

APPENDIX J

District Plan Objectives and Policies Assessment

OBJECTIVES AND POLICIES

Operative Waikato District Plan (Waikato Section) 2013

Assessments of this proposal against the Operative Waikato District Plan (Waikato Section) relevant objectives and policies are provided below.

CHAPTER 1A: WAIKATO DISTRICT GROWTH STRATEGY

OBJ 1A.2.1

Towns, villages and other defined growth areas are the focus of future residential, industrial and commercial development.

POL 1A.2.2

Subdivision, use and development of an urban nature should occur within clearly defined boundaries of towns and villages rather than in rural areas.

POL 1A.2.5

Urban development should occur in an integrated manner so that employment and recreation areas are easily accessible from residential areas.

POL 1A.2.6

Subdivision, use and development should be managed so that a range of lifestyle choices is available, while ensuring residential development occurs in identified towns, villages and other defined growth areas.

COMMENTS

The proposal seeks to create residential development within a defined growth area within the District Plan on the outskirts of the township of Te Kauwhata. This reduces urban sprawl and safeguards rural resources for productive use. The proposal provides a compact form of urban development for residents to work and play in their local area, minimises travel and supports public transport opportunities and public facilities and services. I consider the proposal is not contrary to the above Objective and policies.

OBJ 1A.4.1

Residential and rural residential areas achieve and maintain high amenity values.

POL 1A.4.2

Subdivision, use and development in towns and villages should be sympathetic to their existing character.

POL 1A.4.3

Subdivision, use and development in towns, villages and new defined growth areas should occur in accordance with a structure plan for the area and promote high quality living environments.

POL 1A.4.4

The expansion of towns and villages should be managed to ensure that choice and variety in housing type is provided.

COMMENTS

As detailed in my assessment of environmental effects, I consider the proposal does not achieve or maintain high amenity values; nor is it sympathetic with the existing character of the area. The proposed subdivision does occur within a structure plan area but I do not consider the proposal will promote a high quality living environment. By creating smaller lots within this area and flattening out building platforms, the proposal reduces the choice

and variety of housing type. I consider the proposal is contrary to the above objective and policies.

OBJ 1A.4.5

Development patterns support the cost-effective maintenance, provision and efficient use of both existing and new infrastructure and services.

POL 1A.4.6

The location, type and density of subdivision, use and development should ensure infrastructure and services can be provided economically and used efficiently, and facilitate the safe, efficient and effective operation of infrastructure.

POL 1A.4.7

Subdivision, use and development should be located, designed and staged to ensure that it is adequately supported by existing or planned infrastructure, community facilities and local services.

POL 1A.4.9

Subdivision, use and development should be located, designed and staged to ensure that it does not adversely affect the adequacy, safety or efficiency of infrastructure, community facilities and services in the region.

POL 1A.4.10

Subdivision, use and development must avoid adverse effects, including reverse sensitivity effects, upon regionally and nationally significant infrastructure to ensure the ongoing safe and efficient development, operation and maintenance of that infrastructure.

COMMENTS

I consider the proposal supports the cost effective maintenance, provision and efficient use of existing and new infrastructure and services subject to compliance with conditions of consent that require infrastructure and services be designed and constructed to the appropriate standard. I conclude the proposal is not contrary to the above objective and policies.

CHAPTER 3: NATURAL FEATURES AND LANDSCAPES

OBJ 3.2.1

Outstanding natural features and landscapes are recognised and protected.

POL 3.2.2

Outstanding natural features and landscapes, identified in Schedule 3A and on the planning map as Landscape Policy Areas, should be recognised and protected from the adverse effects of inappropriate subdivision, use and development.

POL 3.2.3

Cultural and spiritual relationships of Maaori with outstanding natural features and landscapes should be recognised and provided for in the course of subdivision, use and development.

POL 3.2.4

Subdivision, use, and development (including roads and tracks) should avoid adverse effects on outstanding natural features and landscapes (including ridgelines within those landscapes).

POL 3.2.6

Views of outstanding natural features and landscapes from public places should be protected from the adverse effects of inappropriate subdivision, use and development.

Whangamarino Wetland, Waikato River and Lake Waikare are all identified as Outstanding Landscapes and Features in the District Plan. The submission by Nga Muka Development Trust tells of the cultural, social and environmental importance of water. The proposal will significantly increase impervious surfaces on the site meaning that stormwater needs to be managed so as not to adversely affect the outstanding natural features. Stormwater infrastructure will be required to be designed, constructed and maintained to the appropriate standard to ensure waterways within the vicinity of the site are protected. I consider the proposal is not contrary to the above objective and policies, subject to compliance with conditions if consent is granted.

OBJ 3.4.1

Landscapes and visual amenity values, as viewed from public places, are retained and enhanced.

POL 3.4.2

Natural features and landscapes, including locally distinctive landforms and prominent ridgelines, and general visual amenity values should be protected from inappropriate subdivision, use and development, in particular by:

- (a) avoiding or mitigating adverse effects on natural features such as indigenous vegetation, lakes, rivers and mountains*
- (b) ensuring that the visual effects of buildings can be absorbed without significant adverse effects on the landscape*
- (c) locating buildings and development so as to integrate them with the surrounding landscape and backdrops, to avoid dominating the landscape*
- (d) designing subdivision so that potential development, including building platforms, fences and vehicle accesses, are located sympathetically in the landscape*
- (e) avoiding, remedying or mitigating as soon as practicable, the adverse visual effects of earthworks and vegetation clearance, by:*
 - retaining vegetation, and*
 - restoring natural contours and replanting with appropriate species, and*
 - limiting the area of soil exposed by earthworks and the length of time it is exposed, and*
 - locating and constructing roads, tracks and vehicle accesses to minimise their visual impacts.*
- (f) avoiding or mitigating the adverse effects on visual amenity from noxious, dangerous, offensive or objectionable materials.*
- (fa) considering the effects of activities on the relationship of Maori with their ancestral lands and waahi tapu.*
- (fb) avoiding, remedying or mitigating any adverse effects in accordance with the landscape and visual amenity values of the zone in which the activity is located.*

COMMENTS

Whilst the proposal will retain the high point within the recreation reserve which in turn protects views to other natural landscapes within the area, as detailed in my assessment of effects, the proposal involves significant modifications to the hill. This will create steep engineered sides which will alter a prominent locally distinctive landform in such a way that will be more than minor. The visual effects of buildings would be better absorbed without platforming the lots so that buildings could be built into the land and ultimately would be less obtrusive within the landscape. I consider the proposal is contrary to the above objective and policies.

OBJ 3.6.1

The natural character of the coastal environment, wetlands, and lakes and rivers and their margins is preserved.

POL 3.6.2

Subdivision, use and development should be of a density, scale, intensity and location that preserves the natural character of the coastal environment, wetlands, and lakes and rivers and their margins and should retain or enhance the relevant components of that character, including:

- (a) geology, landform, indigenous vegetation and wildlife, and*
- (b) natural processes, elements and patterns, and*
- (c) intrinsic values of ecosystems, and*
- (d) restoration potential, including potential vegetation cover, and*
- (e) aesthetic, visual, cultural and heritage values attached to places and features including the cultural and spiritual relationship of Maori with their ancestral lands, and*
- (f) unique or typical characteristics, and*
- (g) the scale and context of modifications, including:*
- (h) the ratio of open space to areas covered by buildings and other development*
- (i) land use*
- (j) open space areas in pasture, trees, crops or indigenous vegetation*
- (k) water quality and flows*
- (l) views of natural features, the coast, indigenous vegetation and water bodies.*

COMMENTS

Subject to compliance with conditions, earthworks and stormwater will be managed in such a way so that the character and cultural values of the waterways within the area are preserved. The proposal is not contrary to the above objective and policies.

CHAPTER 4: NATURAL RESOURCES

OBJ 4.6.1

Coastlines, wetlands, lakes and rivers are protected from the adverse effects of subdivision and land disturbance.

POL 4.6.2

Margins of water bodies (including river banks) and the coast, significant indigenous vegetation and habitats, and other sensitive areas should be: protected from the adverse effects of soil removal and disturbance, earthworks, vegetation clearance, and disposal of waste to land, or if disturbed, reinstated to an equivalent or better condition than prior to disturbance.

POL 4.6.2A

Subdivision and land disturbance along the margins of water bodies and the coast should be managed to avoid, remedy or mitigate adverse effects, including sediment and nutrient runoff and the removal of soil.

COMMENTS

Subject to compliance with conditions, earthworks and stormwater will be managed in such a way so that the character and cultural values of the waterways within the area are preserved. The proposal is not contrary to the above objective and policies.

CHAPTER 5: NATURAL HAZARDS

OBJ 5.2.1

Risks from natural hazards to health, safety and property, resulting from use, development or protection of land, are minimised

POL 5.2.2A

Use or development of other land subject to natural hazards should be required to mitigate the related risks to health, safety and property.

POL 5.2.3

Use, development or protection of land should not increase the adverse effects of natural hazards, or compromise natural processes.

POL 5.2.5

Development should minimise impervious surfaces, provide adequate stormwater drainage, and mitigate the off-site effects of stormwater drained from the site.

OBJ 5.2.15

Risks from ponding of surface water and poor drainage are avoided.

POL 5.2.16

Subdivision, use and development must not increase ponding hazards.

POL 5.2.17

Subdivision, use and development should avoid or mitigate the adverse effects of ponding of surface water.

POL 5.2.18

Stormwater management practices and devices should be in accordance with low impact design principles.

COMMENTS

Although the proposal will create significant impervious surfaces at the site, if consent is granted conditions will require that stormwater infrastructure be designed and constructed to the appropriate standard to ensure adequate stormwater drainage is provided and that the offsite effects of stormwater discharge are mitigated. Subject to compliance with conditions, earthworks and stormwater will be managed in such a way so that the character and cultural values of the waterways within the area are preserved. The proposal is not contrary to the above objective and policies.

CHAPTER 6: BUILT ENVIRONMENT

OBJ 6.2.1

Development that is connected or grouped around infrastructure.

POL 6.2.2

Subdivision or development should be located, and have a density, scale and intensity, to ensure efficient use of land, public facilities and utilities.

POL 6.2.3

Residential and business development should occur in current towns and villages in preference to isolated rural locations.

OBJ 6.4.1

Network utilities are provided in a manner that does not compromise qualities and characteristics of surrounding environments.

POL 6.4.2

Utilities should be designed and located to avoid, remedy or mitigate any adverse effects from their structures on the environment, community health and amenity.

POL 6.4.3

Compatible utilities should, where technically and practicably feasible, share locations or facilities where advantages are achieved in terms of visual, landscape or other positive effects.

POL 6.4.4

Utilities should be placed underground unless:

- (a) the adverse effects on the environment are greater than placing the utility above ground, or*
- (b) a natural or physical feature or structure renders underground placement impractical or undesirable, or the utility must be placed above ground for practical, operational or technical reasons.*

POL 6.4.7

New use or development should not compromise the potential for, or use and operation of, utilities.

POL 6.4.9

Network utilities should make a positive contribution to community wellbeing including by being of a quality and standard appropriate to meet the needs of the community.

POL 6.4.9A

Positive effects of network utilities, including the national grid transmission network, should be recognised and provided for, whilst managing the adverse effects of the network.

OBJ 6.6.1

Adverse effects of use and development are avoided by provision of wastewater and stormwater disposal, supply of water, energy and telecommunications.

POL 6.6.2

Where land is subdivided or its use intensified, then adequate water supply, wastewater treatment, and land and stormwater drainage must be provided to each allotment, by connection to available reticulated services, or by on-site facilities where reticulated services are not available.

POL 6.6.3

Every allotment in a subdivision should be connected to reticulated services for telecommunications and electricity supply where these are reasonably available.

POL 6.6.4

The density and type of development should not exceed the capacity of the area to absorb the adverse effects of the development on amenity, water quality, stormwater runoff, ecological values, health or safety.

COMMENTS

The proposed development will occur within a defined growth area. Stormwater, wastewater and water infrastructure will be undergrounded within road reserve so as not to compromise the qualities and characteristics of surrounding environments and will be designed and located to avoid, remedy or mitigate any adverse effects from their structures on the environment, community health and amenity. Subject to compliance with conditions of consent, appropriate infrastructure and services will be provided to the development where every lot will be required to connect into reticulated services. For those reasons detailed above in my assessment of effects under s104(1)(a), I consider the proposal exceeds the capacity of the area to absorb the adverse effects of the development on amenity. For the most part the proposal is not contrary to the above objectives and policies with the exception of Policy 6.6.4 which I consider the proposal is contrary to.

OBJ 6.8.1

Investments in strategic nationally and regionally important utilities, and industrial and research sites are protected.

POL 6.8.2

Strategic nationally and regionally important utilities, and industrial and research sites must be recognised for the important benefits they contribute to the community, including any potential sites as shown on planning map.

POL 6.8.3

Subdivision, use and development must not compromise the ongoing and efficient operation of strategic nationally and regionally important infrastructure including power stations, energy corridors electricity transmission lines, gas lines, landfills, air and land transport networks, and facilities integral to the agriculture sector (Te Rapa Dairy Factory, Horotiu meat processing plant, and agricultural research centres).

COMMENTS

The subject site is in close proximity to the Waikato Expressway. The traffic assessment provided by Gray Matter as part of the Application concludes that the proposed volumes of traffic from the site will not compromise the ongoing and efficient operation of the expressway (which is regarded as a road of national significance), subject to compliance with conditions of consent including a condition requiring upgrades to Wayside Road.

Also a valid consideration is the fact that the proposal will establish sensitive residential activities within close proximity to a high volume high speed road and off-ramp which can lead to adverse reverse sensitivity effects. NZTA have made a submission also expressing concern for this reason, although I note their submission is in support of the application. NZTA have provided recommendations for design and construction of dwellings within affected areas. If consent is granted, I support the imposition of these conditions to ensure the development does not compromise the normal operation of the Waikato Expressway. Subject to compliance with conditions, I conclude the proposal is not contrary to the above objective and policies.

CHAPTER 8: LAND TRANSPORT NETWORK

OBJ 8.2.1

An integrated, safe, responsive and sustainable land transport network is maintained, improved and protected.

POL 8.2.2

Design, construction and operation of roads should be consistent with their function in the road hierarchy.

POL 8.2.2A

Subdivision, use and development should not compromise the road function as specified in the road hierarchy.

POL 8.2.2B

Subdivision, use and development should be in a location and at a scale that

(a) is consistent with the existing or planned capacity and design of the roading network,

(aa) is consistent with the intended function of any roads that may be affected by the subdivision, use and development (roading hierarchy), and

(b) does not compromise the safety and efficiency of the roading network, and

(c) does not compromise the safety and efficiency of the railway network.

POL 8.2.3

The integrated, safe, responsive and sustainable operation of the land transport network should be promoted through:

- (a) carriageway, intersection and site design*
- (b) appropriate siting of and access for traffic generating activities*
- (c) traffic management, signage, road marking, lighting, and rest areas and parking as appropriate*
- (d) provision for pedestrians, cyclists and the disabled, including off road routes and connections including pedestrian malls*
- (e) provision of public transport*
- (f) provision for network utilities*
- (g) appropriate access for existing land uses*
- (h) railway crossing design.*

POL 8.2.4

Subdivision and development should not obstruct future road linkages including access to adjoining land and to Hamilton City where relevant.

POL 8.2.5

Subdivision, use and development should be located and designed to connect safely to an existing road.

POL 8.2.5A

Land use activities should provide adequate on-site parking.

OBJ 8.4.1

Land transport networks are provided, while not compromising the qualities and character of surrounding environments.

POL 8.4.2

Road and rail maintenance, construction and operation should minimise adverse effects on people, communities and the environment by managing:

- (a) discharge of stormwater*
- (b) effects of contamination, including discharge of stock effluent*
- (c) disturbance to natural landforms, soil resources, indigenous vegetation and habitats, and cultural and heritage sites*
- (d) severance of property and communities*
- (e) road surface noise*
- (f) connections between communities*
- (g) glare and light spill from street lighting.*

COMMENTS

In reliance on the recommendations and conclusions reached within the Gray Matter report provided as part of the Application, I consider the proposal will ensure an integrated, safe, responsive and sustainable land transport network is maintained, improved and protected subject to compliance with conditions requiring vehicle crossings and roads are constructed/upgraded to appropriate standards.

CHAPTER 9: CONTAMINATED LAND

OBJ 9.2.1

Human health or the environment is not harmed by the use or development of contaminated land.

Pol 9.2.2

Sensitive activities, such as residential, educational, recreational or childcare activities, should not locate on contaminated land.

POL 9.2.3

Prior to a change of use or redevelopment of contaminated land, remediation to make the site suitable for the proposed use or redevelopment must be undertaken.

POL 9.2.4

Remediation of contaminated land should not pose a more significant risk to human health or the environment than if remediation had not occurred.

POL 9.2.5

Material removed from contaminated land should be disposed of in a manner that avoids further adverse effects on human health or on the environment.

POL 9.2.6

Use or development of contaminated land that has been remediated must not damage or destroy any contaminant containment works, unless comparable or better containment is provided.

POL 9.2.7

Development or use of land known to have been occupied by a potentially contaminating activity should not occur until any risk to human health or the environment has been investigated.

COMMENT

The subject land was historically used as an experimental farm, established in Te Kauwhata in 1886, for researching different crops, including vegetables, fruit trees, berry fruits and grapes classed as HAIL activities. Resource consent for a Discretionary Activity under the NES was sought and granted as part of the SS consent. Initial remediation works have been undertaken at the site. If consent is granted, conditions imposed under the SS consent will be imposed for this consent to ensure human health or the environment is not harmed by the use or development of contaminated land. As such, the proposal is not contrary to the above objective and policies.

CHAPTER 11: SOCIAL, CULTURAL AND ECONOMIC WELLBEING

OBJ 11.2.1

Towns, villages, neighbourhoods and localities have social coherence and a sense of place.

POL 11.2.3

The boundary between towns, villages and rural areas should be defined by a clear difference in development density, by natural features and open space.

POL 11.2.4

Focal points in towns and villages, including natural and built features, should be retained and enhanced.

POL 11.2.5

Social infrastructure such as open space, halls, libraries, schools and shopping areas should be located so that a social focus, identity and identifiable gathering space is provided to the community.

OBJ 11.2.7

Valued social and cultural characteristics of communities are retained.

POL 11.2.8

Activities should meet the needs of individuals and groups and be sensitive to the existing social and cultural characteristics of communities.

POL 11.2.12

Activities in Te Kauwhata should contribute to the evolving social and cultural characteristics derived from diverse traditional and emerging primary industries and servicing of them, the town's setting near to Whangamarino Wetland and Lake Waikare, its low and medium density residential character and its proximity to Auckland and to other employment nodes.

POL 11.2.14

Activities in villages should enhance their social character and reflect their importance to the district.

COMMENTS

These objectives seek to ensure urban development improves social and cultural wellbeing through social coherence and a sense of place. The ability of people and communities to meet their social and cultural needs is part of the broader concept of sustainable management. These objectives and associated policies seek to enable people and communities to meet their social and cultural needs while using and developing natural and physical resources.

Community wellbeing is greatly enhanced by opportunities to enjoy diverse recreation, cultural and social activities. For the most part, I consider the proposal will achieve the above objectives and policies. However, the above policies also indicate that facilities should be located so that everyone within a community can benefit from the social interactions they will generate. In this case, the shape and size of the recreation reserve, which has been identified in the District Plan as an important landmark, means that only one access point is available to the public which is likely to reduce its connection to parts of the community. The reserve does provide a social focus area or an identifiable gathering place, helping to distinguish one community from another.

The objective and policies recognise that a diverse range of individuals and groups live in the district and that it is appropriate that their needs can be met in a number of different ways. However, in meeting such needs it is important that the existing social and cultural characteristics of the community are recognised and that any new activities are sensitive to these.

For those reasons detailed in my assessment of effects under s104(1)(a), I consider the proposal is not sensitive to the existing social characteristics of the community which are more closely aligned to activities that are more compliant with the provisions of the District Plan.

Nga Muka Development Trust, in their submission, has expressed concern over the social impact of new street names which have little or no connection to the history, geography or topography of this area. Whilst the names of streets extends beyond the scope of the Application in so far as Council is concerned, this is a consideration for the Applicant in terms of ensuring the social and cultural values of the community are upheld. I understand there are ongoing conversations with NMDT around street names and the name of the reserve.

Subject to ongoing consultation with NMDT I consider that the social and cultural values of NMDT can be upheld. In relation to the wider community however, I consider the proposal is contrary to the above objectives and policies and that the proposal compromises the

communities social coherence and sense of place as is evident in the submissions in opposition.

OBJ 11.4.1

Cultural practices and beliefs of tangata whenua are respected.

POL 11.4.2

Subdivision, use and development should not compromise the cultural and spiritual significance of areas, including waahi tapu, urupa, maunga and other landforms, mahinga kai, and indigenous flora and fauna.

POL 11.4.3

The cultural significance of the Waikato River, Raglan Harbour (Whaingaroa), coastal areas, wetlands and other water bodies should be recognised and maintained.

POL 11.4.3A

Activities on Maaori land should meet the social and cultural needs of the tangata whenua.

POL 11.4.4

Tangata whenua should be able to sustainably manage their lands and resources in accordance with their cultural preferences and aspirations.

COMMENTS

Under the Resource Management Act, it is a matter of national importance that the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is recognised and provided for. In addition, particular regard is to be given to kaitiakitanga, and the principles of the Treaty of Waitangi are to be taken into account. Customary authority and rights over land and resources is the source of wellbeing of tangata whenua. The exercise of rangatiratanga and expression of kaitiakitanga contributes to tangata whenua's wellbeing and helps to ensure that the mauri of taonga is healthy and strong.

Through their submission, Nga Muka Development Trust has detailed the importance of preserving the waterways within the vicinity of the site and in particular the Whangamarino Wetland, Lake Waikare and the Waikato River. NMDT have provided a submission in support of the Application and advise that they will continue to work with the Applicant to ensure the cultural, social and environmental values of the waterways are preserved.

I consider the proposal is not contrary to the above objectives and policies.

CHAPTER 13: AMENITY VALUES

OBJ 13.2.1

Adverse effects of activities on amenity values are managed so that the qualities and character of the surrounding environment are not unreasonably compromised.

POL 13.2.2

Adverse effects associated with lighting, litter, electromagnetic radiation, vermin, traffic, spray drift, and noise should be contained within the site where they are generated.

POL 13.2.3

Adverse effects associated with offensive or objectionable dust, smoke and odour should be contained within the site where they are generated.

POL 13.2.4

Adverse effects that cannot be contained on the site where they are generated must be remedied or mitigated.

POL 13.2.5

Amenity values, health and safety should be protected from adverse traffic effects including:

- (a) noise, vibration, dust, lighting and glare*
- (b) vehicle emissions*
- (c) accelerated or contaminated stormwater runoff*
- (d) visual effects of parking and loading areas*
- (e) traffic safety and congestion.*

OBJ 13.2.6

Amenity values of localities are maintained and enhanced.

POL 13.2.7

Scale, intensity, timing and duration of effects of activities should be managed to be compatible with the amenity and character of the locality.

POL 13.2.8

Activities with similar effects or a similar expectation of amenity should be located together.

POL 13.2.9

Activities sensitive to noise, dust, smoke, odour, spray drift, lighting, litter, electromagnetic radiation, vermin or traffic should locate in areas where local amenity values are not already compromised by those effects.

POL 13.2.10

Activities with dissimilar effects or a dissimilar expectation of amenity should be separated where possible.

POL 13.2.11

The district should be divided into zones for the purposes of resource management.

OBJ 13.4.1

Amenity values of sites and localities maintained or enhanced by subdivision, building and development

POL 13.4.2

Subdivision, building and development should be located and designed to:

- (a) be sympathetic to and reflect the natural and physical qualities and characteristics of the area*
- (b) ensure buildings have bulk and location that is consistent with buildings in the neighbourhood and the locality*
- (c) avoid buildings and structures dominating adjoining land or public places, the coast, or water bodies*
- (d) retain private open space and access to public open space*
- (e) encourage retention and provision of trees, vegetation and landscaping*
- (f) arrange allotments and buildings in ways that allow for view sharing, where appropriate*
- (g) provide adequate vehicle manoeuvring and parking space on site*
- (h) provide vehicle, cycling and pedestrian connection to transport networks, including roads, cycleways and walkways, and facilitate public transport*
- (i) promote security and safety of public land and buildings, and places*
- (j) mitigate foreseeable effects (including reverse sensitivity effects) on, and from, nearby land use, particularly existing lawfully established activities*
- (k) mitigate foreseeable effects on water bodies*
- (l) maintain adequate daylight and direct sunlight to buildings, outdoor living areas and public places*
- (m) maintain privacy*

- (n) *avoid glare and light spill.*

COMMENTS

For reasons detailed within my assessment of effects under s104(1)(a), I consider that the adverse effects of the proposed activity on amenity values are not managed in a way that ensures the qualities and character of the surrounding environment is not unreasonably compromised. I also consider the amenity values of the area are not maintained or enhanced by the proposed subdivision. The proposal seeks to create smaller lots at a higher density than anticipated and increase the building coverage within smaller lots thereby reducing the private open space and onsite vegetation. The increased number of rear lots also results in loss of privacy along the side/s of front lots and lots with neighbours front and back as opposed to just at the back. The increase in rear lots means more driveway crossings with houses spaced further apart detracting from the streetscape and adversely impacting on the perceived density. The orientation of lots adjacent to laneways may well result in driveways and garaging locating on the northerly side of the lot, reducing the opportunity for dwellings and primary outdoor spaces to benefit for solar access. The proposal includes terracing building platforms restricting buildings integrating into the natural landform. Whilst the reserve is conveniently located and will retain its height allowing for views out of the subdivision to natural features, the steep engineered sides reduce connections (accessibility) to the Hilltop Reserve; thereby reducing convenient access to public open space (i.e. only one access point). By reducing the size and natural contours of the reserve this in turn reduces the character of the area. The proposal is also significantly non-compliant with the Te Kauwhata Urban Design Guide which sets guidelines to ensure high amenity. I conclude the proposal is contrary to the above objectives and policies.

OBJ 13.4.4

Signs visible from public places do not compromise visual amenity or road safety.

POL 13.4.5

The number, size, location and appearance of signs visible from public places should be compatible with the character and sensitivity of localities.

POL 13.4.6

Signs visible from public places should not create adverse effects from illumination, light spill, flashing or reflection.

POL 13.4.7

Messages or images on signs visible from roads should not confuse or distract road users.

COMMENTS

The proposal includes a number of non-compliant signs. The Application advises that the signs will not be illuminated, flashing or moving however will exceed the height, size, number and detail restrictions of the District Plan. Subject to compliance with conditions which restricts illuminated, flashing and/or reflective signs that are visible from public places and maintenance of signs, I consider the proposal will not be contrary to the above objectives and policies.

CHAPTER 15: RECREATION

OBJ 15.2.1

Public green open space and recreational facilities are available to meet the needs of the community.

POL 15.2.2

Subdivision and development must contribute to the provision of public green open space and recreational facilities.

POL 15.2.4

An integrated network of local, regional and national walkways or cycleways should be developed and should ensure:

- (a) convenient and practical public access to and along the route*
- (b) safety and security for neighbours and walkway users*
- (c) protection and restoration of conservation values*
- (d) integration with the transport network, including cycleways where appropriate.*

POL 15.2.6

Recreation and reserve use and development should be consistent with the nature and character of the local environment, including protection of landforms, and protection and restoration of indigenous vegetation, wildlife and linking of habitats.

POL 15.2.7

Recreation facilities should be appropriately located to avoid adverse effects on the environment, including reverse sensitivity effects.

COMMENTS

Recreational activities and open space have an important role in enabling the community to provide for its social and cultural wellbeing and for its health and safety. This occurs through open space and associated recreational facilities providing the community with opportunities for undertaking a range of recreational and community activities. The proposal will create a recreation reserve, however, the proposed size and shape of the reserve and the surrounding roading network means that the reserve is only accessible from one location, and reduced to such a size that much of the land cannot be used for either passive or recreation purposes. In the context of the District Plan provisions, I conclude that the proposed recreation reserve does not meet the needs of the community and that the proposal is contrary to the above objectives and policies.

CHAPTER 15A: TE KAUWHATA STRUCTURE PLAN

OBJ 15A.2.1

Te Kauwhata village characteristics are maintained and enhanced.

POL 15A.2.2

Development should contribute to the Te Kauwhata village character, including:

- (a) a predominance of residential lots that contain significant open space*
- (b) retaining amenity trees*
- (c) public open space which is conveniently accessed and highly visible*
- (d) retaining views to natural landscapes and features*
- (e) a strong association with rural amenity values*
- (f) a compact form that does not sprawl into the countryside*
- (g) integrated development that reinforces the town centre as a community focal point*
- (h) convenient access to light industries*
- (i) locating light industry predominantly along heavy traffic routes*
- (i) recognising cultural and historic values and land uses including horticulture, viticulture and traditional Maaori values*
- (k) the integration of buildings, private open space and public open space*
- (l) a general consistency of building scale and form that integrate into the natural landscape*

- (m) *compliance with the Te Kauwhata Structure Plan and Urban Design Guide*
- (n) *a strong association with ecological values of the wetland environments in the vicinity of the township, in particular Whangamarino Wetland and Lake Waikare.*

COMMENTS

Te Kauwhata is a distinctive rural village connected to the surrounding rural landscape, lakes, wetlands and with clear views to the surrounding hills. An important element of the Structure Plan is to ensure that this Te Kauwhata village character is not lost as the village expands. The objectives and policies aim to ensure that:

- residential lots are of a size, shape and orientation to provide high quality private open space,
- streetscapes are attractive,
- trees associated with previous development are retained,
- public open space is conveniently located,
- views to, and connections with, the surrounding natural features are retained,
- buildings integrate into natural landforms, and

I consider the proposal is contrary to the above objective and policies. The proposal seeks to create smaller lots at a higher density than anticipated and increase the building coverage within smaller lots thereby reducing the private open space and onsite vegetation. The increased number of rear lots also results in loss of privacy along the side/s of front lots and lots with neighbours front and back as opposed to just at the back. The increase in rear lots means more driveway crossings with houses spaced further apart detracting from the streetscape and adversely impacting on the perceived density. The orientation of lots adjacent to laneways may well result in driveways and garaging locating on the northerly side of the lot, reducing the opportunity for dwellings and primary outdoor spaces to benefit for solar access. The proposal includes terracing building platforms restricting buildings integrating into the natural landform. Whilst the reserve is conveniently located and will retain its height allowing for views out of the subdivision to natural features, the steep engineered sides reduce connections (accessibility) to the Hilltop Reserve; thereby reducing convenient access to public open space (i.e. only one access point). The proposal is also significantly non-compliant with the Te Kauwhata Urban Design Guide.

OBJ 15A.2.5

Residential activities and development in the town centre should maintain amenity values, with special attention given to avoiding, remedying and mitigating the adverse effects of medium density housing including reverse sensitivity issues.

POL 15A.2.10

Diverse living and working environments in Te Kauwhata create a positive sense of place and neighbourhood identity.

POL 15A.2.11

Subdivision, use and development should be located and designed to provide a variety of living and working environments with recreational opportunities in close proximity.

POL 15A.2.12

Living, working and recreational environments should contribute to the Te Kauwhata village character and have high amenity values through the use of design principles.

COMMENTS

For reasons detailed within my assessment of effects under s104(1)(a), I conclude the proposal does not maintain the amenity values or contribute positively to the Te Kauwhata Village character and therefore the proposal is contrary to the above objective and policies.

OBJ 15A.2.18

Hydrological characteristics of the Whangamarino Wetland, Lake Waikare and their tributaries are retained.

POL 15A.2.19

Subdivision, use and development must be undertaken in a manner that maintains the overall hydrological characteristics of the area including maintaining surface and groundwater flow regimes, ponding and drainage patterns.

POL 15A.2.20

Modifications to flow paths, ponding areas and drainage patterns should be limited to minor adjustments that enable an overall enhancement of the environment or restore previously modified systems.

POL 15A.2.21

Stormwater should be managed as close to its source as is practicable.

OBJ 15A.2.22

Ecological values and water quality of the Whangamarino Wetland, Lake Waikare and their tributaries are maintained and enhanced.

POL 15A.2.23

Stormwater runoff must be managed to ensure natural water bodies are not degraded and ecological values are protected.

POL 15A.2.24

Development must be designed and setback from the Whangamarino Wetland, Lake Waikare and their tributaries to maintain and enhance their ecological values.

POL 15A.2.25

Stormwater management practices and devices should be in accordance with low impact design principles.

POL 15A.2.25A

Riparian buffer plantings should be compatible with vegetation associated with the Whangamarino Wetland and consistent with identified plant species.

COMMENTS

Subject to compliance with conditions of consent if consent is granted, the stormwater infrastructure will be required to be designed and constructed to ensure the hydrological characteristics of the Whangamarino Wetland, Lake Waikare and their tributaries are retained. Sedimentation and erosion controls will be required to be put and kept in place prior to and during earthworking activities. I conclude the proposal will not be contrary to the above objective and policies.

OBJ 15A.2.31

A land transport network that provides for all transport modes, and contributes towards creation of the Te Kauwhata village character, is developed.

POL 15A.2.32

Subdivision, use and development should be located and designed to contribute towards an integrated transport network within the Te Kauwhata Structure Plan area including:

- (a) a high degree of road connectivity, including between local roads*
- (b) convenient access to public transport nodes*

- (c) *convenient and high amenity walking and cycling routes to community focal points including schools, public open space and the town centre*
- (d) *consistency with the Structure Plan roading network*
- (e) *facilitating the development of public transport*
- (f) *walkway and footpath connections to existing networks.*

POL 15A.2.33

The transport network should be located and designed to contribute towards the creation of the Te Kauwhata village character including through:

- (a) *creating attractive streetscapes*
- (b) *minimising the number of rear lots*
- (c) *using traffic calming measures*
- (d) *minimising the number of access points on to roads by pairing entranceways where possible*
- (e) *ensuring road alignments are sympathetic to natural contours so that the need for earthworks is minimised.*

POL 15A.2.34

Heavy and through traffic should be separated from the village road network.

COMMENTS

I consider the proposal provides road connectivity, convenient access to public transport nodes, convenient walking and cycling routes which will eventually provide connection to community focal points including schools, public open space and the town centre and facilitates the development of public transport. For the most part the proposal achieves the provisions under Policy 15A.2.32 above. However, I do not consider the proposal achieves a transport network that contributes towards the creation of the Te Kauwhata village character which includes creating attractive streetscapes and minimising the number of rear lots. Overall, I conclude the proposal is contrary to the above objective and policies because it does not achieve a road network that contributes to the existing Te Kauwhata Village character.