

PICQUET HILL RESIDENTIAL - PLAN CHANGE 47 DECISIONS

Part 1: Introduction

- 1 The Waipa District Council Regulatory Committee (the Committee) has heard and considered Plan Change 47 to rezone land currently zoned Rural to Residential or Deferred Residential. The subject 'site' covers an area of approximately 37 hectares and is located between Te Rahu Road to the north and Cambridge Road to the south and is generally parallel to the eastern side of the Te Awamutu Cemetery and residential development on Picquet Hill Road, McNair Road and Thorncombe Road. This decision report provides the Committee's assessment and resolutions on the plan change and is presented in the following Parts:

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Part 2: Resolutions

- 2 ***That in accordance with clause 10 of the First Schedule of the Resource Management Act 1991 (RMA), Plan Change 47 (Picquet Hill Residential Growth Cell) be approved with modifications as detailed in this decision report.***
- 3 ***That the submissions and further submission to Plan Change 47 be decided in accordance with the resolutions contained within this decision report (refer Part 13).***

Part 3: Reasons For Decision

4 The full assessment and reasons for the Committee's decisions on Plan Change 47 are contained within this decision report with the individual submission and further submissions discussed in Part 13. By way of summary and to encapsulate the main findings of the Committee, the following summary reasons are provided:

- i) The Committee is satisfied that the proposed plan change will promote the sustainable management of resources and is therefore in accordance with the purpose of the Resource Management Act 1991 (RMA).
- ii) The Committee is satisfied that the section 32 report and other supporting reports clearly establish that the plan change provides for the efficient and effective extension of the Te Awamutu urban area.
- iii) Traffic and transportation matters were raised by a number of parties and generally centred on two issues being the effects of the proposed roading layout including the closure of Thorncombe Roads intersection with Cambridge Road and the provision of a new road access; and the effects on State highway 3 especially in regard to Cambridge Road / State highway 3 roundabout.

The Committee is satisfied that all traffic and related issues have been adequately assessed and that the proposed mitigation measures are appropriate. It should be noted that due to the Deferred Residential status of the central section of the subject area traffic effects as a result of this plan change are relatively minor.

- iv) Appropriate assessments of the effects of the proposed plan change on amenity values, infrastructure, historical site issues and potential contamination have been undertaken. The Committee considers that the plan change will have effects on the amenity values currently enjoyed by some residents however, on balance it is considered that the plan change is required to provide for the ordered expansion of Te Awamutu's urban boundaries. The plan change includes a number of specific increased performance standards that encourage a high standard of residential amenity.
- v) The Committee considers that the plan change as modified by this decision will confirm and establish objectives which clearly achieve the purpose of the RMA and that the supporting policies and rules will effectively and efficiently achieve the objectives.

Part 4: Background

5 This plan change is one of several initiatives to implement the Waipa Urban Growth Strategy 2003 (WUGS). This strategy provided an Urban Growth Strategy for the two main urban areas of Waipa District, Cambridge and Te Awamutu (including Kihikihi). An outcome of the strategy identified a need to provide "good quality" land for residential development in Te Awamutu. The strategy identified the most appropriate areas for urban development, based on cost effective infrastructure development, anticipated demand, urban form issues and environmental constraints. A number of urban growth cells were considered worthwhile to carry out further investigations. Picquet Hill (Urban Growth Cell

TA8) was selected by Council as the preferred option to assess further in regard to residential development in the Te Awamutu area.

Part 5: Area Description

- 6 The subject 'site' covers an area of approximately 37 hectares and is located between Te Rahu Road to the north and Cambridge Road to the south and is generally parallel to the eastern side of the Te Awamutu Cemetery and residential development on Picquet Hill Road, McNair Road and Thorncombe Road. For reporting purposes the Plan Change area can be described as three distinct parts being northern, central and southern. The urban boundary is directly adjacent to the subject site to the north, west and south and the site currently has a rural zoning and is rural in nature being predominantly in pasture.
- 7 The northern portion of the site borders Te Rahu Road, and consists of five separate titles including part of the existing Te Awamutu Cemetery. The approximate total area is 6.7 ha with the largest block being 4.3352 ha and the smallest 1011m². The smaller sites are effectively residential while the other two blocks can be described as rural-residential.
- 8 The central portion of the site includes four titles and has a combined area of approximately 20.6 ha. This area is characterised by the majority of land being part of an established horse stud. There is an existing dwelling and buildings associated with the horse stud located in proximity to the southern boundary.
- 9 The southern portion of the site borders Cambridge Road to the south and is approximately 10.8 ha. This is operated as part of a larger dairy farm operation and has no dwellings located within it.

The legal description, title references and land areas are as follows:

Lot 1 DPS 3135	SA1217/3	1,011m ²
Lot 2 DPS 3135	SA1217/4	1,011m ²
Lot 3 DPS 3135	SA1774/84	1.8108 hectares
Lot 1 DPS 11911	SA11D/750	4.3352 hectares
Pt Lot 1 DP 7979	SA21C/1382	7.0393 hectares
Pt Lot 5 DP 10485	SA1770/11	2.0234 hectares
(Part of) Pt Lot 1 DPS 5178	SA49B/61	17.8446 hectares
Lot 1 DPS 54352	SA49B/60	3.6040 hectares
(Part of) Pt Lot 3	SA18A/316	10.7971 hectares

- 10 A copy of the relevant zoning map for the site is included as Attachment 1.

Part 6: Proposal

- 11 PC47 proposes to rezone approximately 37 hectares of Rural zoned land to 'residential' or 'deferred residential' zoning (as described above in Part 5 preceding).
- 12 Stage 1 includes areas to the north and south, with a total area of 17 hectares to be zoned 'residential'. Stage 2 includes rezoning approximately 20 hectares in the centre portion of the site 'deferred residential'.

- 13 An overall structure plan has been developed for both Stage 1 and Stage 2 of the proposed plan change. The structure plan identifies the general layout of the area particularly including the boundaries of the site, location of proposed reserves, and the location and integration of the proposed roading network. The structure plans are included as Attachment 2.
- 14 Service infrastructure can be adequately provided to the service the area. Specific upgrades and compliance with design requirements at the development stage will be required. Stormwater ponds will be required to be formed to attenuate and treat stormwater runoff for the north-east area. A stormwater discharge consent will be required from Environment Waikato to incorporate discharge from some of the plan change area.
- 15 Access to the northern portion of the site will be provided by way of a new intersection from Te Rahu Road. Access to the southern portion of the site is difficult due to sightline deficiencies and existing poor roading layout with the location of the intersections of Picquet Hill Road and Thorncombe Road with Cambridge Road being close to each other. The proposed solution is the closure of intersection of Thorncombe Road with Cambridge Road and a new intersection to be formed further to the east which will service the southern portion of the site and which will link with Thorncombe Road. This provides a safer intersection with Cambridge Road and provides a dual function of improving the existing situation from a safety perspective and providing adequate access into the proposed new residential area.
- 16 The plan change includes proposed modifications to some existing objectives, policies and assessment criteria of the District Plan to reflect the integration of the proposed area. The assessment criteria for the deferred residential zone will be modified to include the new area. The relevant planning maps will be updated and the structure plans for Stage 1 and 2 of the proposed plan change will be included within the Council planning maps.
- 17 The plan change supporting documents provided to the Committee include the following reports:
 - Waipa Urban Growth Strategy 2003
 - Picquet Hill Residential Structure Plan – Phase 1 Report (Revised) prepared by Harrison Grierson, dated September 2005
 - Picquet Hill TA8 – Infrastructure Assessment, prepared by Harrison Grierson, dated September 2006
 - Transportation Assessment prepared by Traffic Design Group, dated October 2006
 - Picquet Hill Residential Growth Cell TA8 – Section 32 Report, prepared by Harrison Grierson, dated October 2006

Part 7: Statutory Framework

- 18 The plan change process is subject to the provisions of the Resource Management Act 1991 (RMA). Any plan change is subject to the Purpose and Principles of the RMA (Sections 5 to 8) with the overriding purpose of the RMA 'to promote the sustainable management of natural and physical resources'.
- 19 Section 74 of the RMA sets out the matters to be considered by Council when preparing or changing a District Plan:

- 20 Section 74 (1) states that Council must prepare or change its District Plan in accordance with its functions under Section 31 of the RMA, the provisions of Part 2 of the First Schedule, and its duty under Section 32 of the RMA.
- 21 Section 31 sets out the Functions of Territorial Authorities under the RMA. Notably it identifies the functions of a Council at S31 (1) (a) as including:
- “The establishment...[and] implementation of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land...”*
- 22 Section 32 of the RMA imposes on Council a duty before making a final decision on a plan change application to consider the matters set out in subsection (3) and (4).
- 23 (3) *An evaluation must examine—*
- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *For the purposes of [[the examinations referred to in subsections (3) and (3A)], an evaluation must take into account—*
- (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- 24 After considering the plan change and the S.32 evaluation Council can make a decision to decline, approve or approve subject to modifications the plan or change, and should give reasons for its decision. Clause 10 (First Schedule) specifies the manner in which a Council shall set out its decision which must include reasons for accepting or rejecting any submission.
- 25 Once Council has issued its decision, submitters have the opportunity to appeal the decision in accordance with sub-clause 14 (First Schedule).

Part 8: Relevant Plans and Policies

- 26 The three planning documents relevant to the plan change are the Waipa District Plan, the Waikato Regional Policy Statement (RPS) and the Waikato Regional Plan. The Waipa District Plan is the primary planning document as the plan change seeks to change the zoning of the subject area and modify some relevant existing objectives, policies and rules under the District Plan. It is noted there is no overriding statutory or non-statutory strategic planning document that provides guidance for regional or sub-regional growth. Therefore the individual district plans and potentially the RPS become more significant in terms of assessment.
- 27 The WDP provides the planning framework for landuse and subdivision activities for the Waipa District. The traditional zoning approach is used to distinguish suitable ‘groupings’ of activities and performance standards to control environmental effects within each of the zones and at the zone interface. The WDP provides six primary land use zones, namely

the Rural Zone, Residential Zone, Deferred Residential Zone, General Zone, Town Centre Zone and the Industrial Zone.

- 28 Part 1 of the WDP provides the objectives and policies for the District, which leads through to the rules and performance standards specified for each zone.
- 29 Relevant primary themes of the District Plan which relate to the proposal include the protection and maintenance of the residential environment, amenity values and transportation efficiency. A detailed assessment of objectives and policies is contained within the Section 32 Report. The objectives and policies are predominantly those that currently exist in the Operative District Plan. Accordingly it is considered that these have been the subject of earlier analysis and a public notification, submission and hearing process and it is not considered necessary or appropriate to revisit these in any detail. Proposed new policies (**bolded**) and the most relevant existing objectives and policies for the plan change are listed below:

Objective RS1

To manage the development of residential activities in urban and rural areas in order to:

- i) minimise any adverse effects on the natural and physical resources of the District;*
- ii) avoid as far as is possible and practicable any significant adverse effects on the qualities of the environment; and*
- iii) maintain the social and physical well-being and health of the residents of the District.*

Policy RS1

To maintain and wherever possible enhance the 'amenity values' of residential areas.

Policy RS4

To ensure that residential and other activities in residential areas do not have an adverse effect on other activities or detract from local amenity values.

Policy RS6

To allow for further housing development in existing towns and settlements in the District.

Policy RS23 (existing)

To use the natural topographic basin in which Te Awamutu is located as a boundary for town growth and avoid overspill into surrounding rural landscapes.

Policy RS23 (proposed)

To use the natural topographic basin in which Te Awamutu is located as a general boundary for town growth and to only allow managed development beyond this point to avoid unnecessary overspill into surrounding rural landscapes.

RS27

To restrict the areas in which close residential development will eventually be allowed to the area which is provided with reticulated urban utility services or can readily be connected to those services.

Policy RS28 (proposed)

To generally confine residential development within the Te Awamutu topographic basin and to only allow managed development beyond this point to control residential development spreading on and over ridgelines and along major traffic roads.

Policy RS28A (proposed)

To provide for an orderly and programmed expansion of the town consistent with the relevant structure plan and the ability to provide utility services.

Policy RS90

To encourage compliance with the roading layout as shown in the respective Structure Plan for the area to ensure safe, efficient and effective transport within, to and from the locality.

Policy SU24

To ensure that land subdivision and development does not have an adverse effect on the safe and efficient functioning of Primary Roads including State Highways.

Objective TR1

To facilitate effective, safe, and sustainable transport of goods and people within the District.

Policy TR1

To promote the safe operation of the District's transport facilities and networks

Policy TR3

To protect the efficient operation of arterial roads and to protect and enhance the residential environment of local streets in residential areas by controlling the location and design of vehicle access/egress points.

Waikato Regional Policy Statement (RPS)

- 30 The function of the Regional Council is to ensure the integrated management of resources across the region. The Regional Council is directly responsible for discharge to land, air and water. The Operative RPS provides the planning framework for the wider Waikato Region.
- 31 It is noted however that the RPS provides little, if any, real guidance regarding appropriateness of urban growth expansion or land uses that may be applicable to this proposal.

Waikato Regional Plan (WRP)

- 32 The WRP leads on from the RPS in terms of the regional council functions and area of responsibility.
- 33 Waipa District Council currently holds a consent for the comprehensive stormwater discharge from the south-west area to *'divert and discharge urban stormwater runoff and associated contaminants to Mangapiko, Mangaohoi, Ruapahau Streams and land and use discharge structures, with the vicinity of the Te Awamutu urban area that is reticulated by the Te Awamutu municipal stormwater system.'* There will be a requirement for future discharge consents and these will require assessment against the Regional Plan at the resource consent stage.

Other Plans and Policy Documents

- 34 Section 74 of the Act directs the Committee to consider any other management plans, regulations, and any relevant iwi authority policies and plans. For the record the Committee considers that there are no other plans or policy documents other than those listed above which have direct relevance to the plan change.

Part 9: Assessment

- 35 This section of the decision assesses the potential effects of the plan change and includes assessment of the matters raised in submissions.

Transportation

- 36 The plan change will result in new collector and local roads serving the area and providing linkages into the existing road network. Stage 1 will result in the creation of two new roads as collector roads, one serving the northern part of the site, off Te Rahu Road, and another the serving the southern part of the site, located off Cambridge Road. If the central part of the site is developed as Stage 2 these two roads will be connected.
- 37 Based on the proposed future development being at a nominal ratio of 10 lots per hectare, the total area can be expected to generate an eventual daily traffic generation of between 3,321 and 3,878 vehicle movements (two-way) of which, between 1,836 and 2,122 vehicle movements are due to the deferred residential area of the site.
- 38 The entrance to Thorncombe Road from Cambridge Road is be required to be closed to rationalise the number of intersections on this section of Cambridge Road. A new road is proposed from Thorncombe Road to link McNair Road and Thorncombe Road to the proposed roading layout. A number of the submissions raised the road closure as an issue. The Transportation Assessment considered the options for access to the site from the south with the favoured option being a 'T' intersection in the vicinity of the existing farm entrance, which is approximately 250 metres east of Thorncombe Road. The detailed assessment of the options was included in the Transportation Assessment, which is one of the supporting documents for the plan change.
- 39 The existing sightlines at the intersection of Thorncombe Road and Cambridge Road are inadequate and the separation distance from the intersection with Picquet Hill Road is insufficient. The Waipa District Council Code of Practice for Land Development and Subdivision requires a separation distance of 800 metres on primary roads and 550 metres on secondary roads. In this location the separation distance is approximately 100 metres.
- 40 The proposed 'T' intersection complies with the required sight distance of 253 metres to the west for the 100km/hour speed environment. Presently the sight distance to the east is short by 23 metres, however the required 253 metres could be achieved by the clearance of roadside vegetation and a restriction on buildings adjacent to the road on the property on the inside curve of the road. A right turn bay, when travelling west, would be required and would enhance the safety aspect of this length of road.
- 41 The Transportation Assessment acknowledges that there has been no reported road safety history at the existing intersections, however the additional turning movements through the proposed site access could potentially adversely affect the safety and efficiency of the road network in this area.
- 42 The access onto Te Rahu Road is recommended to be located approximately 70 metres north-east of the unsealed road known as Preston Road and is identified in the structure plan. An area of land would be required to be vested in Council to maintain the sightlines to the west.

- 43 All internal roads will be required to comply with the Waipa District Council's Code of Practice for Land Development and Subdivision.
- 44 The Bilimag private plan change (PC53) requires the developers to upgrade the roundabout at the intersection of SH3, Cambridge Road, Arawata Street and Albert Park Drive from its current one laning to two laning. The Bilimag private plan change is subject to appeals and accordingly there is no guarantee that this upgrade will proceed. Transit NZ has raised issues regarding the upgrading of this roundabout. Additional analysis has been carried out and confirms the increased traffic due to anticipated subdivision, as a result of PC47, is expected to have a negligible effect on the performance of the roundabout although the level of service on the Ohaupo Road approach is expected to decrease. The two lane upgrade of this roundabout (as required by PC53) is not required as a direct consequence of PC47.
- 45 It should be noted that plan change as confirmed by this decision is effectively in three parts. The northern and southern sections being stage 1 and the central stage 2. The stage 1 sections split the traffic movements relatively evenly between Cambridge Road and Te Rahu Road. The Deferred Residential area (stage 2) can only be confirmed as residential via a further plan change. Accordingly the impacts on the roundabout can be revisited at this stage.

Amenity Values

- 46 Residential amenity concerns the qualities and characteristics of an area which either exist or may be anticipated in the locality. The subject area lies adjacent to the urban boundary limits, with many of the amenity values such as views and sense of spaciousness being a direct result of being adjacent to the Rural Zone. In general the submissions opposing the plan change are concerned about loss of amenity through rural views changing to more urban views (e.g other houses), proximity of other houses, and increased noise and traffic.
- 47 The Urban Growth Strategy 2003 identified and assessed numerous areas within the District for urban growth. Sites were considered in relation to constraints such as unstable ground, flooding, soils, slope, filled ground, poor soakage, ecological features, likely market demand and infrastructure costs/constraints. The subject 'site' was concluded as being well suited for residential development.
- 48 Localised changes to amenity values are an inevitable consequence of urban expansion and there is no easy solution to this. The only options are that either development takes place elsewhere (and transfers the same problem to another set of landowners) or the Council does not provide for any residential growth and leaves this open to private plan change initiatives which again results in the issue transferring.
- 49 Private views are generally not protected in District Plans nor does the Resource Management Act provide for compensation in regard to loss of views. The existing residential zone rules will generally be applied for the new area with the exceptions that lot sizes will be required to be larger than that applying elsewhere in Te Awamutu and a specific additional 'buffer' has been created in regard to properties on McNair Road bordering the proposed rezoning. The latter is of a direct consequence of considering submissions on this matter. In addition to larger lot sizes the structure plans provide for the provision of reserves which will assist in mitigating the effects of residential development.

Deferred Residential

- 50 The structure plans for the site identify that the central area has a 'deferred residential' zoning. This means that the Rural zone provisions will remain for this area of land until such time as a subsequent plan change formally changes the zoning to Residential. A submission was received from the National Trading Company of NZ Ltd seeking the inclusion of this land as 'residential zone'. Subsequently through the further submission process, the two most affected landowners of the central area, opposed this submission and sought the retention of the deferred residential zoning.
- 51 From a strategic planning perspective there is a rationale to include the entire area as 'residential' as this in theory would allow for the rational extension of residential development and avoid the cost and complications of another plan change process to implement the change from 'deferred residential' to 'residential'. However as a result of the consultation process it was determined that the affected landowners were opposed to a change of zoning from 'rural' to 'residential'. This poses significant problems in implementing a comprehensive plan change and although land ownership can change, it is noted that the landowners affected are long term residents and have indicated that they have no intention of either selling or doing any residential land development. The submitters also attended the hearing and reaffirmed their position. Accordingly a pragmatic approach has been adopted which has addressed how the area may be developed in different stages while still maintaining the longer term option of the zoning becoming residential.
- 52 It is acknowledged by the Committee that there are always some difficulties in regard to reverse sensitivity issues with a rural/urban interface. The situation is the same as currently occurs with the existing urban/rural boundary, however the extent of urban/rural interface will increase. There are no specific additional buffer areas provided, (except in regard to McNair Road properties), in the plan change as the existing plan provisions have been adopted including bulk and location provisions except for a requirement for larger lot sizes. The Committee notes that as a further submission there are limitations as to what relief can be granted. It is noted however that individual landowners can make their own agreements regarding the provision of buffers which could include leasing or buying land.

Servicing and Infrastructure

- 53 Harrison Grierson in conjunction with Council staff has presented reports that provide a preliminary assessment of water supply and sewer capacities, and provide analysis of the likely stormwater runoff and disposal options. Discharge consents will be required for the stormwater discharge and the Committee is satisfied that these matters can be addressed at the future resource consent stage.
- 54 On 1 July 2006, Waipa District Council introduced policies to assess and apply development contributions through the provisions of the Local Government Act 2002. As such, any impacts on services, which require a developer contribution, will be assessed by Waipa District Council primarily in accordance with Development Contributions Policy. The infrastructure analysis has identified the extent of infrastructure upgrades required and no 'special catchment' development contribution is required for the plan change. Accordingly, it is not necessary to provide further comment on this matter for the purpose of assessing the plan change under the Resource Management Act 1991.

Other Matters

- 55 The Waikato District Health Board raised the issue of possible contamination from the cemetery on neighbouring residential land within the subject area. Tests have been undertaken in regards to this and conclude that no contamination was found that could be attributed to the cemetery and no samples exceeded residential guidelines. Further tests may be required however specifically for the existing area of Local Purpose Reserve (cemetery) that is subject to rezoning.
- 56 The Waipa Heritage Council and the New Zealand Historic Places Trust have raised the issue that there is recorded historic evidence of a picquet or redoubt in this area, hence the name Picquet Hill Road. As a result of discussions since the lodging of the submissions, Dr Neville Ritchie, a Department of Conservation Conservancy Archaeologist undertook an assessment of the site and found no obvious evidence of a redoubt/picquet. It has however been suggested that due to the connection with the name of the area and the history of the area that the site should be signified in some way. The council considers that this is appropriate and the Council is happy to work with the Waipa Heritage Council to develop the appropriate acknowledgement of the areas past within one of the reserve areas.
- 57 It is also noted that any archaeological site that may be discovered is protected under the Historic Places Act and a standard condition would be placed on any landuse or subdivision consent issued to that effect.

Part 10: Section 32

- 58 Harrison Grierson on behalf of the Council prepared a S.32 analysis as part of the plan change documentation. Sub-section 32(2) also requires Council to carry out a further evaluation prior to making its decision on the plan change with the evaluation to assess the extent to which each objective is the most appropriate way to achieve to purpose of the Act. Council must also assess whether the policies and rules are the most appropriate methods in terms of their effectiveness and efficiency to achieve the objectives.

Part 11: Section 32(2)(a)

- 59 After considering the submissions and further submissions and the evidence provided at the hearing, the Committee has concluded that the original Section 32 assessment document remains valid and the plan change as publicly notified is generally the most appropriate way to achieve the purpose of the Resource Management Act 1991, while having regard to efficiency and effectiveness of the proposed policies and rules and other methods.
- 60 The proposal effectively extends the existing residential zone and largely adopts the existing objectives and policies and related rules. The submissions and further submissions lodged either support the plan change or do not, in our opinion, substantiate any need to change the Section 32 analysis. Through evidence submitted at the hearing and after undertaking a site visit the Committee considers that some additional 'buffer' provisions should be provided for those properties on McNair Road that bordered the proposed area to be rezoned from Rural to Residential. Accordingly, it is considered that

the plan change as notified should be amended to provide for this but in all other matters should remain as publicly notified.

- 61 Overall, the Committee considers that the objectives as proposed fully support the purpose of the RMA being the sustainable management of natural and physical resources.

Part 12: RMA - Part II Assessment

- 62 The purpose of the Act is to promote the *sustainable management of natural and physical resources*. The Act defines sustainable management - as 'managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.'

There are considered to be no relevant matters of national importance or known Treaty of Waitangi issues, however there are a number of "other matters" that are considered relevant. These are:

- Section 7(b) - the efficient use of natural and physical resources.
 - Section 7(c) - the maintenance and enhancement of natural and physical resources.
 - Section 7(f) - maintenance and enhancement of the quality of the environment.
 - Section 7 (g) - any finite characteristics of natural and physical resources.
- 63 The key purpose of the plan change is to manage the use and development of resources in a manner that provides for the efficient expansion of Te Awamutu, which is considered to be fully consistent with the Act.

Part 13: Decisions on Submissions and Further Submissions

- 64 Plan Change 47 was notified on 25 January 2007 and 13 submissions were received. The Summary of Submissions was notified on 5 April 2007 and four further submissions were made (two being from new submitters). A hearing was held on 29 August 2007 and site visits undertaken the same day.
- 65 The submissions have been grouped in common areas as appropriate, and are addressed collectively before decisions are made on the individual submissions and further submissions. The following discussion / reasons and decisions should be read in conjunction with the individual submissions, further submissions, and the submission/ further submission summary.

Submission	Submitter	Further Sub.	Further Submitter	Support/Oppose
47.1 (<i>Sub-points 47.1.1 to 47.1.5</i>)	National Trading Company of NZ	47.A1 47.B 47.C	D and R Taylor E Pollard GA & SM Pollard No.1 Trust	Oppose Oppose Oppose
<p>Discussion/Reasons:</p> <p><i>General</i></p> <p>Submission 47.1 (<i>sub-points 47.1.1, 47.1.2, 47.1.3 and 47.1.4</i>) supports the plan change and states that it is consistent with the purpose and principals of the RMA, will benefit the economic and social well being of the community, will support development anticipated by PC53 and is a welcome response to the Urban Growth Strategy.</p> <p>Further submission 47.A1 opposes the submission, specifically in regard to the proposal supporting PC53 (Bilimag Holdings Ltd), and that the proposal is a managed response to the Council's Urban Growth Strategy. No reasons for the opposition were stated.</p> <p>The subject area is identified within the Council's Waipa Urban Growth Strategy (WUGS) as being appropriate for detailed investigation for residential development. This strategy identified a need to provide "good quality" land for residential development in Te Awamutu. The strategy identified the most appropriate areas for urban development, based on cost effective infrastructure development, anticipated demand, urban form issues, and environmental constraints. A number of urban growth cells were considered worthwhile to carry out further in-depth assessment. Picquet Hill (Urban Growth Cell TA8) was selected by Council as the preferred option to assess further in regard to residential development in Te Awamutu. The assessment of the site for residential development has therefore been advanced as a specific response to the findings of the Urban Growth Strategy.</p> <p>More detailed assessments have been carried out as part of this plan change process which has led to a determination that the 'site' can be adequately serviced and that the area is suitable for residential expansion.</p> <p>The further submission 47.A1 relates to the submitter and the links between PC47 and PC53, however it is unclear as to what the resource management issue is. It is acknowledged that the National Trading Company of New Zealand is supportive of PC53 however as both plan changes are in regard to providing for future growth of Te Awamutu support for both plan changes is considered consistent.</p> <p><i>Deferred Residential Zoning</i></p> <p>The submitter (<i>sub-point 47.1.5</i>) believes that central area of the site should be zoned residential rather than deferred residential. Further submissions 47.B and 47.C opposing the original submission are from the landowners of the portion of land referred to and seek the retention of the deferred</p>				

residential zoning.

While from a strategic planning perspective it could be advantageous to rezone the whole area residential, as a result of the consultation process it was determined that the affected landowners were strongly opposed to the change of zoning. Therefore, a pragmatic approach has been adopted which addresses how the area may be developed in different stages while maintaining the longer term option of the whole area becoming residential.

Submission Decision:

That the submissions 47.1.1 to 47.1.4 be accepted and that submission 47.1.5 be rejected.

Further Submission Decision:

That the further submissions 47.A1 be rejected.
That the further submissions 47.B and 47.C be accepted.

Plan Change Decision:

That there be no changes to Proposed Plan Change 47.

Submission 47.2 <i>(Sub-points 47.2.1 to 47.2.2)</i>	Submitter Transit NZ	Further Sub. Nil	Further Submitter	Support/Oppose
<p>Discussion/Reasons:</p> <p>Submission 47.2 supports the plan change and states that the likely affects on a two lane roundabout will be minor (if PC53 proceeds). However if PC53 does not proceed, or is delayed, insufficient assessment has been provided on the impact on the one lane roundabout <i>(sub-points 47.2.1 and 47.2.2)</i>.</p> <p>As a direct response to this submission additional assessment was carried out to address this issue. The traffic assessment has concluded that the anticipated increase in traffic volumes as a result of residential development on the site can be accommodated on the existing single laned roundabout.</p> <p>The plan change as confirmed by this decision is effectively in three parts. The northern and southern sections being stage 1 and the central stage 2. The stage 1 sections split the traffic movements relatively evenly between Cambridge Road and Te Rahu Road. The Deferred Residential area (stage 2) can only be confirmed as residential via a further plan change. Accordingly the impacts on the roundabout can be revisited at this stage.</p>				
<p>Submission Decision:</p> <p>That submission 47.2.1 be accepted in part. That submission 47.2.2 be rejected.</p>				
<p>Plan Change Decision:</p> <p>That there be no changes to Proposed Plan Change 47.</p>				

Submission 47.3 <i>(Sub-points 47.3.1 to 47.3.10)</i>	Submitter D and R Taylor	Further Sub. Nil	Further Submitter	Support/Oppose
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Discussion/Reasons:

Submission 47.3 provides a number of grounds for declining the plan change including: that there is existing land within the town limits that is undeveloped and has access to services (*sub-point 47.3.1*); that other areas have become available and circumstances changed since the Urban Growth Strategy was conducted (*sub-point 47.3.2*); desire of landowners, outcomes of consultation not included (*sub-points 47.3.3*); closing of Thorncombe Road (*sub-points 47.3.5, 47.3.6 and 47.3.7*); rural amenity (*sub-points 47.3.4 and 47.3.8*); lot sizes (*sub-point 47.3.9*); insufficiently detailed structure plans (*sub-point 47.3.10*); and a perceived conflict of Councillor/landowner involvement.

Urban Growth Strategy

The subject area is identified within the Council's Waipa Urban Growth Strategy (WUGS) as being appropriate for detailed investigation for residential development. This strategy identified a need to provide "good quality" land for residential development in Te Awamutu. The strategy identified the most appropriate areas for urban development, based on cost effective infrastructure development, anticipated demand, urban form issues, and environmental constraints. A number of urban growth cells were considered worthwhile to carry out further in-depth assessment. Picquet Hill (Urban Growth Cell TA8) was selected by Council as the preferred option to assess further in regard to residential development for Te Awamutu. The assessment of the site for residential development has therefore been advanced as a specific response to the findings of the Urban Growth Strategy.

More detailed assessments have been carried out as part of this plan change process which has led to a determination that the 'site' can be adequately serviced and that the area is suitable for residential expansion. Although some infill areas may be potentially available for development there is a shortage of quality land available for residential expansion.

Consultation

It is noted that affected landowners whose land is proposed to be rezoned have not in general made submissions in regard to the notified plan change. The exception are further submissions from E Pollard and the GA & SM Pollard No.1 Trust who have sought the retention of the deferred residential zoning that has been applied to their properties. The provision of a deferred residential zoning was in direct acknowledgement of the results of considering the outcomes of consultation.

Roading

The closing of the Cambridge Road intersection with Thorncombe Road rationalises the number of intersection in this area. The proposed new entrance has improved sightlines and will have a right turning bay resulting in the intersection being a safe access/exit point onto Cambridge Road in this general locality. This provides a practical and safe access point to the general area and although the closure of Thorncombe Road/Cambridge Road intersection will lead to some inconvenience to existing residents this is balanced against improved traffic safety.

Amenity / Structure Plan

The subject area lies adjacent to the urban boundary limits, with many of the amenity values experienced by existing residential zoned properties such as views and sense of spaciousness being a direct result of being adjacent to the Rural Zone. Localised changes to amenity values are an inevitable consequence of urban expansion. The only options are that either development takes place elsewhere (and transfers the same problem to another set of landowners) or the Council does not provide for any residential growth.

The plan change provides for larger lot sizes than other residential zoned land in Te Awamutu. The same density rules are applied as in Cambridge North with the minimum lot size being 600m²

(exclusive of access) with an average lot size of 700m² as opposed to 400m² in other residential zones. This encourages a higher quality development while at the same time ensuring that the land resource is utilised efficiently. The Committee carefully considered the evidence presented by Mr Taylor at the hearing and conducted a site visit. As a result of this further consideration, a specific additional setback for buildings has been incorporated into this decision as relates to the area rezoned Residential abutting properties at McNair Road.

The structure plans provide a general overview of what can be anticipated on site and indicates the preferred roading layout for the main roads within the site. The design and development of the subdivision is at the discretion of the individual developer, however any future development within the site would be required to comply with the provisions of the District Plan and the Code of Practice.

Councillor Involvement

The submitter has raised the issue of the involvement of a Councillor as a landowner, however this is not considered to be a resource management issue. For the record the Councillor has not been involved in the Plan Change and the Council is satisfied that there has been no conflict of interest.

Submission Decision:

That the submissions 47.3.1 to 47.3.3, and 47.3.5 to 47.3.10 be rejected.
That the submission 47.3.4 be accepted in part

Plan Change Decision:

That Plan Change 47 be modified to include the following:

Insert new Rule 3.3.6 c) as follows:

"Buildings on lots immediately adjoining to the north-east of Lots 24-29 DPS 4416 and Lot 1 DPS 15918 (McNair Road)

All buildings shall be set back from the rear site boundary by at least 5m"

<p>Submission 47.4 (Sub-points 47.4.1 to 47.4.3)</p> <p>47.5 (Sub-points 47.5.1 to 47.4.2)</p>	<p>Submitter HD & MA Jones and SA Henderson (The Sally Trust)</p> <p>J L Hatwell</p>	<p>Further Sub 47.D</p>	<p>Further Submitter Transit NZ Ltd</p>	<p>Support/Oppose Support</p>
<p>Discussion/Reasons:</p> <p>These submissions support the rezoning of the site, however oppose the closure of Thorncombe Road and the provision of a new 'T' intersection and the realignment of Cambridge Road at the proposed intersection. Submitter 47.4 owns the property on the inside curve of Cambridge Road and states that the proposed entrance would make their entrance hazardous (<i>sub-point 47.4.1</i>). Both submitters suggest integrating one entrance at the end of Picquet Hill Road and Thorncombe Road (<i>sub-points 47.4.2, 47.4.3, 47.5.1 and 47.5.2</i>). At the hearing a key thrust of the submissions was the need and opportunity to create a significant entry point for Te Awamutu.</p> <p>Transit NZ (further submitter 47.D) supports the submission in relation to a long-term view of Cambridge Road traffic issues being required and re-introduced matters raised in their original submission.</p> <p>The roading analysis addressed the future traffic requirements including Cambridge Road, based on existing and forecast traffic movements. In terms of land area available and existing sightline deficiencies, it would be difficult to merge the two existing intersections with Cambridge Road into one. The proposed new intersection complies with the minimum required sightlines for the 100km/hour speed environment and would include a right turning bay is incorporated for vehicles travelling west, for safe and efficient vehicle movements onto Cambridge Road.</p> <p>As both submissions support the proposal generally this part of the submission is accepted however as the specific change sought is not proposed to be implemented, this part is rejected. The Committee is supportive of the desire for an improved entrance to Te Awamutu from Cambridge Road but considers that this can be considered outside of the current plan change process.</p>				
<p>Submission Decision: That the submissions 47.4.1 to 47.4.3 and 47.5.1 and 47.5.2 are accepted/rejected in part.</p>		<p>Further Submission Decision: That the further submission 47.D be accepted in part.</p>		
<p>Plan Change Decision: That there be no changes to Proposed Plan Change 47.</p>				

Submission 47.6 <i>(Sub-points 4.6.1 to 4.6.2)</i>	Submitter Waikato District Health Board	Further Sub Nil	Further Submitter	Support/Oppose
<p>Discussion/Reasons:</p> <p>The Waikato District Health Board (Submitter 47.6) provided a neutral submission on the proposed plan change but raised the issue of possible contamination issues from the adjacent cemetery which could affect future residential development (<i>sub-points 47.6.1 and 47.6.2</i>).</p> <p>Sampling of soils and ground water on sites adjacent to the Te Awamutu Cemetery was undertaken by staff of Environment Waikato and Waipa District Council. Samples were sent to Hill Laboratories for analysis. The results found no contamination on the land in question that can be attributed to the cemetery and that none of the samples exceeded residential guidelines.</p> <p>At the hearing the Committee considered if enough sampling had been undertaken with a particular concern of the area in the existing Local Purpose Reserve (cemetery) that is proposed to be rezoned to Residential. It is considered that it is appropriate to 'flag' this issue on the appropriate property file to ensure that this is further investigated at the time of any redevelopment.</p> <p>Accordingly it can be concluded that the submission is accepted in part as investigations have been carried out as requested.</p>				
<p>Submission Decision:</p> <p>That the submissions 47.6.1 and 47.6.2 be accepted in part.</p>				
<p>Plan Change Decision:</p> <p>That there be no changes to Proposed Plan Change 47.</p>				

Submission 47.7 <i>(Sub-points 47.7.1 and 47.7.2)</i>	Submitter Waipa Heritage Council	Further Sub Nil	Further Submitter	Support/Oppose
47.12 <i>(Sub-point 47.12.1 and 47.12.2)</i>	New Zealand Historic Places Trust			
<p>Discussion/Reasons:</p> <p>Both submitters have no objection to the proposal, however they have noted that the proposed site contains a site of historic and possibly archaeological significance and advocate that the relatively small area involved should be identified and made a reserve within the proposed subdivision (<i>sub-points 47.7.1, 47.7.2 47.12.1 and 47.12.2</i>).</p> <p>Further to these submissions Dr Neville Ritchie of the Department of Conservation and Alan Hall of the Waipa Heritage Council have undertaken a visit to the site to try and determine the location of the military picquet in question. Dr Ritchie has stated that there is a lack of physical evidence to identify the site, however there may be evidence beneath the surface. It has been suggested that due to the significant historical associations and its important lookout role that this should be signified in some way. This could be in the form of a public access to a lookout forming 'the approximate position of the picquet (lookout) that gave the hill its name'. As no specific site has been located, it is difficult to consider the appropriate location for this. The existing layout provides a number of reserve locations and it is considered that these are sufficient for the subject area and the provision of information regarding the picquet can be discussed with the Council in general but does not need to form part of the current process. It is also noted that any archaeological site that may be discovered is protected under the Historic Places Act and an advice note to this effect will form part of any subdivision consent.</p>				
<p>Submission Decision:</p> <p>That the submissions 47.7.1 and 47.7.2 be accepted in part. That the submission 47.12.1 be accepted in part.</p>				
<p>Plan Change Decision:</p> <p>That there be no changes to Proposed Plan Change 47.</p>				

Submission 47.8 <i>(Sub-point 47.8.1)</i>	Submitter Te Awamutu Community Board	Further Sub Nil	Further Submitter	Support/Oppose
47.10 <i>(Sub-point 47.10.1)</i>	R Clark			
Discussion/Reasons: The submitters have stated that they agree with and support the proposed plan change <i>(sub-point 47.8.1)</i> . Submitter 47.10 <i>(sub-point 47.10.1)</i> states that the proposal will benefit the town and provide more employment and services.				
Submission Decision: That the submission 47.8.1 be accepted. That the submission 47.10.1 be accepted.				
Plan Change Decision: That there be no changes to Proposed Plan Change 47.				

Submission 47.9 <i>(Sub-points 47.9.1 to 47.9.3)</i>	Submitter C S Gini	Further Sub. Nil	Further Submitter	Support/Oppose
<p>Discussion/Reasons:</p> <p>The submitter opposes the application due to adverse impact on rural amenity, increase in noise and decrease in property values <i>(sub-points 47.9.1, 47.9.2 and 47.9.3)</i>.</p> <p>The subject area lies adjacent to the urban boundary limits, with many of the amenity values such as views and sense of spaciousness experienced by existing residential zoned properties being a direct result of being adjacent to the Rural Zone. Localised changes to amenity values are an inevitable consequence of urban expansion. The only options are that either development takes place elsewhere (and transfers the same problem to another set of landowners) or the Council does not provide for any residential growth. The District Plan does not provide any protection of view shafts and accordingly unless private covenants are agreed upon, views and other related amenity features are always susceptible to change.</p> <p>The plan change provides for larger lot sizes than other residential zoned land in Te Awamutu. The same density rules are applied as in Cambridge North with the minimum lot size being 600m² (exclusive of access) with an average lot size of 700m² as opposed to 400m² in other residential zones. This encourages a higher quality development while at the same time ensuring that the land resource is utilised efficiently. As a result of submissions and a site visit the Committee considers it appropriate to include a wider 'buffer area' for existing residents on McNair Road by adding a rule to the Plan Change that requires a 5m building setback for buildings in the new residential zone abutting McNair Road properties.</p> <p>Any future development within the plan change 'site' would be required to comply with the provisions of the District Plan which includes requirements regarding bulk and location of buildings.</p>				
<p>Submission Decision:</p> <p>That the submissions 47.9.1 be accepted in part. That the submissions 47.9.2 and 47.9.3 be rejected.</p>				
<p>Plan Change Decision:</p> <p>That Plan Change 47 be modified to include the following: <i>Insert new Rule 3.3.6 c) as follows:</i> <i>"Buildings on lots immediately adjoining to the north-east of Lots 24-29 DPS 4416 and Lot 1 DPS 15918 (McNair Road)</i> <i>All buildings shall be set back from the rear site boundary by at least 5m"</i></p>				

Submission 47.11 <i>(Sub-points 47.11.1 and 47.11.2)</i>	Submitter R Batistich	Further Sub. 47.A2	Further Submitter D and R Taylor	Support/Oppose Oppose
<p>Discussion/Reasons:</p> <p>The submitter supports the closure of Thorncombe Road (<i>sub-point 47.11.1</i>), however would not support the widening of the corner at Picquet Hill Road and Thorncombe Road (<i>sub-point 47.11.2</i>). The further submitter (47.A2) opposes the closure of Thorncombe Road.</p> <p>The closing of the Cambridge Road intersection with Thorncombe Road rationalises the number of intersection in this area. The proposed new entrance has improved sightlines and will have a right turning bay resulting in the provision of a safe access/exit point onto Cambridge Road in this general locality. This provides a practical and safe access point to the general area and improves the existing situation. A link will be created from Thorncombe Road (and therefore McNair Road) to the new road servicing the southern area of the site and linking into the new intersection with Cambridge Road.</p> <p>At this stage it is not anticipated that Picquet Hill Road or Thorncombe Road carriageway would be widened. There is no proposed vehicular access to the subject site from Picquet Hill Road only pedestrian and cycle connections.</p>				
<p>Submission Decision: That the submissions 47.11.1 and 47.11.2 be accepted.</p>		<p>Further Submission Decision: That the further submission 47.A2 be rejected.</p>		
<p>Plan Change Decision: That there be no changes to Proposed Plan Change 47.</p>				

Submission 47.13 <i>(Sub-point 47.13.1)</i>	Submitter Environment Waikato	Further Sub. Nil	Further Submitter	Support/Oppose
<p>Discussion/Reasons:</p> <p>This submission is general in nature and does not seek any specific outcome that is considered directly implemental as part of this plan change. The submitter advocates for the incorporation of methods that promote of efficient use of water and water conservation devices and advises that the stormwater treatment and attenuation from the site on water quality and water levels of the catchments shall be required to meet the Environment Waikato standards with final design detail to be reviewed once discharge resource consents are made.</p> <p>Specific stormwater issues will be addressed at the development stage however specific provision for local purpose reserves (stormwater) has been made. Environment Waikato have advised that a separate consent will be required for the stormwater runoff from the north-east of the site as the discharges are not able to be incorporated into the existing comprehensive stormwater consent (<i>sub-point 47.13.1</i>).</p> <p>Environment Waikato have not sought any specific decision and accordingly no specific recommendation is provided.</p>				
<p>Submission Decision:</p> <p>That submission 47.13.1 be received.</p>				
<p>Plan Change Decision:</p> <p>That there be no changes to Proposed Plan Change 47.</p>				

Part 14: Approved Plan Change 47 with Modifications

DECISIONS VERSION

66 The Committee has resolved to approve Plan Change 47 to the Waipa District Plan with modifications which are discussed in Part 9 of this decision report. The following provides a complete version of the Plan Change including the modifications approved by the Committee (proposed changes to the existing District Plan are identified in bold).

1. *Replace Planning Map 32 as attached (Attachment 1).*
2. *Insert in Appendix 28 Picquet Hill TA8 Structure Plans as attached (Attachment 2)*
3. *Delete Policy RS23 and replace as follows:*

“To use the natural topographic basin in which Te Awamutu is located as a general boundary for town growth and to only allow managed development beyond this point to avoid unnecessary overspill into surrounding rural landscapes.”

4. *Delete Policy RS28 and replace as follows:*

“To generally confine residential development within the Te Awamutu topographic basin and to only allow managed development beyond this point to control residential development spreading on and over ridge lines and along major traffic roads.”

5. *Insert new Policy RS28A as follows:*

“To provide for an orderly and programmed expansion of the town consistent with the relevant structure plan and the ability to provide utility services.”

6. *Insert new wording in the Residential Zone chapter of the Operative District Plan as follows (changes in **bold**)*

3.4.1 RULE – Minimum Site Areas

2. Sewered Areas:

The minimum site area (exclusive of access strip), shall be as follows:

- a) *SINGLE DWELLINGHOUSE – 400m² per dwellinghouse*

1. *Domestic use only*

2. *With home occupation*

*Provided that the minimum lot size exclusive of access within the Cambridge North Residential Zone **and the Picquet Hill Structure Plan Area** – shall be 600m² and that the minimum average lot size shall be 700m².*

3.4.6 RULE – Separation of Structures from Internal Site Boundaries

c) Buildings on lots immediately adjoining to the north–east of Lots 24-29 DPS 4416 and Lot 1 DPS 15918 (McNair Road)

All buildings shall be set back from the rear site boundary by at least 5m.

7. *Insert new wording in the Deferred Residential Zone chapter of the Operative District Plan as follows (changes in **bold**)*

4.1 ZONE STATEMENT

(Refer to Policies RS15, RS17)

*Two areas at Cambridge **and one in Te Awamutu** are zoned Deferred Residential.*

*The largest area **in Cambridge** is between the proposed State Highway bypass and the northern boundary of Residential land north of the town belt (see Map 7, 26 and 26a). Residential and other intensive development will be discouraged until the area is rezoned Residential, which is anticipated to occur when it can be serviced with approved sewerage, stormwater and water reticulation systems in a comprehensive and orderly manner following land to the south having been substantially developed. In addition there are potential reverse sensitivity issues associated with existing activities in the rural environment (e.g. spray irrigation activities) that will need to be addressed in a comprehensive manner as part of the plan change procedure before any further residential development of this area is appropriate. All access from the Cambridge North Residential Zone to State Highway 1B (Victoria Road) will be via the single intersection shown on Planning Map 26A and the Cambridge North Structure Plan at Appendix 24. The reasons for deferring development in this area are referred to in Part I of the District Plan – Objectives and Policies – Residential Activities.*

*The other **Cambridge** area is located at Kelly Road on the western side of the town belt on the northern side of Hamilton Road (S.H.1). The area is not serviced by an adequate stormwater system and suffers problems associated with drainage and stormwater ponding. Further residential development in the area will be discouraged until an adequate stormwater reticulation service is provided for the area.*

A central area in the Picquet Hill residential growth area in Te Awamutu is also identified as deferred residential. The area is identified in the Picquet Hill Structure Plan as Stage 2. The area is reliant on access from adjacent blocks for access for residential development purposes.

*Until satisfactory **access**, sewerage, stormwater disposal and water reticulation facilities are available, and the land is rezoned, the Rules for land use activities*

*in the Rural Zone will apply to these **three** areas. However, a resource consent will not normally be granted for non-farming activities which may have an adverse effect on future residential development. Subdivision of land will be restricted to ensure that fragmentation of land titles does not inhibit future efficient residential development.*

As and when reticulated sewage, stormwater disposal and water reticulation facilities can be provided in a satisfactory sequence following substantial development of adjacent residential land, the Council will promulgate a change to the District Plan so as to alter the zoning from Deferred Residential to Residential.

4.2 ANTICIPATED ENVIRONMENTAL RESULTS

- 1. The areas will be safeguarded from development which could have an adverse environmental effect on future residential development.*
- 2. The fragmentation of land holdings into small allotments which may inhibit efficient development of residential areas will be avoided.*
- 3. The areas will be developed for residential activities only when reticulated services are available without undesirable consequences on other parts of Cambridge **and Te Awamutu**.*

4.3 ACTIVITIES

4.3.1 RULE - Categories of Activities

For the purpose of this Rule the provisions of Rural Rule 2.3.1 shall apply to activities in the Deferred Residential Zone.

(Refer to Policies AD4(1), CO19)

4.4 CONDITIONS FOR PERMITTED ACTIVITIES

NOTE: In addition to the following standards, special restrictions apply to particular sites identified on the Planning Maps, such as historic sites. Attention is also drawn to known physical hazards which are recorded on separate hazard maps maintained by the Council.

(Refer to Policy AD4, RC7)

4.4.1 RULE - General

For the purpose of this Rule the provisions of Rural Rules 2.4.1 to 2.4.35 (inclusive) shall apply to activities in the Deferred Residential Zone.

4.5 CONTROLLED ACTIVITIES - MATTERS OVER WHICH COUNCIL

EXERCISES CONTROL

(Refer to Policy AD4(3))

4.5.1 RULE - General

For the purpose of this Rule the provisions of Rural Rules 2.6.2 and 2.6.3 shall apply to all Controlled Activities in the Deferred Residential Zone.

4.6 CRITERIA FOR ASSESSING DISCRETIONARY ACTIVITIES

(Refer to Policy AD4(4))

4.6.1 RULE - General

For the purpose of this Rule the provisions of Rules 2.7.1 to 2.7.17 (inclusive) shall apply to all Discretionary Activities in the Deferred Residential Zone.

4.6.2 RULE - Effects of Activities on Future Residential Activities

In addition to Rule 4.6.1 the following Rule shall apply to Discretionary Activities in the Deferred Residential Zone:

Effect of Activities on Future Residential Activities:

- 1. This Rule shall apply to all uses of land which require a resource consent for a Discretionary Activity.*
- 2. In considering a resource consent application the Council will have particular regard to the effect that any non-residential activity may have on the future development of the Deferred Residential Zone or any part thereof including the provisions of a suitable layout of roads and services and on the environmental qualities of future residential areas if the non-residential activity is granted a resource consent.*
- 3. In addition to any other conditions which may be imposed as a condition of consent the Council may impose a time limit on any activity if there is a likelihood that it will have an adverse effect on future residential activities in the area in which it is to be located.*

(Refer to Policy RS12 and RS28A)

8. *Insert as new 10.6.2.3C the following:*

“All subdivision and development in the Picquet Hill Residential Zone (as defined by the Picquet Hill Structure Plans) shall comply with the Picquet Hill Structure Plans at Appendix 28. Strict compliance in terms of location and level of proposed minor roads and indicative roads is not required, provided that all such roads are located so that they will

efficiently perform their transportation and drainage functions and provide an efficient and integrated network of corridors for infrastructure in the locality including provision for linkages to adjacent properties within the structure plan area. General compliance is required for the location of collector roads and strict compliance is required for access requirements from Cambridge and Te Rahu Roads. Provision of identified reserves and walkway linkages shall be provided in general accordance with the structure plans. Subdivision and development, which does not comply with this rule, shall be a Discretionary Activity and shall be considered in accordance with Rule 10.6.2 (4) (k).

(Refer to Policy RS 28A)”

9. *Insert as new 10.6.2(4)K the following:*

“Consent to depart from the Picquet Hill Structure Plans layout may be granted where the applicant proposes an acceptable alternative structure plan layout that will perform its intended function for the locality; including a safe and efficient roading layout, efficient infrastructural service delivery, effective stormwater disposal and reserve provision, and the protection of residential amenity consistent with the neighbourhood amenity.”

10. *Modify 10.6.3 Deferred Residential Zone by inserting the following (changes in **bold**)*

1. *The General Standards for Allotments in the Rural Zone in Rule 10.6.1(1) shall apply until **suitable access**, a reticulated potable water supply and reticulated sewerage and waste water and stormwater disposal systems approved by the Council are available to service the Deferred Residential Zone or part or parts of the Zone, and the zoning of the Zone or the part or parts of the Zone which can be serviced has been changed from Rural to Residential in accordance with Section 73 of the Act.*

11. *Insert new 10.9.1(e) as follows:*

“Any subdivision of land in the Picquet Hill Residential Zone (as defined by the Picquet Structure Plans) shall provide land for reserves in general accordance with the Picquet Hill Structure Plans at Appendix 28”.