

9 September 2020

Sanderson Group Ltd/Kotare Properties Ltd  
C/- John Olliver  
Bloxam Burnett & Olliver  
Level 4  
18 London Street  
Hamilton 3204

By email to: [jolliver@bbo.co.nz](mailto:jolliver@bbo.co.nz)

Dear John,

**Re: Request for Plan Change No 12 – T2 Growth Cell rezoning - Request for Further Information**

Thank you for your request for Plan Change application, received by Waipa District Council (WDC) on the 12 August 2020. This letter sets out a request for further information pursuant to Clause 23(1) of Schedule one to the Resource Management Act 1991 (RMA) in relation to the application.

I advise that the purpose of the information requested is to better understand the following:

- the nature of the Plan Change request in respect of the potential effects it will have on the environment, including taking into account the provisions of Schedule 4 of the RMA; and
- the ways in which any adverse effects may be mitigated; and
- the nature of any consultation undertaken or required to be undertaken.

For ease of reference, the request has been split into relevant subheadings within the request. Where appropriate, additional clarification and context is provided for each aspect to assist you with formulating a response to the questions raised. As indicated previously, we encourage further discussions between the Applicant and WDC to provide further clarification on the below.

**Consultation**

1. It is understood that consultation is ongoing with a number of surrounding landowners. It is also understood that written approvals are unlikely to be provided by a number of those landowners, particularly those along Frontier Road. Please provide the results of any consultation undertaken to date, including further detail of any ongoing discussions.
2. Please provide the results of any consultation and/or engagement with Tangata Whenua.

**Cultural**

3. It is understood that Norm Hill has been engaged by Ngā Iwi Tōpū O Waipā (NITOW) to prepare a Cultural Impact Assessment (CIA). Please provide the CIA.



### Heritage

4. It is understood from our discussions on site (26 August 2020), and your email received 28 August 2020, that further work has been undertaken to identify the Isla Bank heritage property in the northern portion of the Structure Plan, along with measures to ensure potential effects from future development are appropriately managed. Please provide further details on the exact location of the heritage building, and a detailed assessment of potential effects along with any appropriate measures proposed to be incorporated into the Structure Plan as a result.

### Open Space/Reserves

The following information has been requested by Anna McElrea in relation to parks, reserves, and open spaces.

5. Please provide further clarification of the intended nature of open space for each parcel within the Structure Plan Concept i.e. stormwater reserve, recreation reserve, local purpose (accessway) reserve. This approach aligns with other recent structure plans to clarify from the outset the primary reason that the open space is being taken.
6. Please clarify that the proposed recreation reserve is 2,700m<sup>2</sup>.
7. Please clarify whether any of the walk/cycleways and roads proposed will have vehicle, pedestrian, cyclist restrictions. This is important to clarify given that the connector road through to T1 will run through the retirement village.
8. Please provide rationale for not including an on road cycling connection on the road from T1 through to the retirement village. We envisage T1 west residents wanting to access and utilise the southern reserve and it would be ideal to provide a direct safe route for these residents.
9. Please provide rationale for not including any on road cycling connection off Frontier Road through to the southern reserve. This would be the most direct route that reserve users are likely to prefer over recreational cyclists.
10. Please provide rationale for not including a shared 3m path along the eastern boundary of the retirement village as originally discussed. When this was included, it meant the proposed 3m path immediately to the west of the water tower made more sense as part of creating a safe and high amenity circuit for residents and this would be preferable.

### Ecology

11. Please provide the following document that is referenced in the Ecological Impact Assessment prepared by EcologyNZ, '*Boffa Miskell, Automatic acoustic long-tailed bat survey and potential ecological Constraints, June 2020*'.

In addition to the above, the following points are noted as matters that the WDC plan change project team would like to further discuss with you and your team. To clarify, they are not information requests.

- Frontier Road upgrade  
The Application notes that design details are not yet available for this, as it is a WDC led project. However, without those details being advanced, it is difficult to fully understand the potential level of effect, particularly on the adjoining Frontier Road properties. Therefore, we welcome further discussion on this matter.
- Water supply  
As discussed on site (26 August 2020) and raised by Tony Coutts, a design for a water booster pump is currently being developed to service the initial stages of T2 and later stages of T1. Further discussions on this will be required as this process progresses to ensure that infrastructure is suitable for the scale of the proposal.
- Staging the Structure Plan  
This is something that we have briefly discussed as a team, and essentially involves staging the release of land within the Structure Plan for development. I understand that the landowners for the northern half of the Structure Plan have no immediate plans to develop. Therefore, the Structure Plan could be split into two stages, with the southern stage to be developed immediately, and the northern half developed at a later stage. This may assuage some concerns from adjoining landowners in relation to the development and better align with the Waipa Growth Strategy 2050. We would welcome further discussion on this as an option.
- Kotare Properties Ltd development  
The plans provided to date for the residential subdivision show a rather modular and basic lot size arrangement, with all lots being approximately 500m<sup>2</sup> (+/- 10%). To bring this to your attention now, WDC will be looking to see a more diverse development with a mixture of lot sizes for the development to support a range of housing types and ensure that urban design principles are taken into account.

Should you have any questions on any of the above, please do not hesitate to contact me. As indicated above, we welcome the opportunity to discuss the information requests and any further matters as appropriate.

Yours sincerely,



Tim Wilson  
Environmental Planning Consultant  
For Waipa District Council

18 September 2020

Job No. 145570.03

Tim Wilson  
Environmental Planning Consultant  
Place Group Limited

Via email: tim@placegroup.co.nz

Dear Tim

### **Plan Change 12: Response to Request for Further Information**

Thank you for your letter dated 9 September 2020, requesting further information. I respond as follows (in the same numbering and heading format provided in your letter);

### **Consultation**

1. Further consultation with neighbours since PC12 was lodged has been with the landowners adjoining the west (the Thompsons) and east (Frontier Developments) boundaries of the site and have been on the topic of earthworks. To achieve the desired ground level and avoid steep slopes on adjoining land earthworks have been designed to include minor volumes of earthworks on adjoining properties. Further, the discussions with the developers of Frontier Developments to the east have been in relation to tying into their earthworks and site levels on the eastern boundary.

These matters are not considered to be relevant to PC12, more so a case of neighbours working together to agree on the boundary treatment for earthworks. These matters will be addressed as part of future consenting processes.

2. Refer to **Appendix A**, containing a draft Cultural Impact Assessment. This report sets out consultation to date with Tangata Whenua.

### **Cultural**

3. Please find attached as **Appendix A**, a copy of the draft Cultural Impact Assessment (CIA) prepared by Norman Hill. The CIA records that mana whenua are Ngati Apakura and the three iwi with identified interests in the area are Ngati Maniapoto, Raukawa and Waikato-Tainui. It confirms that the area is of historic, cultural and spiritual significance to iwi.

The CIA includes six recommendations as follows;

**Recommendation 1:** To establish, grow and maintain relationships with mana whenua by entering into working or formal relationships with mana whenua to oversee the implementation of the project and the relevant conditions and undertakings. This could also include facilitating economic and social development opportunities for mana whenua.

**Recommendation 2:** Ensure that cultural protocols are established for, but not limited to: (a) observing tikanga before works commence. (b) The placement of cultural features within the development.

**Recommendation 3:** That an accidental discovery protocol (ADP) be implemented as part of any future consent granted/or work undertaken.

**Recommendation 4:** That any contractors involved in earthworks be given appropriate guidance on mana whenua tikanga and protocols including an understanding of the ADP which may be delivered by a mana whenua representative or designate, and that agreement is duly noted.

**Recommendation 5:** A cultural health indicator framework for water quality standards and water quantity take in relation to Mangapiko Stream be applied.

**Recommendation 6:** A partnership Kawenata be developed, agreed, and signed by mana whenua and Sanderson Group Ltd and Kotare Properties.

These recommendations are accepted by the applicants and will be implemented through the subsequent resource consenting, design and construction phases.

## Heritage

4. As identified in the PC12 application, the site contains a heritage item at the northern end near Pirongia Road, located on the property at 67 Pirongia Road. The heritage item is a house named Isla Bank and is listed in the District Plan and the New Zealand Heritage List. The District Plan listing is as follows:

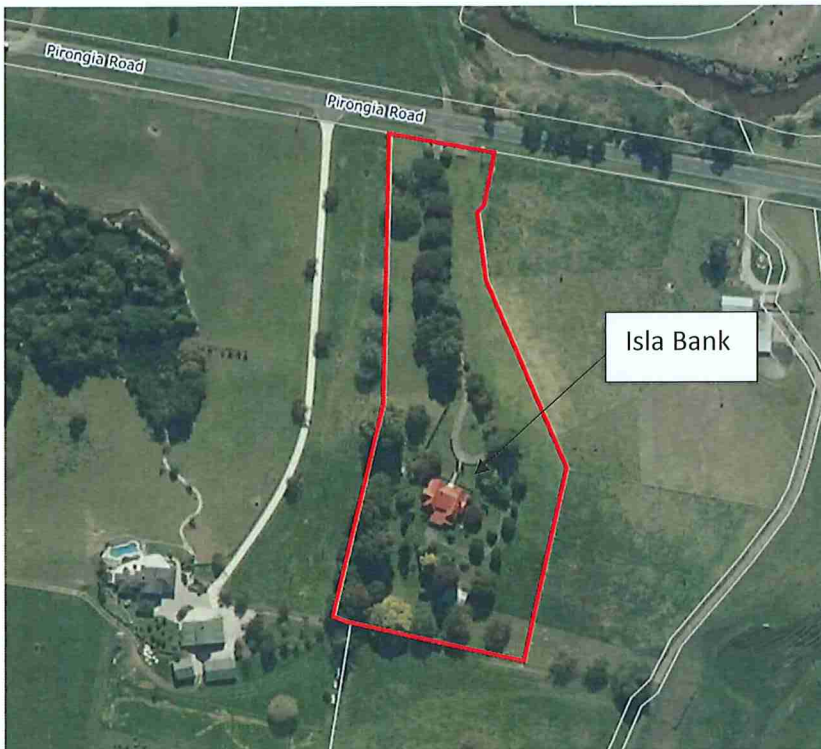
Map #	Ref #	Site Name	Address	Style	Description	HNZ Class	Legal Description	DP Cat
<b>TE AWAMUTU</b>								
38	6	House (Isla Bank)	67 Pirongia Road	Villa	Twin bay villa, 1907-1909	2	LOT 1 DPS 514120 (RT 796970), South Auckland Land District	B

Isla Bank is listed in the New Zealand Heritage List as a Category 2 Historic Place. The listing number is 4328 and was listed on 5 September 1985. Isla Bank is displayed in the following image.



The location of Isla Bank is displayed in the following aerial image. The property boundaries are outlined in red:





The plan change does not propose any changes to the heritage building on the site, the building's listing in the District Plan and identification on the District Plan maps, or the listing on the New Zealand Heritage List. The proposed roading layout shown on the structure plan avoids any impact on the property.

As such, the plan change will not have any direct physical effects on Isla Bank and the house will continue to be protected under the District Plan and Heritage New Zealand Pouhere Taonga Act.

Heritage NZ have raised the issue of potential effects on the setting of the building, including the tree-lined driveway. Neither the District Plan nor the Heritage NZ listing identify the setting as part of the item to be protected. The building is contained in a separate title of 1.6389ha (Lot 1 DPS 514120), so in the future if the structure plan area is developed it will be the landowners decision the extent to which (if at all) their land is incorporated into the wider development plans. Therefore, we do not see any need to provide any site specific provisions in PC12. However, our consultation with Heritage NZ will continue.

## Open Space/Reserves

5. The open spaces in the northern section of the Structure Plan are primarily for stormwater reserve and accessways. These open spaces have primarily been designed around stormwater sizing requirements and steeper landform and providing off road accessways.

In the southern section (Kotare Heights subdivision area) the open space is an integrated design of recreation reserve, stormwater and 3m wide off road accessway.

At this conceptual design stage it is generally not practicable to differentiate between different open space functions within the structure plan area.

6. The final size and boundary positions of the recreation reserve that will form part of the open space in the southern part of the Structure Plan will be determined as part of the subdivision consent application currently being drafted. That more detailed design will also confirm the area of land needed for the adjacent stormwater reserve. However, we confirm that there is at least 2,700m<sup>2</sup> of easy contour land for recreational purposes.

7. See the response to this point in the letter from Stantec attached as **Appendix B**.
8. See the response to this point in the letter from Stantec attached as **Appendix B**.
9. See the response to this point in the letter from Stantec attached as **Appendix B**.
10. See the response to this point in the letter from Stantec attached as **Appendix B**.

## Ecology

11. The report by Boffa Miskell '*Automatic acoustic long-tailed bat survey and potential ecological constraints*' is attached as **Appendix C**.

## Other Matters

### Frontier Road Upgrade

See the comments on this issue in the letter from Stantec attached as **Appendix B**. We would welcome further discussion with Council staff on this issue.

### Water Supply

We are happy to discuss the water supply issue further with the Council.

### Staging the Structure Plan

Although this was not a formal further information request, we have considered the issue of delaying development of the northern half of the Structure Plan area. We agree that there is merit in separating the T2 Structure Plan into two stages. This reflects landowner intentions as the landowners in the southern part of 18.2ha are ready to develop the retirement village and residential subdivision as described in the PC12 application. This would be Stage 1. It will result in the delivery of some 203 residential units, 41% of the approximately 492 units identified in the Growth Cell.

In the northern balance area of the growth cell, comprising 22.8ha, the landowners are not ready to develop and we expect the existing farming operations to continue for some time. This would be Stage 2.

The retirement village creates a logical boundary between Stages 1 and 2.

Delaying development of the Stage 2 area until 2035 increases consistency with the Waipa 2050 Growth Strategy which envisaged that all of T2 would be developed post-2035. As set out in the PC12 application there are methods to advance development of growth cells ahead of the dates in the District Plan. This flexibility is important to ensure ample development capacity given that the growth cells develop at different rates over time, based on market factors and landowner intentions. In this case it also recognises the immediate need to provide a large site for the Sanderson Group retirement village.

However, PC12 has included enough investigation and assessment work to confirm that the whole of the growth cell is suitable for development, infrastructure can be made available, and the two stages will be integrated. Therefore, there is justification to remove the Deferred zoning from Stage2, but to introduce a rule that effectively delays development of that area until 2035. That avoids the costs and time associated with needing another plan change to release it for development.

As a result, we recommend the structure plan be amended to show Stages 1 and 2, as attached as **Appendix D**, and the following additional provisions (or similar provisions to have the same effect) be included in PC12.





1. The following to be added to Appendix S23 – Te Awamutu T2 Growth Cell Structure Plan;

*'S23.1.3 The structure plan is divided into two stages, with the southern Stage 1 (18.2ha) able to be developed immediately and the northern Stage 2 (22.8ha) able to be developed after 2035'.*

2. The following consequential provision be added to Rule 15.4.2.69 (Development and subdivision in a Structure Plan Area);

*'(v) T2 Structure Plan                      Appendix 23'*

3. The following be added after Rule 15.4.2.90;

#### ***Staging of Development in T2 Structure Plan Area***

*'15.4.2.91 Before 2035 all subdivision or development of land in Stage 2 of the T2 Structure Plan shall comply with the Rural zone rules. From 2035 subdivision or development of land in Stage 2 of the T2 Structure Plan shall comply with the Residential zone rules.'*

#### **Kotare Properties Ltd Development**

Thank you for your comments on the design of the residential subdivision. We will address them in the application for subdivision consent currently being drafted.

Yours sincerely

**Bloxam Burnett & Olliver**



**John Olliver**

**Director**

0274822637

jolliver@bbo.co.nz

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# Appendix A – Draft Cultural Impact Assessment



## Appendix B – Letter from Stantec



18 September 2020

Sanderson Group Ltd/Kotare Properties Ltd  
C/- John Olliver  
Bloxxam Burnett & Olliver  
Level 4  
18 London Street  
HAMILTON 3204

Dear John

**Re: Request for Plan Change No 12 – T2 Growth Cell rezoning - Request for Further Information**

Place Group on behalf of Waipa District Council has issued a request for further information in relation to the above application. Some of the matters overlap with transportation considerations and there are also some general matters of inquiry to which you have requested some further input from us on.

We set out our response by way of reference to the request as follows:

**Open Space/Reserves**

*The following information has been requested by Anna McElrea in relation to parks, reserves, and open spaces.*

*7. Please clarify whether any of the walk/cycleways and roads proposed will have vehicle, pedestrian, cyclist restrictions. This is important to clarify given that the connector road through to T1 will run through the retirement village.*

The following clarification can be provided by way of reference to the Structure Plan Concept plan:

- 3m Paths (Pedestrian / Cycle): These routes are intended as formed, shared pathways that are separated from the vehicular carriageway.
- On road cycling connection route: The purpose of defining these on the Structure Plan is to indicate the overall integrated connectivity of cycle access through the Structure Plan. These sections of the route are to safely occur within the low-speed sections of the formed carriageway. A purposeful and connected north-south route linking Frontier Road with Pirongia Road has been planned so that it:
  - Provides for a through route that is predominantly off-road, safely separating vulnerable road user movement;
  - Utilises the safer, lower speed, lower volume sections of carriageway;
  - Introduces activity to the reserve areas; and
  - When viewed as part of the wider transport network, provides for a range of alternative and connected cycle route options both at a neighbourhood and wider district level.
- There are no other specific restrictions to pedestrian or cycle movement on the proposed Structure Plan roads. These roads are planned to operate at a 40km/h speed limit, safely accommodating cyclist activity within the carriageway and pedestrian movement on separated formed pathways.
- The T1 road corridor cross section intends pedestrian pathways formed on both sides of the carriageway.



*8. Please provide rationale for not including an on road cycling connection on the road from T1 through to the retirement village. We envisage T1 west residents wanting to access and utilise the southern reserve and it would be ideal to provide a direct safe route for these residents.*

T1 west resident cyclists are expected to arrive at the T2 Growth Cell boundary on the formed carriageway. The T1 connector road carriageway is proposed as a lower 40km/h safe speed environment and will provide continuity for these movements. The carriageway cross section dimensions are described at Section 8.2 Internal Road Network, Table 8-1 of the ITA. Cycling is able to be safely accommodated within the carriageway, providing a consistent connection with the T1 Growth Cell which also has an on-road cycling provision. Additionally, alternate off-road routes are also available by way of the shared paths to the east of the water tower, north and east of the Retirement Village and also along Frontier Road.

With respect to the northern two thirds of the T1 Growth Cell, a combination of separated shared paths along the T2 Structure Plan road corridors, through reserves and within the low speed carriageway environments are also to be established.

It is also worthy of note that in recent years there has been significant research in New Zealand with regard cycling on footpaths. A Land Transport Rule "Paths and Road Margins 2020" has been drafted. A decision on making the Rule law is now expected in September 2020. The Rule would permit cyclists, riders of transport devices and mobility devices and pedestrians to use a footpath, subject to specified requirements. In effect, general use would be permitted. Waka Kotahi published research informing the law "Cost Benefit Analysis, Allowing cyclists on the footpath" (April 2020) has determined a 1.75 Benefit to Cost Ratio (BCR) supporting the law change. The law is widely expected to be given effect and if so, will further add to general accessibility for urban areas.

*9. Please provide rationale for not including any on road cycling connection off Frontier Road through to the southern reserve. This would be the most direct route that reserve users are likely to prefer over recreational cyclists.*

The proposed Structure Plan provides for on-road movement for cyclists including by way of three options connecting Frontier Road to the southern reserve as follows:

- Via the off-road shared path along the eastern boundary of the site, connecting with an on-road link via the T1 connector road and T2 road link to the reserve;
- Directly via the T2 road from Frontier Road, on the carriageway, to the reserve; and
- Via the off-road shared pathway located close to the western T2 boundary, connecting with the T2 on-road carriageway to the reserve.

*10. Please provide rationale for not including a shared 3m path along the eastern boundary of the retirement village as originally discussed. When this was included, it meant the proposed 3m path immediately to the west of the water tower made more sense as part of creating a safe and high amenity circuit for residents and this would be preferable.*

A 3.0m wide shared path, within the privately held parcel of land to the east of the water tower is proposed. The land is proposed to be retained in private ownership but will permit public access by way of a formed 3.0m wide shared path. A mechanism for management of this arrangement will be described in the Resource Consent application.

With regard to wider connectivity toward the Te Awamutu township, it will provide a high standard of off-road accessibility for vulnerable road users. It represents the shortest and most efficient link in this respect. It also results in an added local amenity, introducing further options with respect local walking and cycling loops at a neighbourhood level.

North-south connectivity for cyclists during the daytime will be available through the Retirement Village main entry and internal Main Boulevard. This links the shared path east of the water tower to the shared path at the northern end of the Retirement Village and into the northern part of the T2 Growth Cell area. The internal Retirement Village roading area is to operate with a safe 10km/h speed limit, and also provides connectivity through to the on-site café, which is intended to be available for public access and use.

Therefore, two through site links are proposed to be maintained through the Retirement Village land:

- A western link which is part of the predominantly off-road shared path network; and
- A central and more direct link which consolidates the eastern water tower off-road link and the T1 on-road facility through the Retirement Village Main Boulevard, connecting with the café facility and linking directly to the northern part of the Structure Plan.

A third link along the eastern boundary is therefore assessed as not necessary.

### **Ecology**

*In addition to the above, the following points are noted as matters that the WDC plan change project team would like to further discuss with you and your team. To clarify, they are not information requests.*

- **Frontier Road upgrade**

*The Application notes that design details are not yet available for this, as it is a WDC led project. However, without those details being advanced, it is difficult to fully understand the potential level of effect, particularly on the adjoining Frontier Road properties. Therefore, we welcome further discussion on this matter.*

On this matter we note as follows:

- The overall arrangement for the cross section was engaged with Waipa District Council right at the outset;
- The recommended cross section aligns with that on which those early engagements jointly concluded;
- Council also provided some indicative design work that had previously been undertaken by Opus Consultants for this section of road to inform the discussions, these including works that may be required for stormwater management irrespective of the T2 Growth Cell proposal;
- It is apparent that detailed design elements of the cross section could be developed in a range of different ways and this detailing has not been advanced at this stage;
- The basic form of the cross section proposed is described at Section 8.3, Table 8-3 of the ITA;
- The southern and existing residential side of Frontier Road is currently established with a concrete footpath and kerb and channeling; and
- All additional widening is to be undertaken on the northern (T2 Growth Cell) "Site" side of the road only.

Accordingly, no change is proposed to the southern side of Frontier Road, with all widening being undertaken on the northern side.

Yours sincerely



Apeldoorn, Mark

**Stantec New Zealand**

## Appendix C – Report by Boffa Miskell

