

RMA HEARINGS PANEL REPORT



To: RMA Hearings Panel Commissioners

From: Neda Bolouri, Consultant Planner; Beca Ltd

Subject: **Section 42A Hearing Report on Proposed Plan Change 17 Hautapu Industrial Zone**

Meeting Date: 29 March 2023

EXECUTIVE SUMMARY

As part of the ongoing review and assessment of the Waipā District Plan (the **District Plan**), Council has identified several matters that need addressing in relation to the Hautapu Industrial Structure Plan Area. The Hautapu Industrial Structure Plan and associated urban design and landscape guidelines were included in the District Plan through Plan Change 6 and made operative on 14 March 2019. That structure plan no longer reflects the latest infrastructure master plan for the Hautapu area. Descriptions of the Hautapu industrial area in the District Plan vary and create confusion when applying the Industrial Zone rules. Additionally, land that was earmarked for development post 2035 has undergone development through a multitude of resource consents as demand is progressing faster than anticipated.

Proposal

For these reasons a plan change is sought in three main areas:

- (a) Updating the Structure Plan to align with infrastructure changes.
- (b) Enable development of growth cell C9 pre-2035 rather than post 2035 to align with changes on the ground.
- (c) Rezone an area of approximately 20 hectares north of Hautapu Road from Rural Zone to Industrial Zone. This area is identified throughout this report as 'Area 6'. This land will service stormwater infrastructure requirements (basin 4) associated with both the existing Industrial Zone and this land.

Overall, the purpose of Proposed Plan Change 17 (**PC17**) to the District Plan is to update the structure plan in order to include the new master plan and make improvements to the provisions in Part B – Definitions, Section 7 – Industrial Zone, Appendix S1 Future Growth Cells and Appendix S5 Hautapu Industrial Structure Plan, and to the Planning Maps to provide for more effective and efficient provisions.

Submissions

A total of 28 submissions were received on PC17. Six further submissions were received. The following topics were raised in the submissions:

- Transportation (infrastructure and traffic generation)
- Water (water supply, stormwater and wastewater discharge)
- Amenity (noise, light and visual effects)
- Land supply (staging of growth cells)
- Specifically the rezoning of Area 6
- Incentives for Carter’s Flat industry
- Hautapu Industrial Structure Plan maps
- Rezoning additional land (Deferred Industrial Zone north of Area 6)
- Cultural
- Elite soils

Analysis

There were no submissions lodged regarding the first area of PC17 relating to updating the Structure Plan to align with infrastructure changes on the ground.

There were three submissions on the second area of PC17 which is to enable development of growth cell C9 pre-2035 rather than post-2035 to align with changes on the ground. Two of these submissions were in support of this, to bring forward more industrial land to assist with economic growth in the district. One was in opposition, stating that other growth cells should have priority over C9 and potentially other mechanisms for land release should be used such as disincentives.

The majority of submissions received were on the third area of the plan change, to rezone Area 6 from Rural Zone to Industrial Zone. Of the 28 submissions received, approximately half were in some form of support for the plan change, some with amendments, and the other half were in opposition.

Several submission points did not seek a specific relief, however when reading the submission as a whole, Council staff have determined that the relief sought can be reasonably identified.

Recommendation

It is recommended that pursuant to Clause 10 of the First Schedule to the Resource Management Act 1991 that:

- (a) The submissions be either accepted in whole or in part, or rejected as recommended in the report; and
- (b) Recommended amendments to the Waipā District Plan and the submissions and further submissions be determined in accordance with Appendix 1 of this report.

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1. INTRODUCTION

- 1.1.1. This report is prepared in accordance with Section 42A of the Resource Management Act 1991 ('the RMA'). This report considers the contents of Proposed Plan Change 17 ('PC17'), as well as the 28 submissions and six further submissions ('submissions') that were received by Waipā District Council ('Council').
- 1.1.2. Section 2 of this report outlines the scope of the hearing.
- 1.1.3. Section 3 of this report provides the background to PC17.
- 1.1.4. Section 4 of this report provides the statutory and policy context for the matters to be considered and determined through the hearing process.
- 1.1.5. Section 5 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. Within each topic there is a summary table of relevant submission points, with recommendations contained within the table for each submission point. Further analysis and discussion is contained in the paragraphs above the table for each topic.
- 1.1.6. For clarity, this is a report on submissions that contains recommendations to the Hearing Commissioners. The Hearing Commissioners will make decisions based on the submissions that have been received and all information presented at the time of the hearing. The recommendations made in this report are **not** the decision of the Commissioners.
- 1.1.7. A track changes version of the proposed amendments to the District Plan is included in Appendix A. In summary, the following are changes proposed by PC17 (as notified):
- 7.4.1.1 (a) Permitted activities – to exclude Area 6.
 - 7.4.1.5 (p) Non-complying activities – to include the entirety of the Hautapu Industrial Structure Plan Area.
 - S5 Attachment A: Perimeter Boundary Treatment – change 30m minimum spacing to maximum.
 - Structure Plan maps S5.9, S5.10, S5.11 and S5.12 – reduce stormwater basin 4 that extends over 84 Hautapu Road and correct name of maps.
 - S5.5.1.2 Design Guidelines (b) – consequential amendment to remove the word 'future' from 'future Industrial Zones', as this was removed from the Perimeter boundary Treatment Plan.
 - Updates to the Hautapu Industrial Structure Plan Map – to include additional wording for roading and access, timing of construction, additional safety measures and upgrades, pedestrian/cycle paths, corrected location of basin 4.

2. HEARING SCOPE

- 2.1.1. PC17 proposes changes to the zoning and planning framework for the Hautapu Industrial Structure Plan and Future Growth Cells.

- 2.1.2. The scope of PC17 and the hearing therefore extends across the following sections of the District Plan:
- Part B – Definitions
 - Section 7 – Industrial Zone
 - Appendix S1 – Future Growth Cells
 - Appendix S5 – Hautapu Industrial Structure Plan and Landscape Guidelines
 - Planning maps
- 2.1.3. One submission point may be considered outside the scope of PC17. This submission sought the rezoning of additional rural land, to the north of Area 6, to “Deferred Industrial Zone”. The land to the north of Area 6 will be bordered by industrial zones to the south and east and this submission¹ seeks this deferred rezoning to alleviate potential amenity effects and to create a seamless boundary of industrial zoning from Area 6 to the Mangaone Stream. The Hearing Panel is to make a determination on this submission point and the issue of scope², however at the time of writing this report, no decision has yet been made.

3. BACKGROUND TO PLAN CHANGE 17

- 3.1.1. After the last review of the Hautapu Industrial Structure Plan, Council has since developed an infrastructure master plan for the detailed design of infrastructure upgrades in and around the C8 growth cell. The Structure Plan was more indicative and the masterplan sets out an actual development plan in more detail.
- 3.1.2. Inefficiencies are created with a Structure Plan that does not reflect the recent changes to the area, and therefore the simple task of updating the Structure Plan with recent infrastructure changes, in accordance with the Master Plan, is part of PC17.
- 3.1.3. The second part of PC17 relates to growth cell C9. In the District Plan, growth cell C9 is shown as “deferred industrial” and is planned for development after 2035. Over the last few years Council has received a number of resource consent applications for industrial activities within the C9 growth cell. This is largely because there is a lack of available industrial zoned land in the area. The C9 growth cell is identified in Appendix S1 as transitioning to a live Industrial zoning post 2035. This means that while industrial land has been allocated and identified as per Future Proof and the Waikato Regional Policy Statement, the availability of industrial zoned land is still low, and demand is high.
- 3.1.4. With a number of resource consents subsequently granted for industrial development in C9, consistent with the intended longer-term zoning of this land, the District Plan’s current deferred industrial zoning for C9 no longer matches the “on the ground” land use or, more significantly, the ongoing demand for industrial land. Accordingly, PC17 is proposing to lift the deferred zoning in growth cell C9 and make the industrial zoning “live”. This would activate this parcel of land for industrial development to better reflect existing industrial land use and meet future demand for more industrial land.

¹ Submission No. 21 from the Hautapu Landowners Group

² Minute #7 issued by the Hearings Panel, dated 08/02/2023

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- 3.1.5. Bringing forward the date for the industrial zoning of growth cell C9 to go live, is still consistent, in planning terms, with the growth strategy outlined in Appendix S1 while responding to the increasing demand for industrial land.
- 3.1.6. The primary components of PC17 (as notified) are below, additionally, it is noted that the District Plan refers to the Hautapu Industrial Structure Plan occasionally as the 'Hautapu Structure Plan', some changes are proposed to correct this and provide consistency.

Part B – Definitions

A new definition is proposed being 'dry industry'. This term will be used in a proposed new policy as there are water constraints in the wider area, which is why it is a term already used in Appendix S20 of the District Plan in relation to the Bardowie Industrial Precinct. It is also a term that will be used increasingly in the future as water constraints become a more pressing issue.

Section 7 – Industrial Zone

A number of proposed changes to the Industrial Zone are summarised below:

- Add a new rule to enable existing industrial activities established prior to 2022 that are located within Carters Flat in Cambridge to be relocated to Hautapu 'Area 6';
- Amend existing rules relating to road boundary and internal boundary setbacks to make the existing setbacks clear, and to define the setbacks for Area 6;
- Amend rule 7.4.2.20 relating to noise to include Area 6; and
- Add new policies to enable dry industry in the Hautapu Industrial Structure Plan area.

Appendix S1 – Future Growth Cells

- Bring forward live industrial zoning in growth cell C9 from post 2035 to pre-2035 by removing the deferred zoning; and
- Add 'Area 6' to the C9 growth cell.

Appendix S5 – Hautapu Structure Plan and Landscape Guidelines

- Amend paragraph S5.1.3 – location of area included;
- Amend paragraph S5.1.6 – limited to dry industry;
- Amend item S5.5.1.2 – introduction of 5m setback from internal road boundaries; and
- Update Structure Plan maps S5.9 – S5.14.

Planning maps

(Map 4, Map 22, Map 23, Map 24)

A number of proposed changes to zoning are summarised below:

- Uplift deferred status of growth cell C9 to Industrial Zone to live zone Industrial in C9;
- Change zoning of 'Area 6' from Rural to Industrial Zone;
- Including 'Area 6' as a part of C9; and
- Extending the Urban Limit to include C9 and 'Area 6'.

4. STATUTORY AND POLICY CONTEXT

4.1. RESOURCE MANAGEMENT ACT 1991 (RMA)

4.1.1. 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 well-being 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.*

4.1.2. The purpose of the RMA is achieved when the elements in section 5 (a), (b) and (c) have been provided for in the District Plan. In order to achieve the purpose, Council should enable people and communities to provide for their social, economic and cultural well-being, both now and in the future.

4.1.3. Under section 32 of the RMA Council must examine whether the objectives of PC17 and its provisions are the most appropriate way for achieving the purpose of the Act as stated in section 5 above. This assessment is set out in the 'Section 32 Report' that supported PC17 at the time of notification. Pursuant to section 32AA of the Act a further evaluation can be undertaken to inform the Hearing Panel's decision on PC17.

4.1.4. Section 6 of the RMA requires all persons exercising functions and powers under the Act in relation to managing the use, development, and protection of natural and physical resources, to recognise and provide for matters of national importance. It is considered that PC17 is consistent with all relevant matters of national importance in section 6.

4.1.5. Section 7 of the RMA identifies other matters to which particular regard is to be given. As set out in the Section 32 Report, those matters of key relevance to PC17 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'. It is considered that PC17 is consistent with these matters.

4.1.6. 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 PC17, and while no direct feedback has been received from the relevant iwi authorities, consideration has been given to the Waikato Treaty Settlement Acts, Joint Management Agreements, and iwi environmental plans in the Section 32 Report. Overall, it is considered the principles of the Treaty have been taken into account.

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

- integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district; and
- the control of any actual or potential effects of the use, development, or protection of land.

- 4.1.8. The purpose and contents of PC17 are consistent with the purpose of a district plan pursuant to section 76 of the Act.

4.2. NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT

- 4.2.1. The National Policy Statement on Urban Development 2020 ('NPS-UD') recognises the national significance of:
- (a) Having 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; and
 - (b) Providing sufficient development capacity to meet the different needs of people and communities.
- 4.2.2. Part 2 contains the objectives for the NPS-UD. Objective 4 requires that "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".
- 4.2.3. Objective 6 states that the "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".
- 4.2.4. This objective relates directly to the first part of PC17, the updating of the infrastructure maps and planning mechanisms to be as current as possible. It also relates to the second part which releases additional land ahead of schedule due to the slower than anticipated release of land for development in growth cells C8 and C9. The third part of PC17 relates to Objective 6 (c) as the proposed rezoning of Area 6 is a response to securing land for required stormwater infrastructure, while also increasing the development capacity for industrial activities.
- 4.2.5. Objective 7 states that "Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions." PC17 is consistent with this clause as the updated structure plans reflecting recent infrastructure changes and upgrades allow for a more efficient resource consenting process for activities in Hautapu. Reviewing the industrial land availability and making changes to the release of this land based on reality is also consistent.
- 4.2.6. PC17 seeks to provide for the NPS-UD by enabling people and communities to provide for their social and economic wellbeing as well as catering for the changing needs of people, communities and future generations through enabling industrial development that is commensurate with the growth of the district.
- 4.2.7. PC17 also seeks to provide for the NPS-UD in accordance with the Future Proof Sub-regional Growth Strategy and the Waipā 2050 District Growth Strategy projections through the proposed rezoning of additional industrial land and by providing the necessary infrastructure to enable this.

4.3. NATIONAL POLICY STATEMENT ON HIGHLY PRODUCTIVE LAND

- 4.3.1. The recently commenced National Policy Statement on Highly Productive Land ('NPS-HPL') came into effect on 17 October 2022 and seeks to protect land with high class soils from inappropriate use and subdivision.

4.3.2. The land subject to PC17 is considered high class soils, both within C9 and Area 6. However, PC17 was notified before the NPS-HPL came into effect. The NPS-HPL states, under clause 3.5(7)(b)(ii), that it does not apply to already notified plan changes to rezone land from rural to urban, and furthermore C9 was already identified for future urban development and is also not subject to the NPS-HPL under clause 3.5(7)(b)(i). A further evaluation of the NPS-HPL is made under Section 6.10 of this report.

4.4. TE TAUĀKI KAUPAPAHERE TE-ROHE O WAIKATO: OPERATIVE WAIKATO REGIONAL POLICY STATEMENT

4.4.1. Te Tauāki Kaupapahere Te-Rohe o Waikato (the ‘RPS’) provides an overview of the resource management issues for the Waikato region. The RPS also focuses on the ways integrated management of the region’s natural and physical resources will be achieved. It contains policies and methods to achieve integrated outcomes across the region.

4.4.2. Section 75 of the RMA requires district plans to give effect to any relevant RPS. Regional policy statements are required to achieve the purpose of the Act 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.

4.4.3. In the RPS Plan Change 1 there are very broad policies associated with long term strategic urban development, with the following being relevant at the date of notifying PC17 (noting that a change to the RPS was notified in late 2022). Submissions on RPS Change 1 closed on 16 December 2022 and further submissions closed on 15 February 2023:

4.4.4. Amending objective UFD-O1 (previously 3.12) - Built Environment to address urban environments specifically and include reference to:

- i) strategically planning for growth and development to create responsive and well-functioning urban environments, that:*
- ii) support reductions in greenhouse gas emissions and are resilient to the current and future effects of climate change; ii) improve housing choice, quality, and affordability;*
- iii) enable a variety of homes that enable Māori to express their cultural traditions and norms;*
- iv) ensure sufficient development capacity, supported by integrated infrastructure provision, for identified housing and business needs in the short, medium and long term;*
- v) improves connectivity within urban areas, particularly by active transport and public transport;*
- vi) take into account the values and aspirations of hapū and iwi for urban development. Insert cross-references to policies LF-P3 (previously 8.3) and LF-P5 (previously 8.5).*

4.4.5. PC17 rationalises rural land that is adjacent to industrial land, and that is already being developed for industrial purposes through individual resource consents. Furthermore, technical assessments, particularly around water use and availability, have been carried out to determine how significant infrastructure can operate on the land without compromising water availability in the region. This is considered an efficient use of physical resources and in accordance with the RPS. For this reason, PC17 is not inconsistent with the RPS.

4.5. TE TURE WHAIMANA O TE AWA O WAIKATO – WAIKATO RIVER VISION AND STRATEGY

4.5.1. Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River (the ‘Vision and Strategy’) 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.

- 4.5.2. The vision for the Waikato River is “for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come.” The Vision and Strategy also includes objectives and strategies to achieve the vision. Waipā District Council has a duty to give effect to the Vision and Strategy, through the District Plan and other planning documents.
- 4.5.3. Waipā District Council has joint management agreements in place with the iwi that have rohe within the district. During the formulation of PC17, Council staff provided information on the draft plan change in general accordance with those joint management agreements. The Vision and Strategy has therefore been fully considered during the formulation of PC17.
- 4.5.4. Of particular importance to PC17 are the following two objectives of the Vision and Strategy:
- g. The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River and within its catchments on the health and wellbeing of the Waikato River.*
 - h. The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities.*
- 4.5.5. PC17 addresses the discharge of stormwater and wastewater to the Waikato River. Appropriate controls are in place to manage stormwater and wastewater in the area avoiding any discharge directly to the Mangaone Stream.
- 4.5.6. PC17 does not alter the ability of the District Plan to give effect to the Vision and Strategy.

4.6. IWI JOINT MANAGEMENT AGREEMENTS

- 4.6.1. Council has joint management agreements in place with Waikato Tainui, Raukawa and Maniapoto. Pre consultation copies of PC17 were sent to these iwi as well as Ngāti Hauā and Ngāti Koroki Kahukura for their information and for comment. While no feedback was received, Council believes it has fulfilled its obligations under clause 4A, of the First Schedule of the Act as well as its obligations under the joint management agreements.
- 4.6.2. A review of the relevant iwi environmental plans has also been completed. The relevant plans are:
- (a) Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Iwi Environmental Plan;
 - (b) Ko Tā Maniapoto Mahere Taiao – Maniapoto Environmental Plan;
 - (c) Te Tautaki Taiao a Raukawa – Raukawa Environmental Plan; and
 - (d) Te Rautaki Tamata Ao Turoa o Hauā – Ngāti Hauā Environmental Plan.

- 4.6.3.** The Section 32 Report for PC17 contains a full assessment of the proposed provisions against these plans. In conclusion, Council staff believe that PC17 is consistent with the above

environmental management plans as growth cell C9 has previously been identified for industrial development and Area 6 is adjacent to long-identified future industrial areas.

4.7. FUTURE PROOF AND WAIPĀ 2050 DISTRICT GROWTH STRATEGY

- 4.7.1. Future Proof is a joint growth management strategy between a cluster of local authorities (being Hamilton City, Waikato and Waipā Districts, and Waikato Regional Council), iwi, Waka Kotahi and the 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.
- 4.7.2. Waipā 2050 is a district wide growth strategy for managing Waipā’s growth until 2050. Waipā 2050 was last updated in 2017 and will soon be reviewed by Council to bring it into line with Future Proof changes.
- 4.7.3. While both of these documents are broad policy documents, any changes proposed to the District Plan must align with the intentions stated within Waipā 2050. PC17 is consistent with these documents, in particular as the inclusion of Area 6 was submitted and approved by Future Proof for inclusion in industrial growth cells in Hautapu. While the decision for Future Proof to include Area 6 is not specifically shown on the Future Proof maps, it was released in the Future Proof decisions to cater for the anticipated growth in Cambridge³.

5. ANALYSIS OF SUBMISSIONS

5.1.1. A total of 28 submissions and six further submissions were received on PC17. The submissions and further submissions have been grouped into topic areas and this report will adopt this same topic area format. This report has grouped the common issues to avoid repetition as much as possible. The topic areas are as follows:

1. Amenity
2. Incentive for Carter’s Flat Industry
3. Land Supply
4. Rezoning Additional Land
5. Rezoning Area 6
6. Transportation
7. Updated Structure Plans
8. Water
9. Cultural
10. Elite Soils

5.1.2. Section 6 of this report provides discussion and recommendations under these topic headings. The table below shows which submitters lodged a submission point on the various topics. In the summary tables the submitter number is paired with the point/topic of their submission e.g. 7.1 is submitter #7 and the first point in their submission.

Table 1: Topic, Submitter number and name

³ Letter from Future Proof to Kama Trust dated 16th June 2022

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Topic	Submitter
Amenity	7 – Janine Barry 13 – Jason Stamp 14 – Michael and Jenni Briggs 15 – Ian Matheson 16 – Natalie Matheson 17 – Rebecca Danswan 19 – Jane Victoria West 26 – Janine Antram 27 – Ethne Penelope Roberts
Incentive for Carter’s Flat Industry	14 – Michael and Jenni Briggs
Land Supply	6 – Nicky Hogarth 7 – Janine Barry 25 – Henmar Trust
Rezoning Additional Land	21 - Hautapu Landowners Group
Rezoning Area 6	1 – Lee and Kristin Turner 2 – Andrew John Keeney 3 - Bruce and Susan Jean McGowan 4 - Edward James and Betty Gordon Webb 5 – Kevin Charles Middlemiss 7– Janine Barry 8 – Kama Trust 9 – Mathew Craig Smith 11 – Hayden James Burke 14- Michael and Jenni Briggs 15– Ian Matheson 16 – Natalie Matheson 18 – Casey Walker 19 – Jane Victoria West 20 – Fonterra Ltd 22 – Transland Group Limited 23 – Owen David John Hayes 24 – Jane Evans 25 – Henmar Trust
Transportation	7– Janine Barry 12 – Waka Kotahi 13 – Jason Stamp 14 – Michael and Jenni Briggs 15 – Ian Matheson 16 – Natalie Matheson 18 – Casey Walker 19 – Jane Victoria West 26 – Janine Antram
Updated Structure Plans	10 – Ritchie and Carol Hannon 14 – Michael and Jenni Briggs 21 – Hautapu Landowners Group

Topic	Submitter
Water	6 – Nicky Hogarth 14 – Michael and Jenni Briggs 21 – Hautapu Landowners Group 28 – Fire and Emergency New Zealand
Cultural	27 – Ethne Penelope Roberts 19 – Jane Victoria West
Elite Soils	19 – Jane Victoria West 27 – Ethne Penelope Roberts 23 – Owen David John Hayes

6. PLAN CHANGE SUBMISSIONS BY TOPIC

6.1. TOPIC 1 – AMENITY

6.1.1. This submission topic is a grouping of all potential effects (largely nuisance effects) resulting from the rezoning of Area 6 from rural to industrial as part of PC17. All submission points raised in this topic are in opposition to PC17 due to the potential adverse effects of the rezoning of Area 6 on amenity. The effects and mitigation for each subtopic are discussed below.

6.1.2. The Hautapu Industrial Structure Plan and Urban Design and Landscape Guidelines provide the framework for managing industrial development within this area, which is essentially the primary industrial node for Cambridge. The philosophy behind the Structure Plan is to enable light to medium industry, including dairy and equine industries, avoiding the impacts associated with heavy industry. This is consistent with the character of Cambridge. Amenity is particularly important as the location is considered to be a gateway to Cambridge from the north, while simultaneously being an ideal location due to proximity to significant transportation routes. The principles of the Structure Plan and the Urban Design and Landscape Guidelines remain unchanged as part of this proposed plan change.

Noise

6.1.3. Seven submitters (#7, #13, #15, #16, #17, #19 and #27) specifically mention noise effects in their submission, while a number of others allude generally to the loss of rural character (which is elaborated on as a separate subtopic below). It is a valid assumption that the type and scale of noise generated by activities in an Industrial Zone can be different to that of a Rural Zone. Noise can be generated from the operation of the activities themselves as well as the noise generated by an increase in heavy vehicles on Hautapu Road. The main mitigating factor that is presented by PC17 in relation to noise is the intention of Area 6 to be utilised for light to medium industry only, avoiding the effects associated with heavy industry. Some examples of light to medium industry include warehousing, small to medium manufacturing of goods, distribution centres etc. This is further reinforced by the Hautapu Industrial Structure Plan itself, of which the main themes and type of development is remaining largely unchanged through PC17. A number of non-complying activities are also listed in Rule 7.4.1.5 (p) which restrict specific industrial activities that generate nuisance effects.

6.1.4. PC17 does offer another mitigation specifically for noise, through the amendment of existing rules in place to address breaches of specific standards, such as operating hours and levels of

noise generated via the New Zealand Standard (NZS) 6802:2008 in Rule 7.4.2.18. This is achieved through the proposed amendment to a current rule in the Industrial Section of the District Plan to further reduce noise generated by activities. Rule 7.4.2.20 relates to specific noise levels for the Bardowie Industrial Precinct Structure Plan Area. As Area 6 will be directly bordering a Rural Zone that has residential dwellings in very close proximity, providing more noise mitigation by reducing the levels of noise generated is considered to be appropriate mitigation, for both activities generating the noise as well as neighbours. More stringent rules may be onerous for an Industrial Zone, to the extent that industrial activities are not enabled and the purpose of the zone change is negated. The proposed addition to Rule 7.4.2.18, the restrictions on the types of activities able to operate and the setbacks identified for industrial buildings in the Structure Plan proposed by PC17, is considered appropriate to mitigate noise effects.

Lighting

- 6.1.5. Three submitters (#7, #13 and #19) specifically mention light spill or light related effects as a result of the proposed rezoning to industrial. PC17 specifically proposes a new light spill rule for Area 6 that is considered to be reasonable, for both business owners and neighbours, and requires any building or activity to manage light spill onto adjoining, non-industrial properties within certain timeframes. This rule is considered to adequately mitigate light spill effects and no further changes are proposed.
- 6.1.6. One submitter (#14 – Michael and Jenni Briggs) has requested that the new light spill rule introduced for Area 6 as part of PC17 be extended to the entire Hautapu Industrial Structure Plan Area. This proposed change would largely benefit the rural properties on the western side of Peake Road that adjoin growth cell C9 as this area is zoned rural. However, these areas have been aware of the intention to rezone C9 to industrial for many years. There are also still residential dwellings within the Hautapu Industrial Structure Plan Area and, should this change be accepted, some existing industrial activities may have to retrospectively meet this new criteria because the way the rule is worded means that industrial activities should minimise light spill onto any residential dwelling, rather than onto another zone.
- 6.1.7. The purpose of this rule is to minimise adverse lighting effects onto rural and residential properties in the area. Extending it to apply to the entire Hautapu Industrial Structure Plan Area may provide additional mitigation but only for the residential dwellings to the west of Peake Road. For others, extension of this rule will create a stringent rule for industrial development within an Industrial Zone, reducing lighting effects on existing residential dwellings that would normally not be within an industrial area. It is therefore recommended that this rule remain as was notified, to mitigate lighting effects from Area 6 while allowing industrial activities within Hautapu to operate as per Industrial Zone standards.

Odour

- 6.1.8. Six submitters (#13, #16, #17, #19, #21, #27) mention odour or smells that can cause a nuisance effect as a result of the rezoning of Area 6 to industrial. PC17 does not propose any mitigation specifically for odour related effects aside from the non-complying activities listed in Rule 7.4.1.5 (p) where incineration activities are non-complying. Odours have the potential to cause adverse effects on people's lives and wellbeing. However, the assessment of odour is complex and the range of adverse effects it can cause varies significantly, as does people's sensitivity, which can cause conflict around perception and severity of effects (the Ministry for the Environment's Good

Practice Guide for Assessing and Managing Odour). In the context of PC17, odour effects can be caused by types of activities and by additional vehicle movements.

- 6.1.9. Odour is usually the result of a discharge to air and under the RMA, the primary responsibility for managing air quality lies with regional councils. Regional councils also have responsibilities regarding air discharges under the Resource Management (National Environmental Standards for Air Quality) Regulations 2004. Territorial authorities do not have a specific air quality management function under the RMA. This Council does, however, have the main responsibility to regulate land use, which includes the location of activities that may discharge odours, such as agrichemical application or intensive farming. However, in both these situations, resource consents would be required which would need to both assess and manage the effects of odour.
- 6.1.10. Activities that discharge to air must also comply with all requirements of the RMA, including section 17 which is the general duty to avoid, remedy or mitigate adverse effects. Under the RMA, Council can issue an infringement notice and/or an abatement notice if an activity is found to be noxious, dangerous, offensive or objectionable to such an extent that it has, or is likely to have, an adverse effect on the environment, including communities. It is considered that these measures already in place can adequately address potential odour effects generated and no further changes to PC17 are proposed to address odour.

Visual Effects and Rural Character

- 6.1.11. Four submitters (#7, #13, #14, and #26) have specifically raised concerns about the visual effects of the proposed rezoning. These concerns relate to the rural character of the area, and in particular how it may contravene Objective 4.3.7 of the District Plan relating to the maintenance of the rural character in the district.
- 6.1.12. The rezoning of growth cell C9 from Deferred Industrial Zone to Industrial Zone has been identified in Appendix S1 of the District Plan (since 2009) and has thus been anticipated. Through PC17 it is proposed to rezone C9 10 years sooner than originally planned, however as the public has been aware of the future intent of this land, it is considered a part of the future environment for the area and thus the visual effects of rezoning C9 will not be further assessed.
- 6.1.13. The rezoning of Area 6 from rural to industrial was not originally included in the growth cells in Appendix S1 of the District Plan and no indications of change were expressed to the public until a letter dated 26 May 2022 which was sent to landowners and business owners in the area seeking feedback on PC17. It is therefore acknowledged that landowners and business owners were not aware of any potential rezoning of land in Area 6 nor that there would be a change in the rural character as a result. However, this change in rural character is unique, as Area 6 already shares two borders with the Industrial Zone to the south and to the east, and it is bordered by Hautapu Road and Peake Road which service the existing Hautapu Industrial Area. Area 6 also already contains some industrial activities that were authorised via resource consent prior to the preparation and notification of PC17. Based on these reasons, Area 6 is not considered to be a quiet, rural piece of land that is typical of rural character. Instead, it is considered to be a rural piece of land that intimately borders industrial land and therefore has reduced rural character values.
- 6.1.14. While its change of use from rural to industrial will be a marked change which will have visual effects on, and will bring the Industrial Zone closer to, rural properties to the north and west, mitigations are offered through Appendix S5 - Hautapu Industrial Structure Plan, Urban Design and Landscape Guidelines. These mitigations include a number of existing design guides in the

Hautapu Industrial Structure Plan regarding landscaping, car parking, building layout and built form. These design guides offer a higher level of visual amenity than may be associated with other industrial areas. As part of PC17, some aspects of Attachment A: Perimeter Boundary Treatment have been clarified and all landscaping and design guides have been extended to include Area 6. Of particular note is a 15m building setback from Peake Road and a minimum 5m landscape amenity strip with earth mounding. This will offer a level of visual screening from the existing Rural Zone to the west and north.

- 6.1.15. Submitter #7 has raised a valid point that Attachment A outlines a 30m minimum spacing of amenity trees, whereas Rule S5.7.1.2 (d) states a 30m maximum spacing. This needs to be clarified as a consequential amendment and a change will be proposed to Attachment A: Perimeter Boundary Treatment to read as 30m maximum spacing, rather than minimum.
- 6.1.16. Submitter #7 also questions Attachment B: Recommended Species Selection of the Hautapu Industrial Structure Plan, which was not subject to any proposed changes as part of PC17. The submitter states that all the trees in this selection are deciduous, meaning they shed their leaves annually. Many of the public road and streetscape planting trees are deciduous, and the logic behind this is that these are the trees identified as part of the character of Cambridge. The reasoning for these trees being deciduous is also that it provides additional sunlight penetration in the winter months. The public road and streetscape planting trees are not, by design, intended to create a buffer, rather they are included to increase visual amenity and to be in keeping with the character of Cambridge. The Landscape Buffer Planting selection includes a mix of deciduous and evergreen trees (these do not drop their leaves during winter/autumn) which are the species meant to provide a level of buffer between the Industrial Zone and the Rural Zone. This, coupled with the earth mounding and 5m landscaping at the perimeter, in addition to the 15m building setback and the landscaping requirements in Appendix S5.7, will create visual variations to the streetscape that will help mitigate the loss of rural amenity and create a visually attractive built form streetscape. No further mitigations relating to visual amenity are proposed.

Effects on Animals

- 6.1.17. Five submitters (#13, #16, #17, #21 and #27) have specifically raised concerns regarding effects on farm animals and equine businesses as a result of this rezoning. Livestock and animal distress can predominantly derive from the added noise, vibrations and lighting from industrial activities in Area 6. This effect can be potentially significant should the animals be housed in close proximity to industrial land use in Area 6. The mitigation measures identified above, primarily being the new rules for lighting, landscaping and buffering, as well as the distance provided by basin 4, will help alleviate some of the potential effects on animals.
- 6.1.18. The Hautapu Landowners Group (submission #21 – which is not included in the summary table below as their submission points are captured under the Topic 5 – Rezoning Area 6) has raised that there are equine businesses (Monarch Farm and Tui Farms) that run directly along the boundary of their site and Area 6, or in close proximity to the boundary. It is recognised that the effects of the proposed rezoning on these particular sites have the potential to be more substantial than effects on other neighbouring sites, particularly as they are horse agistment businesses (horse boarding stables). The effects raised by these submitters are that the rural character of the site is a very important feature of their businesses. If horses need rehabilitation or are particularly sensitive to noise, being located in close proximity to an Industrial Zone could result in a loss of business. The direct financial implications as a result of this rezoning are problematic to pinpoint or assess under the RMA. However, the effects of this rezoning on the

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wellbeing of this community must be considered under Part 2 of the RMA. For this reason, the proposed stormwater basin (basin 4) was repositioned during the preparation of PC17, in order to be located in the northern part of Area 6, acting as a further buffer between the industrial area and the properties to the north that contain these agistment businesses. This, coupled with the Perimeter Boundary Treatment that requires landscaping and an earth mound, will result in approximately 75m (~60m from basin #4 + 15m of building setbacks and landscaping) between any industrial land use and the northern boundary of the Industrial Zone adjacent to the equine businesses. This will help alleviate some of the effects of the industrial land use, but it is acknowledged that occasional industrial noises and vibrations during the day (within prescribed limits set out in Rule 7.4.2.20 mentioned above) may still have an effect on noise sensitive animals such as some horses. However, the mitigations offered by PC17 are considered reasonable and within the scope of the District Plan.

Table 2: Summary of submissions for Topic 1 - Amenity

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
7.2	Planning Maps	Oppose	<p>The rezoning of Area 6 from Rural to Industrial will create nuisance effects in the form of increased noise, lighting and traffic, as well as effects on general amenity and rural character.</p> <p>The inclusion of Area 6 will not be consistent with Objective 4.3.7, that Rural Character is maintained.</p>	<p>Amend the following rules to remove Area 6 from this plan change:</p> <p>Appendix S1 - Future Growth Cells</p> <p>b. Cambridge Growth Map – show the original C9 Growth Cell outlined in blue and labelled 55ha, (exclusive of Area 6).</p> <p>c. Table labelled “Cambridge/Hautapu Industrial Growth Cells – anticipated now to 2035”, Land Area delete 75ha and replace with 55ha (current C9 area). The industrial provision of 111 91 hectares of industrial land will be sufficient to meet the Future Proof anticipated demand until 2041.</p>	<p>FS20 – Oppose</p> <p>FS07 – Support</p> <p>FS08 – Oppose</p>	Reject
7.6	Appendix S5	Oppose in part	<p>Perimeter Boundary Treatment, Appendix S5 - identified an inconsistency with Attachment A Indicative Planting Layout and S5.7.1.2 d). Attachment A states amenity planting should be 30m minimum spacing, whereas the rule states planting along Peake and Hautapu Roads should be 30m maximum spacing.</p> <p>In Appendix B Recommended Species Selection – the selection are all deciduous trees, which will go bare in winter and thus provide a more stark</p>	<p>a) Clarification required for Perimeter Boundary Treatment.</p> <p>b) Changes sought to Attachment B Recommended Species Selection either through a general increase in planting density, choice in trees or some specific treatment opposite 345 Peake Road.</p>	<p>FS08 – Oppose</p> <p>FS20 – Oppose</p>	<p>a) Accept</p> <p>b) Reject</p>

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			view than the existing evergreen hedge and does not provide the level of visual amenity sought (s5.2.2).			
13.1	Planning Maps	Oppose	Opposes the plan change due to the change in rural-lifestyle character of the area, light spill, noise and odour, stormwater and wastewater, disruption during any potential upgrade to electricity lines, effects on farm animals.	Do not rezone any land in the area. Improve consultation and engagement.	FS08 – Oppose	Reject
14.8	Section 7	Support in part	The new lighting rule to apply to the entire Hautapu Industrial Structure Plan area, rather than just Area 6.	Amend Rule 7.4.2.41 Rule - Light Spill in Area 6 – Hautapu Industrial Structure Plan Area	FS08 – Neutral	Reject
14.10	Appendix S5	Support	Seeks all landscaping, planting plans that apply to Hautapu Structure Plan Area to also extend and apply to Area 6.	Amend Structure Plan to reflect Attachment A in S5.	FS08 – Neutral	Accept (already part of PC17 as notified)
15.3	General	Oppose	Concerned about additional noise as a result of rezoning.	Specific relief not mentioned. Council assessment: Do not proceed with rezoning Area 6 as Industrial	FS08 – Oppose	Reject
16.2	Amenity	Oppose	Concerned about noise, smells and livestock distress.	Not rezoning any land in the area.	FS08 – Oppose	Reject
17.1	Appendix S5	Oppose	Opposes industrial activity extending this far out into the countryside due to traffic, noise, smell, and livestock disruptions.	Do not approve PC17.	FS07 – Support FS08 – Oppose	Reject
19.3	General	Oppose	Concerned about increase noise, light and smells from the rezoning.	Do not rezone any land in the area.	FS08 – Oppose	Reject
26.2	General	Oppose	PC17 as proposed will interfere with the enjoyment of rural lifestyle and a proposed wedding venue.	Do not implement PC17.	FS08 – Oppose	Reject
27.2	General	Oppose	There would be an increase in traffic that would negatively affect neighbouring horse properties and the ambience of the area. There would be noise, odour and water pollution associated with industrialisation in the area.	Do not rezone any land in the area.	FS08 – Oppose	Reject

6.2. TOPIC 2 – INCENTIVE FOR CARTER’S FLAT INDUSTRY

- 6.2.1. One submitter (#14 – Michael and Jenni Briggs) has questioned the necessity to incentivise industry from Carter’s Flat (which has been rezoned to Commercial via Plan Change 19 recently) to relocate to Area 6. The submitter states that other industrial areas are available to Carter’s Flat industry, and Area 6 should not make specific provision for this.
- 6.2.2. Carter’s Flat has been identified for Commercial Zoning for a number of years, however due to the lack of Industrial Zone land in the district and more specifically in Cambridge, this rezoning was delayed. With the development of the Hautapu Industrial Area and the revocation of State Highway 1 through Cambridge, the triggers to rezone Carter’s Flat as Commercial were met. However, there were still concerns raised by landowners and business owners in Carter’s Flat that there was still a lack of available Industrial Zone land in Cambridge and that rezoning Carter’s Flat to Commercial would simply push industrial activities out of the district, with the consequent loss of economic benefit and employment opportunities. Clear support and a level of certainty was sought by Carter’s Flat landowners and business owners for relocation to a more suitable local location. Mechanisms to incentivise this relocation outside of the District Plan were considered, such as development contributions. Consequently, with the prospect of PC17 being formulated while Plan Change 19 (Carter’s Flat) was being developed, a clear level of support in the form of a policy to enable industrial activities from Carter’s Flat to relocate to Area 6 was seen as a favourable outcome for all involved.
- 6.2.3. Conversely, if this policy was deleted, as per the submitters request, what effect would it have on the relocation of Carter’s Flat industry to Area 6? Inclusion of this policy means that should an industrial activity that meets the permitted activity requirements seek to establish in Area 6 from Carter’s Flat, no resource consent would be required. Theoretically, any established activity in Carter’s Flat that seeks relocation to Area 6 would be due to its industrial nature and incompatibility with a Commercial Zone, so an argument can be made that this policy and associated rule is unnecessary. However, the only situation where it would be useful to keep this policy and rule would be if an activity from Carter’s Flat that does not meet the permitted activity standards seeks to relocate to Area 6, which would require a resource consent. While the activity may not be an anticipated activity in the Industrial Zone, the policy and associated rule would provide for a level of weighting in the processing planner’s consideration of the application, including the effects the activity generates, how these effects are mitigated and alignment with the Hautapu Industrial Structure Plan.
- 6.2.4. It is acknowledged that this proposed policy and rule could be deleted, with only minor consequences to a small number of people and businesses, namely a few Carter’s Flat businesses. However, what are the consequences of this proposed policy and rule remaining? It seems that there are little to no adverse effects generated by this proposed policy and rule being included in the District Plan to the general population. The inclusion of the policy and rule will provide a level of certainty to owners and employees as to the continuity of businesses. The presence of the rule and the policy specifically entice industrial activities from a now commercial zoned area (Carter’s Flat) to an area more suited to these industrial activities (Hautapu) whilst not limiting the ability for other industrial activities to establish in the Hautapu area. No change to proposed policy 7.3.4.9 is therefore proposed.

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Table 3: Summary of submissions for Topic 2 Incentive for Carter’s Flat industry

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
14.2	Section 7	Oppose	Activities from Carter's Flat can theoretically move to any industrial area, a new policy specifically relating to relocation to Hautapu 'Area 6' is not needed.	Delete Policy 7.3.4.9	FS07 – Support FS08 – Neutral	Reject
14.5	Section 7	Support in part	Restrict development within Area 6 of the Hautapu Industrial Area to dry industry 'Industrial Activities'. No need for a specific rule permitting dry industry industrial activities from Carter's Flat area to relocate to Area 6, as they can relocate to any industrial area.	Amend 7.4.1.1 (w) as follows: "Within 'Area 6' of the Hautapu Industrial Area, any lawfully established, dry industry 'Industrial Activity' that is located within the Cambridge Commercial Zone of Carters Flat established prior to 2022. Development Contributions do not apply to these activities. "	FS07 – Support FS08 – Neutral FS29 – Support in part	

6.3. TOPIC 3 – LAND SUPPLY

- 6.3.1. Three submitters (#6, #7 and #25) raise the issue of land supply, which relates primarily to the second part of PC17 and the proposed upliftment of the 'deferred' status of growth cell C9, rezoning it to a 'live' industrial zone.
- 6.3.2. Two submissions are in support of this rezoning on the basis the land is progressively being used for industrial purposes and it is land that has already been identified for industrial use. One submission is in opposition citing that other identified growth cells should be prioritised.
- 6.3.3. Advice received from Council staff and from Future Proof is that additional industrial land is required earlier than originally anticipated. This is an example of the ever-evolving nature of growth plans, and anticipated demands in the district, and it is considered appropriate to retain this part of PC17 as notified.

Table 4: Summary of submissions for Topic 3 Land Supply

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
6.4	Appendix S1	Support	Uplifting the deferred C9 industrial zone is appropriate given that the land has already progressively been developed for industrial uses.	Retain the uplifting of the deferred C9 industrial zone.	FS08 – Support	Accept
7.1	Appendix S1	Support in part	Changes to the Cambridge/Hautapu Industrial Growth Cells to bring	Retain the uplifting of the deferred C9 Industrial Zone.	FS08 – Oppose FS20 – Oppose	Accept

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			forward C9 from post 2035 to pre-2035 are supported in part.			
25.1	Appendix S1	Oppose	There is sufficient capacity within the existing identified Industrial Growth Cells to cater for new Industrial activities and for those relocating from Carter's Flat. Area 6 is not located within an identified Industrial Growth Cell or Future Proof Area.	That Council brings forward the rezoning of land already identified within existing Industrial Growth Cells.	FS07 – Support FS08 – Oppose FS25 – Support	Reject

6.4. TOPIC 4 – REZONING ADDITIONAL LAND

- 6.4.1. One submitter (#21 – Hautapu Landowners Group) has requested an additional area of land to be rezoned from rural to Deferred Industrial Zone. The main reason put forward by the submitter is to offset adverse amenity effects for rural, residential and equine businesses in close proximity to an Industrial Zone.
- 6.4.2. A determination on the scope of this submission by the Hearing Commissioners has yet to be made.
- 6.4.3. In the meantime, the planning merits of the submitter's requested rezoning include:
- 6.4.4. **Additional industrial land availability:** Sentiments across the region support the need for additional Industrial Zone land in Waipā. While on paper it appears there is sufficient capacity, landowners in identified growth cells are currently not in a position to sell/develop this land. This raises a need to provide additional Industrial zoned land that is not being met currently in the district.
- 6.4.5. **Location:** The proposed additional parcels of land are in a prime location to provide a seamless addition to already industrially zoned land in Hautapu. It is recognised that to not accept this proposal does leave a pocket of rural land that would be bordered on two sides by industrial land. Locationally, and more specifically spatially, the proposal has a logical planning basis.
- 6.4.6. **Mitigation of effects on rural neighbours:** It is recognised that, prior to notification of PC17, the neighbouring properties of Area 6 to the north were not aware of the proposal to rezone Area 6 land as industrial, were not aware of the Future Proof decision to incorporate the rezoning proposal into the review of the Future Proof Strategy, and that the rezoning is not in a currently identified growth cell in the District Plan. Mitigation measures such as buffer zones, landscaping/screening, limits on types of industrial activity have been included as part of PC17 and will mitigate, to a certain extent, the effects of industrial land uses.

- 6.4.7. The disadvantages of the submitter’s requested rezoning include:
- 6.4.8. **Future Proof decision:** The decision by Future Proof on the Kama Trust submission (to incorporate Area 6 as industrial land in the review of the Future Proof Strategy) stated that this additional Hautapu rezoning to industrial would be a ‘hard and final boundary’ for the Hautapu Industrial Area. While this is the wording from Future Proof in their determination and response to Kama Trust (dated 16 June 2022), this wording is not included in the Regional Policy Statement amendments, and therefore does not have any statutory weighting.
- 6.4.9. **Lack of supporting technical reports:** No technical reports, particularly for transportation and three waters, have been supplied by the submitter. It is acknowledged that the submitter did not have time to provide this without placing the hearing timetable for PC17 on hold. However, it would be a risk for Council to support a deferred rezoning to industrial without knowing that it can be supported from an infrastructure perspective. I understand that this information will be provided at the hearing but is not available at the time of this s42A Report. Further time will be needed to review the supporting technical reports, once they are available, before a recommendation can be made on whether the submitter’s rezoning request is supported.
- 6.4.10. **National Policy Statement for Highly Productive Land:** This parcel of land is classed as having highly productive soils (LUC 1). Therefore, any urbanisation, which rezoning to deferred industrial is, will need to be assessed against the NPS-HPL. As already explained earlier, PC17 was already publicly notified when the NPS-HPL came into effect and therefore the NPS-HPL does not apply to PC17. The NPS-HPL is quite limiting in what levels of urbanisation are permitted in the Rural Zone with high class soils, and a full assessment against the exemptions for this potential rezoning will need to be carried out. Council has made it clear that this assessment must be carried out by person proposing to rezone land; the submitter in this case has yet to provide this further information to Council.
- 6.4.11. **Determination that this submission point is within scope:** Should the decision be made that this submission point is within scope of PC17, sufficient technical reports are required to assess the water, wastewater, stormwater, and transportation constraints for rezoning this area from Rural to Deferred Industrial. Should these reports conclude there are no constraints and the land north of Area 6 is re-zoned deferred industrial, triggers and/or mechanisms will need to be agreed on for the timing of this area to become ‘live’ industrial. The options for this can be based on development capacity for Area 6 and/or on a set timeframe. An example trigger is as follows:
- The deferred status of the Industrial Zone can be uplifted via a plan change once Area 6 of the Hautapu Industrial Structure Plan Area has reached 80% development (i.e. 80% of the developable land area is the subject of s.224 certificates) or by 31 March 2030, whichever occurs sooner.*
- 6.4.12. In addition to this trigger, further changes will be required to the Hautapu Industrial Structure Plan and Planning Maps. These changes include, but are not limited to:
- Showing the land to the north of Area 6 as Deferred Industrial Zone in the Planning Maps.
 - Including the land to the north of Area 6 as a part of the Hautapu Industrial Structure Plan Area and within the urban limits of Cambridge in the Planning Maps and the Hautapu Industrial Structure Plan maps (x4).
 - Potential alteration to the configuration of stormwater basin 4.

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- Change to the internal roading layout of Area 6 to provide for access to the new Deferred Industrial Zone, as access via Peake Road is not permitted, and access is currently a cul-de-sac.
- Change to Appendix A: Perimeter Boundary Treatment to include the Deferred Industrial Zone to the north of Area 6.
- Change to Appendix S01 – Future Growth Cells, and the inclusion of the Deferred Industrial Zone and its triggers added.

Table 5: Summary of submissions for Topic 4 Rezoning additional land

Submission / Point	Submitter name	Plan Change Reference / District Plan Provision	Support/ Oppose / In Part	My submission is (summary):	Decision requested	Recommendation
21.1	Planning Maps	Oppose in part	Oppose the plan change in its current form due to the effects of rezoning Area 6 on their rural-residential properties (homes and businesses). The submitters seek the addition of land to the north of Area 6 to be re-zoned as Deferred Industrial to mitigate these effects. An argument has also been made as to the benefits of this additional re-zoning including land compatibility, seamless/rational boundaries for the industrial zone, compatibility with Fonterra to the east.	Amend PC17 to include a Deferred Industrial Zone to encompass the land to the north of Area 6, bounded by Peake Road, Fonterra and Managone Stream. Amend to include additional rules regarding timing; i.e., to uplift deferment once Area 6 is 80% developed or by 31 March 2030. Should this not be accepted, the submitter seeks the deletion of Area 6 rezoning from the plan change.	FS07 – Oppose FS08 – Oppose FS29 – Oppose FS20 – Support in part FS25 – Oppose	For Commissioners to decide on scope.

6.5. TOPIC 5 – REZONING AREA 6

- 6.5.1. This represents the third part of PC17, being the inclusion of Area 6 in the Hautapu Industrial Structure Plan Area and rezoning the land from rural to industrial. Of the 19 submitters who have submitted specifically on this topic, 12 are in support/support in part, and seven are in opposition. It should also be noted that this topic ties in very closely with the ‘Amenity’ topic, as the majority of those submissions in opposition to the rezoning of Area 6 raise amenity concerns.
- 6.5.2. The submission points in opposition are mostly against any rezoning of rural land to industrial. Points raised specifically to this site are its effects on rural/rural residential activities, particularly equestrian operations, veterinary services, dwellings in close proximity to Area 6. These points are valid, and the effects of this rezoning have been carefully considered and weighed with the overall benefits.

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- 6.5.3. It is recognised that Area 6 is not included in any identified growth cell and that surrounding landowners were not aware of the possibility of it being rezoned until this PC17 process. It is also acknowledged that such rezoning can be perceived as an ‘industrial creep’ into the Rural Zone, of which high quality soil is greatly valued (and discussed under the Elite Soils topic below).
- 6.5.4. Submission points in support of this rezoning also make the valid argument that this is a logical location for much needed industrial land and that situating industrial land in close proximity to an established Industrial Zone is a much more efficient use of infrastructure than Industrial Zones being established in completely new greenfield areas. It is also argued that its inclusion would allow vital stormwater infrastructure to be located there, which then unlocks further land to be developed in Hautapu, as stormwater is an issue for existing activities and was holding up future development in growth cell C8. Additionally, such rezoning is in accordance with a recent Future Proof decision to include additional industrial land in Hautapu.
- 6.5.5. Area 6 also contains a number of industrial activities that have been granted resource consents in the recent past. While precedent should be avoided where the presence of resource consented activities dictate a rezoning, in this situation the presence of consented industrial activities further indicates a lack of available industrial land and also that this location is already considered somewhat congruent with the rest of the Hautapu Industrial Area.
- 6.5.6. As identified in the ‘Amenity’ topic above, the recommendation remains to retain the rezoning of Area 6 in PC17 as notified, as the effects generated by its rezoning can be adequately mitigated through the proposed changes to the District Plan in PC17, namely being the inclusion of clear rules regarding landscaping and setbacks, noise and lighting, as well as the intention of only light to medium industrial activities.
- 6.5.7. One submitter (#19 – Fonterra Ltd) has requested that Area 6 be rezoned a Specialised Dairy Industrial Area. Specialised Dairy Industrial Areas have a very limited range of permitted industrial activities, some of these could potentially have more water use and additional adverse amenity effects (noise, smell etc.), than a light to medium Industrial Zone. On this basis the submission point has been rejected.

Table 6: Summary of submissions for Topic 5 Rezoning Area 6

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
1.1	General	Support	Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development. This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate,	Approve PC17 as notified.	FS08 – Support	Accept

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			<p>subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use.</p> <p>This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.</p>			
2.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate, subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use.</p> <p>This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.</p>	Approve PC17 as notified.	FS08 – Support	Accept

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17– HAUTAPU INDUSTRIAL ZONE

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
3.1	General	Support	The additional land supply will enhance the local economy and accelerate growth.	Approve PC17 as notified.	FS08 – Support	Accept
4.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate, subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use.</p> <p>This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.</p>	Approve PC17 as notified.	FS08 – Support	Accept
5.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate, subsequently freeing up commercial land located</p>	Approve PC17 as notified.	FS08 – Support	Accept

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use. This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.			
7.3	Section 7	Oppose	Seeks the removal of Area 6 from this plan change, as identified in policies and rules in Section 7, maps and tables in Appendix S1 and provisions, plans and diagrams in Appendix S5 Hautapu Structure Plan and Design Guidelines as a result of the proposed inclusion of Area 6 in the C9 Growth Cell and consequential rezoning. This proposal is opposed in part, specifically amendments relating to Area 6.	Section 7 – Industrial Zone Delete: Policy: Industrial Zone – ‘Area 6’ (Hautapu) 7.3.4.9 7.3.4.9 To enable lawfully established industrial activities within the Carter’s Flat Commercial Zone to relocate Hautapu ‘Area 6’. Delete: 7.4.1.1 Permitted activities (w) Within ‘Area 6’ of the Hautapu Industrial Plan Area, any lawfully established, dry industry activity that is located within the Cambridge Commercial Zone of Carters Flat established prior to 2022. Delete: 7.4.2.2 b) (b) Hautapu ‘Area 6’ - The minimum setbacks from the Rural Zone boundary shall be 15m.	FS08 – Oppose FS20 – Oppose	Reject
7.4	Appendix S5	Oppose	Seeks deletion of Area 6 from the proposed plan change.	Amend in S5.1.3 The structure plan area is approximately 100 120 hectares in size.	FS08 – Oppose FS20 – Oppose	Reject
8.1	Planning Maps	Support	Supportive of the proposed plan change and in particular the rezoning of Area 6 to Industrial for the following reasons: It is identified in Future Proof Growth Strategy, a logical extension of Industrial Zone, stormwater solution for	Approve PC17 as notified.		Accept

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			the entire area will be provided, whilst also causing a buffer to the north, additional industrial land is required, meets NPS-UD Policy 1.			
9.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate, subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use.</p> <p>This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.</p>	Approve PC17 as notified.	FS08 – Support	Accept
11.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within</p>	Approve PC17 as notified.	FS08 – Support	Accept

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			Carter's Flat to relocate, subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use. This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.			
14.4	Section 7	Support in part	Amend Operative Plan Rule 7.4.1.1(a) to ensure that only dry industry can operate in Area 6. If this rule is not amended, then any permitted industrial activity can operate in Area 6 under the proposed rule framework.	Amend 7.4.1.1a) as follows: "Industrial activities <u>(excluding Area 6 of the Hautapu Industrial Area).</u> "	FS07 – Support in part FS08 – Neutral FS29 – Support in part	Accept
14.6	Section 7	Support in part	The non-complying activity rule to apply to all of the Hautapu Structure Plan Area, not just Area 6.	Amend 7.4.1.5(p) as follows: "Notwithstanding Rule 7.4.1.3(f), the following activities are non-complying activities within the Bardowie Industrial Precinct Structure Plan Area and Hautapu Industrial Area 'Area 6' Hautapu Industrial Structure Plan Area."	FS08 – Neutral	Accept
15.1	Planning Maps	Oppose	Opposes PC17 due to being a close neighbour to the area.	Not rezoning any land in the area.	FS08 – Oppose	Reject
16.1	Planning Maps	Oppose	Opposes plan change 17 due to the fact that their home is located in close proximity.	Not rezoning any land in the area.	FS08 – Oppose	Reject
18.1	General	Oppose	Opposes the proposed rezoning because it would devalue their property.	Do not rezone any land in the area.	FS08 – Oppose	Reject
19.1	General	Oppose	Lack of notice and information to neighbours buying and building houses.	Do not rezone any land in the area.	FS08 – Oppose	Reject

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			Domino effect on neighbouring properties. Hautapu is the premium horse country in New Zealand, Cambridge's international tourism depends on its equine industry in Hautapu - industrial activity should be placed in a different, more appropriate, area.			
20.1	Planning Maps	Support	Supportive of the proposed plan change to reflect the uplifted deferred zoning in C9 growth cell and the change in zoning within Area 6 from Rural to Industrial as industrial activities are more compatible with the activities undertaken on Fonterra's Hautapu site. In regards to Area 6, supports rezoning to Industrial, but also seeks Area 6 to be included within the Specialised Dairy Industrial Area.	Retain the zoning of Area 6 as Industrial, with the addition of Specialised Dairy Industrial Area.	FS07 – Oppose FS08 – Support (Kama Trust is in full support of the submitters request associated with the rezoning of the wider C9 growth cell, and Area 6) FS08 – Oppose (Kama Trust is in opposition to the inclusion of the 'Specialised Dairy Industrial' zoning as part of Area 6)	Accept in part
22.1	General	Support	Supports the expansion and live-zoning of the Hautapu Industrial Zone in accordance with the proposed Plan Change 17. This will provide additional employment opportunities for the District and provide alternative opportunities for existing industrial uses within the Cambridge Town boundary to relocate there.	Approve PC17 as notified.	FS08 – Support	Accept
23.1	Planning Maps	Oppose	Hautapu is currently unable to cope with the current storm water, maintenance of roads	Do not re-zone the rural land to industrial. Owners of industrial land that have not developed	FS08 – Oppose	Reject – disincentivising landowners from land banking is

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			and has no sewage removal for the current occupants. There is also a high concern for nitrates in the water in this area - which can be affected by adding septic tanks.	should be disincentivised through property taxes to discourage land banking.		not a function of the District Plan and is considered out of scope of PC17.
24.1	General	Support	<p>Full support of PC17, specifically the introduction of Area 6. There is a shortfall of industrial land in the Waipā District and rezoning this land will enhance the local economy and align with the National Policy Statement for Urban Development.</p> <p>This additional industrial land will also enable existing industrial businesses within Carter's Flat to relocate, subsequently freeing up commercial land located close to the existing Central Business District. Area 6 provides excellent accessibility to the surrounding road network, including SH1, and it contains few natural features of significance which makes it suitable for industrial zoning. Area 6 has been recognised in the Future Proof Strategy for future industrial use.</p> <p>This plan change will reduce the risk of inappropriate industrial sprawl in the rural area.</p>	Approve PC17 as notified	FS08 – Support	Accept
25.2	Planning Maps	Oppose	Rezoning additional land outside of identified Industrial Growth Cells or Future Proof Areas will increase effects on the receiving environment, in particular the Mangaone Stream.	That Council does not rezone land outside the existing identified Industrial Growth Cells until the existing Industrial Growth Cells have been rezoned and serviced.	FS08 – Oppose FS25 – Support	Reject

6.6. TOPIC 6 – TRANSPORTATION

6.6.1. Six submitters (#13, #15, #16, #18, #19 and #26) raised concerns about the current state of Hautapu Road, specifically that the additional traffic generated by both the live zoning of growth cell C9 and the additional rezoning of Area 6 would create extra traffic volume that raised

concerns for properties in the area. A number of these submitters also raised concerns about the effects on children travelling to and from Hautapu School, which is to the west of Peake Road and is on a no exit street.

- 6.6.2. In response to concerns over the state of Hautapu Road and to reduce safety risks, PC17 provides the following changes as well as confirming that Hautapu Road, and the intersection with Peake Road, are due for major upgrades. These upgrades are largely all approved for funding in Council’s Long Term Plan, with some additional parts being done in agreement with developers, the specifics of which will be finalised via Infrastructure Works Agreements. This urbanisation of Hautapu Road will include:
- Hautapu Road will be upgraded in the 2023/24 financial years to an industrial road standard, including resealing and widening the existing carriageway, kerb and channel treatment, stormwater drainage, and walking/cycling facilities (shared path of the southern side and footpath on the northern side).
 - Localised safety improvement and traffic management constraint measures are proposed on Peake Road and at the Peake Road/Hautapu Road intersection to enhance and ensure safe pedestrian/cycle crossing movements there.
 - Construction of appropriate stormwater conveyance/culverts.
 - Right-turn bay at the proposed new entrance to Area 6 on Hautapu Road.
 - New roundabout constructed at the intersection of Hautapu Road and Victoria Road.
 - The Hautapu Road/Hannon Road intersection is to be closed with a new road connection from Hannon Road to the future Victoria Road/Hautapu Road roundabout.
 - Signage illustrating that Hautapu Road (the section to the west of Peake Road) is a “no-exit” road and directing traffic to Victoria Road is proposed. This will discourage heavy vehicle and other industrial traffic travelling west on Hautapu Road.
- 6.6.3. The proposed improvement works will deliver an appropriately safe local road environment. The timing of these upgrades is expected in the 2023/2024 financial year. The outstanding items include the revocation of SH1B and the final detailed design of the intersections and procurement processes can then begin. These planned upgrades will address a number of concerns raised by submitters, in particular the current issues with stormwater drainage on Hautapu Road, the state of disrepair of the current road, concerns for heavier vehicles further damaging the road, and the safety of pedestrians and cyclists.
- 6.6.4. In response to the concerns over traffic using Hautapu Road to the west of Peake Road and its potential conflict with Hautapu School, the Transportation Report recommends additional, large signage to be erected at the Hautapu Road and Peake Road intersection to clearly state that Hautapu Road west is a dead-end street. This should deter vehicles from using this road accidentally and will keep the roads traffic volume low. While plan changes and structure plans do not typically state this level of detail, this signage will be included in the staged programme of works for the upgrading of Hautapu Road.
- 6.6.5. Two submitters (#7 and #14) shared concerns about access from Area 6 to Peake Road. As noted in the Structure Plan (S05.09), there will be no access to or from Area 6 onto Peake Road. All access to Area 6 must be from Hautapu Road. This is already in PC17, and no further action or assessment is required. Additionally, other properties along Peake Road that currently access Peake Road, over time and once internal roads are constructed, will close those accessways.

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- 6.6.6. One submitter (#14) requested that the local road in Area 6 should be located as far east as possible to prevent heavy vehicles using Peake Road. The only practical way for traffic to access the Waikato Expressway ('WEX') will be via the improved Hautapu Road and Victoria Road corridors. It is acknowledged that there remains the potential for an occasional and ill-informed driver to travel west via Peake Road in search of an access to the WEX. This behaviour can be expected to diminish over time as drivers develop an awareness of the local road network. The potential impact is assessed to be infrequent and of less than a minor impact, having regard to the nature of rural vehicle movements expected on the road corridor.
- 6.6.7. One submitter (#12 – Waka Kotahi), while largely in support of PC17, has asked for further clarification on the timing of the intersection upgrade for SH1B and Hautapu Road. Council has indicated, in consultation prior to the submission period, that this upgrade is due in 2023/2024 and Waka Kotahi is questioning whether the additional traffic flows before this upgrade is carried out can be accommodated within the current intersection.
- 6.6.8. Council has since provided Waka Kotahi with a written response clarifying these matters and this response has been included as Appendix C to this report.
- 6.6.9. Following the recommendations from the Transportation Report, the following transportation related changes have been made to PC17 and the Hautapu Industrial Structure Plan, in particular:
- A separate transportation map created for the Hautapu Industrial Structure Plan, to clearly show walking and cycling routes, intersection upgrades etc.
 - Other traffic calming mechanisms such as speed tables, islands, and formalised pedestrian crossing areas.
 - Changes to the wording in the Hautapu Industrial Structure Plan map under “Road and Access” that relate to the timing of construction.

Table 7: Summary of submissions for Topic 6

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
7.5	Appendix S5	Oppose in part	Concerned about additional traffic on Peake Road and seeks that no access is gained from Peake Road either during construction or future development of Area 6.	Do not permit access to Area 6 from Peake Road, during construction and upon future development.	FS08 – Oppose FS20 – Oppose	Accept – This is already a stipulation in the Structure Plan documents. The Peake Road frontage is also protected from industrial access by Rule 16.4.2.3 of the operative District Plan.
12.1	General	Support in part	Waka Kotahi are generally supportive of the plan change. They express concerns about the State Highway 1B and Hautapu Road intersection's ability to cater for the additional traffic generated by this proposed plan change. Council intends to construct a roundabout in	Undertake an assessment of traffic flows and intersection capacity to determine whether the existing intersection (SH1B/Hautapu Rd) can cater for the additional traffic flows prior to 2023/2024 planned upgrade.	FS07 – Support FS08 – Neutral FS14 – Support	Accept in part – Further analysis of intersection suitability have been supplied to waka Kotahi for comment and is included as an Appendix C to this report.

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			2023/2024 construction season. Due to these concerns, Waka Kotahi considers that an assessment of traffic flows and intersection capacity is required to determine whether the existing State Highway 1B/Hautapu Road intersection has capacity to cater for the additional traffic volume. Dependent on the outcome of the assessment, Waka Kotahi consider that a provision may be required to only allow a certain level of development within growth cell C9 prior to the construction of the roundabout.			
13.2	General	Oppose	Concerned about traffic safety due to the current poor state of the road and increase in heavy vehicle movements, lack of walking and cycling. Particularly for children attending Hautapu School and horse riders.	Do not rezone any land in the area.	FS07 – Support FS08 – Oppose	Reject in part
14.9	Appendix S5	Support in part	There is potential for the future industrial activities in 'Area 6' to increase traffic on Peak Road and Hautapu Road (west of Peak Road). Vehicles associated with the activities may use the local roads, rather than the Hautapu interchange and expressway. Moving the indicative local road as far east as possible would make it more likely that vehicles would use the Hautapu interchange and expressway.	Amend the Structure Plan and move the indicative local road as far east as possible.	FS08 – Oppose	Reject in part
15.2	General	Oppose	There is no footpath on Peake Road and children cycle on that	Specific relief not mentioned.	FS07 – Support FS08 – Neutral	Accept in part

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			road to school – the increased activity as a result of this plan change will put them at risk.			
16.3	General	Oppose	Concerned about the additional traffic the rezoning will generate.	Not rezoning any land in the area.	FS08 – Oppose	Reject
18.2	General	Oppose	Increase in traffic (especially trucking) in the area which will negatively impact the current bottleneck north of Cambridge.	Do not rezone any land in the area.	FS08 – Oppose	Reject
19.2	General	Oppose	Increase in traffic (especially trucking) in the area which will negatively impact the current bottleneck north of Cambridge.	Do not rezone any land in the area.	FS08 – Oppose	Reject
26.1	General	Oppose	The changes proposed in PC17 will increase traffic in the area.	Do not implement PC17.	FS07 – Support FS08 – Oppose	Reject

6.7. TOPIC 7 – UPDATED STRUCTURE PLANS

- 6.7.1. There were three submission points requesting changes to the proposed Hautapu Industrial Structure Plan. One submission (#10 – Ritchie and Carol Hannon) was seeking a change of location for the stormwater basin, for it to be located on rural land to make better use of industrial land. This was considered in early staff discussions, but while other locations for the stormwater basin were considered they were soon discounted due to the specific locational need for existing pipes, drains and natural overland flows. Any location further north or west (as are the only plausible locations) would not capture the stormwater flows required and additional analysis would be needed. The submitter similarly seeks a change of layout/location of the internal roading network. It is unclear if this is within the existing Structure Plan or for Area 6, however roading locations are required in these specific positions to achieve the desired connectivity of the area and no further changes are proposed.
- 6.7.2. One submitter (#21 – Hautapu Landowners Group) raised an issue that the proposed stormwater basin for Area 6 in S5.10, S5.11 and S5.12 shows the basin extending over 84 Hautapu Road. This would create a landlocked parcel for the northern half of 84 Hautapu Road which was not the intent of the proposal. This is an error; the structure plan maps should show the extent of the stormwater basin only to the boundary of 84 Hautapu Road. This will be amended.
- 6.7.3. The same submitter also opposes the fact that 84 Hautapu Road will result in split zoning should PC17 go ahead as notified. Area 6 covers the southern half of their site which will rezone their land from rural to industrial, while the northern half will remain as rural. The submitter opposes this, while not specifically stated in their submission, and the owner of this site seeks the entire site to be rezoned as industrial. In the same submission however, the landowners of the surrounding sites oppose the rezoning to industrial unless their sites are rezoned deferred industrial. If this submission point was accepted, and the entirety of 84 Hautapu Road was

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rezoned industrial, it would be in direct contradiction to the rest of this submission as it would bring the Industrial Zone even closer to their respective properties. Regardless of this, the creation of a site that is split zoned, while typically avoided, is not in itself contrary to good planning practice. In this particular situation, dissecting a property creates a rational boundary of the Industrial Zone. If the submitter’s point was accepted it would result in an additional 1.9ha of industrial land that would then directly adjoin the Mangaone Stream to its north. While this could be explored further, the effects on the Managone Stream would need to be considered, as well as transportation effects such as access, and amenity effects on the neighbouring properties to the west. In addition to the fact that no assessment of these effects have been provided, the submission point to rezone the area identified below in the red outline is rejected.



Figure 1: Red box showing rural land on 84 Hautapu Road that the submitter wants rezoned to Industrial with PC17.

Table 8: Summary of submissions for Topic 7 Updated Structure Plans

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further submissions	Recommendation
10.1	Appendix S5	Support in part	Supportive of the plan change but seeks the location of the detention pond to be on rural land, to make better use of the industrial land. Seeks a change to the internal roading layout.	Amend the structure plan to change the location of the stormwater detention pond and the internal road layout.	FS08 Support/Neutral –	Reject in part – the locations of the stormwater basins are necessary for optimal overland flowpaths. The internal roading network is required to achieve desired accessibility outcomes in the area.
14.7	Section 7	Support	The addition of the rule makes it clearer in terms of setbacks, rather than referencing the Landscape Concept Plan.	Retain Rule 7.4.2.1 and 7.4.2.2 as notified.	FS08 – Neutral	Accept – no change
21.3	Appendix S5	Oppose	According to the stormwater plans, the detention pond will dissect a	a) Amend Structure Plan to re-position stormwater pond.	FS08 – Support (Kama Trust supports the submitter’s request to redact the	a) Accept – this was included in error in PC17 as notified and will be changed to <u>NOT</u>

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Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further submissions	Recommendation
			<p>property located at 84 Hautapu Road, creating a landlocked site and restricting a Transferable Development Right subdivision from being implemented.</p> <p>The re-zoning of Area 6, which includes part of 84 Hautapu Road, would result in a split zoned site, the southern half being Industrial and the northern being Rural, which the submitter opposes.</p>	b) Amend Structure plan to re-zone all of 84 Hautapu Road as Industrial.	<p><i>error involving the stormwater detention pond</i></p> <p>FS08 – Oppose (<i>More information is required before Kama Trust would be in the position to support this submitter's opposition to the split zoning between 84 Hautapu road</i>)</p> <p>FS29 – Oppose</p> <p>FS20 – Support in part</p> <p>FS25 – Oppose</p>	<p>include 84 Hautapu Road.</p> <p>b) Reject – More information is required to include additional land in rezoning.</p>

6.8. TOPIC 8 – WATER

6.8.1. Five submitters have raised water related concerns (#6 – Allied Concrete, #14 – Michael and Jenni Briggs, #21 – Hautapu Landowners Group, #28 – Fire and Emergency New Zealand and further submitter #FS29 – Waikato Regional Council). These submissions points have been grouped into definitions, rules, stormwater, and water supply matters below.

Definitions

6.8.2. PC17 has proposed a new definition for the District Plan for “dry industry”. This definition reflects the water supply, wastewater and stormwater soakage constraints of the area, which are also reflected in other parts of the district. One submitter (#6) has requested a change to the definition of ‘dry industry’ to be more inclusive of activities that are self-sufficient for water supply and the use of Council owned infrastructure.

6.8.3. The merits of this change to the definition is that it allows more flexibility if Council owned infrastructure is significantly upgraded in the future, or if activities are able to completely manage their water related effects onsite (water supply, wastewater and stormwater). The submitter also states that there is a shortage of available industrial land in the district and restricting the entirety of Hautapu Industrial Structure Plan Area to dry industry will prevent certain industries from establishing there.

6.8.4. The purpose of the definition is to protect the area from water intense activities. In reality, if the effects of water supply, waste and stormwater can be managed on site and without undue strain on Council infrastructure, then the purpose is achieved. Therefore, additional wording has been added to the definition to allow a level of flexibility without compromising the potential for adverse effects on the infrastructure network. On advice from Council’s Three Waters Expert, and subsequent clarifications, it is recommended that the following change to the ‘dry industry’ definition as notified is made:

Means any industrial operation that does not use water for processing, manufacturing, or production purposes; and does not discharge nor generate any liquid effluent from its operation (aside from domestic wastewater).

Includes any industrial operation that uses and/or disposes of water from processing, manufacturing and production but is self-contained on site. The activity does not require the use of council water and wastewater infrastructure and is adequately able to treat primary discharge stormwater via soakage disposal on site.

Policies and Rules

- 6.8.5. One submitter (#6) has requested the removal of concrete batching activities from the non-complying list of activities for the Hautapu Industrial Area – Rule 7.4.1.5(p). Concrete batching can generate nuisance effects such as dust. If concrete batching activities seek to establish in Hautapu, quite aside from any air discharge permit that may be required under the Waikato Regional Plan from the Regional Council, a resource consent can be applied for under the District Plan to demonstrate measures to mitigate nuisance effects. The presence of this rule, including the Hautapu Industrial Plan Area, does not preclude these activities from establishing, but rather introduces a gateway test to comprehensively assess the effects of the activity and the mitigation offered through a resource consent process.
- 6.8.6. Additionally, a change will be made to this rule to include the entirety of the Hautapu Industrial Area, rather than restricting the rule to Area 6 as was notified in PC17. This is due to the water and infrastructure constraints in the general area. Therefore, it is recommended that the rule read as follows:
- 7.4.1.5 Non-Complying Activities*
Notwithstanding Rule 7.4.1.3(f), the following activities are non-complying activities within the Bardowie Industrial Precinct Structure Plan Area and Hautapu Industrial Structure Plan Area. ~~Hautapu Industrial Area ‘Area 6’~~
- (i) Bitumen plants;*
(ii) Incineration activities;
(iii) Concrete batching plants;
(iv) Relocated buildings.
- 6.8.7. A change was also requested by the same submitter to include additional wording in policy 7.3.4.10 to again provide more flexibility for activities that are self-sufficient in terms of water, wastewater and stormwater on their sites, rather than entirely precluding wet industry. The submission point has been rejected, as the intent of the policy is to set a direction for activities intending to operate in the area and alerting these activities to the existing water constraints. Should a ‘wet industry’ choose to operate in the Hautapu Industrial Structure Plan Area, the change to the definition of ‘dry industry’ described in paragraph 6.8.4 above, will provide that activity with an opportunity to manage the water related effects through a resource consent process. The intent of policy 7.3.4.10 is to restrict and dissuade, to a certain extent, wet industry in the area, because cumulative effects can occur should a multitude of wet industry activities establish in the area.

Stormwater

- 6.8.8. One submitter (#21) has concerns about the stormwater detention pond, including the potential for groundwater mounding, contamination of groundwater and bores used for domestic and

stock drinking purposes, overland flow of stormwater, and odour. These potential effects will be mitigated by the following:

- (a) A mounding assessment undertaken by GWE Consulting Engineers has been undertaken to address the risk. The assessment considers that the effects of mounding downgradient of two basin scenarios are within the natural fluctuation of the groundwater levels in the area and are considered to be less than minor.
- (b) Contamination of groundwater/bores (stock and domestic) is mitigated through:
 - (i) On-site pre-treatment will be required for each industrial lot (dual treatment of devices as per the Regional Infrastructure Technical Specifications to manage contamination of site runoff).
 - (ii) Council will undertake pre-treatment prior to discharging to ground. This is effective in reducing contamination of groundwater.
 - (iii) Inert roof materials will be used (no zinc/copper etc).
 - (iv) Geotechnical advice shows depth to groundwater (between basin invert and water table) is greater than the minimum 0.5m therefore further treatment is provided within this 'dry' zone.
 - (v) Geotechnical advice shows the soakage rate is sufficiently low so as not to rapidly introduce contaminants to the water table as per Waikato Regional Council guidance.
- (c) An overland flow path will be provided to safely convey flows through the site and discharge the 100yr + a climate change event at no more than existing peak flow to the north within an existing channel (paelo channel).
- (d) The soakage basin is not a wetland or pond, it is designed to temporarily store and soak away stormwater. It will therefore remain dry for the majority of the time. The soakage basin is expected to drain within 24 to 48 hours, as such it is unlikely that odours will occur.

Water Supply

- 6.8.9. One submitter (#28) opposes PC17 based on the inability for the plan change area to be serviced with adequate water supply for firefighting purposes.
- 6.8.10. To manage fire risk in the Hautapu Industrial Structure Plan area, Fire and Emergency request that Council ensure that the current resource consent process ensures that all future subdivision and land use applications within the Hautapu Industrial Structure Plan Area are suitably conditioned. This is to ensure that adequate onsite storage is provided for at the time of development commencing in order to provide Fire and Emergency certainty that enough firefighting water supply will be available in a fire emergency.
- 6.8.11. Council endeavours to provide a minimum water supply of FW2 (12.5 litres/second) in the road corridors (as per Waipā District Council's Water Supply Bylaw 2022). Anything over and above the FW2 requirement will be dealt with onsite and will need to be managed by individual consent owners (i.e. detention pond or attenuation tanks). The existing consenting mechanisms for this includes the following rule in Section 15 – Infrastructure, Natural Hazards, Development and Subdivision, which adequately addresses this submitter's concerns and is able to be conditioned as part of resource consent requirements:

Rules - Additional infrastructure servicing for the Residential, Commercial and Industrial Zones within the urban limits

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17– HAUTAPU INDUSTRIAL ZONE

15.4.2.18 All lots in a subdivision and any sites in a development in the Residential, Commercial and Industrial Zones within the urban limits shall be connected to the following Council infrastructure services:

(a) Wastewater reticulation and treatment; and

(b) Water supply for domestic, or industrial, or commercial activity; and

(c) Water supply for fire fighting purposes.

Advice Note: SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.

Table 9: Summary of submissions for Topic 8 Water

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
6.1	Definitions	Support in part	Seeks an amendment to the definition of Dry Industry to allow for those industries which use and dispose of water where there is no use of council infrastructure, and they are self-sufficient. The relief sought allows for a wider range of industrial activities to be located within the proposed Hautapu Industrial Zone.	Amend the definition of 'Dry Industry' to the following: "Means any industrial operation that does not use water for processing, manufacturing, or production purposes; and does not discharge nor generate any liquid effluent from its operation. <u>Includes any industrial operation that uses and/or disposes of water from processing, manufacturing and production but is self-contained on site and does not require the use of council water infrastructure.</u> "	FS08 – Neutral FS29 – Oppose FS14 – Oppose	Accept in part
6.2	Section 7	Support in part	Restricting the industrial zone to those industries which are dry is a very short-term development view. There is an increasing requirement for industrial areas in the region, however they need to cater for all industry types.	Amend 7.3.4.10 to read as: "To ensure that activities within the Hautapu Structure Plan are restricted to 'dry industry' activities due to infrastructure constraints, <u>and in addition any other industry which are self-contained, and which do not require the use of council infrastructure.</u> "	FS08 – Neutral FS29 – Oppose FS14 – Oppose	Reject
6.3	Section 7	Oppose	It is unclear if 7.4.1.5 (p) only applies in Area 6 or covers the whole of the Hautapu Industrial Area and seeks more specific wording. Seeks a deletion of concrete batching from the Non-Complying activities list. The submitter states that if any proposal to establish a batching plant can manage water use and disposal	a) Amend 7.4.1.5 to clearly state if it applies to the entire Hautapu area or just Area 6. b) Delete 7.4.1.5 (p)(iii) 7.4.1.5 Non-complying Activities c) Notwithstanding Rule 7.4.1.3(f), the following activities are non-complying activities within the Bardowie Industrial	c) FS07–Oppose FS08 – Neutral FS14 – Oppose in part	a) Accept b) Reject c) Reject

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			<p>within the site without requiring the use of external council infrastructure and there are no health or environmental impacts, then concrete batching should be excluded from this rule.</p> <p>Concrete batching is an appropriate activity for an "Industrial Zone". The activity is currently covered by Rule 7.4.1.1(a) and infringement of performance standards should revert to Restricted discretionary (restricted to matter involving water use and management).</p>	<p>Precinct Structure Plan Area and Hautapu Industrial Area and 'Area 6'</p> <p>(i) Bitumen plants; (ii) Incineration activities; (iii) Concrete batching plants (iv) Relocated buildings</p>		
14.1	Definitions	Support	Supports the addition of the 'dry industry' definition due to the existing high water table and/or wastewater issues in the area.	Retain the definition of 'dry industry' as notified.	FS08 – Neutral	Accept
14.3	Section 7	Support	The area has a high water table and the discharge of water and/or wastewater will likely make the situation worse.	Retain Policy 7.3.4.10 as notified.	FS08 – Neutral FS29 – Support in part	Accept
21.2	Appendix S5	Oppose	Concerns about the stormwater detention pond, including the potential for groundwater mounding, contamination of groundwater and bores used for domestic and stock drinking purposes, overland flow of stormwater, and odour.	No specific relief sought.	FS07 – Support in part FS08 – Oppose FS20 – Support in part	No specific relief sought, explanation provided above.
28.1	Section 7	Oppose	<p>Opposes the proposed plan change based on the inability for the plan change area to be serviced with adequate water supply for firefighting purposes.</p> <p>To manage fire risk in the Hautapu Structure Plan area, Fire and Emergency request that Council ensure that the current resource consent process ensures that all future subdivision and land use applications within the Hautapu Structure Plan area are suitably conditioned to ensure that adequate onsite storage is</p>	The Council does not enable development within the Hautapu Structure Plan area unless it is matched with the delivery of key water infrastructure (reservoirs, network extensions or upgrades), or development is not enabled where there is potential or known infrastructure capacity constraints in relation to the water supply network (unless the development itself includes necessary upgrades or additional storage).	FS07 – Support in part FS08 – Oppose	Reject

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17– HAUTAPU INDUSTRIAL ZONE

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
			<p>provided for at the time of development commencing, to provide Fire and Emergency certainty that enough firefighting water supply will be available in a fire emergency.</p> <p>Fire and Emergency also note the risk to level of service to the Waipā community. If Fire and Emergency, using the already inadequate water supply need to take water from the network for firefighting purposes for a medium/long duration incident, this could mean that other users on that water supply system will be placed at risk of lower to no water for their normal day to day operations during incident response.</p>	<p>Addition of a new policy in Section 7 Industrial Zone as follows:</p> <p><u>Policy 7.3.4.11 To ensure that all subdivision and development within the Hautapu Structure Plan area is provided with a firefighting water supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p>		

6.9. TOPIC 9 – CULTURAL

- 6.9.1. Two submitters (#19 and #27) have raised concerns that cultural matters have not been adequately addressed. One is in regard to the effect of the industrial activities on the Mangaone Stream and the second is on cultural heritage in the area.
- 6.9.2. No direct discharge to the Mangaone Stream will result from the rezoning and enabling of industrial land use proposed in PC17. I also note that the introduction of the stormwater basin will address stormwater discharge in the area. Furthermore, PC17 was sent in draft form to identified stakeholders prior to public notification, in addition to being sent to those iwi with whom Council has a Joint Management Agreement in place, as well as to other iwi groups in the area. As stated in the Section 32 Report, no comments were received and the relevant iwi environmental management plans were assessed. Overall, there are not considered to be any adverse cultural effects.

Table 10: Summary of submissions for Topic 9 Cultural

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further submissions	Recommendation
27.3	General	Oppose	<p>Pollution associated with industrialisation, especially along the Mangaone stream which has huge cultural significance for Ngati Hauā and Ngāti Koroki Kahukura.</p>	Do not rezone any land in the area.	FS08 – Oppose	Reject

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further submissions	Recommendation
19.4	General	Oppose	Concern over lack of respect for Maori cultural heritage in the area.	Do not rezone any land in the area.	FS08 Oppose –	Reject

6.10. TOPIC 10 – ELITE SOILS

- 6.10.1. Three submitters (#19, 23 and 27) opposed the rezoning of Area 6 based on concerns for the preservation of elite soils in the district. These points are acknowledged, the site does have high class soils (LUC 1), as does the majority of Waipā District. Part of the site is currently being used for agricultural purposes and the rezoning of this land would result in a loss of agricultural use, which, if PC17 had been notified after 17 October 2022, would be inconsistent with the recently commenced NPS-HPL. However, as PC17 was already notified when the NPS-HPL came into effect, PC17 is exempt from these requirements.
- 6.10.2. It should be acknowledged that the Section 32 Report for PC17 did not include an assessment against the NPS-HPL. This is because the Section 32 Report was approved by the Strategic Planning and Policy Committee on 6 September 2022, with efforts underway to notify the plan change. Two weeks later, the NPS-HPL was gazetted on 19 September 2022 (and came into effect on 17 October 2022) . Council staff were not able to change the already approved Section 32 Report without causing significant delays to the entire PC17 timetable; which would otherwise have potentially set a precedent that notification processes were able to be delayed by various policy documents that are released periodically (and often without warning).
- 6.10.3. The NPS-HPL specifically excludes plan changes notified before 17 October 2022 from the restrictions of development or rezoning of highly productive soils for urban use (clause 3.5 (7)(b)(ii)). Regardless of this specific exclusion, the effects of the loss of productive soils should still be considered in its own merit under Part 2, Section 5 of the RMA.
- 6.10.4. In this situation, the effects generated by the change from rural to industrial zoning should be considered, in particular in terms of safeguarding the life-supporting capacity of soil, to provide for the foreseeable needs of future generations. It is acknowledged that the Area 6 has been historically used for agricultural purposes (asparagus farming), as opposed to being used in a more passive form such as farmland/pasture. It is also acknowledged that the rezoning of Area 6 does allow a change in use starkly in contrast to rural production. However, the effect of this loss of productive land on a local or district level is not considered to be significant. If the owners/operators of the asparagus farm were to cease this agricultural business, the effect of its lost agricultural operations (and consequent productivity) would not be significant. The permanent loss of the sites’ agricultural potential is also not considered to be substantial in light of the availability of rural land in the near vicinity and the rest of the district, of equally high class soils. Furthermore, the implementation of the NPS-HPL further protects these other rural areas from development.

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17– HAUTAPU INDUSTRIAL ZONE

Table 11: Summary of submissions for Topic 10 Elite Soils

Submission point	Plan Change Reference / District Plan Provision	Support / Oppose / In Part	My submission is (summary):	Decision requested	Further Submissions	Recommendation
19.5	General	Oppose	Concerned about the responsible use of elite soils of Cambridge and the impact on Mangaone Stream.	Do not rezone any land in the area.	FS08 – Oppose	Reject
27.1	General	Oppose	The plan to rezone Hautapu from rural to industrial is a direct contravention of the recent elite soils legislation that is in place to protect New Zealand's elite soils for agriculture and food production. The Hautapu area has always been valuable arable land for food production and exports and rezoning the area to industrial zoning would remove this ability.	Do not rezone any land in the area.	FS07 – Support FS08 – Oppose	Reject
23.3	General	Oppose	It should be the mandate of Waipā District Council to defend the rural zone when others have not in this area, especially with the Governments position on the use of land considered elite.	Do not re-zone the rural land to industrial.	FS07 – Support FS08 – Oppose	Reject

7. CONCLUSION AND RECOMMENDATION

7.1. CONCLUSION

- 7.1.1. I have prepared this report in accordance with Section 42A of the RMA and provides an appropriate basis on which to assess the effects of PC17 to the District Plan.
- 7.1.2. I have examined each of the submissions and further submissions in the context of PC17 and made recommendations with regard to each.
- 7.1.3. The scope of part of one of the submissions will be determined by the Hearings Panel. This matter of scope is the subject of directions issued by the Hearings Panel which are, at the time of this report, underway.
- 7.1.4. Some submissions received do not clearly identify the relief being sought or decision requested. Council staff have identified these submissions and made a fair assessment of the decision requested based on the content of the submission. Recommendations based on these assessments are provided.
- 7.1.5. A minor error included in PC17 can be amended by clause 16 of the Act, by amending the size of the proposed stormwater basin in Area 6 as not extending onto 84 Hautapu Road (maps S5.9, S5.10, and S5.11, deleting previous version of S5.12 and S5.13 and replacing with an updated S5.12 – Indicative Stormwater Sections).

7.2. RECOMMENDATION

- 7.2.1. It is recommended that pursuant to clause 10 of the First Schedule to RMA that:
- (a) Informed by submissions received on PC17, Council approve PC17 in order to progress with the updated Hautapu Industrial Structure Plans, uplift the deferred zoning of growth cell C9 and rezone Area 6 as Industrial Zone,; and
 - (b) Other submissions are accepted or rejected as recommended in section 6 of this report.

Report prepared by:



Neda Bolouri
Consultant Planner

Report reviewed and approved by:



Wayne Allan
Group Manager – District Growth and
Regulatory Services

Appendix A - Recommended Tracked Changes to Waipā District Plan

Note:

- Text from the Waipā District Plan is included in the same colour and text as the notified version of Plan Change 17 ('PC17').
- Text included in response to submissions is in blue and underlined [submission number] and text deleted in response to submissions ~~is in blue and struck through~~.
- Consequential renumbering of some provisions in the Waipā District Plan ('District Plan') may be required as a result of accepting or rejecting submissions on PC17.

Part B – Definitions

Add new definition for dry industry:

'Dry Industry' *Means any industrial operation that does not use water for processing, manufacturing, or production purposes; and does not discharge nor generate any liquid effluent from its operation (aside from domestic wastewater).*

Includes any industrial operation that uses and/or disposes of water from processing, manufacturing and production but is self-contained on site. The activity does not require the use of council water and wastewater infrastructure and is adequately able to treat primary discharge stormwater via soakage disposal on site.
[Submission 6.2]

Section 7 – Industrial Zone

Policies – Industrial Zone: Area 6 (Hautapu)

7.3.4.9 To enable lawfully established industrial activities within the Carter's Flat Commercial Zone to relocate to Hautapu 'Area 6'.

7.3.4.10 To ensure that activities within Hautapu Industrial Structure Plan are restricted to 'dry industry' activities due to infrastructure constraints.

Proposed Rules:

7.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(a)	Industrial activities <u>(excluding the Hautapu Industrial Structure Plan Area)</u> . [Submission 14.4 and FS29]

7.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
<u>(w)</u>	<u>Within 'Area 6' of the Hautapu Industrial Plan Area, any lawfully established, dry industry activity that is located within the Cambridge Commercial Zone of Carters Flat established prior to 2022.</u>

7.4.1.5	Non-Complying activities
The following activities shall comply with the performance standards of this zone	
(p)	Notwithstanding Rule 7.4.1.3(f), the following activities are non-complying activities within the Bardowie Industrial Precinct Structure Plan Area <u>and Hautapu Industrial Structure Plan Area Industrial Area 'Area 6'</u> . [Submission 14.6 and FS29] (i) Bitumen plants; (ii) Incineration activities; (iii) Concrete batching plants; (iv) Relocated buildings.

Rule - Minimum building setback from road boundaries

- 7.4.2.1 The minimum building setback from road boundaries shall be 5m, except in the following locations:
- (a) Bond Road North Industrial Structure Plan Area - The minimum setbacks from the Bond Road and Preston Road boundaries shall be those as defined on the Landscape Concept Plan within the Bond Road North Industrial Structure Plan Area refer Appendix S12.
 - (b) Hautapu Industrial Structure Plan and Hautapu 'Area 6' - The minimum setbacks from Peake Road and Hautapu Road boundaries shall be 15m. All other road boundary setbacks within Hautapu Industrial Structure Plan and Hautapu 'Area 6' shall be 5m. ~~Hautapu Industrial Structure Plan Area - The minimum setbacks from road boundaries shall be those as defined on the Landscape Concept Plan within the Hautapu Industrial Structure Plan Area refer Appendix S5.~~
 - (c)

Rule - Minimum building setback from internal boundaries

- 7.4.2.2 The minimum building setback from internal site boundaries that adjoin any zone other than the Industrial Zone shall be 5m, except in the following locations:
- (a) Bond Road North Industrial Structure Plan Area - The minimum setbacks from internal site boundaries that adjoin any zone other than the Industrial Zone shall be those as defined on the Landscape Concept Plan within the Bond Road North Industrial Structure Plan Area refer Appendix S12.
 - (b) Hautapu 'Area 6' - The minimum setbacks from the Rural Zone boundary shall be 15m.

Provided that no building or eave shall encroach into any access, driveway, or other vehicle entrance.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule - Noise

- 7.4.2.20 Within the Bardowie Industrial Precinct Structure Plan Area and Hautapu 'Area 6' all activities shall be conducted, and buildings located, designed and used to ensure that they do not exceed the following limits:

Rule - Light Spill in Area 6 Hautapu Industrial Structure Plan Area

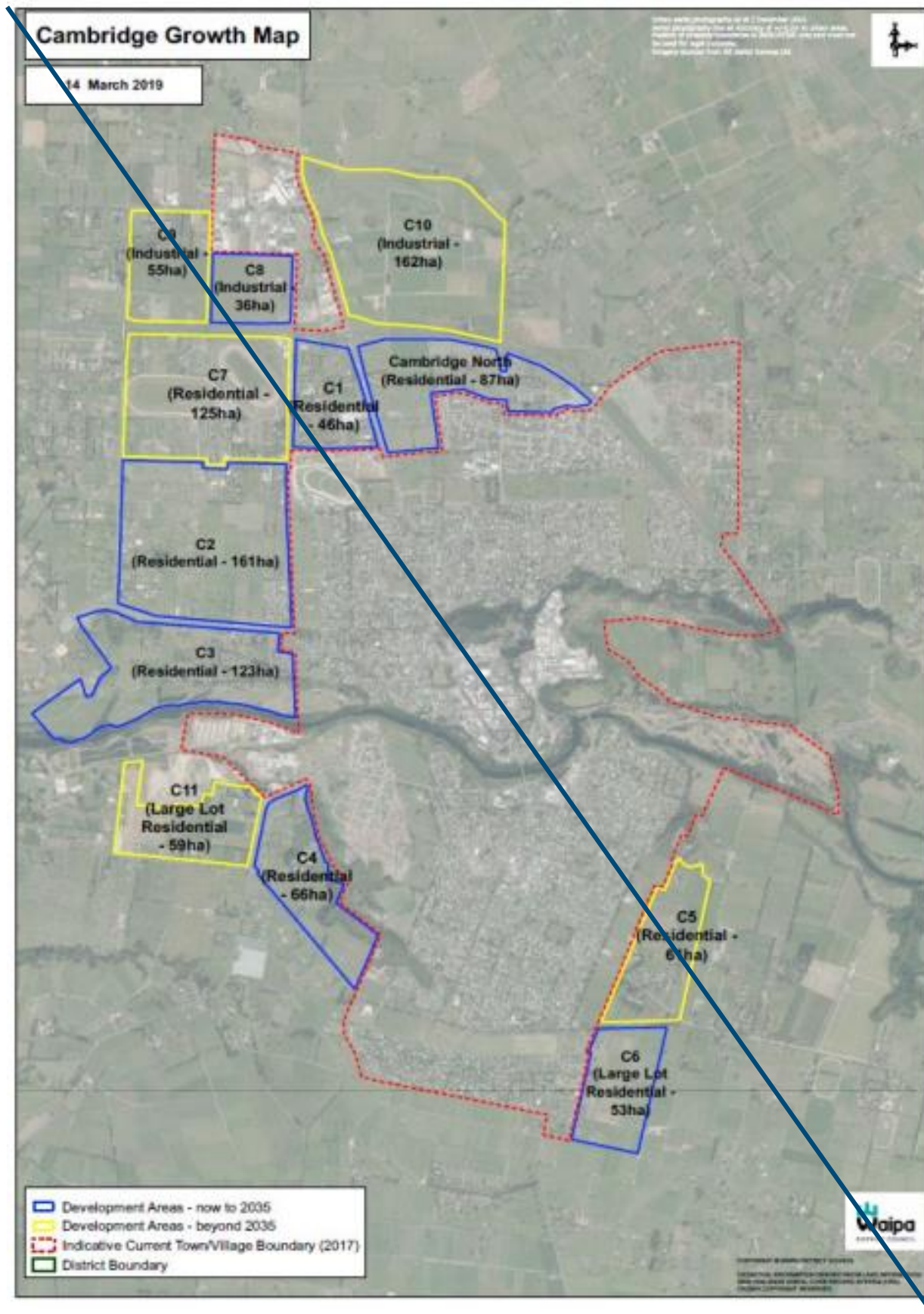
- 7.4.2.41 All external lighting shall be shaded or directed away from any adjoining residential dwellings or roads, and adjusted and maintained to ensure that the direct luminance from the lighting source shall not exceed;
- (a) 4 lux (lumens per square metre) at or within the notional boundary of any adjoining dwelling between the hours of 10:00pm and 7:00am;

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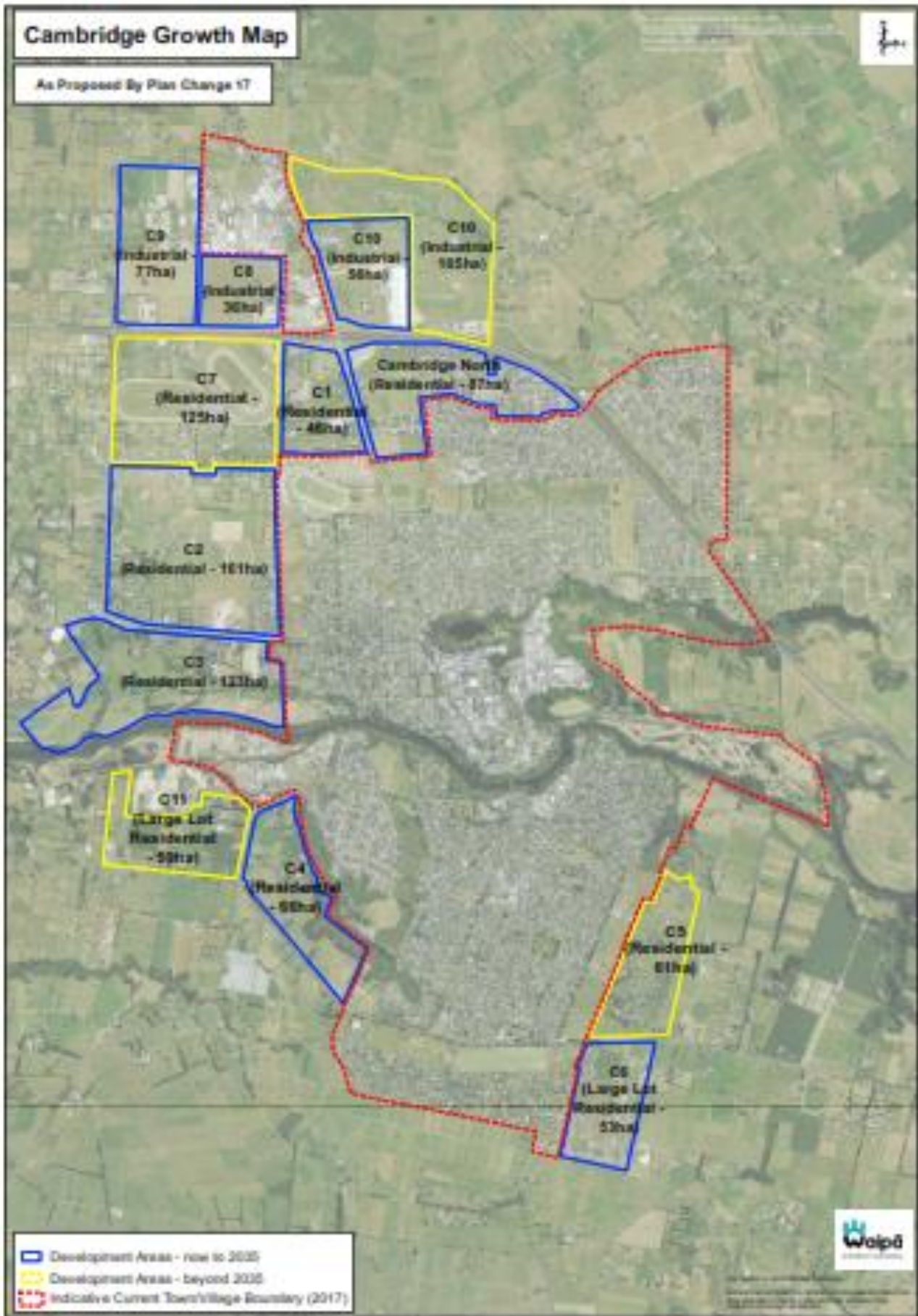
- (b) 10 lux at or within the notional boundary of any adjoining dwelling at all other times when lighting is required.

Advice note. For exterior lighting near to any residential dwelling, and in any other case where the applicant, or the Council is unsure as to the ability of the lighting to comply with these performance standards, the applicant shall provide the Council with a report from a Professional Illumination Engineer confirming that the lighting installation has been designed, installed and aimed in a manner that will ensure compliance with this Rule and with AS 4282-1997. In the case of a new installation, design information must be provided at the time of applying for a building consent.

Appendix S1 – Future Growth Cells



WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17– HAUTAPU INDUSTRIAL ZONE



Cambridge / Hautapu Industrial Growth Cells – anticipated now to 2035

Growth Cell	Land Area	Overview and Capacity
C9	75ha	<ul style="list-style-type: none"> ▪ <u>Intended for industrial development, the C9 growth cell is located within the Hautapu Industrial Structure Plan Area. A combination of both the C8 and C9 areas has been identified as necessary to satisfy the industrial needs for Cambridge.</u> ▪ <u>The area is currently unserved, with the structure plan review identifying needed infrastructure.</u>
<p>The industrial provision of 36 <u>111</u> hectares of industrial land will be sufficient to meet the Future Proof anticipated demand until 2041.</p>		

Cambridge / Hautapu Industrial Growth Cells – anticipated beyond 2035

Growth Cell	Land Area	Overview and Capacity
C9	55ha	<ul style="list-style-type: none"> • Intended for industrial development, the C9 growth cell is located within the Hautapu Structure Plan area. A combination of both the C8 and C9 areas has been identified as necessary to satisfy the industrial needs for Cambridge. • The area is currently unserved, with the structure plan review identifying needed infrastructure.

Appendix S5 – Hautapu Industrial Structure Plan and Landscape Guidelines

The following changes are proposed to the Hautapu Industrial Structure Plan.

S5.1.3 The structure plan area is defined by land east of Peake Road, ~~south of Hautapu Road~~, west of Victoria Road and north of the Waikato Expressway (State Highway 1). The structure plan area does not include the existing industrial land to the north of the area. The structure plan area is approximately ~~100~~ 120 hectares in size. It does not include the area east of Victoria Road that is within the Deferred Industrial Zone. Existing activities in the structure plan area include agricultural, large lot residential, and light industrial and commercial premises. The majority of this land is currently undeveloped greenfield land.

S5.1.6 The Hautapu Industrial Structure Plan provides information for developers to ensure their development meets infrastructure requirements in a coordinated and sustainable manner to avoid complications in the future, and to enable development to be managed in an integrated approach to achieve the best outcome for developers, Council and communities. “In formulating the structure plan, specific studies for urban design and landscaping, stormwater, water and wastewater, and transportation have been undertaken. There is appropriate allocation in the water network to service the Hautapu Industrial Structure Plan area. Water supply and demand will assume ‘dry industry’ and a ratio of 30 FTE’s (full time equivalent employees) per hectare occupancy.”

S5.5.1.2 Design Guidelines

(a)

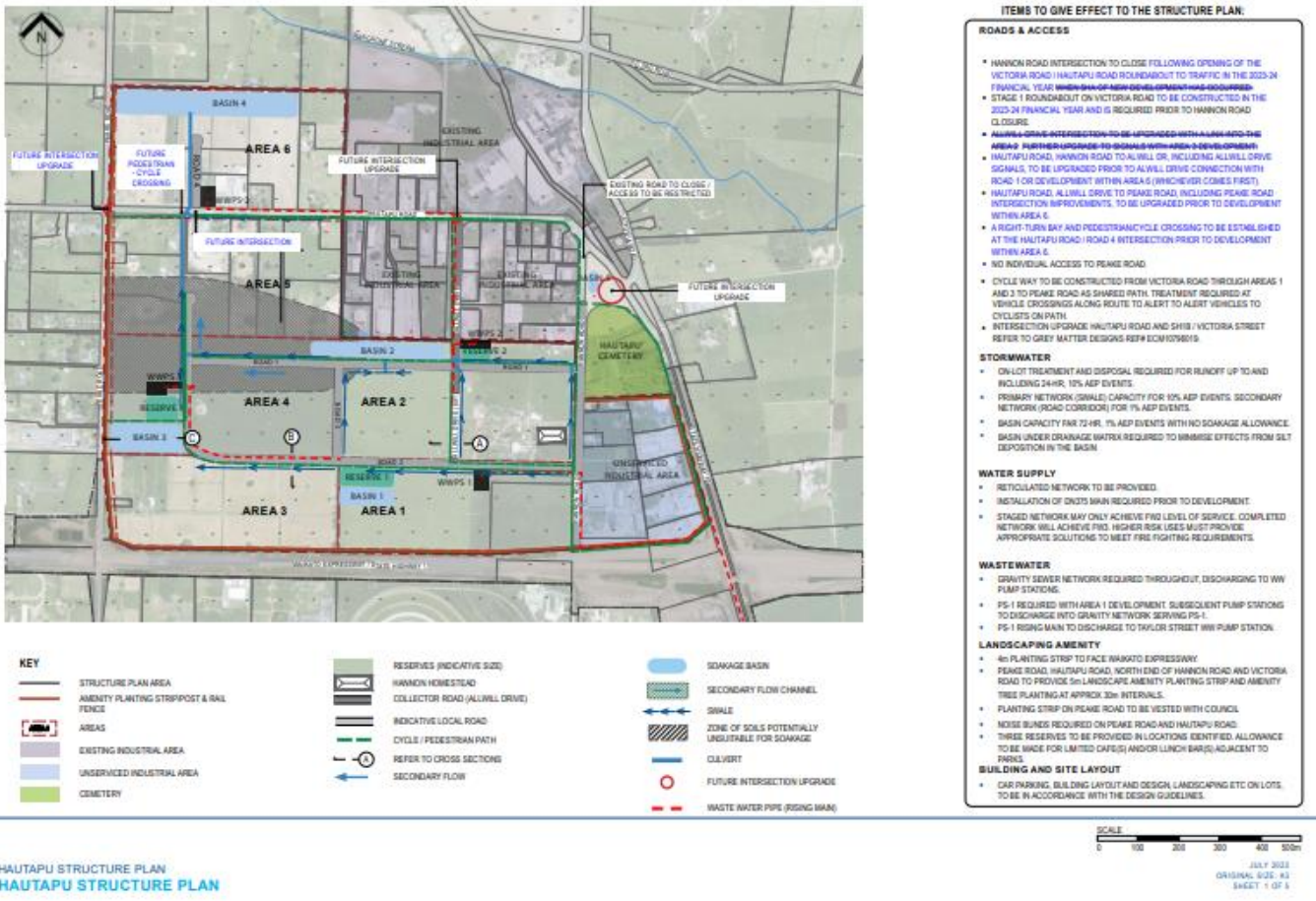
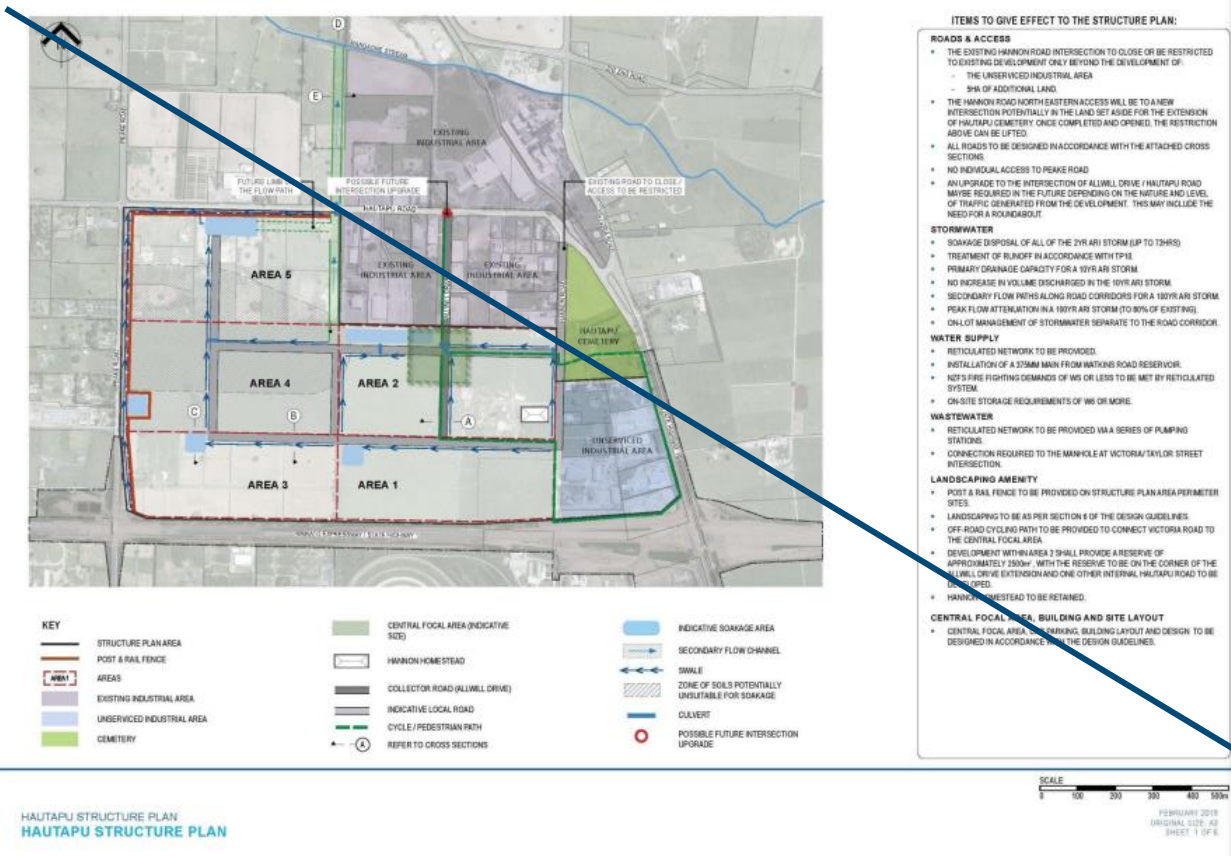
(e) Buildings setbacks from internal road boundaries shall be 5m.

S5.5.1.2 Design Guidelines

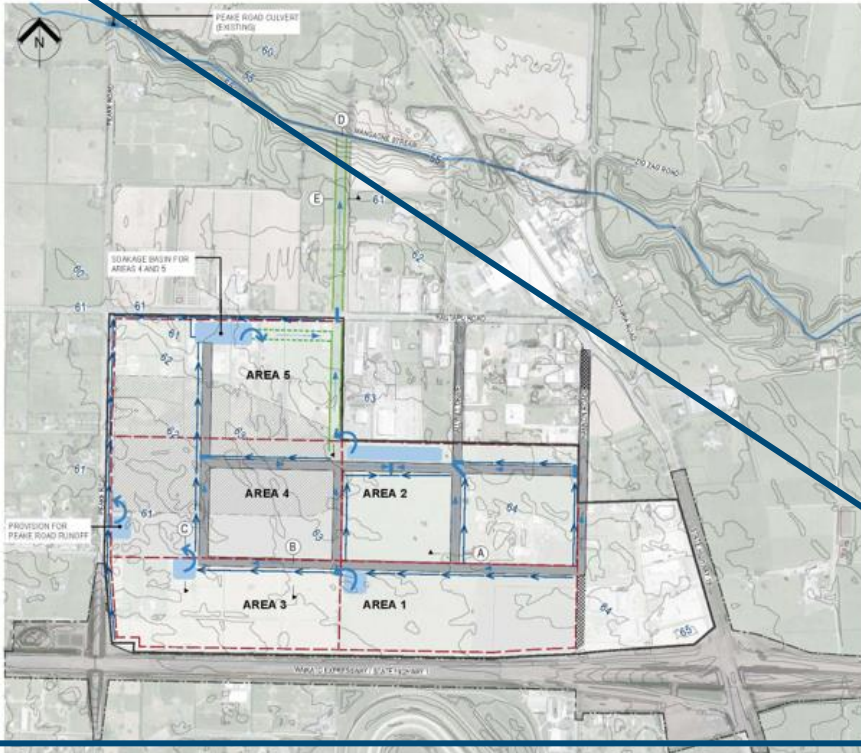
(a) ...

(b) Building setbacks along Hautapu Road and Peake Road and along external boundaries of the ‘Future’ Industrial Zone’ area are to be setback 15 metres. Refer Attachment A.

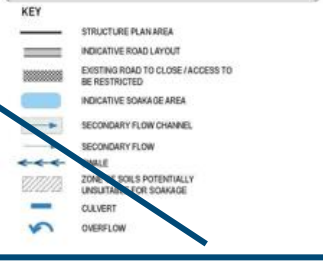
S5.9 Hautapu Industrial Structure Plan



S5.10 Indicative Stormwater Layout



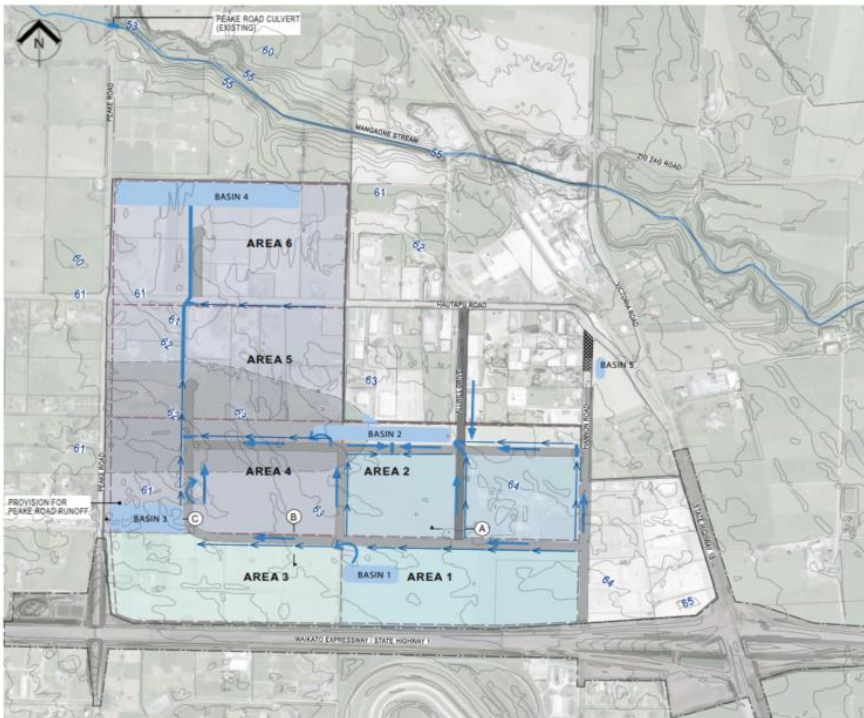
- NOTES:**
- 1. STORMWATER PERFORMANCE CRITERIA:**
 - SOAKAGE AREAS SIZED TO:
 - DISPOSE TO GROUND 100% OF THE 2YR ARI STORM RUNOFF FOR DURATIONS UP TO 72HRS
 - DISCHARGE NO MORE THAN EXISTING DEVELOPMENT VOLUME DURING A 10YR ARI STORM FOR DURATIONS UP TO 24HRS.
 - FLOOR LEVELS SET TO BE CLEAR OF THE 100YR FLOOD LEVEL
 - ATTENUATE 100YR ARI STORM PEAK FLOW RATE TO 80% OF EXISTING DEVELOPMENT FLOW RATE FOR THE CRITICAL DURATION STORM AT THE PEAKE ROAD CULVERT.
 - SOAKAGE AREAS SIZED FOR ROAD CORRIDOR RUNOFF ONLY. THESE ARE TO BE VESTED AS A COUNCIL ASSET.
 - PIPED SYSTEMS TO BE DESIGNED TO A 10YR ARI CAPACITY WITH A 10MIN TIME OF CONCENTRATION.
 - TREATMENT OF RUNOFF IN ACCORDANCE WITH TP10.
 - OVERFLOWS TO RUN DOWN THE ROAD CORRIDORS AND BE DIRECTED INTO THE SECONDARY FLOW CHANNEL, DESIGNED TO A 100YR ARI STANDARD.
 - 2. BASIN SIZES SHOWN ARE INDICATIVE AND ARE SUBJECT TO DETAILED DESIGN GIVING CONSIDERATION TO SPECIFIC SITE CONDITIONS AND ASSESSMENTS.**
 - 3. EACH PRIVATE LOT SHALL MANAGE STORMWATER WITH ON-LOT SOLUTIONS TO THE SAME PERFORMANCE CRITERIA NOTED IN ITEM 1.**
 - 4. THE FOLLOWING SHALL BE PROVIDED WHERE GROUND CONDITIONS CAN BE SHOWN NOT TO BE CONDUCTIVE TO SOAKAGE DISPOSAL:**
 - MINIMUM RETENTION OF THE FIRST 5MM OF RAINFALL FOR ALL IMPERVIOUS SURFACES, PROVIDED PVIOUS AREAS ARE REMEDIATED WHERE COMPACTED, OTHERWISE, 5MM ACROSS THE WHOLE SITE, AND,
 - EXTENDED DETENTION OF 1.2 x THE WATER QUALITY VOLUME DISCHARGED OVER 24HRS.



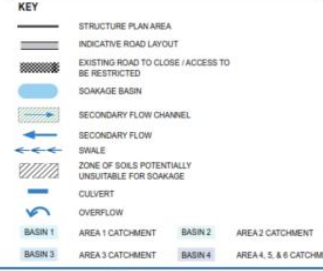
SCALE
0 100 200 300 400 500m

FEBRUARY 2019
ORIGINAL SIZE: A3
SHEET 2 OF 6

HAUTAPU STRUCTURE PLAN
INDICATIVE STORMWATER LAYOUT



- NOTES:**
- 1. STORMWATER PERFORMANCE CRITERIA:**
 - SOAKAGE AREAS SIZED TO:
 - DISPOSE TO GROUND 100% OF THE 2YR ARI STORM RUNOFF FOR DURATIONS UP TO 72HRS
 - DISCHARGE NO MORE THAN EXISTING DEVELOPMENT VOLUME DURING A 10YR ARI STORM FOR DURATIONS UP TO 24HRS.
 - FLOOR LEVELS SET TO BE CLEAR OF THE 100YR FLOOD LEVEL
 - ATTENUATE 100YR ARI STORM PEAK FLOW RATE TO 80% OF EXISTING DEVELOPMENT FLOW RATE FOR THE CRITICAL DURATION STORM AT THE PEAKE ROAD CULVERT.
 - SOAKAGE AREAS SIZED FOR ROAD CORRIDOR RUNOFF ONLY. THESE ARE TO BE VESTED AS A COUNCIL ASSET.
 - PIPED SYSTEMS TO BE DESIGNED TO A 10YR ARI CAPACITY WITH A 10MIN TIME OF CONCENTRATION.
 - TREATMENT OF RUNOFF IN ACCORDANCE WITH TP10.
 - OVERFLOWS TO RUN DOWN THE ROAD CORRIDORS AND BE DIRECTED INTO THE SECONDARY FLOW CHANNEL, DESIGNED TO A 100YR ARI STANDARD.
 - 2. BASIN SIZES SHOWN ARE INDICATIVE AND ARE SUBJECT TO DETAILED DESIGN GIVING CONSIDERATION TO SPECIFIC SITE CONDITIONS AND ASSESSMENTS.**
 - 3. EACH PRIVATE LOT SHALL MANAGE STORMWATER WITH ON-LOT SOLUTIONS TO THE SAME PERFORMANCE CRITERIA NOTED IN ITEM 1.**
 - 4. THE FOLLOWING SHALL BE PROVIDED WHERE GROUND CONDITIONS CAN BE SHOWN NOT TO BE CONDUCTIVE TO SOAKAGE DISPOSAL:**
 - MINIMUM RETENTION OF THE FIRST 5MM OF RAINFALL FOR ALL IMPERVIOUS SURFACES, PROVIDED PVIOUS AREAS ARE REMEDIATED WHERE COMPACTED, OTHERWISE, 5MM ACROSS THE WHOLE SITE, AND,
 - EXTENDED DETENTION OF 1.2 x THE WATER QUALITY VOLUME DISCHARGED OVER 24HRS.

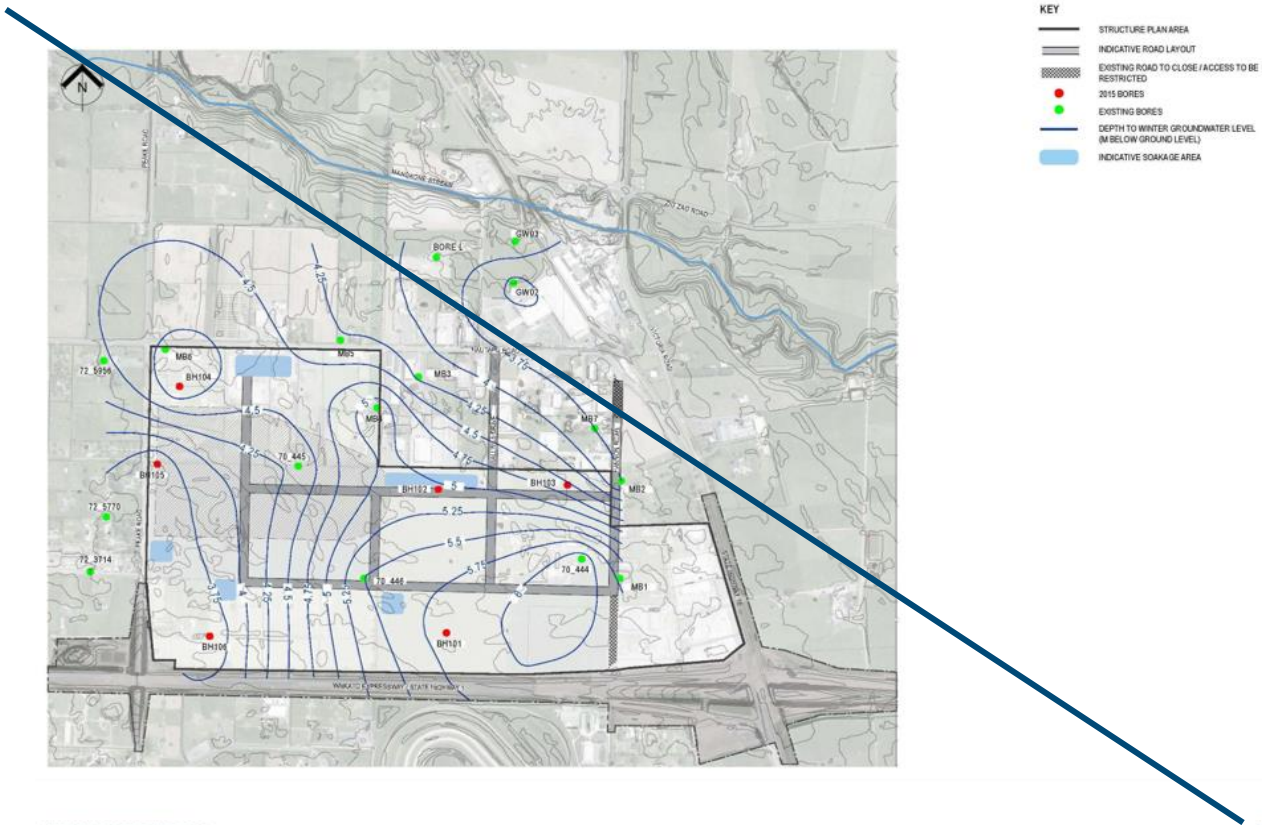


SCALE
0 100 200 300 400 500m

JULY 2022
ORIGINAL SIZE: A3
SHEET 2 OF 3

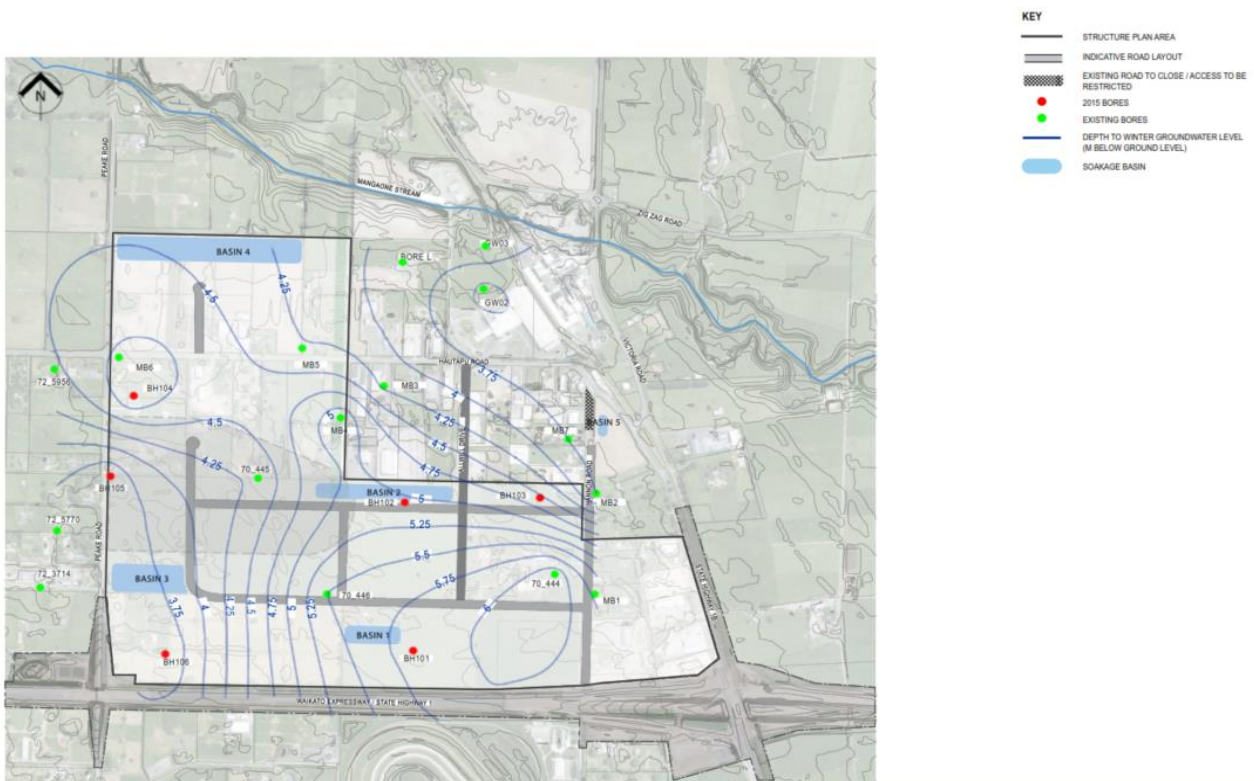
HAUTAPU STRUCTURE PLAN
INDICATIVE STORMWATER LAYOUT

S5.11 Estimated Winter Groundwater Contours



HAUTAPU STRUCTURE PLAN
ESTIMATED WINTER GROUNDWATER CONTOURS

FEBRUARY 2019
ORIGINAL SIZE: A3
SHEET 3 OF 6



HAUTAPU STRUCTURE PLAN
ESTIMATED WINTER GROUNDWATER CONTOURS

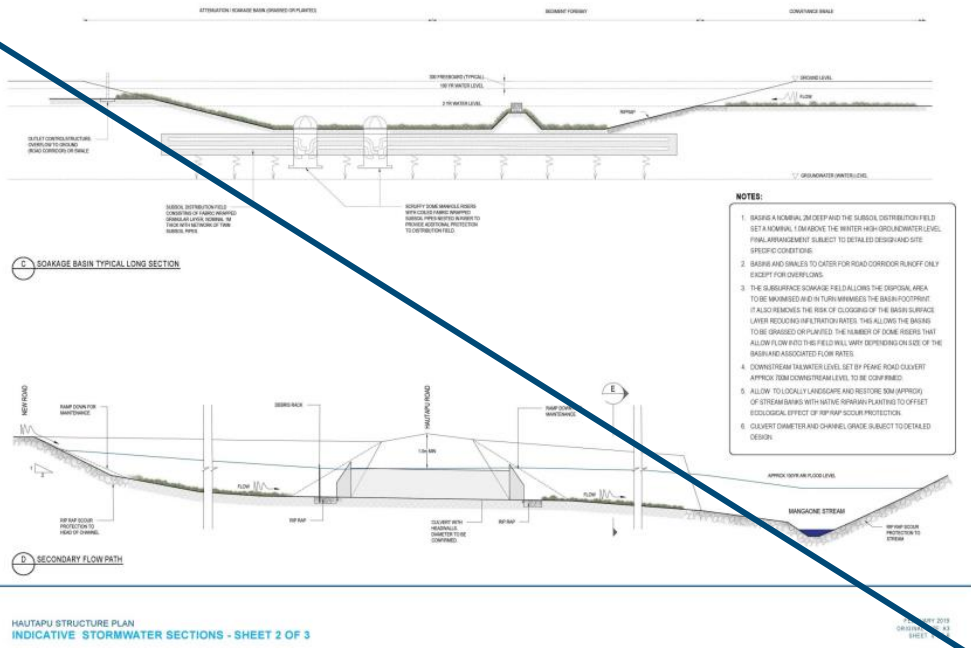
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ORIGINAL SIZE: A3
SHEET 3 OF 6

WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE

S5.12 - Deleted

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Waipā District Plan
Appendix SS - Hautapu Industrial Structure Plan, Urban Design and Landscape Guidelines
Page Version - 14 March 2019

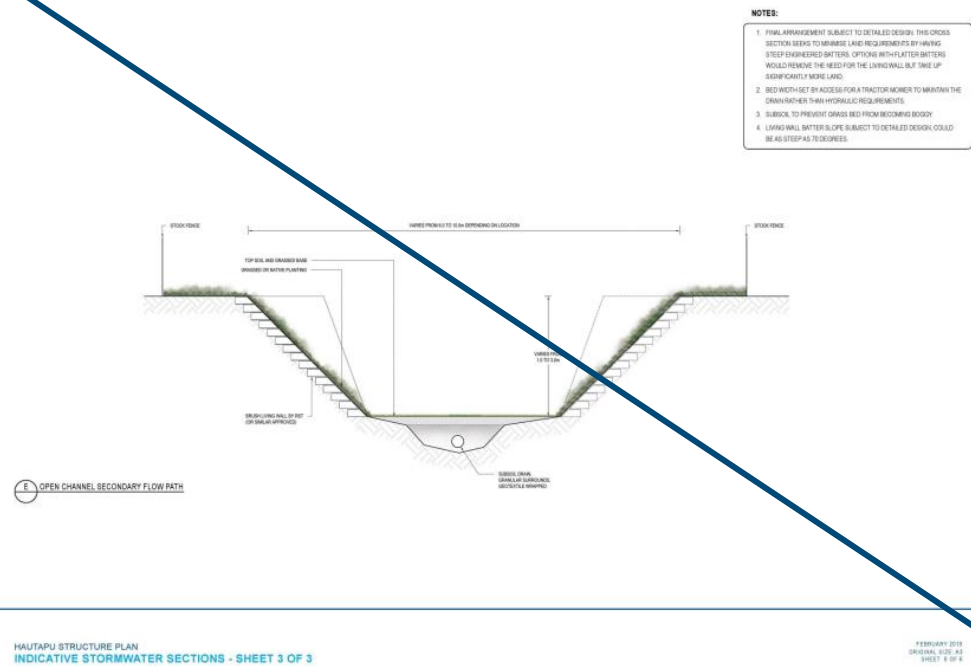


S5.13 Indicative Stormwater Sections – Sheet 2 of 3

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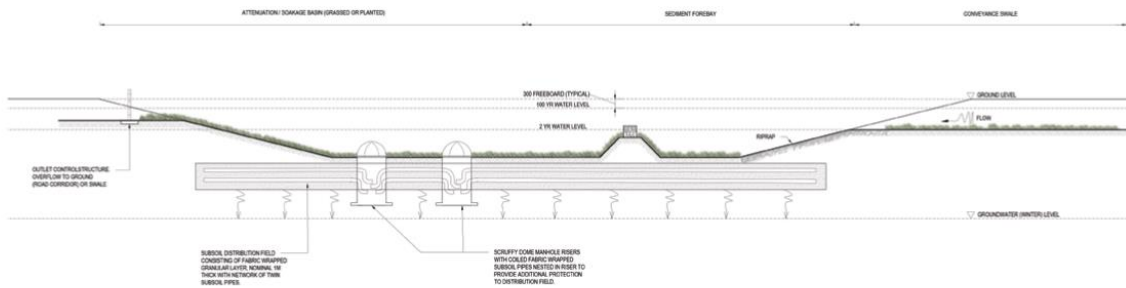
Page Version - 14 March 2019

Waipā District Plan
Appendix SS - Hautapu Industrial Structure Plan, Urban Design and Landscape Guidelines
Page 29 of 31



S5.14 Indicative Stormwater Sections – Sheet 3 of 3

S5 – 12 Indicative Stormwater Sections



C SOAKAGE BASIN TYPICAL LONG SECTION

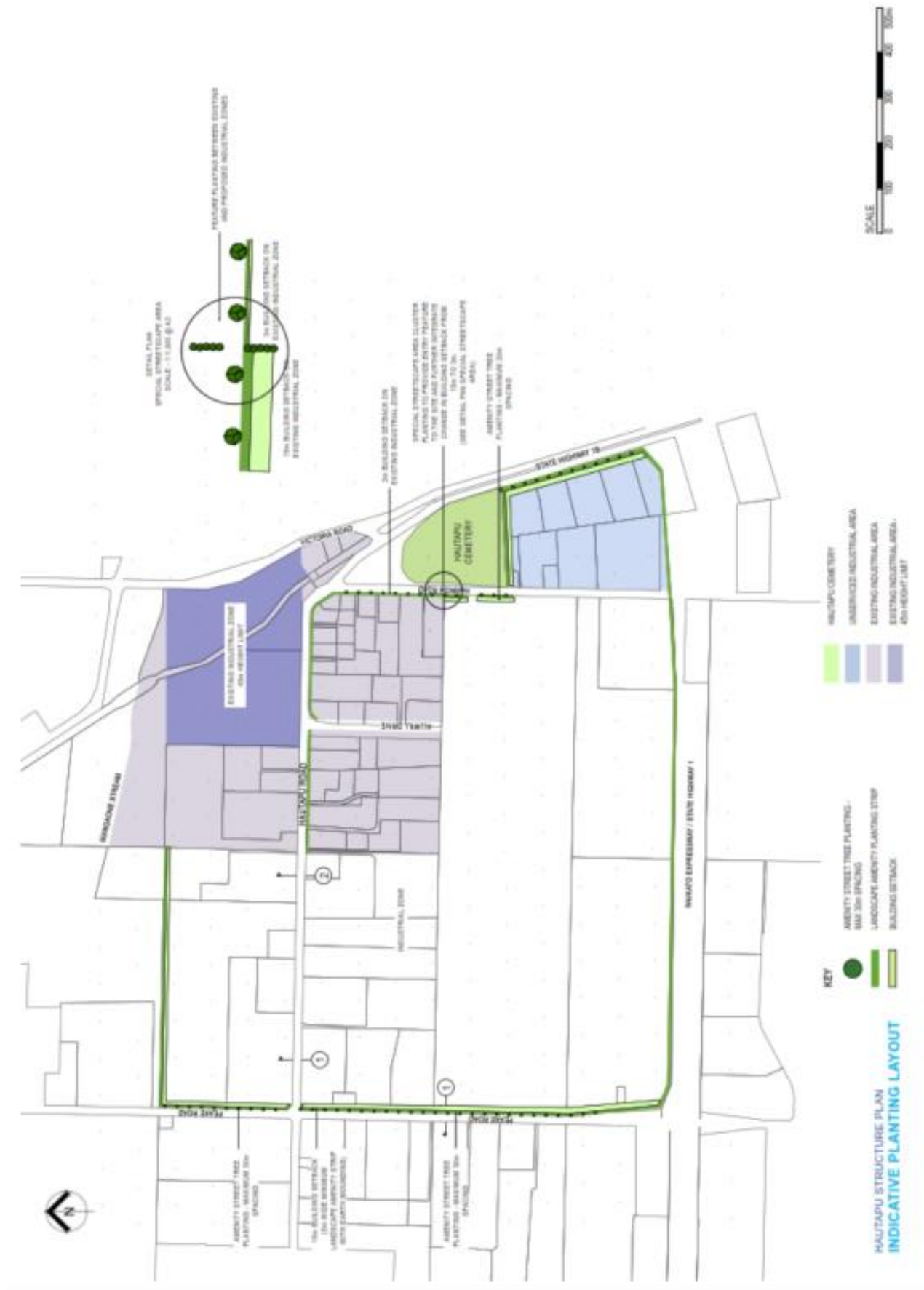
NOTES:

1. BASIN A NOMINAL 2M DEEP AND THE SUBSOIL DISTRIBUTION FIELD SET A NOMINAL 1.0M ABOVE THE WINTER HIGH GROUNDWATER LEVEL. FINAL ARRANGEMENT SUBJECT TO DETAILED DESIGN AND SITE SPECIFIC CONDITIONS.
2. BASIN AND SWALES TO CATER FOR ROAD CORRIDOR RUNOFF ONLY EXCEPT FOR OVERFLOWS.
3. THE SUBSURFACE SOAKAGE FIELD ALLOWS THE DISPOSAL AREA TO BE MAXIMISED AND IN TURN MINIMISES THE BASIN FOOTPRINT. IT ALSO REMOVES THE RISK OF CLOGGING OF THE BASIN SURFACE LAYER REDUCING INFILTRATION RATES. THIS ALLOWS THE BASINS TO BE GRASSED OR PLANTED. THE NUMBER OF DOME RISERS THAT ALLOW FLOW INTO THIS FIELD WILL VARY DEPENDING ON SIZE OF THE BASIN AND ASSOCIATED FLOW RATES.
4. DOWNSTREAM TAILWATER LEVEL SET BY PEAK ROAD CULVERT APPROX 700M DOWNSTREAM LEVEL TO BE CONFIRMED.
5. ALLOW TO LOCALLY LANDSCAPE AND RESTORE 50M (APPROX) OF STREAM BANKS WITH NATIVE RIPARIAN PLANTING TO OFFSET ECOLOGICAL EFFECT OF RIP RAP SCOUR PROTECTION.
6. CULVERT DIAMETER AND CHANNEL GRADE SUBJECT TO DETAILED DESIGN.
7. FINAL ARRANGEMENT SUBJECT TO DETAILED DESIGN. THIS CROSS SECTION SEEKS TO MINIMISE LAND REQUIREMENTS BY HAVING STEEP ENGINEERED BATTERS. OPTIONS WITH FLATTER BATTERS WOULD REMOVE THE NEED FOR THE LIVING WALL BUT TAKE UP SIGNIFICANTLY MORE LAND.
8. BED WIDTH SET BY ACCESS FOR A TRACTOR MOWER TO MAINTAIN THE DRAIN RATHER THAN HYDRAULIC REQUIREMENTS.
9. SUBSOIL TO PREVENT GRASS BED FROM BECOMING BOGGY.
10. LIVING WALL BATTER SLOPE SUBJECT TO DETAILED DESIGN. COULD BE AS STEEP AS 70 DEGREES.

Attachment A: Perimeter Boundary Treatment



Attachment A: Perimeter Boundary Treatment



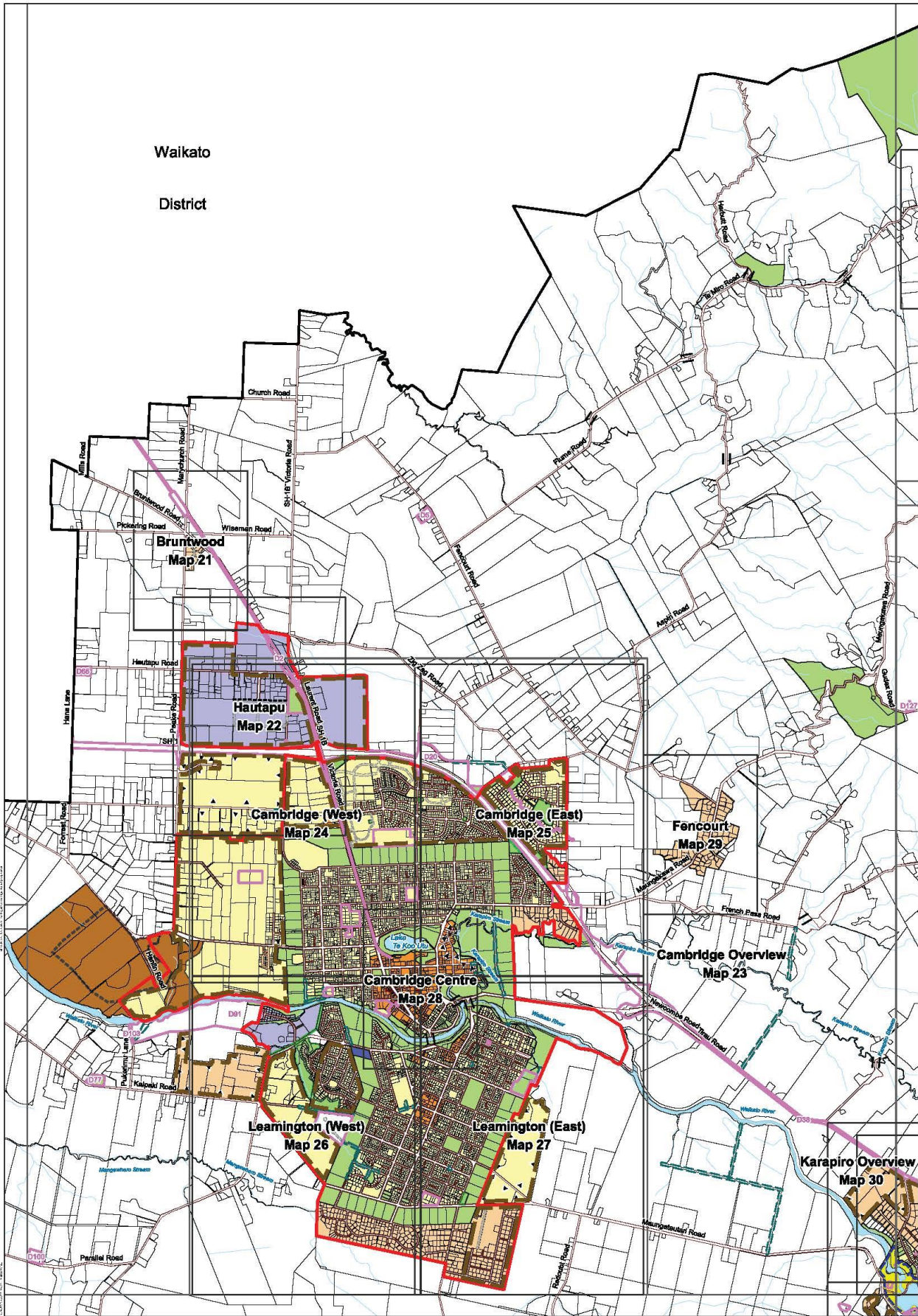
Planning maps

The following maps are subject to change as part of the PC17: Policy and Zone Maps - 4, 22, 23 and 24.

The changes include:

- Uplift deferred zoning in C9 to Industrial Zone.
- Change zoning of 'Area 6' from Rural to Industrial Zone.
- Including 'Area 6' as a part of C9.
- Extending the Urban Limit to include C9 and 'Area 6'.

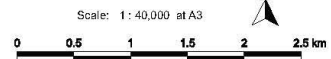
WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17- HAUTAPU INDUSTRIAL ZONE

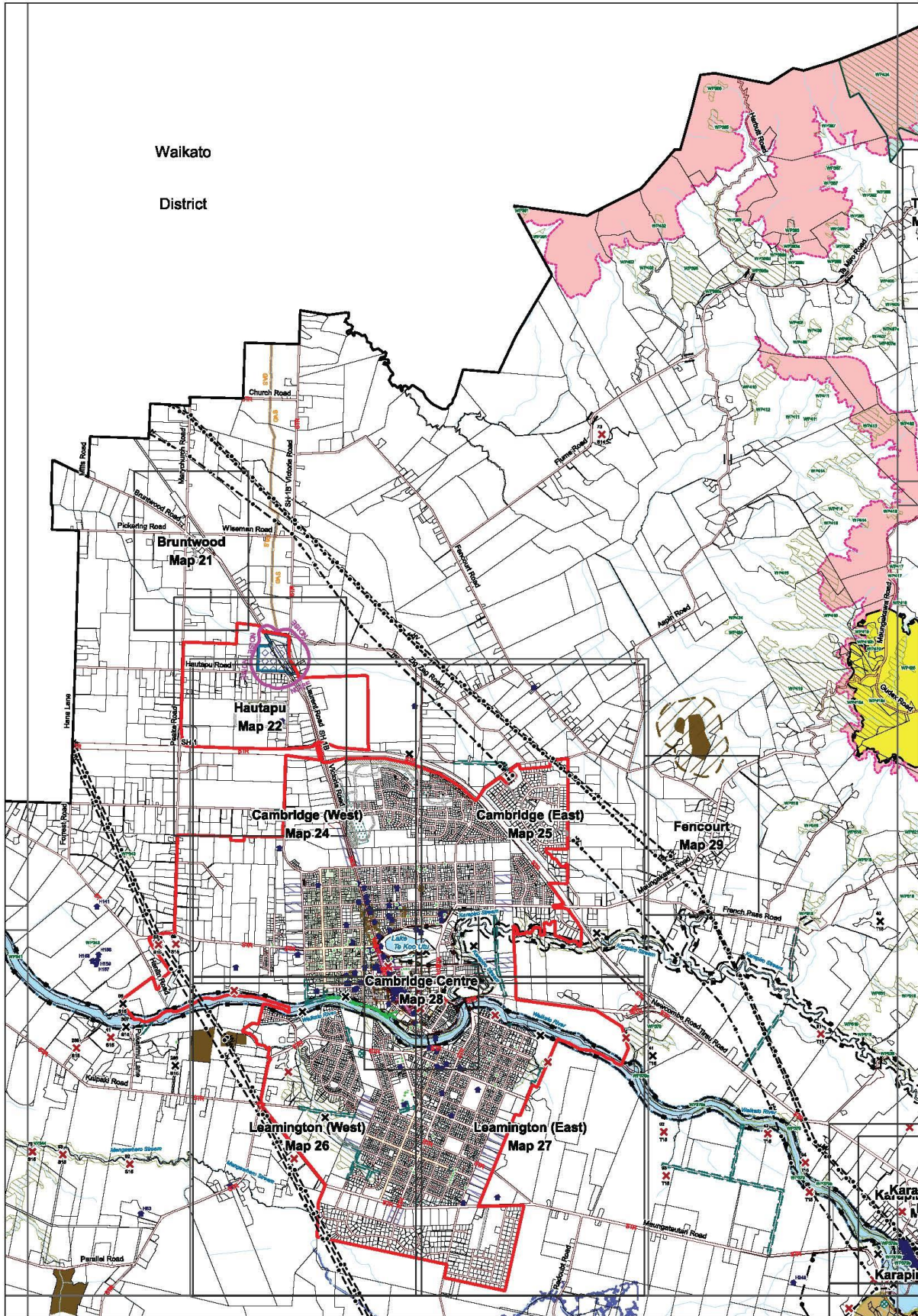


4 Zones

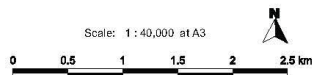


Cambridge Overview
 Waipa District Plan
 As Proposed by Plan Change 17

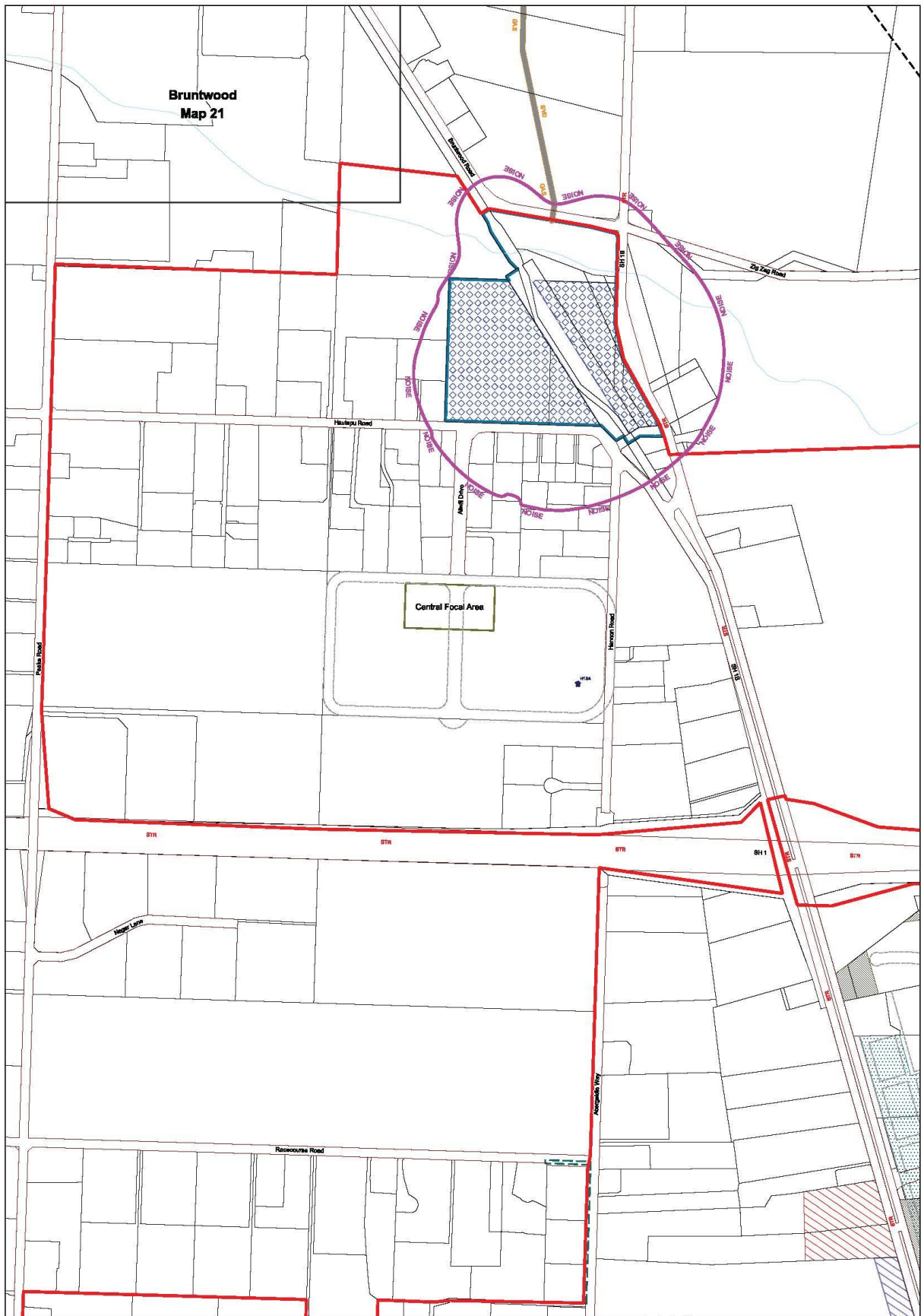




Cambridge Overview
 Waipā District Plan
 As Proposed by Plan Change 17



Policy Areas 4



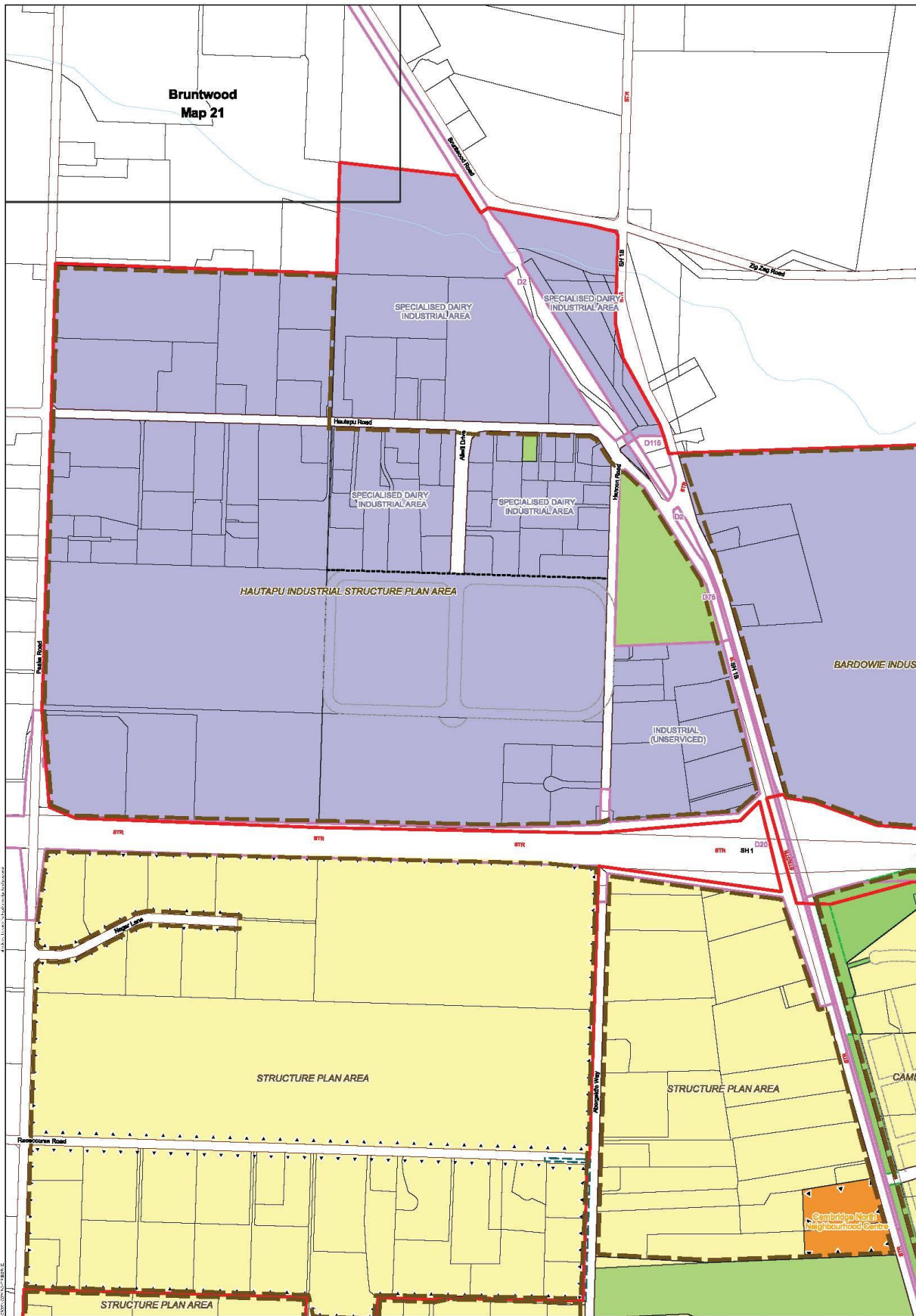
Hautapu
 Waipā District Plan
 As Proposed by Plan Change 17

Scale: 1 : 7,500 at A3
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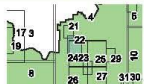


Policy Areas **22**

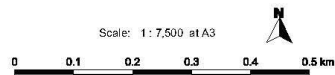
WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE



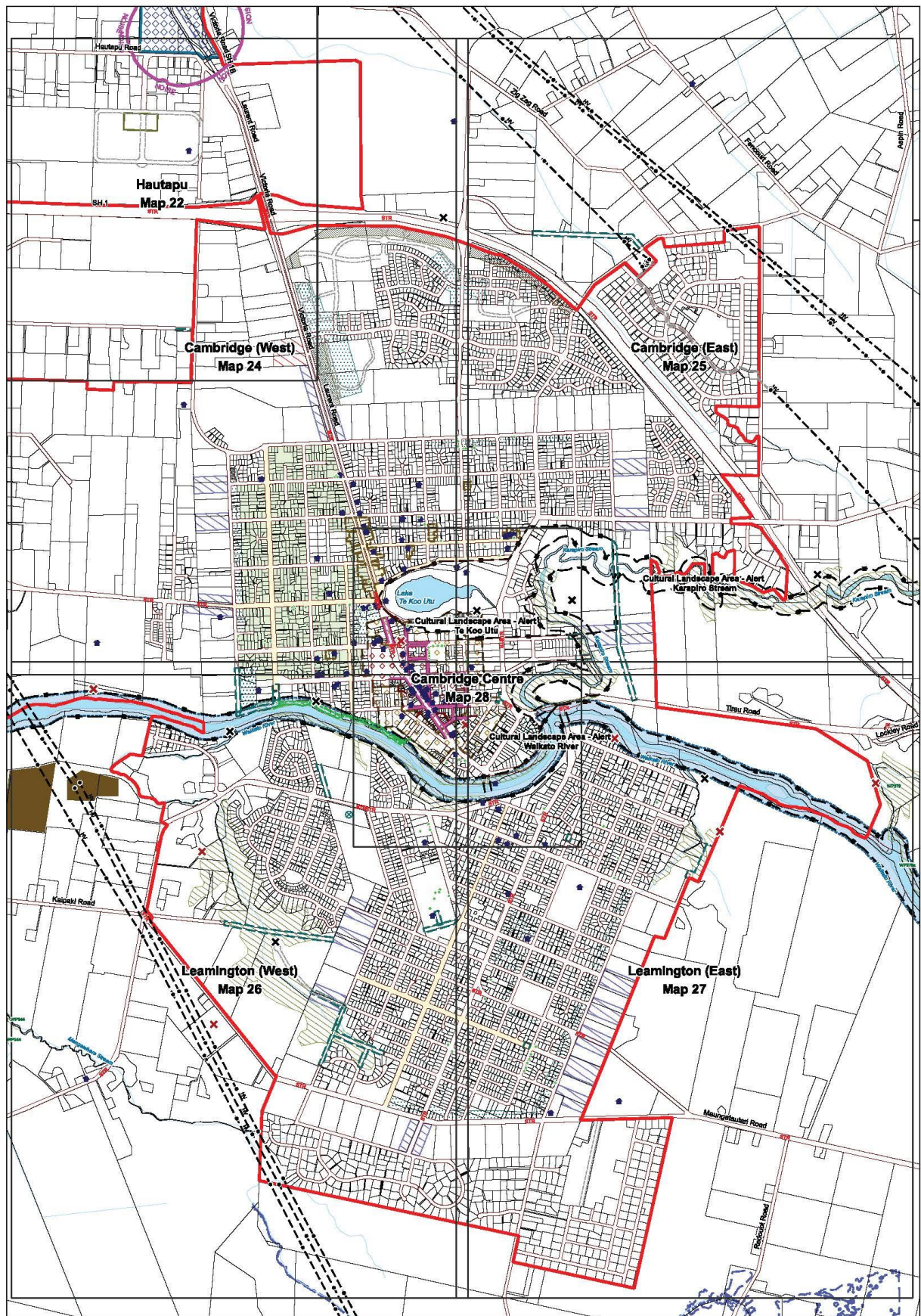
22 Zones



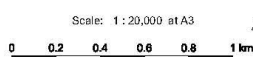
Hautapu
 Waipā District Plan
 As Proposed by Plan Change 17



WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17- HAUTAPU INDUSTRIAL ZONE



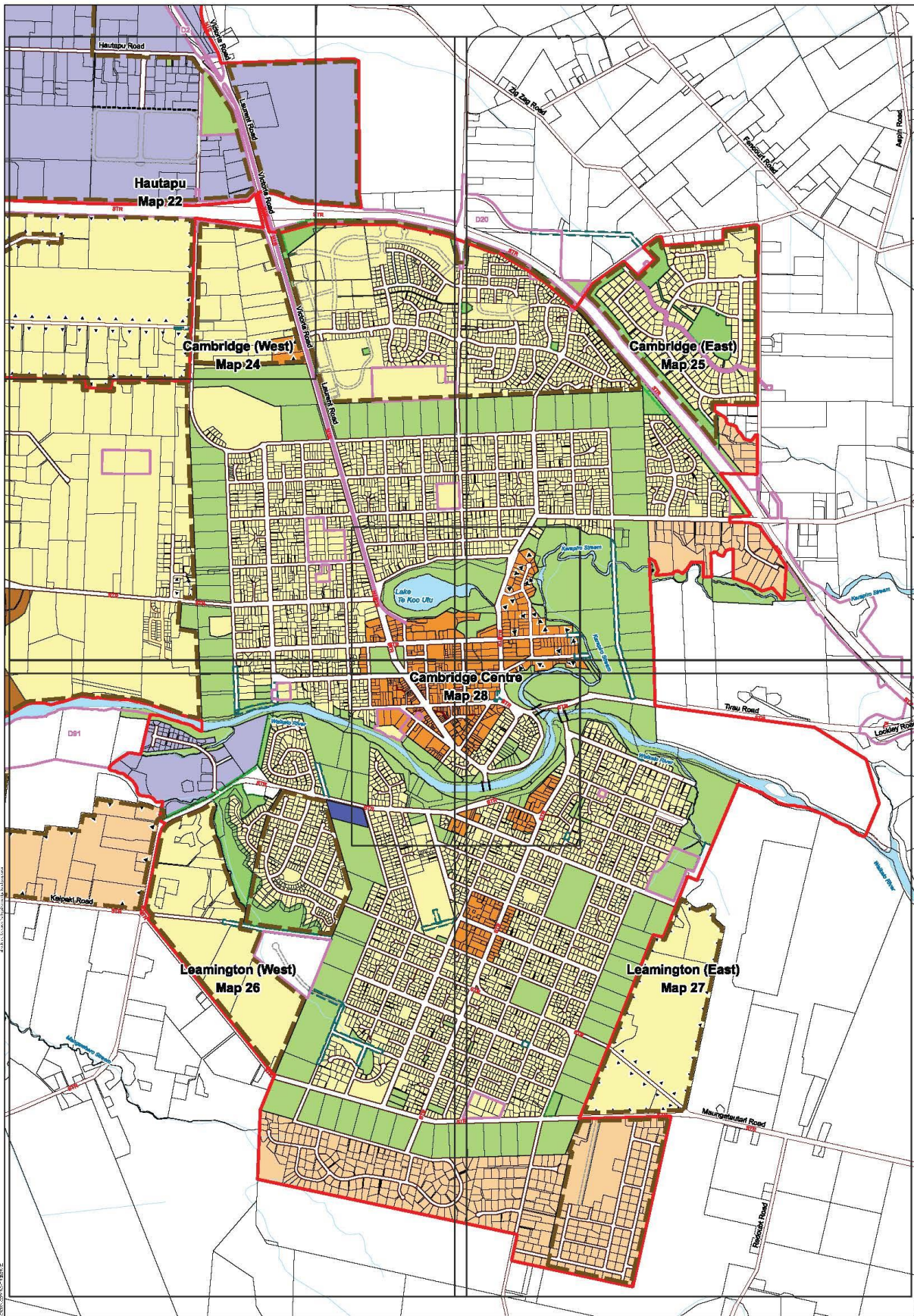
Cambridge Overview
 Waipā District Plan
 As Proposed by Plan Change 17



Policy Areas 23



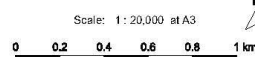
WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE



23 Zones

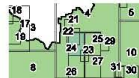
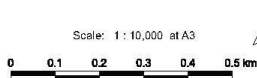


Cambridge Overview
 Waipa District Plan
 As Proposed by Plan Change 17





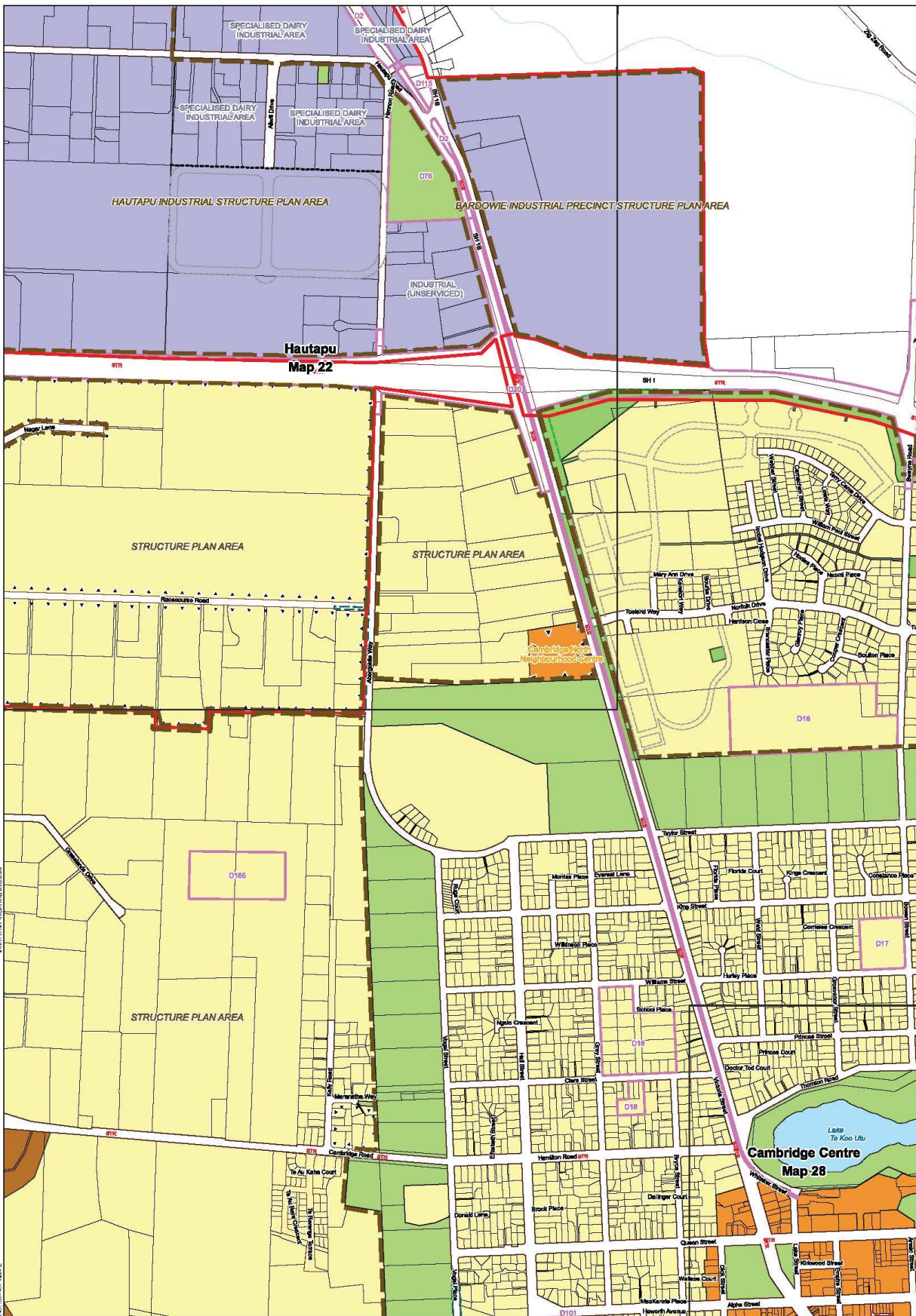
Cambridge (West)
 Waipā District Plan
 As Proposed by Plan Change 17



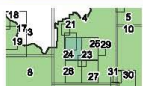
Policy Areas **24**



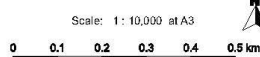
WAIPĀ DISTRICT PLAN: PROPOSED PLAN CHANGE 17 – HAUTAPU INDUSTRIAL ZONE



24 Zones



Cambridge (West)
 Waipa District Plan
 As Proposed by Plan Change 17



Appendix B - Three Waters Report (*attached separately*)

Appendix C - Response to Waka Kotahi (*attached separately*)

Appendix D - Transportation Report (*attached separately*)
