

Private Plan Change 35 - Te Awamutu Large Format Retail Centre

Part A – Decision of the Independent Hearing Commissioner

27 August 2026

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

Private Plan Change application by
638 Limited in respect of land at
638 and 670 Cambridge Road, Te
Awamutu

DECISION BY INDEPENDENT HEARING COMMISSIONER

1. INTRODUCTION

I was appointed by Waipā District Council (“**WDC**” or “**Council**”) to hear and decide a private plan change application by 638 Limited (“**638**” or “**the proponent**”) to:

- Amend the provisions of the Waipā District Plan (“**District Plan**”) that apply to the Te Awamutu Large Format Retail Centre (“**TALFRC**”) at 670 Cambridge Road, Te Awamutu;
- Rezone adjacent land at 638 Cambridge Road from Medium Density Residential Zone to Commercial Zone; and
- Include the rezoned land at 638 Cambridge Road in the TALFRC.

The proposal is referred to as **Plan Change 35**.

A hearing of the application and submissions was held on-line, via Teams, on Tuesday 11 August 2026.

2. BACKGROUND

The land in question is located approximately 1.5 km northeast of the Te Awamutu town centre. As shown in Figure 1, it comprises of two areas of land that are referred to as Area A and Area B.

Area A (670 Cambridge Road) is zoned “commercial”. It accommodates the existing TALFRC and has a land area of approximately 6.1 hectares. The site has been developed in accordance with existing resource consents granted for the establishment of the existing buildings, associated carparking and vehicle accesses that support the mix of commercial activities on site, including a supermarket, medical centre, Mitre 10, and food outlets. There are three existing points of vehicle access to Cambridge Road which serve the TALFRC. These comprise two access points directly onto Cambridge Road and a right of way over neighbouring land (650 Cambridge Road) on its western boundary.



Figure 1 The Subject Site

Area B (638 Cambridge Road) is zoned “Medium Density Residential”. It has a land area of approximately 4 hectares and contains two dwellings and other accessory buildings. This property is used for grazing and adjoins land containing established dwellings to the north. Legal access for Area B to Cambridge Road is achieved via an existing right of way over neighbouring land (650 Cambridge Road) along its eastern boundary, which also serves Area A. There is a tall dense Leyland cypress shelterbelt which screens Area B from the right of way.

3. PLAN CHANGE PROPOSAL

The specific details of the plan change proposal, as notified, are set out in Section 2.2.4 of the section 42A report, which is reproduced below.

4. SUBMISSIONS AND FURTHER SUBMISSIONS

PC35 was publicly notified on 16 October 2025, with submissions closing on 14 November 2025. Five (5) submissions were received from the following parties:

- Waikato Regional Council (“**WRC**”);
- WDC;
- New Zealand Transport Agency (“**NZTA**”);
- Foodstuffs North Island Limited (“**Foodstuffs**”); and
- Jay E L Limited & Park Road Holdings Limited (“**JEL and PRH**”).

The summary of decisions sought was notified on 12 February 2026, and further submission were received from the applicant and Foodstuffs.

By way of a general summary, the submissions and further submissions raised matters relating to:

Consultation and engagement;

- Urban growth;
- Transportation;
- Stormwater / flood hazard management;
- Ecological values and landscaping;
- Rezoning of adjoining land; and
- Proposed provisions.

5. PROCEDURAL AND PROCESS MATTERS

By the time the section 42A report was issued on 21 July 2026 the applicant and submitters had progressed discussions, such that:

- WRC advised that all their concerns had been addressed and they should not need to be heard in support of their submission;
- NZTA advised that all their concerns had been addressed, and they no longer wished to be heard in support of their submission; and
- Foodstuffs advised that their concerns would be addressed by the revised plan change provisions that had been provided to them by the applicant.

The evidence on behalf of the proponent was submitted on 27 July 2026 and, given the significant narrowing of issues that had occurred, I issued Directions on 30 July 2026, confirming that the hearing would be held on-line via Teams, as well as “*invit[ing] the Council and the proponent’s representative(s) to liaise so that it will be possible for them*”

to provide a further evaluation of Plan Change 35, undertaken in accordance with section 32AA, as referred to in Clause 10(2)(ab) of Schedule 1 of the Resource Management Act 1991.”

Having read and carefully considered all the evidence I issued Further Directions on 5 August 2026 that, in summary:

- Advised that the expert evidence for the Council¹ and the proponent² would be taken as read and that they were excused from attending the hearing because they all concluded, within their individual fields of expertise, that the plan change could be approved, and there was no disagreement nor contrary views on technical matters and I had no questions for them;
- Posed several questions about the proposed drafting of Plan Change 35;
- Advised that the planning evidence of Ms Hui³ for the proponent and the section 42A report will be taken as read and rather than Ms Morris⁴ and Ms Hui presenting their evidence individually, it would be most efficient if they worked through Plan Change 35 provision by provision (only addressing any remaining areas of disagreement and further amendments that may have been agreed);
- Asked Ms Morris and Ms Hui to prepare an evaluation of the revised provisions of Plan Change 35 in accordance with section 32AA of the RMA; and
- Asked that, if possible, the responses to my questions, any redrafted provisions and the section 32AA evaluation be circulated in advance of the hearing.

Ms Morris and Ms Hui filed a comprehensive “Joint Summary Statement” on 7 August 2026 that:

- Summarised the matters they agreed upon;
- Evaluated the one issue they disagreed on;
- Responded to the questions posed in my Further Directions; and
- Provided an updated section 32AA evaluation, and a revised track change version of the Plan Change provisions.

Concise legal submissions were also pre-circulated on 7 August 2026 by counsel for the proponent (Mr Matthew Allan) and Foodstuffs (Mr Daniel Sadlier).

¹ Gray Matter - traffic / transportation matters

² Keith Bell – traffic / transportation matters and Constantinos Fokianos – Three waters matters

³ Rachelle Hui – the proponent’s expert planning witness

⁴ Alice Morris – the Council’s expert planning witness and author of the section 42A report

6. HEARING APPEARANCES

6.1 Applicant

The applicant was represented at the hearing by:

- Mr Matthew Allan – legal counsel;
- Mr Daniel Fitzgerald – a Director of 638, whose pre-circulated corporate evidence was taken as read; and
- Mr Paul Arneson and Ms Hui – planning consultants,

noting that Mr Bell (transportation) and Mr Fokianos (three waters,) who both provided written expert evidence, were excused from appearing.

6.2 Foodstuffs

Foodstuffs was represented at the hearing by:

- Mr Daniel Sadlier – legal counsel; and
- Mr David Boersen – a Foodstuffs executive.

6.3 Waipā District Council

The WDC was represented at the hearing by:

- Ms Alice Morris – section 42A author;
- Mr Peter Skilton – the Council’s District Plan Team leader; and
- Ms Rebecca Gray, the Council’s District Plan administrator.

Ms Hayley Thomas, a project planner at the Council also attended as an observer, noting that the Council’s transportation consultants (Gray Matter) were excused from attending.

7. SUMMARY OF THE SUBMISSIONS AND EVIDENCE PRESENTED

7.1 638 Limited

Legal submissions – Matthew Allan

Mr Allan’s pre-circulated submissions were taken as read.

In addition to summarising what Plan Change 35 was intending to achieve, and the legal framework for considering it, he focussed on addressing the one issue that had not been agreed between the proponent and the Council. This related to whether or not some of the text relating to the vesting of land or creation of easements outside the road reserve should be included as a standard or advice note. I do not need to address the specific details here, nor the cases referred to in the submission, because any remaining differences between the parties on that issue were resolved in the course of the hearing.

It suffices to say that Mr Allan submitted that Plan Change 35 should be approved and its provisions be as set out in Ms Hui's evidence.

Planning evidence - Rachelle Hui

Ms Hui's detailed evidence was taken as read, as was the Joint Summary Statement that she prepared with Ms Morris. Her evidence addressed:

- The background and purpose of Plan Change 35;
- Its key features, including amendments that have been incorporated subsequent public notification;
- The applicable statutory and policy framework;
- An analysis of key matters; and
- A section 32AA evaluation.

Ms Hui's overall conclusion was that *"PPC 35, as amended, provides an appropriate planning framework for the expansion of the TALFRC and is the most appropriate way to achieve the purpose of the plan change and the sustainable management purpose of the RMA."*

Both Mr Bell and Mr Fokianos concluded that, from their respective technical perspectives, there were no technical impediments that would preclude approval of Plan Change 35.

7.2 Foodstuffs North Island Limited

Legal submissions – Daniel Sadlier

Mr Sadlier's submissions were taken as read.

He stated that his client's submission on Plan Change 35 was focussed on ensuring that Plan Change 35 will not have inappropriate effects on the continued efficient operation of the Pak 'n Save Te Awamutu supermarket located within the TALFRC.

He stated that as a result of fruitful discussions with the proponent all issues had been *"wholly addressed in the revised provisions [of the plan change] which were then presented to Waipā District Council by 638 Limited, prior to completion of the section 42A report."* Like Mr Allan, he focussed on addressing the one issue that had not been agreed between the proponent and the Council, this being the drafting of provisions relating to the vesting of land or creation of easements outside the road reserve. Because that drafting was discussed and agreed at the hearing, I need not expand on those details, nor the case law proffered by Mr Sadlier in support of his submission.

7.3 Waipā District Council

Section 42A report – Alice Morris

Ms Morris' section 42A contained a comprehensive evaluation of Plan Change 35, including some re-drafting of several provisions. Like the evidence and submissions presented to the hearing, the section 42A report was taken as read.

Given the alignment between Mr Morris and Ms Liu by the time the hearing commenced, and because the one remaining issue that had not been agreed was resolved at the hearing, I need not address the section 42A report in detail.

It suffices to present Ms Morris' conclusion and recommendation, which are as follows:

5. CONCLUSION AND RECOMMENDATION

5.1 CONCLUSION

- 5.1.1 This report has been prepared in accordance with Section 42A of the Resource Management Act and provides a suitable basis on which to assess the effects of Proposed Private Plan Change 35 – Te Awamutu Large Format Retail Centre. The report sets out the plan change background, the submission and further submission process, external advice sought by Council, the statutory and policy context surrounding the plan change, and an analysis of submissions and further submissions.

Recommendations regarding each submission and further submission have been provided.

5.2 RECOMMENDATION

- 5.2.1 Pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991 that:

- a) The submissions and further submissions on Proposed Private Plan Change 35 – Te Awamutu Large Format Retail Centre, are accepted, accepted in part or rejected as outlined in this report and Appendix 1; and
- b) The amendments to the District Plan including the Appendices and Planning Maps are made as set out in this report and Appendix 2, being:
 - i. The rezoning of land subject to Plan Change 35 from Medium Density Residential Zone to Commercial Zone;
 - ii. The amendments to the District Plan provisions proposed in the plan change application and amended as outlined through this report and as shown in Appendix 2.

8. PRESENTATION OF THE PLANNERS' JOINT WITNESS STATEMENT AND THE ASSOCIATED DISCUSSION

The parties at the hearing suggested that the simplest way to address the Joint Summary Statement was to take it as read, firstly address the single issue in contention and then address my questions as to a small number of drafting issues. The hearing proceeded on that basis.

The single issue in question concerned the drafting of that part of controlled activity Rule 6.4.2.22 d iii that deals with vesting of land / easements for intersection upgrading works outside of the road reserve, and specifically whether certain details should be included in the rule or as an advice note. Following an extended discussion, and questions from me, the proponent, Foodstuffs and the Council agreed on revised wording that would mean that an advice note was not necessary. It would also mean that if a resource consent applicant could not confirm that it had secured agreement(s) to utilise any land outside the road reserve, the application would not be assessed as a controlled activity under Rule 6.4.2.22 and would become non-complying under Rule 6.4.2.23.

I then asked those few questions I had regarding drafting of Plan Change 35. Although the provisions I queried were not in dispute, I felt they would benefit from some drafting refinement to make them clearer and more certain.

During the course of the ensuing discussion, the parties all agreed that several amendments would be appropriate and proposed that the hearing be adjourned for a short period of time to allow the parties time to liaise re drafting.

Following an approximately 30 minute adjournment the parties advised that they had reached agreement on drafting, subject to double checking, and possibly refining the text.

Following a further discussion, it was agreed that the proponent, Foodstuffs and the Council would confer on drafting and provide a Joint Memorandum setting out agreed wording of all provisions by end of day on Friday 14 August 2026. The hearing was adjourned on that basis.

I record that Mr Allan advised that because all matters were agreed he did not consider it necessary to provide closing submissions.

9. CONFIRMATION OF AGREEMENT AND FINAL DRAFTING OF PROVISIONS

A joint memorandum was lodged by the proponent, Foodstuffs and the Council on 14 August 2026. The joint memorandum confirmed that the parties had reached agreement on the drafting of all the provisions of Plan Change 35 and included a final set of the agreed provisions.

I have reviewed the agreed provisions and am satisfied that the drafting is appropriate.

I am also satisfied that the section 32AA evaluation provided in the planners' Joint

Summary Statement is not affected in any material way by the redrafting undertaken, noting that the changes in the provisions that were made since it was prepared only reflect the resolution of one matter that had not previously been agreed and several relatively minor drafting changes made to improve clarity and certainty. None of the changes made affect the outcomes that had been agreed between the proponent and submitters who were content not to appear at the hearing given the agreements reached, as reported in the section 42A report.

Although all matters are now agreed, the Council has produced a summary document titled “Decisions on Submissions and Further Submissions by Topic” that amends, very slightly, the document contained in Appendix 1 of the section 42A report. That document should be read in conjunction with this decision.

10. DECISION

For the reasons set out above, Private Plan Change 35 to the Waipā District Plan is **approved**.

The approved text is attached as Appendix 1.

DATED: 24 August 2026



Dr PH Mitchell
Independent Commissioner

APPENDIX 1

APPROVED PROVISIONS OF PRIVATE PLAN CHANGE 35

Track change amendments to the Waipā District Plan

Changes to the Waipā District Plan arising from the hearing of submissions on August 11, 2026, are set out in the tables below under the following sections:

- Section 6 - Commercial Zone changed as follows:
 - Amendment to Resource Management Issue 6.2.3
 - Insert new policy 6.3.1.8
 - Amend Permitted Activity 6.4.1.2.a
 - Amend Non-complying Activity 6.4.1.5.b
 - Amend Performance Standard 6.4.2.14
 - Amend Performance Standard 6.4.2.22
 - Amend Performance Standard 6.4.2.23
 - Amend Performance Standard 6.4.2.28
- Section 15 – Infrastructure, Hazards, Development and Subdivision
 - Amend 15.4.2.69.e
 - Amend 15.4.2.14
- Section 21 – Assessment Criteria and Information Requirements
 - Amend Assessment Criteria 21.1.6.1
- Appendices - Growth Management Structure Plans and Concept Plans
 - Amend Appendix S1 – Te Awamutu Growth Map
 - Replace Appendix S6 – Te Awamutu Large Scale Retail Development Concept Plan
 - Amend Appendix S25 – Te Awamutu T11 Growth Cell Structure Plan
- Planning Maps - Rezone 638 Cambridge Road from Medium Density Residential Zone to Commercial Zone.

Track Changes

The changes are presented as follows:

Changes	Shown as follows
Text to be added	<u>Black and underlined</u>
Text to be deleted	Black and struck through

Section 6 – Commercial Zone

District Plan Provision		Recommended Changes – agreed at hearing by all parties
6.2 Resource Management Issues	6.2.3	While it is important to provide opportunities for further commercial development within village commercial centres, neighbourhood centres, <u>large format retail area</u> , and to make provisions for local shops; these opportunities need to be balanced against demand within the area they are located, and the catchment they are intended to serve.
6.3 Objectives & Policies	New Policy	<u>Policies – Commercial hierarchy: large format retail centre (Te Awamutu)</u> <u>6.3.1.8 To enable activities in the Large Format Retail Centre:</u> a. <u>where accommodating those activities within existing centres is difficult due to their scale and functional requirements; and</u> b. <u>where they do not compromise the function, role and amenity of primary commercial centres or neighbourhood centres.</u>
6.4.1 Activity Status	6.4.1.2 Controlled Activities	Any development in general accordance with the <u>Te Awamutu Large Format Retail Centre Plan Scale Retail Development Concept Plan SK1-13 prepared by Woodhams/Meikle/Zhan Architects dated 21-04-2014</u> as contained in Appendix S6, and which <u>satisfies-complies with the conditions included in the approved application standards in Rule 6.4.2.22.</u> Matters over which Council reserves its control are: • <u>Traffic safety and road improvement works (with reference to the Traffic Impact Assessment submitted with the application documents for Plan Change 53 to the Operative District Plan, dated 1997) Safe and efficient operation of the immediate transport network including intersection upgrades and the upgrading/provision of pedestrian and cycle facilities internal and external to the development site that are necessary to mitigate traffic effects arising from development of Area B and / or Building A3 in Area A as shown on the Te Awamutu Large Format Retail Centre Plan in Appendix S6; and</u> • <u>The location, separation and design of access points to ensure the safe and efficient operation of Access 1; and</u> • <u>Noise; and</u> • <u>Glare and lighting; and</u> • <u>Landscaping, including wetland restoration planting; and</u>

		• Car parking (excluding the number of parking spaces), loading and vehicle manoeuvring; and • Signs; and • Stormwater; (with reference to the Stormwater Assessment submitted with the application documents for Plan Change 53 to the Operative Waipā District Plan); and • Soil remediation in accordance with the <u>Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011</u> /mitigation in accordance with the Statement of Evidence of Kevin Wood dated 6 November 2006 and to the satisfaction of the Principal Administrative Officers (or their delegate) of both the Waikato Regional Council and the Waipā District Council; and • Colour, location, design and siting of buildings with reference to the visual impact report prepared by Connell Wagner and the Development Concept Plan. <u>Location of the buildings with reference to the Te Awamutu Large Format Retail Centre Plan; and</u> • <u>Ecology; and</u> • <u>Flood hazards.</u> These matters will be considered in accordance with the assessment criteria in Section 21.
	6.4.1.5 Non-complying activities	b. Any departure from a Structure or Development Concept Plan <u>the Te Awamutu Large Format Retail Centre Plan</u> contained in Appendix S6 Te Awamutu Large Format Retail, <u>including development which falls under one or more of the following categories:</u> i. Any development which does <u>Does not satisfy one or more of the conditions</u> standards in Rule 6.4.2.22; or ii. Any development which seeks <u>Seeks</u> a greater number of buildings than <u>shown on the Te Awamutu Large Scale Format Retail Centre Plan; or is identified on a Structure or Development Concept Plan (excluding the area shown as 'Non-Core Retail').</u> iii. <u>Includes a Department Store.</u>
6.4.2 Performance Standards	6.4.2.3.a	a. On the land in Area A of subject to the Te Awamutu Large Format Scale Retail Development Concept Centre Plan contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and <u>except that the Indicative Building Footprints shown on that plan and listed below must not exceed:</u> building structure associated with units 12—14 • <u>A4 and A5 = 8m in height shown on that plan must not exceed 8m in height and the Bulk Retail timber Merchant</u> • <u>A3 = must not exceed 12m in height.</u>
	6.4.2.14	Outside the pedestrian frontage area any retail activity in a single tenancy or ownership must be greater than 1,000m ² gross

	floor area, provided that the following are exempt from this rule: a. Trade suppliers, yard-based suppliers, building improvement centres, service stations, licensed premises, restaurant, cafes and other eating places; and b. Cambridge North Neighbourhood Centre; and c. <u>Te Awamutu Large Format Retail Centre.</u> <u>Note: Activities within the Te Awamutu Large Format Retail Centre are subject to Rule 6.4.2.22 of the District Plan.</u>
6.4.2.22	Any development in general accordance with the Te Awamutu Large Scale <u>Format Retail Development Concept Centre Plan SK1-13 prepared by Woodhams/Meikle/Zhan Architects dated 21-04-06</u> as contained in Appendix S6 and which satisfies <u>complies</u> with the following conditions <u>standards</u>: a. The aggregate gross floor area of the development in <u>Areas A and B</u> must not exceed that shown on the Development Concept <u>Te Awamutu Large Format Retail Centre Plan</u> (being 7,284m² <u>29,575m²</u>) and the aggregate gross floor area of buildings 1-12 must not exceed <u>12,174m²</u> within which the gross floor area of building one (including internal mezzanine areas) must not exceed <u>6,200m²</u> and the aggregate gross floor area of buildings 2 – 12 must not exceed <u>6,420m²</u>; and provided that: i. <u>There shall be a maximum of one (1) supermarket within the development with a maximum floor area (including internal mezzanine area) of 6,200m²;</u> ii. <u>The maximum aggregate gross floor area for other activities (excluding the supermarket and service station) within Area A shall be no more than 10,375m²;</u> iii. <u>The maximum aggregate gross floor area for activities within Area B shall be no more than 13,000m²; and</u> iv. <u>Building(s) within Area B shall be used for trade supplier/building improvement centre and associated café only.</u> b. The gross floor area to be developed for retail activities within buildings 1 – 12 must not exceed 12,000m² and within buildings 2-12 must not exceed 6,000m², provided that: <u>With regard to the activities enabled by (a) above:</u> i. No more than four (4) individual retail tenancies of within the development <u>Area A may be less than 400m² gross leaseable floor area per tenancy</u> (excluding the service station and restaurant) shall be permitted; and ii. The maximum size of any individual retail activities <u>within Area A</u> shall be 1,500m² <u>2,000m²</u> gross leaseable floor area (excluding the supermarket); and iii. There shall be a maximum of one (1) supermarket within the development; and

		iii. <u>In addition to the (4) individual retail tenancies provided in (b)(i) There there may shall be a maximum of two (2) restaurants or cafes within Area A the development, not contributing to the limit in (2); and</u> iv. <u>Activities within the threshold set by (1) (a)(ii) that fall outside those provided for in (2), (3) and (4) (b)(i), (b)(ii) and b(iv)(iii) above include automatic teller machines, external yard display space for otherwise controlled activities, health care services, child care facilities and indoor recreational activities; and In addition to the retail activities enabled by (b)(i), (b)(ii), and (b)(iii), activities including automatic teller machines, external yard display space for otherwise controlled activities, health care services, child care facilities and indoor recreational activities can be established subject to the maximum aggregate gross floor area in (a)(ii) not being exceeded; and</u> v. <u>No building shall be located closer to the external legal boundaries of the land over and above that shown on the concept plan Te Awamutu Large Format Retail Centre Plan; and</u> vi. <u>Compliance with the permitted activity development control performance standards set for the Commercial Zone, excluding:</u> • <u>Rule 6.4.2.6 – Site Layout;</u> • <u>Rule 6.4.27 – Design and layout of development adjoining water bodies and reserves</u> c. <u>The first land use consent application for development of Area B under Rule 6.4.1.2.a is accompanied by:</u> i. <u>An Ecological Management Plan for Area B which implements the recommendations of the Te Awamutu Large Format Retail Centre Ecological Impact Assessment, dated 24 September 2025, prepared by Ecology New Zealand Limited, and forming part of PC35, as they relate to:</u> • <u>Restoration plan of wetland and 100-year flood risk zone;</u> • <u>Protection of nesting birds; and</u> • <u>Bat management protocols</u> i. <u>A landscaping plan for the landscaping buffer and restoration and enhancement planting area as shown on the Te Awamutu Large Scale Format Retail Centre Plan. Planting consists of an appropriate mixture of trees, shrubs and/or ground cover plants.</u> ii. <u>A design for the stormwater management system to serve Area B in the location shown on the Te Awamutu Large Format Retail Centre Plan. The stormwater management system required by this standard is designed to ensure that the development does not increase peak discharge rates above the corresponding pre-development rates from Area B for the relevant design events.</u>
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		d. <u>The first land use consent application for development in Area B under Rule 6.4.1.2.a is accompanied by traffic engineering plans and assessment illustrating how the transport upgrades listed below are proposed to be provided:</u> i. <u>A shared walking/cycling path along the southern side of Cambridge Road outside Area A including a shared walking/cycling facility across Access 2 and along the eastern side of Access 1;</u> ii. <u>Pedestrian facilities across Access 1 to provide a connection between Area A and Area B; and</u> iii. <u>Upgrading of the intersection of Cambridge Road and Access 1 to include:</u> • <u>Traffic signals; and</u> • <u>A dedicated left turn lane for westbound traffic on Cambridge Road; and</u> • <u>Accommodation of tracking curves for a 19m semi-trailer truck without crossing traffic lanes occupied by other vehicles; and</u> • <u>Provision of pedestrian crossing facilities across Cambridge Road; and</u> • <u>Vesting of land as road or the granting/reserving of easements in gross (as agreed by Waipā District Council) if the required intersection upgrades cannot be accommodated within existing road reserve. The acquisition of land for vesting (if any) or the creation of easements is the responsibility of the Applicant by way of agreement with relevant landowner(s) and will not be directly undertaken or facilitated by Waipā District Council. Evidence of such agreement shall be provided. Where evidence of agreement is not provided, the standard will not be met, and non-complying activity status will apply.</u> iv. <u>Vehicle access points to Area B and the separation of them from existing entranceways serving Area A.</u> e. <u>Development within Area B must not increase flood levels beyond the boundaries of Area B within the wider Mangaohoi Stream floodplain or increase flows downstream of Area B to such an extent that:</u> i. <u>there is more than a 2mm increase in flood levels across the wider floodplain; or</u> ii. <u>there is more than 15mm of localised afflux; or</u> iii. <u>that there are new areas of localised flooding affecting private properties, excluding the application site and Access 1.</u>
	6.4.2.23	For avoidance of any doubt, a development will be considered to be in general accordance with the Development Concept Plan <u>Te Awamutu Large Format Retail Centre Plan</u>, provided the amended development satisfies the conditions <u>standards</u> in <u>Rule 6.4.2.22</u> and notwithstanding changes to the number of tenancies proposed or minor changes: a. To the layout of any particular building; or b. To the location of buildings (provided the change does not decrease the shortest distance between the building and

		external boundaries of the development site as indicated on the Development Concept Plan <u>Te Awamutu Large Format Retail Centre Plan</u>); or e To on-site vehicle circulation, precise car parking and loading locations/dimensions or to the western accessway involving the use of the existing right of way shown on the Development Concept Plan
	6.4.2.28	The following signs are permitted: a. <u>Except for signs within the Te Awamutu Large Format Retail Centre Plan (contained in Appendix S6), as provided for under Rule 6.4.2.28(f), A a sign giving information such as the name or street number of premises, the business, names of people occupying premises, and hours of operation; but containing no reference to particular products. No such sign shall exceed 3m² and the total area of permanent signs on one site must not exceed 5m².</u> b. ... c. ... d. ... e. ... f. <u>Within the Te Awamutu Large Format Retail Centre,</u> i. <u>A maximum of three (3) plinth signs, having a minimum of one metre setback from the road boundary. The plinth signs shall not exceed 6 metres in height and 2 metres in width.</u> ii. <u>Wall mounted signs shall not cover more than 20% of any façade of the particular tenancy.</u> iii. <u>All signs must only display information associated with the tenancy such as the name or street number of premises, the business, names of people occupying premises, and hours of operation, and goods/services provided on site.</u>

Section 15 – Infrastructure, Hazards, Development and Subdivision

District Plan Provision		Recommended Changes – agreed at hearing by all parties
15.4 Rules	15.4.2.14	Subdivision and development within or adjoining a Flood Hazard Area identified on the Planning Maps, or as shown on the Houchens Road Large Lot Residential Structure Plan at Appendix S13, <u>or shown as the 1% AEP flood level in the Te Awamutu Large Format Retail Centre Plan (For Area B only)</u> shall have building platforms in a complying location that can achieve a minimum free-board level 500mm above the 1% AEP (100 year flood level).
	15.4.2.69.e	e. Te Awamutu Large Format Retail Site <u>Centre</u> Plan Appendix S6

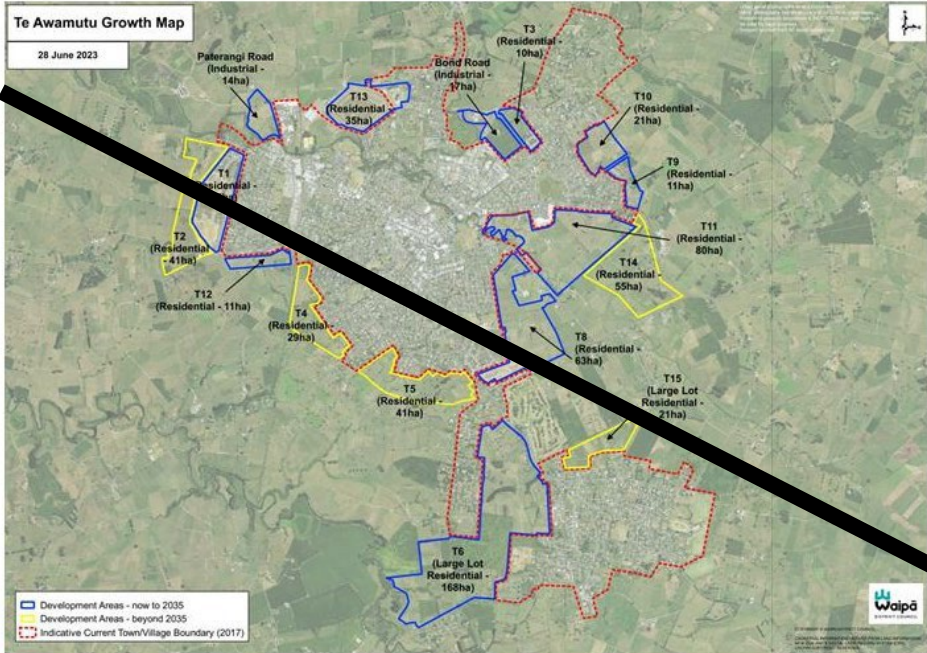
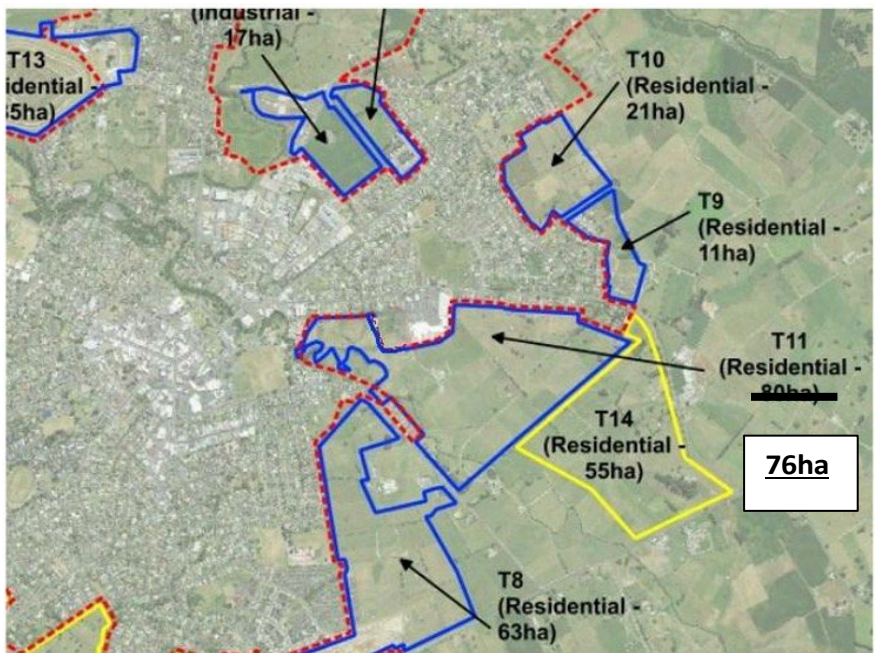
Section 21 – Assessment Criteria and Information Requirements

District Plan Provision		Recommended Changes – agreed at hearing by all parties	
21.1.6 Commercial Zone	21.1.6.1	Any development in general accordance with the <u>Te Awamutu Large Format Scale Retail Centre Plan Development Concept Plan SK1-13 prepared by Woodhams / Meikle / Zhan Architects dated 21-04-06 as contained in Appendix S6, and which satisfies the Rule 6.4.2.22. conditions included in the approved application.</u>	a. Whether the traffic safety and road improvement works are in accordance with the Traffic Impact Assessment submitted with the application documents for Plan Change 53 to the Operative District Plan, dated 1997. b. Whether noise is addressed in accordance with the conditions in the approved application. c. Whether glare and lighting is addressed in accordance with the conditions in the approved application. d. Whether landscaping is provided in accordance with the conditions in the approved application. e. Whether car parking (excluding conditions of the number of parking spaces for cars), loading and vehicle manoeuvring is provided in accordance with the conditions in the approved application. f. Whether signs are provided in accordance with the conditions in the approved application. g. Whether stormwater is managed in accordance with the Stormwater Assessment submitted with the application documents for Plan Change 53 to the

			Operative Waipa District Plan 1997. h. Whether soil remediation and mitigation is in accordance with the Statement of Evidence of Kevin Wood, dated November 2006 and to the satisfaction of the Principal Administrative Officers (or their delegate) of both the Waikato Regional Council and the Waipa District Council. i. Whether the colour, location, design and siting of buildings in accordance with the Visual Impact Report prepared by Connell Wagner and the Development Concept Plan. <u>a. The extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate transport network and Access 1.</u> <u>b. The extent to which proposed and existing landscaping contributes to ecological enhancement in Area B, the amenity of the Site and manages effects on the amenity of adjoining residential zoned sites.</u> <u>c. The ability to provide adequate on-site loading, and manoeuvring for vehicles to avoid traffic conflict, maintain public safety and visual amenity of the streetscape.</u> <u>d. The manner in which the integrated stormwater approach addresses the adverse effects of the stormwater runoff and discharge on the receiving environment.</u>
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			<u>having regard to best practicable options.</u> <u>e. The extent to which the location and scale of buildings addresses the amenity of public streets and the residential zone.</u> <u>f. The extent to which effects on ecological values within Area B are managed through landscaping, wetland restoration, protection of nesting birds and bat management protocols.</u> <u>g. Flood mitigation measures to manage the adverse effect of flooding and flood hazard risks beyond the boundaries of Area B on the Te Awamutu Large Format Retail Centre Plan.</u>
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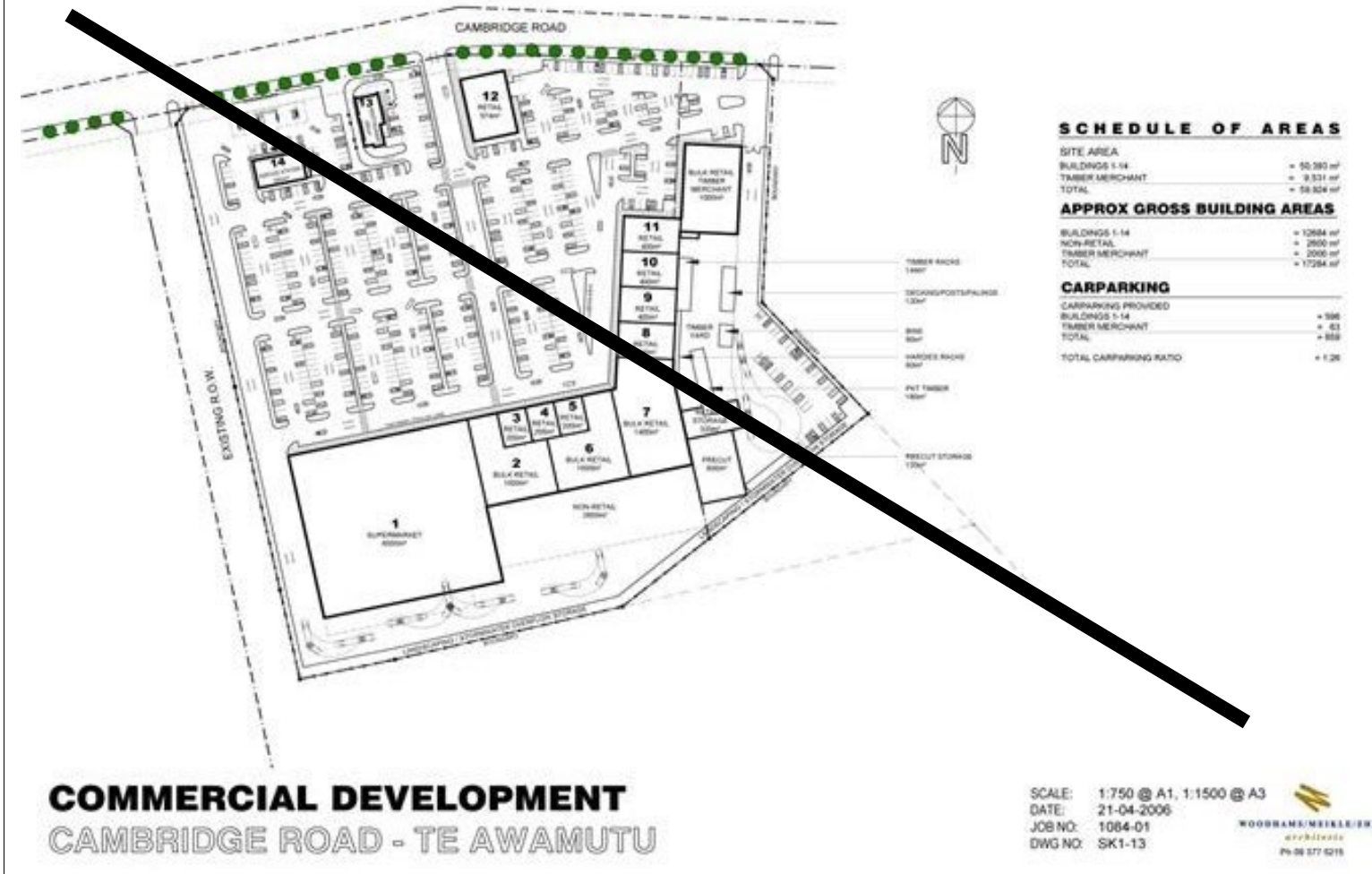
Appendix S1 – Plan

Appendix S1	Recommended Changes – agreed at hearing by all parties
WDC Te Awamutu Growth Map – modification of the extent of T11	
 Te Awamutu Growth Map 28 June 2023 Development Areas - now to 2035 Development Areas - beyond 2035 Indicative Current Town/Village Boundary (2017) Labels on map: Palerangi Road (Industrial - 14ha) T13 (Residential - 35ha) T3 (Residential - 10ha) T10 (Residential - 21ha) T9 (Residential - 11ha) T11 (Residential - 80ha) T14 (Residential - 55ha) T8 (Residential - 63ha) T15 (Large Lot Residential - 21ha) T6 (Large Lot Residential - 168ha) T5 (Residential - 41ha) T4 (Residential - 29ha) T12 (Residential - 11ha) T2 (Residential - 41ha) T1 (Residential - 41ha)	 Labels on map: (Industrial - 17ha) T13 (Residential - 5ha) T10 (Residential - 21ha) T9 (Residential - 11ha) T11 (Residential - 80ha) T14 (Residential - 55ha) T8 (Residential - 63ha) 76ha

PC35 Te Awamutu Residential Growth Cell – anticipated now to 2035 table		
Growth Cell	Land Area	Overview and Capacity
T11	80ha 76ha	- This growth cell has been identified as a residential growth cell. Development shall be undertaken in accordance with the relevant structure plan contained within this District Plan. - The growth cell has a dwelling capacity of approximately 432 382 dwellings and represents an opportunity for housing in proximity to a commercial node which provides necessary social infrastructure shopping/medical etc.

Appendix S6 - Te Awamutu Large Format Retail Centre - Recommended Changes – agreed at hearing by all parties

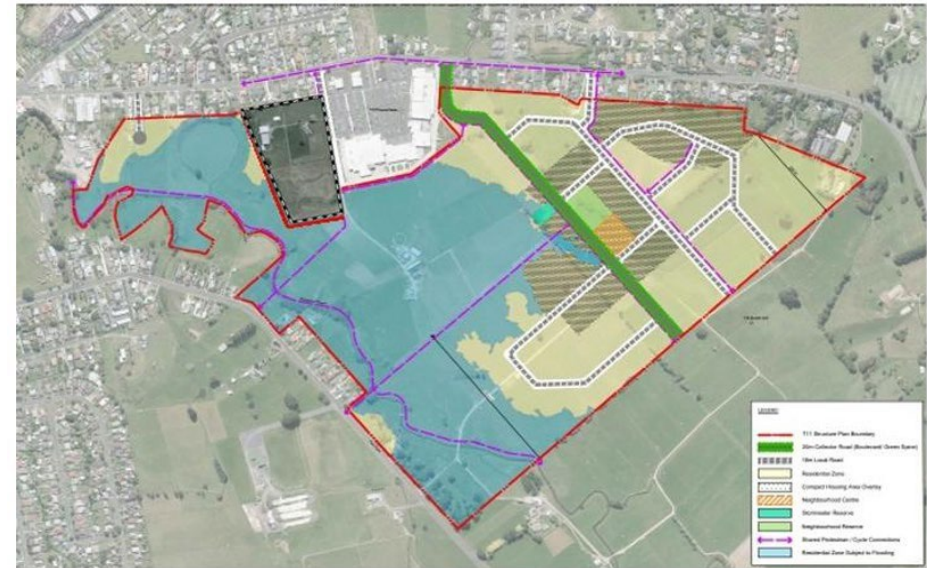
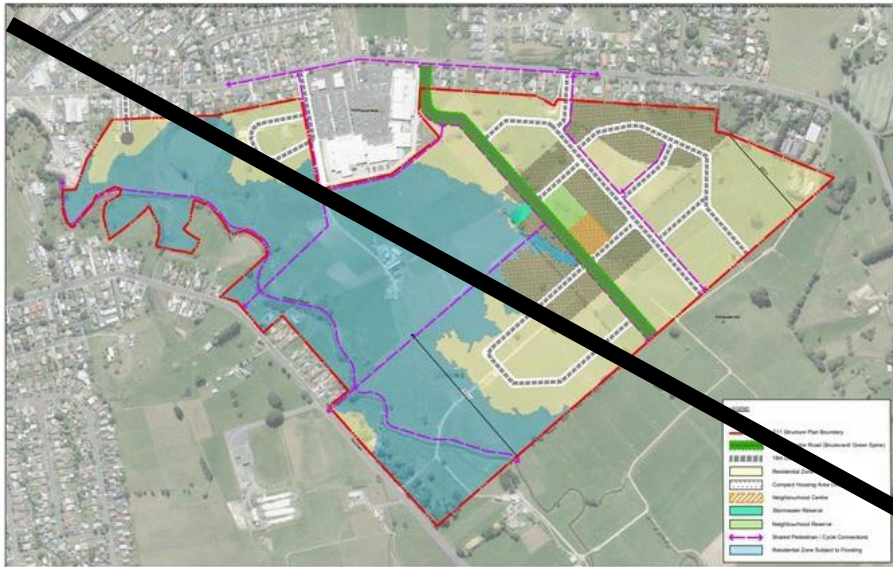
Appendix S6 – Te Awamutu Large Format Retail Site Centre Plan





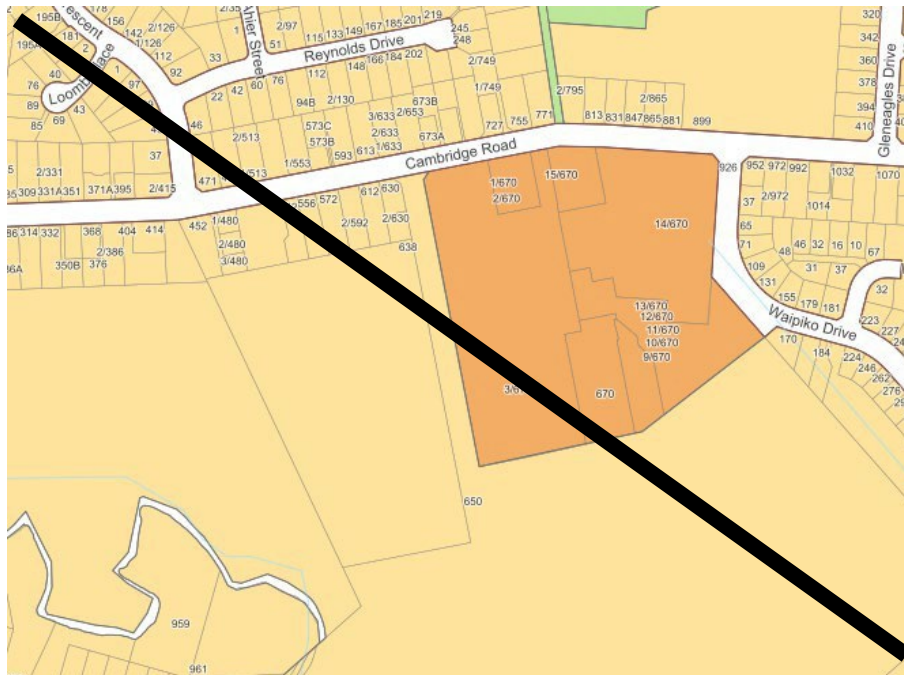
Appendix S25 - Te Awamutu T11 Growth Cell Structure Plan - Recommended Changes – agreed at hearing by all parties

Appendix S.25.1 Te Awamutu T11 Growth Cell Structure Plan

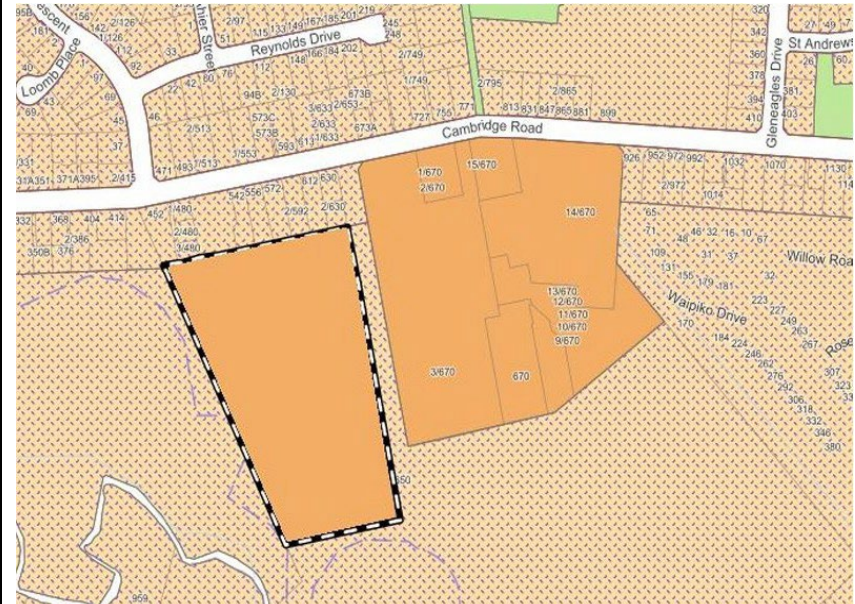
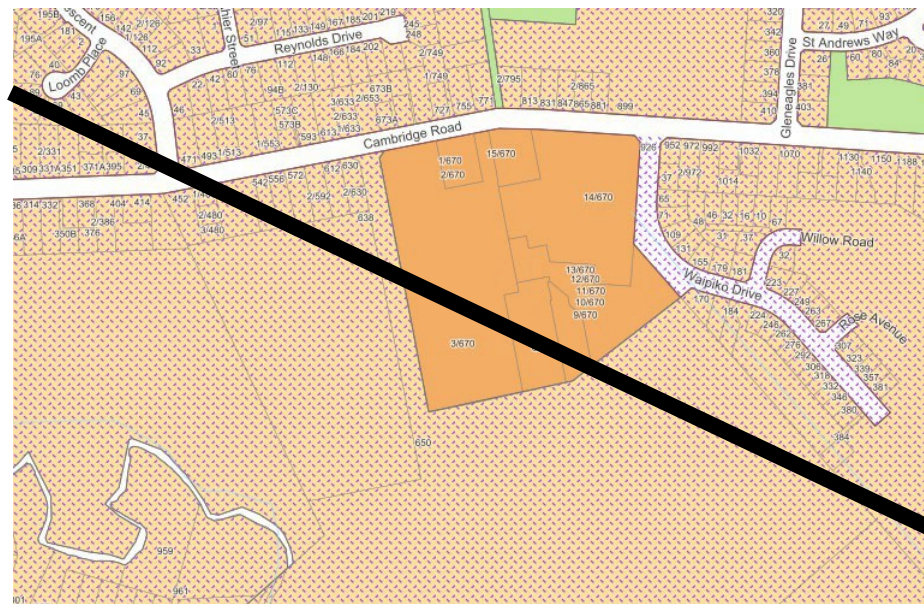


Waipa District Plan Planning Maps - Recommended Changes – agreed at hearing by all parties

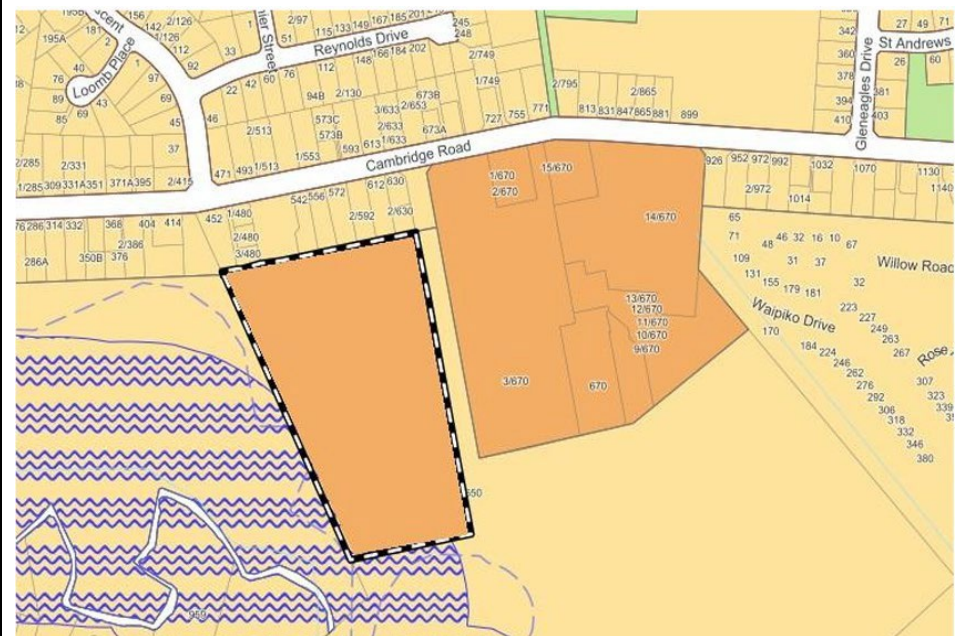
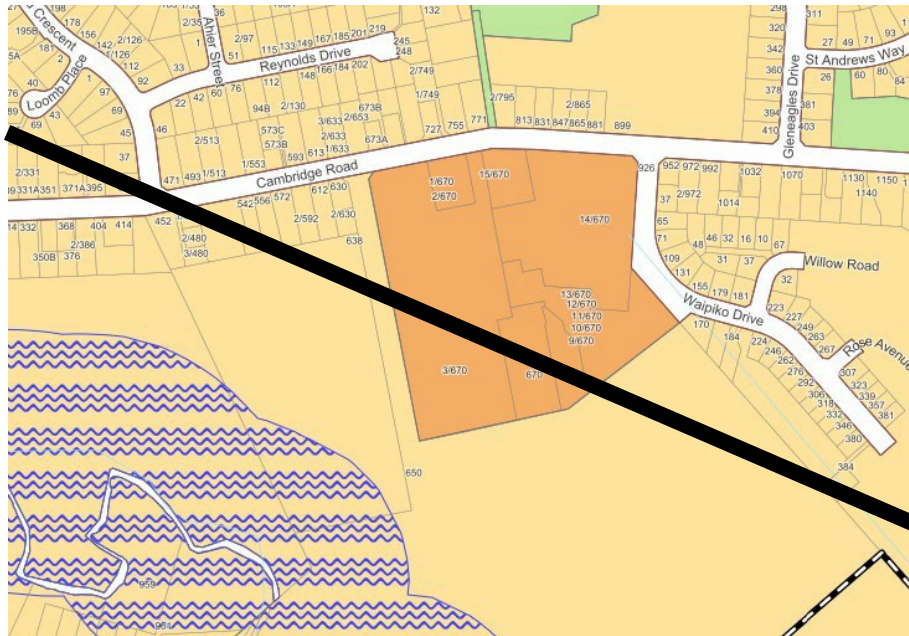
Zoning Map - Waipa District Plan



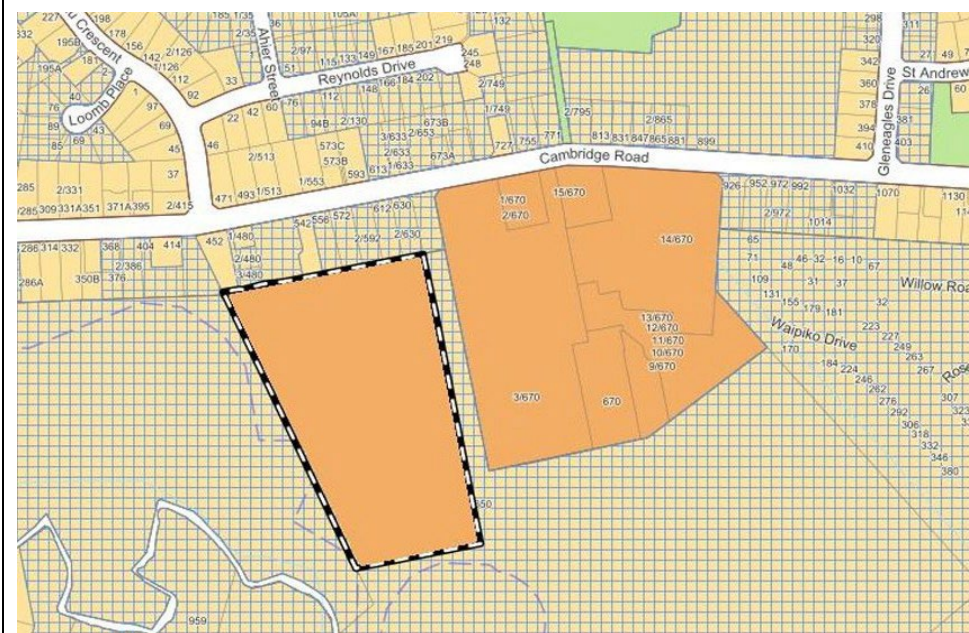
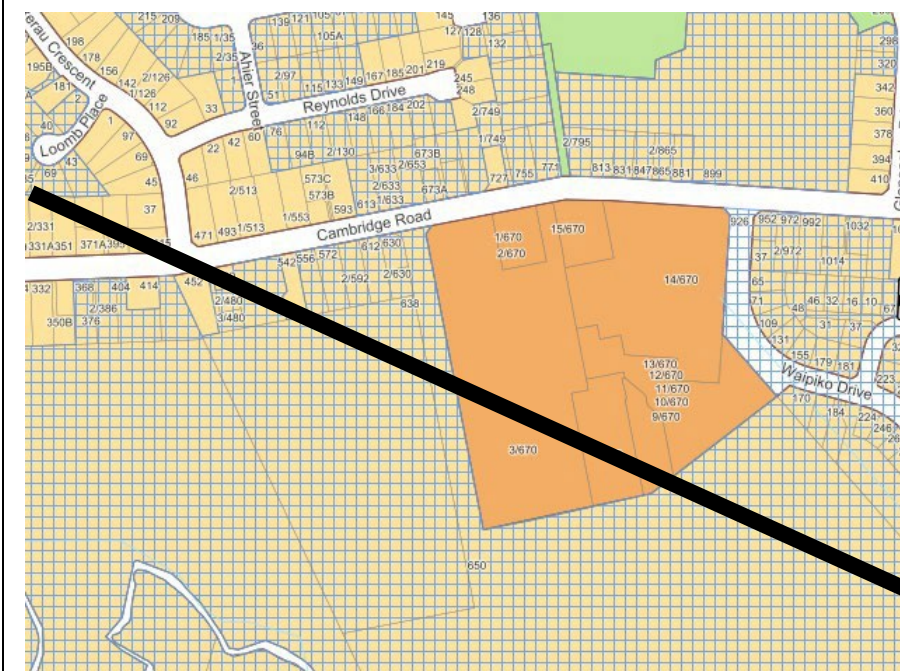
Infrastructure Constrain Qualifying Matter Overlay



River-Gully Proximity Overlay



Stormwater Constraints Qualifying Matter Overlay



T11 Growth Cell Structure Plan extent

