



# **Matamata-Piako District Plan**

## **Proposed Private Plan Change 52 – Development Concept Plan for Tatua Co-operative Dairy Company Ltd (Tatua)**

### **Section 42A Report on: Section 32AA further evaluation, recommendation on submissions and proposed plan change**

**2 April 2019**

**Ref: 02042019**



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### Appendix A

Summary of submissions and further submissions.

### Appendix B

Recommended changes to DCP (track changes), and other consequential changes to the District Plan proposed as a consequence of the Plan Change.

## 1. Purpose of the report

This report has been prepared by consultant planner Marius Rademeyer assisted by Matamata-Piako District Council (**MPDC**) planning staff. The report concerns Private Plan Change 52 (**Plan Change**) to the Operative Matamata-Piako District Plan (**District Plan**).

The Plan Change has been lodged by Beca on behalf of Tatua Co-operative Dairy Company Ltd (**Tatua**) and relates to Tatua's dairy processing site at Tatuani.

The Plan Change seeks to replace the existing Development Concept Plan (**DCP**) with an updated and expanded version including Rural zoned land adjoining the current DCP for the site to provide more regulatory certainty for future development while ensuring that appropriate controls are in place to avoid, remedy or mitigate adverse effects.

In 2016, Tatua approached MPDC to consider the promotion of a private plan change for the expansion and revision of the existing Tatuani site and its Development Concept Plan. Draft documentation was prepared by Beca, who following consultation and collaboration with Council staff formally submitted the final documentation (dated 30 January 2018) that forms the subject of this application to Matamata-Piako District Council (**Council**) on 2 February 2018.

Council considered the matter at its meeting held on 14 February 2018 and resolved to accept the Plan Change request (**Request**) as a private plan change in accordance with clause 25(2)(b) of Part 2 of Schedule 1 of the Resource Management Act 1991 (**RMA**).

The plan change was notified on 28 February 2018, calling for public submissions which closed on 28 March 2018. The summary of submissions was notified, inviting further submissions on 9 May 2018. Further submissions closed on 24 May 2018.

Following closure of submissions Tatua consulted with submitters. The parties have reached agreement whereby all matters in dispute can be resolved through amendments to the Plan Change, as set out in this report. As a result, no parties want to be heard in relation to the Plan Change. Therefore, the Council is not required to hold a hearing.

The next step in the process is for Council to make its decisions on the submissions and to determine the outcome of the Plan Change.

This report has been prepared in accordance with section 42A RMA to assist Council in making its decisions. As such, the report will summarise the Plan Change, the matters to be considered by Council, the section 32 analysis undertaken and the submissions received. In addition, the report will make recommendations on the submissions, recommend changes to the Plan Change, undertake a further evaluation of these changes under section 32AA RMA and consider the merits of the plan change within the RMA's statutory framework.

Under clause 29(4) of the First Schedule to the RMA, Council has the authority to decline, or approve, or to make modifications to the Plan Change.

Upon considering the matters and having regard to a further evaluation, staff's recommendation as set out in this report is that Council accepts the Plan Change subject to amendments aimed at improving clarity of the DCP provisions. The modifications relate

predominantly to amendments to the DCP's activity status classification, performance standards, and the matters of control, and discretion.

The recommended modifications, if accepted by Council, will resolve the matters raised by submitters, in full.

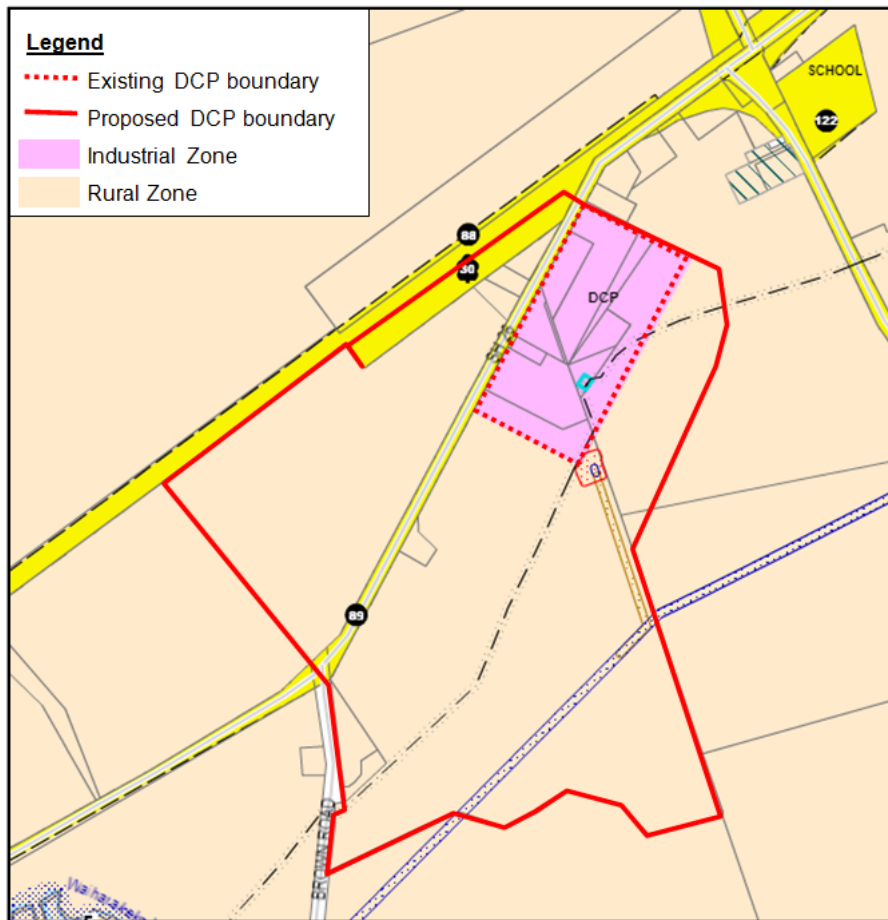
## **2. Overview**

The Tatua Cooperative Dairy Company Limited was established by a group of eleven farmers in 1914 and has been operating from its Tatuanui site for more than 100 years. The Company is the largest dairy cooperative in New Zealand that has not been part of a merger or acquisition. Farmer shareholders now total 111, all of whom are located within a 12 km radius from the factory.

The Company's processing site is located south-west of the intersection of State Highway 26 (SH 26) and State Highway 27 (SH 27), approximately 7 km north-east of the Morrinsville township. The site currently comprises approximately 10ha of land located on both sides of SH 26. The Company's processing facilities and offices are located on the eastern side of SH 26. A rural supply store and staff car parking facilities are located opposite the factory, along the western side of SH 26.

Tatua currently employs 300 staff comprising office and operations employees. Office staff work typical office hours from 8am to 5pm on weekdays. Operations staff work two twelve-hour shifts, from 4am to 4pm, and 4pm to 4am, seven days per week.

The original processing facility and office complex are located on land zoned "Industrial" overlaid with the "Tatua Development Concept Plan" ("DCP"), accessed from two vehicle crossings on to SH 26 (See Figure 1).



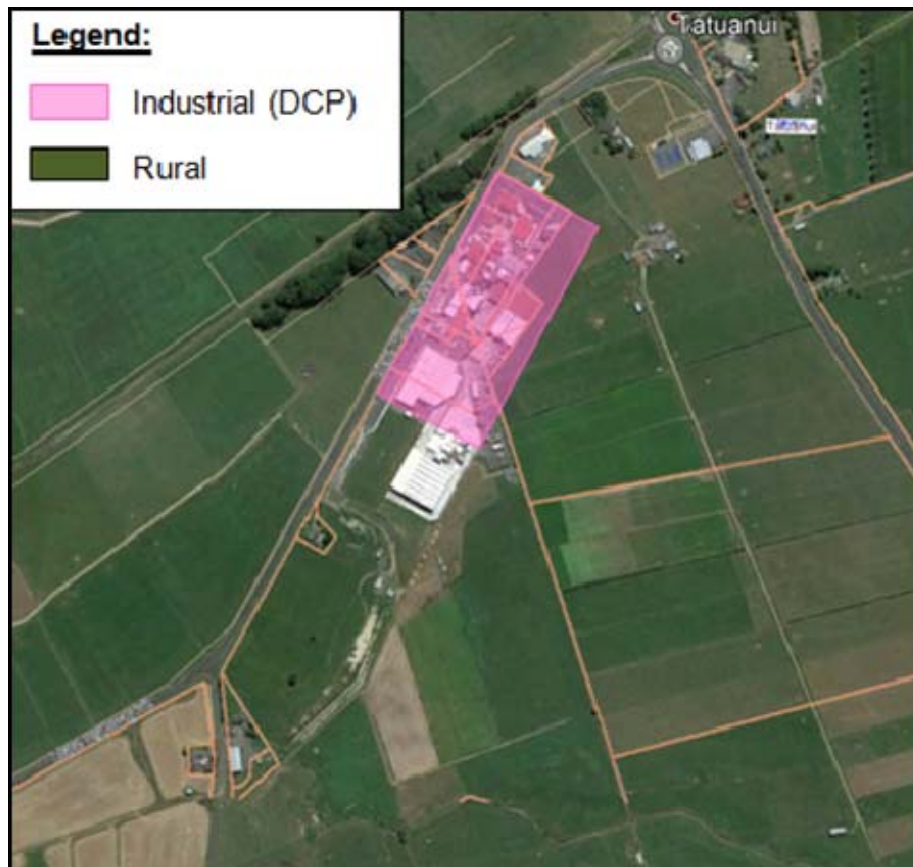
**Figure 1: Zoning Map/Location Plan (Not to Scale)**

The existing facilities comprise a milk reception area, milk dryers, warehousing and offices. Recently, the site was expanded by the construction of a third dryer, warehouse facility, container yard and additional car parking. The recent expansion includes land to the south, located within the Rural zone, outside the DCP (see Figure 2).

The Company's premises have outgrown the scale of development catered for under the current DCP with new resource consents likely to be required for the site's further development.

From Tatua's perspective, the current regulatory regime does not provide confidence to justify the scale of investment and long-term commitment to staff and local milk suppliers required to ensure the Company's viability into the future. From the Council's perspective, the current piecemeal assessment of consecutive development stages at the site under separate resource consent applications, is inefficient and prevents an integrated, holistic, evaluation of the long-term consequences.

To provide more regulatory certainty and efficiency for the future development of the site, Tatua has now applied for a private plan change. The Plan Change seeks to replace the site's current DCP with an updated and expanded version that includes adjoining "Rural" zoned land, covering a total area of some 48 ha.



**Figure 2: Existing Development**

The key purpose of the plan change is to ensure that all existing activities are provided for under the District Plan and to provide certainty for the anticipated future development and sustainable use of the site to meet the growing global demand for dairy commodities.

Under the updated DCP, the existing activities that are subject to the current DCP provisions and supplementary resource consents will be authorised, and expansion of the site will be subject to site-specific development controls and performance standards that reflect the actual activities and the management of their effects.

The updated DCP will enable the Tatua site to continue to be managed in the same way that the District Plan currently manages most of the District's large processing sites including the Waitoa and Morrinsville dairy processing plants, the Inghams poultry processing site, and the Wallace and Greenlea meat processing sites.

Tatua's proposal for an updated DCP is also consistent with the private plan change request by Open Country Dairy Limited (recently accepted by Council) for a site-specific DCP to manage the future development of its Waharoa dairy processing site.

Under the Resource Management Act 1991 ("RMA") the Council must process Tatua's application under Schedule 1 of the Act. The first step in the Schedule 1 process requires Council to decide whether to reject the request, adopt the request as its own plan change, accept the request as a private plan change, or deal with the request as a resource consent application.

To this end, a staff recommendation that the request be accepted as a private plan change was considered at the 14 February 2018 Council meeting.

The plan change was accepted by the Council and the processes outlined in the RMA have subsequently been followed with the change being publicly notified.

The original dairy processing facility is authorised under the site's existing DCP. The recent expansion of the factory onto adjoining "Rural" zoned land has resource consent. The current operation also holds a suite of resource consents (signage, etc.) that permits activities that are outside of the parameters of the current DCP.

The rural supply store opposite the factory also operates under a separate activity-specific resource consent.

### 3. Plan Change proposal

Tatua's Plan Change request seeks to establish an updated and expanded site-specific DCP, within the District Plan, for its Tatuani dairy processing site.

The proposed DCP:

- Includes additional land adjoining the current DCP boundaries, while retaining the existing underlying "Industrial" and "Rural" zoning of the land areas proposed to be incorporated.
- Establishes three "precincts" within the DCP, to cater for respectively:
  - Development Area 1:** the processing of milk and other raw materials and ingredients;
  - Development Area 2:** administrative and commercial activities subsidiary to the processing of milk, and production of milk-related products; and:
  - Development Area 3:** the treatment of wastewater and stormwater produced from on-site processing and manufacturing activities.
- Establishes development controls and performance standards that will apply to existing and proposed development on the site, including controls for:
  - Noise (including a Noise Emission Control Boundary);
  - Traffic movements, access and parking;
  - Earthworks;
  - Storage of hazardous substances;
  - Building height and setback;
  - Building colour;
  - Signage;
  - Vibration;
  - Lighting and glare;
  - Emissions to air; and
  - Spray irrigation setbacks.

- Provides for new buildings and structures associated with the processing of milk and production of milk-related products and ancillary administrative and commercial functions as a Permitted Activity where the development controls and performance standards are met, or a Restricted-Discretionary Activity where the standards and controls are not met.
- Retains Controlled, Restricted-Discretionary, Discretionary and Non-Complying status for generic activities outside the scope of the DCP, that the District Plan already provides for in the underlying “Rural” and “Industrial” zones.
- Sets “triggers” that require the upgrading of vehicle entrances, construction of a pedestrian underpass underneath SH 26, provision of car parking spaces, and implementation of landscaping.
- Provides clarity and certainty on the relevant matters of control, and discretion; and
- Aligns the updated DCP with the site’s existing DCP and supplementary resource consent conditions.

The Plan Change, once operative, will enable the site to be managed largely through a single, comprehensive planning instrument (“one-stop shop”) without having to reference separate sections of the District Plan and previous consent conditions.

The site specific DCP proposed by the Plan Change (see **Appendix B**)<sup>1</sup> comprises eleven sheets as follows:

- **Sheet 1** (see Figure 3) shows the boundaries of the DCP, extent of Development Areas 1 – 3, location of existing and proposed vehicle entrances, electricity and gas substation sites and underground cable corridors, Noise Emission Control Boundary (“NECB”), legal descriptions of the underlying property parcels, and existing dwellings within the NECB.
- **Sheets 2 – 5** contain the schedule that describes the status of activities (Permitted, Controlled, Restricted-Discretionary, Discretionary and Non-Complying), the performance standards that all Permitted Activities are required to comply with, and outlines the matters to which the DCP has reserved control and restricted discretion for Controlled and Restricted-Discretionary resource consent applications.
- **Sheet 6** describes the height control zones and building setback requirements;
- **Sheets 7 to 11** describe the landscaping requirements, including typical cross-sections, and provide an indicative planting list.

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<sup>1</sup> Note the track changes in Appendix B show proposed amendments to the DCP since it was notified. These amendments are proposed in response to submissions and are discussed later in this report.

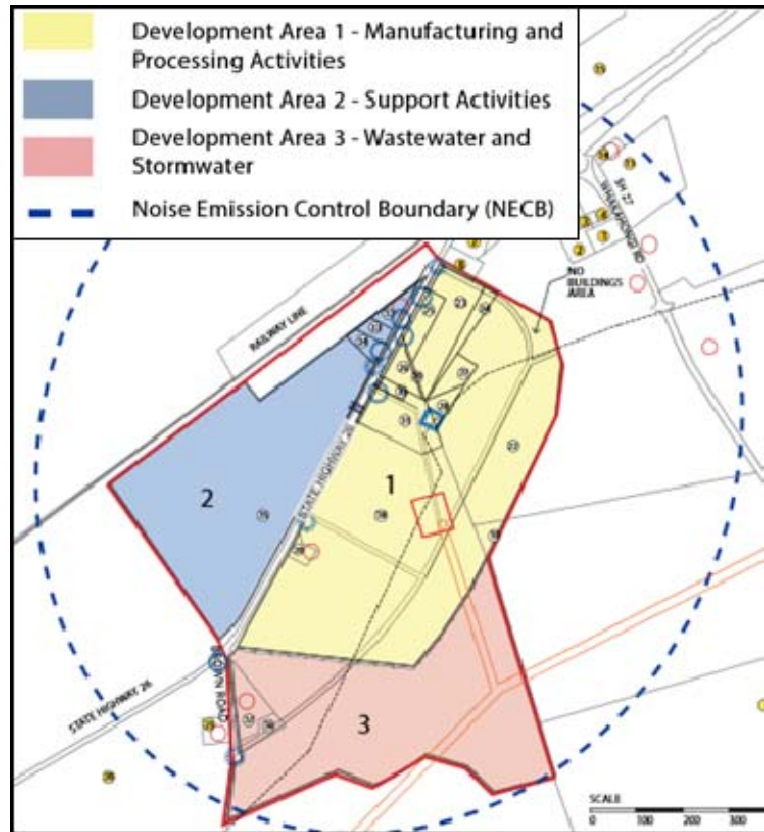


Figure 3: DCP Sheet 1

In summary, the DCP will provide for expansion of dairy processing and associated activities at the site, within defined areas, and subject to performance standards and development controls. In addition the DCP will clarify the matters of control and discretion that will apply when future activities trigger a requirement for resource consents.

#### 4. Process to date and the next steps

During 2016, Council planners held discussions with Tatua regarding an updated and expanded DCP as a mechanism to regulate future site development.

The discussions culminated in Tatua appointing BECA to prepare a revised DCP for the site and to compile a private plan change request to seek that the new DCP be incorporated into the District Plan, as a replacement of the existing DCP.

During September 2016, Tatua submitted a first draft of the proposed revised DCP and Plan Change request for review by MPDC planners. Subsequently, consultant planners at BECA worked collaboratively with MPDC planners to refine the draft.

Following further reiterative refinements of the draft, the final documentation (dated 30 January 2018) that forms the subject of this application was lodged with Council on 2 February 2018.

Council considered the matter at its meeting held on 14 February 2018 and resolved to accept the request as a private plan change in accordance with clause 25(2)(b) of Schedule 1 of the RMA.

The Plan Change was notified on 28 February 2018, with 28 March 2018 as the deadline for submissions. In response to the notification, MPDC received four (4) submissions of which one (1) from Kiwi Rail Holdings Ltd was subsequently withdrawn. The submissions were from Ngati Haua Iwi Trust (**NHIT**), Matamata-Piako District Council Staff (**MPDC**), KiwiRail Holdings Ltd (**KiwiRail**) and the New Zealand Transport Agency (**the Agency**).

Of the parties NHIT, MPDC and KiwiRail wanted to be heard in support of their submissions. The Agency did not wish to be heard.

The NHIT submission was in opposition to the Plan Change, until a cultural and environmental effects assessment of the proposal has been prepared.

The MPDC submission was in support of the Plan Change, subject to amendments.

The Agency submission was in support of the Plan Change subject to amendments.

The KiwiRail submission was in support of the Plan Change subject to road and rail safety issues being addressed.

The summary of submissions was notified on 9 May 2018 with 23 May 2018 as the deadline for further submissions. One further submission, made by the Agency in support of the KiwiRail submission, was received. This submitter did not wish to be heard.

A summary of submissions and further submissions is attached as **Appendix A** to this report. Copies of the actual submissions can be found on MPDC's public website<sup>2</sup>.

Following closure of submissions, Tatua consulted with submitters with a view to seek agreement on proposed changes to the Plan Change as notified, in order to resolve submitters' concerns.

The KiwiRail submission was subsequently withdrawn on 19 June 2018.

By 11 February 2019, agreement had been reached with the remaining submitters whereby all matters in dispute could be resolved through amendments to the Plan Change as notified. The submitters have confirmed that, subject to the changes to the DCP recommended in this report (i.e. the track changes shown in **Appendix B**), they no longer want to be heard.

The purpose of the upcoming meeting is for the Council to consider the Plan Change, the submissions received, and the amendments proposed to the notified version to resolve submitters' concerns, so that Council can make its decisions on submissions. Thereafter, Council's decisions will be publicly notified (as required under the RMA), thereby notifying parties of their right to appeal the Council's decisions to the Environment Court.

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<sup>2</sup> See <https://www.mpd.govt.nz/district-plan/district-plan-review/134-uncategorised/3041-plan-change-52-development-concept-plan-for-milk-processing-factory-tatuanui>

Provided that the Council's decisions are not appealed, the Plan Change can be made operative. Once Council makes a decision on the plan change, weighting can be given to the changes, prior to it becoming operative.

The Plan Change will take legal effect from the operative date and from this date the DCP will be included in the District Plan, thereby completing the plan change process.

## **5. Plan Change documentation**

The documentation lodged in support of the Request as publicly notified, comprise:

- Plan change request and statutory assessment;
- Appendix A: Proposed Development Concept Plan;
- Appendix B: Section 32 RMA Report;
- Appendix C: Landscape & Visual Assessment;
- Appendix D: Acoustic Report (Marshall Day Acoustics); and
- Appendix E: Transportation Report

A copy of the above mentioned documentation is available on the Council's website<sup>3</sup>.

The documentation includes an assessment that:

- Summarises the proposed plan change, the site, and the relevant background to the Request;
- Explains the proposed DCP, and provides a comparison between the proposed DCP provisions and the conditions of the site's existing resource consent;
- Assesses the proposal against the relevant statutory matters; and
- Provides a conclusion and summary of the assessment.

The appendices include specialist reports that:

- Summarises the proposed plan change;
- Describes the site and the receiving environment;
- Assesses the statutory requirements;
- Provides an assessment of environmental effects; and
- Details the consultation undertaken.

The specialist reports include strategies to avoid, remedy or mitigate the adverse effects of the future development of the site. The performance standards and matters of control/discretion that are proposed to apply to the DCP have been informed by the mitigation strategies recommended in the specialist reports.

The documentation includes an assessment of the statutory requirements that Council need to address in considering the plan change request, including:

- The purpose of the RMA (i.e. the "Part 2 RMA assessment);

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<sup>3</sup> See <https://www.mpd.govt.nz/district-plan/district-plan-review/134-uncategorised/3041-plan-change-52-development-concept-plan-for-milk-processing-factory-tatuanui>

- The relevant planning documents (Hauraki Gulf Marine Park Act, National Environmental Policy Statements and Standards, the Waikato Regional Policy Statement, the Waikato Regional plan, and the Matamata-Piako District Plan);
- Assessment of environmental effects (landscape, amenity, traffic, noise, odour and other discharges to air, infrastructure, and hazardous substances); and
- Analysis of the options, efficiency and effectiveness of the proposed plan change provisions (i.e. the Section 32 RMA evaluation).

This report will reference relevant sections of the documentation and will provide a summary of the parts that are particularly relevant to the assessment of the Plan Change.

In addition to the documentation referenced above, the following information pertaining to the part of the process subsequent to notification of the Plan Change is relevant:

- **Appendix A:** Summary of submissions and further submissions received in response to notification<sup>4</sup>.
- **Appendix B:** Recommended changes to DCP (track changes), and other consequential changes to the District Plan proposed as a consequence of the Plan Change.

The submissions, further submissions, and the amendments to the DCP recommended in this report in response to submissions are discussed below.

## 6. Submissions and further submissions

### 6.1 New Zealand Transport Agency

- **Submission**

The New Zealand Transport Agency (the Agency) submission relates to traffic effects of pedestrians crossing State Highway 26 from the western car park and addressing proposed Performance Standards 2.1(q), (s), (t) and (u).

The Agency's submissions states that it is satisfied in general with the DCP but requests that:

- Vehicle access be designed in accordance with the NZ Transport Agency's Planning Policy Manual; and
- That a pedestrian/goods underpass be provided under SH26.

Consequently, the Agency is in support of, and wants the Council to accept the Plan Change with amendments.

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<sup>4</sup> Copies of the actual submissions and further submissions are available on the Council's public website.

- **Discussion**

The Agency's concerns in relation to pedestrians and traffic safety and access have been addressed through amendments to Performance Standards for Permitted Activities 2.1(q), (t) and (u) which encourage Tatua to design and locate the pedestrian underpass as close as practical to car parking areas and to install signage to encourage use of the same.

Suitable design parameters for vehicle access to the SH26 in terms of the NZ Transport Agency's Planning Policy Manual are specifically addressed to provide appropriate levels of traffic safety for entering and leaving the DCP access points.

The Agency also has supported the use of a Construction Traffic Management Plan (CTMP) as an appropriate mechanism to avoid, remedy or mitigate any adverse effects on traffic safety and efficiency.

These changes are minor and clarify the intent of the performance standards for permitted activities and are supported by Tatua and MPDC staff.

Lastly, I note that the Agency supports the possible extension of the flush median on SH26 (Performance Standard 2.1(s)).

Accordingly the submission from the Agency and the resultant changes to the DCP Performance Standards for Permitted Activities are supported with the changes to Standards 2.1(q), (t) and (u) amended as shown in **Appendix B**.

## 6.2 Ngai Haua Iwi Trust (NHIT)

- **Submission**

Ngati Haua Iwi Trust's submission opposes the whole of the Plan Change on the basis that:

The DCP application cannot be assessed in isolation from other large scale developments within their rohe and that the preparation of a Cultural Assessment Report would assist in identifying any of the Trust's cultural and environmental issues associated with the DCP; and

Any future Tatua activities need to be referenced against the Ngati Haua Rautaki Taiao Plan.

- **Discussion**

Following the receipt of the submission, Tatua engaged with NHIT and provided sufficient clarification and detail for the NHIT to be able to undertake a cultural assessment report. This assessment included four recommendations under the general auspices of Rangitiratanga, Waahi Taonga and Kotahitanga and concluded that:

*NHIT recognises that relationships are key to achieving positive environmental outcomes. To meaningfully participate in these processes and to realise cultural environmental values and aspirations, it is important that relationships are affirmed and maintained with an approach that enduring and authentic (sic).*

*Ngāti Hauā Iwi Trust welcomes opportunities to participate in all forms of holistic development in relation to the Tatua Co-operative Dairy's Company expansion in Tātuanui.*

Accordingly the NHIT confirmed on 11 February 2019 that it no longer wished to be heard with regard to the DCP as it was satisfied that an accord had been reached with Tatua, however, it reserved its continued involvement in the RMA process and discussions with Tatua.<sup>5</sup>

### 6.3 Matamata-Piako District Council Staff

- **Submission**

Matamata-Piako District Council (MPDC) staff submitted in support of the Plan Change, subject to minor changes to the wording of the DCP provisions, notably the following changes shown in red text in the track changes on the DCP attached as **Appendix B**:

- Permitted activities changes to improve clarity including the deletion of day-care and recreation facilities;
- Performance standards for permitted activities relating height limitations, colour schemes, noise, earthworks, car parking and vegetation clearance to improve clarity;
- Matters of discretion – clarify the matters of discretion relating to the impact of any development on the wider environment, increase in signage, and emissions to air including dust.

- **Discussion**

The amended wording proposed in the MPDC submission serves predominantly to clarify the DCP provisions and does not materially change the intent of the provisions as notified. The amendments proposed by MPDC are generally supported and accepted by Tatua.

The MPDC submission questions the validity of permitting day-care and recreation facilities as a permitted activity as these have not been supported in either the DCP application or the transportation assessment. Tatua acknowledge this and supports their removal from the Permitted Activities list.

It is noted that should these activities wish to become established within the DCP they would have to go through the planning processes as set out in the District Plan.

Height limitations and colour schemes have been amended to clarify the wording and the application of the standards (Performance Standards (2.1(a) and (c))).

Following public notification of the DCP, Tatua gave further consideration to the implications of noise from their activities within the DCP and the NECB. As a

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<sup>5</sup> Email correspondence from Ngāti Hauā Iwi Trust to MPDC, dated 11 February 2019

consequence, Tatua suggested that they should only offer to treat any new dwelling or extension to the same that is a permitted activity rather than any dwelling that would require resource consent. The Council's noise expert agreed with this approach.

Subsequently Performance Standard 2.1(f) (iii) has been deleted and replaced with a new standard as agreed between Tatua and the Council's noise expert. The subsequent changes to the standard have now clarified the intent of the standard and set an appropriate time frame for any upgrade of new or existing dwellings to meet the noise performance standards.

The earthworks standard (Performance Standard 2.1(n)) has been clarified to ensure that deposition of works material (dirt and loose material) is promptly removed from road carriageways so that it does not present a hazard to motorists. It is noted that this part of the submission is supported by the Agency in its further submission (refer section 6.1 of this report).

Car parking (Performance Standard 2.1(p)(ii)) has been amended following further discussion with Tatua's transportation expert with a car parking assessment being undertaken to clearly identify the visitor car parking requirements based on the size of the factory operation. It is understood that the amendment to 13 car parking spaces reflects the current availability of such car parking on site noting that all such car parking must be contained within the DCP and shall not be located within the road reserve. The latter is supported by the Agency in its further submission.

It is noted that there is a typographical error in Performance Standard 2.1(p)(ii) in that the reference to 2.1(p)(x) should refer to 2.1(p)(ix).

Accordingly it is recommended that this correction be undertaken as it will not prejudice the outcome or intent of the wording of the Performance Standard.

Lastly Tatua has agreed that for traffic safety and unimpeded sight lines the vegetation located within the DCP on the corner of Brown Road and SH26 be maintained in accordance with the NZ Transport Agency State Highway guidelines. This amendment is supported by the Agency in its further submission.

The miscellaneous amendments sought by MPDC have been agreed to by Tatua and will be incorporated within the DCP before it is finally adopted by the Council and implemented as part of the Matamata-Piako District Plan.

## **6.4 KiwiRail Holdings Limited**

### **Submission**

KiwiRail initially raised concerns about the impact the DCP and its activities would have on the safety of the level crossing under its jurisdiction. KiwiRail indicated that a Level Crossing Safety Impact Assessment should have been provided as part of the DCP proposal to assist the Council in determining what effects the proposal may have on the level crossing and measures that could be put in place to mitigate any effects of future development.

It is agreed that the Plan Change as notified did not address the impact of the proposed development envisaged by the DCP on the safety and safe operation of the road/railway crossing in the vicinity of the site.

Subsequent to lodging the submission, Tatua provided further information to KiwiRail which enabled the submitter to accept that *"...the 2017 Level Crossing Safety Impact Assessment (LCSIA) report prepared for the State Highway 27 Waitoa Level crossing (ALCAM ID 2559) does not require updating as a result of predicted traffic movements to and from the site. Based on this assessment KiwiRail does not wish to pursue its submission and/or appear at a hearing."*

KiwiRail withdrew its submission on 19 June 2018 and subsequently no further consideration has been undertaken of its submission.

I note that the New Zealand Transport Agency submitted a further submission on 23 May 2018 in support of the KiwiRail submission, however, as the KiwiRail submission was withdrawn, no further consideration can be taken of the Agency's further submission as it relates to KiwiRail.

## 7. Proposed modification of the Plan Change

These proposed amendments to the notified version of the DCP as agreed to by all parties and detailed in the previous section of this report, are shown in the track changes version of the modified Plan Change attached within **Appendix B**.

The description below compares the Notified Version of the DCP with the modifications now proposed:

- **Sheet 1: Development Concept Plan**

Minor amendment to title of the DCP to state "Milk Processing Site".

- **Sheet 2: Activity schedule**

Sheet 2 lists the Permitted, Controlled, Restricted-Discretionary, and Discretionary activities and part performance standards.

Modifications to the following are proposed:

1.1.1(d),  
1.1.2(a)(xi),  
1.1.3(a)(ii), (c) and (d).

Minor grammatical changes:

1.2(a),  
1.3(a),  
1.4(b).

- **Sheets 3, 4 and 5: Performance standards**

Sheets 3 – 5 set out the DCP's Performance Standards that all Permitted Activities must comply with.

Modifications to the following are proposed:

- 2.1(a), (i) and (ii),
- 2.1(c), (i) and (ii) plus clarification advice note,
- 2.1(f), (iii) and (iv),
- 2.1(n), (ii),
- 2.1(o), (i) and (ii),
- 2.1(p), (ii) and (ix) including typographical correction to (ii),
- 2.1(q) additional advice note,
- 2.1(u),
- 2.1(w),
- 2.1(x) – new standard relating to vegetation clearance to improve sight lines.

Clarifications to matters of discretion:

- General – (b),
- Bulk and location (a),
- Colour – (a),
- Odour – (b).

Miscellaneous changes to:

- 2.1(m), (i) and (ii),
- 2.1(t).

- **Sheet 6: Development Concept Plan – Height Control Plan**

Delete Attachment A from title.

- **Sheet 7: Development Concept Plan – Planting Plan**

Delete Attachment B from title,  
Amend Key to include Development Areas 1-3 as shown on plan,  
Delete "small crosses" within Planting Areas A and F as redundant.

- **Sheets 7, 8, 9 and 10: Planting Cross Sections**

Delete Attachment C from title.

- **Sheet 11 – Planting Schedule**

Delete Attachment D from title.

In regard to the modified DCP as described above, the following documents will be available to view at the upcoming Council meeting:

- Copies of the notices from submitters withdrawing their right to be heard, subject to the amendments as described above being accepted by Council; and
- A “clean version” of the modified DCP, including the track changes described above.

- **Consequential changes**

In addition to the changes to the DCP as outlined above, one consequential change to the Operative District Plan is also recommended.

This change is:

- **Planning Map 25:** For the purposes of transparency and ease of reference, it is proposed that Planning Map 25 be amended to show the DCP boundaries, the location of the NECB around the site and include the addition of the letters “DCP” within the site boundary.

The consequential changes as described above are shown in **Appendix B** attached to this report.

The merits of the proposed DCP and the modification of the Plan Change as set above are assessed in the next paragraph of this report.

## 8. Assessment

The RMA requires the Council to consider a number of matters when developing proposed plan changes. These requirements<sup>6</sup> and staff’s assessment of the Plan Change as notified, the submissions received, matters raised by MPDC staff, and modifications to the Plan Change described in the previous paragraph, can be summarised as follows:

### 8.1 General requirements

#### **RMA requirement 1**

*A district plan (change) should be designed to accord with, and assist the territorial authority to carry out its functions so as to achieve the purpose of the Act.*

#### **Assessment**

The purpose of the RMA (as set out in Part 2) is to promote the sustainable management of natural and physical resources. The functions of territorial authorities (Section 31 RMA) are the establishment, implementation and review of objectives, policies and methods to achieve

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<sup>6</sup> See the Environment Court’s First Interim Decision in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council* (Decision A078/2008).

integrated management of land and natural and physical resources and to control the effects of the use, development, or protection of land.

The Plan Change itself does not introduce any new objectives. However, it supports a number of the objectives and policies of the District Plan.

An assessment of the relevant objectives and policies is included in the documentation that accompanied the Plan Change Request<sup>7</sup>. The assessment refers to the objectives and policies relating to “significant resource management issues”, “integrating land-use and infrastructure”, “amenity”, and “transportation”.

Based on the assessment, the Plan Change Request considers that the proposal recognises the need for expansion of an existing infrastructure in a manner that is coordinated and ensures the sustainable management of natural and physical resources while enabling people and communities to provide for their economic, social and cultural wellbeing. It further notes that the proposal is on a site that is appropriate for the use and can be managed to ensure any adverse effects are avoided, remedied or mitigated. Any adverse effects on the transport network or regionally significant infrastructure can be managed appropriately.

Staff agree that the proposal is consistent with the objectives and policies of the District Plan.

The Plan Change Request furthermore assesses the DCP and its associated rules (i.e. the Activity Schedule, Performance Standards, Matters of Control, Matters of Discretion and Landscaping Requirements).

The assessment notes that the DCP includes performance standards and matters of control/discretion relating to development, traffic, parking, loading, access, air emissions, visual effects, landscaping, signage, noise, vibration, lighting and glare, disposal of stormwater and wastewater, earthworks and the use/storage of hazardous substances.

Measures to address these matters and any adverse effects they may have on the wider environment have been fully assessed in the proposed DCP with the conclusion reached that the specific standards proposed and associated assessment criteria will ensure that any adverse effects are appropriately mitigated.

Staff agree with the above conclusion and are satisfied that the matters addressed by the DCP fall within the scope of the Council’s functions of controlling the effects of the use and development of land.

### **Section 32AA further evaluation**

In addition, staff consider that the Plan Change modifications recommended in the previous paragraph will better assist the Council to carry out its functions so as to achieve the purpose of the RMA.

In particular, the changes proposed by MPDC assists in clarifying the DCP provisions and will provide certainty as to the implementation of the DCP requirements. Incorporating the changes proposed by the NZ Transport Agency will ensure the safe operation of the roading

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<sup>7</sup> See the Statutory Assessment at <https://www.mpd.govt.nz/districtplan/ProposedChanges/PPC52/Application.pdf>

network and will therefore promote the integrated management of land-use and infrastructure.

### **RMA requirement 2**

*When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement (section 75(3) RMA).*

#### **Assessment**

The following National Policy Statements are currently in place:

- National Policy Statement on Urban Development Capacity
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement.

In addition, the sections of the Hauraki Gulf Marine Park Act 2000 that deal with the recognition and management of the Hauraki Gulf have, under the RMA, the same status as a national policy statement.

While the Tatua request does not include an assessment of the Plan Change under the Hauraki Gulf Marine Park Act, staff are satisfied that the measures proposed to control discharges to land will ensure that any effects on the matters set out in this legislation have been appropriately dealt with.

Staff are satisfied that none of the other national policy statements are particularly relevant to the assessment of the Plan Change.

### **RMA requirement 3**

*Every local authority and consent authority must observe national environmental standards (section 44A(7) RMA).*

#### **Assessment**

It is considered that there are two National Environment Standards (NES) that would be applicable to the proposed DCP, namely the NES for Assessing and Managing Contaminants in Soil to Protect Human Health and the NES for Air Quality.

For the former, the NES for managing contaminants in soil falls to be considered a rule in the District Plan. Accordingly, any earthworks undertaken in support of the development will continue to be subject to the NES in parallel to the DCP rules.

The NES for air quality relates to the Waikato Regional Council's functions in regard to managing the discharge of contaminants to air and are not relevant to the Plan Change.

The other National Environmental Standards (i.e. the Standards for Sources of Drinking Water, Telecommunication Facilities, Electricity Transmission Activities, and Plantation Forestry) are not relevant to the proposed DCP request.

#### **RMA requirement 4**

*When preparing its district plan (change) the territorial authority shall:*

- a) have regard to any proposed regional policy statement (section 74(2) RMA);*
- b) must give effect to the operative regional policy statement (section 75(3)(c) RMA).*

#### **Assessment**

Tatua's request includes an assessment of the Plan Change under the Waikato Regional Policy Statement ("**RPS**"). The RPS provisions most relevant to the Plan Change are the protection of regionally significant infrastructure, the integration of land-use with infrastructure, and enabling the operation and development of regionally significant industry.

The assessment provided as part of the request considers that the proposed DCP is consistent with the above provisions as the development of the site in the manner proposed will reflect the important role that regionally significant industry and primary production plays in contributing to the economic, social and cultural wellbeing of people and communities.

The assessment concludes that *"The Tatua Co-Operative Dairy Company has a direct relationship with the management and continued viability of the surrounding dairy farming activities and provides economic benefits to the surrounding settlements"*.

Staff agree with the above assessment and consider that the proposed DCP is consistent with the RPS.

#### **Section 32AA further evaluation**

Staff consider that the proposed modifications to the Plan Change will not change the intent of the provisions as notified. The NZ Transport Agency submission, if accepted, will ensure the safe operation of the State Highway network (identified in the RPS as "regionally significant infrastructure") is better protected. Therefore, the modifications improve the extent to which the Plan Change will give effect to the RPS.

#### **RMA requirement 5**

*In relation to regional plans:*

- a) the district plan (change) must not be inconsistent with an operative regional plan (section 75(4) RMA); and*
- b) must have regard to any proposed regional plan on any matter of regional significance (section 74(2) RMA).*

#### **Assessment**

Tatua's request includes an assessment of the Plan Change under the provisions of the Operative Waikato Regional Plan (**WRP**).

The assessment notes that the WRP *"provides regional guidance, standards and rules for management of many of the effects and activities likely to occur in the Tatua site"* and sets out good practice for the management of stormwater discharges. It further states that the

Regional Council will “in conjunction with territorial authorities, organisations, industry groups and individuals discharging stormwater, provide guidance to develop and implement good practices or appropriate codes of practice”.

The assessment reaches the conclusion that there are no inconsistencies between the Plan Change and the WRP as they relate to undertaking good practices in relation to stormwater and air discharges from the site.

Staff agree with the above conclusion noting that Development Area 3 has been specifically set aside for waste water and stormwater disposal and for the irrigation of waste water from the plant and its processes. This is further supported by Performance Standard 2.1(i) which sets out buffer areas within the site and Development Area 3.

In regard to the discharge to air of odour, it is noted that proposed Performance Standard 2.1(m)(i) of the DCP requires that *“There shall be no contaminants or particulate matter that has adverse effects on human health or causes objectionable effects beyond the boundary of the DCP.”*

The above standards need to be complied with by Tatua at all times. Non-compliance with the standards places Tatua in breach of the DCP provisions and the standard is able to be enforced by the Council and/or the Waikato Regional Council (who has primary responsibility for the control of discharges to air and to land).

### **Section 32AA further evaluation**

Staff consider that the modifications to the Plan Change recommended in this report do not raise any additional issues with regard to consistency with the WRP.

### **RMA requirement 6**

*When preparing its district plan (change) the territorial authority must also (section 74(2) RMA):*

- a) have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register; and to consistency with plans and proposed plans of adjacent territorial authorities;*
- b) take into account any relevant planning document recognised by an iwi authority; and*
- c) not have regard to trade competition.*

### **Assessment**

Tatua's request does not specifically address items (a) and (b) above.

With regards to item (a) the Waikato Regional Land Transport Strategy is considered to be a relevant document. Under the Strategy, the key consideration *“to have regard to”* in relation to the Plan Change, is the integration of land-use with the Region's transport system.

The traffic assessment provided with the proposed DCP recognises the location of the Tatua facility in relation to both State Highway 26 (which it straddles) and its intersection with State Highway 27 to the east. Measures are proposed to ensure that the expanded operation will not impact on the safe and efficient operation of the state highway network and to ensure

that any effects of this expansion with regards to traffic generation, access and pedestrian safety are mitigated to appropriate levels.

Staff conclude that these measures indicate appropriate regard has been had to the Strategy.

The Plan Change Request does not reference any other strategies, entries in the Historic Places Register, or the plans of adjacent territorial authorities. Staff agree that there are no other strategies that are particularly relevant to the Plan Change. The site does not contain any items on the Historic Places Register.

It is noted however that the Oak trees located on the northern side of the DCP adjoining the railway line are scheduled in the District Plan under “Schedule 3: Outstanding or significant natural features, protected trees and other protected items” (#30). Measures to ensure their ongoing protection are included in the DCP provisions.

The Plan Change addresses site-specific issues. Therefore, staff consider that consistency with the plans of adjacent territorial authorities is not a relevant consideration in this instance.

Section 74(2A) requires councils to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its contents have a bearing on the resource management issues of the district.

The Plan Change Request does not reference any of the iwi management plans.

However, since notification, Tatua has engaged with Ngati Haua who has subsequently prepared a Cultural Response Report relating to the Plan Change. The report states that the cultural response has been reviewed against the relevant iwi planning documents, particularly Ngati Haua’s “Rautaki Taiao Environmental Plan”. The report makes a number of recommendations, the implementation of which will ensure that iwi values are appropriately recognised. One of the recommendations involves an agreement to a joint Memorandum of Understanding (MOU) between Ngati Haua and Tatua. As Ngati Haua has now advised that they no longer wish to be heard it is assumed that the two parties have elected to implement the recommendations through a Memorandum of Agreement, outside of the DCP.

Staff are satisfied that the MoU proposed as a consequence of the Plan Change process will ensure that the DCP takes account of relevant iwi planning documents and will not conflict with the relevant iwi management plan.

### **Section 32AA further evaluation**

Staff consider that the modifications to the Plan Change recommended in this report do not raise any further issues with regard to relevant management plans and strategies.

### **RMA requirement 7**

*A district plan (change) must state its objectives, policies and the rules (if any) and may state other matters (section 75(1) and 75(2) RMA).*

## Assessment

As noted previously, the Plan Change does not introduce new objectives and policies but relies on the District Plan's existing objectives and policies. Staff agree that the existing objectives and policies provide support for the Plan Change and that there is no need to introduce new or amended objectives and policies into the District Plan.

Staff are also satisfied that the Plan Change provides a comprehensive suite of new rules that, in turn, support a number of the District Plan's existing objectives (outcomes) and policies (strategies).

## Section 32AA further evaluation

Staff consider that the modifications to the Plan Change recommended in this report do not raise any additional issues with regard to the requirement that the Plan Change must state its objectives, policies and rules.

## 8.2 Section 32 and Section 32AA evaluation

The RMA requirement is as follows:

### **RMA requirement 8**

#### **32 Requirements for preparing and publishing evaluation reports**

(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) *summarising the reasons for deciding on the provisions; and*
- (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.*

### **32AA Requirements for undertaking and publishing further evaluations**

*(1) A further evaluation required under this Act—*

- (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) must—*
  - (i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
  - (ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

### **Assessment**

The Plan Change Request contains a comprehensive section 32 evaluation. The evaluation includes an assessment of three (3) alternative options:

- Option 1 – Retain the Development Concept Plan/Status Quo;
- Option 2 – Change the Development Concept Plan as requested; and
- Option 3 – Update the Development Concept Plan as part of the District Plan review.

The section 32 analysis concludes that Option 2 is the most appropriate option for the following reasons:

- Provides the greatest certainty to Council, Tatua, and its neighbours around existing and proposed uses of the site.
- The inclusion of assessment criteria and site-specific performance standards will ensure the effective management of environmental effects.
- This option also is the best fit in terms of addressing the issues that are driving the plan change.
- There are considerable monetary efficiencies to Council and ratepayers.

Staff agree with this conclusion.

The Plan Change Request highlights the environmental, economic and social benefits that will stem from providing for the future development of the site through the DCP, while ensuring the effective management of environmental effects through site-specific performance standards.

Staff agree that Option 2 is the most efficient and effective option. Staff are also satisfied that the analysis submitted in support of the Plan Change provides a level of detail that corresponds to the scale and significance of the proposal and meets the requirements of Section 32 RMA.

Staff consider that the modifications to the Plan Change proposed in this report, will further improve the efficiency and effectiveness of the provisions as will be discussed below.

## Section 32AA further evaluation

Staff considered two options prior to recommending the modifications to the Plan Change as set out in this report, namely:

- Option 1 – Retain the Plan Change as notified;
- Option 2 – Accept the submissions and amend the Plan Change as notified by making the changes as shown in the attached track changes version (**Appendix B**).

Staff consider that Option 2 is beneficial because the amendments that the MPDC submission seek to include will ensure better clarification of the DCP provisions, and a higher level of certainty that the provisions are clearly understood and easily enforceable.

In addition, the changes that NZ Transport Agency seek to introduce will ensure the safe and efficient operation of the State Highway affected by the proposal.

## 8.3 Actual and potential effects

### **RMA requirement 9**

*In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment (section 76(3) RMA).*

### **Assessment**

Tatua's request includes an assessment of the effects of the Plan Change on the environment. The assessment is supported by various specialist studies attached as appendices to the request.

A summary of the findings of the specialists as documented in the Plan Change Request is as follows:

- **Visual Amenity and Landscape effects**

The Plan Change Request includes a specialist Visual and Landscape Assessment which considered the effects the DCP may have on the visual impact of further development of the existing Tatua site and the additional areas of land to be included in the PDCP.

Seen within the context of existing industrial development on either side of the State Highway located in a rural area of the district, the Plan Change Request concludes that *“Any potential visual effects from the proposed buildings, particularly on neighbouring properties and travelling vehicles will be mitigated through appropriate rules pertaining to setback, height restrictions and landscaping”* and *“Overall, it is considered that the potential visual effects of the PDCP will be minor and will be appropriately mitigated through staged landscaping of the site, restrictions on building setbacks and height”*.

- **Traffic effects**

The Plan Change Request includes a specialist Transportation Assessment that has considered the impact on the roading network, site access, parking, and loading.

Having regard to the specialist assessment, the Plan Change request comes to the conclusion that the *“...proposed private plan change can be safely and efficiently accommodated by the transport environment given the implementation of the recommendations provided in this report.”*

Such recommendations include:

*“...that development be permitted up to a level of vehicle trip generation assessed and considered acceptable in this ITA (1,600 additional vehicle movements per day / 400 per hour) and identifies the following further recommendations:*

- *Pedestrian underpass to provide a safe crossing of SH26 should staff car parking be provided on the western side of the road.*
- *Plan for safe pedestrian routes through the site as the factory is expanded to reduce pedestrian / vehicle conflict.*
- *Construction traffic management plan for any new construction generating more than 25 additional vehicle arrivals per day.*
- *Extension of the flush median on SH26 past the driveway to the south of the site should this driveway need to accommodate more than 10 right turning movements per day in future.*

Peer review of the Transportation Assessment by Council staff has not identified any significant disagreement with the above conclusion.

It is also noted that the New Zealand Transport Agency has submitted in support of the Plan Change and in particular the provision of the pedestrian underpass.

- Noise Effects

The Plan Change Request notes that the noise effects have been assessed by Marshall Day Acoustics and that the DCP includes a methodology to manage noise effects by means of the establishment of noise emission control boundaries (NECBs).

The Marshall Day assessment concludes that *“the site’s current operations do not comply with the acoustic standards in Section 5.2 of the District Plan for activities within the Industrial and Rural Zones.”* Further *“...the ambient noise generated by the adjacent roading network is a significant contributor to the noise generated in the environment and that the existing non Tatua owned dwellings will not experience any change in noise that they currently experience as a result of the PDCP. The assessment also concludes that the current and future operations are able to operate with minimal impact on the surrounding environment subject to compliance with a proposed Noise Emissions Control Boundary (NECB). This NECB and associated rules have been proposed into the plan change.”*

- Amenity and Safety Effects

The Plan Change Request has considered the potential effects of the DCP on amenity and any associated safety effects. The assessment notes that the site is currently operating as a milk processing facility under various consents and makes up part of the receiving environment. It concludes that *“...the proposed activities provided for under the PDCP are considered to be consistent with the existing amenity on the site and surrounding environment, and are not anticipated to give rise to any adverse amenity effects.”*

With regards to the management of existing hazardous substances it notes that these are permitted and maintained under existing consents. As such, *“...it is considered appropriate to apply performance standards in the PDCP that are consistent with the approach taken by the District and that storage of Hazardous substances shall be managed in accordance with the Hazardous Substances and New Organisms Act 1996 (HSNO). Any odour effects associated with the activity on the site will continue to be managed in accordance with the regional consents held for the site.”*

- Stormwater/Wastewater Effects

The Plan Change Request notes that consent was granted in September 2016 to construct and operate a dissolved air flotation wastewater treatment plant to process the wastewater generated from the Dairy Factory. As the site will develop in the future, the DCP identifies an area (Development Area 3) where facilities for the management of both stormwater and waste water can be accommodated.

The PDCP considers that *“as these will largely be ‘softer’ areas i.e. open space rather than structures; they also provide the benefit of acting as a buffer to adjacent properties.”*

Overall in relation to managing stormwater the DCP concludes that *“...the Regional Plan will continue to manage those aspects and compliance with the Regional Plan and MPDC Development Manual 2010, or obtaining resource consents, is the most appropriate mechanism rather than introducing controls through this plan change process.”*

- Loss of Productive Land

The Plan Change Request notes that part of the DCP is located on land currently zoned Rural and that the consolidation of all activities on one site will provide for efficiency and productivity gains. Due to the small size of the site and that its intended use to support the dairy industry it is concluded that *“overall the use of the site is considered to be productive in that it utilises a relatively smaller area of rural zoned land for the purposes of processing agricultural products, which is a direct result of productive landuse.”*

- Discussion

Staff generally agree with the effects assessment submitted in support of the Plan Change and consider that the DCP rules are the appropriate methods to manage the actual and potential adverse effects that could stem from development under the DCP.

With regard to odour effects, staff note that the DCP includes as a Performance Standard, a requirement that there must be no nuisance odour beyond the site boundary. While the current operations have not engendered any odour nuisances, staff concur that it would be prudent to ensure that nuisances are controlled.

Council staff had raised concerns about the effects of noise on those dwellings located within the NECB especially in relation to night time noise. A review undertaken by Council's noise specialist, Hegley Acoustic Consultants, raised similar issues and an amended noise performance standard was publicly notified. Subsequent to the notification of the DCP, the Matamata-Piako District Council submission requested a change in part of the noise performance standard. As a consequence of the submission and further discussions with the Council the authors of the PDCP recommended a number of changes to the noise

performance standard. The changes were reviewed by Council's noise specialist who supported the changes as set out in the tracked changes shown in Appendix B.

Council staff are now of the opinion that Performance Standard 2.1(f) will provide an appropriate measure to ensure that noise from the development site will be appropriately managed and any adverse effects upon the occupiers of dwellings within the NECB will be mitigated to acceptable levels.

The implementation of the traffic related measures have been supported by both staff and the Agency.

### **Section 32AA further evaluation**

Staff consider that the amendments proposed to the DCP in this report are the appropriate methods to ensure that the actual and potential effects associated with the proposed development of the site can be avoided, remedied, or mitigated.

## **8.4 Part II RMA matters**

### **RMA requirement 10**

*All decisions under the RMA are subject to Part II. Should there be a conflict between Part II matters, and other requirements of the RMA, then Part II prevails.*

### **Assessment**

Tatua's request includes an assessment of the Plan Change under Part II.

The assessment notes that Section 5 of Part 2 identifies the purpose of the Act as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

The assessment notes that the Act seeks to maintain and enhance amenity values 7(c), and improve the quality of the wider environment 7(f). Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account.

Tatua's assessment of Part II matters concludes that:

*"The proposed changes are considered largely an administrative change to allow for the intended growth of the site without having to carry out an application for resource consent for each parcel of growth. The proposed Plan change is considered to be consistent with and give appropriate effect to the statutory documents, other strategies and non-regulatory measures listed above. There are not considered to be any aspects of the listed documents that the proposed Plan change is inconsistent with."*

Overall the assessment concludes that Council can be satisfied that the request to establish a DCP for the site will meet the purpose of the RMA, and that it will avoid, remedy or mitigate any adverse effects on the environment.

Staff generally agrees with the Part II assessment and conclusion as set out above.

### **Section 32AA further evaluation**

Staff consider that the amendments to the DCP proposed in this report are consistent with Part II RMA. This is the case as the changes will improve certainty for both Tatua and the Council, improve the clarity and enforceability of the DCP provisions and enable safety effects on the rail crossings to be appropriately managed.

## **9. Conclusion and recommendations**

Proposed Private Plan Change 52 – Tatua Co-operative Dairy Company's Proposed Development Concept Plan Change to the Matamata-Piako District Plan was requested by Tatua Co-operative Dairy Company Limited. The Plan Change seeks to revise a customised Development Concept Plan for the company's site located in the Tatuani, in order to provide more regulatory certainty for future development while ensuring that appropriate controls are in place to avoid, remedy or mitigate adverse effects. The site included in the Plan Change is partly in the Industrial Zone, and partly in the Rural Zone.

The Council accepted the Plan Change in 14 February 2018. Subsequently, the Plan Change was notified. In response to the notification, submissions were received from the New Zealand Transport Agency, Matamata-Piako District Council Staff, and Ngati Haua Trust. A submission was also received from KiwiRail Holdings Limited. However this submission has now been withdrawn and has therefore been disregarded.

The submissions that have not been withdrawn are in support of the Plan Change, subject to changes or subject to clarification. Matamata-Piako District Council Staff submission requests amended wording of the DCP provisions in order to improve clarity. The New Zealand Transport Agency sought assurances in relation to staff parking and pedestrian/vehicle access across State Highway 26. In a further cross submission the Agency supported all the Matamata-Piako District Council staff submissions. The Ngati Haua submission raised matters relating to a lack of appropriate consultation and of the need for a cultural values assessment to be undertaken.

Tatua has consulted with submitters on the matters of concern. The outcome of the discussions is that the Agency's concerns have been addressed through the amended wording as has the amended DCP wording requested by MPDC staff. The changes have been accepted by Tatua and are now reflected in the modified DCP discussed in this report. It is understood that Ngati Haua and Tatua have reached an accord through an agreed MOU.

As a result, the parties that originally wanted to be heard, have agreed that the modification of the Plan Change as set out in this report will resolve all matters in dispute. As such they have advised that they no longer want to be heard and there is no need for Council to hold a hearing.

Staff have reviewed the Plan Change Request and consider that the modified Plan Change as set out in this report meets the legislative requirements under the RMA and can be approved.

The plan-making process has now progressed to the stage where it is referred back to the Council for its decisions on:

- The submissions; and
- The outcome of the Plan Change request.

Staff's recommendations on the matters to be considered by Council are outlined below:

## **9.1 Submissions (Clause 10 of the First Schedule to the RMA)**

- A.** *That pursuant to clause 10 the First Schedule to the Resource Management Act 1991 the Matamata-Piako District Council resolves to accept the submission in support of Private Plan Change 52 by the New Zealand Transport Agency, noting that the DCP provisions have, in response to its submission and the submissions by other parties, been modified by Council's decisions.*

### Reason

- (i) *The Council is satisfied that Plan Change 52 as amended (see Appendix B) has appropriately assessed the traffic effects of the development envisaged under the DCP, on the state highway network.*

- B** *That pursuant to clause 10 the First Schedule to the Resource Management Act 1991 the Matamata-Piako District Council resolves to accept the submission in support of Private Plan Change 52 by Matamata-Piako District Council Staff and to modify the DCP as shown in Appendix B, in response to the submission.*

### Reasons

- (i) *The amendments proposed in the submission will improve the clarity of the DCP provisions, without altering the intent of the provisions as notified.*

- C** *That pursuant to clause 10 the First Schedule to the Resource Management Act 1991 the Matamata-Piako District Council resolves to accept the submission in support of Private Plan Change 52 by Ngati Haua Iwi Trust, noting that the submission has been resolved through a Memorandum of Understanding between the submitter and Tatua without requiring modifications to the DCP.*

### Reasons

- (i) *Ngati Haua and Tatua have reached an accord on matters of cultural significance to the iwi through the preparation of Memorandum of Understanding between the two parties.*

## **9.2 Decision on Plan Change 52 (Clause 29 of the First Schedule to the RMA)**

*That pursuant to clause 29 of the First Schedule to the Resource Management Act 1991 the Matamata-Piako District Council resolves to approve Private Plan Change 52 subject to the modifications shown in Appendix B.*

### **Reasons**

- (i) The amendments will assist the Council to carry out its functions so as to achieve the purpose of the Resource Management Act 1991.*
- (ii) The modification will ensure that the Plan Change aligns with the Operative Waikato Regional Policy Statements, and the Operative Matamata-Piako District Plan.*
- (iii) The changes are required to ensure that all of the actual and potential adverse effects on the environment are considered and that provisions are in place to ensure that the adverse effects are avoided, remedied, or mitigated.*
- (iv) The section 32 and section 32AA RMA evaluation and further evaluation have shown that the Plan Change as modified represents the most appropriate way to achieve the purpose of the Resource Management Act 1991.*
- (v) The Plan Change as modified by Council is in accordance with the purpose and principles of the Resource Management Act 1991.*

# Appendix A

## Summary of Submissions

# Proposed Plan Change 52 to the Operative Matamata-Piako District Plan

## Proposed Development Concept Plan for Milk Processing Site, State Highway 26, Tatua – Summary of Submissions

Submitter	Specific Provisions of the plan change that the submission relates to:	Position (Support/ Oppose/ Neutral)	Details of Submission and relief sought: <ul style="list-style-type: none"> <li>• additions in <b>bold underlined text</b></li> <li>• deletions in <del>strike through</del></li> <li>• actions shown in <b>red text</b></li> </ul>	Decision that the Submitter wants Council to make:	Further Submissions	Submitter to be heard?
<b>1. KiwiRail Holdings Limited</b> Level 1 Wellington Railway Station Bunny Street PO Box 593 Wellington, 6140  Attention: Pam Butler <a href="mailto:Pam.butler@kiwirail.co.nz">Pam.butler@kiwirail.co.nz</a>	Safety risks and safe operation at a railway level crossing that could be affected by a change in activity at the Site.	Support, subject to road/rail safety issues being addressed.	<p>The submitter requests the provision of an assessment of the impact of the proposal on the State Highway 27 crossing over the Waitoa Branch Line in terms of risks and safe operations.</p> <p>Confirmation is sought whether the existing level crossing is adequate to accommodate the proposed increase in traffic, or if additional mitigation is required. The use of the “Level Crossing Safety Impact Assessment” (LCSIA) process is recommended to assess risk.</p> <p>In assessing the risks, the submitter advises the use the Level Crossing Safety Score (LCSS) together with the traditional ALCAM level crossing risk model score to consider the three additional data sources associated with crash risk:</p> <ul style="list-style-type: none"> <li>- Historical crash and incident data;</li> <li>- Safety observations made by locomotive engineers and road controlling authority engineers; and</li> <li>- A more detailed site assessment of the impact of the existing level crossing layout on traffic/cyclists/pedestrians and their interaction with it and the surrounding transport network.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Primary Relief sought:</b> Undertake the LCSIA assessment prior to consideration of the plan change to identify whether any safety mitigation measures are required now, or if they could be staged as part of the site’s future development.</li> <li>• <b>Secondary Relief sought:</b> If an LCSIA is not conducted, add the following:  “2.1 Performance Standards for Permitted Activities: <b><u>(x) A Level Crossing Safety Impact Assessment (LCISA) for the SH27 level crossing will be required, identifying whether upgrades are required to achieve address risk and achieve safe operating levels for road users, incl. pedestrians/cyclists. The LCSIA recommended mitigation measures must be implemented prior to occupation or use of activities established a result of Plan Change 52.</u></b>”</li> <li>• 3.1 Matters of Control/Discretion Traffic (a) ii: Infrastructure provision, including works needed to maintain the safety and efficiency of the transportation system such as any upgrades necessary to pedestrian and cycle facilities, intersections, <b><u>level crossings,</u></b> pavements and structures on the system affected by the proposed activity.</li> </ul>	Accept the plan change subject to the relief in the adjacent column.	<b>NZ Transport Agency</b>  The Transport Agency supports the submission of KiwiRail Holdings Limited (submitter 1) in its entirety.  The assessments identified by the submitter are necessary to ensure the effects of development are appropriately avoided, remedied or mitigated.  The Transport Agency does not wish to be heard in support of this further submission.	Yes
<b>2. Ngai Haua Iwi Trust</b> 19A Allen Street, Morrinsville, 3700  Attention: Lisa Gardiner <a href="mailto:Lisa@ngatihauaiwitrust.co.nz">Lisa@ngatihauaiwitrust.co.nz</a>	The DCP in its entirety.	Oppose, until the cultural and environmental effects of the proposal are adequately	<p>The Ngati Haua rohe spans from Te Aroha south to Te Weraiti, then west to Maungatautari and on to Te Rapa, Mangateparu and back to Te Aroha. Part of the Ngati Haua rohe is included in Waikato Raupatu Claims Area established in 1995.</p> <p>Ngati Haua extend the co-management instruments afforded to Waikato-Tainui through the Raupatu Settlement to cover the Ngati Haua area of interest, and are involved in co-management of the Waikato River.</p>	Decline the plan change or, if the plan change is not declined, prepare a Cultural Assessment Report.		Yes

WITHDRAWN  
19 June 2018

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WITHDRAWAL

		assessed.	<p>The submitter appreciates the efforts to date of the applicant to discuss the DCP with Ngati Haua but request that a Cultural Assessment Report also be undertaken. The submitter believes that the DCP application cannot be assessed in isolation from the other large scale developments within their rohe.</p> <ul style="list-style-type: none"> <li>Prepare a Cultural Assessment Report to identify Ngati Haua's cultural and environment issues associated with the DCP; and reference any future activities of Tatua against Ngati Haua's Rautaki Taiao Plan.</li> </ul>			
<p><b>3.Matamata-Piako District Council</b></p> <p>PO Box 266 Te Aroha, 3342 Attention: Mark Hamilton <a href="mailto:mhamilton@mpdc.govt.nz">mhamilton@mpdc.govt.nz</a></p>	<ul style="list-style-type: none"> <li>Permitted Activities - 1.1.1 (d); 1.1.2(a); 1.1.3 (a); 1.1.3 (c) and 1.1.3 (d).</li> <li>Performance Standards - 2.1 (a); 2.1 (b); 2.1 (c); 2.1 (f); 2.1 (m); 2.1(n); 2.1 (o); 2.1 (p) and 2.1 (w).</li> <li>Matters of Discretion – General, Bulk and Location, Colour and Odour.</li> <li>Miscellaneous matters.</li> </ul>	Support, with amendments.	<p>MPDC seeks amendments to the provisions/actions as shown below:</p> <ul style="list-style-type: none"> <li>Permitted Activities 1.1.1(d): Any activity identified as a permitted activity, <b>ancillary to the use of the site as provided for in 1.1.2 Development Area 1 and 1.1.3 Development Area 2</b>, in the relevant underlying Zone as identified in the District Plan not otherwise provided for in this Development Concept Plan.</li> <li>Permitted Activities 1.1.2 (a) xi): Require a transportation assessment to justify inclusion of daycare facilities and recreation facilities or, otherwise, exclude both facilities from the rule.</li> <li>Permitted Activities 1.1.3 (a) xi): Require a transportation assessment to justify inclusion of daycare facilities and recreation facilities or, otherwise, exclude both facilities from the rule.</li> <li>Permitted Activities 1.1.3 (c): Activities and structures relating to the loading and unloading of goods, <b>subsidiary to the activities undertaken onsite</b>, for rail transport, including rail yards and rail sidings.</li> <li>Permitted Activities 1.1.3 (d) (i): Pedestrian/good underpass of SH26. Such an underpass will only be required when the Tatua administrative headquarters is relocated onto Development Area 2 or more than <del>10</del> <b>30</b> carpark for factory staff are provided on the western side of SH26.</li> <li>Performance Standard 2.1(a): The maximum height of any building and / or structure shall be no greater than 8m unless otherwise identified on the Development Concept Plan, except that <b>the following may exceed the relevant height limit by 5 m:</b> i) <del>Up to 2 B</del> boiler stacks per boiler; and ii) 4 exhaust vents per dryer (for <b>a maximum of (for up to 4 dryers) may exceed the height limit by up to 5m.</b></li> <li>Performance Standard 2.1(b): <b>The addition of further detail to Sheet 6 – Height Control Plan displaying the setbacks on all boundaries of the Development Concept Plan.</b></li> <li>Performance Standard 2.1(c): <b>Council encourages Tatua to ensure that all existing buildings currently comply with this performance standard.</b></li> <li>Performance Standard 2.1(f)(i): <del>That the corrected noise level measured at the Noise Emission Control Boundary shall not exceed:</del> <del>Monday to Sunday including Public Holidays (7am to 10pm) 50 dB LAeq</del> <del>All other times 45 dB LAeq and 75 dB LAmx</del>  <b><u>The corrected noise level measured at the Noise Emission Control Boundary (NECB) shall not exceed:</u></b> <b><u>Monday to Saturday (7am to 10pm): 50 dB LAeq</u></b> <b><u>At all other times, including Sundays and Public Holidays: 40 dB LAeq and 75 dB LAmx.</u></b> <b><u>10.00pm to 7.00am: 65dB LAmx</u></b></li> <li>Performance Standard 2.1(f)(iv): <del>Any new dwelling or extension to any bedroom or</del></li> </ul>	Accept the plan change subject to the relief in the adjacent column.	<p><b>NZ Transport Agency</b></p> <p>The Transport Agency supports in part the submission of Matamata-Piako District Council (submitter 3).</p> <p>The following amendments are supported:</p> <ul style="list-style-type: none"> <li>Permitted Activities 1.1.2 (a) xi) Transportation assessment</li> <li>Permitted Activities 1.1.3 (a) xi) Transportation assessment</li> <li>Permitted Activities 1.1.3 (d) i) Underpass</li> <li>Performance Standard 2.1(b): Setbacks</li> <li>Performance Standard 2.1 (n): (i) Earthworks</li> <li>Performance Standard 2.1 (p)(ii): Carparking and Formation Standards</li> <li>Matter of Discretion – Bulk and Location (a) and (e) Signage</li> <li>Miscellaneous: Vegetation clearing to improve visibility onto SH 26 from Brown Road.</li> </ul> <p>The Transport Agency does not wish to be heard in support of this further submission.</p>	Yes

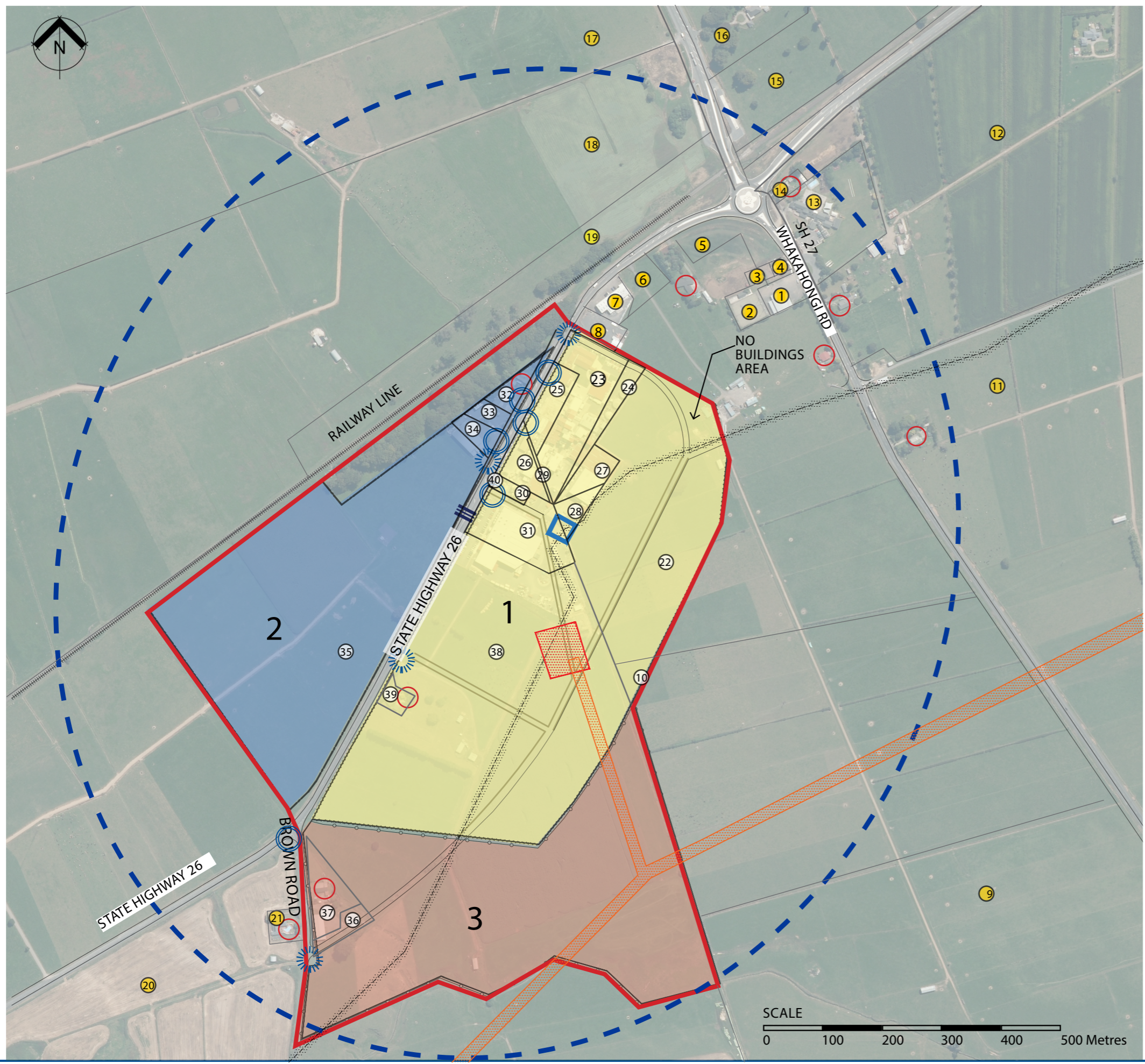
			<p><del>habitable room in an existing dwelling constructed within the NECB shall be designed to achieve a level of 30dB LAeq in any bedroom and 40dB LAeq in any other habitable room.</del></p> <ul style="list-style-type: none"> <li>• Performance Standard 2.1 (m)(i): There shall be no contaminants or particulate matter that has adverse effects on human health or causes objectionable effects beyond the boundary of the <b>site DCP</b>.</li> <li>• Performance Standard 2.1 (m)(ii): Activities shall operate so as to ensure that dust generation is minimized. These activities shall be undertaken in a manner so as to avoid any adverse effects associated with dust and particulate emissions beyond the boundary of the <b>site of emission DCP</b>.</li> <li>• Performance Standard 2.1 (n): (i) All earthworks to be managed in accordance with the Waikato Regional Plan and the erosion and sediment control: guidelines for soil disturbing activities. <b>(ii) That all vehicle movements associated with construction and/or development must not track dirt and loose material onto the road carriageway. Any material which may inadvertently deposit on the road must be immediately washed or swept clear of the road carriageway so that there is no hazard to the travelling public.</b></li> <li>• Performance Standard 2.1 (o)(i): Landscape planting, including retention of the existing oaks, shall be located <del>in general accordance with the Development Concept Plan</del> and <del>is to be</del> completed in accordance with the staging specified in the Development Concept Plan (<del>Attachment B</del>: sheets 7 -11). i.e. Development within a building area requires planting to be undertaken in the corresponding planting area.</li> <li>• Performance Standard 2.1 (o)(ii): Prior to the construction of new buildings/structures with a gross floor area (GFA) greater than 200m<sup>2</sup>, or 8m in height, <b>located</b> outside the existing DCP shown on sheet 7, a landscape plan shall be submitted to the Matamata-Piako District Council as per (i) above.</li> <li>• Performance Standard 2.1 (p)(ii): <del>Conduct a visitor parking assessment to justify the proposed number of visitor car parks in the performance standard.</del></li> <li>• Performance Standard 2.1 (p): <b>(ix) All parking should be located within the Development Concept Plan. No overspill of visitor or staff parking shall be located within the road reserve.</b></li> <li>• Performance Standard 2.1 (w)(i): <del>Require a transportation assessment to justify inclusion of daycare facilities and recreation facilities or, otherwise, delete the standard.</del></li> <li>• Matter of Discretion – General(a): Suitability of the activity with regards to its location as shown on the DCP <b>and/or within the wider environment.</b></li> <li>• Matter of Discretion – Bulk <del>and</del>, Location <b>and Signage (a):</b> Any effects of an increase in <b>signage</b>, building height or a reduced setback from internal and road boundaries on the rural amenity values in the locality and the reasonable use of adjoining land.</li> <li>• Matter of Discretion – Bulk and Location(e): <del>Proposed signs.</del></li> <li>• Matter of Discretion – Colour – (a): Alternative colour finishes and their effectiveness to address the visibility of the proposed structure individually and cumulatively <del>within the Height Control Zone within the Development Concept Plan.</del></li> <li>• Matter of Discretion – <b>Emissions to Air (Odour and Dust): b) The effects of dust or particulate matter originating from the DCP site including, but not limited to, its composite material and quantity.</b></li> <li>• DCP Title: Milk Processing <del>Factory</del> <b>Site</b>, SH 26, Tatuani</li> <li>• Sheet 7 – Planting Plan: <del>Amend sheet title to remove reference to “Attachment B”. Remove “Planting Area F” from the key. Include on the key the boundaries for Development Areas 1-3. Include additional planting feature within Planting Areas A</del></li> </ul>			
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			<p>and F on the “Proposed Planting” key.</p> <ul style="list-style-type: none"> <li>• Sheets 8, 9 and 10 – Planting Cross Sections: Remove reference to “Attachment C:” from the title of Sheets 8, 9 and 10.</li> <li>• Sheets 11 – Planting Schedule: Remove reference to “Attachment D:” from the title of Sheet 11.</li> <li>• Vegetation clearing: Request Tatua to clear vegetation to improve visibility onto SH 26 from Brown Road and include a provision to maintain sightlines at this location.</li> <li>• District Plan Map 25: amend map to include a border around the Tatua DCP boundary.</li> </ul>			
<p><b>4.NZ Transport Agency</b>  <b>PO Box 973</b>  <b>Waikato Mail Centre</b>  <b>Hamilton 3240</b></p> <p>Attention: <b>Julia Familton</b>  <b><a href="mailto:hamiltonplanning@nzta.govt.nz">hamiltonplanning@nzta.govt.nz</a></b></p>	<p>Pedestrians crossing State Highway 26 from the western carpark.</p> <p>Performance Standards 2.1 (q), (s), (t) and (u).</p>	<p>Support, with amendments.</p>	<p>The submitter is generally satisfied that the mitigation measures identified in the Integrated Transport Assessment have been incorporated into the DCP.</p> <p>The submitter’s chief concern is the risk to pedestrians parking on the western side of State Highway 26 (SH26) and crossing the highway to the Tatua site. Although a future pedestrian underpass will address this concern, the submitter is concerned that pedestrians may still cross the highway if it is easier than using the underpass.</p> <p>The submitter supports the use of a Construction Traffic Management Plan and the possible extension of the flush median on SH 26.</p> <p>The submitter notes that new or modified intersections with the State Highway network should be subject to Transport Agency design approval.</p> <ul style="list-style-type: none"> <li>• “Performance Standard 2.1 (q): “When the Tatua administrative headquarters is relocated to Development Area 2, or more than 30 carparks for factory staff are provided on the western side of SH26, a pedestrian/goods underpass shall be provided as shown on the DCP.</li> </ul> <p><b><u>Note: the design of the site should encourage pedestrians to utilise the underpass by providing car-parking in close proximity and by incorporating design features such as pedestrian barriers and signage to encourage its use and discourage pedestrians crossing the state highway.”</u></b></p> <p>“Performance Standard 2.1 (u): “Vehicle Access Points shall be designed, formed and constructed to the standard required by the NZ Transport Agency as specified in the <del>MPDC Development Manual 2010, or such standards as agreed with the NZ Transport Agency</del> <b><u>NZ Transport Agency’s Planning Policy manual</u></b>”.</p>	<p>Accept the plan change subject to the relief in the adjacent column.</p>		<p>No</p>

# Appendix B

Recommended changes to DCP  
(track changes), and other  
consequential changes to the  
District Plan proposed as a  
consequence of the Plan Change.

Recommended changes to the  
Development Concept Plan  
(tracked changes)



KEY

Development Area 1 - Manufacturing and Processing Activities

Development Area 2 - Support Activities

Development Area 3 - Wastewater and Stormwater

Noise Emission Control Boundary (NECB)

Property Boundaries

Existing Dwellings inside NECB as at 1 December 2017

DCP Boundary

Powerco

Site

Vector Gas

Gas Pipeline & Corridor

Gas Station Site

Sub Trans Underground Cable Corridor

PROPOSED ACCESS

Existing Access

Possible Future Access

Possible Pedestrian Underpass

LEGAL DESCRIPTION

Outside of DCP	Inside the DCP
① Section 21 SO 468539	⑩ Lot 2 DP 14236*
② Section 19 SO 468539	⑪ Section 15 SO 468539*
③ Section 17 SO 468539	⑫ Lot 1 DP 12404
④ Section 8 SO 468539	⑬ Lot 1 DPS 11186
⑤ Section 16 SO 468539	⑭ Part Tatuahaua 1 Block
⑥ Section 14 SO 468539	⑮ Lot 1 DPS 68
⑦ Lot 1 DPS 8607	⑯ Lot 1 DPS 16815
⑧ Part Lot 1 DP 9358	⑰ Lot 2 DPS 33988
⑨ Lot 3 DP 14236	⑱ Part Lot 2 DP 12404
⑩ Lot 2 DP25518	⑲ Lot 1 DPS 3109
⑪ Section 18 SO 468539	⑳ Lot 1 DPS 33988
⑫ Pt Lot 4 DP 14236	㉑ Part Lot 3 DP 12471
⑬ Lot 1 DPS 38971	㉒ Lot 2 DPS 41895
⑭ Part Te Kahia Block	㉓ Lot 3 DPS 41895
⑮ Lot 1 DPS 7021	㉔ Part lot 3 DP 9358
⑯ Section 11 SO 468539	㉕ Lot 1 DPS 57607
⑰ Section 12 SO 468539	㉖ Lot 2 DPS 57607
⑱ Section 13 SO 468539	㉗ Lot 2 DPS 71013
⑲ Pt lot 5 DP 9358	㉘ Lot 1 DPS 35994
㉑ Lot 1 DPS 19332	㉙ Section 1 SO 414767

\*lots located inside DCP and not in Tatuahaua ownership as at 31/01/18

Note: For underlying zone, refer to Planning Map 25 in the District Plan

1.1 Permitted Activities	
Subject to compliance with the relevant performance standards in Section 2.1, the following activities are permitted:	
1.1.1 All Areas	
(a)	Earthworks associated with any permitted, controlled, restricted discretionary or discretionary activity provided for in the Development Concept Plan.
(b)	Storage and handling of any volume of hazardous substances or dangerous goods, including by-products and waste materials, associated with a permitted, controlled, restricted discretionary or discretionary activity provided for in the Development Concept Plan.
(c)	Alterations and additions to an existing dwelling, garage or accessory building.
(d)	Any <del>other</del> activity <del>identified as a permitted activity in the relevant underlying Zone as identified in the District Plan Rural zone, which occurs on land within the DCP with an underlying zoning of Rural, which is</del> not otherwise provided for in the <del>is</del> Development Concept Plan.
(e)	Signs.
(f)	Temporary construction buildings.
1.1.2 Development Area 1	
(a)	Activities, buildings and structures located in Development Area 1 (i.e. east of SH26) of the Development Concept Plan relating to processing milk and other raw materials and ingredients, including: <ul style="list-style-type: none"> <li>(i) Milk reception facilities and Tanker wash facilities;</li> <li>(ii) Parking, existing access and internal roading, loading and manoeuvring areas;</li> <li>(iii) Facilities for the packing, storage and distribution of any products produced on site;</li> <li>(iv) Storage, processing and disposal of waste material produced onsite;</li> <li>(v) Workshops and transport servicing depots;</li> <li>(vi) Demolition of buildings and structures;</li> <li>(vii) Laboratories and research establishments;</li> <li>(viii) Milk Processing Facilities, Powder dryers and Pipebridges and associated infrastructure;</li> <li>(ix) Water treatment facilities;</li> <li>(x) Energy production including boilers, power plants and co-generation plants;</li> <li>(xi) Ancillary activities including offices, canteens, medical rooms, <del>and</del> ablution facilities, <del>daycare facilities and/or recreation facilities associated with any permitted activity.</del></li> </ul>
(b)	Pedestrian/goods underpass of SH26. Such an underpass will only be required when the Tatuā administrative headquarters are relocated to Development Area 2 or more than 30 carparks for factory staff are provided on the western side of SH26. <i>Note: Written approval from the New Zealand Transport Agency will be required for the activity to be processed as a permitted activity.</i>
(c)	Upgrade works to the driveway to the south of the site (RAPID No.3388), including a flush median. <i>Note: Written approval from the New Zealand Transport Agency will be required for the activity to be processed as a permitted activity.</i>
1.1.3 Development Area 2	
(a)	Activities, buildings and structures located in Development Area 2 (i.e. west of SH26) of the Development Concept Plan relating to administration and commercial activities subsidiary to the processing of milk and production of milk related products, including: <ul style="list-style-type: none"> <li>(i) Parking, existing access and internal roading, loading and manoeuvring areas;</li> <li>(ii) Ancillary activities including offices, canteens, medical rooms <del>and</del> ablution facilities, <del>daycare facilities and recreation facilities associated with any permitted activity;</del></li> <li>(iii) Demolition of buildings and structures;</li> <li>(iv) Commercial activities and structures associated with an on-site café and agribusiness activity;</li> <li>(v) Domestic wastewater treatment facilities;</li> <li>(vi) Water treatment facilities;</li> </ul> <i>For the purpose of this rule, agribusiness is defined as “an activity involved in the wholesale, retail and distribution of farm equipment and supplies, and / or the storage, and distribution of farm commodities”.</i>
(b)	Irrigation spraying of wastewater produced from on-site processing and manufacturing activities.

(c)	Activities and structures relating to the loading and unloading of goods <del>subsidiary to the activities undertaken onsite</del> for rail transport including rail yards and rail sidings.
(d)	Pedestrian/goods underpass of SH26. Such an underpass will only be required when the Tatuā administrative headquarters is relocated onto Development Area 2 or more than <del>40</del> <u>30</u> carparks for factory staff are provided on the western side of SH26. <i>Note: Written approval from the New Zealand Transport Agency will be required for the activity to be processed as a permitted activity.</i>
1.1.4 Development Area 3	
(a)	Activities, buildings and structures located in Development Area 3 (i.e. the south east area of the Development Concept Plan) relating to the treatment of wastewater and stormwater produced from on-site processing and manufacturing activities, including: <ul style="list-style-type: none"> <li>(i) Wastewater treatment facilities;</li> <li>(ii) Stormwater ponds and/or facilities;</li> <li>(iii) Irrigation spraying of wastewater.</li> </ul>
1.2 Controlled Activities	
(a)	Any activity identified as a controlled activity in the relevant underlying Zone as identified in the District Plan not otherwise provided for in the <del>is</del> Development Concept Plan. <i>Note: Control is reserved to the matters stipulated in the underlying Zone.</i>
1.3 Restricted Discretionary Activities	
(a)	Any new vehicle access constructed onto a road in accordance with the location shown on the <del>is</del> Development Concept Plan. <i>Note: Discretion is restricted to traffic related effects. The relevant road controlling authority shall be considered the only potentially affected party.</i>
(b)	Any permitted activity which is provided for in the Development Concept Plan and does not meet the relevant performance standards in Section 2.1. <i>Note: Discretion is restricted to the matters of non-compliance.</i>
(c)	Any activity identified as a restricted discretionary activity in the relevant underlying Zone as identified in the District Plan not otherwise provided for in the <del>is</del> Development Concept Plan. <i>Note: Discretion is restricted to the matters stipulated in the underlying Zone.</i>
1.4 Discretionary Activities	
(a)	Any activity not provided for as a permitted, controlled, or restricted discretionary activity in the Development Concept Plan but can meet the relevant performance standards in section 2.1.
(b)	Any activity identified as a discretionary activity in the relevant underlying Zone as identified in the District Plan not otherwise provided for in the <del>is</del> Development Concept Plan.
1.5 Non-complying Activities	
(a)	Any activity not provided for as a permitted, controlled, restricted discretionary or discretionary activity in the Development Concept Plan and cannot meet the relevant performance standards in section 2.1.

## 2. Performance Standards

2.1 Performance Standards for Permitted Activities	
(a) Building height	The maximum height of any building and / or structure shall be no greater than 8m unless otherwise identified on the Development Concept Plan, except that: <del>the following may exceed the relevant height limit by 5m:</del> <ul style="list-style-type: none"> <li>(i) <del>Up to</del> 2 boiler stacks per boiler; and</li> <li>(ii) 4 exhaust vents per dryer (for <del>a maximum of up to</del> 4 dryers) <del>may exceed the height limit by up to 5m.</del></li> </ul>
(b) Setbacks	All buildings and structures shall be set back a minimum of 10 metres from the site boundary except where otherwise shown on sheet 6 of the Development Concept Plan.

2.1 Performance Standards for Permitted Activities	
	<p><i>Note: Setbacks will not apply for any proposed signage not requiring a building consent or any proposed underground utility relating to infrastructure for roading, rail, the management of wastewater, stormwater or the supply of water.</i></p> <p><i>Note: Parties seeking to plan or undertake works in the Sub-Transmission Underground Cable Corridor or in close proximity to overhead sub-transmission lines should contact Powerco directly to obtain further and more accurate information before making such plans and/or commencing works.</i></p> <p><i>No works can be undertaken in the Gas Pipeline Corridor without obtaining a work permit from Vector Gas Limited (a minimum of two working days' notice is required).</i></p>
(c) Building Colour	<p>(i) Any structure/building that is in the nature of a silo, external piping, or other milk processing equipment shall retain its natural metallic finish;</p> <p>(ii) Any <u>permanent</u> building/ structure <u>in Development Area 1, that is</u> not in the nature of a silo, external piping, or other milk processing equipment shall be finished in the following colours, excluding trim, fittings, guttering, detailing and signage:</p> <p>a) Tatua colours – off white, with red roofing and trim.</p> <p><i><u>Note: This rule only applies to new buildings or structures constructed in Development Area 1 after 1 April 2019, or existing buildings and structures that are the subject of external alterations or additions after this date.</u></i></p>
(d) Building envelope for existing dwellings	<p>(i) Maximum height: 10m;</p> <p>(ii) Front yard: No extension or addition to the existing dwelling, garage or accessory building shall occur forward of the current building line;</p> <p>(iii) All other yards 10m.</p>
(e) Temporary construction buildings	Temporary construction buildings must only be used in conjunction with, and for the duration of, a construction project located and within the DCP boundaries. For the avoidance of doubt, temporary construction buildings must not be used as dwellings or for residential activities.
(f) Operational Noise	<p>(i) That the corrected noise level measured at the Noise Emission Control Boundary shall not exceed:</p> <ul style="list-style-type: none"> <li>Monday to Sunday including Public Holidays (7 am to 10 pm) 50 dB LAeq,</li> <li>All other times 45 dB LAeq and 75 dB LMax.</li> </ul> <p>(ii) The performance standard in (i) does not apply within the notional boundary of any rural dwellings within the following Lots:</p> <ul style="list-style-type: none"> <li>Section 15 SO 468539 (3458 SH26 and 4528 SH27)</li> <li>Section 18 SO 468539 (4521 SH27)</li> <li>Lot 2 DP 25518 (4543 SH27)</li> <li>Lot 1 DPS 7021 (4479 SH27)</li> <li>Lot 1 DPS 19332 (16 Brown Road)</li> <li>Lot 2 DPS 57607(11 Brown Road)</li> <li>Lot 1 DPS 35994 (3386 SH26)</li> <li>Part Lot 3 DP 12471 (34335 SH26)</li> <li>Lot 1 DPS 38971 (4507 SH27)</li> <li>Or within the notional boundary of any rural dwelling established post 1 December 2017 within the Noise Emission Control Boundary.</li> </ul> <p><del>(iii) For any existing dwelling not currently owned by the Tatua Co-operative Dairy Company Ltd ("Tatua"), that is within the NECB, as identified on Sheet 1, where requested by the dwelling owner, Tatua shall, undertake an assessment of whether noise generated by Tatua would result in levels exceeding 30dB LAeq within any bedroom or 40dB LAeq within any other habitable room. In the event that this assessment indicates that these noise levels are exceeded as a result of noise generated by Tatua then Tatua shall, within 12 months of the date of approval of the DCP, offer the owner to upgrade their dwelling to achieve a level of 30dB LAeq in any bedroom and 40dB LAeq in any other habitable room. Where ventilating windows and/or doors need to be closed to achieve the internal noise level, ventilation shall</del></p>

2.1 Performance Standards for Permitted Activities	
	<p><del>be provided to satisfy the minimum requirements of Section G4 of the Building Code.</del></p> <p><del>(iii) Any new dwelling or extension to any bedroom or other habitable room in an existing dwelling constructed within the NECB shall be designed to achieve a level of 30dB LAeq in any bedroom and 40dB LAeq in any other habitable room. If requested by the property owner, prior to the approval of any Building Consent for the works, Tatua shall undertake an assessment within two weeks of whether noise generated by Tatua would result in levels exceeding 30dB LAeq in any bedroom and 40dB LAeq in any other habitable room. In the event this assessment indicates that these levels are likely to be exceeded as a result of noise generated solely by Tatua, then Tatua shall offer the owner to upgrade the bedroom or any other habitable room to bring the noise level solely attributable to Tatua down to 30dB LAeq in any bedroom and 40dB LAeq in any other habitable room. Where ventilating windows and/or doors need to be closed to achieve the internal noise level, ventilation shall be provided to satisfy the minimum requirements of Section G4 of the Building Code. The requirement for Tatua to undertake an assessment and/or to pay for any associated upgrade to meet this standard shall only apply if the dwelling or extension is a Permitted Activity and able to occur without the need for resource consent.</del></p> <p><del>(iv) The noise level of any ventilation system installed to provide for a residential dwelling shall not exceed 30dB LAeq when operating at the design speed as measured within 2m of the unit.</del></p> <p><del>(v) (iv) That all noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and New Zealand Standard NZS 6802:2008 "Acoustics - Environmental Noise".</del></p>
(g) Construction noise	All construction noise shall comply with the relevant noise levels stated in NZS 6803: 1999, section 7.2 'Recommended numerical Limits for construction noise' and shall be measured and assessed in accordance with NZS 6803: 1999 'Acoustics – Construction Noise'.
(h) Signage	<p>(i) All signage is to relate to the activity on site and shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>A total of 20m<sup>2</sup> along the eastern road frontage of SH26.</li> <li>A total of 16m<sup>2</sup> along the western road frontage of SH26.</li> </ul> <p>(ii) a freestanding sign shall have a maximum height no greater than the permitted building height for the area, including flagpoles; and</p> <p>(iii) signs shall not be internally illuminated, flashing, incorporate fluorescent or moving materials such as flags or be painted in colours that are used on traffic signals; and</p> <p>(iv) all signs shall be placed so that, where attached to a building, no part protrudes above the eaves or parapet, or where attached to a fence or wall, no part protrudes above the top of the fence or wall; and</p> <p>(v) signs shall be placed so that they do not block sight distances at entranceways; and</p> <p>(vi) signs shall be removed where the goods, services or events to which the sign relates are no longer available, or no longer relevant to the site; and</p> <p>(vii) safety signs necessary to meet legislative requirements are not subject to a maximum total area.</p> <p><i>Note: These rules shall only apply to any signage that is visible beyond the boundaries of the site.</i></p>

2.1 Performance Standards for Permitted Activities							
(i) Irrigation spraying of wastewater produced form on-site processing and manufacturing activities	<p>The following minimum buffer distances shall be maintained at all times for the irrigation of process wastewater and dairy liquids:</p> <ul style="list-style-type: none"> <li>(i) At least 10 metres from all flowing water courses, including farm drains; and</li> <li>(ii) At least 10 metres from all external boundaries and roads; and</li> <li>(iii) At least 150 metres from any existing residence, and</li> <li>(iv) At least 300 metres from a school, marae, hall or public reserve.</li> </ul> <p>Distances to external boundaries and residences may be reduced with the prior written approval of the owner and occupier of that residence or property.</p>						
(j) Hazardous substances	Hazardous substances shall be stored, handled and managed in accordance with the relevant controls documented under the Hazardous Substances and New Organisms Act 1996 (HSNO).						
(k) Vibration	<p>Vibration shall not exceed the following average levels:</p> <p>(i) Within 20m of any dwelling in the Rural zone:</p> <table border="1"> <thead> <tr> <th>Time</th><th>Average weighted vibration level (Wb or Wd)</th></tr> </thead> <tbody> <tr> <td>Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)</td><td>45 mm/s<sup>2</sup></td></tr> <tr> <td>At all other times</td><td>15 mm/s<sup>2</sup></td></tr> </tbody> </table> <p>The weighted vibration levels Wb and Wd shall be measured according to BS6841:1987. The average vibration shall be measured over a time period not less than 60 seconds and not longer than 30 minutes. The vibration shall be measured at any point where it is likely to affect the comfort or amenity of persons occupying an adjacent site.</p>	Time	Average weighted vibration level (Wb or Wd)	Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)	45 mm/s <sup>2</sup>	At all other times	15 mm/s <sup>2</sup>
Time	Average weighted vibration level (Wb or Wd)						
Monday to Saturday: 7.00am to 6.00pm (0700 to 1800)	45 mm/s <sup>2</sup>						
At all other times	15 mm/s <sup>2</sup>						
(l) Lighting and glare	<ul style="list-style-type: none"> <li>(i) At no time between 7.00am and 10.00pm shall any outdoor lighting be used in a manner that causes an added illuminance in excess of 125 lux, measured horizontally or vertically at the boundary of any non-Industrial zoned site adjoining;</li> <li>(ii) At no time between the hours of 10.00pm and 7.00am shall any outdoor lighting be used in a manner that causes: <ul style="list-style-type: none"> <li>• An added illuminance in excess of 10 lux measured horizontally or vertically at any window of an adjoining building outside of the DCP</li> <li>• An added illuminance in excess of 20 lux measured horizontally or vertically at any point along any non-Industrial zone boundary;</li> </ul> </li> <li>(iii) Where measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations of a similar nature which are not affected by such outdoor lighting;</li> <li>(iv) The outdoor lighting on any site adjoining any non-Industrial zoned site shall be so selected, located, aimed, adjusted and screened as to ensure that glare resulting from the lighting does not cause a significant level of discomfort to any occupants of the non-industrial site;</li> <li>(v) The exterior of any structure shall not utilise reflective material or unpainted surfaces that could cause nuisance glare.</li> </ul> <p><i>For the purposes of this rule, the discomfort level is defined as one that can be detected or determined to be a nuisance by an appropriately experienced Council Officer who is able to apply the frequency, intensity, duration and offensiveness to their observations and who is able to report on these accurately.</i></p>						
(m) Emissions to Air (Odour and Dust)	<ul style="list-style-type: none"> <li>(i) There shall be no contaminants or particulate matter that has adverse effects on human health or causes objectionable effects beyond the boundary of the <del>site</del> <u>DCP</u>.</li> </ul> <p>For the purpose of this rule an emission to air nuisance is defined as one that can be detected and determined to be a nuisance by three observers who are neutral to the issue, able to apply the frequency, intensity, duration and offensiveness to their observations and who are able to report these accurately; or an appropriately experienced Council or Regional Council Officer after having considered objectives, policies and guidelines of</p>						

2.1 Performance Standards for Permitted Activities	
	<p>assessment as provided in the relevant sections of a Regional Air Plan or consideration of the provisions in Section 17 and Part XII of the RMA;</p> <ul style="list-style-type: none"> <li>(ii) Activities shall operate so as to ensure that dust generation is minimised. These activities shall be undertaken in a manner so as to avoid any adverse effects associated with dust and particulate emissions beyond the boundary of the <del>site of emission</del> <u>DCP</u>.</li> </ul>
(n) Earthworks	<ul style="list-style-type: none"> <li>(i) All earthworks to be managed in accordance with the Waikato Regional Plan and the Erosion and sediment control guidelines for soil disturbing activities;</li> <li>(ii) <u>That all vehicle movements associated with construction and/or development must not track dirt and loose material onto the road carriageway. Any material which may inadvertently deposit on the road must be immediately washed or swept clear of the road carriageway so that there is no hazard to the travelling public.</u></li> </ul>
(o) Landscaping	<ul style="list-style-type: none"> <li>(i) Landscape planting, including retention of the existing oaks, shall be located <del>in general accordance with the Development Concept Plan</del> and <del>is to be</del> completed in accordance with the staging specified in the Development Concept Plan (<del>Attachment B</del>: sheets 7-11). i.e. Development within a building area requires planting to be undertaken in the corresponding planting area;</li> <li>(ii) Prior to the construction of new buildings/structures with a gross floor area (GFA) greater than 200m<sup>2</sup> or 8m in height, <u>located</u> outside the existing DCP shown on Sheet 7, a landscape plan shall be submitted to the Matamata-Piako District Council as per (i) above. When considering the landscape plan under (iii), Council should consider whether the level of detail gives effects to the plan in the DCP;</li> <li>(iii) The landscape plan shall detail the location of the planting, the plant species, the proposed timing of planting, the height and spacing of plants at the time of planting, and the maintenance regime of the landscape planting including soil and moisture retention, irrigation, access and the replacement of any dead, diseased or dying plants;</li> <li>(iv) Planting in all staging areas must be established in the nearest planting season immediately following completion of construction of any new buildings within the designated 'Building Area'.</li> </ul> <p><i>Note: This rule shall not apply to any planting for the purposes of enhancement within the Development Concept Plan which is additional to the planting shown on the Development Concept Plan.</i></p>
(p) Carparking and Formation standards	<ul style="list-style-type: none"> <li>(i) A minimum of 1 space per Full Time Equivalent (FTE) employee shall be provided on the site in association with permitted activities. Provision shall be made for staff parking at a rate equivalent to the staff requirement for each consented increase;</li> <li>(ii) <u>A minimum of 13 9 visitor parking spaces shall be provided, at all times with provision for additional visitor parking to meet the demand for any consented increase in production in order to comply with 2.1(p)(ix);</u></li> <li>(iii) 1 parking space shall be provided for a courier van at all times;</li> <li>(iv) All visitor parking and loading spaces shall be clearly identified;</li> <li>(v) All parking and loading spaces, access and manoeuvring areas shall be designed, formed and constructed in accordance with the MPDC Development Manual 2010;</li> <li>(vi) All internal roading and parking areas shall be formed with an all-weather surface designed to minimise dust and noise nuisance, and provide for the safe and efficient disposal of stormwater;</li> <li>(vii) Manoeuvring areas shall be provided at a standard adequate to accommodate a 99.8 percentile car or a 99 percentile truck in order to ensure that all vehicles have the ability to access any adjoining road in a forward direction after no more than a three point turning manoeuvre on the site;</li> <li>(viii) All required carparks shall be marked or delineated;</li> <li>(ix) <u>All parking should be located within the Development Concept Plan. No overspill of visitor or staff parking shall be located within the road reserve.</u></li> </ul>
(q) Pedestrian/goods underpass	When the Tatua administrative headquarters is relocated to Development Area 2, or more than 30 carparks for factory staff are provided on the western side of SH26, a pedestrian/goods underpass shall be provided as shown on the DCP.

2.1 Performance Standards for Permitted Activities																	
	<u>Note: The design of the site should encourage pedestrians to utilise the underpass by providing car-parking in close proximity and by incorporating design features such as pedestrian barriers and signage to encourage its use and discourage pedestrians crossing the state highway.</u>																
(r) Unloading	No more than two tankers are to queue on State Highway 26 to unload at any one point.																
(s) Upgrade works to access at Rapid No. 3388 SH26	Extension of the flush median on SH26 past the driveway at RAPID No.3388, will be required prior to this driveway being used for more than 10 right turning movements per day.																
(t) Construction Traffic Management Plan	A Construction Traffic Management Plan (CTMP) will be required to be submitted to Council prior to all new construction generating more than 25 arrivals (50 movements). This plan will include details on construction traffic volumes, traffic mix and hours of operation and shall outline the measures to be implemented to avoid, remedy, or mitigate any adverse effects on traffic safety and efficiency. The recommendations of the <del>GMTP</del> <b>CTMP</b> must be implemented for the duration of the construction activity.																
(u) Access	Vehicle access points <u>on the State Highway</u> shall be designed, formed and constructed to the standard required by the NZ Transport Agency as specified in <u>in the NZ Transport Agency's Planning Policy Manual. Vehicle access points on Local Roads shall be designed, formed and constructed to the standard required by in the</u> MPDC Development Manual 2010. <del>, or such standards as agreed with the NZ Transport Agency.</del>																
(v) Permitted Gate Movement Threshold	<p>The daily traffic movements based on the seven day average trip generation of all gates shall not exceed:</p> <p>(i) 550 during the peak hours and</p> <p>(ii) 2,100 in total</p> <p>This is based on the following table:</p> <table><tr><th colspan="4">Vehicle Movements</th></tr><tr><th></th><th>Existing (withD3 Dryer)</th><th>Capacity</th><th>Permitted Additional</th></tr><tr><td>Peak hours (combined)</td><td>150</td><td>550</td><td>400</td></tr><tr><td>Daily</td><td>500</td><td>2100</td><td>1600</td></tr></table> <p>"Vehicle movement" is defined as a movement either to, or from the site so that one vehicle accessing and leaving the site is deemed to generate two vehicle movements.</p>	Vehicle Movements					Existing (withD3 Dryer)	Capacity	Permitted Additional	Peak hours (combined)	150	550	400	Daily	500	2100	1600
Vehicle Movements																	
	Existing (withD3 Dryer)	Capacity	Permitted Additional														
Peak hours (combined)	150	550	400														
Daily	500	2100	1600														
(w)Offices and commercial activities	<p>(i) Ancillary activities including offices, canteens, medical rooms, <u>and</u> ablution facilities, <del>daycare facilities and recreation facilities</del> associated with the processing of milk and production of milk related products are not subject to a size limit;</p> <p>(ii) Commercial activities and structures subsidiary to activities on the site including the provision of an on-site café and agribusiness activity shall have a combined gross floor area (GFA) of no greater than 2,000m<sup>2</sup> GFA.</p>																
(x) <u>Vegetation Clearance</u>	<u>Tatua to undertake vegetation clearing as necessary to achieve and maintain sight distances at the State Highway 26/Brown Road intersection as required by the NZ Transport Agency State Highway guidelines.</u>																

### 3.1 Matters of control/ discretion

#### Controlled Activities

For controlled activities Council has reserved control over the matters as outlined in the District Plan, for the underlying Zone as shown on the Planning Maps.

#### Restricted Discretionary activities

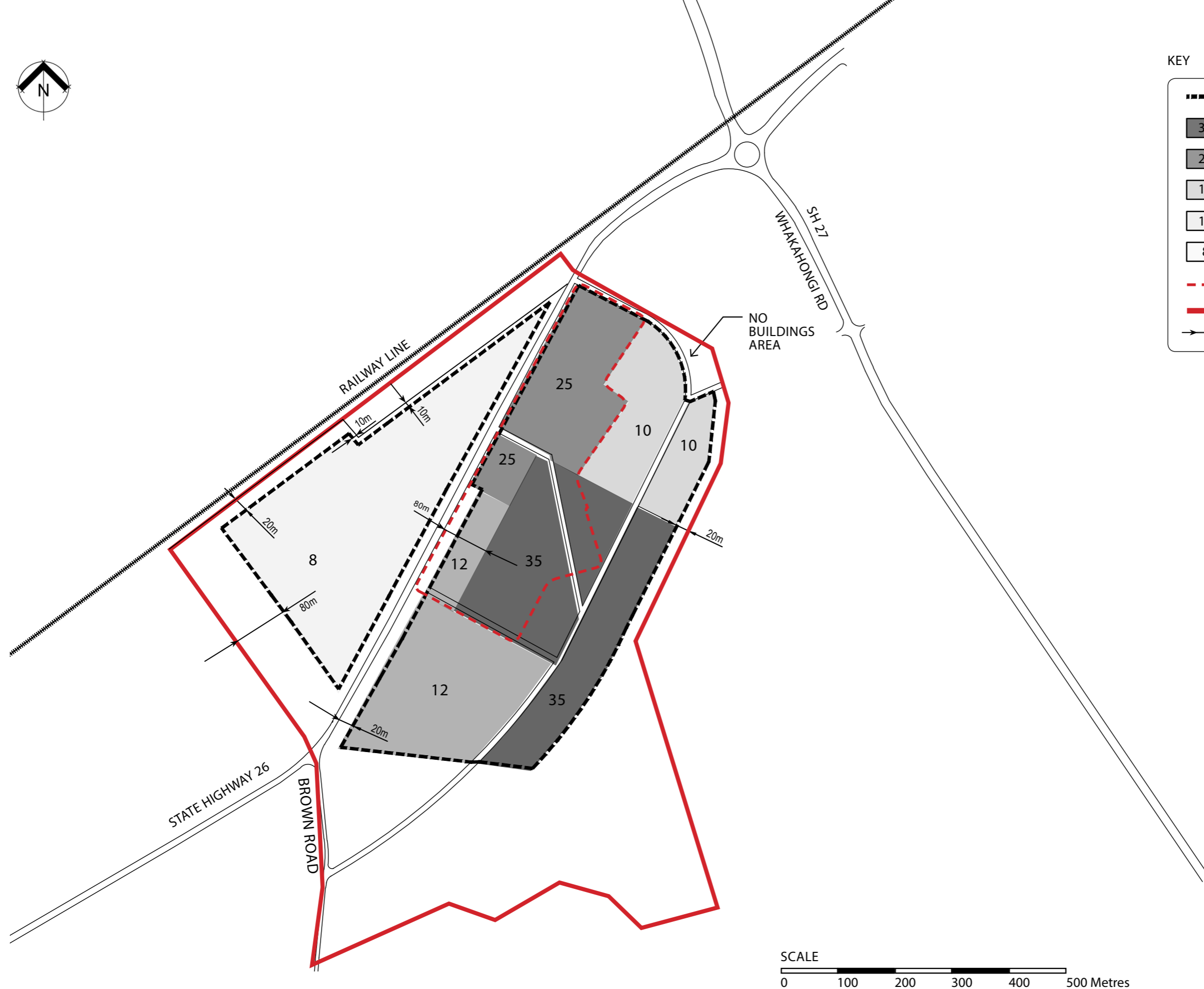
For restricted discretionary activities the Council has restricted its discretion to the matters as outlined in the table below. Resource consent conditions can only be imposed over the matters to which discretion has been restricted.

#### Discretionary activities

In considering discretionary activities, the Council shall, unless otherwise stated, have regard to any or all of the following matters, as appropriate. The criteria are only a guide to the matters that the Council will consider and shall not restrict the Council's discretionary powers.

#### The following are matters of discretion.

Matters of discretion	
General:	<p>(a) Suitability of the activity with regard to its location as shown on the DCP.</p> <p>(b) Extent to which activity complies with the Performance Standards within Section 2.1 of the DCP <u>and/or within the wider environment.</u></p>
Bulk, Location <u>and</u> Signage	<p>(a) Any effects of an increase in <u>signage</u>, building height or a reduced setback from internal and road boundaries on the rural amenity values in the locality and the reasonable use of adjoining land.</p> <p>(b) The individual and cumulative effect of additional building height on the landscape values in the locality of the Development Concept Plan.</p> <p>(c) The form and function of the over-height structure.</p> <p>(d) The material and colour finish of the over-height structure.</p> <p>(e) <del>Proposed signs</del></p> <p>(f) The intensity of lighting when viewed from a distance.</p> <p>(g) The effectiveness of any mitigation.</p>
Landscape	<p>(a) The suitability of species, density and height of plants at the time of planting.</p> <p>(b) The effectiveness of the proposed landscape planting to mitigate the adverse effects of proposed buildings and activities on landscape values in the locality of the Development Concept Plan.</p> <p>(c) Maintenance of planting and ability of planting to establish and grow, including provision for access, methods of soil retention and irrigation.</p> <p>(d) The use of landform to assist in mitigation of landscape effects.</p>
Colour	<del>(a) Alternative colour finishes and their effectiveness to address the visibility of the proposed structure individually and cumulatively. within the Height Control Zone within the Development Concept Plan.</del>
Traffic	<p>(a) The impacts on the safe and efficient operation of the transportation system including, but not limited to:</p> <p>i. Impacts on the road network and the efficient operation of local intersections; and</p> <p>ii. Infrastructure provision, including works needed to maintain the safety and efficiency of the transportation system such as any upgrades necessary to pedestrian and cycle facilities, intersections, pavements and structures on the system affected by the proposed activity.</p>
Noise and Vibration	(a) Ensure that existing activities on neighbouring properties in the locality are not adversely affected by unreasonable noise from the proposal. In determining appropriate noise levels, Council shall have regard to the noise environment of the locality in which it is proposed to site the facility and the practicality of reducing noise from the utility components.
<u>Odour Emissions to Air (Odour and Dust)</u>	<p>(a) The effect of the probability of offensive odours from the operation of facilities and in particular the operation of waste treatment and disposal facilities and solid waste management disposal sites.</p> <p>(b) <u>The effects of dust or particulate matter originating from the DCP site including, but not limited to, its composite material and quantity.</u></p>



KEY

- Height Control Zone
- 35m Height Restriction Zone
- 25m Height Restriction Zone
- 12m Height Restriction Zone
- 10m Height Restriction Zone
- 8m Height Restriction Zone
- Existing Development Area
- DCP Boundary
- Setback



KEY

<b>A</b>	Building Area A	<b>A</b>	Planting Area A
<b>B</b>	Building Area B	<b>B</b>	Planting Area B
<b>C</b>	Building Area C	<b>C</b>	Planting Area C
<b>D</b>	Building Area D	<b>D</b>	Planting Area D
<b>E</b>	Building Area E	<b>E</b>	Planting Area E
<b>F</b>	Building Area F	<b>F</b>	Planting Area F
	DCP Boundary		
	Site Boundary - Area 1 (Manufacturing and Processing Activities)		
	Site Boundary - Area 2 (Support Activities)		
	Site Boundary - Area 3 (Wastewater and Stormwater)		

PROPOSED PLANTING

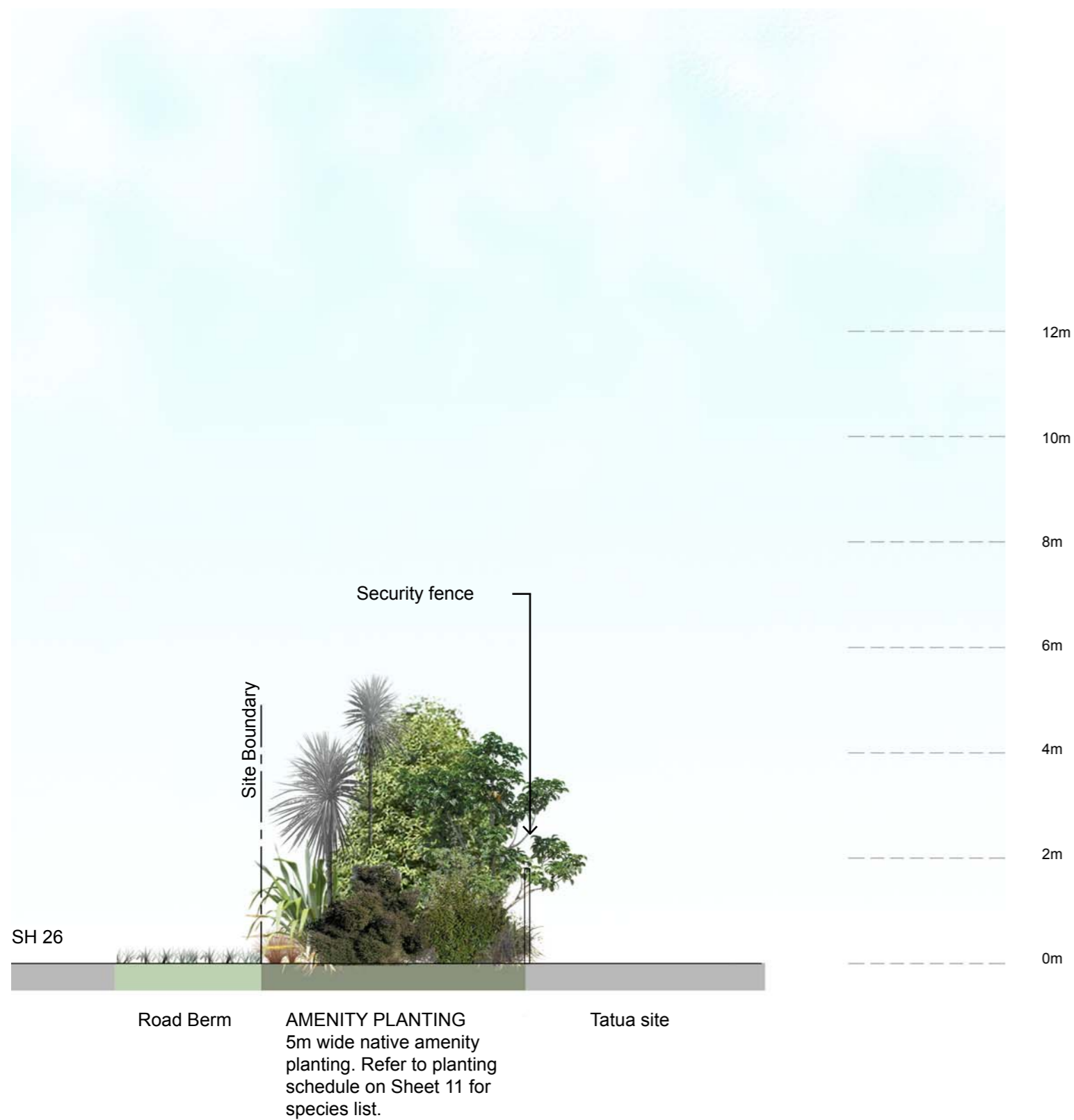
<b>aa</b>		Amenity Planting
<b>bb</b>		Shelterbelt Planting
<b>cc</b>		Northern Boundary Grove
<b>dd</b>		Riparian Planting
<b>dd</b>		Woodlot Planting
<b>x</b>		Cross sections (see Sheets 8-10)

**NOTE:**

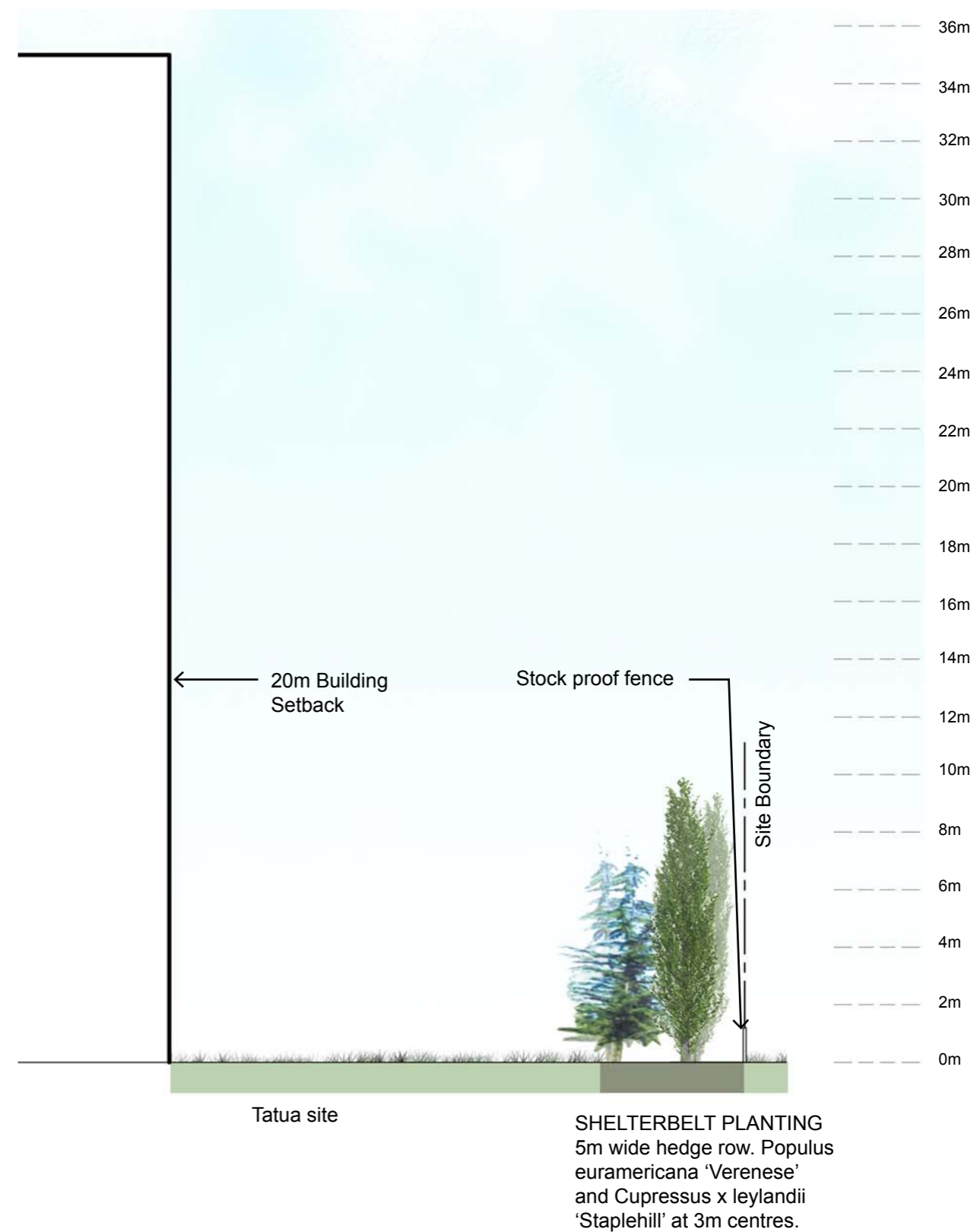
- Planting to be implemented as per Staging Plan.
- Planting in all staging areas must be established in the nearest planting season immediately following completion of construction of any new buildings within the designated 'building area'.
- See cross-sections for further detail on width of planting and indicative landscape outcomes on Sheets 8-10.

**DW** Domestic wastewater treatment area

**WW & SW** Wastewater and stormwater treatment area (to remain in pasture except where required for tanks/structures/processing facilities for the purposes of wastewater and stormwater treatment.



CROSS SECTION aa - AMENITY PLANTING  
5 Years Vegetation Growth  
Scale 1:100 @ A3



CROSS SECTION bb - SHELTERBELT BOUNDARY  
5 Years Vegetation Growth  
Scale 1:200 @ A3



CROSS SECTION cc - NORTHERN BOUNDARY GROVE  
 5 Years Vegetation Growth  
 Scale 1:200 @ A3



CROSS SECTION dd - RIPARIAN AND WOODLOT PLANTING  
Scale 1:100 @ A3

INDICATIVE PLANT LIST

	BOTANICAL NAME	COMMON NAME	GRADE	SPACING
aa	AMENITY PLANTING			
	<i>Cordyline australis</i>	Te Kouka, Cabbage Tree	1L	1m
	<i>Leptospermum scoparium</i>	Manuka	2L	1m
	<i>Muehlenbeckia astonii</i>	Shrubby Tororaro	1L	1m
	<i>Phormium cookianum</i>	Harakeke	1L	1m
	<i>Pittosporum tenuifolium</i>	Black Matipo	1L	1m
bb	SHELTER BELT PLANTING			
	<i>Populus euramericana</i> ‘Veronese’	Poplar	Bareroot (min 1.5m high)	3m
	<i>Cupressus x leylandii</i> ‘Staplehill’	Cypress	PB12 (min 1.5m high)	3m
cc	NORTHERN BOUNDARY GROVE			
	<i>Quercus robur</i>	English Oak	PB12 (min 1.5m High)	15m
dd	RIPARIAN PLANTING			
	<i>Carex secta</i>	Purei	0.5L	1m
	<i>Cordyline australis</i>	Te Kouka, Cabbage Tree	1L	1m
	<i>Dacrycarpus dacrydioides</i>	Kahikatea	2L	10m
	<i>Leptospermum scoparium</i>	Manuka	2L	3m
	<i>Phormium tenax</i>	Harakeke	1L	1m
dd	WOODLOT PLANTING			
	<i>Fraxinus angustifolia</i> ‘Raywood’	Ash	PB12 (min 1.5m high)	3m
	<i>Liquidambar styraciflua</i>	Liquidambar	PB12 (min 1.5m high)	3m
	<i>Poplar</i> ‘Kawa’	Poplar	PB12 (min 1.5m high)	3m

# District Plan

**Te Aroha Skin Processors Limited**

Lot 8 DPS 33821, Block XI Aroha SD.

**Totara Springs Christian Centre**

Part Section 1A Mangawhero Settlement, SO 13998, Lot 1 DPS 34763, Block III Tapapa SD.

**New Zealand Mushrooms Limited – Snell Street, Morrinsville**

Section 1 SO 55982, Lot 7A DP 2465 and PT Lot 1 DP 16287, all being part of the Motumaoho No. 2 Block.

**New Zealand Mushrooms Limited – Taukoro Road, Morrinsville**

Lot 1 DP 36969, Block II Maungakawa SD.

**IB and JP Diprose – Barton Road, Okauia**

Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot 1 DPS 24315 Blocks IV and VIII Tapapa SD.

**DL and JL Swap**

Part Section 126, Block II, Tapapa East Survey District (CT SA5B/22).

**Richmonds Limited**

Part Section 6 DP 18461 and Lot 1 DPS17578, Part Sections 12, 21, 32, 33, 34, 35, 36 and 37 Block XI, Aroha SD, and Part Section 6 Block XI Aroha SD.

**Greenlea Premier Meats Limited Morrinsville**

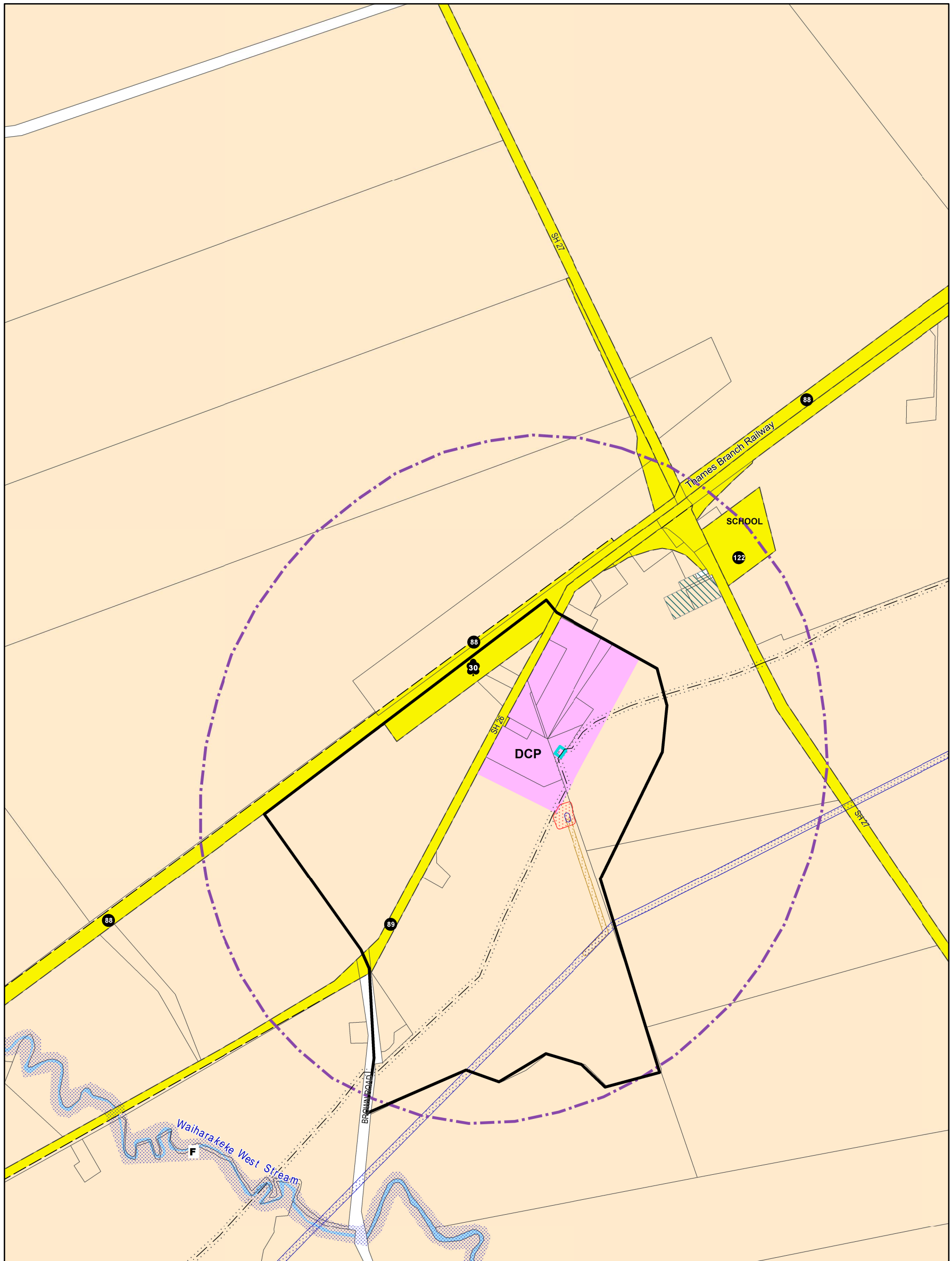
Motumaoho Number 2 block and lots 1 and 2 and part lot 2 DP 17820, Section 1, SO Plan 5384, Lots 3 and 4 DP 20396 and Part Lot 100A DP 2461.

**Milk Processing Site, State Highway 26, Tatuani**

Lot 2 DP 14236, Section 15 SO 468539, Lot 1 DP 12404, Lot 1 DPS 11186, Part Tatuahua 1 Block, Lot 1 DPS 68, Lot 1 DPS 16815, Lot 2 DPS 33988, Part Lot 2 DP 12404, Lot 1 DPS 3109, Lot 1 DPS 33988, Part Lot 3 DP 12471, Lot 2 DPS 41895, Lot 3 DPS 41895, Part Lot 3 DP 9358, Lot 1 DPS 57607, Lot 2 DPS 57607, Lot 2 DPS 71013, Lot 1 DPS 35994 and Section SO 414767.

**Advice note: See Part C: Planning Maps for the Development Concept Plans.**

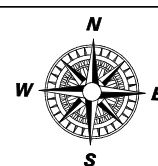
# District Plan Maps



TATUANUI

Scale 1:8,000

Version 5 -- Operative 24 May 2017



	8	
7	25	8
	8	

