

**BEFORE AN INDEPENDENT HEARING COMMISSIONER
APPOINTED BY THE WAIPĀ DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991 (the **Act**)

AND

IN THE MATTER of a request by 638 Limited for Private Plan Change 35: Te Awamutu Large Format Retail Centre to the Waipā District Plan (**PPC 35**)

JOINT MEMORANDUM CONCERNING AGREED PROVISIONS

Dated: 14 August 2026

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BROOKFIELDS
LAWYERS

Introduction

1. During the PPC 35 hearing on 11 August 2026, 638 Limited, Foodstuffs North Island Limited and Waipā District Council reached full agreement on a set of proposed amendments to PPC 35.
2. Independent Commissioner Mitchell directed at the conclusion of the hearing that the parties lodge a joint memorandum by 14 August 2026 confirming the agreed amendments and providing a clean version of PPC 35 for consideration.
3. Further to those directions, this Joint Memorandum:
 - (a) confirms the PPC 35 provisions as agreed between 638 Limited, Foodstuffs North Island Limited and Waipā District Council during the hearing on 11 August 2026; and
 - (b) attaches, for the Commissioner's consideration, both:
 - (i) the parties' agreed proposed amendments to PPC 35 (**Attachment A**), in which the further changes agreed by the parties during the hearing are shaded green; and
 - (ii) a clean version of the agreed PPC 35 provisions (**Attachment B**).
4. A brief overview of the key changes agreed during the hearing, and reflected in the attachments, is provided below.

Overview of Agreed Changes to PPC 35 Provisions

5. The key drafting changes agreed between the parties on 11 August are as follows:
 - (a) amendments to Rule 6.4.2.22.a(iv) to clarify that the listed non-retail activities are enabled in addition to the retail activities provided for in subclauses (b)(i)–(iii), subject to the overall aggregate gross floor area limit in (a)(ii);
 - (b) editorial amendments to Rules 6.4.2.22.c and 6.4.2.22.d to use “is” rather than “shall” or “must”, in the context of the rules;
 - (c) amendments to Rule 6.4.2.22.c(iii), bullet point 5, requiring evidence of agreement with the relevant landowner(s) to be provided, and clarifying

that if that evidence cannot be provided, the activity status becomes non-complying (rather than controlled);

- (d) amendments to Rule 6.4.2.22.e to incorporate the defined hydrological parameters in the rule itself; and
- (e) an editorial amendment to Rule 21.1.6.1(b) relating to “amenity of the Site”, noting that the Waipā District Plan definition of “Site” appropriately identifies the area within which amenity is to be considered.

- 6. The parties confirm that all drafting matters relating to PPC 35 have been resolved.
- 7. This memorandum is filed jointly as a record of the agreement reached at hearing.
- 8. The parties respectfully request that the Commissioner adopt the agreed provisions for PPC 35.

Dated 14 August 2026



Matt Allan
Counsel for 638 Limited



Daniel Sadler
Counsel for Foodstuffs North Island Limited



Alice Morris
For Waipā District Council

ATTACHMENT A: AGREED AMENDMENTS TO PPC 35 PROVISIONS

NB: The further changes agreed during the hearing are shaded green.

Joint Memorandum Attachment A: Amendments to Proposed Private Plan Change 35 – Te Awamutu Large Format Retail Centre

14 August 2026 – TRACK CHANGED VERSION

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

Note: the further changes agreed during the hearing are shaded green.

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</u> complies with the conditions included in the approved application standards in Rule 6.4.2.22. Matters over which Council reserves its control are: • 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) <u>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> • Noise; and • Glare and lighting; and • <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. Location of the buildings with reference to the Te Awamutu Large Format Retail Centre Plan; and • <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 standards in Rule 6.4.2.22; or</u> ii. Any development which seeks <u>Seeks a greater number of buildings than 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 <u>Format Scale Retail Development Concept Centre Plan</u> contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and except that the Indicative Building Footprints shown on that plan and listed below must not exceed: 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. Te Awamutu Large Format Retail Centre. <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 Format Retail Development Concept Centre Plan SK1-13 prepared by Woodhams/Meikle/Zhan Architects dated 21-04-06 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 Areas A and B must not exceed that shown on the Development Concept Te Awamutu Large Format Retail Centre Plan (being 7,284m² <u>29,575m²</u>) and the aggregate gross floor area of buildings 1-12 must not exceed 12,174m² within which the gross floor area of building one (including internal mezzanine areas) must not exceed 6,200m² and the aggregate gross floor area of buildings 2 - 12 must not exceed 6,420m²; and provided that: i. There shall be a maximum of one (1) supermarket within the development with a maximum floor area (including internal mezzanine area) of 6,200m²; 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: With regard to the activities enabled by (a) above: i. No more than four (4) individual retail tenancies of within the development Area A may be less than 400m² gross leaseable floor area per tenancy (excluding the service station and restaurant) shall be permitted; and ii. The maximum size of any individual retail activities <u>within Area A shall be 1,500m² 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. 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 iv. 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 v. 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 vi. Compliance with the permitted activity development control performance standards set for the Commercial Zone, excluding: • Rule 6.4.2.6 – Site Layout; • Rule 6.4.27 – Design and layout of development adjoining water bodies and reserves c. The first land use consent application for development of Area B under Rule 6.4.1.2.a must be is accompanied by: i. 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: • Restoration plan of wetland and 100-year flood risk zone; • Protection of nesting birds; and • Bat management protocols i. 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 shall consists of an appropriate mixture of trees, shrubs and/or ground cover plants. ii. 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 shall be 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.
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		d. The first land use consent application for development in Area B under Rule 6.4.1.2.a must be is accompanied by traffic engineering plans and assessment illustrating how the transport upgrades listed below are proposed to be provided: i. 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; ii. Pedestrian facilities across Access 1 to provide a connection between Area A and Area B; and iii. Upgrading of the intersection of Cambridge Road and Access 1 to include: • Traffic signals; and • A dedicated left turn lane for westbound traffic on Cambridge Road; and • Accommodation of tracking curves for a 19m semi-trailer truck without crossing traffic lanes occupied by other vehicles; and • Provision of pedestrian crossing facilities across Cambridge Road; and • 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. iv. Vehicle access points to Area B and the separation of them from existing entranceways serving Area A. e. No development on within Area B shall materially increase result in flood levels beyond the boundaries of Area B within the wider across the broader flood plain for the Mangaohoi Stream floodplain or materially increase or result in a material increase in flows downstream of Area B. 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: i. there is more than a 2mm increase in flood levels across the wider floodplain; or ii. there is more than 15mm of localised afflux; or iii. that there are new areas of localised flooding affecting private properties, excluding the application site and Access 1. Advice Note:
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		1. The acquisition of land for vesting (if any) or the creation of easements is the responsibility of the Applicant (for any resource consent to which Rule 6.4.2.22.d.(iii) bullet point 5 applies) by way of agreement with relevant landowner(s) and will not (unless deemed necessary) be directly undertaken or facilitated by Waipā District Council. [Council wording] 2. For the purpose of Rule 6.4.2.22.e, any activity that results in less than 2mm increase in flood levels across the wider floodplain and no more than 15mm of localised afflux, and/or creates no more than localised areas of flooding that do not affect private property, will be deemed as not material. Access 1.
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 c. 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. 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 <u>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>
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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 Centre Plan Appendix S6

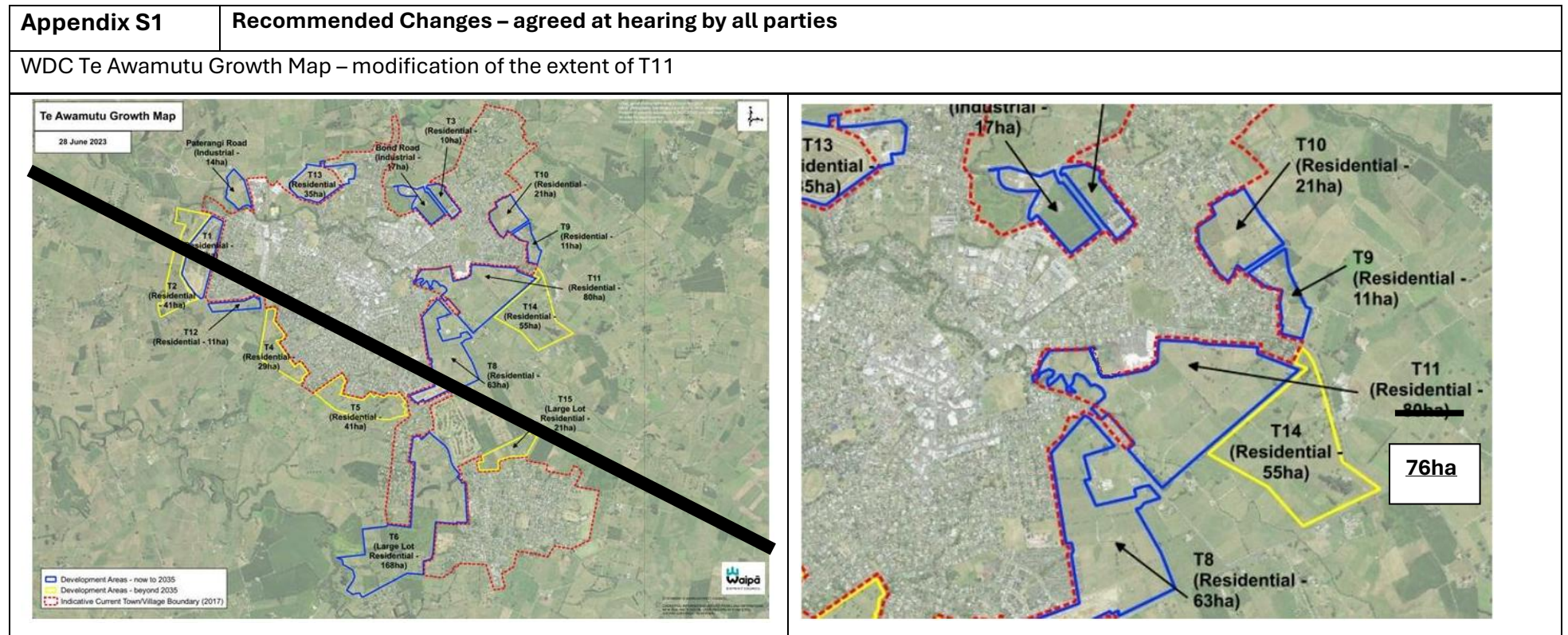
Section 21 – Assessment Criteria and Information Requirements

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 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 <u>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. a. <u>The extent to which the activity avoids or mitigates adverse effects on the safe and efficient operation of the immediate</u>
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			transport network and Access 1. b. <u>The extent to which proposed and existing landscaping contributes to ecological enhancement in Area B, the amenity of the site Site and manages effects on the amenity of adjoining residential zoned sites.</u> c. <u>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> d. <u>The manner in which the integrated stormwater approach addresses the adverse effects of the stormwater runoff and discharge on the receiving environment, having regard to best practicable options.</u> e. <u>The extent to which the location and scale of buildings addresses the amenity of public streets and the residential zone.</u> f. <u>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> g. <u>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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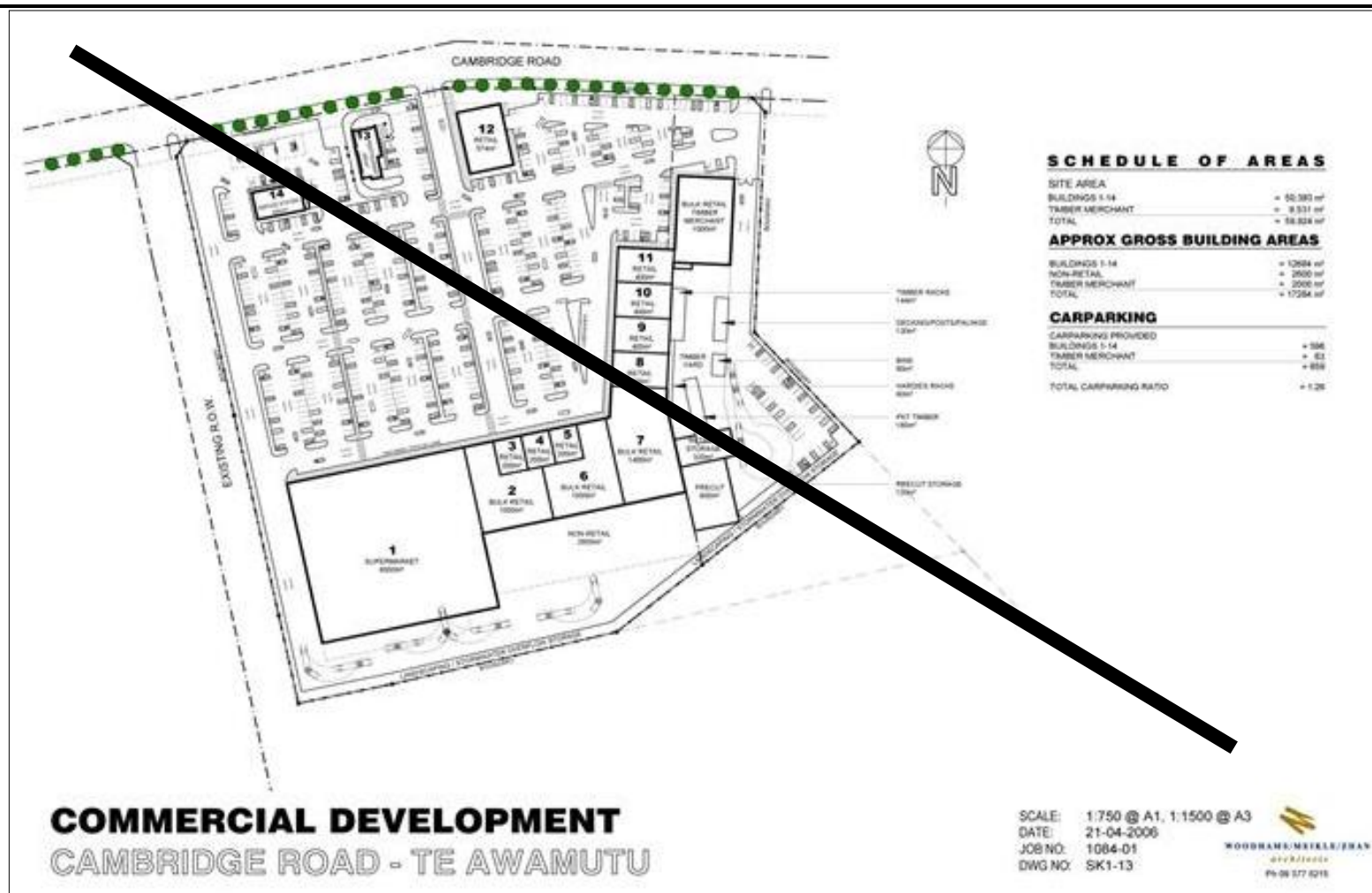
Appendix S1 –Plan



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

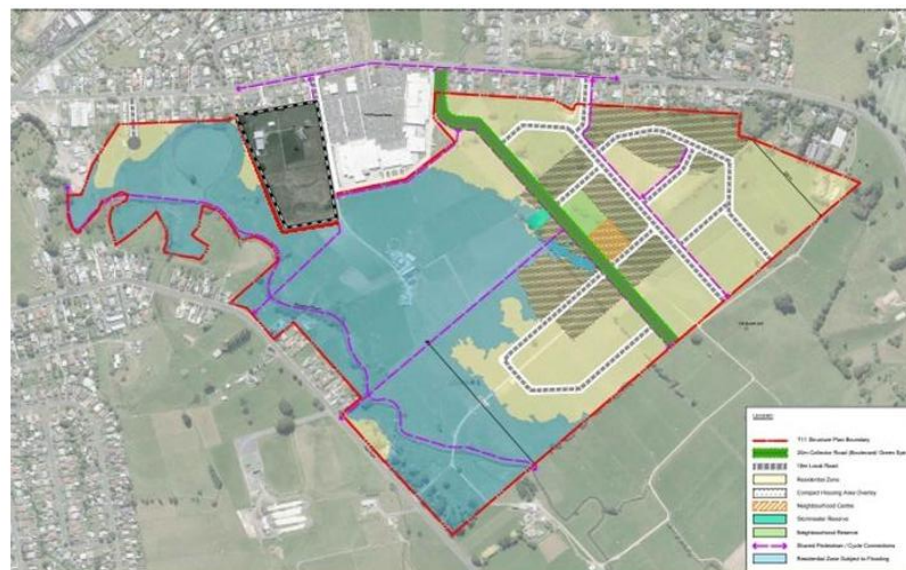
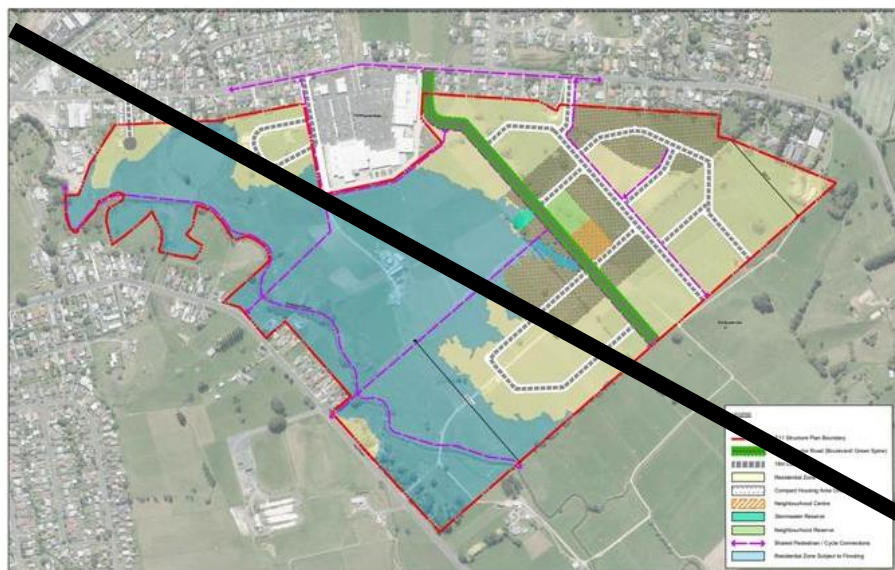
Appendix S6 – Te Awamutu Large Format Retail Site Centre Plan





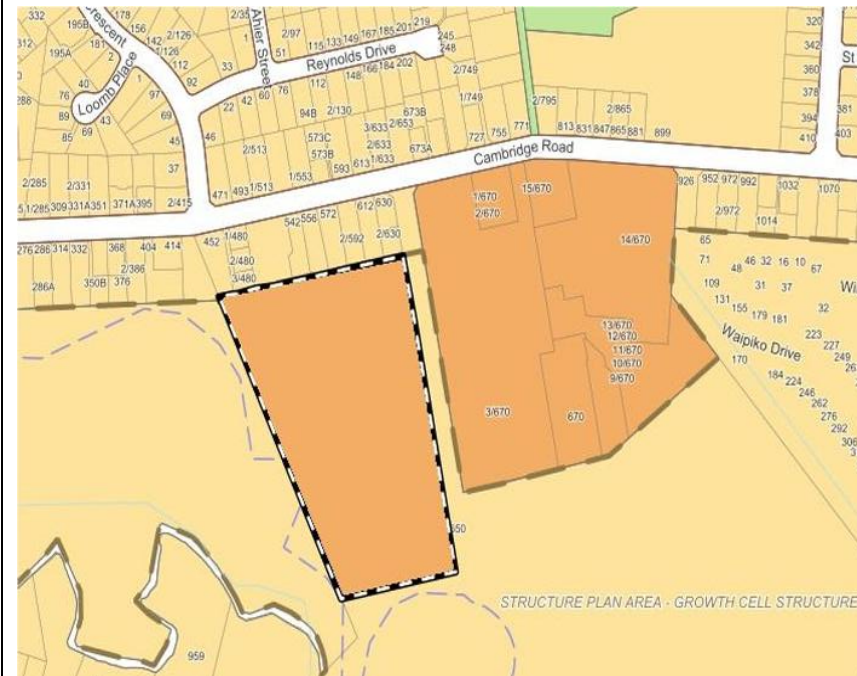
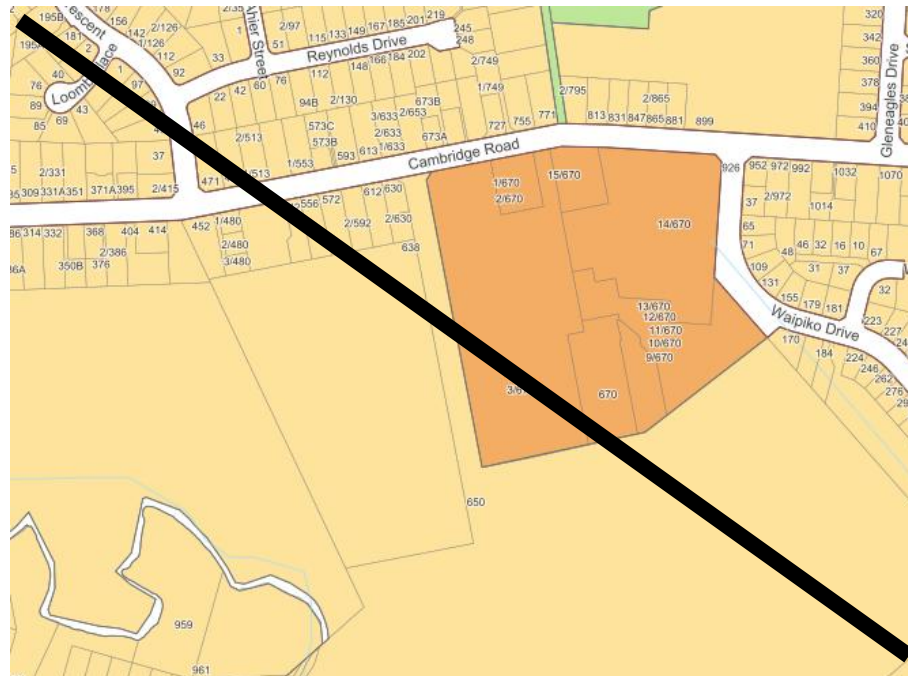
Appendix S25 - Te Awamutu T11 Growth Cell Structure Plan - Recommended Changes – agreed at hearing by all parties

Appendix S.25.1 Te Awamutu T11 Growth Cell Structure Plan

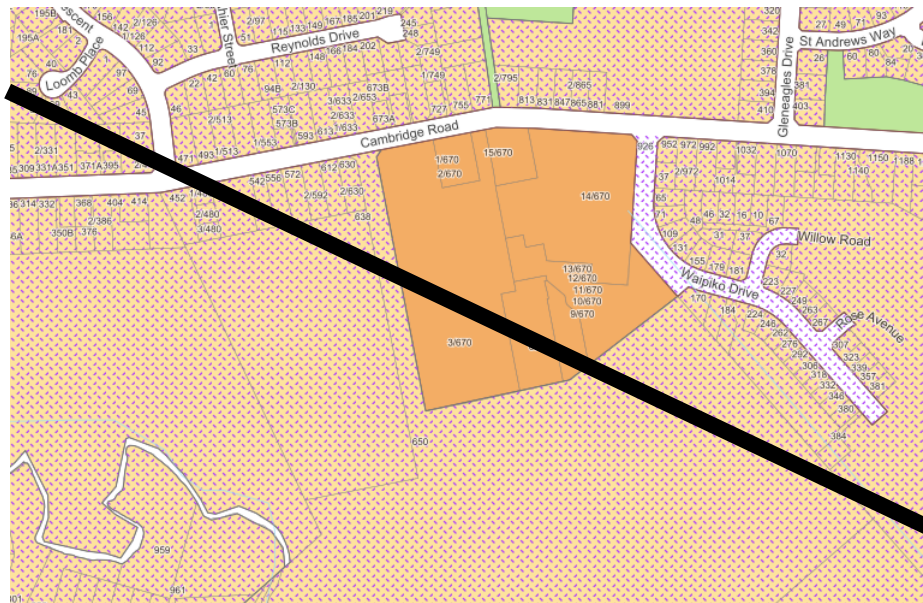


Waipa District Plan Planning Maps - Recommended Changes – agreed at hearing by all parties

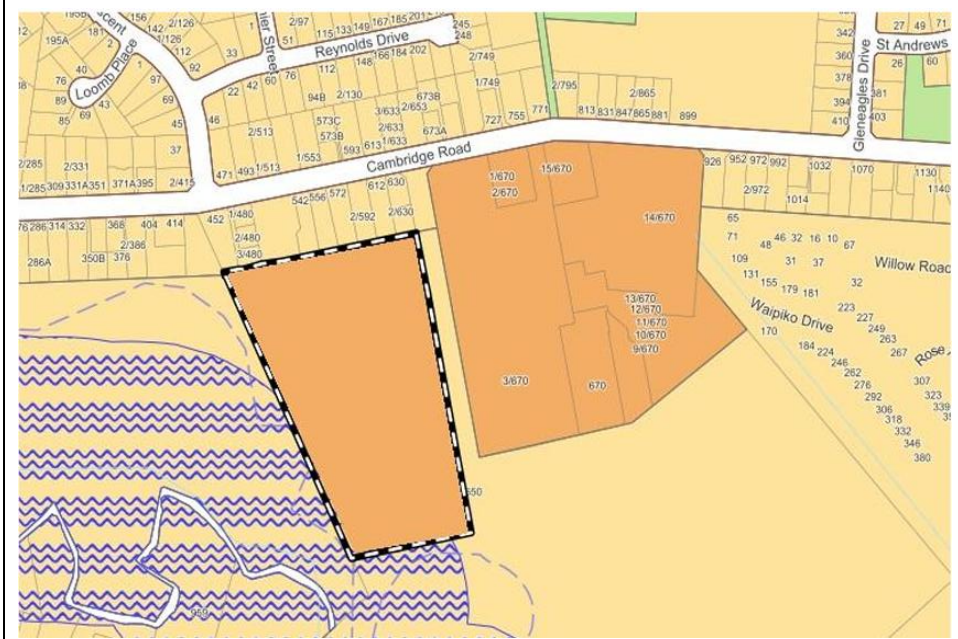
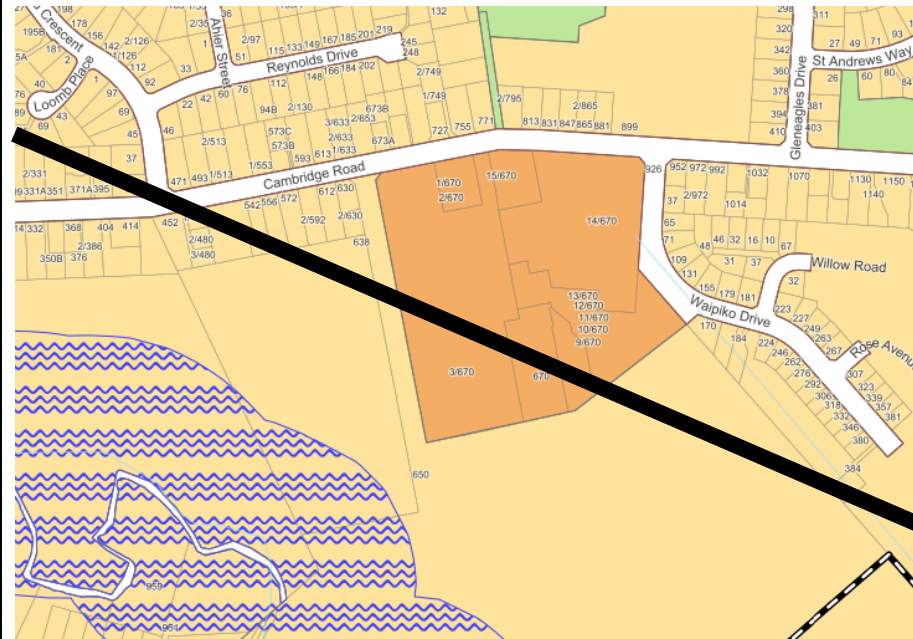
Zoning Map - Waipa District Plan



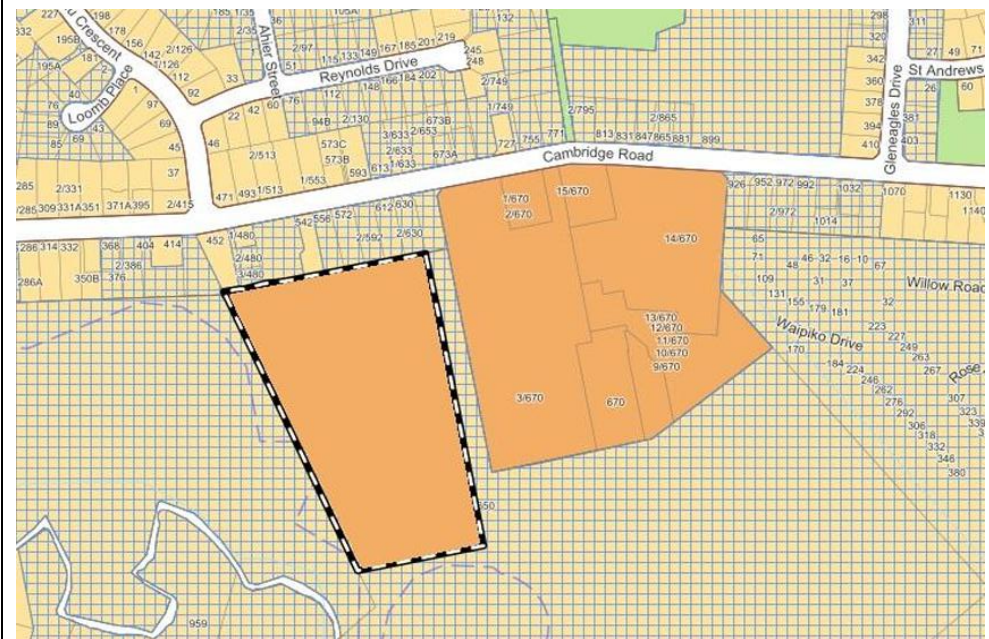
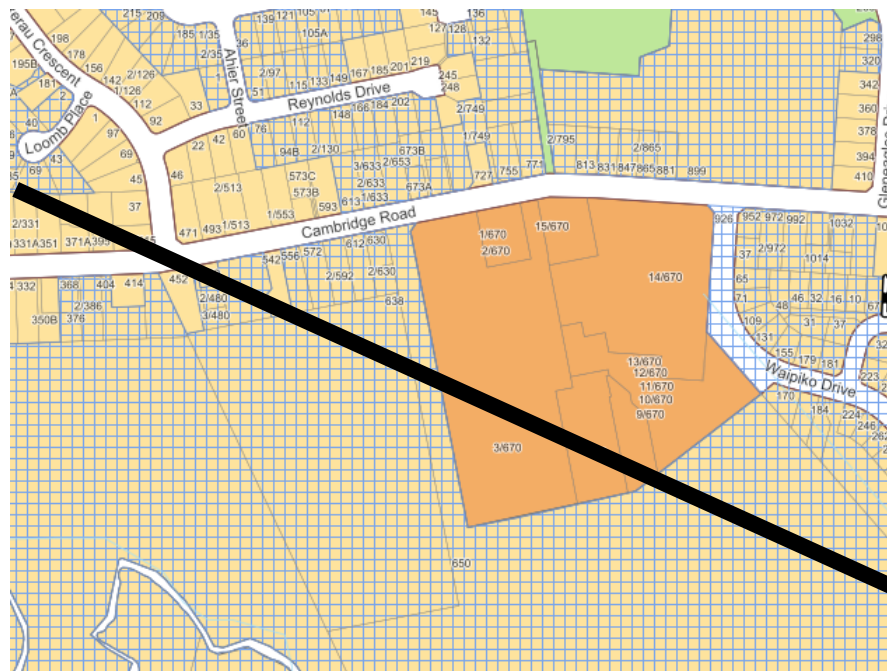
Infrastructure Constrain Qualifying Matter Overlay



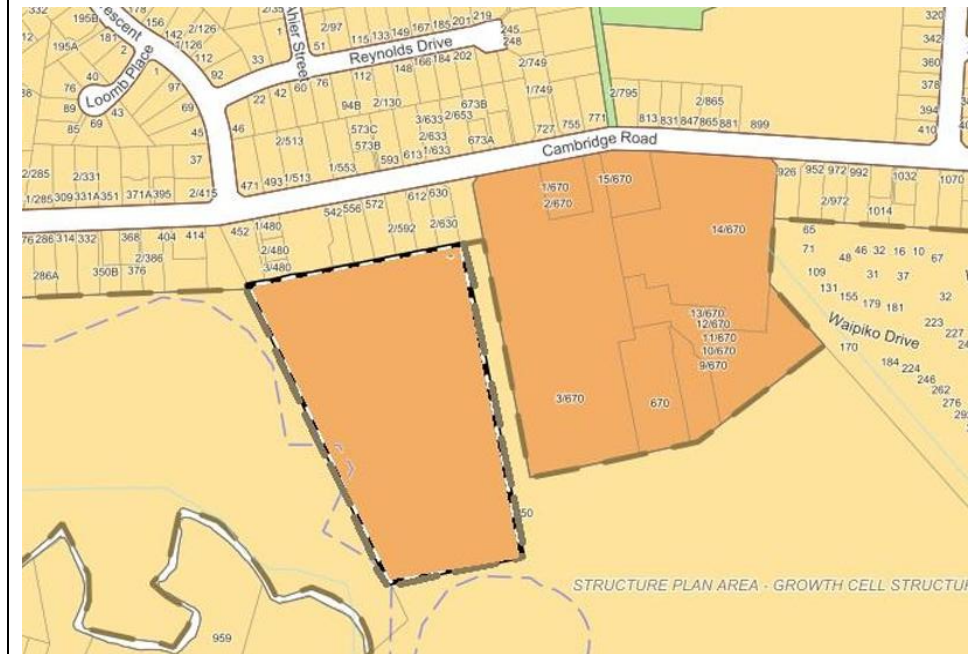
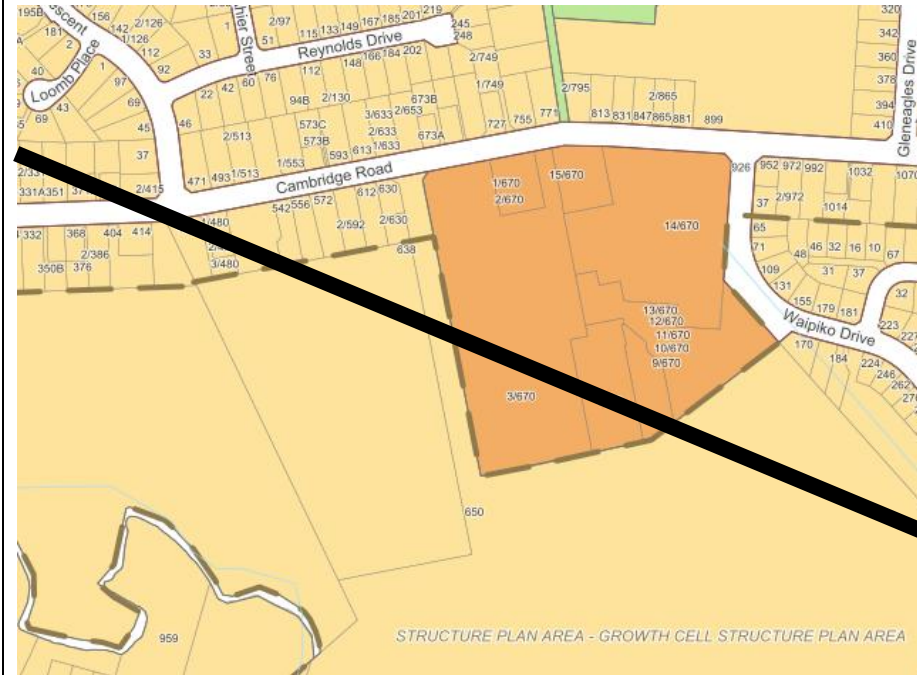
River-Gully Proximity Overlay



Stormwater Constraints Qualifying Matter Overlay



T11 Growth Cell Structure Plan extent



**ATTACHMENT B: AGREED PPC 35 PROVISIONS (CLEAN
VERSION)**

Joint Memorandum Attachment B: Amendments to Proposed Private Plan Change 35 – Te Awamutu Large Format Retail Centre

14 August 2026 – CLEAN TRACK CHANGED VERSION

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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</u> complies with the conditions included in the approved application standards in Rule 6.4.2.22. Matters over which Council reserves its control are: • 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) <u>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> • Noise; and • Glare and lighting; and • <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. Location of the buildings with reference to the Te Awamutu Large Format Retail Centre Plan; and • <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> Any development which does <u>Does not satisfy one or more of the conditions</u> standards in Rule 6.4.2.22; or 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> <u>Includes a Department Store.</u>
6.4.2 Performance Standards	6.4.2.3.a	a. On the land in Area A of <u>subject to the Te Awamutu Large Format Scale Retail Development Concept Centre Plan</u> contained in Appendix S6, no building or other structure shall penetrate a height plane of 15m and except that the Indicative Building Footprints shown on that plan and listed below must not exceed: 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. Te Awamutu Large Format Retail Centre. <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 Format Retail Development Concept Centre Plan SK1-13 prepared by Woodhams/Meikle/Zhan Architects dated 21-04-06 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 Areas A and B must not exceed that shown on the Development Concept Te Awamutu Large Format Retail Centre Plan (being 7,284m² <u>29,575m²</u>) and the aggregate gross floor area of buildings 1-12 must not exceed 12,174m² within which the gross floor area of building one (including internal mezzanine areas) must not exceed 6,200m² and the aggregate gross floor area of buildings 2-12 must not exceed 6,420m²; and provided that: i. There shall be a maximum of one (1) supermarket within the development with a maximum floor area (including internal mezzanine area) of 6,200m²; 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: With regard to the activities enabled by (a) above: i. No more than four (4) individual retail tenancies of within the development Area A may be less than 400m² gross leaseable floor area per tenancy (excluding the service station and restaurant) shall be permitted; and ii. The maximum size of any individual retail activities <u>within Area A shall be 1,500m² 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)(iii) that fall outside those provided for in (2), (3) and (4) (b)(i), (b)(iii) 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 c 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. 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 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 3m ² and the total area of permanent signs on one site must not exceed 5m ² . 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

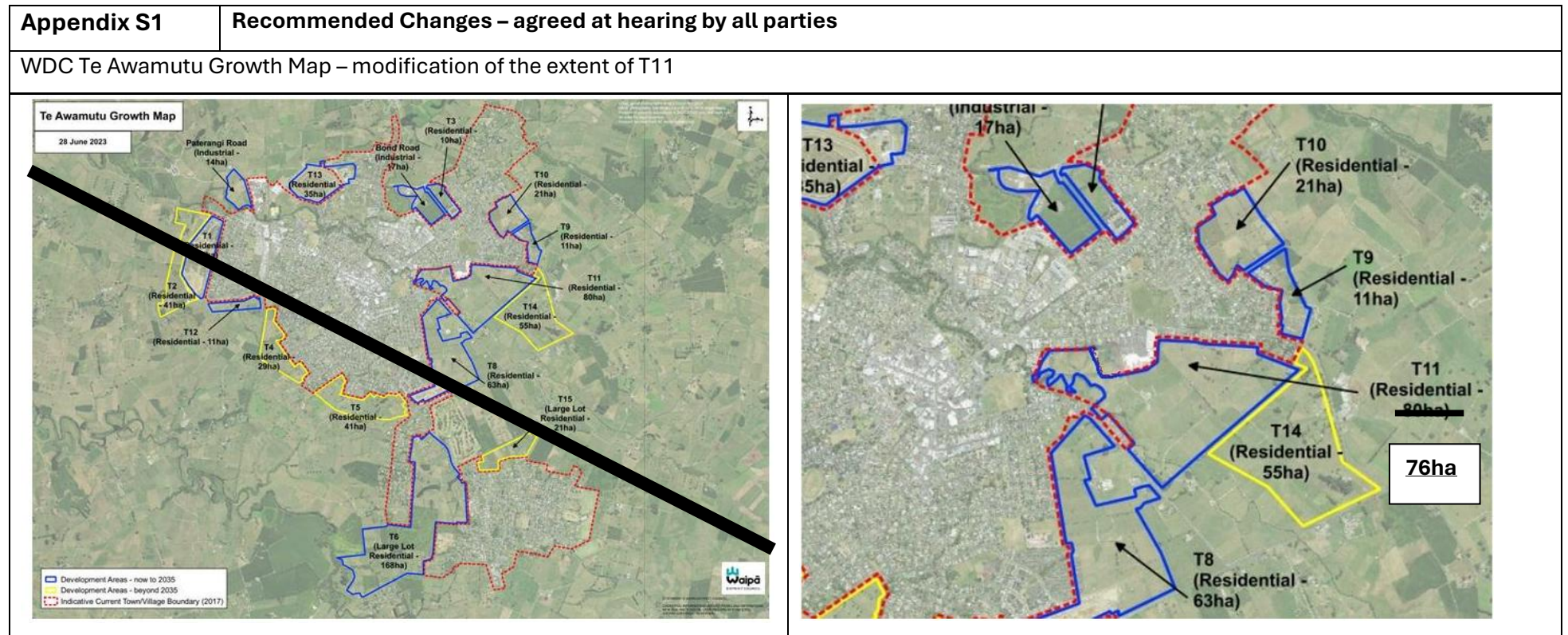
Section 21 – Assessment Criteria and Information Requirements

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 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.	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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			having regard to best practicable options. e. <u>The extent to which the location and scale of buildings addresses the amenity of public streets and the residential zone.</u> f. <u>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> g. <u>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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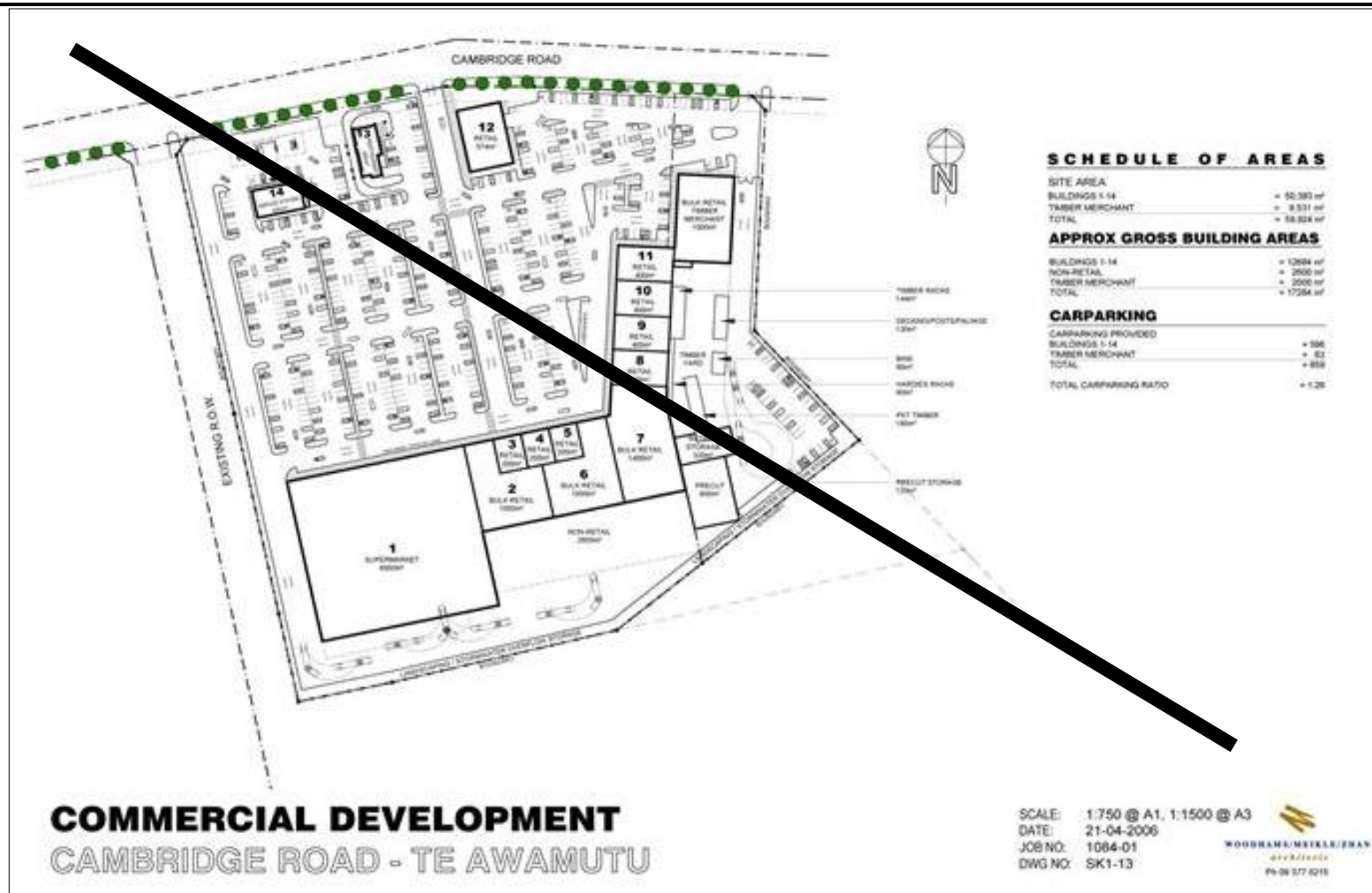
Appendix S1 –Plan



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

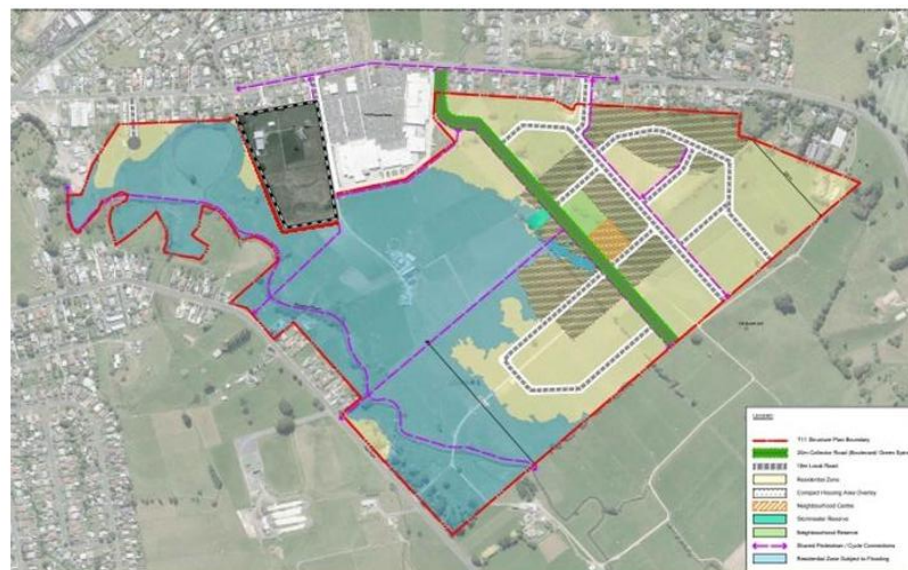
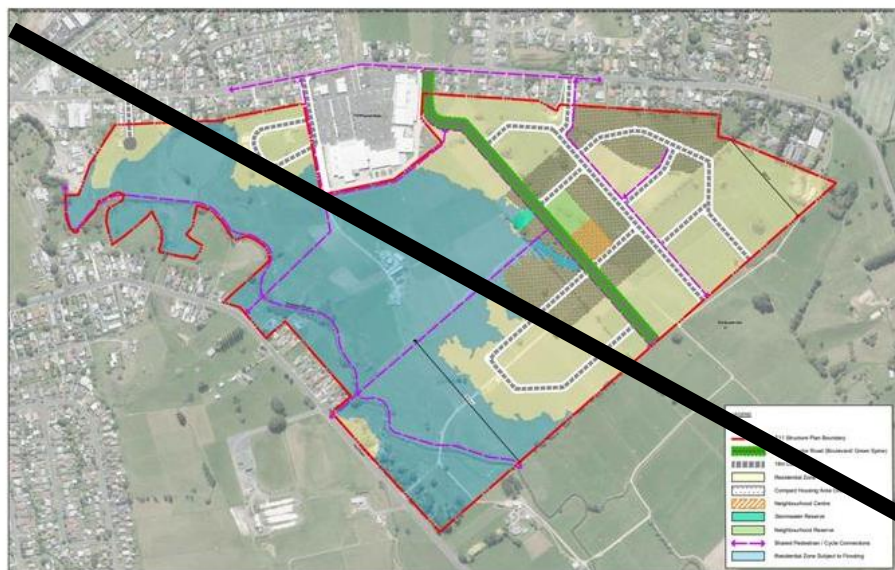
Appendix S6 – Te Awamutu Large Format Retail Site Centre Plan





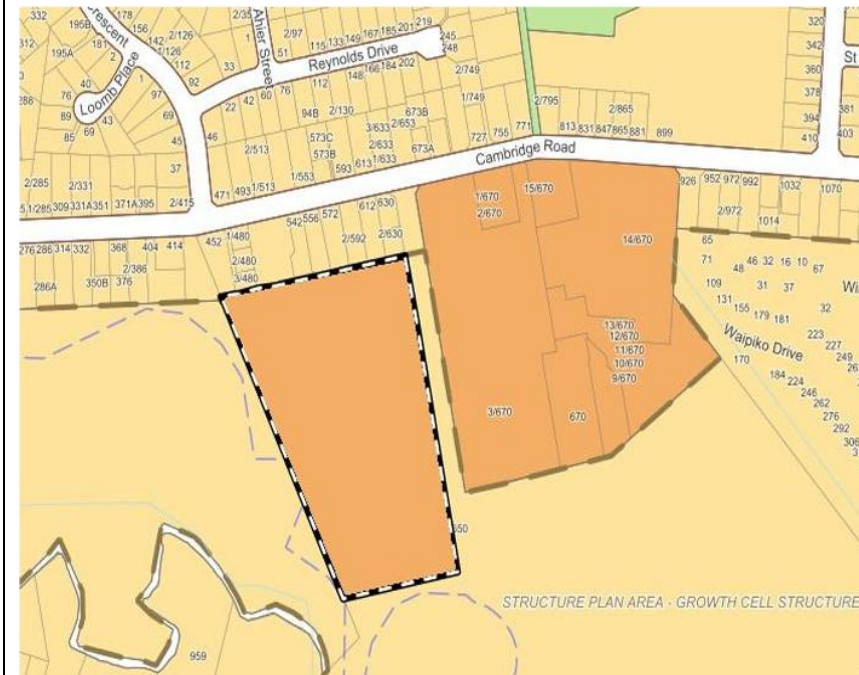
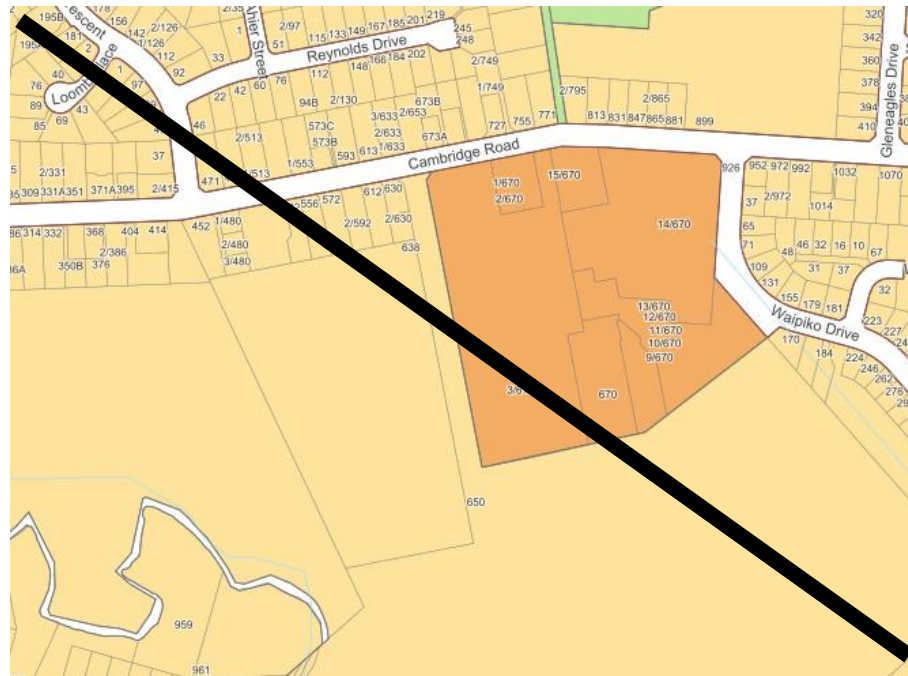
Appendix S25 - Te Awamutu T11 Growth Cell Structure Plan - Recommended Changes – agreed at hearing by all parties

Appendix S.25.1 Te Awamutu T11 Growth Cell Structure Plan

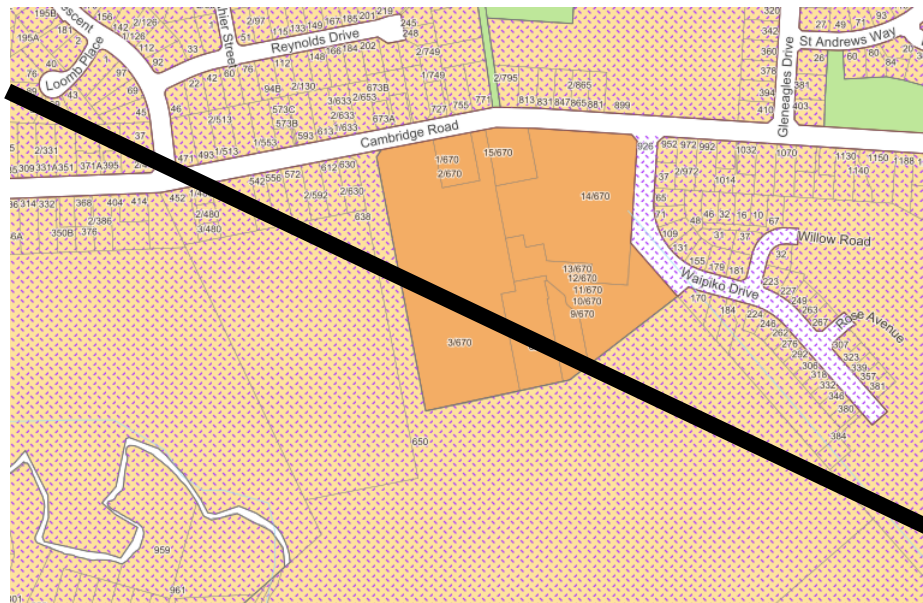


Waipa District Plan Planning Maps - Recommended Changes – agreed at hearing by all parties

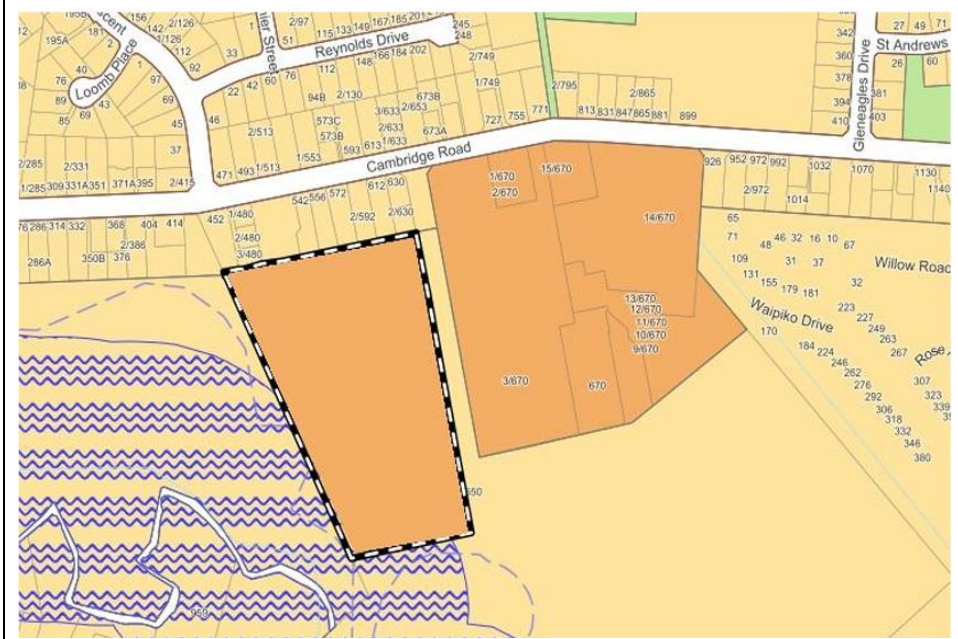
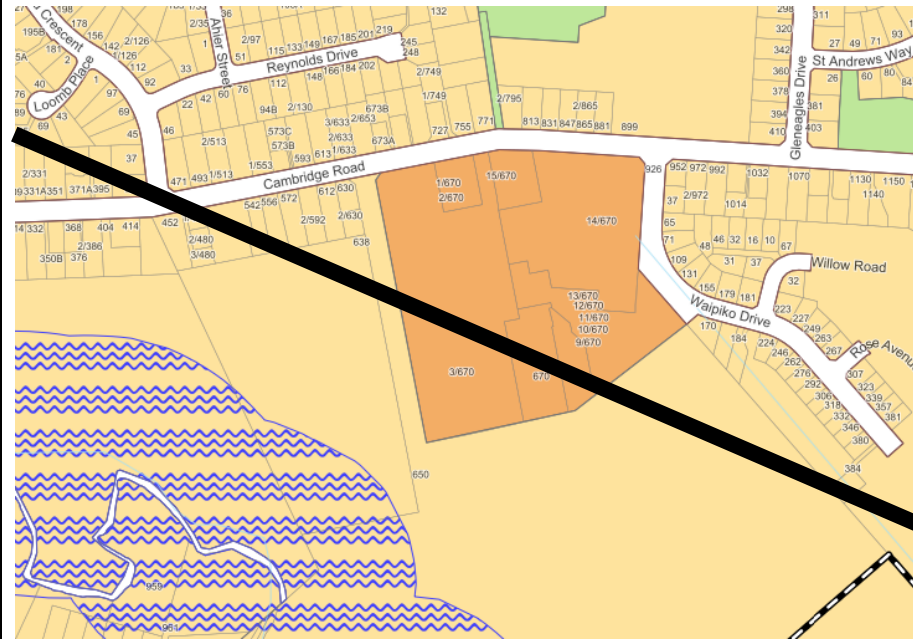
Zoning Map - Waipa District Plan



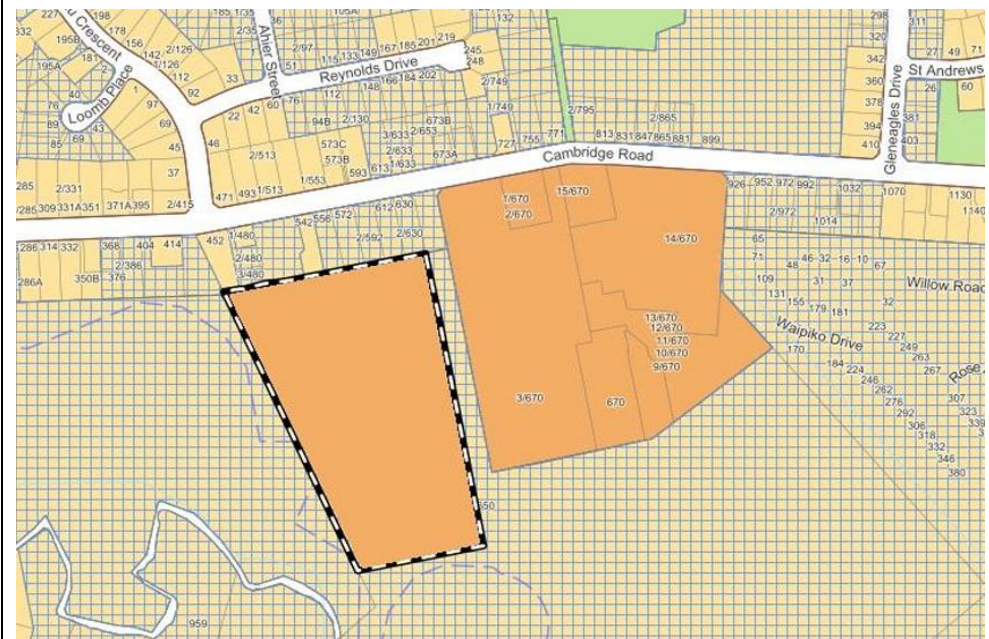
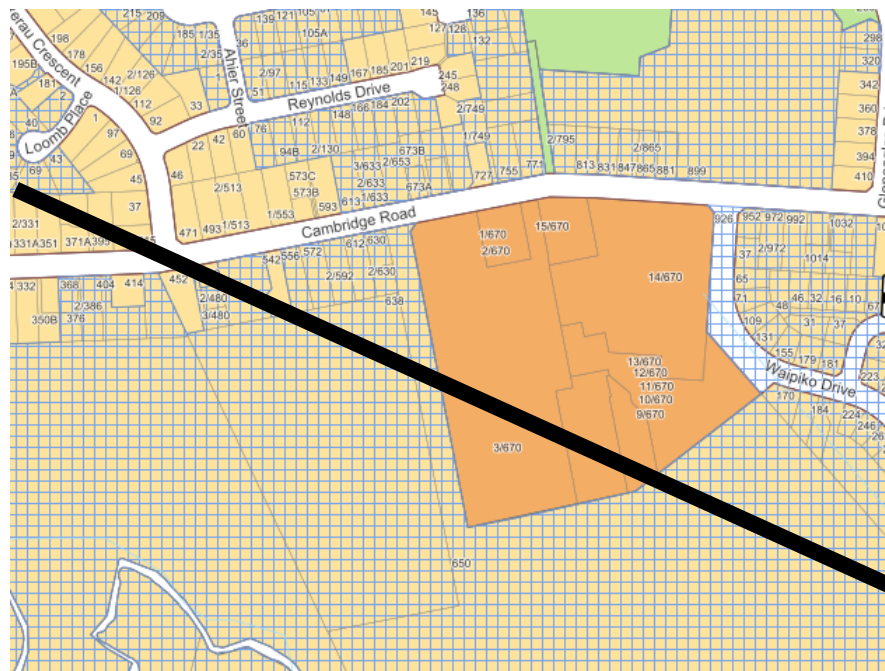
Infrastructure Constrain Qualifying Matter Overlay



River-Gully Proximity Overlay



Stormwater Constraints Qualifying Matter Overlay



T11 Growth Cell Structure Plan extent

