

Proposed Plan Change 14:

Mangaone Precinct & C10 Industrial
Growth Cell - Hautapu

Incorporating

Section 42A Report

February 2025

RMA HEARINGS PANEL REPORT



To: RMA Hearings Panel Commissioners

From: Hayley Thomas – Project Planner (Waipā District Council)

Subject: **Section 42A Hearing Report on Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu**

Meeting Date: 6 - 7 March 2025

EXECUTIVE SUMMARY

In May 2024, Fonterra Ltd lodged a proposed plan change seeking to bring forward the development of part of the post-2035 C10 Growth Cell. This is proposed to be achieved through the rezoning of the land from Rural Zone to Industrial Zone, extending the 'urban limits' and amending the provisions of various sections in the Operative Waipā District Plan.

Proposed Plan Change 14 was presented to the Strategic Policy and Planning Committee on 5 June 2024 at which it was decided that the plan change be adopted and publicly notified by Council. Public notification was undertaken on 20 June 2024 with submissions closing on 19 July 2024. During the submission period a total of 15 submissions were received and during the further submission period a total of three further submissions were received.

This report is prepared under Section 42A of the Resource Management Act 1991 and assesses the information provided in the submissions and further submissions on Proposed Plan Change 14. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions and further submissions, and to make recommendations on possible amendments to the plan change in response to those submissions.

Pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991, it is recommended that:

- (a) The rezoning of land from rural zone to industrial zone as sought by Proposed Plan Change 14 be confirmed; and
- (b) The submissions and further submissions on Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu, are accepted, accepted in part or rejected as outlined in this report and Appendix 1; and
- (c) The amendments to the District Plan including Appendices and Planning Maps are made as outlined in this report and Appendix 2.

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APPENDICES

Appendix 1 - Summary of Decisions Requested and Recommendations by Topic

Appendix 2 - Recommended Track Change Amendments to Plan Change

Appendix 3 - Market Economics Ltd – Economics Review

Appendix 4 - BECA – Rural Interface Review

Appendix 5 - Waikato Regional Policy Statement and Future Proof Assessment

1. INTRODUCTION

- 1.1.1 This report is prepared in accordance with Section 42A of the Resource Management Act 1991 ('the Act'). This report assesses and provides recommendations on Proposed Plan Change 14 ('PC14') to the Waipā District Plan and the submissions and further submissions ('submissions') that were received by Waipā District Council ('Council') in relation to it.
- 1.1.2 Section 2 of this report provides the background to Proposed Plan Change 14.
- 1.1.3 Section 3 of this report provides the statutory and policy context for the matters to be considered and determined through the hearing process.
- 1.1.4 Section 4 of this report provides an analysis of the submissions including recommendations. For ease of reporting, the submissions for this hearing have been grouped into various topics. Analysis and discussion on each submission and further submission is contained in the paragraphs for each topic with Appendix 1 containing the summary of submission tables grouped by topic.
- 1.1.5 For clarity, this report includes discussion on submissions and contains recommendations to the Hearing Panel relating to them. The recommendations made in this report are **not** the decision of the Panel.
- 1.1.6 A track changes version of the amendments recommended to the District Plan as part of PC14 is included in Appendix 2.

2. BACKGROUND TO PLAN CHANGE 14

2.1 PROCESS

- 2.1.1 On 7 February 2023, Mr Tony Quickfall (Manager District Plan and Growth – WDC at that time) presented a report to the Strategic Planning & Policy Committee titled '*Draft Plan Change 14: Hautapu Industrial C10 - Confirmation in principle for the progression of a Draft Plan Change*' (ECM#10955687). This report outlined the background and reasons for the draft plan change. The committee resolution provided confirmation 'in-principle' that Council, on receipt of a draft plan change for the C10 Growth Cell area prepared by an external consultant, would progress the plan change from the point of notification, subject to the following caveats:
- i) *"The Draft Plan Change being in full and final form, in terms of any supporting technical documentation and meeting the statutory requirements of the Resource Management Act 1991; and*
 - ii) *Staff resources and capacity at the time of the receiving the Draft full and final plan change; and*

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iii) *Forward work programme priorities and funding at the time of receiving the Draft full and final plan change.”*

2.1.2 On 10 May 2024, Fonterra Ltd lodged the plan change application with Council. In regard to the above caveats, it was confirmed that:

- Fonterra Ltd has funded the drafting of Proposed Plan Change 14 which has been prepared and managed by Mitchell Daysh.
- Staff are satisfied that the proposed plan change application and supporting technical documentation is in full and final form and meets the statutory requirements of the Resource Management Act 1991.
- There is sufficient staff resourcing and capacity in place to process the proposed plan change.
- Proposed Plan Change 14 can be progressed as part of the forward work programme without taking resources away from other plan changes currently in progress. A deposit fee has been paid by Fonterra Ltd which should be sufficient to cover costs up to the point of notification.

2.1.3 The plan change application ('PC14') was presented to the Strategic Policy and Planning Committee on 5 June 2024 at which it was decided that the plan change be adopted and publicly notified by Council.

2.1.4 Public notification of the plan change was undertaken on 20 June 2024 with submissions closing on 19 July 2024.

2.1.5 The summary of submissions was notified on 15 August 2024, with the further submission period closing on 29 August 2024.

2.1.6 In response to submissions received in relation to economic and Rural Zone interface concerns, Council engaged external experts to review and provide commentary on the points raised by submitters. These reviews are outlined below in Sections 2.2 and 2.3.

2.2 ECONOMIC REVIEW

2.2.1 Market Economics Ltd were engaged to provide a peer review of the property Economics Assessment provided as Appendix I of the notified PC14 application. A copy of their full review is attached as Appendix 3 and, in summary, the following key points were made:

- Granting PC14 and bringing forward the development timeline for the C10 Growth Cell would create a stronger economic platform for Cambridge and the wider Waipā District, benefiting businesses, residents and the regional economy as a whole.
- The effect of the extension of State Highway 1 in motorway form, directly past the industrial zones on the north side of Cambridge opens this area up to industrial demand

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that arises from much further afield. These demand forces have not been incorporated into BDCA work to date and are likely to increase demand at Cambridge significantly.

- The purpose of the NPS-UD and the BDCA prepared under it, is to identify the bare minimum amount of capacity that Council must provide.
- The C10 growth cell is earmarked for industrial development from 2035 onwards. By bringing its development forward by (at most) 10 years – in response to increased demand pressures will generate practicably no adverse economic effects for the district.
- There may be some minor private impacts on landowners of other industrially zoned land as the increased vacant capacity will put downward pressure on land costs – but those private costs are more than outweighed by the benefits.
- The proposed Mangaone Precinct has limited potential to undermine the uptake and growth potential of existing and live-zoned industrial land in the Cambridge market and the wider district.
- PC14 adds significant development capacity to the medium term, by effectively bringing forward capacity.
- The exact link between any identified shortfall and an exact amount of land required to meet that shortfall does not need to be established.
- Economic efficiency is enhanced by granting PC14.

2.3 LANDSCAPE REVIEW

2.3.1 Council engaged BECA to provide advice on the existing and proposed rule set of the Industrial Zone and PC14 in respect to the rural interface treatments and submissions received regarding them. This included a review of the Harrison Grierson Urban Design statement forming Appendix N of the notified application. A copy of the BECA review is attached as Appendix 4 and, in summary, the following key points are made by BECA:

- The Structure Plan identifies the need for industrial subdivision and development to respond to the rural interface and identifies the need to include rules to achieve appropriate built form and landscaping outcomes, and is directly related to the issues raised in submissions
- The relief sought in these submissions can generally be broken into the following components relating to the management of the rural / industrial interface:
 - Landscape buffer requirements.
 - Building setback requirements.
 - Building height requirements.

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- The elements proposed within the PC14 landscape buffer provides an appropriate response to the character of Swayne and Zigzag Road.... However, in my opinion the composition and width of landscape elements requires further consideration...
- Provided the recommendations related to timing and scale of planting can be satisfied, it is not anticipated that a bund will be required to ‘prop’ up the proposed vegetation. Precluding the use of bunding places significant reliance on the successful integration and maintenance of the proposed hedge.
- Establishing the planting as soon as practically possible will help to reduce the duration of effects – to provide more clarity on this the alternative wording for the rule could use ‘within three months of subdivision creating developable lots’.
- In addition, it is recommended that size of plants, height at time of planting and anticipated growth rates of species is provided to understand the extent and duration of exposure to industrial activities and built form as the planting establishes.
- Provided the landscape buffer recommendations can be satisfied, it is considered a 10m minimum setback for building is a suitable outcome for this context. While a 15m setback appears to be consistent with other industrial / rural residential interfaces in the Waipā District, this often occurs adjacent to State highways or building frontage or where the scale of landscape planting is substantially smaller than that proposed as part of PC14. Ultimately the scale of building at a 10m or 15m setback is proportional to the recession plan rules. A 15m setback or more maybe more appropriate where planting cannot be adequately accommodated to mitigate effects.
- Overall, the Harrison Grierson Urban Design Statement for Mangaone Precinct (forming Appendix N of the notified plan change documents) provides comprehensive analysis and design response to the development of the C10 Growth Cell.
- The long term scenario enabled by the proposed rules will help to provide an appropriate transitional interface between the future industrial zone and existing rural and rural residential land. However, there are a number of matters that require further resolution to provide clarity on duration of effects – specifically for Swayne and Zig Zag Road.

2.4 PLAN CHANGE PROPOSAL

2.4.1 PC14 seeks to bring forward the development of part of the post-2035 C10 Growth Cell. This is proposed to be achieved through the rezoning of the land from Rural Zone to Industrial Zone and amending the Operative Waipā District Plan as follows:

- Rezone the following land parcels (as outlined in black in Figure 1 below) from Rural Zone to Industrial Zone;
 - Lot 2 DP 529042; and
 - Sections 1, 4 and 7 SO 499872.
- Insert new Appendix S27 – Mangaone Precinct Structure Plan;

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- Amend Appendix S20 – Bardowie Industrial Precinct Structure Plan;
- Add new definitions and amend objectives, policies, performance standards and assessment criteria to the following sections of the Waipā District Plan:
 - Part B – Definitions;
 - Section 7 – Industrial Zone;
 - Section 15 – Infrastructure, Hazards, Development and Subdivision;
 - Section 16 – Transportation; and
 - Section 21 – Assessment Criteria and Information Requirements.

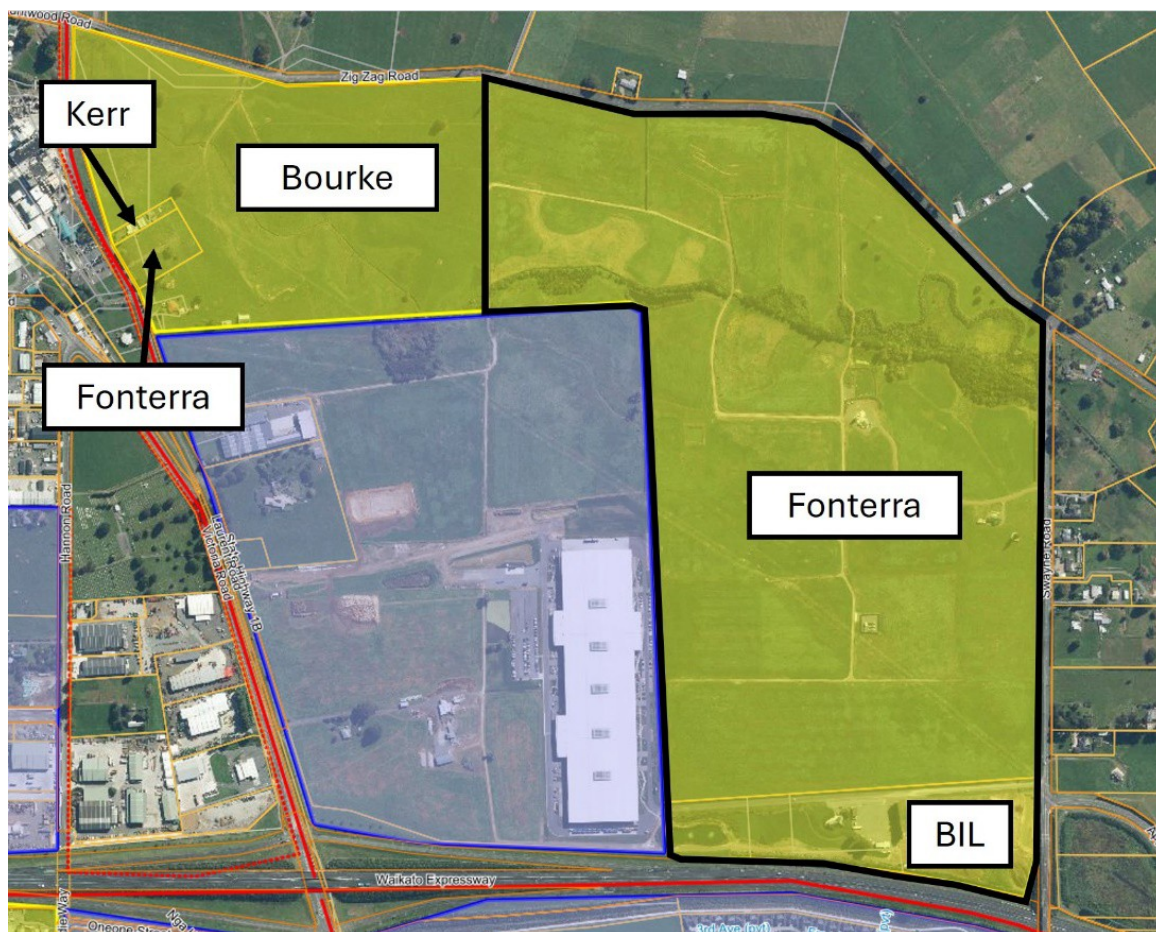


FIGURE 1: LANDOWNERS WITHIN POST-2035 C10 GROWTH CELL

- 2.4.2 The specific changes are set out in Part 4 (Sections 4.2 – 4.10) and Appendix B of the PC14 application documents as publicly notified.
- 2.4.3 The key elements of the Mangaone Precinct Structure Plan, as outlined in the PC14 documentation are:
- *“Protection and enhancement of the Mangaone Stream and associated wetlands and ecology (including bat habitat) with the potential for a network of pedestrian and cycle paths to be provided;*
 - *The identification of a Collector Road and Local Roads, as well as points of connectivity to the wider roading network;*

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- *Stormwater detention and management devices (precise locations to be confirmed at the subdivision consenting phase);*
- *A Central Focal Area that will provide for small-scale retail and service activities to establish that will service the day-to-day needs of the industrial businesses in the area; and*
- *Proposed landscaping treatments at the site edges (particularly along the Mangaone Stream, Swayne Road and Zig Zag Road)."*

3. STATUTORY AND POLICY CONTEXT

3.1 RESOURCE MANAGEMENT ACT 1991 ('RMA')

3.1.1 The purpose of the RMA is set out in Section 5 and is to promote the sustainable management of natural and physical resources. Sustainable management means:

Managing the use, development and protection of natural and physical resources in a way and at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

3.1.2 In the context of this report the outcomes proposed by PC14 are considered to promote sustainable management of the natural and physical resources of the Hautapu Industrial Area.

3.1.3 Under Section 32 of the RMA an evaluation report must examine whether the objectives of the proposal (being the purpose of PC14) is the most appropriate way for achieving the purpose of the RMA and whether the provisions of the proposal (being the changes to policies, rules and other provisions) are the most appropriate way to achieve the objectives. This evaluation was set out in the 'Section 32 Report' that supported the proposed plan change at the time of notification. Refer Appendix O of the notified application documents.

3.1.4 A further evaluation under Section 32AA of the RMA is required to be completed by the Hearing Panel if their decisions alter the notified provisions of PC14.

3.1.5 Section 6 of the RMA requires all persons exercising functions and powers under the RMA in relation to managing the use, development, and protection of natural and physical resources, to recognise and provide for listed matters of national importance. It is considered that PC14 does not compromise the achievement of any of the relevant listed matters in that:

- The natural character of the Mangaone Stream and its margins will be preserved and protected from inappropriate subdivision, use and development through the vesting of land as reserve.

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- PC14 contains provisions which seek to manage effects on long-tailed bats in relation to bat habitat values associated with the Mangaone Stream.
- Public access to and along the Mangaone Stream is provided and facilitated by PC14.
- Iwi and mana whenua have not raised any concerns with PC14 in relation to the relationship of Māori with ancestral lands, water and sites.

3.1.6 Section 7 of the RMA identifies other matters that particular regard is to be given to. Those matters of key relevance to the plan change include ‘(a) kaitiakitanga’, ‘(b) the efficient use and development of natural and physical resources’, ‘(c) the maintenance and enhancement of amenity values’ and ‘(i) the effects of climate change’. PC14 has regard to these matters through:

- The engagement process undertaken with local tangata whenua to date;
- The future urban use of the land for industrial purposes being signaled in various strategic planning documents;
- Proposed provisions which manage effects specific to the area, and those existing provisions which apply across the District (i.e. Development provisions in Section 15).

3.1.7 Subject to development complying with performance standards, It is considered that the plan change is consistent with the achievement of the matters within Section 7 of the RMA.

3.1.8 Section 8 of the RMA requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account during decision-making. Local tangata whenua have been engaged over the course of the development of the plan change and their feedback is summarised in the application (Refer Application Appendix M – Cultural Impact Assessment). Overall, it is considered the principles of the Treaty have been taken into account and are not compromised by PC14.

3.1.9 The purpose of a District Plan (section 76) is to assist councils to carry out their functions in order to achieve the purpose of the RMA. The functions of district councils are listed in Section 31 of the RMA and include:

- Integrated management of the effects of the use, development and protection of land and associated natural and physical resources of the District.
- The control of any actual or potential effects of the use, development, or protection of land.

3.1.10 The objective of PC14 is consistent with the purpose of the Waipā District Plan pursuant to Section 76 of the RMA.

3.2 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

3.2.1 The National Policy Statement on Urban Development 2020 (‘NPS-UD’) was gazetted on 23 July 2020 and had legal effect from 20 August 2020. The NPS-UD has identified Waipā District as a

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high-growth urban area and a ‘Tier 1 Urban Environment’ meaning it applies to planning decisions by council that affect an urban environment, and Council must give effect to it.

3.2.2 The objectives and policies of the NPS-UD relevant to PC14 are identified in Table 1 below.

Table 1: NPS-UD Objectives & Policies

Objective / Policy	Provision
Objective 1	New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
Objective 3	Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply: (a) the area is in or near a centre zone or other area with many employment opportunities (b) the area is well-serviced by existing or planned public transport (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.
Objective 4	New Zealand’s urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.
Objective 6	Local authority decisions on urban development that affect urban environments are: (a) integrated with infrastructure planning and funding decisions; and (b) strategic over the medium term and long term; and (c) responsive, particularly in relation to proposals that would supply significant development capacity.
Policy 1	Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: (a) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (b) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (c) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (d) support reductions in greenhouse gas emissions; and (e) are resilient to the likely current and future effects of climate change.
Policy 2	Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.
Policy 6	When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters: (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes: (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and

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Objective / Policy	Provision
	(ii) are not, of themselves, an adverse effect (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1) (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity (e) the likely current and future effects of climate change.
Policy 8	Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well-functioning urban environments, even if the development capacity is: (a) unanticipated by RMA planning documents; or (b) out-of-sequence with planned land release.

3.2.3 It is considered that PC14 achieves the outcomes sought by the NPS-UD in that:

- The change in zoning and ability to develop land within the C10 growth cell represents the addition of significant development capacity for industrial development for the Waipā District and Waikato subregion. On this basis the out-of-sequence land release is able to be supported in this instance.
- The change in planned urban built form from rural to urban / industrial that will occur from PC14 has been signaled through identification of the C10 Growth Cell via Future Proof, the Growth Strategy and the District Plan. It is recognised that PC14 will involve significant changes to the immediate area and that these changes may detract from existing amenity values appreciated by people who currently live in the area. As noted in Policy 6(b)(ii) above, these changes in themselves are not to be taken as being adverse effects.
- PC14 provides development capacity to meet expected demand for industrial land for the Waipā District and the Waikato subregion as a whole.
- PC14 will contribute to the urban environments of Hautapu and Cambridge, and will result in a well-functioning industrial environment that:
 - The development of a variety of sites suitable for different industrial activities as determined by the market will be enabled;
 - The subject land has good accessibility to Cambridge; and
 - The rezoning of the land as proposed supports the competitive operation of the industrial land market.

3.3 NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

3.3.1 The National Policy Statement for Highly Productive Land (‘NPS-HPL’) took effect on 17 October 2022. The NPS-HPL requires New Zealand’s most productive land to be identified and managed to prevent inappropriate subdivision, use and development, with its one, and only, objective stating “*Highly productive land is protected for use in land-based primary production, both now and for future generations*”.

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3.3.2 Waikato Regional Council has not yet mapped highly productive land for the purpose of the NPS-HPL. Because of this the transitional definition for “Highly Productive Land” in Clause 3.5(7) is applicable and states:

“Until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority and consent authority must apply this National Policy Statement as if references to highly productive land were references to land that, at the commencement date:

- (a) is*
 - (i) Zoned general **rural** or rural production; and*
 - (ii) **LUC 1, 2 or 3** land; **but***
- (b) is not:*
 - (i) identified for **future urban development**; or*
 - (ii) subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.”*

3.3.3 In terms of Clause 3.5(7)(a) the PC14 land is within the Rural Zone and comprises LUC Class 1 land. As such whether the land is highly productive land depends solely on if it is land that is identified for future urban development. The NPS defines ‘identified for future urban development’ as meaning:

- “(a) identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years; or*
- (b) identified:*
 - (i) in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and*
 - (ii) at a level of detail that makes the boundaries of the area identifiable in practice.”*

3.3.4 The Waipā District is part of the Future Proof Strategy, being a non-statutory sub-regional spatial plan adopted by Council resolution. Future Proof is within the meaning of strategic planning document provided by the NPS-HPL. The PC14 land is identified within the Hautapu Strategic Industrial Node of the Future Proof Strategy, mapped accordingly, and identified for development between 2031 and 2050 (i.e. commencing urban development within the next 10 years). Because of this it is considered that the plan change land does not meet the transitional definition of highly productive land and therefore the urban rezoning of rural land proposed by PC14 is exempt from the NPS-HPL under Clause 3.5(7)(b)(i).

3.4 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

3.4.1 The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (‘NES-CS’) came into force on 1 January 2012 and sets out nationally consistent

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standards to ensure contaminated land is managed and remediated when soil disturbance or changes in land use are proposed.

- 3.4.2 In terms of the plan change area, the southeastern portion of the site is identified as containing a HAIL Activity on Council’s Special Features Map. Refer Figure 2 below. In accordance with Regulation 5(7), the site is therefore a ‘piece of land’ under the NES-CS.
- 3.4.3 In March 2024, Council processed and granted consent for the ‘disturbance of soils within a HAIL site as a Discretionary Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011’ (Council reference LU/0212/23). In the application it was confirmed that this part of the site was a kiwifruit orchard, and a laydown area for construction of the Waikato Expressway.
- 3.4.4 A Preliminary Site Inspection Report, prepared by Guy Sowry of Contaminated Site Investigation, dated 22 September 2018, accompanied the resource consent application confirming the HAIL site status.

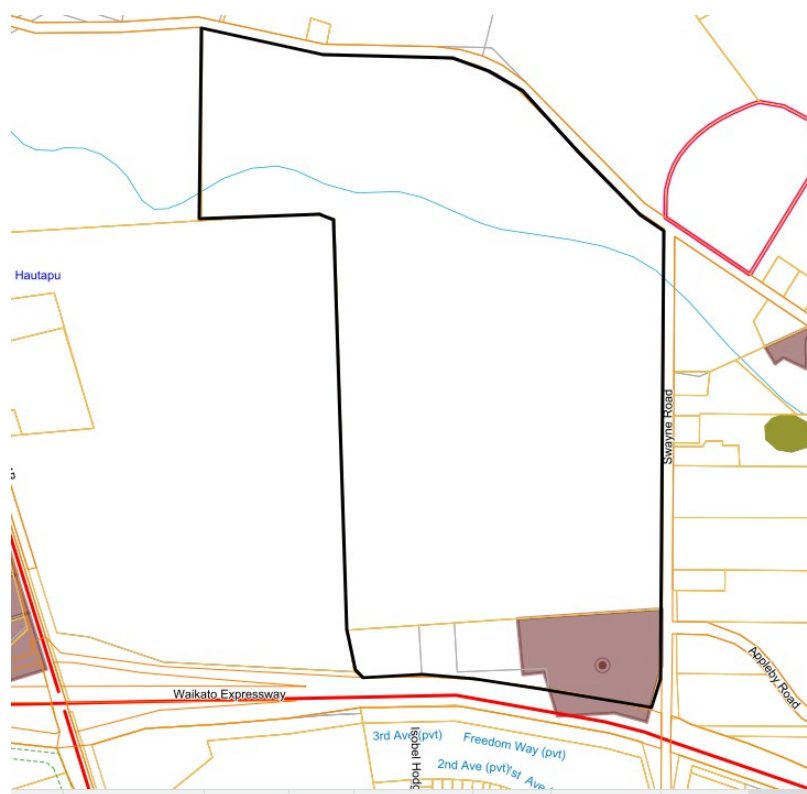


FIGURE 2: COUNCIL’S SPECIAL FEATURES MAP (PLAN CHANGE AREA OUTLINED IN BLACK, HAIL ACTIVITY SHADED BROWN)

- 3.4.5 The application documents for PC14 include a Detailed Site Investigation, prepared by Soil & Rock Consultants, which covers the land owned by Fonterra Ltd. Reer Appendix J of the notified application documents.

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3.4.6 As the HAIL Activity portion of the ‘kiwifruit block’ has been addressed by the appropriate consent, and the Detailed Site Investigation will be used to assess future activities on the Fonterra Ltd land, no further consideration under the NES-CS is necessary as part of PC14.

3.5 WAIKATO REGIONAL POLICY STATEMENT: TE TAUĀKĪ KAUPAPAHERE TE-ROHE O WAIKATO

3.5.1 Section 75 of the RMA requires district plans to give effect to any relevant Regional Policy Statement. Regional Policy Statements are required to achieve the purpose of the RMA by providing an overview of the resource management issues of the region, and policies and methods to achieve integrated management of the natural and physical resources.

3.5.2 The Waikato Regional Policy Statement (‘WRPS’) includes policies relating to the built environment and is currently subject to Proposed Plan Change 1 - National Policy Statement on Urban Development 2020 and Future Proof Strategy update (‘PC1’). Decisions on PC1 have been made but are understood to be subject to appeal.

3.5.3 The key policy direction relevant to PC14 is set out under the topic heading ‘Urban Form and development (UFD)’ and is discussed under Sections 3.7 to 3.9 below.

3.5.4 An assessment of PC14 in relation to the relevant provisions of the WRPS is provided in Appendix 5. Overall, PC14 is considered to be consistent with the strategic policy direction of the Waikato Regional Policy Statement.

3.6 TE TURE WHAIMANA O TE AWA O WAIKATO – WAIKATO RIVER VISION AND STRATEGY

3.6.1 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River was developed by the Waikato River Guardians Establishment Committee, iwi and communities of the Waikato River catchment. The Waikato River co-management legislation (Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)) establishes the Vision and Strategy in law. The Vision and Strategy is the primary direction setting document for the Waikato River including its catchment which includes most of the Waipā District.

3.6.2 The Vision and Strategy is deemed to be part of the Waikato Regional Policy Statement (and therefore must be given effect to by the district plan).

3.6.3 PC14 involves enhancement of the margins of the Mangaone Stream which ultimately drains to the Waikato River. The nature and scale of stormwater management and stream enhancement associated with PC14 provides the means by which the effects of urbanisation and future industrial land use are managed and assist in the restoration of the health and well-being of the Waikato River.

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3.7 RESPONSIVE PLANNING OUT-OF-SEQUENCE DEVELOPMENT – WAIKATO REGIONAL POLICY STATEMENT AND FUTURE PROOF

- 3.7.1 PC14 involves activation of part of the C10 growth cell identified in Future Proof, Waipā Growth Strategy and the Waipā District Plan ('WDP'). The WDP identifies that C10 is a growth cell anticipated beyond 2035 with the land having an underlying rural zoning. As such PC14 represents out-of-sequence development.
- 3.7.2 Both the Waikato Regional Policy Statement ('WRPS') and Future Proof ('FP') have provisions which address responsive planning for out-of-sequence plan change / development proposals. PC14 is considered to represent significant development capacity that warrants the bringing forward of its activation and development for industrial purposes in line with the provisions of WRPS and FP.
- 3.7.3 Refer 3.8 and 3.9 below, and **Appendix 5** attached, for assessment of the relevant provisions of the WRPS and FP in this respect.

3.8 WAIKATO REGIONAL POLICY STATEMENT (INCORPORATING PLAN CHANGE 1)

- 3.8.1 Urban Form and Development Method 49 (UFD-M49) and Policy 11 (UFD-P11) of the WRPS must be given effect to by Council in making a decision on PC14.

Urban Form and Development – M49

- 3.8.2 UFD-M49 provides that Council can consider an alternative timing to release of industrial land from that shown on Map 43 and set out in Table 35 of Appendix 12 to the WRPS where it is satisfied that:
- The development proposal is 'significant', by means of it being consistent with the responsive planning criteria in Appendix 13 to the WRPS; and
 - The effects of the development proposed are consistent with the development principles in Appendix 11 to the WRPS.
- 3.8.3 Assessments of the relevant WRPS provisions and appendices have been completed and are attached as **Appendix 5**. Based on these assessments it has been concluded that PC14 represents significant development that is consistent with the relevant responsive planning criteria and development principles of the WRPS. In this respect:
- PC14 will significantly increase the supply of zoned and infrastructure ready industrial land within the Waipā District.
 - PC14 assists in meeting demand for and known shortfall of industrial land for the sub-region in the medium term.
 - PC14 will contribute to enhancement of the competitive industrial land market at Hautapu and within the sub-region.

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- Future industrial development within the PC14 land is consistent with the relevant guiding principles and growth management directives set out in the Future Proof Strategy.
- The pattern of development associated with the proposed structure plan provides good accessibility and connectivity with the balance of the Hautapu area and Cambridge.
- There is capacity available in infrastructural services serving the Hautapu area to accommodate development in the advanced timeframe.
- In conjunction with existing and proposed district plan provisions it is considered that PC14 does not have the potential to compromise human health and is not incompatible with existing sensitive land use activities undertaken on adjacent land.
- There are no infrastructure commitments which would be undermined by the bringing forward the industrial zoning of the PC14 land.
- Stormwater infrastructure design will account for flood water from extreme storm events being the most likely impacts arising from future effects of climate change.
- Other than the presence of the Mangaone Stream corridor the PC14 land is not constrained where it would be considered as wāhi toitū.
- The PC14 land is comprised of high-quality soil and as such is within the meaning of wāhi toiora. A precautionary approach to the development of the PC14 land is not necessary in this instance because the land has been earmarked for urban / industrial purposes in growth planning and development of the land for industrial purposes is needed and will occur in the medium term.

Urban Form and Development – P11

3.8.4 UFD-P11 adopts the land use pattern that has been developed by Future Proof. PC14 gives effect to the relevant outcomes directed by this policy, through:

- The C10 Growth Cell being located within an urban enablement area where new urban development is expected to occur.
- The C10 Growth Cell forming part of the Hautapu Strategic Industrial Node where new industrial development is expected to occur.
- On the whole being consistent with Criteria A in Appendix 13 to the WRPS.

3.9 FUTURE PROOF DEVELOPMENT STRATEGY

3.9.1 Future Proof is a joint growth management strategy between Hamilton City, Waikato, Matamata Piako and Waipā Districts, and Waikato Regional Council (WRC), iwi, Waka Kotahi NZ Transport Agency and Waikato District Health Board. It establishes a strategic plan for land use, infrastructure and roading which provides for the future needs of the sub-region.

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- 3.9.2 Future Proof ('FP') supports local growth strategies through establishing a settlement pattern made up of existing urban zones and growth areas. The C10 Growth Cell is part of this settlement pattern, being within an urban enablement area and identified for long-term development (2020 – 2050).
- 3.9.3 Policy 8 of the NPS-UD requires decisions to be responsive to plan changes that would add significantly to development capacity even when this is unanticipated or out-of-sequence development. FP contains a set of criteria that is intended to assist Council in responding to these types of plan changes. These criteria:
- Are not ranked, and no one criteria are given more weight than another; and
 - Are used to determine whether a proposed change would create significant development capacity.
- 3.9.4 PC14 is a 'Scenario 1' (out-of-sequence) development under FP. This means that assessment of significant development capacity is restricted to matters A – O of Criteria A. These criteria are similar to those embedded in Appendix 13 of the WRPS.
- 3.9.5 PC14 is considered to be consistent with achievement of the relevant criteria and as such it is appropriate, for the reasons set out in Section 3.8 above, for the rezoning of the subject land to proceed ahead of the signalled 2035 timeframe identified for the C10 Growth Cell by the Waipā District Plan.

3.10 WAIPĀ 2050 DISTRICT GROWTH STRATEGY

- 3.10.1 Adopted by the Council in June 2009, and reviewed in November 2017, the Waipā 2050 Growth Strategy is a district wide growth strategy providing direction for accommodation of the District's increasing population. The Growth Strategy identifies the land area needed to provide for not only the additional housing based on population growth projections but also industrial land supply. The November 2017 review noted a need to simplify and provide more flexibility regarding the sequencing of growth cells in response to the NPS-UD. The District Plan, via Plan Change 5, was updated to reflect the growth cells and aspirations outlined in the Growth Strategy.
- 3.10.2 With regard to the C10 Growth Cell the Growth Strategy notes *"The Hautapu Industrial Area (C8 and C9) and growth cell C10 are both considered suitable for industrial development. The Future Proof Strategy identifies the Hautapu area as a strategic node of approximately 90ha in area to be developed between 2017 and 2061. Based on the structure plan work undertaken to date, growth cells C8 and C9 are preferred for earlier development over C10, although provision of both provides flexibility to the market and to landowners reflecting their development aspirations."*
- 3.10.3 PC14 is considered to align with the aspirations of the Growth Strategy, noting in particular the ability to provide flexibility to the market and landowners.

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3.11 IWI JOINT MANAGEMENT AGREEMENTS

- 3.11.1 Council has joint management agreements ('JMA') in place with several iwi that have rohe within the Waipa District. As noted in Section 5.4 of the PC14 application, engagement with mana whenua being Ngāti Hauā and Ngāti Korokī Kahukura commenced early in 2023. A presentation on PC14 was also given at the Waipa JMA Hui in October 2023.
- 3.11.2 The Cultural Impact Assessment included in Appendix M of the PC14 application was undertaken in consultation with Ngāti Hauā and Ngāti Korokī Kahukura.

4. ANALYSIS OF SUBMISSIONS

4.1.1 A total of fifteen (15) submissions and three (3) further submission were received on PC14. The submissions and further submissions have been grouped into topic areas and this report will adopt this same topic area format.

- Topic 1 - All of Plan Change;
- Topic 2 – Bats;
- Topic 3 – Economic;
- Topic 4 - Industrial Zone Activities;
- Topic 5 - Infrastructure Capacity;
- Topic 6 - Kiwifruit Block;
- Topic 7 - Mangaone Stream;
- Topic 8 - National Grid Yard;
- Topic 9 – Rezoning;
- Topic 10 – Rural;
- Topic 11 - Structure Plan; and
- Topic 12 – Transport.

4.1.2 Sections 4.2 to 4.13 of this report provide discussion and recommendations under these topic headings. Table 2 below shows which submitters lodged a submission point on the various topics.

Table 2: Topic / Provision and Submitter number and name

Topic	Submitter
All of Plan Change	1 – T M West 5 – Fonterra Ltd 6 – Kama Trust 7 – Bardowie Investments Ltd 10 – Waikato Regional Council 13 – Geoffrey and Beverly Laurent 14 – Fire and Emergency New Zealand FS1 – Henmar Trust FS2 - Fonterra
Bats	10 – Waikato Regional Council 12 - Director-General of Conservation FS2 – Fonterra

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Topic	Submitter
	FS3 – Forest & Bird
Economic	6 – Kama Trust 8 – Lesley Dredge 10 – Waikato Regional Council FS1 – Henmar Trust FS2 – Fonterra Ltd
Industrial Zone Activities	7 – Bardowie Investments Ltd 9 – Henmar Trust 10 – Waikato Regional Council FS1 – Henmar Trust FS2 – Fonterra Ltd
Infrastructure Capacity	6 – Kama Trust 9 – Henmar Trust 10 – Waikato Regional Council FS1 – Henmar Trust FS2 – Fonterra Ltd
Kiwifruit Block	7 – Bardowie Investments Ltd 8 – Lesley Dredge 9 – Henmar Trust 11 – Ken Dredge FS1 – Henmar Trust FS2 – Fonterra Ltd
Mangaone Stream	4 - Waipā District Council 9 – Henmar Trust 10 – Waikato Regional Council 12 - Director-General of Conservation FS2 – Fonterra Ltd FS3 – Forest & Bird
National Grid Yard	3 – Transpower FS2 – Fonterra Ltd
Rezoning	9 – Henmar Trust FS2 – Fonterra Ltd
Rural	2 - H Wood & O'Sheas Trustees No 8 Ltd 7 – Bardowie Investments Ltd 9 – Henmar Trust 11 – Ken Dredge 14 – Fire and Emergency New Zealand 15 – Reon Taylor FS1 – Henmar Trust FS2 – Fonterra Ltd
Structure Plan	9 – Henmar Trust FS2 – Fonterra Ltd
Transport	2 - H Wood & O'Sheas Trustees No 8 Ltd 6 – Kama Trust 7 – Bardowie Investments Ltd 9 – Henmar Trust 10 – Waikato Regional Council 13 – Geoffrey and Beverly Laurent 14 – Fire and Emergency New Zealand 15 – Reon Taylor

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Topic	Submitter
	FS1 – Henmar Trust FS2 – Fonterra Ltd

4.2 TOPIC 1 – ALL OF PLAN

4.2.1 Table 1 in Appendix 1 provides a summary of the submissions and further submissions grouped and considered to be relevant to the whole District Plan. The following paragraphs discuss and address each of the submissions.

MR TM West

4.2.2 Mr TM West in his submission has:

- questioned the process with regard to the funding of the plan change by Council (1/1);
- raised concern regarding the independence of the assessments accompanying the plan change application (1/2);
- raised concern regarding the potential adverse effects of the plan change on the environment (1/3); and
- raised concern regarding the justification for the plan change noting the existing industrial land within Hautapu and questioning the ‘shortage’ of land within the zone (1/4).

4.2.3 These submission points are all recommended to be rejected for the reasons outlined in the following paragraphs.

Plan Change Funding (1/1)

4.2.4 As outlined above in Section 2 – Background to Plan Change 14, the Strategic Policy and Planning Committee committed to progressing the plan change from the point of notification, subject to caveats, in February 2023. The plan change was prepared by Fonterra on this basis and lodged, with a deposit, in May 2024.

4.2.5 Council staff reviewed the application and provided the Strategic Policy and Planning Committee the recommendation to adopt the plan change in accordance with Clause 25 of the Resource Management Act 1991. This was passed by the Committee at their meeting on 5 June 2024. Fonterra to this point has funded the plan change and no ratepayer funds other than staff time has been expended. The Waipā district and Waikato subregion as a whole will benefit from the increased provision of industrial land at Hautapu.

Independence of Assessments (1/2)

4.2.6 PC14 and its supporting documents have been prepared in accordance with the process required under the Resource Management Act 1991. All of the technical reports submitted in support of the notified application were prepared by suitably qualified and independent professionals.

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4.2.7 In response to submissions received (specifically relating to economics and landscape architecture issues) Council Staff have obtained additional independent advice from experts (Market Economics and BECA). This advice has informed the recommendations made to the Hearing Panel on these topics.

Adverse Effects on the Environment (1/3)

4.2.8 In regard to assessment of environmental effects (including traffic, noise and light emission) the plan change documentation has provided an extensive assessment, including expert reports within the appendices of the notified application. Council staff are satisfied that the application provides the necessary assessment of effects to ensure adequate mitigation measures are captured through the plan change provisions and the existing provisions applying to industrial zoned land.

Plan Change Justification – Industrial Land (1/4)

4.2.9 An economic analysis was provided as part of the PC14 documentation (Appendix I of the notified application). In addition to this Council commissioned Market Economics Ltd to provide comment in relation to economic matters (refer Appendix 3 of this report). The economic experts engaged both conclude that there is merit in bringing forward the development opportunity of this land, with minimal risk of the creation of an oversupply of industrial land. This is further discussed in Topic 3, Section 4.4 below.

Submissions Supporting PC14

4.2.10 Fonterra Ltd (5/1, FS2/25), Kama Trust (6/1), Bardowie Investments Ltd (7/1) and Henmar Trust (FS1/2, FS1/7) have supported PC14, or parts of it, subject to changes being made in accordance with the relief sought by their own submissions. Council staff have reviewed the submissions and further submissions on the plan change and recommended changes to that proposed in the original application. These submission and further submission points are therefore recommended to be accepted in part as they are subject to changes as a result of other recommendations in this report.

Transport Infrastructure

4.2.11 Kama Trust (6/3) and G & B Laurent (13/2) has raised concerns with regard to traffic effects and the requirement for the relevant infrastructure to be in place prior to development occurring. The application includes an Integrated Transportation Assessment (refer Appendix H of the plan change application) which has identified a long-term future transport network that would support both the plan change area and the wider network in the long term and when full development activity is occurring.

4.2.12 Section 9.1 of the Integrated Transportation Assessment recommends an Infrastructure Works Agreement be established with the Council based on three categories of works being:

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- Transport infrastructure works required as a result of the plan change (Category A works);
- Works to address current network deficiencies and deliver a wider community benefit (Category B works); and
- Integrated works predominately needed as a result of other demands (Category C works).

4.2.13 The Integrated Transportation Assessment suggests the provisions as proposed address this matter. Council Staff, however recommend that the following performance standard and assessment criteria should be included into the District Plan to avoid any doubt about the transport upgrade triggers and expectations. This provision relates specifically to the Category A works identified in the Integrated Transportation Assessment. The submission is recommended to be accepted in part.

Rule – Mangaone Precinct – Transport

7.4.2.46 The following transport upgrades are required prior to any development within the Mangaone Precinct. These upgrades, along with when they will be required, are set out below:

	Transport Upgrade	Implementation Requirement
a)	<u>Victoria Road / East-West Collector Road Intersection</u>	To be completed prior to: <ul style="list-style-type: none"> ▪ <u>Any Section 224(c) certificate for subdivision under the RMA being issued for the completion of any subdivision south of the Mangaone Stream; or</u> ▪ <u>Any activity located south of the Mangaone Stream being able to generate traffic.</u>
b)	<u>A 2-lane plus painted median Industrial Collector Road - Structure Plan East-West</u>	
c)	<u>Internal public road formation within the plan change area to be vested as 'local road'</u>	
d)	<u>Zig Zag Road carriageway shoulder widening and pavement strengthening</u>	To be completed prior to: <ul style="list-style-type: none"> ▪ <u>Any Section 224(c) certificate for subdivision under the RMA being issued for the completion of any subdivision north of the Mangaone Stream; or</u> ▪ <u>Any activity located north of the Mangaone Stream being able to generate traffic.</u>
e)	<u>Swayne Road / Site Access 2-lane T-intersection (designed for light vehicle access only)</u>	To be completed prior to: <ul style="list-style-type: none"> ▪ <u>Any Section 224(c) certificate for subdivision under the RMA being issued for the completion of any subdivision south of the Mangaone Stream; or</u> ▪ <u>Any activity located south of the Mangaone Stream being able to generate traffic.</u>
f)	<u>Swayne Road Rural Industrial Road formation – carriageway shoulder widening, potential localised pavement strengthening together with light/medium vehicle access restriction within the site and including a shared path connection</u>	

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	Transport Upgrade	Implementation Requirement
	to the south to adjoin existing facilities on Swayne Road.	

[Activities that fail to comply with Rule \(NEW\) will require a resource consent for a restricted discretionary activity with the discretion being restricted over:](#)

- [Amenity effects; and](#)
- [Road design and connectivity; and](#)
- [Safety, capacity, and efficiency of the transport network; and](#)
- [The design and sequencing of upgrades to the transport network; and](#)
- [Provision of cycling and pedestrian networks; and](#)
- [Enabling of public transport; and](#)
- [The ability to adequately manage stormwater.](#)

[These matters will be considered in accordance with the assessment criteria in Section 21.](#)

Industrial Zone Assessment Criteria		
Restricted Discretionary Activities		
21.1.7.17B	Transport	<ol style="list-style-type: none"> a. The impact of roading on the amenity of the area. b. Whether the road design and layout is consistent with Mangaone Precinct Structure Plan . c. The extent to which roading within the zone can be constructed to adequately manage stormwater. d. Whether the proposed subdivision or development will enable the safe and efficient operation of the surrounding road network. e. Where subdivision or development does not provide the transport upgrades specified by Rule NEW), it is supported by an Integrated Transport Assessment that: <ol style="list-style-type: none"> i. Identifies the reasons why the upgrades set out within Rule (NEW) are not required, deferred or varied; and ii. Includes an assessment of the transport effects of the proposal (including all modes of transport) that would support the land uses proposed or be enabled under the Industrial Zone; and iii. Outlines the extent of any consultation undertaken with Waipā District Council (as the relevant road controlling authority) in relation to the proposed design of the transport network and upgrades. f. Whether the proposed subdivision or development will enable the provision of public transport.

Electricity Infrastructure

4.2.14 Kama Trust (6/3) has raised concerns about the potential impact the development within the plan change site may have on the electricity network and on their industrial zone land prior to upgrades of this network being undertaken. PC14 as notified includes a Civil Infrastructure Assessment in Appendix F which includes confirmation from Waipa Networks that a programme

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is in place to upgrade the existing power supply for the C10 Growth Cell. On this basis it is recommended that this submission be rejected.

Adverse Amenity Effects

- 4.2.15 Kama Trust (6/6) has raised concern regarding the potential adverse amenity effects of the plan change on their land. No detail on what these amenity effects may be is provided in the submission. It is noted the submitters land is located within Area 6 of the Hautapu Industrial Zone which is approximately 1km west of the site. It is recommended that this submission point is rejected as PC14 will not result in any amenity effects for the land in Area 6.

National Policy Statement – Highly Productive Land Additional Assessment

- 4.2.16 The Waikato Regional Council (10/1) has stated that “at the commencement date of the NPS-HPL, the land subject to PC14 did not meet either of the exemptions under Clause 3.5(7)(b)” and as such they have requested further assessment of the plan change against the National Policy Statement for Highly Productive Land (NPS-HPL).
- 4.2.17 WRC in their submission have not identified why they are of the opinion that at 17 October 2022 the plan change land was not land within the meaning of “identified for future urban development”. In this respect Council Staff are of the opinion that the PC14 land and the C10 Growth Cell is land identified for future development within the Future Proof Growth Strategy (FP) and therefore not within the transitional definition of highly productive land provided by the HPS-HPL.
- 4.2.18 This arises because the 2022 version of FP (as a strategic planning document adopted by Council) which was in play prior to commencement of the NPS identifies the C10 Growth Cell:
- As forming part of the Hautapu Strategic Industrial Node for long term development between 2031 and 2050 (anticipating that commencement of urban development could occur within 10 years); and
 - Being identified to a level of detail that makes the boundaries identifiable in practice (i.e. being boundaries defined by legal formed roads).
- 4.2.19 Clause 3.6 of the NPS-HPL would apply if the PC14 land was deemed not to be identified for future urban development. A full assessment of the provisions of clause 3.6 has not been completed, however the following points are made:
- The industrial rezoning will assist in providing sufficient development capacity to meet the demand for business land in the Waikato subregion.
 - Within the Hautapu Strategic Industrial Node or the wide Cambridge area there are no alternative options to PC14 where similar development capacity could be realised.
 - Greater intensification of industrial activities in the existing industrial areas of Cambridge is not a feasible way to accommodating new industrial development capacity;

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- There are no alternative locations surrounding Cambridge comprising non-highly productive land that provide the largely constraint free development opportunity for industrial land use on the scale that PC14 proposes; and
- There are no other locations adjoining the Hautapu strategic industrial node of lower productive capacity that could be rezoned in lieu of the PC14 land.
- The economic benefits and environmental outcomes in terms of the Mangaone Stream associated with PC14 are considered to outweigh the costs associated with the loss of highly productive land in the short to medium term.

4.2.20 On this basis it is recommended that submission point (10/1) be rejected.

Stormwater Network

4.2.21 The Waikato Regional Council (10/23) seeks to ensure that the design of the stormwater network considers fish passage via open access from existing drains/wetlands to the Mangaone Stream. Council staff note that the swale network will feed into the reserve area, the enhancement of the stream and its surrounds will provide this opportunity. It is recommended that this submission is accepted and accommodated through including a new information requirement (j) in Section 21.2.7.1 regarding the Mangaone Stream Reserve Plan, to read as follows:

[21.2.7.1\(j\) Measures taken that consider flora and fauna and the enhancement of ecological values within the extent of the reserve area \(including fish and fish passage\);](#)

Urban Limits

4.2.22 Fire and Emergency NZ (14/1), Henmar Trust (FS1/25) and Fonterra Ltd (FS2/115) have sought the extension of the ‘urban limit’ notated on the Planning Maps to include the area subject to the plan change. The extension of the urban limit will ensure the firefighting provisions within Section 15 of the District Plan include the plan change area. Council staff have reviewed this submission and agree it is appropriate to update the Planning Maps to have the ‘urban limit’ include this area. These submission points are recommended to be accepted.

Topic 1 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Mr T.M West			
Mr T.M West		1/1, 1/2, 1/3, 1/4	Reject
	Fonterra Ltd	FS2/1, FS2/2, FS2/3, FS2/4	Accept
	Henmar Trust	FS1/1	Accept
Submissions Supporting PC14			
Fonterra Ltd		5/1, FS2/19, FS2/21, FS2/114	Accept in Part
Karma Trust		6/1	Accept in Part
Bardowie Investments Ltd		7/1	Accept in Part
	Henmar Trust	FS1/2, FS1/7	Accept in Part

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Submitter	Further Submitter	Submission Point	Recommendation
	Fonterra Ltd	FS2/25	Accept in Part
Transport Infrastructure			
Kama Trust		6/3	Accept in Part
	Henmar Trust	FS1/4	Reject
	Fonterra Ltd	FS2/21	Accept in Part
G & B Laurent		13/2	Accept in Part
	Henmar Trust	FS1/24	Reject
	Fonterra Ltd	FS2/114	Accept in Part
Adverse Amenity Effects			
Kama Trust		6/6	Reject
	Fonterra Ltd	FS2/24	Accept
National Policy Statement Highly Productive Land – Additional Assessment			
Waikato Regional Council		10/1	Reject
	Fonterra Ltd	FS2/73	Accept in Part
Stormwater Network			
Waikato Regional Council		10/23	Accept in Part
	Fonterra Ltd	FS2/87	Accept in Part
	Henmar Trust	FS1/17	Accept in Part
Urban Limits			
Fire and Emergency New Zealand		14/1	Accept
	Henmar Trust	FS1/25	Accept
	Fonterra Ltd	FS2/115	Accept

4.3 TOPIC 2 – BATS

4.3.1 Long-tailed bats or pekapeka (*Chalinolobus tuberculatus*; Threatened – Nationally Critical) are commonly found in and around Cambridge. As part of the plan change documents, investigations for bats have been undertaken and reported on in the ‘Ecological Values and Effects Assessment’ prepared by RMA Ecology Ltd, and an opinion from Bluewattle Ecology regarding the protection of long-tailed bats and their habitat within the plan change area (refer Appendix D of the notified application documents). The result of the on-site investigations has informed the inclusion of the ‘High Value Bat Habitat Area’ in the vicinity of the Mangaone Stream. The submissions and further submissions received that are specific to this topic have been summarised in Table 2 Appendix 1 and further commented on in the subsequent paragraphs.

Mangaone Stream Reserve

4.3.2 The Waikato Regional Council (10/10, 10/20, 10/22), the Director-General of Conservation (12/1, 12/8, 12/11, 12/12, 12/15), Fonterra Ltd (FS2/112) and Forest & Bird (FS3/1, FS3/8, FS3/11, FS3/12, FS3/15) have supported the Mangaone Stream Reserve within the Structure Plan, requesting that its extent is retained through the plan change and subsequent development. Council staff note that the reserve area is multi-purpose and will provide cultural, ecological and stormwater functions. As a result, and as further information is provided through detailed design (i.e. particularly for stormwater management purposes) this may alter the extent of the area

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vested as reserve. Council staff therefore note these submissions are accepted in part insofar as the final extent of the reserve is not yet known and will be determined by stormwater design.

Mangaone Precinct Structure Plan

- 4.3.3 The Waikato Regional Council (10/11), Director-General of Conservation (12/2), Fonterra (FS2/79, FS2/103) and Forest & Bird (FS3/2) have requested an addition to Appendix S27 to include “*a description of the High Value Bat Habitat Area and its purpose/function to Appendix S27*”. Unfortunately, none of the submitters have provided any suggested text to satisfy this requested relief. In this respect it is recommended that text be added as follows:

Bat Habitat Values

S27.2.26 The planted margins of the Mangaone Stream, provide over 2 hectares of suitable bat foraging and roosting habitat. These areas are identified on the structure plan as “High Value Bat Habitat”.

S27.2.27 Provisions have been incorporated into the Industrial Zone and other parts of the District Plan to ensure that development of the Mangaone reserve and any exterior lighting within it protects and respects bat habitat values and assists in ensuring that the objective of no net habitat loss for long tailed bats as a result of the development of the Mangaone Precinct is met.

Objectives and Policies

- 4.3.4 The Waikato Regional Council (10/12, 10/13), Director-General of Conservation (12/4, 12/5) and Forest & Bird (FS3/4, FS3/5) have also requested the inclusion of a new objective and policy relating to the ‘*protection and enhancement of long-tailed bats and their habitat within the Mangaone Precinct*’. Fonterra through their further submission opposes this on the basis that the District Plan already includes objectives and policies that cover off flora and fauna outcomes.
- 4.3.5 The existing policy direction of the district plan with regard to biodiversity outcomes district wide is limited to Objective 1.3.5 and Policy 1.3.5.1(a) within Section 2 (Strategic Policy Framework). The framework seeks to maintain and where possible enhance environmental values including through ensuring that development and subdivision is undertaken in a manner that does not result in a net loss of indigenous biodiversity.
- 4.3.6 PC14 specifically identifies a ‘High Value Bat Habitat Area’ on the structure plan and seeks achievement of specific bat outcomes in developing the reserve area. Because of this, it is considered appropriate to include policy direction relevant to bat habitat values within the Mangaone Precinct. In lieu of the absence of specific words to support the relief sought by the submitters, the following objectives and policy are recommended to be included in Section 7 of the District Plan:

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Objective – Long-Tailed Bat Habitat Values – Mangaone Precinct

7.3.9 That the development of land within the Mangaone Precinct:

- (a) achieves no net loss of long-tailed bat habitat values; and
- (b) enhances and protects the high value bat habitat area identified on the Mangaone Precinct Structure Plan.

Policies – Long-Tailed Bats – Mangaone Precinct

7.3.9.1 To manage development of the Mangaone Reserve (including the High Value Bat Habitat Area) in and through a reserve development plan process.

7.3.9.2 To protect long-tailed bat habitat values within the Mangaone Precinct by controlling activities within and adjacent to the Mangaone Precinct High Value Bat Habitat Area, including performance standards relating to lighting, light spill and building location.

Resource Management Issue

4.3.7 The Director-General of Conservation (12/3) and Forest & Bird (FS3/3) have requested the inclusion of a Resource Management Issue regarding the protection and enhancement of the long-tailed bat habitat values. The inclusion of a Resource Management Issue in Section 7 regarding bat habitat value is supported and the following is recommended to be included in Section 7.2 of the District Plan:

Bat Habitat Values

7.2.21 Development within the Mangaone Precinct Structure Plan Area has the potential to adversely affect the habitat value of the threatened, nationally critical long-tailed bat within the ‘High Value Bat Habitat Area’. [12/3, FS3/3]

Development Agreement

4.3.8 The Director-General of Conservation (12/7) and Forest & Bird (FS3/7) have requested amendments to Rule 7.4.2.36 – Development Agreements, regarding security of the extent of the Mangaone Reserve and the High Value Bat Habitat Area located therein. The submission notes the concern that the area would be lessened via the Development Agreement process. Council staff have considered these submissions and recommend that they be rejected for the following reasons:

- Rule 7.4.2.36 is an existing rule that is not specific to the Mangaone Precinct and applies to other structure plan areas;
- The reserve area has a number of functions, and its final extent will be determined by detailed stormwater design; and
- Rule 15.4.2.69 requires development and subdivision to be in general accordance with an approved structure plan. Any significant variations from the reserve extent shown in the structure plan would trigger a non-complying activity resource consent.

Industrial Purposes within Rule 15.4.2.91A

- 4.3.9 The Director-General of Conservation (12/9) and Forest & Bird (FS3/9) have requested the removal of the words ‘for industrial purposes’ from Rule 15.4.2.91A(d) which outlines when the Mangaone Stream Reserve Management Plan is required. The Waikato Regional Council (10/16) have also sought clarification regarding the inclusion of the words ‘for industrial purposes’. Council staff have reviewed this request and note that the removal of these terms would require minor activities within the precinct (a boundary adjustment subdivision, for example) to provide the Management Plan. Works associated with the establishment of industrial activities (via subdivision or land use consent) is the appropriate time for the management plan to be provided. For this reason, the submission points are recommended to be rejected.

Mangaone Stream Development

- 4.3.10 The Director-General of Conservation (12/10), Fonterra Ltd (FS2/109) and Forest & Bird (FS3/10) have requested that new Rule 15.4.2.91A(g) be amended to ensure planting, fencing and pedestrian/cycle paths provided as part of the first subdivision are completed in accordance with the Mangaone Reserve Management Plan. These submissions are supported by Council staff, noting that amendment to the naming of the management plan under submission point 4/3 to ‘Mangaone Stream Reserve Development and Operational Maintenance Plan’. These submission points are therefore recommended to be accepted in part.

Assessment Criteria

- 4.3.11 The Waikato Regional Council (10/21) have requested consideration of additional assessment criteria in relation to long-tailed bats and their habitat. Unfortunately, they have not provided any suggested text to satisfy this requested relief. It is noted the proposed assessment criteria for the Mangaone Stream Reserve Development and Operational Plan does include additional assessment criteria in relation to the High Value Bat Habitat Area. This submission point is recommended to be rejected.

Information Requirements

- 4.3.12 The Director-General of Conservation (12/14) and Forest & Bird (FS3/14) have requested additional assessment criteria regarding long-tailed bat habitat values and the ecological function of the Mangaone Stream and reserve in regard to the extent to which the Regional or District Council land drainage activities minimise their effects. Unfortunately, they have not provided any suggested text to satisfy this requested relief, and Council staff note that the final stormwater management for the site will be determined through the Mangaone Stream Reserve Development and Operational Plan at which time drainage effects will be considered. This submission point is recommended to be rejected.

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General Support

4.3.13 The Director General of Conservation (12/8, 12/11, 12/12, 12/15), Forest and Bird (FS3/8, FS3/11, FS3/12, & FS3/15) and Fonterra Ltd (FS2/112) have all expressed their support for the inclusion of a number of provisions in Section 7 and 21 relating to bats. These submissions are recommended to be accepted.

Topic 2 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Mangaone Stream Reserve			
Waikato Regional Council		10/10, 10/20, 10/22	Accept in Part
Director-General of Conservation		12/1, 12/8, 12/11, 12/12, 12/15	Accept in Part
	Fonterra Ltd	FS2/86, FS2/112	Accept in Part
	Forest and Bird	FS3/1, FS3/8, FS3/11, FS3/12, FS3/15	Accept in Part
Mangaone Precinct Structure Plan			
Waikato Regional Council		10/11	Accept
Director General of Conservation		12/2	Accept
	Fonterra Ltd	FS2/79, FS2/103	Accept
	Forest and Bird	FS3/2	Accept
Objectives and Policies			
Waikato Regional Council		10/12, 10/13	Accept
Director-General of Conservation		12/4, 12/5	Accept
	Forest and Bird	FS3/4, FS3/5	Accept
	Fonterra Ltd	FS2/80, FS2/105, FS2/106	Reject
Resource Management Issue			
Director General of Conservation		12/3	Accept
	Forest and Bird	FS3/3	Accept
	Fonterra Ltd	FS2/104	Reject
Development Agreement			
Director General of Conservation		12/7	Reject
	Fonterra Ltd	FS2/107	Accept in Part
	Forest and Bird	FS3/7	Reject
Industrial Purposes within Rule 15.4.2.91A			
Director General of Conservation		12/9	Reject
	Fonterra Ltd	FS2/108	Accept in Part
	Forest and Bird	FS3/9	Reject
Waikato Regional Council		10/16	Reject
	Fonterra Ltd	FS2/81	Accept in Part
Mangaone Stream Development			
Director General of Conservation		12/10	Accept in Part
	Forest and Bird	FS3/10	Accept in Part
	Fonterra Ltd	FS2/109	Accept in Part

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Submitter	Further Submitter	Submission Point	Recommendation
Assessment Criteria			
Waikato Regional Council		10/21	Reject
	Fonterra Ltd	FS2/85	Accept in Part
Information Requirements			
Director General of Conservation		12/14	Reject
	Forest and Bird	FS3/14	Reject
	Fonterra Ltd	FS2/111	Accept in Part
General Support			
Director General of Conservation		12/8, 12/11, 12/12, 12/15	Accept
	Forest and Bird	FS3/8, FS3/11, FS3/12, FS3/15	Accept
	Fonterra Ltd	FS2/112	Accept

4.4 TOPIC 3 – ECONOMICS

- 4.4.1 As PC14 seeks to bring forward a post-2035 Growth Cell, the application as notified included an Economic Assessment prepared by Property Economics, which has considered the wider Future Proof industrial markets and the economic merits of enabling the development of the land within part of the C10 Growth Cell (Refer Appendix I of the Plan Change). Three submitters, Kama Trust, Ms L Dredge and the Waikato Regional Council, have raised concerns regarding the economic assessment included with the application and the economic effects of bringing forward the industrial growth cell. Table 3 in Appendix 1 provides a summary of the submissions and further submissions grouped and considered to be relevant to the economics of the plan change.
- 4.4.2 In order to appropriately respond to the submissions raised under this topic, Council have had the Property Economics Assessment peer reviewed by Market Economics Ltd as summarised in Section 2.2 above, with the full review included in Appendix 3. The following paragraphs use their advice as the basis to respond to each of the relevant submission points.

Oversupply of Industrial Land

- 4.4.3 Kama Trust (6/2) have raised concern that the additional industrial land will have an impact on stakeholders within the C9 Growth Cell and request that staging provisions are included in the District Plan to prevent an oversupply of industrial land. Property Economics and Market Economics Ltd have both considered the available industrial land supply in Cambridge. Property Economics have concluded that there will potentially be a shortfall of industrial land in the medium to long term, while Market Economics Ltd note the shortfall is in the long term.
- 4.4.4 Market Economics Ltd note a number of factors which influence the attractiveness of Hautapu for industrial activity including the completion of the Waikato Expressway, the flat topography and colocation with other significant industrial activities, and other factors like the rezoning of Carters Flat. These factors create the demand pressures for the industrial land in this location and Market Economics Ltd have concluded that *“bringing its development forward by (at most) 10 years – in response to increased demand pressures will generate practically no adverse*

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economic effects for the district.” Based on this assessment, Council staff recommend rejecting Kama Trusts submission.

Insufficient Evidence

4.4.5 Ms L Dredge (8/1) has opposed the plan change and her submission focuses on the Economics Assessment prepared by Property Economics. Ms Dredge has requested a supplementary Business Capacity and Development Assessment be prepared by Future Proof. If this forecasts sufficient medium to long term capacity, she requests that a restriction of the development within the C10 Growth Cell be imposed (i.e. development not being able to commence until 80% of the existing live zoned areas at Hautapu are developed). In response to this submission, it is noted that Market Economics Ltd were commissioned by the Future Proof Partnerships and last updated the Housing and Business Development Capacity Assessment in 2023. Market Economics Ltd have peer reviewed the information for this plan change and their review is attached in Appendix 3. With regard to the relief sought by Ms Dredge, Council staff have considered the advice from Market Economics Ltd and are of the opinion that it is unnecessary to limit development within an area on the basis of land uptake in other areas.

Additional Assessment

4.4.6 The Waikato Regional Council (10/2, 10/3, 10/4, 10/5 and 10/7) have requested further assessment be provided:

- Regarding how the plan change gives effect to Clause 3.6 of the National Policy Statement for Highly Productive Land 2022 ('NPS-HPL'), and that the economic assessment should quantify the expected shortfall in industrial land capacity. (10/2, 10/3, 10/5)
- Against the relevant objectives, policies and methods of the Land and Freshwater Chapter, the Ecosystems and Indigenous Biodiversity Chapter, and a number of Urban Form and Development policies and methods of the Waikato Regional Policy Statement and Proposed Waikato Regional Policy Statement Change 1 – Decisions version. (10/4)
- As they have concerns with the adequacy and robustness of the Economic Assessment. (10/6)
- To quantify the extent of the plan change area noting the rezoning of Carter's Flat as justification for PC14, and recent rezoning of 'Area 6' within the Hautapu Industrial Zone. (10/7)

4.4.7 With regard to the NPS-HPL, and as outlined above in Section 3.3 of this report, Council Staff are of the opinion that the C10 Growth Cell fits the exemption requirements of Clause 3.5(7) and is not within the transitional definition of highly productive land. As such an assessment of PC14 under Clause 3.6 is not required. It is recommended that submission 10/2 is rejected.

4.4.8 In terms of the objectives, policies and methods in the WRPS, an assessment of the provisions of considered to be relevant to PC14 has been completed and is attached as **Appendix 5**. Subject to

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the inclusion of suitable provisions regarding the development and reservation of the Mangaone Stream reserve it is considered that PC14 is consistent with the policy direction of the Waikato Regional Policy Statement. It is recommended that submission 10/4 is accepted in part.

4.4.9 As noted above in Section 2.2 of this report, Market Economics Ltd have peer reviewed the information for this plan change and their review is attached in Appendix 3. With regard to the concern raised by Waikato Regional Council in terms of the Economic Assessment, Council staff have considered the opinions from both Property Economics and Market Economics Ltd and consider that adequate economic assessment has been undertaken for the plan change. It is recommended that submission 10/6 is rejected.

4.4.10 Market Economics Ltd have reviewed the assessment provided by Property Economics and have provided discussion in relation to the reasons and justification for bringing the C10 Growth Cell ahead of the development sequence set by the District Plan. They have identified multiple reasons for why PC14 should be granted. The undertaking of additional detailed assessment to further justify activation of the PC14 land is not warranted given the significant development capacity and economic benefits that it represents. It is recommended that submission 10/7 is rejected.

Topic 3 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Oversupply of Industrial Land			
Kama Trust		6/2	Reject
	Henmar Trust	FS1/3	Reject
	Fonterra Ltd	FS2/20	Accept in Part
Insufficient Evidence			
Ms L Dredge		8/1	Reject
	Henmar Trust	FS1/15	Accept
	Fonterra Ltd	FS2/26	Accept
Additional Assessment			
Waikato Regional Council		10/2, 10/3, 10/5, 10/6, 10/7	Reject
		10/4	Accept in Part
	Fonterra Ltd	FS2/74, FS2/75, FS2/76, FS2/77, FS2/78	Accept in Part

4.5 TOPIC 4 – INDUSTRIAL ZONE ACTIVITIES

4.5.1 This topic captures the submissions and further submissions which link to the types of activities provided for within the plan change area, and the requests for amendments to the associated definitions and provisions within Sections 7 and 15 of the District Plan. The Industrial Zone provides for a wide range of industrial based activities, including but not limited to, those associated with manufacturing and processing of goods, machinery servicing, testing and repairs, storage, and transportation and distribution activities. These activities serve both local and wider

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needs. Table 4 in Appendix 1 and the following paragraphs discuss the submissions and further submissions regarding the activities within the plan change area.

All Provisions - Support

- 4.5.2 Bardowie Investments Ltd (7/5 to 7/10) support the plan change and amendments proposed to introduce controls on the industrial activities within the plan change area. These submissions are recommended to be accepted in part due to minor amendments proposed to be made to the provisions within the District Plan as a result of other submissions.

Dry Industry / Mineral Extraction Activities

- 4.5.3 Henmar Trust (9/22, 9/24, 9/25, FS1/11, FS1/12) have opposed a number of the proposed provisions within the permitted activity status table, Rule 7.4.1.1, and Objective 7.3.4.10, that are linked to 'Dry Industries' and relocated buildings. In their submission Henmar Trust have noted the possibility of 'Mineral Extraction Activities' being provided for under the definition of 'Dry Industry' and concerns regarding the high temperatures generated by proposed dry industrial activities. In considering the submissions and the relief sought, Council staff note:

- 'Mineral Extraction Activities' have their own activity status under Rule 7.4.1.3(b) as a Restricted Discretionary Activity in the Industrial Zone, and this provision would apply to any proposal seeking to undertake this type of activity.
- The current exception for the Bardowie Industrial Precinct Structure Plan Area regarding relocated buildings was provided for under Plan Change 11 and a consequential change arising from the rules proposed by Bardowie Investments Ltd, being the applicant for Plan Change 11, at that time.
- The amendment to Rule 7.4.1.1(w) to provide 'dry industry' in the wider Hautapu area was introduced under Plan Change 17 to reflect the water constraints in terms of providing for 'wet industry', and was a term introduced in Appendix S20 in relation to the Bardowie Industrial Precinct under Plan Change 11. The amendment to Rule 7.4.1.1(w) seeks to clarify that 'dry industry' is anticipated across the three areas within Hautapu.

- 4.5.4 Overall, Council staff consider it appropriate to provide for 'dry industry' in the plan change area and recommend these submissions are rejected.

Air Discharge Activities

- 4.5.5 Henmar Trust (9/9, 9/28, FS1/13) have requested inclusion of provisions and amendment to Rule 7.4.1.3(f), relating to activities requiring an air discharge permit from the Waikato Regional Council, to include matters of assessment regarding adverse effects in relation to neighbouring properties, noise, dust, particulates and odour. Council staff note that matters relating to air discharge are a function of the Waikato Regional Council and therefore not appropriate to capture within the District Plan. It is noted that the plan change application has included an

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amendment to Rule 7.4.1.3(f) to include the 'Mangaone Precinct Structure Plan Area'. This provision requires a consideration of the potential adverse effects of discharge of contaminants to air on the Hautapu Dairy Manufacturing Site in terms of food safety implications and was introduced through Plan Change 17. In regard to the Henmar Trust submissions, which are seeking consideration of air discharge in relation to the surrounding rural zone and adverse health effects, Council staff consider that this is more appropriately considered as part of the air discharge consent process and not appropriate to capture under a District Plan provision. In terms of this matter and potential nuisance effects, it is noted that within Section 20 are Objective 20.3.1, Policy 20.3.1.1 and Rule 20.4.2.1 which address these matters. The submissions are therefore recommended to be rejected.

Additional Non-Complying Activities

4.5.6 Henmar Trust (9/29 & FS1/14) have requested further amendments to Rules 7.4.1.5(j), (l), and (p) to include the Mangaone Precinct Structure Plan, and a wider list of non-complying activities, on the basis of the sensitivity of the area and broad nature of 'Industrial Activities'. PC14 seeks the inclusion of 'outdoor storage and handling of fertiliser or other dry bulk materials' in Rule 7.4.1.5(p). Henmar Trust have requested the inclusion of the activities listed below citing careful consideration should be given to the nature of activities enabled in the sensitive location:

- *Within the Mangaone Precinct Structure Plan Area and Bardowie Industrial Precinct Structure Plan Area, outdoor storage and handling of fertiliser or other dry bulk materials;*
- *Within the Mangaone Precinct Structure Plan Area, to the north of the Mangaone Stream, and within the Bardowie Industrial Precinct Structure Plan Area, within 100 metres of the Henmar Trust property boundary, Glass Manufacturing and associated industries.*
- *Demolition yards;*
- *Recycling depots/facilities;*
- *Use, creation or storage of radioactive materials;*
- *Hazardous facility;*
- *Chemical Manufacturing;*
- *The storage and/or use of trade waste;*
- *Smelting Industries;*
- *Melting Industries;*
- *Power generation activities;*
- *Waste to Energy Plants; and*
- *Heavy industrial activities*

4.5.7 Council staff have considered the above activities and note that Rule 7.4.1.5(m) already treats 'All other activities not included in the activity status table Rules 7.4.1.1 to 7.4.1.4' as non-

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complying activities. It is considered that this rule is sufficient to cover the activities listed by the submitter above that are outside those otherwise listed in the activity status tables for the Industrial Zone. Noting the suggestion to restrict activities within 100m of the Henmar Trust land, it is considered that the rural activities undertaken on the adjoining Henmar Trust land (forming the balance of the C10 Growth Cell) are not so sensitive to *Glass Manufacturing and associated industries* as to necessitate they be listed as non-complying. On this basis, the submission and further submission of Henmar Trust is recommended to be rejected.

Definitions

- 4.5.8 Henmar Trust (9/18, 9/19, 9/26) have submitted on the definitions of ‘Innovation and Advanced Technology Activities’ and ‘Gymnasium’ suggesting both should apply wider than the plan change area, and the inclusion of these activities within Section 7 of the District Plan. Council staff note that while district wide definitions are preferable, this request would be outside the scope of Plan Change 14 and is more appropriate to address at the time of the District Plan review. In terms of these activities being included in the Mangaone Precinct Structure Plan area, it is noted that ‘Innovation and Advanced Technology Activities’ was a term introduced in Appendix S20 in relation to the Bardowie Industrial Precinct under Plan Change 11. The amendment to Rule 7.4.1.1(y) seeks to clarify that ‘Innovation and Advanced Technology Activities’ are permitted across both Precinct Areas and provides consistency across the growth cell. For these reasons, these submission points are recommended to be rejected.

Bardowie Industrial Precinct – Existing Permitted Activities

- 4.5.9 Henmar Trust (9/27) have requested in their relief sought an amendment to remove subparts (iii) and (iv) from existing Rule 7.4.1.1(u) regarding the additional activities permitted within the Bardowie Industrial Precinct Structure Plan Area. This rule is not proposed to be altered by PC14. Subpart (iii) provides for the ‘spray irrigation of dairy factory wastewater until 31 March 2024’ while subpart (iv) provides for ‘Innovation and Advanced Technology Activities as defined in the Bardowie Industrial Precinct Structure Plan’. Council staff have reviewed this request and note the removal of subpart (iii) is considered out of scope of the plan change and therefore recommended for rejection. Subpart (iv) is considered an appropriate removal as this has been captured by the new Rule 7.4.1.1(y) and is therefore recommended to be accepted.

Central Focal Area Support

- 4.5.10 Waikato Regional Council (10/8, 10/9) have expressed their support for the Central Focal Area and the restriction of the range of activities to be in this location. It is recommended that these submissions are accepted.

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Topic 4 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
All Provisions – Support			
Submitter	Further Submitter	Submission Point	Recommendation
Bardowie Investments Ltd		7/5, 7/6, 7/7, 7/8, 7/9, 7/10	Accept in Part
Dry Industry / Mineral Extraction Activities			
Henmar Trust	Henmar Trust	9/22, 9/24, 9/25, FS1/11, FS1/12	Reject
	Fonterra Ltd	FS2/49, FS2/51, FS2/52	Accept in Part
Air Discharge Activities			
Henmar Trust	Henmar Trust	9/9, 9/28, FS1/13	Reject
	Fonterra	FS2/36, FS2/55	Accept in Part
Additional Non-Complying Activities			
Henmar Trust	Henmar Trust	9/29, FS1/14	Reject
	Fonterra Ltd	FS2/56	
Definitions			
Henmar Trust		9/18, 9/19, 9/26	Reject
	Fonterra Ltd	FS2/45, FS2/46, FS2/53	Accept in Part
Bardowie Industrial Precinct – Existing Permitted Activities			
Henmar Trust		9/27	Accept in Part
	Fonterra Ltd	FS2/54	Accept in Part
Central Focal Area Support			
Waikato Regional Council		10/8, 10/9	Accept

4.6 TOPIC 5 – INFRASTRUCTURE CAPACITY

4.6.1 This topic captures the submissions and further submissions which link to the infrastructure capacity, in particular stormwater and flooding, and outlined in Table 5 of Appendix 1. It is noted that Section 15 of the District Plan sets out the Councils expectations for servicing at the time of development and/or subdivision including provisions regarding site suitability and stormwater management. The following paragraphs discuss the submissions and further submissions regarding the activities within the plan change area.

Stormwater Management – Downstream Effects

4.6.2 Kama Trust (6/4) and Henmar Trust (9/10, 9/13, FS1/5) have expressed concern that the manner in which stormwater is proposed to be managed may result in adverse downstream effects, including flooding. Council staff agree that development and subdivision is required to be undertaken in a manner that ensure there are no increased adverse effects downstream of the site as a result of urban development. The application as notified included a Stormwater Management Plan and Hydrogeological Assessment (refer Appendices G and L). Section 4.3.2 of the Stormwater Management Plan states:

- *“There is no observed significant change in the flood level and peak flow at the culvert along Swayne Road. This means that the proposed stormwater management solution for the PC14*

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Structure Plan Area will not change the water levels in the constructed wetland and will not cause backflow towards the upstream of the culvert.”

- *“Reduction of peak flow is observed for the two observation points (Lines 4 and 6), although the flood levels are maintained. This is related to the natural capability of the stream to partially drain water along the stream/wetland corridor.”*
- *“Small increase in both discharge and flood level are observed to the culvert beneath Victoria Road, but this is limited to the extreme storm event only (1% AEP). Further investigation of the hydraulic model results show that the timing of the peak flow and flood level has changed in the post-development scenario (Figure 12) because of the flow attenuation applied to the PC14 Structure Plan Area. However, while the change in timing is also observable further downstream, the increase in peak flow and flood level is localized and does not propagate further downstream. Moreover, the increased flood level is very small (within the range 2cm-2.5cm and flood extent which will be confined to the exiting flood plain area.”*

4.6.3 The Mangaone Stream Reserve Development and Operational Maintenance Plan will require information on the location, design and extent of stormwater management ponds and devices, and is to be provided as part of the first subdivision or land use consent. Council staff consider this matter is better addressed through detailed design at subdivision and/or development, which is already captured through the provisions within Section 15 of the District Plan and the proposed requirements of the Mangaone Stream Reserve Development and Operational Maintenance Plan. Additionally, it is noted if a stormwater discharge consent is required this will be within the jurisdiction of the Waikato Regional Council. For these reasons, these submissions are recommended to be rejected.

Infrastructure Connections

4.6.4 Henmar Trust (9/40) have requested the note as currently shown on the Bardowie Industrial Precinct Structure Plan regarding roading and service connections is also included within the new provision Rule 15.4.2.91A. This note currently reads: *“Roading and service connections to the north (To the property boundary of Pt Allotment 190 Hautapu Parish within the C10 Growth Cell) and to the east to connect with the balance of the C10 Growth Cell shall be identified and vested as local purpose reserve (road) at the time of the first subdivision of Node 3 in accordance with any C10 Growth Cell Master Plan and/or Structure Plan relating to the balance of the C10 Growth Cell that has been approved by the Waipa District Council.”*

4.6.5 Council staff in considering this request note that Rule 15.4.2.91A is specific to the Mangaone Precinct Structure Plan Area which does not identify any roading or servicing connections proposed to the Henmar Trust property. It would therefore be inappropriate to add this note to Rule 15.4.2.91A and on this basis Council staff recommend this submission is rejected.

4.6.6 Henmar Trust (9/41) have requested an amendment to Rule 15.4.2.91A(d) to include provision of roading and service connections from both the Mangaone Precinct Structure Plan Area to the

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north of the Mangaone Stream, and from the Bardowie Industrial Precinct Area to their adjoining land. As noted above, the Mangaone Precinct Structure Plan Area is not proposed to have connections to the Henmar Trust property, therefore this requested amendment is not appropriate. It is considered that the Henmar Trust land has sufficient frontage to Zig Zag Road to enable vehicle access to be provided at some future point in time. It is not necessary for road access links to be provided through Fonterra land for the benefit of Henmar Trust

- 4.6.7 It is also inappropriate for Rule 15.4.2.91A to refer to the Bardowie Industrial Precinct Area as this would serve to relitigate provisions that have already been subject to a previous plan change process. Development within the Bardowie precinct would be assessed at the time of development under Rule 15.4.2.69 which requires development and subdivision to be general accordance with approved structure plans (including any associated notes). Both requests are therefore recommended by Council staff to be rejected.

Clarification and Further Information

- 4.6.8 The Waikato Regional Council (10/24, 10/25, 10/26, 10/27, 10/28) and Henmar Trust (FS1/17, FS1/18, FS1/19, FS1/20, FS1/21) have requested further clarification and information in relation to stormwater management, flooding, and stormwater discharge consents. Council staff have considered these submissions and note that the information requested will be the subject of future resource applications and are largely detailed design matters. Council staff agree that appropriate stormwater management to ensure downstream effects, including potential flooding, needs to be undertaken. The information provided with the plan change application is considered to be sufficient to enable the rezoning of the area. For these reasons, these submissions are recommended to be rejected.

Integrated Catchment Management Directorate

- 4.6.9 The Waikato Regional Council (10/29) have requested that Waipā District Council works with WRC’s Integrated Catchment Management Directorate to ensure that the design of the Mangaone Stream Reserve allows WRC’s land drainage activities to co-exist. Council staff have reviewed this submission and note that this is an operational matter applicable following the development and vesting of the reserve. Councils resource consent team will seek to work with the Regional Council as appropriate. This submission is recommended to be accepted in part.

Topic 5 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Stormwater Management – Downstream Effects			
Kama Trust		6/4	Reject
Henmar Trust	Henmar Trust	9/10, 9/13, FS1/5	Reject
	Fonterra Ltd	FS2/22, FS2/37, FS2/40	Accept in Part
Infrastructure Connections			
Henmar Trust		9/40, 9/41	Reject
	Fonterra	FS2/67, FS2/68	Accept in Part
Clarification and Further Information			

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Submitter	Further Submitter	Submission Point	Recommendation
Waikato Regional Council		10/24, 10/25, 10/26, 10/27, 10/28	Reject
	Henmar Trust	FS1/17, FS1/18, FS1/19, FS1/20, FS1/21	Reject
	Fonterra Ltd	FS2/88, FS2/89, FS2/90, FS2/91	Accept in Part
Integrated Catchment Management Directorate			
Waikato Regional Council		10/29	Accept in Part

4.7 TOPIC 6 – KIWIFRUIT BLOCK

4.7.1 Section 4, 7 SO 499872 [RT 811702] and Section 1 SO 499872 [RT 805561] aka ‘the Kiwifruit Block’ is located at the southeastern corner of the plan change area as shown below in Figure 3. This site occupies an area of 7.7864ha and is used as part of the wider APL Industrial Activity within the Bardowie Industrial Precinct. Table 6 Appendix 1 provides a summary of the submissions and further submissions grouped and considered to be relevant to ‘the Kiwifruit Block’.

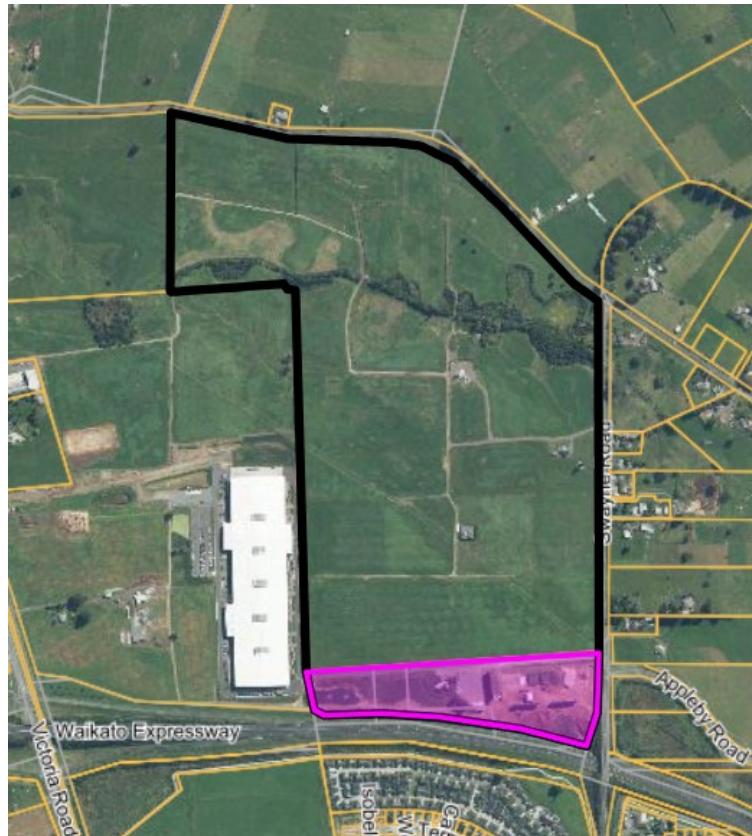


FIGURE 3: LOCATION OF ‘KIWIFRUIT BLOCK’ HIGHLIGHTED IN MAGENTA (PC AREA OUTLINED IN BLACK)

4.7.2 Ms L Dredge (8/2) has requested the ‘Kiwifruit Block’ is included in all documentation regarding the Mangaone Structure Plan. The Henmar Trust (9/5, 9/16, FS1/8, FS1/9, FS1/16, FS1/22, FS2/101) have requested that ‘the Kiwifruit Block’ is not rezoned, or if it is rezoned to be assessed by Technical Reports. The site has a history of resource consents which includes the following:

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- A water reservoir, stormwater management basins, a construction laydown area and the use of a building for a construction office (LU/0265/18),
- Earthworks and construction of Commercial Shed in Rural Zone and NES-CS for Node 1A and Kiwifruit Block (LU/0260/18),
- The development, operation, use and maintenance of an HV electrical switch room (LU/0070/19), and
- The establishment and operation of a maintenance facility for the APL development dispensing with internal setbacks, building coverage and earthworks and consent under the NES-CS for disturbance of soil (LU/0212/23).

4.7.3 As part of these resource consents, various technical reports covering construction, stormwater management, contaminated soil management and remediation, traffic, cultural and archaeological effects, noise effects, and effects on amenity were prepared. Taking into account the volume of assessment undertaken for the site through the consent processes which have enabled it to be developed and used for industrial purposes, Council staff consider there is sufficient justification for inclusion of the site within the plan change. For these reasons the submission points requesting the ‘Kiwifruit Block’ be excluded from the plan change are recommended to be rejected.

4.7.4 Mr K Dredge (11/02) has noted the site is not within the ‘Mangaone Precinct Structure Plan’. While not included in the new Structure Plan, the site has been included in the ‘Bardowie Industrial Precinct Structure Plan’ due to its relationship with the Bardowie Industrial Precinct and the APL development on this land. This is considered by Council Staff as a more appropriate fit for the site given the consenting history and ownership of the site. The submission points requesting the ‘Kiwifruit Block’ be included in the ‘Mangaone Precinct Structure Plan’ are recommended to be rejected.

Topic 6 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Kiwifruit Block			
Bardowie Investments Ltd		7/2, 7/3	Accept
Ms L Dredge		8/2	Reject
Henmar Trust	Henmar Trust	9/5, 9/16, FS1/8, FS1/9, FS1/16, FS1/22, FS2/43	Reject
	Fonterra Ltd	FS2/27, FS2/32,	Accept in Part
Mr K Dredge		11/02	Reject
	Fonterra Ltd	FS2/101	Accept in Part

4.8 TOPIC 7 – MANGAONE STREAM

- 4.8.1 The Mangaone Stream bisects the northern part of the PC14 land, flowing from Swayne Road to the western property boundary and into the adjoining Henmar Trust land. The Mangaone Stream is described in the application as being ‘incised and highly modified’. As part of PC14 a significant area on both sides of the Mangaone Stream are proposed to be set aside as reserve and vested to the Council. The reserve will incorporate cultural, ecological and stormwater management functions. The submissions and further submissions received regarding the Mangaone Stream are captured in Table 7 of Appendix 1 and discussed in the following paragraphs.
- 4.8.2 Waipā District Council (4/1, 4/2, 4/3, 4/4, 4/5, 4/6) have supported the inclusion of the Mangaone Stream reserve as part of the plan change application. In their submission, the following minor amendments are requested to clarify their application to the reserve area and are recommended for acceptance:
- Rule 7.4.2.7 – Building recession plane – inclusion of the term ‘reserve’ in this provision;
 - Rule 7.4.2.41 – Lighting – inclusion of the term ‘reserve’ in this provision and specification of the number of lux at the boundary of the reserve;
 - Rule 15.4.2.91A and throughout the District Plan – amendment to the naming of the required plan from Mangaone Stream Reserve Management Plan to Mangaone Stream Development and Operational Maintenance Plan to avoid confusion with the requirements of the Reserves Act 1977;
 - Rule 15.4.2.91A(g) – specification that the planting and works is in accordance with the approved Mangaone Stream Development and Operational Maintenance Plan (MSDOMP); and
 - Information Requirement 21.2.7.1(i) – specification that the planting and fencing implementation is in accordance with the development agreement required under Rule 7.4.2.36.
- 4.8.3 Henmar Trust (9/23), Waikato Regional Council (10/14, 10/15), the Director-General of Conservation (12/06), and Forest & Bird (FS3/6) have expressed their support for the provisions regarding the Mangaone Stream and protection of its associated cultural, ecological and amenity values. These submissions are recommended to be accepted, with the Henmar Trust submission being accepted in part due to amendments made in relation to other matters raised in their submission.
- 4.8.4 The Waikato Regional Council (10/17) have requested the addition of a rule requiring all subsequent subdivision and landuse consent application within the Mangaone Precinct to be consistent with the MSDOMP. Council staff note that the MSDOMP is only relevant to land within the reserve and applying it across the precinct is not appropriate. This submission is therefore recommended to be rejected.

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4.8.5 The Waikato Regional Council (10/18) have supported the vesting of the Mangaone Stream Reserve in Waipā District Council in accordance with Rule 15.4.2.91A and sought an addition to subpart (f) of this rule to include the management of the reserve in accordance with the approved Development and Operational Maintenance Plan. Council staff have reviewed this request and consider it appropriate, therefore recommend the following change to Rule 15.4.2.91A and acceptance of this submission:

(f) The Mangaone Stream Reserve is vested in Waipā District Council as part of the first subdivision consent application and the management occurs in accordance with the Mangaone Stream Reserve Development and Operational Maintenance Plan. [10/18]

4.8.6 The Waikato Regional Council (10/19) have requested an amendment to Rule 15.4.2.91A(g) to require the planting and fencing of the Mangaone Stream Reserve to also apply at the time of the first landuse consent for the precinct. Council staff have considered this request and note this is more appropriate to capture during subdivision and to ensure this is undertaken prior to the reserve being vested in Council. For this reason, the submission is recommended to be rejected.

4.8.7 The Director-General of Conservation (12/13) and Forest & Bird (FS3/13) have requested amendment to Assessment Criteria 21.2.7.1(a) regarding the specification of the extent of the reserve area. Council staff have reviewed this request, noting that Rule 15.4.2.69 of the District Plan already requires development and subdivision to be in ‘general accordance’ with an approved Structure Plan. Additionally, with the Mangaone Stream Reserve it has multiple functions (i.e. cultural, ecological and stormwater) that may alter the boundary extent at the time of detailed design. For these reasons it is considered that the wording of Assessment Criteria 21.2.7.1(a) is sufficient, and no amendment is required. The submission and further submission are therefore recommended to be rejected.

Topic 7 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Mangaone Stream			
Waipā District Council		4/1, 4/2, 4/3, 4/4, 4/5, 4/6	Accept
Henmar Trust		9/23	Accept in Part
	Fonterra Ltd	FS2/50	Accept in Part
Waikato Regional Council		10/14, 10/15, 10/18	Accept
		10/17, 10/19	Reject
	Fonterra Ltd	FS2/82, FS2/83, FS2/84	Accept in Part
Director-General of Conservation		12/06	Accept
		12/13	Reject
	Forest and Bird	FS3/6	Accept
		FS3/13	Reject
	Fonterra	FS2/110	Accept in Part

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4.9 TOPIC 8 – NATIONAL GRID YARD

4.9.1 The National Grid Yard is the high voltage electricity transmission network which traverses the country and comprises of the towers, poles, lines, cable substations, a telecommunications network and other ancillary equipment associated with the network. The HAM-KPO A 110kV line, that is a 110 kV double circuit transmission line, traverses the subject site with two towers located in the northeastern part of the plan change area. The submission points that are relevant to this topic are outlined in Table 8 Appendix 1.

4.9.2 Transpower and Fonterra Ltd have requested a number of amendments to the introduction, issues, objectives, policies and performance standards within Section 7, and to the performance standards within Section 15 of the District Plan regarding the National Grid Yard. These amendments are requested to provide necessary context and provisions to ensure the National Grid Yard, and works within or near it, are appropriately controlled and managed within the Industrial Zone. Council staff have reviewed the information provided with the submission and recommend that the submission and further submissions are accepted.

Topic 8 – Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
National Grid Yard			
Transpower New Zealand Ltd		3/1, 3/2, 3/3, 3/4, 3/5, 3/6, 3/7, 3/8, 3/9, 3/10	Accept
	Fonterra Ltd	FS2/9, FS2/10, FS2/11, FS2/12, FS2/13, FS2/14, FS2/15, FS2/16, FS2/17, FS2/18	Accept

4.10 TOPIC 9 – REZONING

4.10.1 This topic includes submissions which were specifically related to ‘rezoning’. The two properties subject to these submissions are the ‘Bourke’ (Henmar Trust) property, located to the north-east of the plan change area, and the ‘BIL’ property (Kiwifruit block), located within the southern portion of the plan change area. These properties are both shown in Figure 1 in Section 3.2 of this report. The summary of submissions for this topic are shown in Table 9 of Appendix 1.

4.10.2 Henmar Trust (9/1, 9/17) have requested the rezoning of Lot 2 DP 529042 subject to the following relief being sought through their submission:

- *“Ensuring that any actual or potential adverse effects of the proposal are less than minor.*
- *Ensuring that the proposal is in accordance with the objectives and policies of the Waipa District Plan.*
- *Ensure that the District Plan Rules are amended to protect the adjoining Rural Zones and the Industrial/Rural Interface.*

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- *Ensure that the proposal provides traffic and service connectivity to the adjoining property owned by Henmar Trust that is located within the C10 Industrial Growth Cell.*
- *Avoid, remedy or mitigate any downstream flooding effects on the Henmar Trust property located within the C10 Industrial Growth Cell by restricting stormwater runoff within the Mangaone Industrial Precinct and Bardowie Industrial Precinct Structure Plan Areas to 80% of pre-development peak flows.”*

4.10.3 In terms of the matters listed above, Council staff note these have been addressed under other Henmar Trust submission points (refer 9/2, 9/3, 9/4, 9/6, 9/7, 9/8, 9/9, 9/10, 9/12, 9/13, 9/36, 9/37, 9/45) discussed in this report. It is therefore recommended that these submission points (9/1, 9/17) be accepted in part.

4.10.4 Henmar Trust (9/11) has supported the rezoning of the land within the C10 Growth Cell to industrial zone but requested the rejection of Appendix S27 – Mangaone Precinct Structure Plan in its current form. Council staff have considered this request noting that the rezoning of the area is intrinsically linked to the Structure Plan as notified. While minor amendments to the Structure Plan have been recommended through this report, the rejection of the Structure Plan is not considered appropriate. Council staff recommend this submission is rejected.

Topic 9 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Henmar Trust		9/1, 9/17, 9/11	Accept in Part
	Fonterra Ltd	FS2/28, FS2/44, FS2/38	Accept in Part

4.11 TOPIC 10 – RURAL

4.11.1 The PC14 land adjoins the Rural Zone along its western boundary and is separated from other Rural Zoned land to the north and east by formed legal roads (Swayne Road and Zig Zag Road). The submissions captured within this topic relate to the rural interface of the plan change area and the provisions which seek to address potential adverse effects on the adjacent rural properties. Figure 4 below indicates the location of the submitter’s properties in relation to the plan change area for this topic.

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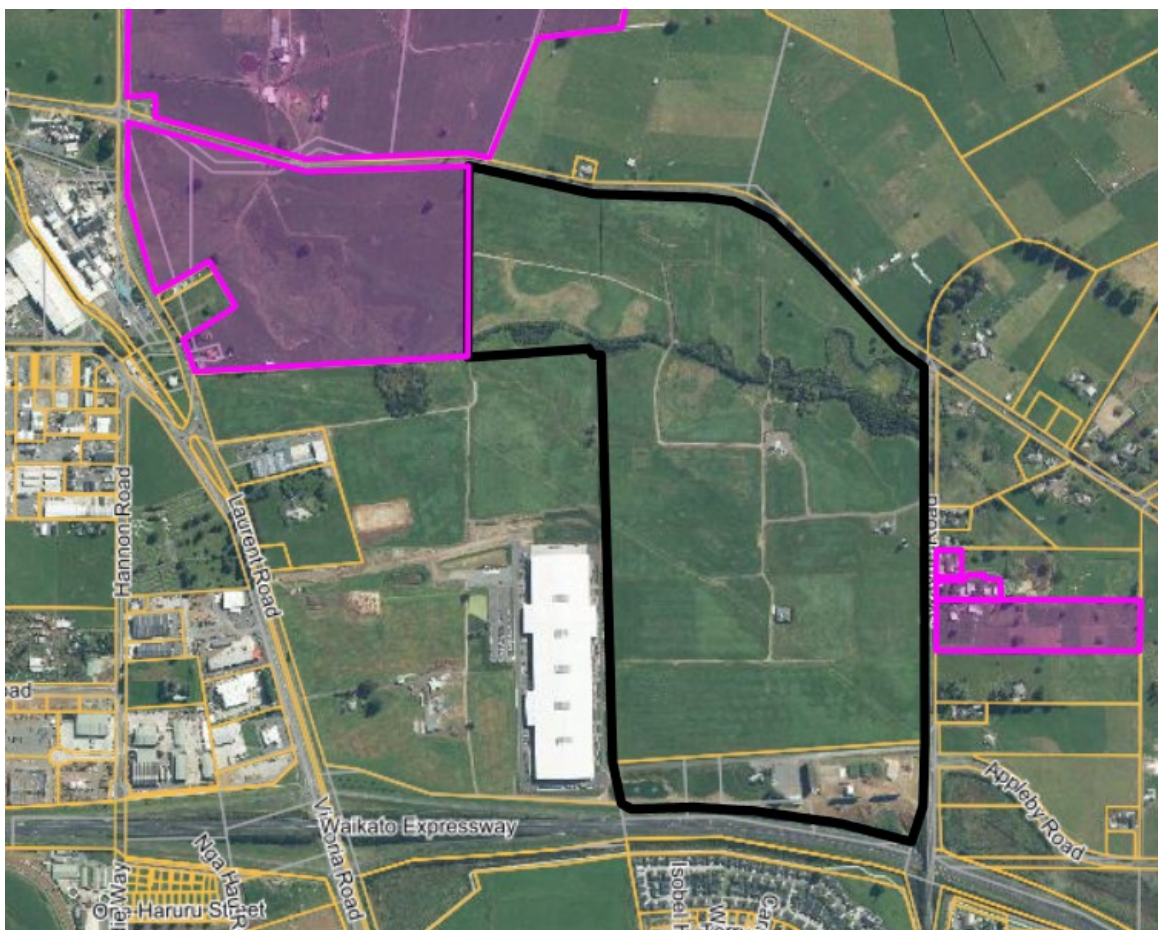


FIGURE 4: LOCATION OF SUBMITTERS PROPERTIES HIGHLIGHTED IN MAGENTA (PC AREA OUTLINED IN BLACK)

Noise Emission

- 4.11.2 H Wood & O'Sheas Trustees No 8 Ltd (2/1) and Henmar Trust (9/9, 9/37) have expressed concern regarding noise and associated provisions to manage noise from activities within the Industrial Zone. Ken Dredge (11/3) and Reon Taylor (15/1) have requested an acoustic report to determine noise effects and include any recommendations.
- 4.11.3 Council staff note that Rules 7.4.2.18 to 7.4.2.20 within Section 7 – Industrial Zone of the District Plan currently set out the noise limits for activities within the Industrial Zone. These include noise received by adjoining rural zoned sites. As part of the plan change it is proposed to amend Rule 7.4.2.20 to include the 'Mangaone Precinct Structure Plan Area'. This rule requires all activities conducted within the Industrial Zone to not exceed the following limits where measured at the notional boundary of any Rural Zoned property:
- a. Monday to Friday - 7.00am to 10.00pm - 50dBA (Leq)*
 - b. Saturdays - 7.00am to 6.00pm - 50dBA (Leq)*
 - c. At all other times including public holidays - 45dBA (Leq)"*

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4.11.4 The addition of the ‘Mangaone Precinct Structure Plan Area’ to Rule 7.4.2.20 is an appropriate way to address noise effects, and it is therefore recommended the submissions from H Wood & O’Sheas Trustees No 8 Ltd (2/1) and Henmar Trust (9/9, 9/37) are accepted in part. In terms of the request for an acoustic assessment, Council staff do not consider this necessary as the existing provisions, and amendment to Rule 7.4.2.20 will adequately address potential noise effects. With regard to the Henmar Trust submission (9/37) seeking the amendment of Rule 7.4.2.20 to protect the adjoining Rural Zone, Council staff note this is already addressed in the wording of the existing provisions. The submissions from Ken Dredge (11/3), Reon Taylor (15/1) and Henmar Trust (9/37) are therefore recommended to be rejected.

Building Setback from Road Boundaries

4.11.5 H Wood & O’Sheas Trustees No 8 Ltd (2/4), Henmar Trust (9/30), Ken Dredge (11/1) and Reon Taylor (15/3) have all requested an amendment to the proposed building setback provisions seeking an increase to a range of setback from 15m to 30m. PC14 has proposed a building setback provision of 10m from Swayne and Zig Zag Roads. No change to the existing internal boundary building setback (Rule 7.4.2.2) is proposed.

4.11.6 In considering these submissions Council sought advice from Mr Ben Frost, Senior Associate Landscape Architecture at Beca, as outlined in Section 2.3 and attached in Appendix 4. In his review of the proposed setback provisions, he has advised:

“Provided the landscape buffer recommendations can be satisfied, it is considered a 10m minimum setback for building is a suitable outcome for this context. While a 15m setback appears to be consistent with other industrial / rural residential interfaces in the Waipā District, this often occurs adjacent to State highways or building frontage or where the scale of landscape planting is substantially smaller than that proposed as part of PC14. Ultimately the scale of building at a 10m or 15m setback is proportional to the recession plan rules. A 15m setback or more maybe more appropriate where planting cannot be adequately accommodated to mitigate effects.”

4.11.7 In considering the setback requirements, and their relationship with the proposed landscape buffer strips, Council staff note that there is consistency in existing District Plan rules that require the provision of a landscape buffer strip of 5m and a building setback of 15m in other Industrial Zone locations (including other areas at Hautapu). Notably in the Hautapu and Bardowie Structure Plans the road boundary setback for peripheral sites is 15m (with the exception of the State Highway 1 setback for the Bardowie Industrial Precinct Structure Plan Area which is 25m). Both areas are also subject to the landscaping requirements under Rule 7.4.2.15.

4.11.8 Overall, Council staff agree with submitters that a consistent approach to building setbacks at the industrial / rural interface is beneficial and recommend that Rule 7.4.2.1(e) is amended to require a 15m setback for the Mangaone Precinct. The submissions from H Wood & O’Sheas Trustees No 8 Ltd (2/4), Henmar Trust (9/30), Ken Dredge (11/1) and Reon Taylor (15/3) are accepted in part:

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- e. Mangaone Precinct Structure Plan Area - The minimum setback from the boundary of Swayne Road and Zig Zag Road or from any segregation strips along those roads shall be ~~10m~~15m. [2/4, 9/30, 11/1 & 15/3]

Landscaping Strips

- 4.11.9 H Wood & O'Sheas Trustees No 8 Ltd (2/4), Ken Dredge (11/1) and Reon Taylor (15/4) have requested amendment of the form of the landscaping strip proposed and particularly in relation to the Swayne Road frontage. Their submissions have requested changes to proposed Rule 7.4.2.15A. This rule as notified is provided below:

7.4.2.15A The following rules shall apply in respect of the Mangaone Precinct Structure Plan Area:

- a The location, extent, type and density of landscaping within the Landscape Buffer Strips and Landscape Amenity Strips for the Mangaone Precinct Structure Plan Area shall be as follows:
- i. A Landscaped Buffer Strip of 5m (minimum depth) along any boundary with Swayne Road and Zig Zag Road except for points of roading connectivity and associated sight lines and the Mangaone Stream Reserve comprising of:
- A timber post and rail fence positioned along the road boundary;
 - A hedge with a minimum height of 2m at maturity; and
 - A row of trees, spaced at 10m apart (or less) that will grow to a height of at least 12m at maturity;
- ii. A Landscaped Buffer Strip of 3m (minimum depth) along boundary of the Mangaone Precinct Structure Plan Area with any Rural Zone section of the C10 Growth Cell which must include a hedge with a minimum height of 2m at maturity;
- iii. A Landscaped Amenity Strip of 3m (minimum depth) along the frontage of any lots adjoining an internal road within the Mangaone Precinct Structure Plan Area (except where site accessways are formed) comprising of:
- A timber post and rail fence positioned along the road boundary;
 - A row of specimen trees at regular spacings of 20m or less; and
 - Groundcover planting or shrubs.
- b The Landscaped Buffer Strips required by subclauses (a) i. and ii. above shall be implemented as follows:
- i. The Zig Zag Road interface and Rural Zone interface within the C10 Industrial Growth Cell are to be landscaped at the time of the first subdivision and/or development of the land within the Mangaone Precinct Structure Plan Area to the north of the Mangaone Stream; and
- ii. The Swayne Road interface is to be landscaped at the time of the first subdivision and/or development of the land within the Mangaone Precinct Structure Plan Area to the south of the Mangaone Stream.
- c Any security fencing up to a maximum of 3m high shall be located behind (i.e. on the internal edge of) any Landscaped Buffer Strip specified in clause (a) above.

- 4.11.10 The submissions have requested the following amendments:

- an increase of the landscaping strip depth to 8m and 10m;
- the inclusion of a requirement to provide a 2m high planted earth bund;
- removal of the hedge, use of evergreen trees; and

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- an increase to the tree height to 15m.

4.11.11 The submissions seek the retention of provisions relating to:

- post and rail fencing;
- security fencing internal to planting; and
- 10m tree spacing.

4.11.12 In considering these submissions Council staff has obtained advice from Mr Ben Frost, Senior Associate Landscape Architecture at Beca. In his review of these submissions, he noted the elements proposed within the landscape buffer are appropriate for the character of Swayne Road and “do not detract from views” of users of Swayne Road or from adjacent properties.

4.11.13 With respect to the requirements of Rule 7.4.2.15A, Mr Frosts opinion is that the 5m minimum depth is insufficient to accommodate all of the required buffer elements (i.e. 2m high hedge, 12m high trees (at maturity), and both types of fencing). This potentially poses challenges for maintenance (i.e. future property owners will not have direct access from their property within the industrial zone due to security fencing to easily maintain the Swayne Road frontage).

4.11.14 In considering the width of the landscaping buffer strip, Council staff have reviewed the landscaping requirements for the Hautapu and Bardowie Structure Plan Areas given their close proximity to the plan change area. Perimeter sites within both of these areas are required to have a 5m landscaping buffer strip.

4.11.15 Council staff are of the opinion that the 5m landscaping buffer strip is a consistent approach for the Hautapu area. The 5m width of the required landscaping buffer strip is recommended to be retained, and the submissions from H Wood & O'Sheas Trustees No 8 Ltd (2/4) and Ken Dredge (11/1) are therefore recommended to be rejected.

Earth Bund

4.11.16 In regard to the requests from submitters for a 2m high planted earth bund to be provided along road boundaries, Mr Frosts opinion is that the proposed planting is sufficient and bunding is not required. Council staff note that while bunding is an efficient way to quickly establish screening there can be ongoing difficulty in the establishment and maintenance of plantings. Additionally, the proposed use of 2m high hedging will be more in keeping with the adjoining rural character along Swayne Road. Council staff recommend these parts of the submissions are rejected.

Tree Height

4.11.17 In respect of the requests for an increase in the tree height to 15m, no evidence has been provided to support this. The 12m height is considered to be more than adequate. In Mr Frosts review, he made no comment on the maturity height but noted that the timing of the planting will be critical to the minimising adverse visual effects and establishing the planting as soon as

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practicable is essential. He recommends further clarity could be provided within Rule 7.4.2.15A suggesting that ‘within three months of subdivision creating developable lots’ would provide this, and recommends the size of plants, height at time of planting and anticipated growth rate of species is provided to understand the extent and duration of exposure to industrial activities and built form as the planting establishes.

4.11.18 Council staff note that part of the new Rule 15.4.2.91A is the provision of a ‘Landscape Buffer Strip Planting and Implementation Plan to give effect to Rule 7.4.2.15A’ (Rule 15.4.2.91A(d)(ii)) which has its information requirements set out in the Information Requirements 21.2.7.2. To be clear that this plan includes the matters noted by Mr Frost, and provide further clarification regarding the type of landscaping for submitters, Council staff recommend the following amendment:

Industrial Zone Information Requirements		
<u>21.2.7.2</u>	<u>Landscape Buffer Strip Planting and Implementation Plan</u>	a. <u>A Landscaping Plan identifying the location, extent, type and density of landscaping (including, but not limited to, the size of plants, height at time of planting and anticipated growth rate) and design of fencing in relation to: ...</u>

Effects on the Rural Zone

4.11.19 Henmar Trust (9/4) consider there to be a lack of consideration of the adjoining properties and rural zone and request appropriate provisions in the District Plan to address effects. Council staff have considered the suite of existing provisions in the District Plan, and the proposed amendments and additions sought through the Plan Change application and consider that the actual and potential effects have been appropriately considered and addressed. Subsequent to the changes recommended in this report, Council staff consider that the actual and potential effects of the plan change on adjoining properties (including the Henmar Trust land) has been adequately addressed. It is therefore recommended that this submission be rejected.

Rural Zone Boundary Setback

4.11.20 Henmar Trust (9/6) seeks that the setback of buildings from their property boundary be increased from 5m to 25m. Additionally, it is noted that the boundary between the plan change area and the Henmar Trust property is proposed to be subject to a 3m minimum depth landscaped buffer strip that is required to include a hedge with a minimum height of 2m at maturity (proposed Rule 7.4.1.15A). Council staff consider that the proposed 5m building setback from the Henmar Trust property boundary is a suitable setback, noting the sites current use as vacant grazing land and the same setback is applied at the Bardowie Industrial Precinct Structure Plan Area boundary. The submission is therefore recommended to be rejected.

Building Height & Height in Relation to Boundary

4.11.21 Henmar Trust (9/7) have requested the building height adjacent to the Rural Zone is restricted to 12m noting that buildings within the C10 Industrial Precincts should have to abide by the same standard applicable to their land. Henmar Trust (9/8) have also requested the inclusion of a Height in Relation to Boundary provision, and an amendment to the proposed Rule 7.4.2.7A to apply to the boundaries of their land with the Mangaone and Bardowie Structure Plan areas (9/32). These submissions have been considered together as the outcome sought is interlinked. Council staff note the existing provisions in the Industrial Zone, being Rule 7.4.2.6 that provides for a maximum building height of 20m, and Rule 7.4.2.7 requires buildings adjoining any zone other than the Industrial Zone, to be within the recession plane of 45° from 2.7m above the ground level, will apply to the plan change area. In order for a 20m high building to comply with the Height in Relation to Boundary provision, a setback of 17.3m would be required which is considered more than adequate to mitigate potential adverse effects on the Henmar Trust property. A 12m building by comparison, at the same recession plane requirements, would need to be 9.3m from the boundary. The existing provisions are therefore considered by Council staff to be appropriate, and these submissions are recommended to be rejected.

Protection and enhance of the Mangaone Stream

4.11.22 Henmar Trust (9/20) has sought an amendment to proposed Objective 7.3.4(h) to include the Bardowie Industrial Precinct Structure Plan Area with regard to protecting and enhancing the Mangaone Stream. In considering this request, Council staff note that Rule 7.4.2.5 currently requires a building setback from the Mangaone Stream in the Bardowie Industrial Precinct Area of 15m. The introduction of the proposed Policy 7.3.4.11, and the submitters recommended inclusion of the Bardowie Industrial Precinct Structure Plan Area within Objective 7.3.4(h), is considered by Council staff to provide additional policy support for the existing provision. It is recommended that this submission and the following amendment to Objective 7.3.4(h) is accepted:

h) Within the Mangaone Precinct Structure Plan Area, and the Bardowie Industrial Precinct Structure Plan Area, enable industrial development whilst protecting and enhancing the ecological values of the Mangaone Stream and natural wetlands. [9/20]

Zig Zag and Swayne Roads inclusion in Policy 7.3.4.5

4.11.23 Henmar Trust (9/21) have sought that the proposed amendment to Policy 7.3.4.5 be changed to remove the reference in part (c) to Zig Zag and Swayne Roads stating that *“The protection of the adjoining Henmar Trust property that is located in the Rural Zone is as important as the protection of properties across the road on Zig Zag Road and Swayne Road.”* In considering this submission, Council staff note that the Henmar Trust land has frontage to Zig Zag Road and therefore is suitably captured within the policy without the requested removal. It is recommended Policy 7.3.4.5 is amended to remove reference to Swayne and Zig Zag Roads to ensure consistency with the other listed structure plan areas. This submission is recommended to be accepted in part.

Bardowie Provisions

4.11.24 Henmar Trust (9/31) have sought an amendment to the new Rule 7.4.2.5A. They seek that the building setback from the Mangaone Stream Reserve in this rule is also applied to the Bardowie Industrial Precinct Area. In considering this request Council staff note that the new rule requires a 5m setback from the reserve boundary, whereas Rule 7.4.2.5 requires a 15m setback from the Mangaone Stream in the Bardowie Industrial Precinct Area. These two setback requirements are shown in Figure 3 below with the 15m setback shown in green, the 5m setback shown in magenta. The approximate stream location shown in blue. Figure 3 demonstrates that existing 15m setback rule provides a greater setback where the stream is closest or within the BIL land, and therefore will be more achieve greater separation from the stream than the new 5m setback rule. As such it is recommended that this submission is rejected.



FIGURE 4: SETBACKS TO MANGAONE STREAM IN BARDOWIE INDUSTRIAL PRECINCT STRUCTURE PLAN AREA

4.11.25 Henmar Trust (9/33, 9/34, 9/38, 9/42, 9/44) have requested a number of amendments to provisions regarding the Bardowie Industrial Precinct Structure Plan Area. Council staff have reviewed these submissions and note that this plan change does not include a review of the Bardowie Industrial Precinct Structure Plan Area and its associated provisions, and the proposed changes sought are consequential amendments required as a result of the introduction of the Mangaone Precinct Structure Plan. For this reason, the submissions requesting changes to provisions specific to the Bardowie Industrial Precinct Structure Plan are considered to be outside the scope of PC14. It is recommended that these submissions are rejected.

Building Colour

4.11.26 Henmar Trust (9/36) have sought an amendment to Rule 7.4.2.17 regarding the colours of buildings to ensure that these apply to all buildings within both the Mangaone Structure Plan and Bardowie Industrial Precinct Structure Plan areas. In considering this request, Council staff note that the colour palette applicable to the Bardowie Industrial Precinct Structure Plan area was introduced via Plan Change 11, and as noted above any change to this is considered out of scope (refer also paragraph 5.11.18 below). In terms of the new Rule 7.4.2.17A, this is seeking to prescribe the colours and cladding of building facades facing a road or the proposed stream

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reserve. The approach taken with Rule 7.4.2.17A will minimise potential adverse visual amenity effects for the road network and stream reserve within the Mangaone Precinct. Further restriction on building colour and cladding is not considered by Council staff to be necessary. The submission is therefore recommended to be rejected.

Lighting

4.11.27 Henmar Trust (9/38) have requested an amendment to Rule 7.4.2.41 regarding controls on external lighting, to apply to the ‘adjoining Rural Zone’ as being an areas to which lighting shall be directed away from (noting there are residential dwellings in close proximity to the precinct boundaries). In considering this submission Council staff note that the existing wording in the provision already considers residential dwellings specifically, therefore the addition of the words ‘adjoining Rural Zone’ in the rule is not required. In this submission, Henmar Trust have also requested the inclusion of the reference to the Bardowie Industrial Precinct Area, which as outlined above in paragraph 5.11.18 is considered to be out of scope of this plan change. Additionally, it is noted that provisions within Section 20 of the District Plan cover lighting and glare and are applicable to all zones. It is therefore recommended that this submission is rejected.

Kiwifruit Block Road Frontage

4.11.28 Henmar Trust (9/43) have requested the inclusion of the Bardowie Industrial Precinct Structure Plan Area in proposed Rule 16.4.2.12A noting the ‘Kiwifruit Block’ has a road frontage to Swayne Road of approx. 200m. In considering this request, Council staff note that the Swayne Road frontage to the Kiwifruit block is entirely within the extent of the SH1 designation and the topography of the land would make it impractical to create additional access points. This submission is recommended to be rejected.

Rural Zone Landscape Buffer Strip

4.11.29 Henmar Trust (9/45) have sought an increase in the depth of the landscape buffer strip along the boundary with their land from 3m to 5m depth, noting this would be consistent with the requirements along their southern boundary with the Bardowie Industrial Precinct Structure Plan Area. Council staff in considering this submission note that the landscape amenity strip proposed under Rule 7.4.2.15A, while smaller than that used for Bardowie, includes the requirement to have a hedge with a minimum height of 2m at maturity. The reduced width is therefore considered appropriate provided the hedge requirement as proposed is retained. Council staff therefore recommend this submissions is rejected.

Low Flammable Planting

4.11.30 Fire and Emergency New Zealand (14/3) have requested the applicant consider the selection of low flammability planting to reduce unwanted fire and to assist in the management of fire spread. Henmar Trust (FS1/27) and Fonterra (FS2/116) are both supportive of this suggestion while noting that the proposed landscaping needs to balance other priorities including enhancing

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bat habitat and amenity screening. Council staff in considering this submission, agree minimising fire risk is beneficial and would be worthwhile to include with regards to large development and subdivisions across the District. In relation to this plan change, it is noted that there are proposed provisions in both Sections 7 and 21 regarding plants and landscaping. In order to prompt future plan users to consider low flammable plants it is recommended an addition is made to the Advice Notes under Rule 7.4.2.15 and proposed Rule 7.4.2.15A as follows:

Advice Notes:

1. Overall consistency with the Bardowie Industrial Precinct Structure Plan Urban Design and Landscape Guidelines shall be achieved for developments within the Bardowie Industrial Precinct. Specific or minor non-compliance with the urban design guideline may not constitute non-compliance with the District Plan rules subject to overall amenity and urban design outcomes being achieved.
2. Consultation with Council’s arborist on appropriate tree species for different areas of the District is advisable.
3. [Within the Mangaone Precinct Structure Plan Area low flammable native plant species should be considered and used where appropriate. Consultation with Fire and Emergency New Zealand on appropriate species is advisable.](#)

Swayne Road inclusion in Policy 7.3.4.7

4.11.31 Reon Taylor (15/2) has requested an amendment to Policy 7.3.4.7 regarding the landscaping and fencing, to specifically mention ‘Swayne Road’ to ensure the amenity and outlook effects from his property on Swayne Road are specifically provided for in this policy. Council staff have considered this request and note that policies are to provide direction for rules and methods, with the detail or method to achieve the policy being provided in the corresponding rule set. In this instance new rules are proposed in the plan change regarding landscaping and signage which are of sufficient detail to ensure stated outcomes along the boundaries of perimeter properties with Swayne Road are achieved without the amendment suggested by this submission. For this reason, it is recommended that this submission is rejected.

Topic 10 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Noise Emission			
H Wood & O'Sheas Trustees No 8 Ltd		2/1	Reject
	Fonterra Ltd	FS2/5	Accept in Part
Henmar Trust		9/9, 9/37	Reject
	Fonterra Ltd	FS2/36, FS2/64	Accept in Part
Ken Dredge		11/3	Reject
	Fonterra Ltd	FS2/102	Accept in Part
Reon Taylor		15/1	Reject
	Fonterra Ltd	FS2/117	Accept in Part
Building Setback from Road Boundaries			
H Wood & O'Sheas Trustees No 8 Ltd		2/4	Accept in Part
	Fonterra Ltd	FS2/8	Accept in Part
Henmar Trust		9/30	Accept in Part
	Fonterra Ltd	FS2/57	Accept in Part
Ken Dredge		11/1	Accept in Part
	Fonterra Ltd	FS2/100	Accept in Part
Reon Taylor		15/3	Accept

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Submitter	Further Submitter	Submission Point	Recommendation
	Fonterra Ltd	FS2/119	Accept in Part
Landscaping Strips			
H Wood & O'Sheas Trustees No 8 Ltd		2/4	Reject
	Fonterra Ltd	FS2/8	Accept in Part
Ken Dredge		11/1	Reject
	Fonterra Ltd	FS2/100	Accept in Part
Earth Bund			
Ken Dredge		11/1	Reject
	Fonterra Ltd	FS2/100	Accept in Part
Reon Taylor		15/4	Reject
	Fonterra Ltd	FS2/120	Accept in Part
Tree Height			
Ken Dredge		11/1	Reject
	Fonterra Ltd	FS2/100	Accept in Part
Effects on the Rural Zone			
Henmar Trust		9/4	Reject
	Fonterra Ltd	FS2/31	Accept in Part
Rural Zone Boundary Setback			
Henmar Trust		9/6	Reject
	Fonterra Ltd	FS2/33	Accept in Part
Building Height & Height in Relation to Boundary			
Henmar Trust		9/7, 9/8, 9/32	Reject
	Fonterra Ltd	FS2/34, FS2/35, FS2/59	Accept in Part
Protection and enhance of the Mangaone Stream			
Henmar Trust		9/20	Accept
	Fonterra Ltd	FS2/47	Accept in Part
Zig Zag and Swayne Roads inclusion in Policy 7.3.4.5			
Henmar Trust		9/21	Accept
	Fonterra Ltd	FS2/48	Accept in Part
Bardowie Provisions			
Henmar Trust		9/31, 9/33, 9/34, 9/38, 9/42, 9/44	Reject
	Fonterra Ltd	FS2/58, FS2/60, FS2/61, FS2/65, FS2/69, FS2/71	Accept in Part
Building Colour			
Henmar Trust		9/36	Reject
	Fonterra Ltd	FS2/63	Accept in Part
Lighting			
Henmar Trust		9/38	Reject
	Fonterra Ltd	FS2/65	Accept in Part
Kiwifruit Block Road Frontage			
Henmar Trust		9/43	Reject
	Fonterra Ltd	FS2/70	Accept in Part
Rural Zone Landscape Buffer Strip			
Henmar Trust		9/45	Reject
	Fonterra Ltd	FS2/72	Accept in Part
Low Flammable Planting			
Fire and Emergency New Zealand		14/3	Accept in Part
	Henmar Trust	FS1/27	Accept in Part

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Submitter	Further Submitter	Submission Point	Recommendation
	Fonterra	FS2/116	Accept in Part
Swayne Road inclusion in Policy 7.3.4.7			
Reon Taylor		15/2	Reject
	Fonterra Ltd	FS2/118	Accept in Part
General Support			
Bardowie Investments Ltd		7/11	Accept in Part
Consequential Numbering			
Henmar Trust		9/35	Accept
	Fonterra Ltd	FS2/62	Accept in Part

4.12 TOPIC 11 – STRUCTURE PLAN

4.12.1 Henmar Trust have sought a number of amendments to both the Mangaone Precinct Structure Plan and the Bardowie Industrial Precinct Structure Plan within Appendix S of the Structure Plan. These submissions are captured within this topic and outlined in Table 11 of Appendix 1.

Structure Plan Amendments

4.12.2 Henmar Trust (9/12) have opposed the Mangaone Precinct Structure Plan in its current form noting a lack of connectivity to the ‘Bourke’ land as shown in Figure 1 in Section 3.2 of this report. In terms of relief sought, a number of finer points have been requested therefore the submission is outlined in the following table with Council staff comment to each point.

	Submission Point	Council Staff Comment
a	The plan key of the Mangaone Precinct Structure Plan and Bardowie Industrial Precinct Structure Plan should be the same to provide consistency.	Structure plans within Appendix S are not required to include the same features within the key, therefore consistency with the Bardowie Industrial Precinct Structure Plan is not necessary
b	Include the solid black line in the key, identifying what this represents.	The solid black line is outside the Mangaone Precinct Area, and while shown on the plan, for confirmation of its status, the Bardowie Industrial Precinct Structure Plan should be referred to.
c	The Collector Road from the Bardowie Industrial Precinct to the Henmar Trust property needs to be shown as a Collector Road.	The roading link from the Bardowie Industrial Precinct Structure Plan to the ‘Bourke’ land is a local road only. While shown on the Mangaone Structure Plan, for confirmation of its status, the Bardowie Industrial Precinct Structure Plan should be referred to. For the avoidance of doubt, Council staff recommend that an update to the Mangaone Precinct Structure Plan should be done to show roads on the adjoining Bardowie land and its structure plan as being ‘indicative’.
d	Amend the proposed Structure Plan to identify road and service connectivity to the adjoining	The provision of road and service connections to Henmar Trust land from the northern part of

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	Submission Point	Council Staff Comment
	Henmar Trust property located within C10 Growth Cell, from the Mangaone Precinct.	the Fonterra land is considered to be unnecessary.
e	Relocate the round-a-bout on Zig Zag Road approximately 120m to the west, so that the proposed round-a-bout is located on the boundary of the Mangaone Precinct and Henmar Trust property, providing access to both properties within the C10 Industrial Growth Cell.	Council staff have reviewed this request and note that where an intersection is located across property boundaries, acquisition and establishment of the intersection is a difficult process, that often results in delays and various complications. The Integrated Transportation Assessment (included in Appendix H of the application) has considered the location of this intersection, and the future activities to which it will serve, and concluded this is in an appropriate location. Councils Rooding Team agree with this assessment and Council staff do not consider any relocation of the intersection is necessary. Alternative vehicle access to Zig Zag Road from the Henmar land can be independently provided at some future point in time.
f	Show services connections to the Henmar Trust property and include this in the key.	The provision of road and service connections to Henmar Trust land from the northern part of the Fonterra land is considered to be unnecessary.
g	To provide connectivity and integration within the C10 Growth Cell all roading and/or services crossing the Mangaone Stream Reserve in the Mangaone Precinct, are to be connected to the boundary of the Henmar Trust property at the same time as the first development occurs in the Mangaone Precinct on its northern side of the Mangaone Stream Reserve.	The provision of road and service connections to Henmar Trust land from the northern part of the Fonterra land is considered to be unnecessary.
h	Amend the proposed Structure Plan to provide connectivity to the Kiwifruit Block to ensure that the only traffic using the Swayne Road entrance are light vehicles, or if the Kiwifruit Block has a heavy vehicle access onto Swayne Road to ensure that the whole of the C10 Growth Cell has access to this entrance.	This connection is not considered necessary as the property has an existing entrance to Swayne Road, and currently uses the internal roading network through to Victoria Road. There is no need for the identification of this existing access on the structure plan as road or for connectivity between the Kiwifruit block and Fonterra land to be provided as part of PC14.
i	Amend the proposed Structure Plan to have a Landscaped/Planted Buffer Strip of 5m along the western boundary with the Henmar Trust property.	Council staff note the Structure Plan includes a 3m Landscaped/Planted Buffer Strip along the Henmar Trust boundary. This is considered adequate to provide visual and amenity screening between any future industrial activities on the plan change site and the submitters property.
j	Amend the proposed Structure Plan to identify pedestrian and cycle connectivity to the adjoining Henmar Trust property located within C10 Growth Cell.	The provision of pedestrian and connections to Henmar Trust land from the northern part of the Fonterra land is considered to be unnecessary. This can be achieved through the

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	Submission Point	Council Staff Comment
		Mangaone Stream reserve at some future point in time if deemed necessary.
k	Show the power sub-station currently located on the Structure Plan Area.	The diesel powered electricity generation facility is located central to the site and consented under LU/0123/20 with an expiry date of July 2030. Structure Plans are not required to include existing features which will, in time, be removed as they are no longer required and/or as development occurs. There is no need for this to be identified on the structure plan.

4.12.3 Overall, the structure plan amendments requested by Henmar Trust (9/12) are considered to be unnecessary, with the exception of point (c) above. On this basis the submission is recommended to be accepted in part, and the further submission from Fonterra (FS2/39) be accepted in part. It is recommended that the Mangaone Precinct Structure Plan is amended to show the future roads serving it from the adjoining Bardowie Industrial Structure Plan as indicative only as indicated in Figure 5 below.

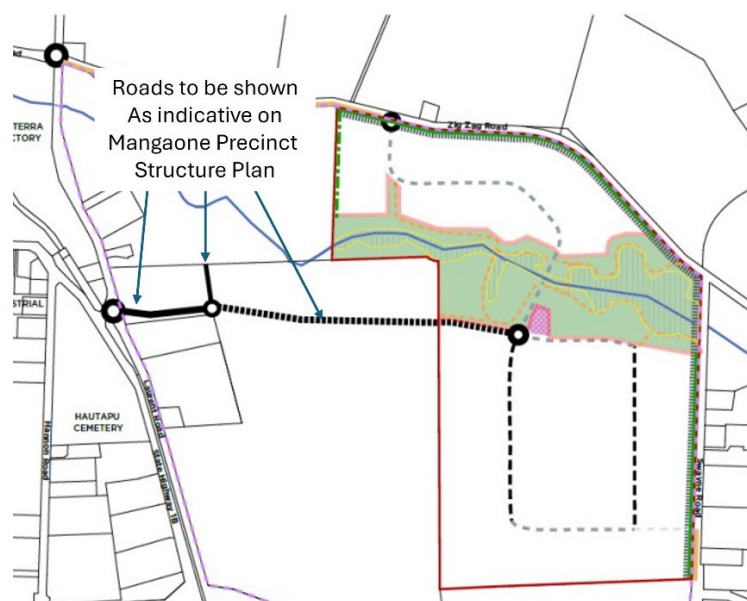


FIGURE 4: INDICATIVE ROADS SERVING MANGAONE PRECINCT STRUCTURE PLAN AREA

Bardowie Industrial Precinct Structure Plan

4.12.4 Henmar Trust (9/14) have opposed the amendments to the Bardowie Industrial Precinct Structure Plan with particular concern regarding the inclusion of the ‘Kiwifruit Block’ and inconsistencies with the Mangaone Precinct Structure Plan key. Henmar Trust (9/15) have also requested a number of amendments to the Bardowie Industrial Precinct Structure Plan within Appendix S20. As noted above, the Structure Plans within Appendix S of the District Plan are not required to be consistent with each other. In terms of the inclusion of the ‘Kiwifruit Block’ in the Bardowie Industrial Precinct Structure Plan, Council staff note that this reflects the existing

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ownership arrangement and the consented development relationship for this site. In terms of amending the Bardowie Industrial Precinct Structure Plan as requested, these matters are considered outside the scope of this plan change. For these reasons these submissions are recommended for rejection.

Subdivision Opportunity

4.12.5 Henmar Trust (9/39) have requested that Rule 15.4.1.1(aa), which provides for subdivision in the Mangaone Precinct Structure Plan Area as a restricted discretionary activity subject to compliance with Rule 15.4.2.91A, is amended to include the Bardowie Industrial Precinct Structure Plan area. Council staff have considered this request and note Rule 15.4.2.91A has been drafted specifically for the Mangaone Stream Precinct and has provisions that would not be relevant or necessary to apply to the Bardowie Industrial Precinct. Additionally, Rule 15.4.1.1(e) of the District Plan applies to the Bardowie Industrial Precinct. For these reasons this submission is recommended to be rejected.

Topic 11 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Structure Plan Amendments			
Henmar Trust		9/12, 915	Reject
	Fonterra Ltd	FS2/39	Accept in Part
Bardowie Industrial Precinct Structure Plan			
Henmar Trust		9/14, 9/15	Reject
	Fonterra Ltd	FS2/41, FS2/42	Accept in Part
Subdivision			
Henmar Trust		9/39	Reject
	Fonterra Ltd	FS2/66	Accept in Part

4.13 TOPIC 12 – TRANSPORT

4.13.1 Traffic and the effects on the roading network are an instrumental part of the District Plan direction to ensure an integrated approach to land use and transport. At a local scale the integration of new activities needs to ensure that the roading network can continue to function in a safe and efficient manner. Those submissions and further submissions received that are specific to transportation have been summarised in Table 12 Appendix 1 and further commented on in the subsequent paragraphs.

Road Connection to Swayne Road

4.13.2 H Wood & O'Sheas Trustees No 8 Ltd (2/2, 2/3) have raised concerns with the indicative roading connection from the Plan Change site to Swayne Road. In terms of the intersection, the PC14 as notified includes an Integrated Transport Assessment (refer Appendix H of the application) which notes this intersections key function is to *“support local road access for light to medium local traffic movement. It enables the local and eastern Cambridge neighbourhood areas to access the*

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site without contributing congestion and delay to the Victoria Road strategic arterial corridor.”

Section 12.2 of the Assessment also notes that the location of the intersection is such that it *“achieve compliance with the off-set requirements from the established BIP access driveway as well as the residential driveways opposite”* in accordance with Rule 16.4.2.5 of the District Plan.

4.13.3 H Wood & O'Sheas Trustees No 8 Ltd have requested:

- A speed change to Swayne Road from that recommended in the Integrated Transport Assessment included with the Plan Change application (refer Appendix H) of 60km/hr to 50km/hr, and
- Relocation of the intersection further north along Swayne Road.

4.13.4 In terms of the road speed, Council staff note that while reduced speed limits will assist in minimising the traffic effects as a result of development in the plan change area, the process to make these changes are set out in the 'Land Transport Rule: Setting of Speed Limits 2024' which a Road Controlling Authority is required to follow for reviewing and setting speed limits within their respective jurisdictions. Council's Roding Team have advised that work is being done on a paper to be presented at the Service Delivery Committee in the first quarter of 2025. This paper will recommend a program to implement the new Land Transport Rule after local body elections. It is anticipated that road speeds would then be reviewed in early 2026.

4.13.5 With regard to the suggestion to relocate the entrance further north along Swayne Road, Council staff note that the connection to Swayne Road could be located anywhere along Swayne Road. This would be assessed as part of the future subdivision application, in which an assessment against the Structure Plan would be undertaken to determine if the location was deemed to be in 'general accordance' with the Structure Plan and in accordance with Rule 15.4.2.69. It is noted that the current location of the proposed intersection takes into consideration the anticipated users of the proposed intersection (i.e. being residents in Cambridge travelling to and from work) and the higher number of existing entrances on the eastern side of the northern part of Swayne Road.

4.13.6 Based on the information provided in the application, and advice from Council's Roding Team, it is recommended that the submissions regarding the intersection with Swayne Road are rejected.

Wider Transport Network

4.13.7 Kama Trust (6/5) has raised concern about the wider transportation network effects as a result of the plan change. As noted above in Section 4.2.13 to ensure the appropriate roading infrastructure is established as required Council staff recommend that a new rule and assessment criteria in be added into Section 16 of the District Plan. Council staff therefore recommend this submission is accepted in part.

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- 4.13.8 Bardowie Investments Ltd (7/4) has expressed their support for the proposed amendments to the Bardowie Industrial Precinct Structure Plan within Appendix S20 to update the roading alignment. The Bardowie Industrial Precinct Structure Plan was introduced into the District Plan through Plan Change 11 in 2018-2019 which changed the zoning of 30ha of Deferred Industrial Zone and 26.7ha of Rural Zone land to Industrial Zone. Since 2019, master planning has been undertaken which has resulted in changes to the location of the anticipated infrastructure, including the establishment of the recently completed roundabout on Victoria Road. The timing PC14 and its connection to the Bardowie Industrial Precinct Structure Plan is considered by Council staff as an appropriate time to update the road alignment to that which reflects the master plan. On this basis the submission is recommended to be accepted in part.
- 4.13.9 Henmar Trust (9/2, 9/3, FS1/23) have raised concern regarding the lack of roading connection to the Henmar Trust property, Part Allot 190 Hautapu PSH, located to the northwest of the plan change area from both the Bardowie Industrial Precinct Structure Plan and the Mangaone Precinct Structure Plan. In terms of this land, it is noted that there is an indicative roading and service connection shown on the Bardowie Industrial Precinct Structure Plan to the southern boundary of this property. The submission notes that the term ‘indicative’ should be removed, and this should be shown as a ‘collector road’. In terms of the ‘indicative’ status this is considered appropriate to be retained as the need and location will largely depend on the future use of this land as and when it is developed. This is currently unknown. With regard to the status of the road connection itself, it is noted that a ‘collector road’ is defined by the District Plan as meaning ‘*a road that distributes traffic from local roads to arterial roads*’. In this instance the link between the road in the Bardowie Industrial Precinct Structure Plan to the Henmar Trust property does not meet the definition of a ‘collector road’ and is more appropriately defined as a ‘local road’.
- 4.13.10 With regard to a connection to the Mangaone Precinct Structure Plan, the submitter is correct that no roading or service connections to the Henmar Trust land is proposed. The application notes this has not been provided due to opportunities for access available from this property to both Zig Zag Road and the connection through to the Bardowie Industrial Precinct Structure Plan area. Council’s Roading Team have reviewed the proposed roading network and agree with the applications assessment, noting that if a connection was provided this would result in traffic potentially back-tracking to get onto Zig Zag Road. Council staff therefore recommend these submission points be rejected.

Emissions Reduction, Climate Change, Transport Modes, Regional Transport Plans

- 4.13.11 The Waikato Regional Council (10/30) have requested further assessment is provided in relation to transport emission reduction and the Emissions Reduction Plan. Council staff note that PC14 includes consideration of a number of alternative transport options, including provision of walking and cycling connections, however, does not specifically address Transport Emissions and the Emissions Reduction Plan. Council staff have considered these submission points and conclude that while the District Plan as a whole would benefit from such provisions, it is not appropriate for these to be specific to development within the Mangaone Precinct only.

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- 4.13.12 To include such provisions on a District wide level would be outside the scope of this plan change and therefore it is recommended that these submissions be rejected.
- 4.13.13 The Waikato Regional Council (10/31, 10/32, 10/33, 10/34, 10/35, 10/36) has acknowledged their support for walking and cycling infrastructure, however, considers further provisions regarding climate change, alternative modes of travel, for example Crime Prevention through Environmental Design (CPTED) principles, end-of-journey facilities and electric vehicle (EV) charging facilities, should be included in the Industrial Zone provisions. Council staff have considered these submission points and conclude that while the District Plan would benefit from such provisions, it is not appropriate for these to only be specific to development within the Mangaone Precinct.
- 4.13.14 The appropriate time to address district wide issues, such as emission reduction plans and travel modes, is as part of a full District Plan review process where any resulting provisions can be equally applies to all areas. In addition to this, it is noted the Councils Environmental Strategy is to be reviewed following implementation of Ahu Ake, Waipā Community Spatial Plan. This strategy will direct how the Waipā environment is to be maintained, improved and restored and will address both climate change and low-impact living matters.
- 4.13.15 The Waikato Regional Council (10/37) has requested that the plan change considers the relevant provision of the Waikato Regional Public Transport Plan and that the Council continues to work with the Regional Council in relation to public transport planning for the area. Council staff note that public transport planning is a relevant issue for the wider industrial area (i.e. including the Bardowie Industrial Precinct Structure Plan Area and Hautapu Industrial Area). This is an area of work the Council’s Roding Team are constantly considering and assessing through the Infrastructure Strategy. In terms of the District Plan, the existing Industrial Zone provisions, and proposed provisions through this plan change, do not restrict the introduction of public transport facilities in the plan change area. For these reasons the submissions are recommended to be accepted in part.

Traffic Generation

- 4.13.16 G & B Laurent (13/1) has requested further reporting regarding the anticipated traffic as result of the plan change. It is noted that the notified PC14 application included an Integrated Transport Assessment (refer Appendix H) which has been reviewed by Council’s Roding and Engineering Teams. These Teams have raised no concerns with the modelling and process used by Stantec, (the authors of the Integrated Transport Assessment) to determine the anticipated traffic effects as a result of the plan change. Based on the advice of Council’s Roding and Engineering Teams, no further assessment is considered necessary, and these submission points are recommended to be rejected.

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Road Cross Sections

4.13.17 Fire and Emergency NZ (14/2) and Henmar Trust (FS1/26) has requested that the indicative road cross sections are amended to align with the requirements of Appendix T4 of the District Plan. The plan change application has sought reduced cross section carriageway widths with the smallest being a 2.7m wide carriageway. Councils Roading Team note that this width is only applicable for the 'Minor Road (light vehicles only) which connects to Swayne Road. The width of a fire truck is capable of traversing a 3.5m wide carriageway of which is available from the local road alignment within the plan change area and where hydrants would be required at the time of development. For this reason, it is recommended the submissions are rejected.

Construction Traffic

4.13.18 Reon Taylor (15/5) has raised concern regarding the effects during construction at the time the site is developed, requesting that construction traffic is restricted from using Swayne Road by an addition to Rule 16.4.2.12A. Council staff acknowledge that effects from construction activities may include noise, vibration, dust, and traffic and can be a particular concern for adjacent residential dwellings. It is noted that the rule as proposed would include construction traffic as it applies to activities within the plan change area and the design of the new intersection onto Swayne Road will restrict use by heavy vehicles. Furthermore, should a development propose to use Swayne Road for construction traffic this would be a matter considered through a resource consent process. Council staff therefore recommend this submission point is rejected.

Topic 12 Recommendations

Submitter	Further Submitter	Submission Point	Recommendation
Road Connection to Swayne Road			
H Wood & O'Sheas Trustees No 8 Ltd		2/2, 2/3	Reject
	Fonterra Ltd	FS2/6, FS2/7	Accept in Part
Wider Transport Network			
Kama Trust		6/5	Accept in Part
	Henmar Trust	FS1/6	Accept in Part
	Fonterra Ltd	FS2/23	Accept in Part
Bardowie Investments Ltd		7/4	Accept in Part
	Henmar Trust	FS1/10	Reject
Henmar Trust		9/2, 9/3, FS1/23	Reject
	Fonterra Ltd	FS2/29, FS2/30	Accept in Part
Emissions Reduction, Climate Change, Transport Modes, Regional Transport Plans			
Waikato Regional Council		10/30, 10/31, 10/33, 10/34, 10/35, 10/36,	Reject
		10/37	Accept in Part
	Fonterra Ltd	FS2/92, FS2/93, FS2/94, FS2/95, FS2/96, FS2/97, FS2/98, FS2/99	Accept in Part
Traffic Generation			
G & B Laurent		13/1	Reject
	Fonterra Ltd	FS2/113	Accept in Part

**WAIPA DISTRICT PLAN: PROPOSED PLAN CHANGE 14 – MANGAONE PRECINCT
& C10 INDUSTRIAL GROWTH CELL - HAUTAPU**

Submitter	Further Submitter	Submission Point	Recommendation
Road Cross Sections			
Fire and Emergency New Zealand		14/2	Reject
	Henmar Trust	FS1/26	Reject
	Fonterra Ltd	FS2/115	Accept in Part
Construction Traffic			
Reyon Taylor		15/5	Reject
	Fonterra Ltd	FS2/121	Accept in Part

5. CONCLUSION AND RECOMMENDATION

5.1 CONCLUSION

5.1.1 This report has been prepared in accordance with Section 42A of the Resource Management Act 1991 and provides a suitable basis on which to assess the effects of Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu. The report sets out the plan change background, the submission and further submission process, the external advice sought by Council, the Statutory and Policy Context, and an analysis of the submissions and further submissions. Recommendations with regard to each submission and further submission have been made by Council staff.

5.2 RECOMMENDATION

5.2.1 Council staff recommend, pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991, that:

- (a) The submissions and further submissions on Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu, are accepted, accepted in part or rejected as outlined in this report and Appendix 1; and
- (b) The amendments to the District Plan including Appendices and Planning Maps are made as set out in this report and Appendix 2 being the:
 - (i) Rezoning of land within the Plan Change 14 area from Rural Zone to Industrial Zone;
 - (ii) The extension of the 'urban limits' to include the rezoned land; and
 - (iii) The amendments to the District Plan provisions included in the plan change application and amended as outlined through this report and as shown in Appendix 2.

Report prepared by:

H Thomas

Hayley Thomas
Project Planner

Report reviewed and approved by:



Peter Skilton
District Plan Team Leader