E.4 that implements direction of Objective 15.3.9 and associated policies.</p> <p>Add assessment criteria in 21E.4 that implements Policy 15D.3.13 regarding stormwater. AND Add design guidelines that supports achievement of 15D.3.9 and associated policies.</p> | | |
| Waikato Regional Council | 7.12 | 21E.4 | Seek amendment | <p>The northern boundary of the site is bordered by WRC managed town drain, if the proposal goes ahead it would become an urban stormwater drain and WDC will be responsible for its maintenance. The southern boundary is bordered by the WRC managed lakeside drain. If the proposal goes ahead this should remain a WRC drain as it serves rural land.</p> <p>Add provision for an easement for the Lakeside Drain and a 7m strip of land along the northern side of the</p> | Reject | The relief sought is more appropriately managed outside of the district plan provisions. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---|------------------------------|-------------------|-------------------|--|----------------|--|
| | | | | drain – to allow for maintenance and drain cleanings. | | |
| Auckland Waikato Fish and Game | 15.3 | 21E.4 | Seek amendment | <p>Lake Waikare is a regionally significant recreational site with multiple maimai locations near the proposed plan change site. New residential development can create issues of reverse sensitivity with regard to noise and hinder future recreational hunting.</p> <p>Add additional provision at 21E.4 regarding reverse sensitivity of gamebird hunting to address noise related to game bird shooting that exceeds noise standards in the plan.</p> | Reject | It is considered that the plan provisions adequately address the issues raised without further provision being required. |
| Auckland Waikato Fish and Game | FS38.15 | 21E.4 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provisions. | Reject | The relevant submission is recommended to be Rejected. |
| KiwiRail Holdings Limited | 34.7 | 21E.4 | Seek amendment | <p>Reverse sensitivity is an important RMA issue and needs to be addressed. The integration of the proposed development can be addressed through high quality urban design and a focus on internal residential amenity.</p> <p>Add to robustness of lot design a new point 6 to require subdivision</p> | Accept | The relief sought will provide additional clarity to assess how reverse sensitivity effects from the NIMT are being managed for activities that fail the proposed noise and vibration standards. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|-----------|
| | | | | to address reverse sensitivity including traffic, noise and vibration where adjacent to the NIMT. | | |

4.5.16 21E.5 Information Requirements.

Analysis: 21E.5 Information Requirements

KiwiRail Holdings Limited (34.10) seeks an additional information requirement to be added to 21E.5 relating to a Level Crossing Safety Impact Assessment (LCSIA) less than 3 years old to be included when a Comprehensive Subdivision or Comprehensive Land Development Consent is sought.

An LCSIA has been prepared in response to the submission on behalf of the applicant by BECA which KiwiRail have confirmed they have accepted. The LCSIA recommends a number of safety improvements to be carried out to minimise the risk at the level crossing. The LCSIA has taken into account future growth in its assessment. An update is considered to be appropriate and is also recommended by the BECA LCSIA to be carried out at 50% occupation of the plan change area. A review on behalf of Council by Gray Matter Ltd agrees that this appears to be reasonable and will allow the operation of the required second access point and upgrades to the Scott Road intersection to be observed and taken into account. To address these recommendations, it is recommended that information requirements include the need for an updated LCSIA to be carried out and provided to Council to allow assessment of the level crossing once development will exceed 800 lots or dwellings, approximately 50% of the anticipated yield for Lakeside. As the provisions allow Council to reserve discretion over matters relating to transport, an updated LCSIA will provide Council with the information required to assess any additional upgrades required.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|--|----------------|--|
| KiwiRail Holdings Limited | 34.10 | 21E.5 | Seek amendment | Add a requirement that a Level Crossing Safety Impact Assessment (LCSIA) be supplied or used when seeking comprehensive subdivision or land use consent. | Accept in part | Amendments have been recommended that require an additional LCSIA to be carried out when development will exceed 50% of the anticipated yield for Lakeside Development. This LCSIA will be |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|---|----------------|---------------------------------------|
| | | | | Add a new item to information requirements to require a LCSIA assessment that is less than 3 years old. | | required to be less than 3 years old. |

4.6 23C: Te Kauwhata Lakeside Business Zone Rules, Precinct Plan and Comprehensive Subdivision.

4.6.1 23C.3 Comprehensive Subdivision

| Analysis: 23C.3 Comprehensive Subdivision. |
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| <p>Waikato District Council (6.10) seeks to amend the provisions of 23C.3.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.</p> <p>Auckland Waikato Fish and Game (15.11) supported by Auckland Waikato Fish and Game (FS38.20) have sought amendment to include an additional point to require financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland which mitigate the effects of predation on avifauna through pest control. Amendments to the RMA through the Resource Legislation Amendment Act 2017 repealed the use of Financial Contributions. While these amendments come into force 5 years from Royal Assent it is considered inappropriate to include provisions that would be required to be removed in the future. Therefore, no changes are recommended.</p> |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|----------------|---|----------------|--|
| Waikato District Council | 6.10 | 23C.3.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is reliant on the previous rule, the thresholds should be consistent. | Accept | The relief sought will improve plan clarity. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---|------------------------------|-------------------|-------------------|--|----------------|---|
| | | | | Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous. | | |
| Auckland Waikato Fish and Game | 15.11 | 23C.3 | Seek amendment | <p>WDP Policy 2.2.5 requires plant and pest control to be undertaken and housing developments should be avoided near areas of significant indigenous vegetation and significant habitats of indigenous fauna.</p> <p>Amend comprehensive subdivision consents to include conditions requiring financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland to mitigate effects on avifauna.</p> | Reject | The part of the Act that the relief sought relies on has been repealed. |
| Auckland Waikato Fish and Game | FS38.20 | 23C.3 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provision. | Reject | The relevant submission is recommended to be Rejected. |

4.6.2 23C.4 Comprehensive Land Development Consent

Analysis: 23C.4 Comprehensive Land Development Consent

Waikato District Council (6.10) seeks to amend the provisions of 23C.4.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.

KiwiRail Holdings Limited (34.8) seeks to include the railway network within the matters of control, including level crossing safety. The development will not alter the wider rail corridor, however it may have an impact on the safety of the level crossing therefore reserving control over the level crossing safety is necessary. It is important that the developments interaction with the railway maintains an appropriate level of safety therefore it is appropriate to reference railway safety in the matters of control. The activity status is recommended to be amended from Controlled to Restricted Discretionary, therefore it becomes a matter of discretion.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|---|----------------|--|
| Waikato District Council | 6.10 | 23C.4.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is reliant on the previous rule, the thresholds should be consistent. Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous. | Accept | The relief sought will improve plan clarity. |
| KiwiRail Holdings Limited | 34.8 | 23C.4.1 | Seek amendment | Reverse sensitivity is an important issue and needs to be addressed. The integration of the proposed development can be addressed through high quality urban design and a focus on internal residential | Accept in part | The relief sought will help manage the effects of development on the nearby NIMT. The activity status is recommended to be amended from Controlled to Restricted Discretionary, therefore it becomes a |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|-----------|--|----------------|-----------------------|
| | | | | amenity. Amend (d) to include control is reserved over the railway network (including level crossing) | | matter of discretion. |

4.6.3 23C.10 Gross Floor Area

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| Analysis: 23C.10 Gross Floor Area |
| Te Kauwhata Community Committee (23.3) supports the proposal to limit the size of the commercial area, and do not seek any changes. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------------|------------------------------|-------------------|-----------|---|----------------|--|
| Te Kauwhata Community Committee | 23.3 | 23C.10 | Support | Support the proposal to limit the size of the commercial area. Retain commercial area as notified. | Accept | No changes are proposed to the provisions supported. |

4.6.3 23C.11 Gross Leasable Floor Area

| Analysis: 23C.10 Gross Leasable Floor Area | | | | | | |
|---|--|--|--|--|--|--|
| Te Kauwhata Community Committee (23.3) supports the proposal to limit the size of the commercial area and do not seek any changes. | | | | | | |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------|----------------|-----------|---|----------------|--|
| Te Kauwhata Community Committee | 23.3 | 23C.11 | Support | Support the proposal to limit the size of the commercial area. Retain commercial area as notified. | Accept | No changes are proposed to the provisions supported. |

4.7 25H: Te Kauwhata Lakeside Rural Zone Rules, Overlay Control and Precinct Plan.

4.7.1 25H Te Kauwhata Lakeside Rural Zone Rules, Overlay Control and Precinct Plan

| Analysis: 25H Te Kauwhata Lakeside Rural Zone Rules, Overlay Control and Precinct Plan | | | | | | |
|---|--|--|--|--|--|--|
| <p>Auckland Waikato Fish and Game (15.1, FS38.13) seek to include reverse sensitivity related to game bird hunting within assessment criteria and matters of control for development within the Lakeside Rural Zone. The proposed plan change seeks to provide for residential development to the south of the existing Te Kauwhata township. As residential development moves into the rural hinterland there is an inevitable transition from urban to rural character and the associated land use which needs to be managed. The proposed plan change includes an open space overlay with a rural zoning which provides open space for the development. It also acts to provide a buffer between the lake and residential land use. Given the restricted window of the game bird season and the limited shooting hours that apply to game bird hunting i.e. 6:30am- 6:30pm (as per Waikato Fish and Game Region Gazetted regulations 2017/2018). It is considered that this is sufficient to address issues of reverse sensitivity from the proposed residential development. Therefore, no amendments are recommended.</p> | | | | | | |
| <p>Heritage New Zealand (25.1 and 25.2) seek amendment to the provisions to require an archaeological assessment for the area to be zoned rural, including the area to be zoned rural with the Open Space and Cultural and Heritage Overlay to be undertaken prior to the determination of resource consent. They have also requested that in the event that an application is approved and the archaeological assessment recommends an archaeological</p> | | | | | | |

authority is obtained from Heritage New Zealand it must be included as part of the advice notes in the conditions and advice notes section.

Heritage New Zealand have since contacted Council and clarified that their submission was intended to seek an archaeological assessment of the Rural Zone before a decision on the proposed plan change was made.

An archaeological assessment was prepared as part of the background information put together for the plan change by Clough and Associates, this was subject to peer review by Warren Gumbley Ltd. In response to the peer review, further work was undertaken by Sian Keith Archaeology Ltd. The archaeology assessment addendum recommends that an application is made to Heritage New Zealand Pouhere Taonga for an authority to modify or destroy a potential archaeological site rather than the alternative of operating under an Accidental Discovery Protocol (ADP) to ensure works can continue in accordance with the authority. With future earthworks, it recommends that areas of higher risk should be monitored at the discretion of a suitably qualified archaeologist. The addendum assessment has not covered the area proposed to be retained in the rural zone including the proposed recreation overlay. This is identified as a limitation of the assessment.

As no evidence of archaeological material was identified, no provisions have been proposed that relate to archaeology.

At this stage no recommendations are made and Heritage New Zealand is invited to clarify their position at the hearing. Provisions may be appropriate that include the need to undertake a heritage assessment as part of any application in the rural zone that has not been covered by the assessment prepared as part of the plan change documentation.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|-------------------|---|-----------------------|--|
| Auckland Waikato Fish and Game | 15.1 | 25H | Seek amendment | Lake Waikare is a regionally significant recreational site with multiple maimai locations near the proposed plan change site. New residential development can create issues of reverse sensitivity with regard to noise and hinder future recreational hunting. Amend restricted discretionary and | Reject | It is considered that the plan provisions adequately address the issues raised without further provision being required. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-------------------|--|----------------|---|
| | | | | controlled activities under 25H and 21E to include discretion and control over reverse sensitivity issues related to gamebird hunting or other similar provisions. | | |
| Auckland Waikato Fish and Game | FS38.13 | 25H | Support | Allow the submission and note that Fish and Game seek amendments to the plan provision. | Reject | The relevant submission is recommended to be Rejected. |
| Heritage New Zealand | 25.1 | 25H | Seek amendment | <p>The archaeological assessment of the proposed plan change area doesn't appear to pertain to the land zoned rural. Based on current information there is reasonable cause to suspect the presence of unrecorded archaeological sites. As substantial development is proposed in the area, it is reasonable to extend the assessment to include the rural zone to determine the need for an archaeological assessment.</p> <p>Amend the provisions to include a requirement for an archaeological assessment to be undertaken prior to the determination of resource consent for the area to be zoned rural including the open space and cultural and heritage overlay.</p> | Reject | The relief sought from the submitter is unclear. They are welcome to clarify their position at hearing. Amendments may be appropriate to ensure that the risk of adversely affecting archaeological sites is minimised. |
| Heritage | 25.2 | General | Seek | If the application is approved and the | Reject | The relief sought from the submitter |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|---------------------------------|------------------------------|-------------------|------------|--|----------------|---|
| New Zealand | | | Amendments | <p>archaeological assessment recommends an archaeological authority is obtained from Heritage New Zealand this must be included as part of the advice note in the conditions and advice notes section.</p> <p>Amend the provisions to include a requirement for advice notes to state the need for the applicant to supply the archaeological assessment to HNZ for confirmation of the requirement to obtain an archaeological authority.</p> | | <p>is unclear. They are welcome to clarify their position at hearing. Amendments may be appropriate to ensure that the risk of adversely affecting archaeological sites is minimised.</p> |

4.7.2 25H.1.1 Lakeside Open Space and Lakeside Cultural and Heritage Overlay

Analysis: 25H.1.1 Lakeside Open Space and Lakeside Cultural and Heritage Overlay

Lakeside Development 2017 Ltd (10.1 & 10.2) seeks to realign the intersection of the primary road at the Scott Road entrance to provide a more logical road layout and to consolidate the business zone/community hub. This submission is addressed in detail above in section 4.5.12.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|-------------------|--|-----------------------|--|
| Lakeside Development 2017 Limited | 10.1 | 25H.1.1 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the realignment of the primary road network to align two roads at the Scott Road entrance to the development adjacent to the business zoned community hub as included in the attached diagrams.</p> | Accept | The relief sought creates a more logical road layout and provisions exist that ensure the design of the intersection will be safe and efficient. |
| Lakeside Development 2017 Limited | 10.2 | 25H.1.1 | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the extents of the business zone as shown on the attached map.</p> | Accept | The amendments proposed reflect the relocation of the indicative road network. It also allows the road network to act as a buffer between the two zones. |

4.7.3 25H.3 Comprehensive Subdivision Consent

Analysis: 25H.3 Comprehensive Subdivision Consent

Waikato District Council (6.10) seeks to amend the provisions of 25H.3.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.

Auckland Waikato Fish and Game (15.11) supported by **Auckland Waikato Fish and Game (FS38.20)** have sought amendment to include an additional point to require financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland which mitigate the effects of predation on avifauna through pest control. Amendments to the RMA through the Resource Legislation Amendment Act 2017 repealed the use of Financial Contributions. While these amendments come into force 5 years from Royal Assent it is considered inappropriate to include provisions that would be required to be removed in the future. Therefore no changes are recommended.

Department of Conservation (16.3) supported by **Auckland Waikato Fish and Game (FS38.24)** are opposed to the controlled activity status of constructing a Lakeside Walkway, with no notification or without the need to obtain written approvals of any affected persons. They seek a restricted discretionary activity status for the Lakeside Walkway and the activity is subject to the normal tests for notification and affected party approval. It is recommended that Comprehensive Land Development Consent within the Rural Zone is amended to become a restricted discretionary activity, consistent with the status Comprehensive Subdivision Consents to allow a robust assessment of activities within the zone, particularly in regard to the lake.

It is also recommended that a lakeside walkway is subject to the normal test for notification to allow for a processing planner to make a notification recommendation depending on the level of effects anticipated in relation to the application. This is considered appropriate due to the Rural Zones location immediately adjacent to Lake Waikare and the possible impact the construction of Lakeside Walkways may have on the operations of various organisations. As the lakeside walkway must be identified as part of Comprehensive Subdivision in the Rural Zone, it is considered appropriate to allow a typical s95 assessment to be carried out in relation to these activities. The recommended removal of the non-notification clause does not mean that a consent will be notified, rather it allows the processing planner to determine the likely effects of any proposal and ensure that appropriate parties are notified if the degree of effects or potential effects warrants notification.

KiwiRail Holdings Limited (34.9) seeks amendment to matters of control for comprehensive subdivision in the Rural Chapter to include the railway network and level crossing safety. While activities in the rural zone are unlikely to generate a high level of traffic movement, it is recommended that the assessment criteria relating to the effects of traffic includes the safety of the Te Kauwhata Road level crossing this will ensure that any impact on traffic movements over the level crossing is able to be addressed.

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--|--|---------------------------|------------------|---|-----------------------|---|
| Waikato District Council | 6.10 | 25H.3.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is reliant on the previous rule, the thresholds should be consistent. Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous. | Accept | The relief sought will improve plan clarity. |
| Auckland Waikato Fish and Game | 15.11 | 25H.3 | Seek amendment | WDP Policy 2.2.5 requires plant and pest control to be undertaken and housing developments should be avoided near areas of significant indigenous vegetation and significant habitats of indigenous fauna. Amend comprehensive subdivision consents to include conditions requiring financial contributions, services or works on the Lake Waikare margin or Whangamarino Wetland to mitigate effects on avifauna. | Reject | The part of the Act that the relief sought relies on has been repealed. |
| Auckland Waikato Fish and Game | FS38.20 | 25H.3 | Support | Allow the submission and note that Fish and Game seek amendments to the plan provision. | Reject | The relevant submission is recommended to be Rejected. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
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| | | | | | | |
| Department of Conservation | 16.3 | 25H.3.3 | Seek amendment | <p>The construction of the lakeside walkway as a controlled activity without notification or the need to obtain written approval is opposed.</p> <p>Amend Rule 25H.3.3 to make the creation of a lakeside walkway a restricted discretionary activity with provision for notification and affected party approval.</p> | Accept | <p>The activity status has been amended in response to other submissions. The normal notification test is appropriate for a lakeside walkway to ensure that the effects of any proposal on other entities are able to be considered.</p> |
| Auckland Waikato Fish and Game | FS38.24 | 25H.3.3 | Support | <p>Allow the submission as notification of the construction of a lakeside walkway is supported.</p> | Accept | <p>The relevant submission is recommended to be accepted.</p> |
| KiwiRail Holdings Limited | 34.9 | 25H.3.5 | Seek amendment | <p>Reverse sensitivity is an important issue and needs to be addressed. The integration of the proposed development can be addressed through high quality urban design and a focus on internal residential amenity.</p> <p>Amend (d) to include control is reserved over the railway network (including level crossing)</p> | Accept in part | <p>The relief sought will help manage the effects of development on the nearby NIMT. The activity status is recommended to be amended from Controlled to Restricted Discretionary, therefore it becomes a matter of discretion.</p> |

4.7.4 25H.4 Comprehensive Land Development Consent

Analysis: 25H.3 Comprehensive Land Development Consent

Waikato District Council (6.10) seeks to amend the provisions of 25H.4.4 to ensure that the thresholds are contiguous, and the provisions are easy to interpret. There is currently a level of uncertainty in explicit interpretation of the provisions, therefore amendments are recommended to the provisions.

Auckland Waikato Fish and Game (15.13) are opposed to the development of the lakeside walkway being non-notified. The walkway shown indicatively on the precinct plan overlaps with wetland and vegetated area as well as some areas which at times may be inundated with water. Fish and Game seek a restricted discretionary status and argue that that affected parties should have the opportunity to respond to a detailed application for consent of a lakeside walkway to ensure that effects are avoided, remedied and mitigated.

It is recommended that the activity status for comprehensive subdivision consent is amended to a restricted discretionary activity, this will also include applications for the creation of a walkway under 25H.4 ensuring that all matters can be taken into consideration. The resource consent application process provides the opportunity for Council to assess and consider any effects that may be generated by the construction of a lakeside walkway. The recommendation to apply a restricted discretionary activity status allows Council the ability to assess and if necessary decline an application under s104C of the RMA.

It is also recommended that a lakeside walkway is subject to the normal test for notification to allow for a processing planner to make a notification recommendation depending on the level of effects anticipated in relation to the application. This is considered appropriate due to the Rural Zones location immediately adjacent to Lake Waikare and the possible impact the construction of Lakeside Walkways may have on operations carried out on the lake by various organisations. As the lakeside walkway must be identified as part of Comprehensive Land Development Consent in the Rural Zone, it is considered appropriate to allow a typical s95 assessment to be carried out in relation to these activities. The recommended removal of the non-notification clause does not mean that a consent will be notified, rather it allows the processing planner to determine the likely effects of any proposal and ensure that appropriate parties are notified if the degree of effects or potential effects warrants notification.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|---|----------------|--|
| Waikato District Council | 6.10 | 25H.4.4 | Seek amendment | Distance thresholds in the rules are not contiguous. Where a rule is reliant on the previous rule, the thresholds should be consistent. | Accept | The relief sought will improve plan clarity. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-----------|--|----------------|---|
| | | | | Amend thresholds in Rules 21E.2.1.4, 21E.2.2.4, 23C.3.4, 23C.4.4, 25H.3.4 and 25H.4.4 to ensure the measurements are contiguous. | | |
| Auckland Waikato Fish and Game | 15.13 | 25H.4.3 | Oppose | <p>The walkway mapped in the precinct plan overlaps with wetlands and vegetated areas as well as areas that are inundated with water. Affected parties should have the opportunity to respond to resource consent applications.</p> <p>Amend the activity status for the lakeside walkway to become a restricted discretionary activity with provision for notification.</p> | Accept in part | The activity status has been amended in response to other submissions. The normal notification test is appropriate for a lakeside walkway to ensure that the effects of any proposal on other entities are able to be considered. |

4.7.5 25H.5 Activities Generally

Analysis: 25H.5 Activities Generally

Auckland Waikato Fish and Game (15.2) supported by **Auckland Waikato Fish and Game (FS38.14)** seek amendment to the provisions of the plan to take into account issues of reverse sensitivity from issues relating to game bird hunting. They also seek specific provision to be added to address reverse sensitivity to game bird hunting for equestrian arenas. The proposed plan change includes an open space overlay with a rural zoning which provides open space for the development. It also acts to provide a buffer between the lake and residential land use. Given the restricted window of the game bird season and the limited shooting hours that apply to game bird hunting i.e. 6:30am- 6:30pm (as per Waikato Fish and Game Region Gazetted regulations 2017/2018). It is considered that this is sufficient to address issues of reverse sensitivity from the proposed residential development. An equestrian centre is

considered to be an activity that would be expected to locate and operate in the rural environment. The use of firearms is also expected in a rural setting and occurs throughout the district and not just in proximity to Lake Waikare. The inclusion of specific rules for the Lakeside Rural Zone is therefore considered unnecessary and no amendments are recommended.

Te Kauwhata Pony Club (30.1) support the provision for an equestrian park as Equestrian is a popular and growing sport in the north Waikato. The submission is opposed by **Auckland Waikato Fish and Game (FS38.26)** who seek that the Equestrian Centre only be allowed if Fish and Game are notified of the activity and there are requirements to avoid or mitigate issues of reverse sensitivity associated with game bird hunting activities.

Equestrian Arenas are permitted in the proposed plan change and would be reasonably expected to establish and operate in a rural zone and no changes are recommended.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|---|----------------|--|
| Auckland Waikato Fish and Game | 15.2 | 25H.5.1(d) | Seek amendment | The noise associated with hunting may be a particular issue of reverse sensitivity particularly in relation to equestrian activities. Amend 25H.5.1(d) to include effects of reverse sensitivity from gamebird hunting activities are met when developing an equestrian arena as a permitted activity or similar relief. | Reject | It is considered that the plan provisions adequately address the issues raised without further provision being required. |
| Auckland Waikato Fish and Game | FS38.14 | 25H.5.1(d) | Support | Allow the submission and note that Fish and Game seek amendments to the plan provisions. | Reject | The relevant submission is recommended to be Rejected. |
| Te Kauwhata Pony Club | 30.1 | 25H.5 | Support | Equestrian is a popular and growing sport in the North Waikato and needs security of tenure for its grounds. The proposed Equestrian Park fulfils this need. | Accept | No changes are recommended. |

| Sub Name Further Sub Name | Sub. Point FS Point | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|--------------------------------------|------------------------------|-------------------|-------------------|---|----------------|--|
| | | | | Support the provision of an equestrian centre. | | |
| Auckland Waikato Fish and Game | FS38.26 | 25H.5 | Oppose in part | Partly disallow the submission so that there is a provision requiring notification of the activity with requirements to avoid or mitigate issues relating to reverse sensitivity. | Reject | The relevant submission is recommended to be accepted. |

4.8 Planning Maps

4.8.1 Planning Map I

Analysis: 25H.5 Activities Generally

Lakeside Development 2017 Ltd (10.1 & 10.2) seeks to realign the intersection of the primary road at the Scott Road entrance to provide a more logical road layout and to consolidate the business zone/community hub. This submission is addressed in detail above in Section 4.5.12.

Rochelle Hulme (13.3) requests that should the plan change go ahead that 58 Scott Road is also rezoned to be residential and that the paddock between 58 (their property) and 74 be retained as a green belt. As 58 Scott Road was not included in the notified plan change, it is considered it may be inappropriate to extend the proposed rezoning due to matters of scope. It is suggested that a submission is made to the upcoming Proposed District Plan Review.

Green space is not shown on the proposed zoning maps adjacent to 58 Scott Road. Open Space for the subdivision will be addressed during subdivision of the proposed plan change area and be allocated accordingly.

Robyn and Scott McGuire (14.8) supported by **David Hulme (FS37.2)** seek for provision for properties on Scott Road to be rezoned if their concerns are not met. As those other Scott Road properties were not included in the notified plan change, it is considered it may be inappropriate to extend the

proposed rezoning due to matters of scope. It is suggested that a submission is made to the upcoming Proposed District Plan Review.

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|----------------|--|----------------|--|
| Lakeside Development 2017 Limited | 10.1 | Planning Map I | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the realignment of the primary road network to align two roads at the Scott Road entrance to the development adjacent to the business zoned community hub as included in the attached diagrams.</p> | Accept | The relief sought creates a more logical road layout and provisions exist that ensure the design of the intersection will be safe and efficient. |
| Lakeside Development 2017 Limited | 10.2 | Planning Map I | Seek amendment | <p>The road alignment at the Scott Road entrance to the development is currently slightly offset. Realignment of the intersection will improve safety, accessibility, manoeuvring and will not bisect the proposed community hub.</p> <p>Amend the extents of the business zone as shown on the attached map.</p> | Accept | The amendments proposed reflect the relocation of the indicative road network. It also allows the road network to act as a buffer between the two zones. |
| Rochelle Hulme | 13.3 | Planning Map I | Seek amendment | Proposal does not comply with minimum allotment sizes in the District Plan. Proposal does not | Reject | The submission seeks to add additional properties that are outside of the scope of the proposed plan |

| Sub Name <i>Further Sub Name</i> | Sub. Point <i>FS Point</i> | Plan Provision | Sub. Type | Summary of decision sought | Recommendation | Reasoning |
|-------------------------------------|-------------------------------|----------------|-----------|---|----------------|---|
| | | | | <p>promote a village feel. Should the proposal go ahead rezone 58 Scott Road accordingly to residential.</p> <p>58 Scott Road to be rezoned Residential if development goes ahead.</p> | | change. The allocation of green space will be addressed at subdivision stage which will ensure greenspace is accessible to all residents. |
| Robyn and Scott McGuire | 14.8 | Planning Map 1 | Oppose | <p>If the relief sought in the submission is not granted, include the Scott Road properties as Living Zone.</p> <p>Amend the plan change to enable the existing Scott Road properties able to be rezoned to Living if development goes ahead.</p> | Reject | The submission seeks to add additional properties that are outside of the scope of the proposed plan change. |
| David Hulme | FS37.2 | Planning Map 1 | Support | <i>The above submission point be allowed.</i> | Reject | <i>The relevant submission point is recommended to be Rejected.</i> |

ATTACHMENT ONE

ATTACHMENT TWO

ATTACHMENT THREE

ATTACHMENT FOUR