

Appendix 4 - Waikato Regional Policy Statement Assessment

Proposed Private Plan Change 35 – Te Awamutu Large Format Retail Centre

20 July 2026

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<i>Reference Key – WDC Commentary on relevant WRPS provisions</i>	
Green	Consistent with relevant criteria
Orange	Inconsistent with relevant criteria

WAIKATO REGIONAL POLICY STATEMENT (WRPS)

Part 1 – Section 1.9 Te Ture Whaimana o Te Awa o Waikato – Vision and Strategy for the Waikato River

1.9.3 – Nga Wai o Maniapoto (Waipa River) Act 2012
The Nga Wai o Maniapoto (Waipa River Act) 2012 give effect to the co-management deeds entered into between the Crown and Ngāti Maniapoto. The overarching purpose of the Nga Wai o Maniapoto (Waipa River Act) 2012 is to restore and maintain the quality and integrity of the waters that flow into and form part of the Waipa River for present and future generations and the care and protection of the mana tuku iho o Waiwaia.
1.9.4 – Waikato Regional Policy Statement
Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato Rivier is primary direction-setting document for the Waikato and Waipa Rivers and their catchments which include the lover reaches of the Waipa River.
Objectives, policies and methods in IM – Integrated Management and Part 3 of the Regional Policy Statement assist in achieving the purpose of the Vision and Strategy, however, should be read in conjunction with the Vision and Strategy in its entirety.
1.9.5 – Vision and Strategy for the Waikato River
1.9.5.1 Our vision is for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protection the health and wellbeing of the Waikato River, and all it embraces, for generations to come.
1.9.5.2 Objectives for the Waikato River - The restoration and protection of the health and wellbeing of the Waikato River - The restoration and protection of the relationships of Waikato-Tainui with the Waikato River, including their social, cultural, and spiritual relationships - The restoration and protection of the relationships of Waikato Iwi according to their tikanga and kawa with the Waikato River, including their economic, social, cultural and spiritual relationships - The restoration and protection of the relationships of Waikato Region’s communities, with the Waikato River, including their economic, social, cultural and spiritual relationships - The integrated, holistic and co-ordinate approach to management of the natural , physical , cultural and historic resource of the Waikato River - The adoption of a precautionary approach towards decisions that may result in significant adverse effects on the Waikato River, and in particular, those effects that threaten serious or irreversible damage to the Waikato River - The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within the catchment on the health and wellbeing of the Waikato River - The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activity - The protection and enhancement of significant sites, fisheries, flora and fauna - The recognition that the strategic importance of the Waikato River to New Zealand’s social, cultural, environmental and economic wellbeing, requires the restoration and protection of the health and wellbeing of the Waikato River - The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length - The application to the above of both mātauranga Māori and the latest available scientific methods
Commentary: The outcome of PC35 will assist in meeting the vision for a future where a healthy Waikato River sustains life and communities. With respect to future development on Area B this will be achieved through the implementation of stormwater management measures to stop direct runoff from the site, and to treat stormwater through a wetland system before discharge into the immediate catchment of the Mangaohoi Stream, being part of the wider Waikato catchment.

Part 2 – Significant Resource Management Issued for the Region (SRMR)

SRMR-I4 Managing the Built Environment

Development of the built environment including infrastructure has the potential to positively or negatively impact on our ability to sustainably manage natural and physical resources and provide for our wellbeing.

While addressing generally, specific focus should be directed to the following matters:

1. high pressure for development in Hamilton City, Waipā District, Waikato District, around Lake Taupō, along the Waikato River and in the coastal environment
2. increasing potential for natural hazards
3. increasing conflict with, and demands for, new infrastructure
4. the need to use existing infrastructure efficiently and to maintain and enhance that infrastructure
5. protecting domestic and municipal water supply sources from the adverse effects of land use
6. the effect of development on access to mineral resources (particularly aggregates), high class soils, and future energy development sites
7. increasing impacts on and conflicts with existing resource users
8. the underperformance of some elements of Hamilton's central business district and consequential effects on its function, amenity and vitality as a result of unplanned dispersal of retail and office development
9. the integrated relationship between land use and development, and the transport infrastructure network
10. the contribution of regionally significant industry and primary production to economic, social and cultural wellbeing, and the need for those industries to access natural and physical resources, having regard to catchment specific situations
11. increased need for the future provision of infrastructure to respond to resource demands from within and outside the region and the need to enable efficient installation of that infrastructure
12. the availability of water to meet existing, and reasonably justifiable and foreseeable domestic or municipal supply requirements to support planned urban growth, including promoting the integration of land use and water planning; and
13. the need to strategically manage urban growth to ensure there is sufficient development capacity for residential and business land whilst contributing to well-functioning urban environments

Commentary

PC35 involves the rezoning and commercial development of urban land within Te Awamutu that represents an increase in land available for business use that will access to and will connect with existing infrastructure. It is considered that PC35, subject to appropriate infrastructure provision and upgrades, will positively impact the sustainable management of natural and physical resources of Te Awamutu in a way that provides for social, cultural and economic well-being. In this respect:

- While the land is subject to potential flood hazards, this can be effectively management through appropriate site design at the time of resource and building consent to ensure that there is no increased potential for natural hazard risks to occur.
- There is potential that if increased traffic arising from future development (new development on Area B and repurposing of the existing Mitre 10 building in Area A) is not appropriately managed, there will be increased demands for upgrading of roading infrastructure that will fall on ratepayers. It is necessary for all necessary upgrades to be provided prior to commencement of operations of new activities. The proposed provisions ensure that the resource consent process can be used to guarantee that growth pays for growth.
- The rezoning and development of land for commercial purposes adjoining and existing commercial area represents efficient use of existing infrastructure.
- The proposed provisions ensure that transport effects of future development can be mitigated through the resource consent process.

- The proposed rezoning under PC35 from Medium Density Residential Zone DRZ to Commercial will:
 - increase available business land in Te Awamutu for commercial activities including retail activities between 400m² and 2000m² in gross floor area.
 - Decrease land available for residential development. In this instance the reduction will not significantly impact sufficient development capacity in the short or medium term as there is sufficient zoned land available. Additional to this the flood hazard modelling completed indicates that the land would be constrained for residential development, and that commercial development is a more appropriate use of the land.
- The proposed rezoning is not considered to significantly impact on the sufficiency of development capacity for residential development in Te Awamutu. Because proposed Area B is greatly constrained already due to flood hazards that is more readily mitigated through the development of the area into an integrated commercial site rather than fragmented into smaller individually owned residential properties under individual ownership.

SRMR-I6 Health and wellbeing of the Waikato River Catchment

The health and wellbeing of the Waikato River, its major tributary the Waipā River, and their catchments has been and continues to be degraded. Of particular concern is:

1. Adverse effects on the mauri of the Waikato and Waipā Rivers
2. The ability of the Waikato and Waipā Rivers to sustainably and safely provide food and cultural, economic and recreation opportunities
3. The effect this has on the relationship of Waikato-Tainui, Ngāti Tūwharetoa, Te Arawa River Iwi, Maniapoto and Raukawa and the regional community with the rivers
4. The need to restore and protect the health and wellbeing of the Waikato River while providing for the existence and continued operation and output of the Waikato hydro scheme

Commentary:

The site is within the urban limits for Te Awamutu and is within the catchment and floodplain of the Mangaohoi Stream. Development of Area B is to be in accordance with the retail concept plan that includes onsite stormwater management through the provision of stormwater treatment swale, wetlands and the temporary storage of stormwater managing water quality and quantity. This mitigation will be required as part of the resource consent process. It is considered that stormwater from the development of Area B will not contribute to the degradation of the Waikato River catchment.

Part 3 – Hazards and Risks (HAZ)

HAZ-O1 – Natural hazards

The effects of natural hazards on people, property, and the environment are managed by:

1. increasing community resilience to hazard risks;
2. reducing the risks from hazards to acceptable or tolerable levels; and
3. enabling the effective and efficient response and recovery from natural hazard events

Commentary:

Area B is subject to known flood hazards. Future development within Area B is able to be managed so that future building are located above design flood levels and so there is no increase in flood hazard risks on neighbouring properties. This will be managed through the resource consent process.

HAZ-P1 – Natural hazard risk management approach

Natural hazard risks are managed using an integrated and holistic approach that:

1. ensures the risk from natural hazards does not exceed an acceptable level;
2. protects health and safety;
3. avoids the creation of new intolerable risk;

4. Reduces intolerable risk to tolerable or acceptable levels; 5. enhances community resilience; 6. is aligned with civil defence approaches; 7. prefers the use of natural features over man-made structures as defences against natural hazards; 8. recognises natural systems and takes a 'whole of system' approach; and 9. seeks to use the best available information/best practice.
Commentary: It is considered that mitigation measures associated with future development of Area B will ensure that flood risks do not exceed acceptable levels, that health and safety is protected, and that there are no intolerable risks generated.
HAZ-P2 – Manage activities to reduce risks from natural hazards. Subdivision, use and development are managed to reduce the risks from natural hazards to an acceptable or tolerable level including by 1. ensuring risk is assessed for proposed activities on land subject to natural hazards; 2. reducing the risks associated with existing use and development where these risks are intolerable; 3. avoiding intolerable risk in any new use or development in areas subject to natural hazards; 4. minimising any increase in vulnerability due to residual risk; 5. avoiding the need or demand for new structural protection works; and 6. discouraging hard protection structures and promoting the use of alternatives to them, including natural defences in the coastal environment.
Commentary: It is considered that district plan provisions and mitigation measures associated with future development of Area B will ensure that flood risks are appropriately assessed, that no intolerable risks are generated, and that there is no increased vulnerability to flood effects. The indicative stormwater devices do not represent structural protection works or hard protection structures.
HAZ-P4 – Contaminated land. Identify and manage contaminated land to ensure human, plant and animal health, and water, air and soil quality are protected from unacceptable risk
Commentary: A preliminary site investigation report has been completed for Area B. This has identified the potential presence of contaminated fill. Development of Area B will require assessment in terms of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. This will ensure that no unacceptable risks arise from the development of Area B.

Part 4 - Urban Form and Development (UFD)

UFD – O1 – Built environment Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by: 1. promoting positive indigenous biodiversity outcomes; 2. preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development; 3. integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;
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4. integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;
5. recognising and protecting the value and long-term benefits of regionally significant infrastructure;
6. protecting access to identified significant mineral resources;
7. minimising land use conflicts, including minimising potential for reverse sensitivity;
8. anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;
9. providing for the development, operation, maintenance and upgrading of new and existing electricity transmission, distribution and renewable electricity generation activities including small and community scale generation;
10. promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; ~~and~~
11. providing for a range of commercial development to support the social and economic wellbeing of the region-; and
12. strategically planning for growth and development to create responsive and well-functioning urban environments, that:
 - a. support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change;
 - b. improve housing choice, quality, and affordability;
 - c. enable a variety of homes that enable Māori to express their cultural traditions and norms;
 - d. ensure sufficient development capacity, supported by integrated infrastructure provision, including additional infrastructure, for community, and identified housing and business needs in the short, medium and long term;
 - e. improves connectivity within urban areas, particularly by active transport and public transport;
 - f. take into account the values and aspirations of hapū and iwi for urban development.

Commentary:

District plan provisions and proposals proposed through PC35 will ensure that development of Area B occurs in an integrated, sustainable and planned manner. In this respect:

- Requirements for enhancement planting of stormwater devices and removal of land use away from agriculture will serve to promote positive indigenous biodiversity outcomes;
- The land does not exhibit elements of natural character or natural features / landscapes that have been identified as worthy of protection as a matter of national importance;
- No existing infrastructure corridors will be compromised, and the development does not represent regionally significant infrastructure. Cambridge Road is an arterial road and will require upgrading as part of development of Area B to ensure continued efficient and safe operation of this road;
- Following the February 2026 severe weather event damaging the Te Tahi Water Treatment Plant, there is currently a critical water capacity issue across Te Awamutu, Kihikihi and Pirongia. Whilst solutions to restore water capacity to the network are being actively pursued, development in Te Awamutu is being firmly managed with no new connections to reticulated water supply being permitted until capacity has been restored. Future development of Area B will be treated in the same manner as other development is currently being treated. Once a solution has been implemented there will be sufficient water to support development.
- Commercial zone provisions and landscaping requirements will be used to avoid potential for reverse sensitivity between commercial and residential land use activities.
- The development as proposed will not compromise the promotion of a viable or vibrant CBD for Hamilton or Town Centre for Te Awamutu.
- PC35 represents opportunity for a new range of commercial development to be established in Te Awamutu through repurposing of the existing Mitre 10 building.
- PC35 provides an opportunity to strategically provide for growth and development which contributes towards improvement and enhancement of the existing

urban environment through: - The provision of additional roading infrastructure - Improvement of connectivity through enhanced pedestrian and cycle connections - Stormwater and flood management - Enhancing land available for business needs.
UFD – O2 – Housing bottom lines for future proof for the Future Proof Area The housing bottom lines for sufficient, feasible, reasonably expected to be realised development capacity for housing in the Future Proof area are net, in accordance with the requirements of the National Policy Statement on Urban Development (NPS UD) 2020
<u>Commentary</u> PC35 will result in the reduction of land set aside for residential growth by 4 hectares. On paper this will result in a decrease of development capacity. Because of other land available for residential development (including recently lodged notified private plan changes) and the flood hazards associated with Area B is it not expected that the rezoning as proposed will compromise the achievement of housing bottom lines identified in the Waipā District Plan.
UFD – P1 – Planned and coordinated subdivision, use and development Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which: 1. has regard to the principles in APP11; 2. recognises and addresses potential cumulative effects of subdivision, use and development; 3. is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and 4. has regard to the existing <u>and planned</u> built environment.
APP11 – Development Principles General development principles New development should: <u>The general development principles for new development are:</u> a. support existing urban areas in preference to creating new ones; b. occur in a manner that provides clear delineation between urban areas and rural areas; c. make use of opportunities for urban intensification and redevelopment, <u>particularly within urban centres and along future rapid transit routes</u>, to minimise the need for urban development in greenfield areas; d. not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated; e. connect well with existing and planned development and infrastructure; f. identify water requirements necessary to support development and ensure the availability of the volumes required; g. be planned and designed to achieve the efficient use of water; h. be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils highly productive land, and primary production activities on these high class soils highly productive land except in accordance with the National Policy Statement for Highly Productive Land 2022; i. promote compact urban form, design and location to: i. minimise energy and carbon use; ii. minimise the need for private motor vehicle use;

- iii. maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;
- iv. encourage walking, cycling and multi-modal transport connections; and
- v. maximise opportunities for people to live, work and play within their local area;
- j. maintain or enhance landscape values and provide for the protection of historic and cultural heritage;
- k. promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;
- l. maintain and enhance public access to and along the coastal marine area, lakes, and rivers;
- m. avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);
- n. adopt sustainable design technologies, such as the incorporation of energy-efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;
- o. not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;
- p. be appropriate with respect to current and projected future effects of climate change and be designed to allow adaptation to these changes and to support reductions in greenhouse gas emissions within urban environments;
- q. consider effects on the unique tangata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tangata whenua connections within an area should be considered;
- r. support the Vision and Strategy for the Waikato River in the Waikato River catchment;
- s. encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and
- t. recognise and maintain or enhance ecosystem services.

Commentary

It is considered that PC35 is consistent with the achievement of the relevant development principles in APP11. In this respect:

- The subject land is within and will support the existing Te Awamutu urban area;
- Subject to appropriate provisions will not compromise the safe, efficient and effective operation of existing arterial roading infrastructure
- Future development of Area B will connect well with existing development and infrastructure
- Following the February 2026 severe weather event damaging the Te Tahī Water Treatment Plant, there is currently a critical water capacity issue across Te Awamutu, Kihikihi and Pirongia. Whilst solutions to restore water capacity to the network are being actively pursued development in Te Awamutu is being firmly managed with no new connections to reticulated water supply being permitted until capacity has been restored. Future development of Area B will be treated in the same manner as other development is currently being treated. Once a solution has been implemented there will be sufficient water to support development.
- Flood hazard risks are the primary constraint to development. These risks can be appropriately managed through site layout and design and the resource consent process.
- The enlargement of the centre as a whole and the increased floor area available for new commercial activities in the centre will assist in promoting compact urban form, particularly for surrounding residential land that is available for development
- Inclusion of appropriate provisions will ensure that positive ecological and biodiversity outcomes in line with the recommendations of the ecological assessment prepared in support of PC35.

- The stormwater management approach is representative of low impact design and development.
- Subject to appropriate provisions (as contained in the commercial zone) and landscaping PC35 does not represent an incompatible land use for adjoining residential land.

Sufficient information has been provided as part of PC35, subject to appropriate provisions, to allow assessment and management of the effects of the future use and development of Area B.

UFD – P2 – Co-ordinating growth and infrastructure

Management of the built environment ensures:

1. the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, including additional infrastructure in order to:
 - a. optimise the efficient and affordable provision of both the development and the infrastructure;
 - b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
 - c. protect investment in existing infrastructure; and
 - d. ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;
2. the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated or as required for tier 3 local authorities as set out in UFD-P18 and its associated methods;
3. the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and
4. a co-ordinated and integrated approach across regional and district boundaries and between agencies; and
5. that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.

Commentary

PC35 includes proposed provisions which require infrastructure provision and upgrades (particular intersection works) to be completed prior to operation of new development commencing. This will ensure that the efficient and effective functioning of the roading network is maintained and enhanced. There is no planned public infrastructure in the location of the retail centre that would be compromised by the rezoning and development as proposed.

UFD – P11 – Adopting Future Proof land use pattern

Within the Future Proof area:

1. new urban development ~~within Hamilton City, Cambridge, Te Awamutu/Kihikihī, Pirongia, Huntly, Ngāruawāhia, Raglan, Te Kauwhata, Meremere, Taupiri, Horotiu, Matangi, Gordonton, Rukuhia, Te Kowhai and Whatawhata~~ shall occur within the Urban and Village Enablement Areas ~~Limits~~ indicated on Map 43 (5.2.10 Future Proof map (indicative only));
2. new residential (including rural-residential) development
3. new industrial development...
4. other industrial development ...
5. new industrial development ...
6. new industrial development ...

7. where alternative industrial and residential urban land release patterns are promoted, either out-of-sequence or unanticipated on Map 43 or in Table 35, including proposals outside of the urban or village enablement areas indicated on Map 43, through district plan and structure plan development area processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern and particular regard shall be had to the proposed development capacity only where the local authority determines that the urban development proposal is significant, by assessing the proposal for consistency with the operative Future Development Strategy for the Future Proof sub-region and responsive planning criteria in APP13; and
8. where land is required for activities that require direct access to Hamilton Airport runways ...

APP13 – Responsive Planning Criteria – Out of Sequence and Unanticipated Developments (Future Proof local authorities)

Criteria A

- A. That the development would add significantly to meeting a demonstrated need or shortfall for housing or business floor space, as identified in a Housing and Business Development Capacity Assessment or in council monitoring.
- B. That the development contributes to a well-functioning urban environment. Proposals are considered to contribute to a well-functioning urban environment if they:
 - i. have or enable a variety of homes that: meet the needs, in terms of type, price, and location, of different households; and/or enable Māori to express their cultural traditions and norms; and/or have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
 - ii. support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets.
- C. That the development is consistent with the Future Proof Strategy guiding principles, and growth management directives (as set out in Sections B2, B3, B5, B6, B7, B8, B9, B10 and B11 of the strategy).
- D. That the development has good accessibility for all people between housing, jobs, educational facilities, community services, natural spaces, and open spaces, including by way of public or active transport.
- E. In cases where development is being brought forward, whether it can be demonstrated that there is commitment to and capacity available for delivering the development within the advanced timeframe.
- F. In cases where the development is proposing to replace a planned land use with an unanticipated land use, whether it can be demonstrated that the proposal will not result in a shortfall in residential, commercial or industrial land, with robust data and evidence underpinning this analysis.
- G. That the development protects and provides for human health.
- H. That the development would contribute to the affordable housing stock within the sub-region, with robust data and evidence underpinning this analysis.
- I. That the development does not compromise the efficiency, affordability or benefits of existing and/or proposed infrastructure, including additional infrastructure, in the sub-region.
- J. That the development can be serviced without undermining committed infrastructure investments made by network utility operators, local authorities or central government (including NZ Transport Agency). Development must be shown to be adequately serviced without undermining committed infrastructure investments made by network utility operators, local authorities or central government to support other growth areas.
- K. That the development demonstrates efficient use of local authority and central government financial resources, including prudent local authority debt management. This includes demonstration of the extent to which cost neutrality for public finances can be achieved.
- L. The compatibility of any proposed land use with adjacent land uses including planned land uses.
- M. That the development would contribute to mode-shift that supports the medium and long-term transport vision for the sub-region being the creation of a rapid and frequent multi-modal transport network and active mode network.
- N. That the development would support reductions in greenhouse gas emissions and would be resilient to the likely current and future effects of climate change.

with robust evidence underpinning this assessment.

- O. That the development avoids areas identified as wāhi toitū on Map 44. That the development provides for the values that make the area wāhi toitū and can avoid or mitigate any adverse effects arising in respect of those values as a result of the proposed development.
- P. During a review of the Future Proof strategy (including the development of a Future Development Strategy under the National Policy Statement on Urban Development 2020 and its subsequent 3-yearly review), or a comprehensive district plan review, consideration may be given to urban development on areas identified as wāhi toitū. A strong precautionary approach will be taken such that if the land is not needed to fill an identified shortfall of development capacity in the short-medium term, it should not be considered for urban development. Preference will be given to urban development proposals which are not located on areas identified as wāhi toitū.
- Q. That a precautionary approach be taken when considering development on areas identified as wāhi toiora, such that if the land is not needed in the short-medium term it should not be considered for urban development.

Criteria B

- A. That the development demonstrates that it would not affect the feasibility, affordability and deliverability of planned growth within urban enablement areas and/or village enablement areas over the short, medium and long term. In the interest of clarity, proposals in areas currently identified for development beyond long term on Map 43 and which are proposed to be brought forward into an earlier timeframe must demonstrate that they do not affect the feasibility, affordability and deliverability of planned growth in the earlier time periods.
- B. That the development demonstrates that value capture can be implemented and that cost neutrality for public finance can be achieved.
- C. That the proposed development would not adversely affect the function and vitality of existing rural settlements and/or urban areas.
- D. That the development would address an identified housing type/tenure/price point need.

Commentary

PC35 is occurring within the urban limits of Te Awamutu which is identified as an urban enablement area. PC35 represents an alternative unanticipated land release pattern. The proposal is considered to represent significant development capacity in relation to addition of new business land and floor space. The following point are made with respect to the relevant responsive planning criteria in APP13:

- The Future Proof Business Development Capacity Assessment 2023 identifies that in Te Awamutu there is a shortfall in commercial land sufficiency (medium and long terms) and retail land sufficiency (long term). The proposal provides for a new large building supply outlet of 13,000m² and makes the existing Mitre 10 building / site available for commercial redevelopment. This will add significantly to meeting the identified shortfalls.
- The proposal is considered to contribute to a well-functioning environment in relation to the area immediately surrounding the existing retail centre. In this respect the provisions of PC35 ensure that transport upgrades (including intersection signalisation and pedestrian / cycle infrastructure) occur prior to operations commencing. It will also make floor space available for new business activity within the existing centre.
- PC35 is considered to be consistent with meeting the relevant Future Proof guiding principles and growth management directives.
- The location of the centre provides good accessibility with neighbouring residential areas and provides options for future public transport opportunities.
- There is commitment for the commercial development enabled by PC35 to be delivered within a short timeframe.
- PC35, in Area B is replacing planned residential land use with commercial land use. It is considered that this replacement will not result in a practicable shortfall in residential land or development capacity. This is because:
 - Revised modelling of the flood plain associated with the Mangaohoi Stream has identified that the majority of Area B would be subject to inundation during a 1% AEP event. If developed for residential purposes, there would be a reduced capacity to accommodate dwellings on this land. In contrast development of the site for a single commercial activity in one ownership enables site specific solutions to flooding to be designed and implemented;

and

- There are a number of private plan change applications in Te Awamutu (both lodged and notified) which seek to activate new out-of-sequence and unanticipated residential development. This in combination with the medium density residential provisions associated with PC26 that apply across the whole of the urban residential areas of Te Awamutu and Kihikihi will ensure that the effects of losing of 4ha of residential land to PC35 will be negligible.
- Subject to inclusion of appropriate provisions within the Waipā District Plan it is considered that PC35 will not compromise the efficiency of existing roading and waters infrastructure.
- It is considered that the development enabled by PC35 can be effectively serviced without undermining committed infrastructure investments.
- Subject to the inclusion of appropriate provisions within the Waipā District Plan it is considered that PC35 will not place demand on Council resources and that cost neutrality for public finances will be achieved. This is because the ruleset associated with PC35 requires the upgrading of existing transport infrastructure and provision of on-site landscaping and stormwater management by and at the cost of the developer.
- Subject to landscaping and amenity controls in the Commercial Zone it is considered that PC35 represents a land use activity that is compatible with neighbouring residential activities.
- The enlargement of the centre given its central location to existing and developing residential areas will contribute to transport mode-shift visions including through the enhancement of pedestrian / cycle accessibility to the existing centre.
- Despite being within an Urban Enablement Area, the flood area within Area B would classify it as a wāhi toitū area. Given the change in land use for the land and the ability for engineering design solutions to be provided it is considered that adverse flood effects can be successfully mitigated in relation to the proposed commercial land use.

Based on these points it is considered that the unanticipated change in land use associated with and promoted by PC35 is appropriate and consistent with the Future Proof Development Strategy and the responsive planning criteria.

UFD-P13 – Commercial development in the Future Proof area

Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 37 (APP12). Commercial development is to be managed to:

1. support and sustain the vitality and viability of existing commercial centres identified in [Table 37](#) (APP12);
2. support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities;
3. recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by:
 - a. encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District;
 - b. managing development within areas outside the Central Business District to avoid adverse effects on the function, vitality or amenity of the Central Business District beyond those effects ordinarily associated with trade competition on trade competitors; and
 - c. encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.
4. recognise that in addition to retail activity, the Hamilton Central Business District and town centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;
5. recognise, maintain and enhance the function of sub-regional commercial centres by:
 - a. maintaining and enhancing their role as centres primarily for retail activity; and

- b. recognising that the sub-regional centres have limited non-retail economic and social activities;
6. maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and
7. ensure new commercial centres are only developed where they are consistent with (1) to (6) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:
- a. the distribution, function and infrastructure associated with those centres identified in [Table 37](#) (APP12);
 - b. people and communities who rely on those centres identified in [Table 37](#) (APP12) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;
 - c. the efficiency, safety and function of the transportation network; and
 - d. the extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.
8. recognise that in the long term, the function of sub-regional and town centres listed in Table 37 may change.

PC35 proposes an extension of the existing Te Awamutu Large Format Retail Centre. This centre currently provides supermarket, large format retail opportunities (primarily accommodating retail activities with floor areas ranging between 400m² and 1500m²) and other commercial activities. The centre is not identified in Table 37 of APP12. Despite this it is considered that the proposals associated with PC35, and in particular the extension of the commercial zone to Area B:

- will not compromise the vitality or viability of the Te Awamutu Town Centre. The size of the building supply outlet alongside the 400m² – 2000m² floor area restriction for redevelopment of the existing Mitre 10 building are generally tenancy sizes that are not available within the existing town centre.
- Existing physical resources associated with the centre (in particular the transport network) will be supported, sustained and upgraded as a consequence of PC35
- Will not compromise the function of the Te Awamutu town centre
- Subject to appropriate provisions being put in place PC35, is consistent with achieving the requirements of UFD-P13