

Calcutta Farms Limited

Calcutta Industrial Zone Plan Change

Request for Plan Change 57




December 2021





Document control

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Appendix E – Integrated Transport Assessment prepared by BBO

Appendix F – Landscape and Visual Effects Assessment prepared by Boffa Miskell

Appendix G – Acoustic Assessment prepared by Hegley Acoustics

Appendix H - Ecological Assessment prepared by BFL Forestry and Environmental Services Ltd

Appendix I - Geotechnical Investigation Report prepared by CMW Geosciences

Appendix J – Land Contamination Report prepared by 4Sight Consultants

Appendix K – Archaeological Assessment prepared by Ken Phillips

Appendix L – Economic Assessment prepared by Market Economics Ltd

Appendix M – Cultural Values Report prepared on behalf of Ngāti Hauā Iwi Trust and Ngāti Hinerangi Trust

Appendix N – Record of Title





1. Introduction

This report supports an application to the Matamata Piako District Council (MPDC) for a Private Plan Change to the Operative Matamata Piako District Plan (MPDP or the District Plan) pursuant to Schedule 1 of the Resource Management Act 1991 (RMA).

The application is being made on behalf of Calcutta Farms Ltd (Calcutta).

This plan change will be Plan Change 57 (PPC 57) to the MPDP and is a private plan change to request the rezoning of an area of land located at the eastern entry to the township of Matamata. More specifically, PPC 57 seeks to rezone an approximately 41ha of land located on the southern side of Tauranga Road which is currently zoned Rural in the MPDP, to General Industrial Zone (GIZ) with a supporting Development Area Plan (DAP).

The need for further industrial land within Matamata and the wider District has been evaluated by Market Economics whereby they have concluded that there is likely to be a shortfall of industrial land within Matamata and the southern portion of the district based on estimates of existing industrial capacity and projected demand. The shortfall is also not just short-term, its long term (i.e. next 20 years) and ranges between 6.3ha (2021-2031) to 45.5ha (2021-2051). Based on these conclusions, the plan change application is the planning intervention required to facilitate the delivery of industrial land to meet this projected shortfall.

This report provides the assessment and supporting technical reporting to confirm the sites suitability for the industrial land use, along with the relevant future planning framework sought to apply that will enable industrial development of the site. This report and some of the technical reports have been updated since December 2021 to reflect peer review feedback received from MPDC and Waka Kotahi.

This report is structured in the following manner:

- Section 2 describes the existing site and locality;
- Section 3 describes the background and purpose of the proposed plan change;
- Section 4 summarises the s32 analysis undertaken of the proposed plan change;
- Section 5 details the precise new and amended provisions proposed to the MPDP;
- Section 6 details the relevant statutory assessment framework applying to a private plan change;
- Section 7 contains an assessment of the environmental effects of the plan change;
- Section 8 details engagement had regarding the plan change;
- Sections 9, 10 and 11 assess the proposed plan change in terms of consistency with higher order documents, the tangata whenua legislative context and other relevant non-statutory matters;
- Section 12 assesses the plan change in terms of notification requirements;
- Section 13 details a Part 2 of the RMA (purpose and principles) assessment; and
- Section 14 presents a conclusion of the plan change application.

In addition to the above assessment, technical reports have been prepared in support of this application as listed in **Table 1**. Please note that the reports noted with an asterisk also cover the Maewa Field residential subdivision land and the wider site.



Table No. 1

Supporting Technical Reports		
Topic (Author)	Title and date	Appendix No.
Engineering/Infrastructure (Bloxam Burnett & Olliver)	Calcutta Industrial Zone Plan Change – Infrastructure Report v3, dated 2 August 2022	Appendix D
Transportation (Bloxam Burnett & Olliver)	Industrial Zone Plan Change – Integrated Transport Assessment v4, dated 8 July 2022	Appendix E
Landscape and Visual Effects (Boffa Miskell)	Matamata Industrial Plan Change – Assessment of Landscape and Visual Effects, dated 14 December 2021	Appendix F
Acoustics (Hegley Acoustic Consultants)	Proposed Industrial Plan Change, 194 Tauranga Road, Matamata, Assessment of Noise Effects, dated 8 November 2021	Appendix G
Ecology (BFL Forestry and Environmental Services)	Correspondence from BFL Forestry and Environmental Services, dated 29 November 2021	Appendix H
Geotechnical (CMW Geosciences)	Tauranga Road Industrial Subdivision 194 Tauranga Road (SH24), Matamata, Geotechnical Investigation Report Revision 3, dated 16 September 2021	Appendix I
Land Contamination (4Sight Consultants)	Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) Report – SH24 Matamata Industrial Plan Change and Future Subdivision, dated November 2021	Appendix J
Archaeology* (Ken Phillips)	Archaeological Assessment – Propose Subdivision Development Calcutta Farms Ltd Matamata, dated August 2020	Appendix K
Economic Assessment (Market Economics)	Matamata Industrial Economic Assessment for PPC, dated 4 November 2021	Appendix L
Cultural Values Assessment*	Cultural Values Report prepared for Calcutta Farms Ltd on behalf of Ngāti Hauā Iwi Trust and Ngati Hinerangi Trust	Appendix M



1.1 Relevant background

Calcutta is a farming entity owned by Kevin and Rosemary Balle. The Balle Family have a strong presence in Matamata as a large-scale vegetable grower, employer of local people and provider of work to Matamata small business.

With a vision to extend Matamata to the east in a sustainable manner by bringing together a connected, engaged and resilient community, Calcutta has developed a Master Plan for a 250ha pocket of land spanning from Tauranga Road on the northeast boundary to Banks Road on the southwest boundary in Matamata (See **Figure 1**).



Figure 1: Calcutta Master Plan (Employment Zone identified in light blue)

Whilst this plan is conceptual in nature, it creates a spatial framework from which the Balle's intend to progressively and sustainably develop, in the best interests of the Matamata community.

Calcutta intends to develop specific areas of this land holding in an integrated and staged manner, refining the 250ha masterplan concept as more detailed development plans for each stage are prepared and the associated plan changes and resource consents sought.

Under the Master Plan, an approximately 40ha portion of the land adjoining Tauranga Road (State Highway 24) has been identified as an 'Employment Zone'.

This PPC gives effect to the Master Plan by rezoning the identified Employment Zone to Industrial with a Precinct overlay over the western portion of the site. The change in terminology from an Employment Zone to an Industrial Zone is to ensure alignment with a National Planning Standards requirement to use consistent terminology and definitions. This 41ha would be additional to the 48ha of industrial zoned land already provided for in Matamata, that has frontage to SH24 and access via Rockford and Waihou Streets.

Figures 2 provides an approximate indication of the area proposed to be rezoned land relative to the existing industrial land.

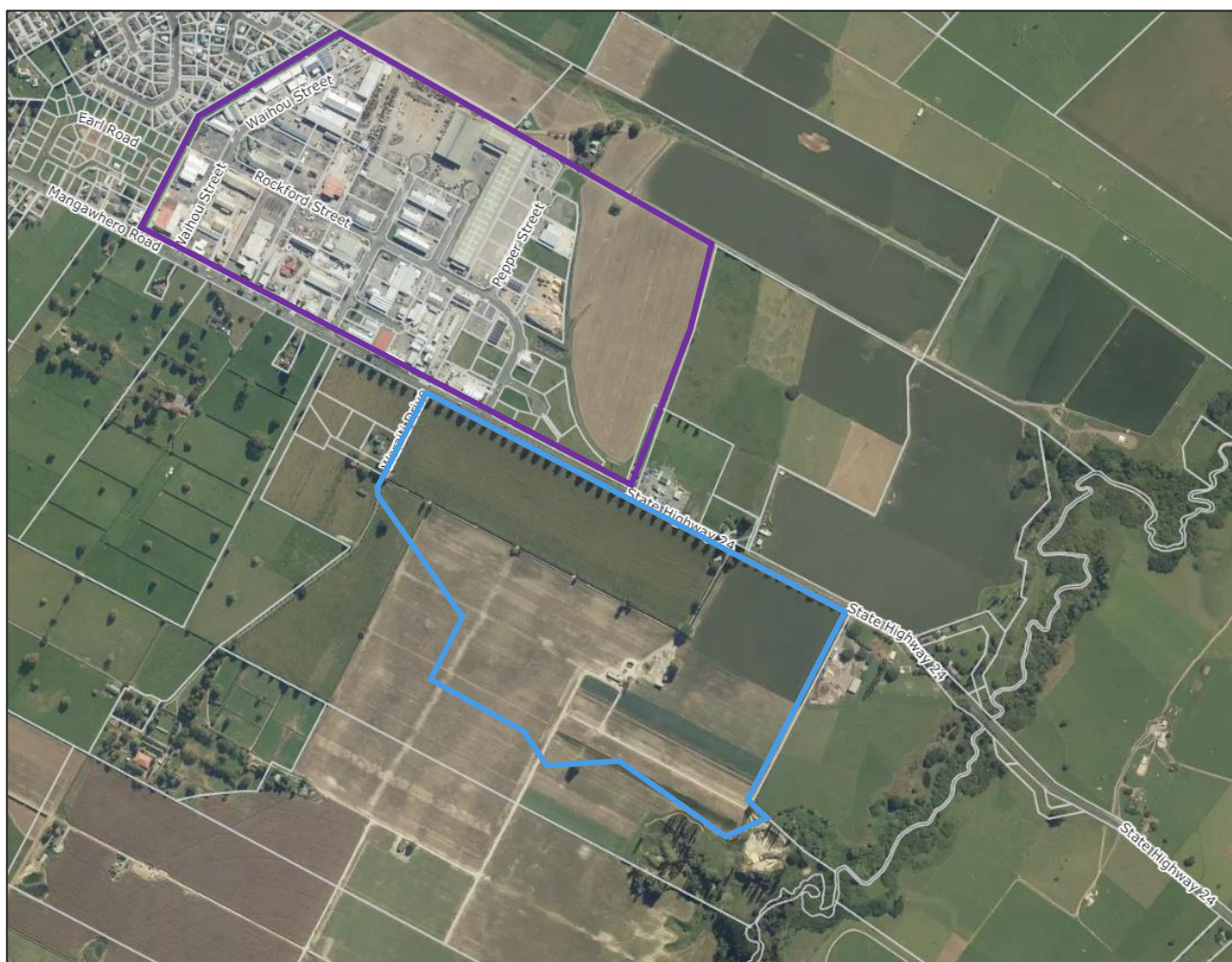


Figure 2: Aerial showing approximate boundaries of area proposed to be rezoned (outlined blue) relative to existing Industrial Zone (outlined purple)

1.2 District and Matamata statistics

The population of Matamata, as currently defined within the Stats NZ urban boundary (as estimated in 2020), is 8,500. Planning for future development has been taking place in Matamata. Whereby approximately 1200 additional dwellings are in the pipeline, being approximately an additional 2,520 people (based on 2.1 persons per household). This means that the projected population of the Matamata urban area is expected to grow to approximately 11,020¹. Likewise, the projected population for Matamata and its hinterland, under a high growth scenario, is expected to be 12,632 people in 2055².

There are currently 18,300 employees within the district, being a growth of 15.8% since 2010 when it has around 15,800 employees³.

The district has large focus on primary and industrial activities, with over half of its employment within those sectors. Manufacturing is the largest industrial activity, with a significant number of employees along within the construction sector, which typically generates demand for industrial land. These sectors, in particularly the construction sector, have experienced faster growth than the district overall.

¹ MPDC Council Agenda – 10 November 2021 – Update National Policy Statement of Urban Development 2020

² MPDC Housing Assessment 2022 – June 2022.

³ Section 5.1 of the Economic Assessment by Market Economics (Appendix L of this report).

For Matamata there are currently 4,200 employees. Of its 4,200 employees, approximately one-third of Matamata's employment is within sectors that located within industrial areas. These include the manufacturing, construction, wholesaling, and transport and logistics sector.

Matamata together with Morrinsville is currently one of the largest industrial employment areas within the district, with each area accounting for one-fifth of the district's industrial employment. These townships are also projected to have the largest net increase in industrial employment.

The district has experienced net increase in employment over the last two decades. Employment has also increased within Matamata over the last two decades at a faster rate than the district overall (i.e. a 27% increase versus 23% across the District).

There is a projected increase of around 360-420 industrial employees within Matamata in the long-term (2021-2051). Across the wider southern district, there is a projected increase of 570-720 employees across the same time period.



2. Description of the Site and Locality

2.1 Site

The site of the proposed plan change is rural land at the eastern edge of Matamata, to the south of Tauranga Road (State Highway 24), directly east of Weraiti Drive. Tauranga Road becomes Mangawhero Road, just west of the site. Tauranga Road forms the gateway into Morrinsville from the east and is classified as a Significant Road⁴. The location of the site is highlighted in light blue in **Figure 1** above.

The site is within the rohe of Ngāti Hauā, Ngati Hinerangi and Raukawa and is exclusively within the Matamata-Piako District.

The plan change site comprises part of a larger farm, of around 250ha, that is used for cropping, horticulture and sheep farming and is made up of five titles. It should also be noted that 20ha of that holding is being developed for residential purposes off Banks Road as part of the Maea Fields residential subdivision. Stage 1 of that development has been granted subdivision consent and has been given effect to.

The actual title affected by the plan change is set out in **Table 2**. Please note that this title may change again when the adjoining rural-residential subdivision at the western edge of the site is given effect to (i.e. will reduce in size). A copy of the title, as of 2 August 2022, is contained in **Appendix N**.

Table No. 2

Properties subject to the plan change					
Physical Address	Legal Description	Title Identifier	Area	Title date	Owners
17B Weraiti Drive, Matamata	Lot 12 DP 548995	942417	98.7843	20/1/2022	Calcutta Farms No 2 Ltd

2.2 Locality, character and zoning

Adjoining land uses are a mixture of rural, rural-residential and industrial. More specifically, some of the land directly northwest of the site on the opposite side of Tauranga Road is zoned Industrial⁵ and obtains access to Tauranga Road from Rockford and Waihou Streets. This industrial land contains activities such as Allied Concrete, Farmlands, the J Swap depot, aluminium manufacturing, cabinet makers, panel beaters, electrical services, storage sheds, a service station and a gym. There is also approximately 11ha of vacant land within this industrial enclave⁶.

To the west of the site, and off Weraiti Drive, is 9 rural-residential sized allotments⁷ that have or are in the process of being created by Calcutta. These lots are around 3,000m²-5,000m² in size. Further west of those lots is land zoned Residential which is being developed by Ancroft Stud, and south-west of the site is a pocket of land owned by Willow Park Ltd that is earmarked for future residential development (i.e. subject to a Future Residential policy area overlay⁸) that is currently used for rural activities. This land is subject to the

⁴ Section 9.1.1 of the MPDP

⁵ This is the only Industrial area within Matamata and it covers approximately 48ha.

⁶ As noted in section 4.3.1 of the Market Economics report, and once constraints have been applied and areas have been removed for access.

⁷ Authorised under subdivision consent 101.2016.11205

⁸ This land is shown with the blue hatching in Figure 4.



Banks Road to Mangawhero Road Structure Plan⁹, covers 83ha of which 63ha will require further analysis and plan changes to release its development potential.

The eastern boundary of the site adjoins the Matamata transfer station and gun clubs. East of that land is the Mangawhero Stream, which is located within a deeply incised gully, approximately 20m deep. The Mangawhero Stream flows northwards connecting with the Waihou River approximately 4km north of the site. The Waihou River discharges into the Firth of Thames.

The character and landscape of the site and its environs can be described as being rural open-spaced to the south of Tauranga Road and northeast of Tauranga Road, whereas to the northwest of Tauranga Road is urbanised and industrial.

In terms of District Plan zoning within the locality, the plan change site is zoned Rural. There are no other planning overlays affecting the site. This indicates a lack of distinctive values, risks or other factors present at the site requiring specific management regardless of underlying zoning. As noted through the description of activities above adjoining land is zoned residential, rural and industrial.

The zoning of land within the locality is illustrated in **Figure 3**.

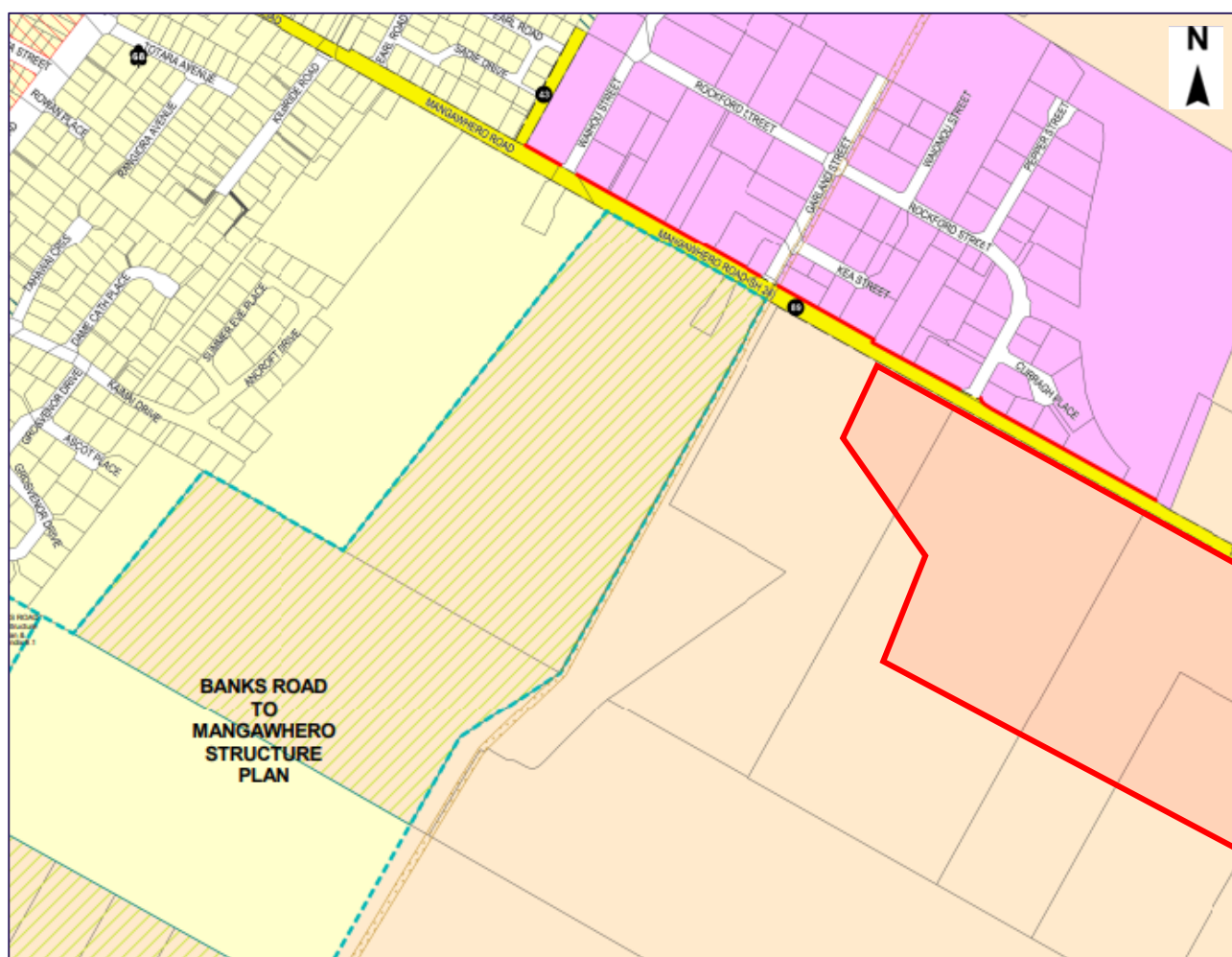


Figure 3: District Plan zoning of the majority of the plan change site (marked in red) and surrounding area. Sourced from Map 35 within the MPDP.

⁹ That was incorporated into the District Plan through Plan Change 47.

2.3 Historic and current land uses

The site's historic and current land uses have been investigated and reporting in the PSI and DSI report within **Appendix J**. In summary, the site was in pasture used for production purposes prior to 1940. Following this, the site was used for equine purposes between approximately 1950 to 2013. From approximately 2013 the site has been utilised for crop production (specifically asparagus and oats) which remains the current land use at present.

The following summarises other changes to the site that have occurred between 1940 and present:

- The investigation identified two depressions on the site between 1943 to mid 1960s near the western boundary.
- A farm building and accessory buildings were identified at the western extent of the site in the early 1940s, various expansions were undertaken until the early 2000s when the buildings were removed.
- A dwelling was located at the northeast extent of the site which appeared to have been constructed prior to 1940s and was removed in early 2000s.
- A dwelling was constructed at the north end of the site in around 1960 and still exists on the site.
- Several farm sheds have been present on the site since pre 1940s, all of which have been removed bar one which still remains near the centre of the site.
- Earthworks were identified to have been undertaken in the southeast of the site in the years leading up to 1990.

Overhead power lines are also located within the site's boundary, approximately 14.5m south of the site's boundary adjoining Tauranga Road.

2.4 Topography

The site is relatively level with gentle undulations. Based on the topographical survey and Lidar information the elevation of the existing ground surface varies between approximately RL 63m in the northwest to RL 59m in the southeast. The lowest points of the site being the northern and north-west corners of the site.

2.5 Ecology and landcover

The site itself has limited features which are of any ecological significance. Further, there are no ecological or landscape features on the site that are protected by overlays within the MPDP. Landcover consists of typical pastoral land used for cropping.

The site contains some mature trees located sporadically across the site and the site's northern boundary adjoining State Highway 24 is lined with mature trees (Pinoaks) at even spacings along its entire length. These trees sit in front of the existing post and rail fence and within the site boundary.

While the site itself has limited ecological significance, the adjoining Mangawhero Stream to the east and its associated riparian vegetation and wetlands along the banks of the stream are considered to have high ecological values. Given its location relative to the plan change site and the proposal to discharge stormwater into the stream environs, an ecological assessment of the Mangawhero Stream and its riparian environment has been undertaken and is attached within **Appendix H**.

Currently, the planted wetland area adjacent to the stream provides reduction in flows and assists with the removal of sediments and nutrients in runoff prior to any discharge entering the Mangawhero Stream. During normal/low flows, the stream water is notable for being particularly clear and is locally acknowledged as a trout fishery. During high rainfall, existing agricultural and other discharges result in high turbidity in the stream water.



The wetland and associated riparian vegetation is an important habitat for wildlife and also enhances the value of the stream as a fishery. The riparian vegetation and wetlands are also being protected, restored and enhanced as part of a rehabilitation programme that Calcutta is undertaking. As noted in the ecological assessment, these works are already achieving a high degree of improvement in the natural system.

2.6 Watercourses, catchments, overland flowpaths and flooding

The following description of watercourses, water catchments, overland flow paths and flooding risks at the site draws upon the Infrastructure and Ecological technical reports contained at **Appendices D** and **H** respectively.

The site lays within the flat floodplain area east of Matamata and is located within the Mangawhero Stream general catchment. As outlined above, the Mangawhero Stream lies to the east of the site. Runoff from the site flows in the form of sheet flow during rainfall events. Some flow path patterns may occur during high rainfall events, including an overland flow path, but there are no stream or watercourse formations within the plan change area. In its current situation, the majority of the surface runoff discharges towards and into Tauranga Road, it has a flat grade, varying from 0.1 to 0.5%, towards the North. The eastern part of the plan change area discharges into the Mangawhero Stream via a flow path which has been formed alongside the southern side of Tauranga Road. A small part of the area on the south-eastern boundary currently drains into a gully that is part of the Mangawhero Stream network.

The site is not subject to mapped flooding hazards or flood risk-related overlays within the MPDP. BBO have completed flood modelling of the 100-year Annual Return Interval rainfall event which demonstrates that existing flooding extent during such events is restricted to low-lying areas within the riparian margins of the stream.

2.7 Soils, groundwater and contamination

The description below draws upon the findings of the Geotechnical Investigation Report (GIR) prepared by CMW Geosciences (**Appendix I**) and the contamination investigation carried out by 4Sight Consultants (**Appendix J**).

The published geology for the area depicts the regional geology of comprising Pleistocene age laminated, cross-bedded, fluvial sands and gravels, dominated by fragments of pumice and ash' of the Hinuera Formation. The ground conditions encountered, as identified in the GIR, were generally consistent with the published geology for the area, being clayey silt, dense sand and silty sand and pumiceous sand. The vertical distribution of the geology is published in the following table (extracted from the GIR).

Table 1: Summary of Strata Encountered					
Unit		Depth to top (m)*		Thickness (m)*	
		Min	Max	Min	Max
Topsoil – Organic Silt		Surface		0.1	0.2
Hinuera Formation	Stiff to hard clayey silt and silt (Tephra)	0.1	0.2	0.7	2.5
	Loose to medium dense sand and silty sand	0.9	2.4	0.9	4.8
	Medium dense to dense pumiceous sand	1.0	7.8	9.5	-
	Dense to very dense pumiceous sand	17.8	24.2	-	
Notes: *Depth to top and thickness only recorded where base of strata has been confirmed					

Figure 4: Summary of soil strata on site



The majority of the site has a Land Use Capability value of 1, on the scale of 1-8 from most versatile to least¹⁰. The margins of the site, as it adjoins the Mangawhero Stream has value of 7. The precise Land Use Capability classification for the site is 1s1 and 7e10+3w1. Interesting to note is that the majority of the land around the existing periphery of Matamata is also class 1 land.

Groundwater was measured by CMW Geosciences as lying approximately 12.2m – 14.9m below existing ground levels. Their investigation identified some other groundwater near the surface, however, has been interpreted as being perched.

A combined PSI and DSI in respect of contamination has been completed by 4Sight Consultants (See **Appendix J**). The conclusions of this report are that:

- Concentrations of heavy metals detected in all samples were below the NES-CS Soil Contaminant Standards (SCS) for industrial land use.
- Heavy metals exceeded typical background concentrations, with arsenic also exceeding WRC Cleanfill Criteria.
- It is considered unlikely that HAIL Activity A8 (Livestock dip or spray race operations) has been undertaken on the site as no structures have been identified on the site or within historic aerials that indicate a dipping or spray race operation.
- It is considered highly unlikely that HAIL Activity (accidental release of hazardous substances in sufficient quantity that could present risk to human health or the environment) has occurred at the site as soil sampling did not present hazardous substances in sufficient quantity.

The report confirms that the site does not constitute a 'piece of land' under the Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. As such, the land does not require assessment under the NES Soil and remediation is not required to safely accommodate the intended use (industrial).

2.8 Archaeology and heritage

An archaeological assessment of effects has been prepared for the wider Calcutta site including the plan change site by Ken Phillips (**Appendix K**). This report confirms that there are no recorded archaeological sites or features on the subject land. It also confirms that the potential for encountering unrecorded subsurface archaeological features is low. Further, there are no other protected buildings or features located on the site.

As stated earlier in this report, the site is within the rohe of Ngāti Hauā, Ngāti Hinerangi and Raukawa. These iwi have historical tangata whenua status over the site, and are kaitiaki of the area and its taonga. The proposed plan change site is not a statutory acknowledgement area or otherwise known waahi tapu site to either group, however is important as whenua and taonga within their rohe.

¹⁰ Land Resource Information Systems Portal; MPDC Geospatial Portal.



3. Proposed Plan Change

3.1 Background

As set out in section 1.1 Calcutta wants to extend Matamata's urban area to the east, in a sustainable manner, and by providing for both industrial and residential offerings. This plan change is the first stage in that process, being the industrial offering to help Matamata and the wider district meet the predicted shortfall in industrial land supply.

The industrial offering has been deliberately located along the site's frontage to Tauranga Road to enable it to dovetail with the existing industrial zoning on the land to the north and also to capitalise on the advantages the State Highway network provides for ease of access to and from Matamata. To the east of the plan change site, the majority of the land between the existing urban environment and the site has been earmarked for further residential development, being subject to a Future Residential Policy Area overlay.

3.2 Purpose of the proposal, necessity for amended planning provisions

The overarching purpose of PPC 57 is to provide an additional industrial land offering for Matamata and the wider district.

The need for further industrial land within Matamata and the wider District has been evaluated in the Matamata Industrial Land Economic Assessment that has been prepared by Market Economics (see **Appendix L**) in support of this plan change.

Whilst the economic assessment identifies that there is 11ha of land within Matamata's existing industrial zone in Matamata capable of development, until recently the majority of this land has not been available to the market. This is because it has, until recently, been retained by Council to facilitate a future bypass¹¹, which lapsed in July 2020. This has meant that the illusion of industrial land availability has not materialised in reality. Secondary to this, what is now left is either smaller lots (i.e. between 0.13ha to 0.43ha), or is challenging to access/build on due to site arrangement.

Regardless of this fact, the Market Economics report identifies that its likely to be a shortfall of industrial land within Matamata and the southern portion of the district based on estimates of existing industrial capacity and projected demand. The shortfall is also not just short-term, its long term (i.e. next 20 years) and ranges between 6.3ha (2021-2031) to 45.5ha (2021-2051).

Other conclusions of the Market Economics report are that:

- The capacity enabled by the plan change will meet this shortfall and is unlikely to undermine the activity within Matamata's CBD.
- Matamata is a strategic location for additional industrial land supply. It is well located within the existing spatial structure of industrial activity across the lower part of the district and is consistent with Matamata's current future spatial economic structure.
- The provision of industrial space in Matamata may provide provision of industrial space for land-intensive lower value activities that are unable to locate within the more expensive industrial areas of larger urban economies.

The recent Business Development and Capacity and Demand Assessment undertaken by Market Economics, on behalf of MPDC, has also confirmed the above and notes *"Industrial Zone capacity is likely to be a key issue for the district in the medium to long-term, particularly in the northern part of the district, and within the*

¹¹ Old designation 69 that provided a link between Tauranga Road and Tower Road.



southern parts of the district in the scenario without the additional capacity from the Matamata Industrial PPC.”¹² It is also noted, that the Market Economics report has not taken into account the buffers required by the NPS-UD. The peer review by Property Economics¹³ accordingly notes that if such were taken into account they would influence the projection of industrial land demand within the district, leading to a more significant shortfall in industrial land capacity, and thus making the Market Economics demand requirements conservative.

Based on these conclusions, a planning intervention is required to facilitate the delivery of additional industrial land that can be efficiently and effectively serviced and be delivered to the industrial market.

The options for facilitating delivery of additional industrial land are either:

1. Obtain resource consent(s) for the individual developments;
2. Obtain a private plan change to facilitate the development; or
3. Wait for the review of the District Plan by MPDC to seek at that time to amend the district plan to facilitate the development.

These options are analysed in accordance with s32 of the RMA at section 4 of this report below and at **Appendix C**.

Due to the size of the Calcutta landholding earmarked for industrial development, the rural zone framework that, does not provide for industrial activities and has directive policies around protection of rural land for rural activities, and because of the certainty required by industrial land purchasers, a plan change, as opposed to multiple consents, is prudent and appropriate.

With respect to the question of a private plan change or waiting to utilise the statutory review of District Plans, the only certainty we have around when Council will be looking to do this work is that at the 10 November 2021 Council meeting Council acknowledged that the population of Matamata is likely to reach 10,000 persons or more and thus they will be carrying out business assessments, as required by the NPS-UD, in 2022 to determine the needs of the district and thereafter doing plan changes to provide for any predicted housing and business shortfalls. Those assessments¹⁴ have recently been completed and presented to Council at their 13 July 2022 Council meeting and in relation to industrial land supply confirm that:

- There is likely to be sufficient capacity within the short-term for industrial land, however significant shortfalls are expected to emerge in the medium-term and worsen in to the long-term with the growth in industrial demand.

Furthermore, with the pending resource management system reform, we are aware that there is a reluctance by Council’s to spend money and time on preparing plan changes or District Plan updates, that may become redundant in 2-5 years’ time. For these reasons, holding the land for future industrial use would incur significant holding and opportunity costs. A private plan change is therefore considered the optimal and necessary method for achieving the objective of the proposal as efficiently and as quickly as possible.

3.3 Scope of the Plan Change

It has been identified that there are two key parts to PPC 57. The first is being the rezoning of the site to provide for industrial development and the second being how to address deficiencies in the existing industrial zoning framework that means some activities that would reasonably anticipated to occur in the industrial zone, are subject to consenting processes. Considering the above, it is therefore proposed to re-zone the

¹² Market Economics Business Development Capacity and Demand Assessment, 13 May 2022 – Executive Summary.

¹³ Property Economics peer review of Matamata Industrial Plan Change, dated April 2022 – Conclusion.

¹⁴ MPDC Housing Assessment dated Jun 2022 and Market Economics Business Development Capacity and Demand Assessment 2022, dated May 2022.



site from Rural to a General Industrial Zone. The General Industrial Zone (GIZ) being a slightly different zone to the existing Industrial Zone and a new zone for the District Plan.

The GIZ will apply to the whole site, including land proposed to be set aside for reserves and roads. The stormwater treatment area, required for the plan change area, sits outside of the zoned land, on rural land. The precise zoning arrangements are demonstrated on the Zoning Plan included at **Appendix B** and replicated as **Figure 5** below.

There is also a statutory requirement on all Council's to adopt the new National Planning Standards (NPS). The new NPS provide for GIZ and therefore the zoning outcome is in accordance with these standards. The GIZ is signalled as being *"areas used predominately for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities."*¹⁵

The NPS also enables the creation of Development Areas. Development Areas replace Structure Plans to spatially identify and manage areas where, previously, Structure Plans would have been used to determine future land use or development. The Development Area Plan (DAP) accordingly provides for key requirements (i.e. reserves, roading, infrastructure) that apply to the site and which can be removed from the District Plan when the associated development of that area is completed. The DAP proposed for the Calcutta site is provided in **Figure 6** below.

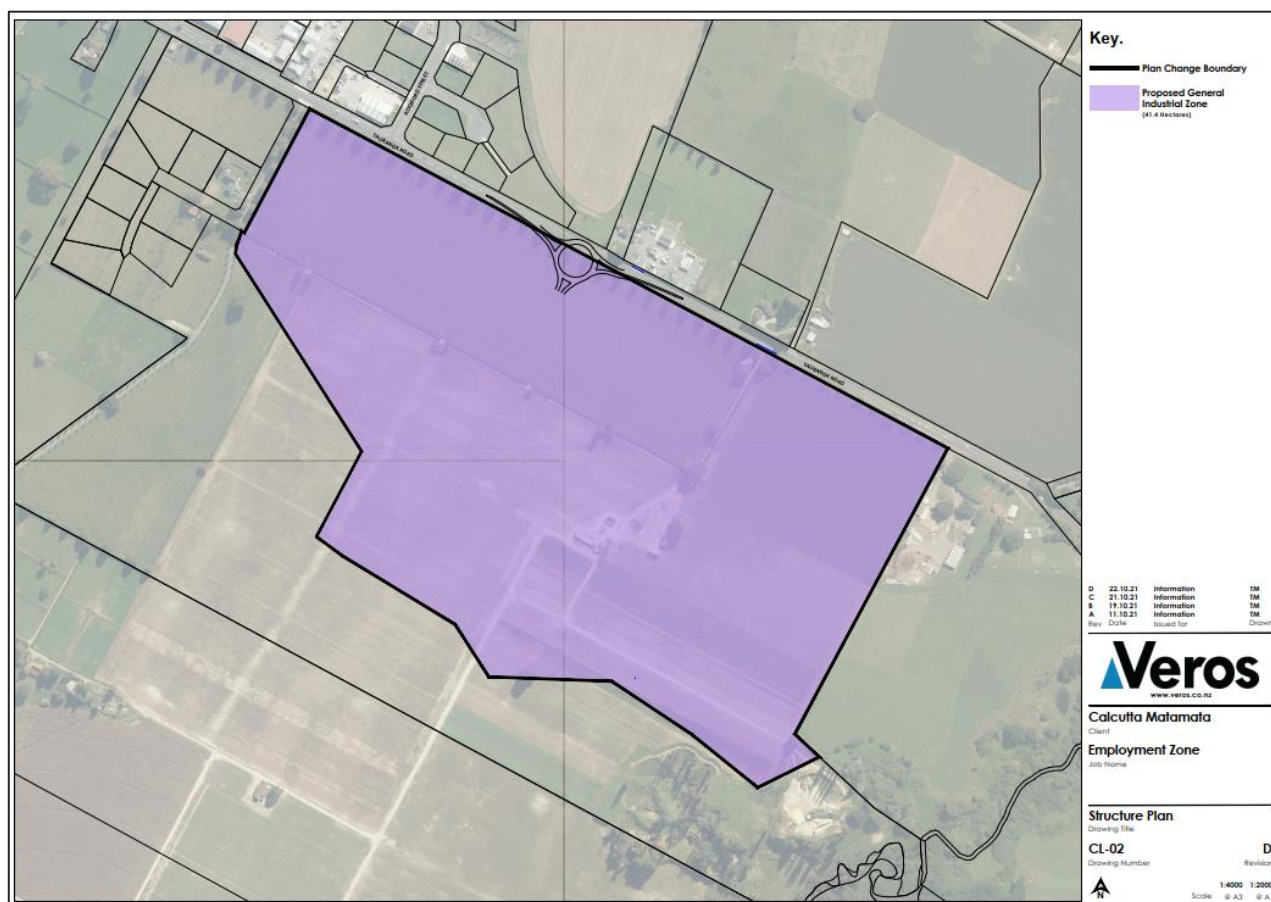


Figure 5: Zoning Plan

¹⁵ Table 13 of the National Planning Standards (November 2019) – Zone names and descriptions



Figure 6: Development Area Plan

The zoning approach and DAP has been designed to take into the site's characteristics, the stormwater approach, the access arrangements and how the interface between industrial zones and rural zones will be addressed.

The DAP also provides for:

- Large tracts of reserve space for amenity and stormwater purposes;
- One new transport connection to Tauranga Road;
- The protection/retention of the Pineoak trees along the sites frontage to Tauranga Road;
- A main spine road through the site to future proof the potential for the land south of the site to be rezoned for residential development;
- An indicative location for the network of local roads; and
- A shared cycle/pedestrian network that connects to existing pedestrian networks and provides a circular arrangement within the site.

An evaluation of the proposed re-zoning approach in accordance with s32 of the RMA follows.

3.4 Other Consents and Authorisations Required

Other additional authorisations will be required in due course to release the full development potential of the plan change site. Key to this is that resource consents from the Regional Council are required. Those consents cover activities such as earthworks, stormwater discharges and a transfer of the water take allocation to MPDC. Further to this, all forms of subdivision within the MPDP require a resource consent.

4. Section 32 Evaluation

Section 32 of the RMA is a key component of the policy development process for all District Plan matters, including private plan changes. It requires examination of the extent to which the objectives of a proposal being evaluated are the most appropriate way to achieve the purpose of the RMA. It further requires examination of whether the provisions of a proposal are the most appropriate way to achieve the objectives by way of options assessment and consideration of costs and benefits, before settling on the preferred option. This report records the s32 evaluation that has been carried out to date, but it recognises that it is an iterative process that will continue through the plan change lodgement, submission and hearing process.

4.1 Issues with current situation

The first step of the evaluation is to identify the issue that a proposed planning intervention is intending to address, which must be grounded in inefficiency or inappropriateness in achieving the purpose of the RMA. Section 3 above has outlined the background, purpose and necessity of the plan change.

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management incorporates management of use and development of land in a way or rate which enables people and communities to provide for their social, economic and cultural wellbeing. This is to be promoted whilst sustaining the potential of natural and physical resources to meet the foreseeable needs of future generations, safeguarding life-supporting capacity of critical environmental components, and avoiding, remedying or mitigating adverse effects on the environment.

At present MPDC has not undertaken any planning for future growth of industrial/business land. Their last growth investigation is now over 8 years old (2013). A lot has changed since 2013 including some of the areas earmarked for industrial development. See section 11.5 for more information.

Failure to plan for and provide for this demand is inefficient planning and may have the unintended consequence of not providing sufficient land to meet employment needs, which may have flow on affects to the growth of Matamata.

As evidenced by the conclusions of the Market Economics report, at **Appendix L**, Council's recently Business Development Capacity and Demand Assessment (by Market Economics) and through Calcutta's first-hand knowledge of interest in their industrial land offering there is an established demand/shortfall in future industrial land in the medium to long-term. The rezoning of the Calcutta land will address this shortfall and provide additional capacity to meet the medium to long-term demand for the wider district, for at least the next two decades.

For these reasons, it is considered there is a credible issue in terms of industrial land supply requiring to be addressed within Matamata, with a plan change to industrial zoning (or similar such zoning) being the appropriate way to achieve the purpose of the RMA.

4.2 Alternatives Considered

Reasonably practicable alternative options for achieving both the objectives of the proposed plan change, and the provisions proposed to achieve the objectives, have been considered as required by s32(1) and 32(2) of the RMA. This analysis is provided within **Appendix C** of this report and summarised below.

Having come to the conclusion, in section 4.1 above, that the existing Rural zoning is no longer appropriate, several alternative options were considered to address the issue, as follows:

- Option 1 – Retain the status quo or do nothing;



- Option 2 – Retain the status quo and progress non-complying resource consent applications;
- Option 3 – Rezone the site to enable industrial development including;
 - Rezone the whole site Industrial, as per the current MPDP provisions; or
 - Rezone the whole site to General Industrial Zone
- Option 4 – Wait for the next Matamata Piako District Plan review and make submissions to seek the rezoning of the land to enable industrial development.

The alternatives then identify the preferred options for zoning and explore whether provisions/methods are needed. These options are:

- Retain existing provisions, methods etc;
- New suite of provisions specific only to the Calcutta Development Area Plan area; or
- Modify/provide bespoke provisions, methods etc and retain existing provisions where these can achieve the objectives.

As noted above, an assessment of the options and alternatives has been undertaken, including the cost and benefits of each, in **Appendix C**.

4.2.1 Analysis

The status quo is the least appropriate option. It is inefficient to delay the land's zoning when there is a clear industrial need and a willing developer able to deliver that outcome. There is no strategic need for the release of the land to be delayed, particularly when the projected demand for the short-term is mostly tied up in one property. On the contrary there are strategic benefits in providing additional land, particularly to meet an evident need. In this regard, the proposed rezoning presents no conflict with the MPDP or the Waikato Regional Policy Statement (RPS).

Option 2 is also not an appropriate option. It would require Council to authorise consents, as non-complying activities, for industrial land use outcomes on rural zoned land that would be inconsistent with the objectives and policies for rural zoned land and the outcomes reasonably expected for such land. There is a high risk that such applications may also be unsuccessful and the level of detail likely to be required to provide Council with certainty would be substantial. The policy framework also does not support industrial land uses on the site due to its soil classification. At some point, a plan change would still be needed to tidy up the zone to match what may have been delivered on the ground too.

The issue with Option 4 is that there is no certainty as to when Council may do a further rolling-review of its District Plan that would enable the land to be rezoned. As noted above, Council has recently undertaken housing and business assessments, as required by the NPS-UD, however there is no certainty on the timing of any resulting plan changes to give effect to the conclusions of those assessments. This issue is further exacerbated by the uncertainty around the RMA reform and the implications of that reform on the future planning framework that would apply to the District.

Option 2 and Option 4 potentially could deliver the same outcome as Option 3, but they are inferior in terms of efficiency of process and do not provide the same long-term certainty to the landowners and other stakeholders. With a plan change, the intended land use outcomes can be properly and spatially defined and tested for acceptance by the community in a comprehensive manner. A plan change also allows for District Plan rules to be designed to capture and address the detailed environmental effects, at the appropriate stage when sufficient design has been undertaken.

On this basis, Options 1, 2 and 4 have been rejected as being efficient or effective means to meet the industrial demand, with Option 3 being determined to be the most appropriate planning method to address the issues associated with the limitations associated with the existing zoning. Rezoning of the land



properly enables and supports industrial land use to occur in the immediate future, that is not currently catered for adequately within the existing zoning of the properties. Insertion of a Development Area Plan into the District Plan allows for the key transportation, infrastructure and reserve requirements to be considered in light of the larger development area to ensure that the land can be appropriately accessed, serviced and to address potential reverse sensitivity effects.

The analysis moves into the application of an appropriate zone to apply to the plan change.

The existing industrial zone option could be appropriate, but its major weakness is that there are activities that are reasonably anticipated to occur in an industrial zone that are been caught by consenting requirements. These consenting requirements increase development costs.

The preferred option is to provide a new GIZ and associated objectives, policies and rules along and the provision of Development Area Plan. The purpose of the GIZ is to provide for a range of industrial activities with provision for some activities that support industrial activities and/or activities that are compatible with the adverse effects generated by industrial activities. This includes providing for cafes, yard-based retail, building improvement centres and minor residential units. Thereafter, the GIZ and DAP also includes some additional performance standards to secure high quality subdivision and development outcomes and appropriate amenity along the extremities of the zoning. Key elements and features are shown on the DAP.

4.2.2 Preferred option

Having regard to the significant benefits over costs associated with the options assessed above, it is proposed approximately 41 ha be rezoned GIZ with a supporting DAP.

The location for this industrial land also makes sense as its consistent with Matamata's current and future spatial economic structure and is located near an existing industrial land offering, future residential growth areas (to provide housing choices nearby), it has good access opportunities to town and other markets, it is close to Matamata's wastewater treatment plan, there are limited dwellings near the site and reverse sensitivity effects can be contained or minimised and it is held in the ownership of one landowner. As a consequence, it is not a matter of whether it is appropriate to rezone the land for industrial landuses, it is rather a matter of timing and having a willing landowner.

The application of a GIZ enables a more diverse range of development options over and above the existing industrial zoning, albeit for compatible activities.

4.3 Evaluation of objectives

Section 32(1)(a) requires an evaluation of whether each objective is the most appropriate way to achieve the purpose of the RMA. In light of the *King Salmon* decision, this is considered that this is primarily achieved through an assessment of the proposed objectives in terms of the higher order national and regional plans. The higher order plans are discussed in section 9 of this report. The following discussion complements that assessment and discusses more specially the actual objectives which are proposed.

The starting point for this assessment is consequently the purpose of the RMA, being sustainable management of natural and physical resources. The purpose of the RMA is only achieved when the s5(a) to (c) matters have been adequately provided for within a District Plan.

The objectives of PPC 57 are set out and evaluated in **Appendix C**. They have been evaluated in terms of the extent that they are the most appropriate means of achieving the purpose of the RMA and also in relation to the objectives of the RPS.

4.4 Evaluation of Provisions/Methods

To ensure that the evaluation of the proposed plan change is carried out to an appropriate level of detail, the table set out in **Appendix C** provides an assessment of the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the amending proposal (objectives, policies and rules). This assessment is required under s32(1)(c).

In accordance with s32(1)(c), this evaluation is to a level of detail that corresponds to the scale and significance of effects anticipated by the proposed plan. The level of detail is therefore informed by the assessment of effects contained in section 7 of this report.

Section 32(1)(b)(ii) also requires that councils assess the efficiency and effectiveness of the policies and methods as the most appropriate way to achieve the objectives. The Ministry for the Environment's guidance explains that "efficiency" is achieved where a policy or method will achieve the objective (the benefit) at the least cost. Least cost can be difficult to quantify, especially in monetary terms, and we have not identified the costs of alternative policies and methods to indicate the least cost option for this s32 evaluation.

A full assessment of provisions/methods to be inserted by PPC 57 and their associated costs and benefits to assess the efficiency and effectiveness of achieving the proposed objectives (and where relevant existing objectives), including identification of any alternatives, and which was been provided in a manner which corresponds to the scale and significant of the proposal (including environmental, economic, social and cultural effects) has been provided in **Appendix C**.

Development within the site is not contained to only those objectives and methods proposed by this PPC request. It is expected that the provisions will work in tandem with the existing MPDP provisions in other chapters including:

- Performance Standards – all activities
- Development contributions
- Works and network utilities
- Transportation
- Natural hazards

The provisions of these other chapters, such as those identified above, will also ensure that any other potential effects (e.g. site suitability, noise, signage, transportation etc) can be adequately dealt with and responded to at the subdivision and development stages. Such an approach is not unusual or an ineffective and does not undermine the viability of the rezoning. Reliance on existing provisions, in this PPC, is considered to be both efficient and effective.



5. Proposed Amendments to the Matamata Piako District Plan

5.1 Proposed Amendments

The following changes to the MPDP are proposed as a result of PPC 57:

- A change to the zoning on planning maps that relate to the site;
- The addition of the Calcutta Development Area Plan;
- The addition of a new GIZ and associated objectives, policies, rules and definitions into the MPDP; and
- Consequential amendments to other sections of the MPDP.

These amendments are included as **Appendix A** to this report.

These changes are described in more detail in the following sub-sections.

5.1.1 Planning maps

The planning maps required to be changed include the new zoning. More specifically the change is to Planning Maps 14 and 35 where the rural zoning is to be replaced with an GIZ. The extent of this zoning is shown in **Figure 5**.

5.1.2 Development Area Plan

The Calcutta Development Area Plan has been prepared (**Figure 6**). This DAP is proposed to be inserted into the District Plan, in Appendix 9: Schedule of Works. This inclusion provides a description of the purpose of the DAP, how compliance will be assessed, and the key infrastructure and amenity requirements that need to be considered in subsequent development and subdivision within the DAP area.

5.1.3 New General Industrial Zone

A new GIZ has been developed along with associated objectives, policies and rules. This purpose of this zone is to provide a range of industrial activities, at a slightly differing offering, to what is provided for in the existing Industrial Zone. The GIZ also provides for activities that support industrial activities and/or activities that are compatible with the adverse effects of generated by industrial activities. As an example, the GIZ zoning provides for activities such as cafes, yard-based retail and building improvement centres which are not currently provided for in the Industrial Zone.

Activities within the GIZ

Building on this objective and policy framework the rule framework provides for the following as permitted activities:

- Fire stations
- Service stations
- Industrial activities*
- Light industry
- Building improvement centres*
- Yard based retail*
- Wholesale retail and trade supplier*
- Veterinary clinic
- One minor residential unit*



- Cafes and takeaway food outlets with no drive through facilities
- Earthworks.

The activities listed above with an asterisk all have new definitions.

If one of the above activities cannot meet one or two performance standards for a permitted activity, the activity defaults to being a restricted discretionary activity (GIZ-R1(2)(a). Similarly, where three or more performance standards cannot be met the activity defaults to being discretionary activity (GIZ-R1(3)(a). Other discretionary activities include an industrial activity that requires an air discharge consent, education facilities, places of assembly, boarding kennels and catteries.

There are also a number of non-complying activities, including any discretionary activity that does not comply with one or more performance standard, retailing activities not specifically provided for, residential activities (apart from a minor residential unit) and any activity not specifically listed in the GIZ (see Rule GIZ-R1(4)).

Performance Standards for Activities in the GIZ

The overarching performance standards cover matters such as height, height in relation to boundary, yards, landscaping, maximum coverage, signs, noise, lighting, management and disposal of wastes, site layout and design of buildings (GIZ-R1(5)(a) to GIZ-R1(5)(l). These standards apply to all activities unless specifically identified otherwise. These standards have been developed having regard to the existing Industrial Zone standards whilst seeking to include additional amenity and urban design outcome focused standards that are outcome focused. Some of the key decisions that have been made with these standards are:

- Height and yard standard have generally been retained as per the Industrial Zone albeit with new rules relating to river protection and setbacks for land which is zoned rural or residential. These increased setbacks will help address interface and reverse sensitivity effects from industrial activities bordering another zoning outcome.
- A new rule around landscaping and fencing has been proposed, particularly for the Key Transport Corridor. This rule is consistent with that being used by other Council's in the Waikato, particularly in relation to the number of trees per length of frontage.
- Adoption of the MPDP rules in relation to coverage, signs, lighting, management and disposal of wastes.
- New rules for noise that reflect the new standards for measurement (i.e L_{Aeq} and L_{AFMax}) and also rules for the treatment and design of minor residential units within the GIZ.
- New rules relating to height in relation to boundary, service areas, outdoor storage, site layout to provide for better urban design outcomes and water management.

Minor residential units also have their own set of standards (GIZ-R1(1)(l) that addresses timing for that use, size, vehicle access, location, outdoor living and compliance with the other performance standards listed above.

Matters of Discretion

Matters of discretion for the zone has also been developed that requires resource consents to be assessed against matters such as:

- The extent of non-compliance with any performance standard including activity specific standards, the amenity of sites fronting the key transport corridors, and the degree to which this adversely affects the amenity and character of the site and surrounding area;
- The extent to which the scale and nature of the proposal including any specific site features or design mitigates the adverse effects of the activity;



- The extent to it is necessary for the activity to be in the General Industrial Zone and whether or not it will adversely impact on the function of the Business Zone.
- Whether the activity will adversely affect or interfere with the legitimate land use and activities on surrounding sites, including potential reverse sensitivity effects on existing activities;
- The extent to which landscaping and screening is used to mitigate adverse visual effects;
- Traffic and access effects, including the safety and efficiency of the roading network and any effects of not providing carparking;
- The provision of three waters servicing; and
- Whether adequate capacity exist to maintain acceptable levels of service within available public reticulated three waters services.

Refer to GIZ-R1(1) for the full list of matters of discretion.

Subdivision in the GIZ

All forms of subdivision in the MPDC require a resource consent, the same applies for the GIZ where the subdivision will be a controlled activity. To provide for this an additional clause has been added to the subdivision activity table (Table 6.1). The minimum lot area for the GIZ has also been increased from 500m² to 1000m². At 1000m² it is expected that a minimum lot shape would be 20m wide by 30m deep.

This rule does not preclude the ability for small lots to be created, such will just default to a non-complying activity (as per Rule 6.3.12(iii)). What we know with industrial subdivision too, is that it generally follows sale and purchase agreements, as land is purchased on a per m² rate. Therefore, if a small lot than 1000m² was purchased it would be for a defined outcome and the effects of that lot size can be considered at the time of subdivision.

5.1.4 Other consequential amendments to the District Plan

The addition of a new zone means that there are a number of other consequential amendments required to the District Plan to refer to or exclude the GIZ. These are set out in detail in **Appendix A** and cover matters such as:

- Including the GIZ in the signage (Rule 3.9.1.8), vibration (Rule 5.3) and works and utilities (various tables in section 8).
- Excluding the GIZ in the noise provisions (Rule 5.2.4).
- Adding the term Development Area Plan to sections of the plan where Structure Plans are referenced and referring to the Calcutta Development Area Plan where Structure Plans are listed, and in a manner that aligns with PPC 56 – Lockerbie Plan Change.
- Amending existing definitions and addition of new definitions to align with National Planning Standards and to cover new activities as noted above.
- Amending the planning maps.



6. Statutory Assessment Framework

6.1 Legal Framework for Plan Change Request

District Plans may be amended by any person pursuant to s73(2) of the RMA, in the manner set out within Part 2 or Part 5 of Schedule 1 of the RMA. Part 2 of Schedule 1 governs requests for plan changes that are not initiated by local authorities, often termed private plan changes. Part 5 of the same schedule concerns proposed plan changes by way of a specified streamlined planning process, a process which the proposal is not eligible to utilise. As such, Part 2 of Schedule 1 of the RMA prescribes the legal path to achieving the proposed plan change.

6.2 Part 2, Schedule 1 of the RMA

Clause 22 provides for a request for a plan change to be made to the appropriate local authority in writing. The request is required to explain the purpose and reasons for the proposed plan change and include an evaluation report pursuant to s32 of the RMA. Clause 25 then provides for consideration of the request by the local authority (in this case, a territorial authority being MPDC), with four potential decisions available to it:

1. Adopt the request, in full or in part, as if it were a plan change made by itself;
2. Accept the request and notify the request;
3. Deal with the request as an application for resource consent instead of a plan change; or
4. Reject the request, on certain grounds only.

Clause 29 then dictates that, subject to certain potential modifications at Clauses 29(1A) to (9), the same procedure specified within Part 1, Schedule 1 of the RMA applies to private plan changes (if accepted pursuant to Clause 25). Immediately following acceptance of a plan change is notification and a period in which submissions, and then further submissions, may be received on the proposed plan change. Clause 29(4), and corresponding Clause 10 of Part 1, then direct a decision to be made upon the proposed plan provisions, with reasons to be provided including addressing of any submissions.

6.3 Considerations of a territorial authority

The considerations to be had by a territorial authority in coming to a decision in respect of a proposed plan change are addressed within sections 73-75 of the RMA. These provisions then refer to or draw upon other provisions within the RMA. In summary, a plan shall only be amended by a territorial authority in accordance with the following provisions of the RMA (as relevant to the subject application):

- The provisions of Part 2 (purpose and principles);
- Section 31 (functions of territorial authorities);
- Section 32 (requirements for preparing and publishing evaluation reports);
- Section 73 (Preparation and change of District Plans);
- Section 74 (Matters to be considered by Territorial Authority); and
- Section 75 (Contents of District Plans)

These are elaborated on further below.

6.3.1 Part 2 – Purposes and principles

The consideration framework needs to be applied correctly so that the assessments and information contained in this report are correctly prepared and consequentially used to draw the right conclusions in



coming to a decision on the proposed plan change. This starts with correct interpretation and consideration of Part 2 of the RMA. The Supreme Court 2014 decision *Environmental Defence Society Inc. vs the New Zealand King Salmon Co Ltd*¹⁶ provides guidance as to how Part 2 of the RMA applies to plan changes. Prior to the *King Salmon* decision an ‘overall judgement’ approach was taken, whereby it was considered whether a plan change gave effect to Part 2 including assessing it individually against the various matters in sections 6, 7 and 8 of the RMA. *King Salmon* changed the decision-making process for plan changes. It found that there was no need to refer back up the hierarchy of plan provisions to Part 2, because other high-level planning instruments (in that case the New Zealand Coastal Policy Statement) are deemed to have given effect to Part 2 at the national, regional or local level.

However, the Court also noted that there are three exceptions to this general rule:

- a) Invalidity, i.e. the higher order document may be illegal.
- b) Incomplete coverage, i.e. the higher-level document may not fully cover the issue being considered.
- c) Uncertainty of meaning, i.e. the higher-level document is not clear in its application to the issue.

In this case, the relevant higher level planning instruments that are being applied are those set out in section 9 of this report below.

6.3.2 Section 31

Section 31 sets out the functions of territorial authorities under the RMA. In particular, it identifies the functions of a Council at s31(1)(a) as including:

“The establishment, implementation and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.”

The Council is therefore required to consider the plan change application in accordance with its function of achieving integrated management of land use. The use and development of the land for the purposes outlined in this application is clearly within the scope of the Council’s functions under s31 and integration of effects of the activities with infrastructure and other nearby activities is a key issue addressed by the plan change.

6.3.3 Section 32

Section 32 of the RMA imposes on Council a duty before making a decision on a plan change application to carry out an evaluation. An evaluation under s32 is provided in Section 4 of this report and the supporting **Appendix C**. The relevant parts of Section 32 are:

- (1) *An evaluation report required under this Act must –*
 - (a) *Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by*
 - i. *Identifying other reasonably practicable options for achieving the objectives; and*
 - ii. *Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - iii. *Summarizing the reasons for deciding on the provisions; and*

¹⁶ NZSC 38, (2014) NZLR 593



- (c) *Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must –*
 - (a) *Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
 - i. *Economic growth that are anticipated to be provided or reduced; and*
 - ii. *Employment that are anticipated to be provided or reduced; and*
 - (b) *If practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to –*
 - (a) *The provisions and objectives of the amending proposal; and*
 - (b) *The objectives of the existing proposal to the extent that those objectives –*
 - i. *Are relevant to the objectives of the amending proposal; and*
 - ii. *Would remain if the amending proposal were to take effect*
- (6) *In this section, -*
 - objectives** means, -
 - (a) *For a proposal that contains or states objectives, those objectives:*
 - (b) *For all other proposals, the purpose of the proposal*
 - Proposal** means *a proposed standard, statement, regulation, plan or change for which an evaluation report must be prepared under this Act*
 - Provisions** means, -
 - (a) *For a proposed plan or change, the policies, rules or other methods that implement, or give effect to, the objectives of the proposed plan or change:*
 - (b) *For all other proposals, the policies, or provisions of the proposal that implement, or give effect to, the objectives of the proposal.*

As set out in Sections 3 and 4 of this report this plan change is an ‘amending proposal’ in accordance with s32(3). The evaluation contained in section 2 does not stand alone. In terms of assessing the appropriateness of the objectives in achieving the purpose of the RMA, considering reasonably practicable options for achieving the objectives and assessing the efficiency and effectiveness of the chosen option, the evaluation relies on the various assessments in this report, particularly:

- The assessment of environmental effects in section 7.
- The statutory assessment against statutory and non-statutory documents at sections 9 and 10.
- The assessment against Part 2 contained in section 12.

6.3.4 Sections 73, 74 and 75

Section 73 provides the avenue for any person to request a change to a district plan.

Sections 74 and 75 set out matters to be considered by Council when changing its district plan and set out the prescribed contents and purposes of district plans.

Section 74(1) – (2A) addresses considerations by territorial authorities in respect of proposed plan changes. In summary, a change to a district plan shall be in accordance with the functions of the territorial authority pursuant to section 31; have particular regard to the evaluation report prepared in accordance with section 32; national policy statements and national planning standards; regulations under the RMA; planning



documents recognised by iwi authorities and lodged with the Council; and relevant management plans and strategies prepared under other Acts.

Considering the scope of sections 73(1) – (2A), the following documents are relevant to the proposed plan change:

Statutory documents under the RMA

- National Policy Statement on Urban Development Capacity (2020)
- National Policy Statement on for Freshwater Management (2020)
- Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations (2011)
- National Planning Standards
- Waikato Regional Policy Statement (2016)
- Ngāti Hauā Claims Settlement Act (2014)
- Raukawa Claims Settlement Act (2014)
- Ngāti Hinerangi Claims Settlement Act (2021)

Other documents

- Waikato Regional Plan
- Waikato Tainui Environmental Management Plan
- Te Rautaki Tamata Ao Turoa o Haua (Ngāti Hauā Environmental Management Plan)
- Te Rautaki Taiao a Raukawa (Raukawa Environmental Management Plan) 2015
- Waikato Regional Land Transport Strategy 2011-2041
- Matamata Piako District Council – Town Strategies 2013-2033 – Matamata

Section 75 requires that the plan change must ‘give effect to’ any national policy statement, a national planning standard and any regional policy statement. Consistency of the proposed plan change with these documents is assessed at section 9 of this report.

With regards to National Planning Standards, the first set of such standards were introduced in April 2019 and specify the structure and form of subsequent district plans and policy statements. The proposed plan change has been prepared in a manner consistent with these standards. This is explained in further detail at section 5 of this report.



7. Assessment of Environmental Effects

Under clause 22 of Schedule 1 to the RMA a request for a plan change must include a description of environmental effects that are anticipated. These effects are to be described in such detail as corresponds with the scale and significance of the effects and taking into account clauses 6 and 7 of Schedule 4 of the RMA.

Effects of the following types are identified and addressed in the assessment below:

- Economic effects
- Infrastructure effects;
- Transportation effects;
- Character, landscape and visual amenity effects;
- Archaeological, historic and cultural effects;
- Ecological effects;
- Risks from hazards and contamination;
- Social effects;
- Reverse sensitivity effects; and
- Positive effects.

The below assessments incorporate and draw upon the findings of the various technical reports and environmental assessments that have been commissioned by the Applicant which are appended to this application.

7.1 Economic Effects

Market Economics have been engaged to assess the economic impacts and implications of the proposed plan, including:

- The industrial land capacity and estimated demand across Matamata and the wider District;
- The likely impact of additional industrial development capacity on current and projected future supply-demand;
- The economic effects of the plan change as a result of its location within Matamata's spatial economic structure and an assessment of the locations suitability; and
- The location of the industrial supply relative to activity and exogenous demand from the surrounding larger urban economies.

The Market Economics assessment is contained in **Appendix L** and has found that there is likely to be a shortfall of industrial land within the southern Matamata-Piako District area based on estimates of existing industrial capacity and projected demand. These results are summarised in more detail below. The assessment has also found that the location of the industrial offering is well located within the existing spatial structure, it will unlikely undermine activity within the CBD, it is consistent with Matamata's current and future spatial economic structure and will form an agglomeration with Matamata's existing industrial land. It will also provide a substantial contribution to employment opportunities for Matamata. For all these reasons, any adverse economic effects of the proposed plan change are considered to be acceptable.

7.1.1 Industrial land capacity and demand

The Market Economics analysis has estimated that the current level of industrial land supply across the district consists of 37ha of undeveloped industrial land across the district's main townships (with the inclusion of 7.5ha of undeveloped portions of partly developed sites). Of that 37ha, just under one-third (31% or



14.8ha¹⁷) is located in Matamata. The majority of this undeveloped land is held in one 12.5ha title¹⁸, owned by Council, located directly opposite the plan change site. The balance is on sites ranging in size from 0.13ha to 0.45ha.

In terms of demand, the Market Economics analysis has identified that under a medium-series growth projection there is a demand for additional industrial land at a local level, a southern district level and a district level from 2021 through to 2051. The low and high ratios for each area are summarised in **Table 3** below and identify that there is a projected demand for Matamata alone of between 6.3 to 28.7ha. When the southern district and district as a whole is added this demand increases from a range of 10.2ha to 88.5ha.

Table No. 3

Projected Additional Industrial Land Demand by Location				
Industrial Area	Low Ratio (500m ² per Employee)		High ratio (800m ² per Employee)	
Range	2021-2031	2021-2051	2021-2031	2021-2051
Matamata	6.3ha	17.9ha	10.9ha	28.7ha
Southern District	10.2ha	28.4ha	16.2ha	45.5ha
District	24.2ha	55.3ha	38.7ha	88.5ha

The southern district is particularly relevant as it includes Waharoa which has identified constraints¹⁹. As such, Matamata is likely to meet industrial demand for the surrounding area. On a wider scale, and due to Matamata's proximity to Tauranga and this site been located in the southern part of the district the site could also serve Tauranga demand. That being said, the Housing and Business Capacity Assessment completed for Tauranga by SmarthGrowth has identified that their industrial provision is sufficient in the short, medium and long-term.

7.1.2 Land demand and supply balance

The Market Economics assessment has also analysed the current and projected future balance between industrial land supply and demand to ascertain what will be the likely economic effects of the proposal. The key assessment here being the projected net difference in hectares between the estimated developable industrial land area and the projected industrial land areas, both of which are discussed above in section 7.1.1. In simple terms their assessment shows that:

- Current supply is likely to be sufficient to meet the projected demand arising from within Matamata over the next decade as it contains 11ha of existing capacity versus a demand of 10.1ha (high ratio).
- Over the long-term there is a projected shortfall of capacity within Matamata of between 6.9ha to 17.9ha.
- When the supply-demand balance is considered across the southern district there could be a projected shortfall of 2.8ha (if higher rates of uptake occur), however over the long-term this increases to a projected shortfall of between 15-32ha.
- At the district level, there is a projected shortfall of between 18.3ha and 51.5ha in the long-term.

When the plan change land is added to the above, there is a projected surplus within Matamata in the long-term. If the demand is considered for the southern district, then the projected supply-demand balances from a surplus of 0.3ha up to 17.4ha. At a district level, the long-term balance is projected to range from a 19.2ha deficit to a 14.0ha surplus. These results confirm that the plan change will contribute to mitigating projected

¹⁷ This 14.8ha reduces to 11ha when roads and required setbacks are removed.

¹⁸ Lot 200 DP 414828 (456041).

¹⁹ Floodplain and infrastructure.



shortfalls in capacity that are likely to emerge in the southern parts of the district within the next two decades.

Consideration also needs to be given to how best to mitigate this shortfall. In engagement with the WRC staff the suggestion has been made as to whether the shortfall can be addressed through brownfield development or intensification. Whilst there may be opportunities for small scale industrial land uses, it is important to recognise industrial land has different characteristics to residential and is not as adaptable for redevelopment or intensification as residential land. What is also evidence is that businesses are looking at agglomeration benefits²⁰ and there is also a need for large land areas (i.e. 2-5-10ha). These land areas cannot be provided for through brownfield development. The appropriate planning intervention is therefore a rezoning approach that provides for a mixture of industrial land uses to cater for all needs and that will be driven by market demand. The peer review by Property Economics, has also questioned whether a more suitable location would be the land to the north-east of Tower Road, being that it has a lower high quality soil classification. Whilst this is a viable alternative on paper, it faces challenges associated with multiple land ownership that each own long and narrow pockets of land or are small rural-residential landholdings and is located opposite future residential land (the Tower Road Structure Plan Area). Consequently, other than its lower soil classification, it has more challenges in successfully delivering what is being sought in this PPC application.

7.1.3 Expected development timing

In terms of land release, some high-level assumptions have been made in terms of land uptake as follows:

- 3-7 years – 13.64ha (Stage 1&2)
- 7-10 years – 4.74ha (Stage 3)
- 10+ years – 7.8ha (Stage 4)
- 15+ years – 6.29ha (Stage 5)

These figures show that the land use change is expected over 15+ years, and thus demand on infrastructure will also be linked to this uptake.

7.2 Infrastructure Effects

Infrastructure effects arise when development places demand upon infrastructure networks that exceed the available servicing capacity, or generates an unacceptable risk to the integrity, of existing infrastructure networks.

Alternatively, infrastructure effects occur where uncoordinated and disparate development is proposed where servicing options are poor. Relevant objectives and policies of the MPDP and the RPS seek to manage programmed expansion of urban areas in a manner that is consistent with the ability to provide appropriate infrastructure and to ensure that land-use, subdivision and infrastructure are planned in an integrated manner. This integration is achieved in a variety of ways including location, timing and systems. It is noted from the outset that the plan change site is ideally suited for industrial development because of its proximity to Matamata's existing industrial zone (i.e. there are agglomeration benefits) and because it is located near Council's wastewater treatment plant for Matamata. The timing and systems proposed are discussed further below.

Infrastructure and utility servicing is inherently of high importance to the overall suitability of the site for the proposed plan change. For this reason, infrastructure provision and options have been a key consideration for this plan change, with BBO exploring a number of options for water and wastewater disposal to

²⁰ APL in Cambridge, Ports of Auckland at Horotiu, and Sleepyhead at Ohinewai examples



demonstrate, at a conceptual level, that there is a workable design solution to service the plan change site. The BBO Infrastructure Assessment is attached as **Appendix D**.

The proposed servicing arrangements, assessment as to servicing ability, and overall effects with respect to individual infrastructure components (three waters, roading and other utilities) are assessed below.

7.2.1 Wastewater

Section 5.2 of the Infrastructure Report sets out the wastewater demand calculations to service the developable area of the plan change site. In simple terms, those calculations identify that the industrial land use would require a PWWF²¹ of 15.19l/s.

Taking into consideration this demand, MPDC has indicated that the development of the plan change area would trigger significant upgrades because the existing network (i.e. the trunk main) and current zoned catchment is already at capacity for both the network and processing at the wastewater treatment plant (WWTP). In relation to the WWTP capacity, MPDC has an existing discharge consent²², from the Regional Council, which enables the discharge of 4,000m³ per day of membrane treated effluent. MPDC have noted this limit is being breached during substantial rain events due to infiltration into the network. MPDC are consequently undertaking infiltration improvement works in their network to reduce this risk. These works along with operational changes and upgrades to the plant, and the staging of the development outcome, are also proposed to help manage the discharge.

With these works, MPDC staff have noted that there may be additional capacity to accommodate the wastewater from the plan change site, particularly when having regard to the land release timing as set out in section 7.1.3 above. They have also noted that future consenting for the WWTP can provide for this additional capacity. The Regional Council has also expressed concerns with individual on-site solutions and would prefer a centralised system.

For these reasons, wastewater from the plan change site is proposed to be discharged to an internal wastewater network, via a new pump station and to the WWTP via a new trunk main that runs directly from the plan change site to the WWTP. The conceptual design layout for this reticulation is provided in **Figure 7** below. As noted in the Infrastructure Assessment and as demonstrated, an alternative rising main alignment is also available through land Calcutta owns, should the proposed be unachievable.

Each of stage of development within the plan change area would be subject to a detailed wastewater network design to be approved by MPDC in accordance with the MPDC Development Manual and the Waikato Regional Infrastructure Technical Specification (RITS). The specific infrastructure would also be approved at the time of subdivision to create individual lots.

Given that there is a feasible, subject to capacity, wastewater servicing option available to service the plan change site, any adverse effects relating to wastewater disposal are considered to be acceptable.

²¹ Peak Wet Weather Flow

²² Consent number 110031



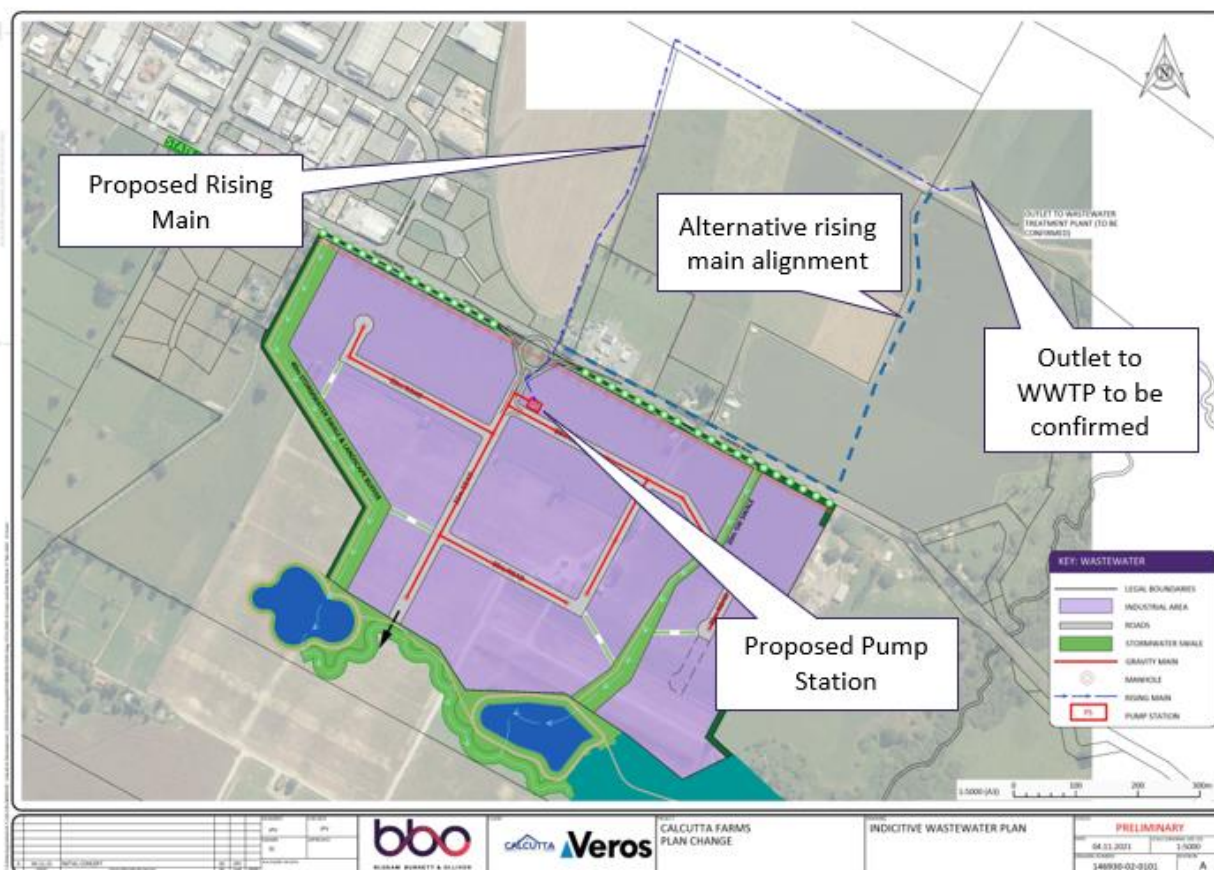


Figure 7: Wastewater Reticulation Option

7.2.2 Water Supply

Section 4.2 of the Infrastructure Assessment sets out the water demand calculations to service the developable area of the plan change site. Those calculations identify that the industrial land use would require a peak flow of 22.0l/s and an average daily demand of 380.3m³. This equates to a maximum annual volume of 138,809m³ per annum.

Similar to wastewater, Council has indicated that they have no additional water capacity to service the plan change site, and if they did, significant upgrades to their pipe network would be required. This issue may be rectified through works programmed by Council for new bores/water treatment plants, however the timing of this availability of this capacity uncertain. For this reason, and because Calcutta has three consented groundwater takes, an investigation has been undertaken as to whether there is additional capacity in Calcutta's consented allocation to service the plan change site and secondly if there was additional capacity if the water quality is suitable for potable uses. The results of this investigation, in relation to capacity, is as follows:

- Calcutta has one bore directly adjacent to the plan change site (72_6680) that is authorised to take 327,570m³ of groundwater on an annual basis for crop irrigation.
- Based on the results from the last 5 years, the maximum take from this bore has been 133,000m³, which means that there is a surplus of around 194,000m³ of water allocation that could be transferred to Council for potable water.
- WRC have also confirmed, through the engagement undertaken, that there are no fundamental flaws to the transfer of this allocation albeit that a consent process would be needed to transfer this application.

In relation to water quality of the bore, Wallbridge Gilbert Aztec (WGA) were engaged to assess water security (i.e. potential sources of contamination and the likelihood of these contaminating the groundwater supply), water availability, water quality and to provide recommendations of potential treatment options. As part of this work, they have undertaken water quality samples and have assessed those results against the Ministry of Health Guideline Values and Maximum Acceptable Values (MAV)²³ for drinking water where applicable (MOH, 2018). Their report is contained in Appendix B of the Infrastructure Report (refer **Appendix D**) and confirms that:

- Onsite bores and associated groundwater consents have sufficient volumes to provide water supply to the proposed plan change site. The bore infrastructure is also sound with only minor repairs required.
- Water quality testing has identified that water from bore 72_6680 has high concentrations of iron and manganese and will require treatment to meet the guidelines for aesthetics and in the case of manganese, the MAV of 0.4 g/m³.
- These results are indicative of relatively long residence time in the aquifer which is common in deeper aquifer systems and is an indicator of a more confined system with older groundwater which has dissolved minerals from the rocks that make up the aquifer along the groundwater flow path.
- Iron and manganese treatment generally involves oxidation and filtration. The oxidant chemically oxidizes the iron or manganese (forming a particle) and kills iron bacteria and any other disease-causing bacteria that may be present. The filter then removed the iron and/or manganese particles.
- Arsenic concentrations are below the MAV of 0.01 g/m³ by a small margin which is potentially due to the long periods that the bore is shutdown in winter. Regular monitoring of the arsenic levels will be required to account for seasonal variations.
- There are potential sources of contamination in the surrounding area (i.e. adjacent land uses that are recorded on WRC's HAIL database), however these are downgradient from the water sources so pose a low risk.
- Treatment of at source water to reach potable requirements is not a limiting factor.

Having established that the water from bore 72_6680 has surplus capacity that can be reallocated and is a suitable quality for potable purposes, it is considered that there is an acceptable design solution for water supply to service the plan change site.

Similar to wastewater each stage of the development within the plan change area will be subject to a detailed water network design to be approved by MDPC, at the time of subdivision, which will provide individual lot connections to the wider water reticulation network. An indicative layout for this reticulation, including location and connection to the bore is provided in **Figure 8** below.

²³ The Maximum Acceptable Values (MAVs) have been defined by the Ministry of Health for parameters of health significance and should not be exceeded. The Guideline Values are the limits for aesthetic determinants that, if exceeded, may render the water unattractive to consumers.



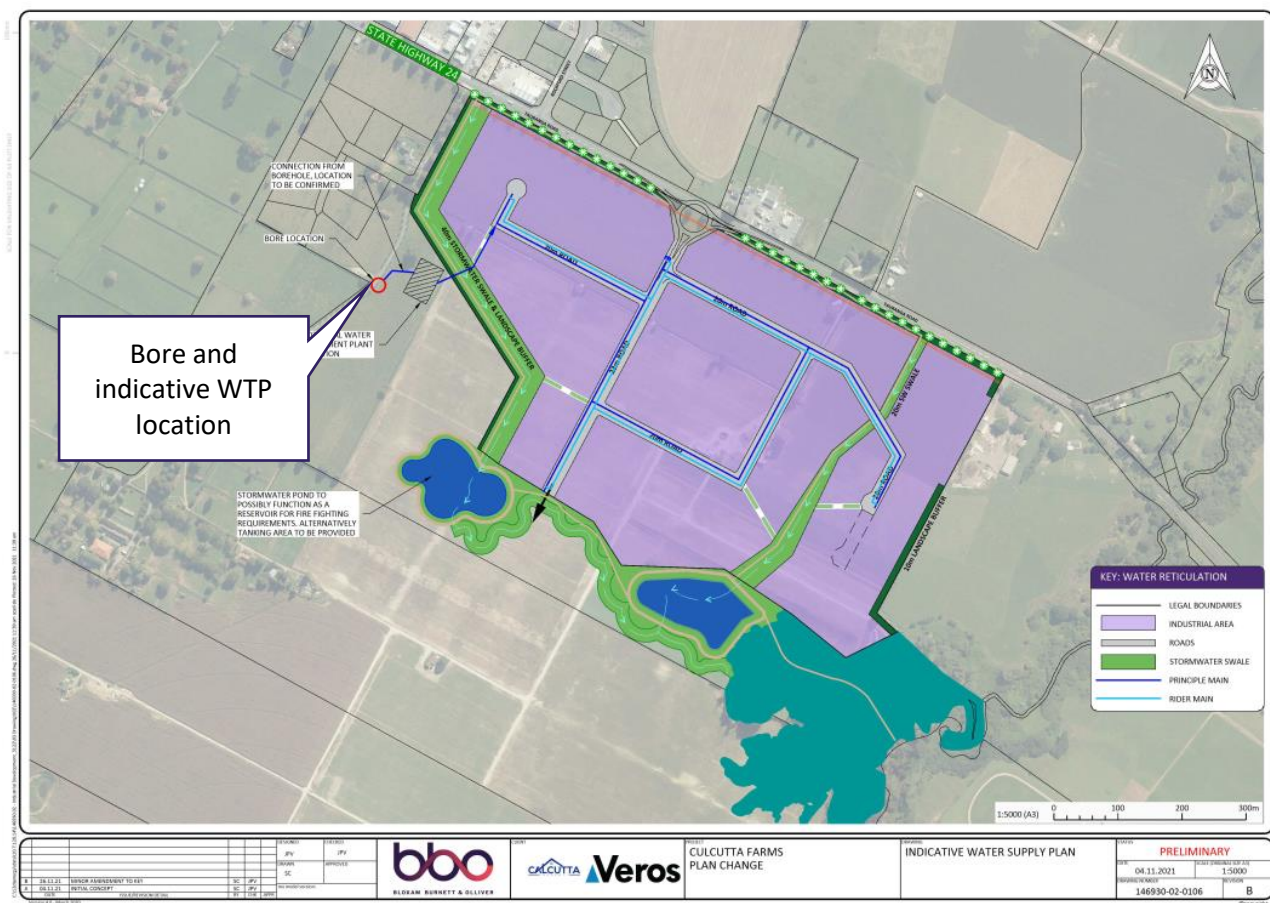


Figure 8: Water Reticulation Option

7.2.3 Stormwater

The general stormwater disposal strategy within the plan change area (as set out in section 6 of the Infrastructure Report in **Appendix D**) is a combination of treatment, conveyance and attenuation devices that collectively promote a stormwater treatment train approach, positive aesthetic outputs and the spatial requirements that the industrial developments usually pose. The proposed stormwater management layout is presented below in **Figure 9**. The high-level specifics of the treatment train approach is as follows:

- Stormwater treatment
 - Treatment of road service via rain gardens which discharge to wetlands or swales.
 - Lots will be treated through soakage first and reticulation secondary.
 - The layout provides for a new discharge point to the Mangawhero Stream gully network by redirecting overland flows from SH24 to a point south of the plan change site.
- Drainage
 - The reticulation system will provide conveyance of the collected runoff and along with the swales will be part of the primary system.
 - The road will function as a secondary system for overland flows during events higher than the 10-year ARI.
- Attenuation and Swales
 - Attenuation of the flows to pre-development levels will be provided through the wetlands that sit just outside the plan change site.
 - The wetlands are sized to also provide extended detention to prevent erosion at the downstream receiving system.

- The swales will function as conveyance and pre-treatment devices and will emulate stream function by having a main channel and floodplain areas.

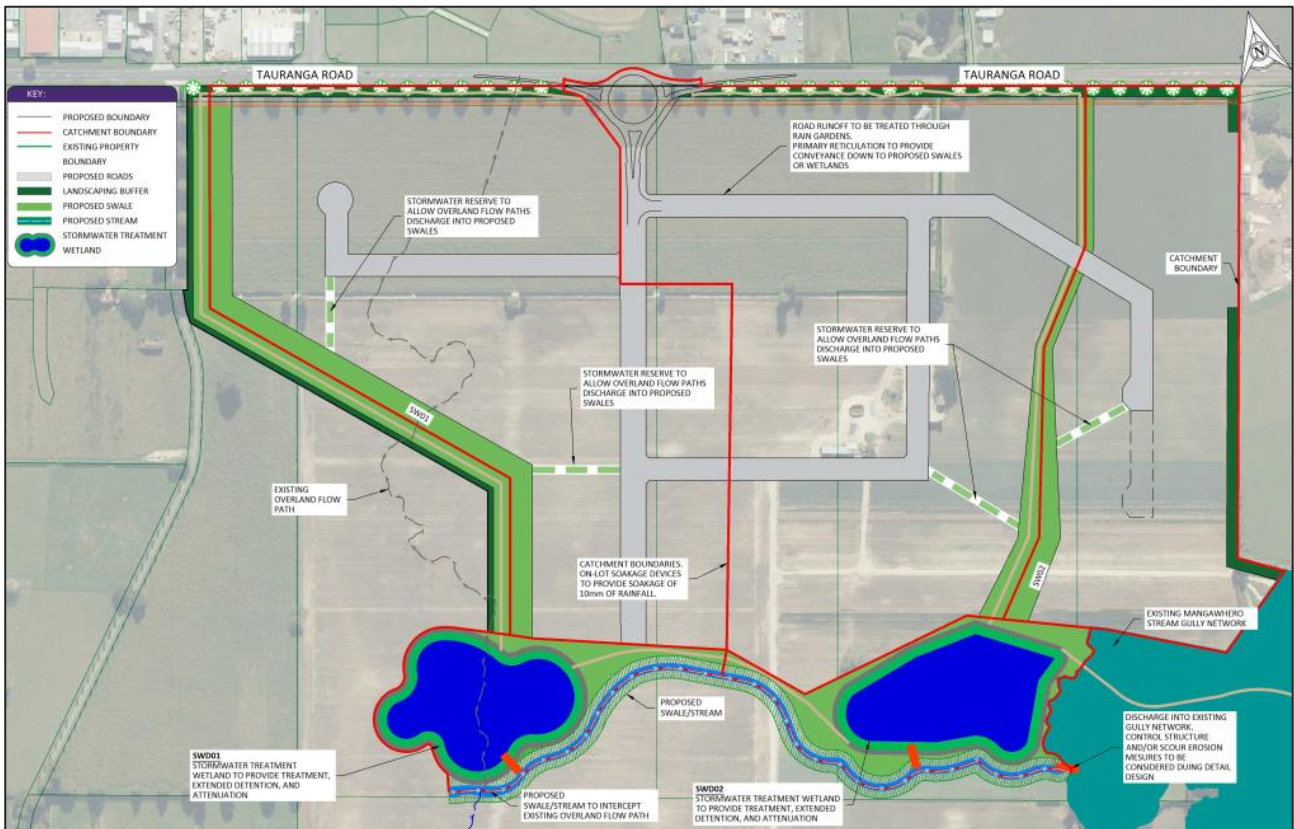


Figure 9: Proposed Stormwater Management layout

As with wastewater and water each of stage of development will need a detailed stormwater network design to be approved by MPDC and through a stormwater discharge consent with the Regional Council.

In conclusion, there is a workable solution for treatment and disposal of stormwater for the plan change site. As such, it is considered that stormwater effects will be managed appropriately to ensure less than minor effects on the environment.

7.2.4 Rooding

The proposed roading network within the plan change area has been designed with inputs from BBO, MPDC and Waka Kotahi. The key connection to SH24 is a roundabout. Radiating off that is a north-south collector road and a series of other internal roads. The specifics of the roading design and layout will be approved at the time of subdivision to create individual lots, however in the meantime the DAP delineates the indicative location of the collector roads that connect the site to SH24, and future proofs connections to the land to the south.

In summary, appropriate roading infrastructure, consistent with the RITS and the recommendations of the ITA (**Appendix E**) can be provided to serve the plan change area. Effects on the operation of the road network beyond the plan change are addressed at Section 7.3 below. However, any adverse effects in terms of the quality of future roading infrastructure within the plan change area are considered to be acceptable.

7.2.5 Other Utilities

Power and telecommunications to the plan change area would be provided by third-party service providers. The correspondence received to date (as provided in Appendix D of the Infrastructure Assessment), has confirm that the service providers have sufficient capacity within their existing and planned networks to cater for the plan change site.

7.3 Transportation Effects

Transport networks are significant pieces of infrastructure of critical importance to the suitability of a site for development such as that proposed by this plan change. Development relying on transport infrastructure can generate adverse effects on the existing users and operation of transport networks, in the form of congestion and safety impacts. Attention to matters such as the provision of suitable access, parking, manoeuvring areas and loading spaces also needs to be had. Attention at the early stages of the planning and development processes can ensure that these effects are mitigated, and that land use and transport are integrated to ensure that a safe and efficient roading network is provided.

As a result of feedback from Waka Kotahi, around the number and location of access points to SH24, the plan change provides for one connection point and that connection is via a new roundabout.

An Integrated Transportation Assessment (ITA) has been prepared by BBO to assess the traffic and transportation effects associated with the proposed rezoning and DAP roading layout. The ITA is attached in **Appendix E** with the key conclusions and recommendations summarised below, focusing on the external effects, as opposed to the internal design considerations (i.e. road cross-sections, parking, individual accesses etc) that will be assessed in future consent applications.

7.3.1 Trip generation

Traffic volumes in the locality will clearly increase as a result of development of the plan change site. Existing traffic volumes have been gathered from the surrounding road network, including the roads near the plan change site. The Average Annual Daily Traffic (AADT) volumes are as follows:

- SH24 fronting the plan change site – 6,446 vehicles per day (vpd);
- Rockford Street – 600 to 800 vpd
- Tower Road – 4,700 vpd
- Burwood Road – 2,400-4,300

The average trip generation for the existing industrial area, as a result of intersection count surveys, was calculated to be 11.0 trips per developable hectare in the morning peak and 12.5 trips per developable hectare in the evening peak. This trip generation rate has not been applied to the plan change area, and instead a higher trip generation of 15.4 trips per gross hectare peak hour has been adopted to provide a degree in confidence in the forecasting.

Using the 15.4 trips, the ITA predicts that the proposed rezoning will generate approximately 560 trips per peak hour and approximately 4,000 to 4,300 trips per day. Of this volume, 20% of the trips are expected to be heavy commercial vehicles.

In terms of trip distribution, the ITA identifies that the largest percentage of trips to and from the site, in both the morning²⁴ and evening²⁵ peak hour will be to and from Matamata township.

²⁴ 52% of trips arriving from northwest, with 29% of trips will turn left and head towards SH24/Tower Road/Burwood Road roundabout.

²⁵ 24% of trips arriving from northwest, with 60% of trips will turn left and head towards SH24/Tower Road/Burwood Road roundabout.



7.3.2 Safety

From a safety perspective there are two considerations, being the location of intersection(s) and the form and function of those intersection.

As a result of preliminary engagement with Waka Kotahi and MPDC, it was clear that the function of SH24 needed to be protected and enhanced, where possible, through the reduction of a number of access points. Similarly, both parties were keen to see the intersection form be a roundabout, as opposed to a priority-controlled intersection, and that the intersection should be located closer to the existing urban perimeter.

The design solution adopted for the whole of the plan change area is consequently one roundabout that connects the site to SH24, approximately 285m southeast of the SH24/Rockford Street intersection. A roundabout is also considered to be suitable at this location as it will reduce vehicle speeds, will reduce the likelihood and severity of crashes and will minimise vehicle delays.

A concept design for the roundabout has been provided in the ITA, for the purpose of demonstrating that the access is feasible. It is recognised that this is a high-level concept, and the final design configuration is subject to preliminary and detailed design processes, safety audits and the RCA's standard approval processes.

This roundabout is a single circulating lane, 3-leg roundabout with single entry and exit lanes, that has been designed with a bias towards the plan change site boundary, to avoid encroaching in the land to the north of SH24. That being said, the roundabout can be located/upgraded to a four-leg roundabout in the future should development of the land to the north necessitate it. The roundabout has also been designed based on an 80km/hr speed environment. This may need to be reviewed once there has been confirmation from Waka Kotahi as to what the speed limit on SH24 will be changed to²⁶.

As additional land, not in Calcutta's control, is not required to deliver the roundabout it is not considered that a Notice of Requirement (NoR) needs to be made concurrently to this plan change process. Furthermore, a NoR may not be required at all, as the land for road purposes, can be vested at the time of subdivision. If Waka Kotahi confirm a NoR is required, it can be a pre-condition to subdivision and development.

Preliminary design has also confirmed that if the roundabout was to provide access to the land to the north, that could be achieved without significantly affecting the titles on either side of that landholding. If the fourth leg was required to be delivered the design would be refined to minimise these effects and there would be an expectation that the benefiting landowner would contribute.

²⁶ Waka Kotahi's Speed Management Team are currently undertaking a speed review of SH24, between Matamata and the SH24/Sh29 intersection and early indications are that this stretch of road will be 80km/hr





Figure 10: Potential roundabout design with four legs

7.3.3 Intersection performance

The performance and capacity of both the new access roundabout and the SH24/Tower Road/Burwood Road roundabout have been modelled taking into account the current peak hour flows and the consented²⁷ peak period traffic volumes.

This assessment has identified that the SH24/Tower Road/Burwood Road roundabout will perform at or near capacity during the current year baseline scenario (i.e. after considering consented and permitted activities). This situation only worsens in the baseline 2031 scenario when the background growth on SH24 is added to the modelling.

To rectify this situation, two options have been proposed in section 7.1.2 of the ITA. One being the required 'minimum' upgrade, whereas the other being a 'desirable' upgrade. The required minimum is proposed to be undertaken by Calcutta to enable the roundabout to accommodate the additional trips generated by the proposed rezoning and so that it performs at a similar or better level to the baseline scenario which includes consented/permitted activities. The upgrade provides for addition of auxiliary left turn lanes on Mangawhero Road (SH24), Tower Road and Broadway (SH24) approaches, and auxiliary right turn lane on Burwood Road. Refer to Appendix D of the ITA for the design solution.

In relation to the new access roundabout, modelling indicates that it will operate satisfactorily with practical spare capacity and with minor delays during both the peak periods, in the future year scenarios.

²⁷ This includes both the permitted range of activities near the plan change site and consented developments not yet generating traffic

7.3.4 Other transport effects and conclusion

Walking and cycling is encouraged and provided for in the indicative road cross-sections and the DAP design. This includes 3m wide shared paths to cater to cyclists and active modes of transport within the key transport corridor and the reserve network. Connections to the wider network, outside of the site, are also provided for through the provision for a pedestrian refuse island along the flush median on SH24. The ITA has also identified opportunity for public transport on the SH24 network, should a bus service be provided²⁸.

The ITA concludes that the receiving transport networks, subject to the new roundabout and improvements to the SH24/Tower Road/Burwood Road roundabout, are appropriate to accommodate the activities generated by the proposed rezoning. The necessary traffic and transport elements of the plan change to ensure efficiency and safety of movements to and from SH24 have been appropriately established. The network will ensure a safe and efficient transport environment and integration of the proposed network with the surrounding existing network. As such, the transportation effects of the rezoning are considered to be acceptable and can be appropriately managed by the adherence to the DAP and recommendations of the ITA.

7.4 Character, Landscape and Visual Amenity Effects

The plan change will undoubtedly lead to significant changes to the outlook of the site and surrounding locality. As the change in land use has not necessarily been signalled in the District Plan, an assessment of the landscape and visual effects of the change in land use and associated eventual development of the area have been undertaken by Boffa Miskell. The Landscape and Visual Assessment Report (LVA) is included in **Appendix F** of this report. The following assessment draws upon the key statements/conclusions of the LVA.

7.4.1 Landscape Character Effects

Landscape character refers to the distinct and recognisable elements that occur in a landscape. The existing character and landscape of the site and its environs can be described as being rural open-spaced to the south of Tauranga Road and north east of Tauranga Road, whereas to the northwest of Tauranga Road is urbanised and industrial. The proposed plan change will bring a dramatic change to the land use on the site, and associated changes to the existing landscape character experienced in this location. Various features of the proposal will assist with mitigating the landscape character effects including:

- The stormwater reserve and wetlands will create an opportunity to further enhance the values of the Mangawhero Stream corridor.
- The Pinoak tree corridor along the northern boundary of the site will be retained and further enhanced with additional native planting and rural planting to contribute to and provide an attractive gateway into Matamata.
- The plan change allows for the Mangawhero Stream to continue to act as the natural and logical 'end point' of the Matamata town.
- The landscape change extends into an area experienced as part of the township periphery and within the town landscape and is therefore seen as a logical extension of the town, rather than a disjointed urban development.

The character of the site will change, however it is considered that the change can be well integrated into the surrounding locality. Visual effects are assessed as follows.

²⁸ See section 4.8 of the ITA for further information



7.4.2 Visual Amenity Effects

Visual amenity effects do not necessarily result from a change in a landscape or outlook of a site itself. Visual effects are determined considering the nature of the proposal, the landscape absorption capacity and the character of the site and surrounding area. The effects are also considered in relation to the distance between a viewer and the proposed change, the complexity of the intervening landscape and the nature of the view.

The surrounding visual catchment consists of rural, residential and industrial land uses as well as users of State Highway 24. For the nearby viewing audiences adjoining the site the plan change will give effect to a high level of change from an open rural landscape to an urban landform comprising buildings of up to 12m high. The built form is complemented and interspersed with landscape planting, open space corridors and streets which will assist with the integration of new urban development into the surrounding environment. In relation to the wider viewing audience, the change in land use will be complemented by the surrounding wetland and stormwater treatment facilities, providing a degree of open space and maintenance of a semi-rural outlook, however the change to urban setting will still occur in a rural context.

Visual mitigation and integration of the proposed land use will be integral in minimising the visual effects anticipated to occur on the site. More specifically, Boffa Miskell has provided input into the development standards and DAP for the plan change so that those documents provide for:

- Retention and protection of the Pinoak trees along the northern boundary of the site adjoining Tauranga Road.
- Strengthen amenity planting along Tauranga Road to complement the Pinoak trees, by introducing native tree and shrub planting within land to be vested in Council as reserve.
- Management of built form, colour and signage along the Tauranga Road boundary, and the boundaries interfacing with rural and rural residential land uses.
- Integration of walking and cycling networks in the site.
- Inclusion of visual mitigation buffer planting treatment to the east, north and west boundaries.

Whilst these measures will assist with the mitigation of visual effects they will not remove the effect completely. It is considered that visual effects will therefore be minor.

7.4.3 Summary of Landscape Effects

Changing from an open space, rural landscaping to a built environment, in a location which is not necessarily earmarked for urban expansion will inherently result in adverse landscape and visual effects. Within the site's immediate locality, the effects will be experienced at a high level, however at a wider town context, the proposed urban expansion follows typical patterns of development in rural towns and will be experienced at a lower level. Further, the site responds well to the existing surrounding environment, interfacing with the existing industrial zoned area to the north, with the complementary land uses to the east and with the natural environment of the Mangawhero Stream to the east. It forms a logical extension of the Matamata township.

The integration into the existing environment, assisted by building design controls and boundary treatments, it is considered the adverse landscape and visual effects will be minimised. Over time, the land use change will form part of the urban landscape and will feature a high-quality industrial area.

The LVA within **Appendix F** sets out recommendations to be integrated into the development standards and DAP. Those measures are considered to be key design responses to manage the degree of effect. The recommendations will ensure that the character of the Matamata township is maintained and extended into this development and to ensure the development will integrate appropriately into the surrounding rural landscape.



For the above reasons, landscape and visual effects are considered to be acceptable and will be integrated into the landscape over time.

7.5 Archaeological, Historic and Cultural Effects

Archaeological effects are concerned with the potential to disturb archaeological material buried at the site. Heritage effects concern effects upon any established structures or values of the site that generate historic heritage value. Cultural effects concern effects of the plan change upon tangata whenua, including tikanga and Te Ao Maori in respect of the site and its taonga. This section assesses the effects of each of these aspects, drawing on the Archaeological Assessment within **Appendix K** and the Cultural Values Report within **Appendix M**.

While no earthworks are proposed as part of this plan change process, the plan change will enable development to occur on the site that will require earthworks to prepare for development and infrastructure. As such, a detailed assessment of the potential archaeological effects has been undertaken in relation to the eventual development of the site. The archaeological assessment included a survey of the NZ Archaeological Association records and the District Plan, a site walkover/inspection and subsurface testing and test pits were carried out to determine if there are any recorded or unrecorded archaeological deposits identified. The archaeological report confirms that there are no recorded archaeological sites within the proposed plan change area. Further there was no evidence of surface or subsurface archaeological features across the site in the locations where test pits were undertaken and in locations which had recently been ploughed. As a result, the potential for encountering unrecorded archaeological features on the site is low. While there is low potential for archaeological features to be uncovered, there is still potential for this to occur. As such, the archaeological assessment has recommended that any future works on the site be subject to avoidance and mitigation conditions relating to accidental discovery protocols. Accidental discovery will be implemented at the resource consent/development phase. For the above reasons, any archaeological effects associated with the proposed plan change are less than minor.

In respect of cultural effects of the plan change, a Cultural Values Assessment (CVA) (attached at **Appendix M**) has been prepared by Norman Hill on behalf of Ngāti Hauā and Ngāti Hinerangi Trust. Both Ngāti Hauā and Ngāti Hinerangi have identified that they have an unbroken link with the whenua, wai and environment in the area which the plan change relates. Following the provision of the CVA, Raukawa was subsequently identified as another group that should be party to the CVA. Through subsequent engagement Raukawa has confirmed that they are comfortable with the recommendation of the CVA and that an updated CVA would be prepared.

The CVA confirms the relevant iwi management plan is the Ngāti Hauā Environmental Management Plan. It also provides an overview of the cultural and environmental issues in relation to the plan change and subsequent development of the site covering matters such as kaitiakitanga of water, heritage and biodiversity. In relation to each of those matters a number of recommendations are made. The recommendations are accepted by Calcutta and will be implemented through the subsequent resource consenting, design and construction phases. Ongoing engagement will be undertaken with iwi during the plan change process and the subsequent development of the plan change area by entering into a Memorandum of Understanding (MoU) between the three parties. The MoU is currently with each party to be signed.

For these reasons, any adverse archaeological, historic heritage or cultural effects are considered to be less than minor and acceptable.



7.6 Ecological Effects

As set out through the above reporting, the Mangawhero Stream is located to the east of the plan change area and therefore has potential to experience adverse effects if stormwater runoff from the future development is not treated and controlled and if earthworks are not appropriately managed during the construction phase.

An ecological assessment of the proposed plan change has been carried to assess any potential effects on the Mangawhero Stream and its adjoining wetlands and riparian plantings. Refer to **Appendix H** for that assessment. In summary, the following conclusions are made:

- The proposed plan change is being designed to ensure that stormwater is contained, directed and treated to ensure that any contamination of water is substantially reduced or removed before it reaches and disposes into the Mangawhero Stream.
- Calcutta are also undertaking significant restoration and enhancement of the riparian vegetation and wetlands, in which has provided a high degree of improvement on the site already. This work will be supported by the stormwater network proposed to support the plan change.
- The stormwater management proposed, alongside the wetland and riparian planting adjacent to the Stream, will provide a high level of treatment to ensure the water quality of discharge to the Mangawhero Stream is of a high quality and that adverse effects are mitigated.
- The more consistent flow of water to the stream will provide benefits for the wildlife and overall habitat value of this site.

In relation to earthworks, the proposed plan change site, and therefore location of future earthworks, are significantly setback from the stream which will help to reduce the chances of sediment laden runoff into the stream and also reduce the risk of erosion of the stream and its banks. Further, best practice construction methodologies and appropriate erosion and sediment controls will be implemented on the site for the construction period to ensure that adverse effects on the stream environs are mitigated to the best extent practical and sediment laden runoff is not discharged into the stream. This can be enforced and monitored at the resource consent stage and during construction.

Overall, for the above reasons, it is considered that any adverse ecological effects on the Mangawhero Stream and environs, that arise from the plan change, are acceptable.

7.7 High Quality Soil Effects

As noted above the site is high quality soils. The reality however is that growth of the Matamata Piako District and its towns will be hamstrung if some development potential is not enabled on high quality soils, particularly since the margins of Matamata and Morrinsville consist of Class 1-3 soils (albeit only class 1 and 2 around Matamata). As shown in **Figure 11**, on the following page, the growth of Matamata would be constrained if highly productive soils are excluded from any further development. Furthermore, as noted in section 7.1.2 the land to the north-east, whilst Class 2 faces challenges to being developed for industrial landuses.

The rezoning will however result in the loss of 41ha of high quality soils, which is an irreversible loss.



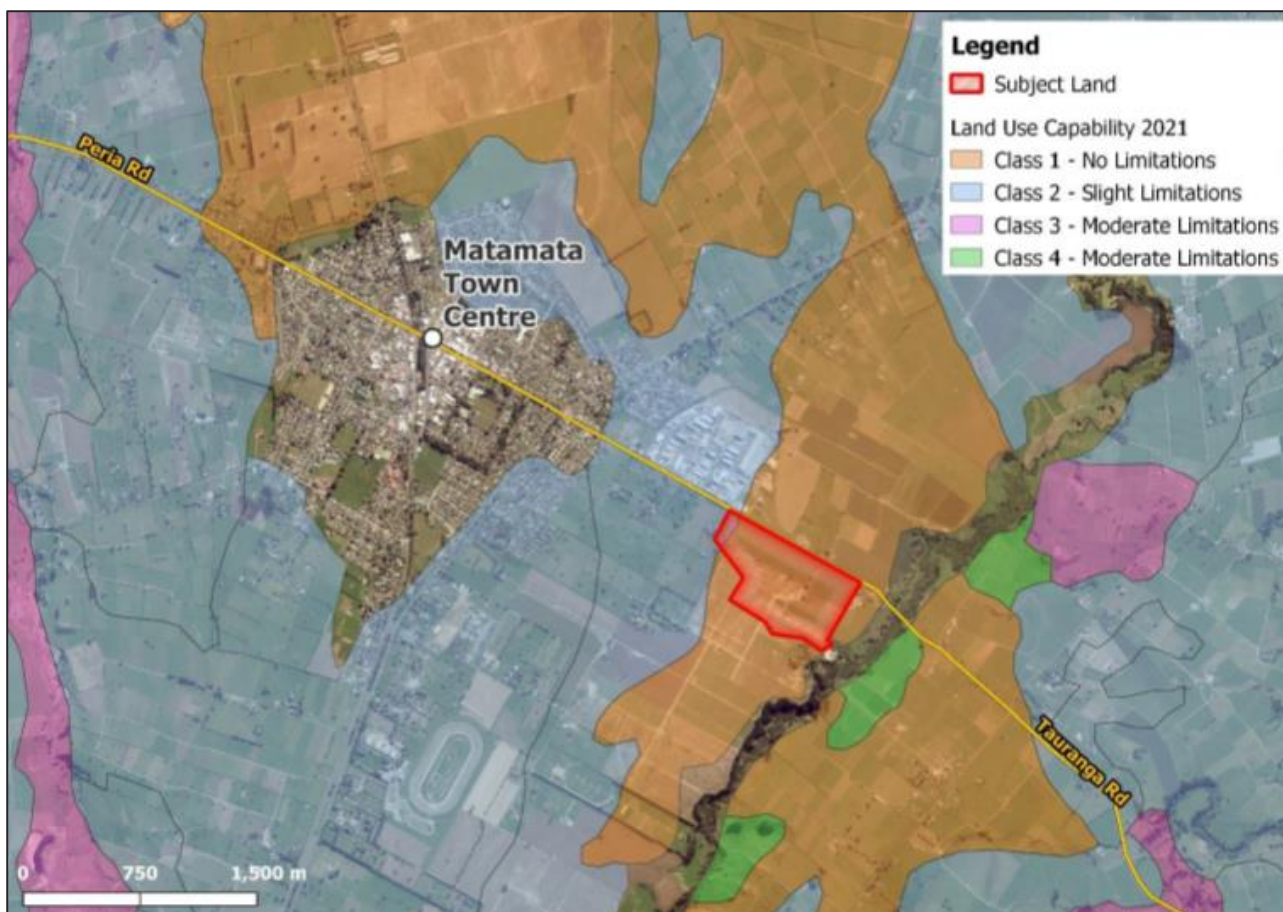


Figure 11: Land use capability around the plan change site

7.8 Risks from Hazards and Contamination

General site suitability for accommodating future industrial development has been considered in the Geotechnical Investigation Report (GIR) prepared by CMW Geoscience attached at **Appendix I**. The GIR confirms that the site is geotechnically suitable to accommodate the proposed industrial development, subject to recommendations which are reasonable and feasible at the time of developing the site.

In terms of the risks to the land from natural hazards, or by-products of natural hazards (namely earthquakes and flooding), the following conclusions have been made within the GIR. The conclusions are based on intrusive testing and laboratory analysis of soils extracted from the site:

- The likelihood of fault rupture affecting the site is assessed to be low risk, based on distance to nearest fault line and seismic performance testing of soils.
- The likelihood of soil liquefaction affecting the site is low however specific structural design for buildings in the south-east quadrant is recommended. This recommendation can be implemented at the time of resource consent and building consent for future development.
- The potential for lateral spread, slope instability or fill induced settlement is low and, in some cases, very low.
- Stormwater management for the development will outline strategies to ensure that the urbanisation of currently undeveloped areas does not create any future flooding within Matamata.
- Flood control will be applied on the site through attenuation of the overall flows within the wetlands and swales. The flood mitigation will allow for discharges to match pre-development flows for the 2-year and 10-year ARI design rainfalls and 8-% of the pre-development flows for the 100-year ARI event. Wetlands and swales will have sufficient storage to achieve the attenuation goals on the site.

Discharge into Mangawhero Stream gully area will be controlled through a specifically designed discharge device.

- Overland flow paths will be contained within future road reserves for any overland flow during events higher than the 10-year ARI event. The roads will convey overland flows to stormwater devices throughout the development.

In respect of potential sources of contamination affecting future residential occupation, this has been assessed in a combined Preliminary Site Investigation and Detailed Site Investigation (report attached at **Appendix J**). The PSI and DSI confirms that no contamination has been identified within the plan change area that presents a risk to the environment or human health requiring remediation.

For the reasons discussed above, the risk of adverse effects from natural hazards or contamination is considered to be suitably low at the site so as to be acceptable for industrial development.

7.9 Reverse sensitivity effects

Reverse sensitivity effects occur when new proposed uses are sensitive to or incompatible with established neighbouring uses and generate a risk of constraining or inhibiting established operations and uses at those neighbouring sites. In the context of an urban expansion into a rural area, common sources of reverse sensitivity include sensitivity to noises, odours, and pest management activities typical of working rural environments. For the purpose of this assessment, consideration is given to the noise effects from the land use change, as well as separation distance, compatibility of activities and what mitigation has been proposed.

To the north of the site is SH24. On the opposite side of SH24 to the northwest is industrial zoned land and to the north east is a mix of rural zoned land and designated land containing the sewage treatment plant and a buffer area between the plant and adjoining land (Designation 15), and the former landfill and refuse station (Designation 22). It is not considered that inappropriate reverse sensitivity effects will arise in relation to these land uses as the uses are compatible or are separated from the site by the state highway. From a noise perspective, the State Highway is predicted to have noise levels²⁹ at 63dB and 62dB $L_{Aeq(24hr)}$, so these levels will mask any long term industrial noise at 55dBA L_{Aeq} . The industrial noise effects will not give rise to inappropriate reverse sensitivity effects. Furthermore, mitigation of potential reverse sensitivity effects is enabled by suitable buffers/planting are proposed as set out in the DAP. This includes the retention of the Pinoaks on the site's frontage to State Highway 24 and the provision for additional planting and a 10m reserve in this location.

Adjoining the west of the site is newly subdivided rural residential sized lots, off Weraiti Drive. As separation between these land uses and the GIZ, the DAP includes a 40m buffer which will be a multi-purpose space, containing a landscape buffer strip on the western edge and a pedestrian path and stormwater swale within a future reserve network. This will provide a high level of screening and reduce any potential reverse sensitivity effects that may occur. From a noise perspective, the noise levels for the GIZ require noise levels to be measures at the point of potential effect (i.e. notional boundary) and to ensure that the noise levels enable an appropriate level of amenity.

To the east of the site is a rural sized lot containing the Matamata transfer station and gun clubs adjacent to the northern half of the plan change boundary and is otherwise vacant. Further east is the Mangawhero Stream and gully area. The transfer station and gun clubs are considered to be compatible land uses with industrial activities and will give rise to similar effects. As such, reverse sensitivity in this location is considered low. Furthermore, as this site contains no noise sensitive activities, no specific noise limits are required. Some planting is required, along a portion of this boundary to mitigate the wider visual effects of the plan change.

²⁹ Based on Waka Kotahi 2020 traffic flows.



To the south of the site is rural zoned land largely used for crop production. The effects arising from crop production on the adjoining land will be minor on industrial land uses and the associated potential for reverse sensitivity effects is not of such a magnitude that the proposed uses are incompatible in close proximity to each other. Further to this, the DAP has earmarked the land directly adjoining the site as being for stormwater management devices, including wetlands and swales. These features provide a buffer between the existing and proposed land uses. As with the properties to the west, the noise levels will be measured at the point of potential effect.

For the above reasons, the potential for reverse sensitivity effects can be managed and mitigated through provisions in the development standards, particularly the noise rules, and the DAP in terms of reserves location and planting to a level whereby any actual and potential reverse sensitivity effects are considered to be acceptable.

7.10 Social Effects

Social effects concern the intended and unintended social consequences (actual or perceived, positive and negative) of the proposed plan change, over and above effects to persons and communities covered elsewhere in this assessment. Such consequences can have impacts upon the social welfare and capital of communities integral to the plan change area. Important factors to social wellbeing include:

- Community cohesion and stability;
- Quality of living, way of life and material well-being of community members
- Accessibility to social/community facilities and services (social infrastructure such as schools, hospitals, parks, grocery/service convenience centres); and
- Culture and identity of an area and its residents.

The plan change will enable the construction of industrial land uses at the site, alongside various pedestrian connections and reserves to serve both stormwater and recreation purposes. Further to this, the industrial development is the first stage in an incremental development which will also include residential land uses to the general south of the plan change site. The plan change is therefore considered to result in a positive social effect allowing for appropriate development. As such, social effects are assessed below in respect of the construction period and the following permanent use of the site as proposed.

7.10.1 Social effects during construction

The primary sources of disruption to the established community of Matamata whilst construction of industrial buildings and land uses occurs would be in respect of noise and dust emissions, and traffic diversions. These effects are inevitable in the growth of a town or city and are required to be able to establish new development. It is well established throughout this report, and particularly within the economics assessment within **Appendix L**, that further industrial land capacity is required in Matamata, and that the subject site is suitable for this purpose. As such, temporary construction effects would not necessarily be unexpected or create unreasonable social effects.

It is also important to consider the short term nature of the temporary construction effects in any case. It is well-established that noise, dust and traffic effects can be addressed by future resource consents where best practice construction management will be implemented. These measures ensure disruption and inconvenience to the community in relation to these sources is mitigated to reasonable levels whilst facilitating construction. The above-identified important factors of social wellbeing are not considered to be unreasonably compromised during the construction period of development enabled by the proposed plan change.



7.10.2 Future social effects

There are number of key points to future social effects assessment (i.e. once the site is industrially occupied) as follows:

- The surrounding locality will experience more traffic on SH24, however the ITA has assessed that the additional traffic would be able to be accommodated by the existing transport network, subject to upgrades as recommended in the ITA.
- The proposed plan change would not create any obstacles or barriers to members of the community accessing community facilities. On the contrary, the proposed plan change would provide for further opportunity for recreation within the reserve space proposed and further connection to the Mangawhero Stream.
- The outlook of the site will change dramatically from its existing rural setting. However this change will be mitigated by proposed landscaping and boundary treatment to result in a high quality built environment.

Considering these circumstances, any adverse social effects of enabling development as sought by this plan change are considered to be acceptable.

7.11 Positive Effects

This plan change will allow for industrial development in a location which is suitable for such development and compatible with the existing natural and built environments. The plan change will result in the following positive effects:

- There is an established demand/shortfall in future industrial land in the medium to long-term. The rezoning of the Calcutta land will address this shortfall and provide additional capacity to meet the medium to long-term demand for the wider district, for at least the next two decades.
- The outcome proposed on the site is consistent with Matamata's current and future spatial economic structure and will form an agglomeration with Matamata's existing industrial land.
- The plan change will provide a substantial contribution to employment opportunities for Matamata.
- A high level of certainty of the development outcome to occur on the plan change site is afforded by the DAP provided with this application and to be included in the District Plan.
- The industrial land offering will provide social and economic support to the established community of Matamata.
- Restoration of, and better access to, natural features of the environment, namely the Mangawhero Stream.
- A pedestrian and cyclist friendly network of paths and external connections.

7.12 Conclusion on Environmental Effects

The environmental effects described in this report, have not identified that there are effects which are more than minor, or unacceptable, or that cannot be avoided in the growth of Matamata (i.e. loss of high quality soils). The effects are also consistent with that reasonably expected from urbanisation of rural land. This includes the resulting visual, amenity, character and transportation effects. Furthermore, any environmentally sensitive features/receivers are being addressed through the DAP, or those performance standards that address the rural/industrial interface. The infrastructure, geotechnical and contamination investigations have also confirmed there are not site constraints that would make the site unsuitable for the land use change. In terms of infrastructure servicing, the assessments also confirm there is a workable solution to service the plan change site. Most importantly, the plan change addresses an industrial land supply shortage for Matamata and the wider district as a whole.



8. Engagement

8.1 Matamata Piako District Council

Multiple meetings have been held with MPDC planning staff and other key personnel and drafts of the development standards, the CDAP and the technical reports have been shared with them. A collaborative approach has allowed for issues such as water and wastewater servicing are understood, and all parties are working on ways in which these can be resolved. The consultant team working on this plan change appreciate the constructive approach taken by MPDC staff to date.

8.2 Waikato Regional Council

Engagement with WRC staff, from their strategic, RUD and water allocations team³⁰ have been undertaken. This including the provision of some of the technical information prepared in support of the plan change and a meeting on the 26 November 2021. Whilst no formal feedback has been obtained yet, the key points discussed at the meeting on the 26 November 2021 included:

- An overview of Calcutta's vision, the plan change proposal and a summary of the infrastructure considerations that has been undertaken.
- A discussion about the groundwater take proposal and the transfer of some of the consented allocation to MPDC to provide potable water to the plan change site. The feedback on this point was that there was "no fatal flaws" with this approach and that Calcutta/MPDC would need to work with WRC around the appropriate consenting regime for transferring that allocation. This is likely to be a new consent, with Calcutta surrendering surplus allocation so that unnecessary allocation was not tied up. The term of the new consent would be guided by Policy 15 of Policy 13.3.3 and may be able to be more than 15 years, being a municipal supply.
- A discussion about the planning framework in terms of what activities would be provided for in the GIZ was also had.

On the 15 December 2021, high level feedback was received from WRC staff that raised the following points:

- The development is proposed to take place on highly productive soils. This is contrary to the WRPS, particularly Policy 14.2 and Section 6A development principle (j).
- Ensuring land use are compatible (WRPS Method 6.1.2, Section 6A (o)) in relation to reverse sensitivity effects.
- Ensuring that there are appropriate plans in place for public transport and active modes of transport.
- Ensuring that the solution for wastewater is appropriate.

These matters have been touched on in the effects assessment, the RPS assessment and the technical reports that support this plan change request.

After lodgement of the draft Plan Change further engagement with WRC staff and MPDC staff was undertaken for the purposes of understanding the water reallocation matter.

8.3 Nearby Landowners and Residents

In relation to nearby landowners and residents, Calcutta has circulated a Consultation Package to all adjacent landowners, in October 2021, and have offered those landowners the opportunity to meet and discuss the rezoning proposal.

³⁰ JP Silva, Brian Richmond and Cameron King



The 'adjacent landowners' described above, covers the following properties

- The rural-residential sections created by Calcutta off Werati Drive and Maea Lane;
- The rural properties directly west of the plan change site (owned by Willow Park Ltd and Ancroft Stud Ltd);
- The industrial properties directly opposite the plan change site;
- The rural properties directly opposite the plan change site down to the SH24 bridge; and
- The rural properties on the southern side of the Mangawhero Stream and opposite the plan change site.

To date, two of the adjacent landowners³¹ have been in touch and have raised the following comments/concerns:

- Noise, dust and visual pollution
- Timing of the development
- Protection of the trees along Tauranga Road
- Mitigation treatment i.e. what the buffers/reserves will look like.

Calcutta will continue to engage with these landowners, and others, as required, throughout the plan change process.

8.4 Mana Whenua

Consultation has been carried out as per section 4A of Schedule 1 of the RMA.

As noted earlier in this application, engagement with Ngāti Hauā Iwi Trust and Ngāti Hinerangi Trust was initially established through the preparation of the CVA contained in **Appendix M**. This CVA confirms that Ngāti Hauā and Ngāti Hinerangi are supportive of the plan change. The CVA also identifies specific recommendations that relate to the future development of the site. Those recommendations will be given effect to through future consents/engagement and do not require specific provisions to be put in place as part of PPC 57.

Following the preparation of the CVA, Raukawa was subsequently identified as another stakeholder that needed to have input into the CVA. Calcutta has been proactively engaging with Raukawa to update the CVA over the last 12 months, holding 2-3 monthly meetings. Raukawa has indicated that they are comfortable with recommendations within the CVA, but Ngāti Hinerangi, Ngāti Haua, Raukawa and Calcutta agreed to update the CVA to include reference to Raukawa. Unfortunately, Raukawa has not had capacity to facilitate this to date. Calcutta are committed to ensuring this is completed once Raukawa is in a position to do so.

As per the recommendations of the CVA, a memorandum of understanding was drafted in partnership with Ngāti Hinerangi, Ngāti Haua, Raukawa and Calcutta. The MOU is currently with each respective party to be signed.

As per the MOU, a quarterly meeting was held with TPNH, RCT and NHIT representatives to discuss the proposed plan change. The outcome of this meeting was for the representatives to be invited to attend and contribute to a design meeting planned to reconcile feedback from technical experts. Calcutta committed to providing a full package of technical information for review.

Engagement with Ngāti Hauā, Ngāti Hinerangi and Raukawa will continue to be undertaken through the plan change process and further throughout the development of the land within the plan change area.

³¹ 195 Tauranga Road and one of the rural-residential sections



8.5 Waka Kotahi

As the site directly adjoins a State Highway network, engagement with Waka Kotahi has been initiated and has included:

- A preliminary meeting in May 2021 to discuss the access options for the plan change.
- Feedback from Waka Kotahi as a result of the above meeting³².
- Provision of a concept plan in September 2021 that set out the proposed location and the roundabout and design assumptions.
- Feedback from Waka Kotahi on the draft concept plan.
- Provision of the draft ITA on the 10 November 2021.
- Feedback from Waka Kotahi on the draft ITA as received on the 25 January 2022.
- Provision on an updated ITA on the 4 May 2022.
- Feedback from Waka Kotahi on the updated ITA as received on the 26 May 2022.
- Provision of v4 of the ITA on the 8 July 2022.

The feedback from the above engagement has shaped the access arrangements that are set out in the ITA in **Appendix E** and has sought to address the following feedback received:

- Traffic movement function of SH24 protected and enhanced where possible through the reduction of the number of access points.
- The location of access points should be safe (first) and efficient (second).
- It is preferred that additional vehicle movements to or from SH24 are located closer to the existing urban perimeter, rather than further away and could be located such that they service the Calcutta land to the south and the MPDC land to the north.
- The access should not be a priority-controlled intersection and a roundabout is preferred.
- Having a priority-controlled intersection in close proximity to the refuse transfer station access is undesirable because of the existing operating speeds on SH24.
- Provision be made for active mode road users to access the Calcutta site prior to the roundabout.

Engagement with Waka Kotahi will continue as we work through the plan change process.

³² Email from Emily Hunt dated 10 June 2021



9. Assessment of Statutory Documents

Section 75(3) of the RMA states that a District Plan must give effect to any national policy statement; any New Zealand coastal policy statement; and any regional policy statement. Section 73(4) of the RMA states that a District Plan must not be inconsistent with a water conservation order; or a regional plan for any matter specified in s30(1).

The following assessment sets out how the proposed Plan Change gives effect to the documents set out below which have been identified as relevant:

- National Policy Statement on Urban Development Capacity (2020)
- National Policy Statement on for Freshwater Management (2020)
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- Resource Management (National Environmental Standards for Assessing and Managing Contamination in Soil to Protect Human Health) Regulations (2011)
- National Planning Standards (2019)
- Waikato Regional Policy Statement (2016)

The following assessment also sets out how the proposed Plan Change is not inconsistent with the documents set out below:

- Waikato Regional Plan.

9.1 National Policy Statements and National Environmental Standards

There are five national policy statements that are currently in place covering matters such as urban development, freshwater, renewable electricity generation, electricity generation and the coastal environs. Only two of these policy statements are relevant to this plan change, being the National Policy Statement on Urban Development (NPS-UD) and the National Policy Statement for Freshwater Management (NPS-FW). These are assessed below.

It is also noted that two further national policy statements are proposed, one relating to indigenous biodiversity and another relating to highly productive land, both of which are expected to be released in the later parts of 2021. Whilst, only in draft form, the following also provides some high-level comments on the likely relevance of the proposed National Policy Statement for Highly Productive Land (Proposed NPS-HPL).

9.1.1 National Policy Statement on Urban Development (2020)

The NPS-UD came into effect on the 10 of August 2020 and replaces the National Policy Statement on Urban Development Capacity 2016. The NPS-UD applies to all local authorities that have all or part of an 'urban environment' within their district³³. An urban environment in turn is defined as any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that is, or is intended to be, predominantly urban in character and part of a housing and labour market of at least 10,000 people³⁴.

MPDC has recently undertaken an exercise to determine whether the populations of Morrinsville and Matamata have a growth trajectory to being over the 10,000 people threshold. The results of that exercise as they relate to Matamata can be summarised as follows:

- The population of Matamata, as currently defined within the Stats NZ urban boundary (as estimated in 2020), is 8,500.

³³ Clause 1.3, NPS-UD

³⁴ Clause 1.4, NPS-UD



- Planning for development has been taking place in Matamata. Whereby approximately 1200 additional dwellings are in the pipeline, being approximately an additional 2,520 people (based on 2.1 persons per household).
- This means that the projected population of the Matamata urban area is expected to grow to approximately 11,020.

For these reasons, Council has recently resolved that Matamata is an 'urban environment' and is subject to the NPS-UD. It is therefore appropriate to consider the consistency of the proposal with the provisions of the NPS-UD.

The NPS-UD includes several objectives that are relevant to this plan change. They are:

Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety, now and into the future.

Objective 2: Planning decisions improve housing affordability by supporting competitive land and development markets.

Objective 4: New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people and communities and future generations.

Objective 6: Local authority decisions on urban development that affect urban environments are;

- (a) Integrated with infrastructure planning and funding decisions; and*
- (b) Strategic over the medium term and long term; and*
- (c) Responsive, particularly in relation to proposals that would supply significant development capacity.*

Objective 8: New Zealand's urban environments:

- (a) Support reductions in greenhouse gas emissions; and*
- (b) Are resilient to the current and future effects of climate change.*

These objectives are supported by several relevant policies that refer to enabling a variety of sites suitable for business sectors (Policy 1(b)), having good accessibility between housing, jobs and community (Policy 1(c)), supporting the competitive operation of land and development markets (Policy 1(d)) and being responsive to plan changes that would add significant development capacity, even when it is out of sequence with planned land release (Policy 8(b)). There are also three policies that directly relate to Tier 3 local authorities, as follows:

Policy 2: Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

Policy 10: Tier 1, 2, and 3 local authorities:

- (a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and*
- (b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and*
- (c) engage with the development sector to identify significant opportunities for urban development.*

Policy 11: In relation to car parking:

- (a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and*
- (b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*



The proposal is for a release of capacity of industrial land. While the site is not specifically planned for growth or industrial development, due to lack of forward planning for business land, the supporting information to this plan change has determined that further industrial land is required to meet the projected demand in the medium and long term in Matamata and the wider district. Further the various technical reports confirm that the subject site is a suitable location for such a development and has no fundamental constraints (i.e. is suitable). The Infrastructure Assessment has also confirmed that there is a workable infrastructure solution so that its infrastructure ready, as per the likely timing set out in section 7.1.3 above.

The site is also located adjacent to the existing industrial area in Matamata, allowing for the effects of industrial activities to be grouped in the same location rather than spread across the town, and further allows for agglomeration benefits where linkages with other businesses can be established (i.e. supplier, distributor, inputs). Further to this, the site is well located in respect to strategic transport routes connecting with other key employment areas, particularly to Tauranga via SH24.

The plan change provisions allow for future subdivision and development to provide for a variety of sites to suit a variety of businesses. Further, infrastructure investigation has been undertaken to confirm that there is a workable solution to ensure that future development can be appropriately serviced, therefore allowing for an integrated development.

Further to the above, this plan change precedes a series of plan changes and resource consent applications to develop the adjacent land to the south as per Calcutta's vision. This big picture thinking and masterplanning will provide for a significant contribution to land supply and housing capacity for Matamata and the wider district.

For the reasons discussed above, the proposed plan change would positively address and be consistent with the principles of the NPS-UD.

9.1.2 National Policy Statement on Freshwater Management 2020 (NPS-FM) and National Environmental Standards for Freshwater 2020 (NES-F)

The NPS-FM and NES-F came into effect on the 3 of August 2020 and replaces the National Policy Statement for Freshwater 2014, and applies to all freshwater. This instrument is premised on the concept of 'Te Mana o te Wai', being the fundamental concept of the NPS and refers to the fundamental importance of water and the role that its good health plays within the wider environment and in protecting the mauri of water and mana of tangata whenua as kaitiaki. The NPS-FM therefore has an overarching objective of ensuring that natural and physical resources are managed in a way that prioritises:

- (a) first, the health and well-being of water bodies and freshwater ecosystems,
- (b) second, the health needs of people and
- (c) third, the ability of people and communities to provide for their social, economic and cultural well-being now and into the future.

The Mangawhero Stream has been assessed in light of the NPS-FM and NES-F within **Appendix H** of this report. In this instance, the stream and the wetlands are all setback a significant distance (exceeding 100m) from the plan change area, and therefore any future works. Further to this, the proposal has included best practise stormwater management to ensure that discharges into the stream and surrounding wetlands do not adversely affect the water quality and stability of the stream banks.

The delivery on the outcomes sought by the NPS-FM will further be demonstrated at the regional consent stage of the future development, however the proposed plan change is considered to be consistent with the provisions of the NPS-FM by way of avoiding the loss of watercourses and providing for the creation of wetlands.



9.1.3 Proposed National Policy Statement – Highly Productive Land (proposed NPS-HPL)

The proposed NPS-HPL seeks to protect the loss of more of our productive land and promote its suitable management. The overall purpose of the proposed NPS-HPL is to improve the way highly-productive land is managed under the RMA to:

- Recognise the full range of values and benefits associated with its use for primary production;
- Maintain its availability for primary production for future generations; and
- Protect it from inappropriate subdivision, use and development.

With this framework in mind, the NPS-HPL is likely to require local authorities to identify highly productive land based on a set of defined criteria and will require Councils to balance the trade-off's between protecting highly productive land for primary production while providing for greater urban capacity. It is not expected that the 'maintain' purpose above will require a 'no net loss' requirement, as absolute protection is not always appropriate, but it will provide a clear direction that urban development should be avoided on highly productive land where a more appropriate option exists³⁵.

It has been signalled that the NPS-HPL will not apply to land already zoned for urban use³⁶ and it is the preferred option that it will also not apply to future urban zones identified in District Plans³⁷. This is to ensure the NPS-HPL does not undermine existing work Councils have done with their communities to plan for, and accommodate, future urban growth.

The site is not an identified growth area or zoned for urban development because Matamata's growth study dates back to 2013 and in some instances is out of date/has been superseded by other decisions around residential growth. That being said, the land adjoins the existing Matamata urban area (as signalled with the Future Residential Policy Area overlay) and is directly adjacent to the existing industrial land within Matamata. The assessments within the appendices identify that the site is a suitable location for such a development, that Matamata requires further industrial land capacity and as demonstrated in Figure 11 above only development of Matamata will be constrained to its existing urban form if high quality soil is not converted into alternative landuses. The site is also surrounded by an abundance of farm land and productive uses in which does not form part of this application.

Overall, the NPS-HPL is still currently in draft form and the Ministry for the Environment are currently reviewing submissions. Therefore, this NPS has not come into effect and is technically not relevant. If it did have affect, then the question of primacy over the NPS-UD would also come in to play, particularly since Council's recent Business capacity assessment has confirmed a short-fall in industrial land supply.

³⁵ Proposed National Policy Statement for Highly Productive Land – Cabinet Paper, paragraph 47.

³⁶ Proposed National Policy Statement for Highly Productive Land – Cabinet Paper, paragraph 54.

³⁷ Proposed National Policy Statement for Highly Productive Land – Cabinet Paper, paragraph 56.



9.2 National Environmental Standards

There are nine National Environmental Standards (NES) currently in place covering matters such as contamination, air quality, electricity transmission activities, freshwater, marine aquaculture, plantation forestry, drinking water, storing of outdoor tyres and telecommunication facilities. The only NES potentially relevant to this plan change is the National Environmental Standard for Assessing and Managing Contamination in Soil to Protect Human Health (NES-CS). This NES is assessed below.

9.2.1 National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

The NES-CS came into effect on 1 January 2012. The NES-CS provides a nationally consistent set of planning controls and soil contaminant values and ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use. The NES-CS is not directly applicable at the plan change stage, as it is assessed at the time of future subdivision or development. That being said, this plan change application is supported by technical assessments for site contamination. Those assessments confirm that none of the site constitutes 'a piece of land' under the NES-CS. In practice this means the site does not require remediation to safely accommodate the intended use (industrial).

9.3 National Planning Standards

This plan change has been designed to give effect to the National Standards in accordance with Sections 58B to 58J of the RMA. Given that the balance of the MPDP is yet to be reviewed, there is a need to provide separate definitions and rule provisions for the proposed GIZ and associated rules until such time as the District Plan is reviewed as a whole.

9.4 Waikato Regional Policy Statement (2016)

The RPS aims to achieve integrated management and protection of Waikato's natural and physical resources by identifying and addressing resource management issues within the region. The RPS must give effect to National Policy Statements, however the NPS-UD post-dates the RPS so it does not reflect it. The NPS-UD is assessed in Section 9.1 above. The RPS covers off various different issues, however the main issues of relevance for this development include:

- The management of the Built Environment (Issue 1.4)
- The relationship of tangata whenua with the environment (Issue 1.5)

Following on from these issues, there are various objectives and policies of relevance to this application. These are identified and assessed as follows.

The RPS takes a strong lead in ensuring development of the built environment is planned and coordinated, including the coordination of new development with infrastructure. Key objectives and policies relating to the built environment include the following:

- Objective 3.1 – Integrated management
- Objective 3.12 – Built environment
- Objective 3.14 – Mauri and values of fresh water bodies
- Objective: 3.21 – Amenity
- Objective 3.26 – High class soils
- Policy 6.1 – Planned and co-ordinated subdivision, use and development



- Policy 6.3 – Co-ordinating growth and infrastructure
- Policy 14.1 – Maintain or enhance the life supporting capacity of the soil resource
- Policy 14.2 – High class soils

The above objectives and policies aim to ensure that the built environment is planned and coordinated, including coordination with the provision of infrastructure. The above also seeks to ensure that land use conflicts are minimised, the qualities and characteristics of areas and features, that contribute to amenity are maintained or enhanced and that the value of high class soils for primary production is recognised and high class soils are protected from inappropriate subdivision, use or development.

The proposed plan change is a result of various investigations regarding the optimal use of the subject site and has been prepared in accordance with various technical inputs to ensure that the development outcome is co-ordinated with the existing natural and built environment and with infrastructure provision. Overall, it is concluded that the site is suitable for industrial development and can be appropriately serviced without adversely affecting the existing Council reticulation or the Mangawhero Stream adjoining the site.

This plan change has further developed a DAP to guide future development of the site, providing certainty for development outcomes, rather than disjointed, ad-hoc development which would occur if a plan change on its own was undertaken with no supporting DAP (or Structure Plan).

Objective 3.21 is a very broad-based provision regarding amenity values. The Applicant, in consultation with Council, has been mindful of the existing character and amenity values of Matamata in developing the performance standards for land use activities within the new GIZ. The plan change has consequently given particular regard in treatment of the periphery of the plan change area, the entrance to Matamata and reverse sensitive effects. In this respect, it is proposed to implement extensive boundary treatment around all boundaries of the site, including buffers (where required), landscaping and the integration of stormwater features (wetlands, ponds, swales etc) to enhance amenity values at the property boundaries. These features will provide a high level of screening of future built form within the plan change area, will provide separation between the industrial land uses and the adjoining non industrial development. The proposed new plan objectives, policies and rules have also ensured that care has been taken in setting to maintain a sense of the existing character of Matamata and in particular the entrance to Matamata.

The Infrastructure Report at **Appendix D** and the ITA at **Appendix E** demonstrate that the site can be appropriately serviced a workable three waters and transportation network. The proposed roundabout connecting the site to SH24 is a suitable option to service the site and has the potential to enhance access to the existing industrial zoned area to the north. Whilst the finer details of the three waters infrastructure still need to be worked out, the proposal is, in principle, consistent with the objectives and policies relating the co-ordinating land use and infrastructure planning.

Objective 3.26 concerns the value of high class soils, and the protection of such from inappropriate development. The plan change area contains Class 1 soils. Class 1 soils meet the definition of 'high class soils'. The loss of high class soils in this instance is unavoidable as all of the surrounds of Matamata are high class soils, as shown in Figure 11. Without the loss of high class soils there would be no way to address the identified capacity shortfall, particularly since industrial supply and land use is land hungry and does not respond to intensification opportunities in the same manner residential does.

Other RPS objectives and policies of relevance include:

- Objective: 3.9 – Relationship of tangata whenua with the environment
- Objective: 3.14 – Mauri and values of fresh water bodies



The proposed plan change area has currently been defined as having low ecological values and the site will be subject to restoration projects to enhance the existing watercourses adjoining the site. The runoff into the Mangawhero Stream will be controlled and treated to a high standard to enhance the quality and values of the stream. Consultation with tangata whenua has been undertaken on PPC 57, specifically engagement with Ngāti Hauā Iwi Trust, Ngāti Hinerangi and Raukawa. The outcome of this engagement is that iwi do not oppose proposed PPC 57, subject to some recommendations that relate to the development of the site and can be implemented at the time of development.

For the above reasons, PPC 57 gives effect to the relevant policies of the RPS.

9.5 Waikato Regional Plan

The Waikato Regional Plan (Regional Plan) became operative on 28 September 2007 and subsequently there have been a number of variations to the Regional Plan. Section 75(4) of the RMA states that the District Plan must not be inconsistent with a Regional Plan.

The Regional Plan provides further policy direction to give effect to the RPS relating to matters within the scope of Regional Council function under the RMA. As such, the Regional Plan provides more detail regarding the management of the regional matters, including:

1. Approaches to Resource Management
2. Matters of Significance to Maori
3. Water Module
4. River and Lake Bed Module
5. Land and Soil Module
6. Air Module
7. Geothermal Module.

The provisions of the Regional Plan have been taken into account with the preparation of the provisions that support the plan change. It is considered that there are no issues arising with the proposed changes in terms of consistency with the Regional Plan. Resource consents will be required from the Regional Council prior to construction on the site being undertaken. Those consents will include a detailed assessment of the activity's consistency with the Regional Plan.



10. Tangata Whenua Legislative Context

10.1 Ngāti Hauā Claims Settlement Act 2014

The Ngāti Hauā Claims Settlement Act 2014 was enacted December 2014 with the purpose of addressing the breaches of the Treaty of Waitangi and implementing an agreement and understanding moving forward. The settlement legislation includes an apology from the Crown, an agreed historical account, cultural redress as well as financial redress.

The intent of the settlement legislation is to foster a respectful and meaningful relationship between Ngāti Hauā and the Crown and to ensure Ngāti Hauā are involved in a constructive manner in regard to decision making and the development on land within their rohe moving forward.

The entirety of Matamata is identified as being within the Ngāti Hauā Area of Interest as defined through the settlement legislation.

Ngāti Hauā have developed an Environmental Management Plan which articulates the values, frustrations and aspirations of the iwi and addresses, the health and wellbeing of land and waterbodies within the rohe. This EMP is assessed in more detail below.

The values of Ngāti Hauā have also been addressed through engagement with Ngāti Hauā and communicated through the CVA within **Appendix M**. Ongoing engagement with Ngāti Hauā will be undertaken through the plan change process and further throughout the development of the land within the plan change area.

For the above reasons PPC 57 provides opportunities to Ngāti Hauā to give effect to this Settlement Act.

10.2 Ngāti Hinerangi Claims Settlement Act 2021

The Ngāti Hinerangi Claims Settlement Act 2021 addresses the historical breaches of the Treaty of Waitangi and gives effect to matters contained in the deed of settlement signed between the Crown and Ngāti Hinerangi. The settlement legislation sets out the Crown's apology, cultural redress and commercial redress.

The entire Matamata area is within the Ngāti Hinerangi area of interest.

The values of Ngāti Hinerangi have been addressed through engagement with Ngāti Hinerangi and communicated through the CVA. Ongoing engagement with Ngāti Hinerangi will be undertaken through the plan change process and further throughout the development of the land within the plan change area.

10.3 Raukawa Claims Settlement Act 2014

The Raukawa Claims Settlement Act 2014 was enacted in 2014 with the purpose of addressing the breaches of the Treaty of Waitangi and implementing an agreement and understanding moving forward. The settlement legislation includes an apology from the Crown, an agreed historical account, cultural redress as well as financial redress.

Matamata is identified as being outside of the area in which Raukawa are practising contemporary kaitiakitanga, however remains as an area of interest for Raukawa.

Raukawa have developed an Environmental Management Plan, in which serves two primary purposes. Firstly, the Plan provides a statement of Raukawa values, experiences, and aspirations pertaining to the use and management of their environment and secondly, to proactively and effectively engage in and shape current



and future policy, planning processes, and resource management decisions. The Raukawa EMP is assessed in more detail below. Engagement with Raukawa has also confirmed they are not opposed to the land use change.

For the above reasons PPC 57 provides opportunities to Raukawa to give effect to this Settlement Act.

11. Non-Statutory Matters

11.1 Waikato Tainui Environmental Management Plan

Waikato-Tainui Te Kauhanganui Incorporated is the iwi authority for Waikato-Tainui and the author of Ta Tumu, Tai Pari, Tai Ao (the Waikato-Tainui Environmental Management Plan – WTTP). The WTTP contains the aspirations of iwi and was developed from Whakatupuranga 2050, a long-term development approach to building the capacity of Waikato-Tainui Marae, hapu and iwi. The WTTP sets out regional issues, objectives, policies and methods; designed to enhance Waikato-Tainui participation in environmental management. The goal of Waikato-Tainui is to ensure that the needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach of environmental enhancement.

The WTTP provides a background to and identifies key resource-based issues for Waikato-Tainui. The plan sets out Waikato-Tainui's vision statement for environmental and heritage issues and key strategic objectives such as tribal identity and integrity, including "to grow our tribal estate and manage our natural resources". The plan is designed to enhance Waikato-Tainui participation in resource and environmental management.

Section D of the plan addresses specific elements of natural resources and the environment and sets out specific issues, objectives, policies and methods for specific environmental areas. It is considered that the development will be consistent with the WTTP for the following reasons:

- There is a viable solution for both wastewater and stormwater treatment and disposal as set out in the above reporting and the attached Infrastructure Assessment (**Appendix D**). The specific approach to treatment and discharge will be further subject to regional council consenting and confirmation through engagement with Council as the plan change progressed and the site is subsequently developed.
- Specific development activities will be subject to further resource consent processes to ensure adverse effects of construction activities are appropriately managed.
- The plan change site is outside of the Waikato River catchment and is therefore growth in this location will not affect the Waikato River.

On the basis of the above assessment, it is concluded that the proposed development will be consistent with the objectives and policies of the WTTP.

11.2 Ngāti Hauā Environmental Management Plan

The Ngāti Hauā Environmental Management Plan has been developed by Ngāti Hauā Iwi Trust in partnership with Ngāti Hauā marae. The Plan expresses Ngāti Hauā values in relation to the health and wellbeing of their lands, air, waters, wetland and fisheries, urban development within the rohe, cultural heritage and customary activities, and the use and development of Maori land including marae, urupa and papakainga.

The plan outlines ways to support and enhance Ngāti Hauā as tangata whenua and enhance their role as kaitiaki. The plan further specifies priority projects and expectations of consultation undertaken by others with Ngāti Hauā.

The Plan is split into various parts, with Part 3 outlining the policies of the Plan and Part 4 outlining the implementation of the Plan. The applicant recognises the importance of the Ngāti Hauā Environmental Management Plan, particularly in relation to implementing it in developments undertaken within the rohe. Part 4 outlines that engagement with Ngāti Hauā, and implementation of accidental discovery protocols are key to implementing the Plan and are two implementation methods the applicant is able to undertake.



Early engagement with Ngāti Hauā has been undertaken regarding this project. That engagement is recorded in the CVA within **Appendix M**, whereby they have signalled that they support the plan change. Accidental discovery protocols can be implemented at the time of development the site once the rezoning is successful.

For the above reasons, it is concluded that the plan change application has given consideration to the Ngāti Hauā Environmental Management Plan and is consistent with the implementation of that Plan.

Overall, PPC 57 is consistent with the Ngāti Hauā Environmental Management Plan.

11.3 Raukawa Environmental Management Plan 2015

Te Rautaki Taiao a Raukawa (the Raukawa Environment Management Plan) was prepared by Raukawa Charitable Trust on behalf of Raukawa Iwi. The overall purpose of the plan is as follows:

1. Provide a statement of Raukawa values, experiences, and aspirations pertaining to the use and management of our environment.
2. Assist Raukawa to pro-actively and effectively engage in and shape current and future policy, planning processes, and resource management decisions.

The plan is generally split into four sections.

Section 1 provides a narrative of Raukawa history and traditions, including specific areas of importance to Raukawa. Those specific areas include Te Kaokaoroa o Patetere, Te Pae o Raukawa, Wharepuhunga and Maungatautari. Matamata (including the subject site) sits just outside of these specific areas, however is still identified as an area of interest. The proposed plan change is therefore considered against the remaining three sections of as follows.

Section 2 sets out the Raukawa Policy. The relevant key objectives and policies cover key issues relating to:

- Water (safeguarding the mana and mauri of water, Raukawa kaitiaki relationship with waters is respected, and supported, and restoration and protection of the health and well-being of the Waikato, Te Waihou and Upper Waipa Rivers).
- Land (protection of land and the mauri and mana of land enhanced, with concerns raised regarding vegetation clearance, drainage of wetlands, discharge of contaminated water to land and water, land use capabilities and protection of soil health).
- Wetlands (coordinated programme of creation, restoration, enhancement, and protection of wetlands).
- Infrastructure (providers of infrastructure understand Raukawa values and interests and Raukawa cultural values and associations are protected and provided for in infrastructure and development).

It is considered that the development is consistent with the key objectives of the overall Raukawa Policy. Infrastructure has been designed to ensure that effects on land and water as a result of the intensification of development on the site are appropriately managed and minimised. The proposed infrastructure will provide for a high level of water quality prior to discharge into land or water. Stormwater is proposed to be managed via a series of devices, including proposed new wetlands. Overall, the proposal is considered to be consistent with this section of the Raukawa Environmental Management Plan.

Section 3 of the plan sets out how the plan was developed. No assessment against this section is necessary.

Section 4 is made up of a number of appendices to the plan which contain various supporting documents. No assessment against this section is necessary. Overall, PPC 57 is consistent with the Raukawa Environmental Management Plan.



11.4 Waikato Regional Land Transport Strategy 2011-2041

The Regional Land Transport Strategy (RLTS) emphasises the need for integrated development. The “vision” and desired “outcomes” can be summarised as follows:

- Vision:
 - An affordable, integrated, safe, responsive, and sustainable land transport system that enhances the environmental, economic, social, and cultural wellbeing of the population.
- Outcomes:
 - An integrated transport system that supports economic activity and provides for efficient movement of people and goods;
 - Safety and security across all modes of travel;
 - An inclusive, accessible, and affordable transport system;
 - A well-connected transport system that enables positive public health outcomes;
 - An environmentally sustainable, resilient, and efficient transport system;
 - An integrated multi-modal transport system supported by land-use planning, and enabled by collaborative planning and partnerships.

PPC 57 maintains a safety and security approach across all modes of travel. All new subdivision and development within the site will need to comply with the performance standards and assessment criteria proposed as part of this plan change, including being in general accordance with the DAP, which provides a high level of certainty of the outcome on the site, including connection points to the wider transportation network and provision for pedestrian connections. There are also relevant existing provisions in the District Plan which development will need to comply with, particularly Section 9 – Transportation.

No inconsistencies between the Waikato Land Transport Strategy and the outcomes sought in this plan change have been identified.

11.5 Matamata Piako District Council Town Strategies 2013 – 2033

The MPDC developed Town Strategies for their three main towns, Morrinsville, Matamata and Te Aroha. The town strategies were developed to give further consideration to the urban component of the Matamata Piako District Growth Strategy developed in 2009. The Town Strategies were developed in 2013, therefore they, alongside the District Growth Strategy, are considered to be outdated.

Generally, the town strategies provide a spatial framework for the development of each town in terms of the preferred location of future land-uses, and the integration of the land-uses with transport and other infrastructure.

The key points of the Matamata Town Strategy, relevant to this plan change, are that:

- The population of the town was estimated to increase by about 50 persons a year, to a total of 7,831 by the year 2033.
- There is a total supply of 12ha of vacant industrial land and it is estimated that there will be demand for 21ha of industrial land by 2033. This gives rise to a shortfall of 9ha of land zoned for industrial purposes, with the additional land required by approximately 2025.
- The constraints to development include three waters, high quality soils, state highways, the railway line and the Mangawhero Stream.
- In relation to development options to address the shortfall, the Strategy identified three areas for industrial expansion. The location of these areas is shown in **Figure 10**, and including land east of the



existing industrial zone, land south of the existing industrial zone on the opposite site of SH24 and opposite the racecourse.

- The preferred option (shown in solid purple) was the land to the east, adjacent to the existing industrial area because it was well separated from residential areas and is contiguous with the existing industrial development. Consequently, this land is now zoned Industrial.

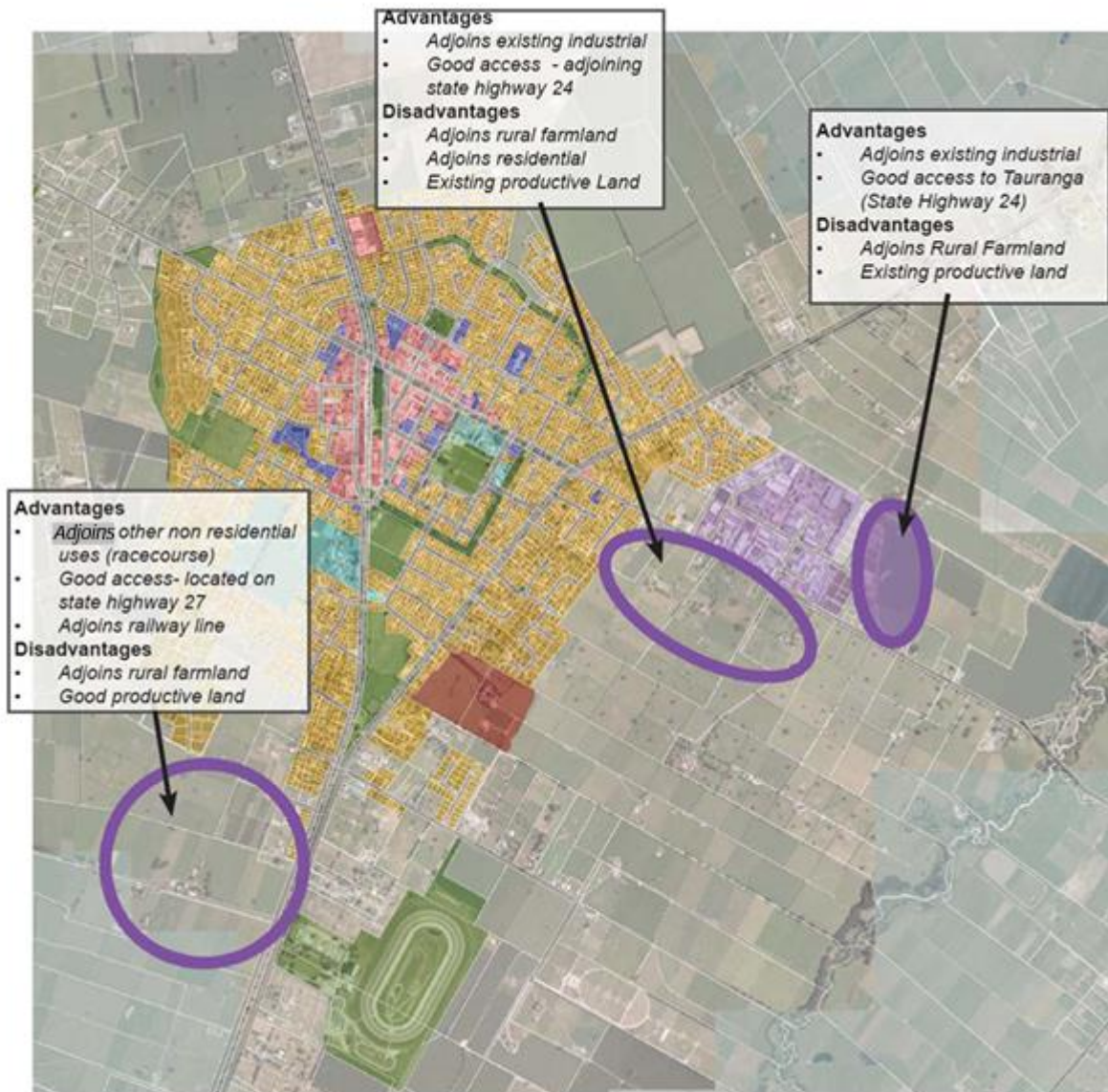


Figure 10: Development Options for Industrial Expansion

As highlighted by the conclusions of the Economic Assessment, it is considered that the Town Strategies, and the wider District Growth Strategy are outdated, particularly when considered against the new NPS-UD, and on the basis that some of the land identified for industrial is currently available now, or has been repurposed for residential growth. That being said, this plan change gives effect to the following aspects of that strategy:

- A compact urban form through locating the industrial offering adjacent to Tauranga Road;
- Provision for continuous pedestrian links and cycleways to connect the site with the wider network; and
- Integrating land-use with infrastructure through the strategies for water and wastewater that are set out in this plan change.
- The loss of high quality soils which would have been the case with any of the pockets of land identified for industrial growth.

12. Notification

Plan Changes are subject to a notification process, as set out in Schedule 1 of the RMA. Clause 5A of Schedule 1, enables private plan changes to be subject to limited notification. The test for limited notification (as set out in Clause 5A(2)) is that the local authority may limited notify a private plan change but only if it is able to identify all the persons directly affected by the proposed change. Whilst, it may be able to ring fence the likely affected parties in relation to their proximity to the site, due to the scale of the plan change and the nature of the changes sought (i.e. new zoning framework), it is likely that public notification would be a more appropriate outcome.



13. Part 2

All plan changes are subject to the Purpose and Principles of the RMA (sections 5-8) with the overriding purpose being “to promote the sustainable management of natural and physical resources”. This is of course also subject to the *King Salmon* caveats discussed in section 4.1 above. Sustainable management is defined as:

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

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

The plan change is considered to achieve the overall purpose of the RMA. The evaluation of costs and benefits in **Appendix C** of this report outlines how the social, economic and cultural wellbeing of people and communities are provided for. In particular:

- The plan change will allow for industrial development that addresses both the medium and long term deficiencies in supply, in which has been identified there is a forecasted shortfall.
- Adverse effects of the rezoning can be avoided, remedied or mitigated and are considered to be acceptable. Refer section 7 of this report for the assessment of effects.
- The performance standards and supporting DAP identifies the key transportation, infrastructure and reserve requirements to ensure an attractive and efficient layout of future development and to maintaining amenity and the rural interface.

Section 6 includes Matters of National Importance that are required to be recognised and provided for. Only the following are considered to be relevant to this plan change:

- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga

Consultation with tangata whenua has been undertaken regarding the plan change. That engagement is recorded in the CVA within **Appendix M** and subsequent engagement, whereby they have signalled that they support the plan change. This engagement and feedback confirms a consistency with item (e).

There are matters in Section 7, Other Matters, and Section 8, Treaty of Waitangi, that are relevant to this plan change. The relevant parts are set out below.

Section 7 lists Other Matters to which particular regard must be had. The relevant matters are:

- ‘(a) kaitiakitanga:*
- (aa) the ethic of stewardship:*
- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (d) intrinsic values of ecosystems:*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:’*

The proposal is considered to be an efficient use of land being located adjacent to the existing industrial land in Matamata with direct access to key transport routes which provide benefits for industrial activities (i.e. SH24 to Tauranga). Appropriate infrastructure will be provided to maximise the development potential of



the land and to ensure that environmental effects are avoided in the first instance and thereafter mitigated on the surrounding environment. Further to allowing for development of the site, the plan change provides for the enhancement of the values of the Mangawhero Stream via the creation of areas for both recreation and stormwater management. This will create a high level of amenity in what will otherwise be a largely built environment.

Section 8 requires that;

“all persons exercising functions and powers under it, in relation to managing the use, development and management of natural resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”.

This section places an obligation on decision makers to act in accordance with it. As noted above, the principles of Te Tiriti o Waitangi have been recognised and provided for through the engagement undertaken with Ngāti Hauā, Ngāti Hinerangi and Raukawa.



14. Conclusion

This report has outlined and assessed, in detail, the Private Plan Change sought by Calcutta to the MPDC that will rezone an approximately 41ha of their landholding, that is located on the southern side of Tauranga Road at the eastern entry to the township of Matamata.

The overall purpose of the plan change is to provide an additional industrial land offering for Matamata and the wider District and to address deficiencies in the existing industrial zoning framework that means some activities that would reasonably anticipated to occur in an Industrial Zone, are subject to consenting processes.

The need for further industrial land within Matamata, and the wider District, is reinforced by the Matamata Industrial Land Economic Assessment prepared by Market Economics, in support of the PPC 57 and Council's more recent Business Development Capacity and Demand Assessment (2022). These assessments have identified that there is likely to be a shortfall of industrial land within Matamata and the southern portion of the district based on estimates of existing industrial capacity and projected demand. The shortfall is also not just short-term, its long term (i.e. next 20 years) and ranges between 6.3ha (2021-2031) to 45.5ha (2021-2051).

The existing zoning of the PPC 57 site does not provide for industrial activities and has directive polices around protection of rural land for rural activities. For these reasons, there is a credible issue in terms of industrial land supply that is required to be addressed. The rezoning of the Calcutta land will address this shortfall and provide additional capacity to meet the medium to long-term demand for the wider district, for at least the next two decades. It is fanciful to suggest that this shortfall can be addressed through brownfield development or intensification. It can only be addressed by a wholesale planning intervention.

To provide for this PPC 57 proposes to amend the zoning that applies to the site from Rural to GIZ with the provision of a supporting DAP. The GIZ being a slightly different zone to the existing Industrial Zone to provide a range of industrial activities, at a slightly differing offering, to what is provided for in the existing Industrial Zone. The GIZ also provides for activities that support industrial activities and/or activities that are compatible with the adverse effects of generated by industrial activities such as cafes, yard-based retail, building improvement centres and minor residential units.

The options assessment has identified that a plan change is considered to be the most efficient and effective method of enabling further industrial development of the site and likewise achieves the purpose of the RMA.

The location for this industrial land also makes sense as its consistent with Matamata's current and future spatial economic structure and is located near an existing industrial land offering, future residential growth areas (to provide housing choices nearby), it has good access opportunities to town and other markets. In other words it is a logical extension of the Matamata spatial structure. Furthermore, whilst it will result in the loss of high quality soils any growth of Matamata will have the same fate. Without developing on high quality soils around Matamata the growth and development of the town and the District will be constrained.

The changes can also be readily accounted for within the MPDP, as set out in this reporting. Those changes include a suite of new provisions of the GIZ, some consequently amendments to other sections of the MPDP and the inclusion of the Calcutta Development Area Plan that signals the development outcome and the key infrastructure, including transportation connections, and open space requirements that are required to support the industrial development. The reporting has also demonstrated that the plan change give effect to the new ones that are proposed for the GIZ.

An effects assessment has been undertaken for PPC 57 that is supported by numerous technical reports. The starting point for those assessments being that Matamata Piako District Council has not undertaken any



business assessments, as required by the NPS-UD, to identify whether they have a shortfall of business ready land. The Market Economics assessment has consequently done this work for Council and identified a shortfall that needs to be rectified. The effects of this rezoning have therefore been considered against that backdrop with a particular focus on the suitability of the site for the eventual land use outcome. That reporting and the effects assessment, in section 7 of this report, confirms that the site is suitable for industrial development, the levels of effects are acceptable, albeit will result in perceptible visual change, and that there are positive effects resulting from the rezoning. They also identify that there are no site suitability reasons why the industrial zoning cannot be enabled. There are some residual infrastructure matters relating to capacity effects associated with water supply and wastewater that need to be confirmed, however, again the reporting has confirmed that there is a workable solution for both of these services.

The assessment in this report has confirmed that the plan change gives effect to higher order documents, including the NPS-UD, the RPS and is consistent with the purpose of the RMA and does not conflict with the principles of Te Tiriti o Waitangi.

