

RECEIVED

28 MAR 2018

MATAMATA PIAKO DISTRICT COUNCIL



Form 5



**Submission on publically notified proposal for policy statement or plan,
change or variation under Clause 6 of Schedule 1, Resource Management Act
1991**

To: Matamata-Piako District Council

Name of Submitter: Matamata-Piako District Council Staff

Submission on: Proposed Private Plan Change 52 - Development Concept
Plan for Milk Processing Factory, SH26, Tatuani

Address for service: PO Box 266,
Te Aroha 3342

Attention: Mark Hamilton
mhamilton@mpdc.govt.nz

RECEIVED
28.3.18

This is a submission on Proposed Private Plan Change 52

We could not gain an advantage in trade completion through this submission

**The specific parts of Proposed Private Plan Change 52 that Council's
submission relates to are:**

- Permitted Activities - 1.1.1 (d); 1.1.2(a); 1.1.3 (a); 1.1.3 (c) and 1.1.3 (d).
- 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).
- Matters of Discretion – General, Bulk and Location, Colour and Odour
- Miscellaneous matters

Background:

Matamata-Piako District Council is the territorial authority responsible for the production, administration and enforcement of the objectives, policies and rules contained within the Matamata-Piako District Plan.

The Plan provides the means for the Council and residents of Matamata-Piako to achieve the integrated management of the effects of the use, development and protection of the natural and physical resources with the District. The Council is therefore a key stakeholder in any District Plan Change undertaken in this district.

Council staff commend Tatua Co-operative Dairy Company Limited ("Tatua") for its proactive request to lodge a private plan change request to establish a Development Concept Plan (DCP) for its milk processing facility in Tatuani. However, Council staff suggest the changes detailed below.

Council's submission on Proposed Private Plan Change 52 - Development Concept Plan for Milk Processing Factory, SH26, Tatuani

Matamata-Piako District Council staff's submission on Private Plan Change 52 is set out in the attached tables. Insertions we wish to make are marked in **bold** and **underlined**, while recommended deletions are shown as **~~struck-out~~** text.

Permitted Activities

<u>Activity</u>	<u>Proposed Permitted Activities</u>	<u>Comment</u>	<u>Relief Sought</u>	<u>Changes sought</u>
Permitted Activities 1.1.1(d)	Any activity identified as a permitted activity in the relevant underlying Zone as identified in the District Plan not otherwise provided for in this Development Concept Plan.	To ensure that the DCP's provisions relate to activities undertaken within its boundaries.	Accept with Amendments	Any activity identified as a permitted activity, <u>ancillary to the use of the site as provided for in 1.1.2 Development Area 1 and 1.1.3 Development Area 2,</u> in the relevant underlying Zone as identified in the District Plan not otherwise provided for in this Development Concept Plan.
Permitted Activities 1.1.2 (a)	xi) Ancillary Activities including offices, canteens, medical rooms, ablution facilities, daycare facilities and/or recreation facilities associated with any permitted activity.	It is unclear why daycare facilities and/or recreation facilities are included in the permitted activities description. They were not specifically described in the application or the transportation assessment. Their inclusion should be either justified in an amended transportation assessment	Reject, unless a further transportation assessment is completed.	xi) Ancillary Activities including offices, canteens, medical rooms <u>and</u> ablution facilities, <u>daycare facilities and/or recreation facilities associated with any permitted activity.</u>

		which evaluates their traffic generation effects, or they should be removed from the Permitted Activity in question.		
Permitted Activities 1.1.3 (a)	ii) Ancillary activities including offices, canteens, medical rooms, ablution facilities, daycare facilities and recreation facilities associated with any permitted activity.	As above, it is unclear why daycare facilities and recreation facilities are included in the permitted activities description. They were not specifically described in the application or the transportation assessment. Their inclusion should be either justified in an amended transportation assessment which evaluates their traffic generation effects, or they should be removed from the Permitted Activity in question.	Reject, unless a further transportation assessment is completed.	xi) Ancillary Activities including offices, canteens, medical rooms <u>and</u> ablution facilities. daycare facilities and/or recreation facilities associated with any permitted activity.
Permitted Activities 1.1.3 (c)	Activities and structures relating to the loading and unloading of goods for rail transport including rail yards and rail sidings.	To ensure that the DCP's provisions relate to activities undertaken within its boundaries.	Accept, with amendment	Activities and structures relating to the loading and unloading of goods, <u>subsidiary to the activities undertaken onsite</u> , for rail transport, including rail yards and rail sidings.
Permitted Activities 1.1.3 (d)	ii) Pedestrian/good underpass of SH26. Such an underpass	Amend error to ensure consistency with	Accept, with amendment	(i) Pedestrian/good underpass of

	will only be required when the Tatua administrative headquarters is relocated onto Development Area 2 or more than 10 carparks for factory staff are provided on the western side of SH26.	Permitted Activities 1.1.2 (b) and 2.1 Performance standards for Permitted Activities (q) Pedestrian/ goods underpass.		SH26. Such an underpass will only be required when the Tatua administrative headquarters is relocated onto Development Area 2 or more than 40 30 carparks for factory staff are provided on the western side of SH26.
--	--	--	--	---

Performance Standards 2.1

<u>Number</u>	<u>Proposed Performance Standard</u>	<u>Comment</u>	<u>Relief Sought</u>	<u>Changes sought</u>
2.1 (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: i) Up to 2 Boiler stacks per boiler and 4 exhaust vents per dryer (for up to 4 dryers) may exceed the height limit by up to 5m.	Revision of existing wording to provide clarity.	Accept, with amendments	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 <u>the following may exceed the relevant height limit by 5 m:</u> <u>i) Up to 2</u> B boiler stacks per boiler; and <u>ii) 4</u> exhaust vents per dryer (for <u>a maximum of (for up to 4 dryers) may exceed the height limit by up to 5m.</u>

2.1(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	The standard, read in conjunction with Sheet 6, Height Control Plan requires additional clarification as it is unclear how the setbacks apply in all instances. For example, on Sheet 6, there looks to be an 80m front yard east of State Highway 26.	Accept, with amendments	The addition of further detail to Sheet 6 – Height Control Plan displaying the setbacks on all boundaries of the Development Concept Plan.
2.1 (c) Building Colour	<p>ii) Any building/ structure that is 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>	At least two buildings (PGG Wrightson buildings in Development Area 2 of the DCP) are not finished in keeping with this performance standard.	Accept, with amendments	Council encourages Tatua to ensure that all existing buildings currently comply with this performance standard.
2.1 (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"> Monday to Sunday including Public Holidays (7am to 10pm) 50 dB LAeq All other times 45 dB LAeq and 75 dB LAmx 	<p>The noise level at the Noise Emission Control Boundary (NECB) should comply with Rural zone noise requirements.</p> <p>This is supported by Council's peer review of the acoustic effects of the DCP proposal. It is also consistent with the proposed mitigation measures specified under</p>	Accept, with amendments	<p>(i) That the corrected noise level measured at the Noise Emission Control Boundary shall not exceed:</p> <ul style="list-style-type: none"> Monday to Sunday including Public Holidays (7am to 10pm) 50 dB LAeq All other times 45 dB LAeq and 75

		<p>Performance Standard 2.1 (f) iii which relates only to dwellings within the NECB.</p> <p>In contrast, the higher noise level proposed for Performance Standard 2.1 (f) ii applies to dwellings outside the NECB which seems at odds with the principle that generators of noise should mitigate its effects on others.</p>		<p>dB-LA_{max}</p> <p><u>(i) The corrected noise level measured at the Noise Emission Control Boundary (NECB) shall not exceed:</u></p> <p><u>Monday to Saturday (7am to 10pm): 50 dB LA_{eq}</u></p> <p><u>At all other times, including Sundays and Public Holidays: 40 dB LA_{eq} and 75 dB LA_{max}.</u></p> <p><u>10.00pm to 7.00am: 65dB LA_{max}</u></p>
2.1 (f) Operational Noise	(iv) Any new dwelling or extension to any bedroom or habitable room in an existing dwelling constructed within the NECB shall be designed to achieve a level of 30dB LA _{eq} in any bedroom and 40dB LA _{eq} in any other habitable room.	<p>Council questions whether this is appropriate as a Performance Standard as it is not related to, or controlled by, the activities undertaken on site.</p> <p>In addition, Council questions whether the cost of noise mitigation for any new dwelling or extension to any bedroom or habitable room should be borne by property owners, or by the</p>	Reject	<p>Delete performance standard</p> <p>iv) Any new dwelling or extension to any bedroom or habitable room in an existing dwelling constructed within the NECB shall be designed to achieve a level of 30dB LA_{eq} in any bedroom and 40dB LA_{eq} in any other habitable</p>

		generators of noise.		room.
2.1 (m) Emissions to Air (Odour and Dust)	(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 site.	To ensure consistency and clarity.	Accept, with amendments	(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 site DCP.
2.1 (m) Emissions to Air (Odour and Dust)	(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 site of emission.	To ensure consistency and clarity.	Accept, with amendments	(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 site of emission DCP.
2.1(n) Earthworks	New performance standard.	To address material being tracked from the DCP site onto any road.	Accept, with amendments	(i) All earthworks to be managed in accordance with the Waikato Regional Plan and the Erosion and sediment control guidelines for soil disturbing activities. (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.
2.1(o) Landscaping	(i) Landscape planting, including retention of the existing oaks, shall be located in general accordance with the Development Concept Plan and is to be completed in accordance with the staging specified in the Development Concept Plan (Attachment B: sheets 7 -11). i.e. Development within a building area requires planting to be undertaken in the corresponding planting area.	Remove redundant wording.	Accept, with amendments	(i) Landscape planting, including retention of the existing oaks, shall be located in-general accordance with the Development Concept Plan and is-to-be completed in accordance with the staging specified in the Development Concept Plan (Attachment B: sheets 7 -11). i.e. Development within a building area requires planting to be undertaken in the corresponding planting area.
2.1(o) Landscaping	(ii) Prior to the construction of new buildings/structures with a gross floor area (GFA) greater than	Correct grammatical error.	Accept, with amendments	(ii) Prior to the construction of new buildings/structures with a gross

	200m ² or 8m in height, outside the existing DCP shown on sheet 7, a landscape plan shall be submitted to the Matamata-Piako District Council as per (i) above.			floor area (GFA) greater than 200m ² , 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.
2.1 (p) Carparking and Formation Standards	(ii) 9 visitor parking spaces shall be provided at all times.	Council staff question if nine visitor car parks will be adequate for an employer the size of Tatua, as this appears to be a reduction in the number of visitor car parks currently provided at the main reception.	Reject, unless an assessment of visitor parking is completed.	An assessment of visitor parking spaces should be undertaken. Council staff would expect that the number of visitor parking spaces would be directly proportional to any increase in Tatua's production. As a minimum, we would expect that the number of visitor car parks would use the status quo as a starting point.
2.1 (p) Carparking and Formation Standards	(ix) New performance standard.	To address parking on the road reserve.	Include new Performance Standard	<u>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.</u>
2.1(w)	i) Ancillary activities including offices, canteens, medical rooms, ablution facilities, daycare facilities and recreation facilities	It is unclear why daycare facilities and recreation facilities are included in the permitted activities	Reject, unless a further transportation assessment is completed	i) Ancillary activities including offices, canteens, medical rooms <u>and</u> ablution facilities,

	associated with the processing of milk and production of milk related products are not subject to a size limit.	description. They were not specifically described in the application or the transportation assessment. Their inclusion should be either justified in an amended transportation assessment which evaluates their traffic generation effects, or they should be removed from the Permitted Activity in question.		daycare facilities and recreation facilities associated with the processing of milk and production of milk related products are not subject to a size limit.
--	---	--	--	---

Matters of Discretion

<u>Matter</u>	<u>Proposed Matter of Discretion</u>	<u>Comment</u>	<u>Relief Sought</u>	<u>Changes sought</u>
General	(a) Suitability of the activity with regards to its location as shown on the DCP	To recognise that effects produced within the DCP may spillover to the wider environment.	Accept, with amendments	(a) Suitability of the activity with regards to its location as shown on the DCP <u>and/or within the wider environment.</u>
Bulk and Location	(a) Any effects of an increase in 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.	The reference to the effects of signage is more appropriate in this matter of discretion, than in a separate matter of discretion. Rename matter of discretion to reflect the inclusion of signage.	Accept, with amendments	<u>Bulk and Location and Signage</u> (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.
Bulk and Location	(e) Proposed Signs	As above, the reference to the effects of signage is more appropriate in the Bulk and Location matters of discretion, than in a separate matter of discretion.	Reject	Delete (e) Proposed Signs Renummer matters of discretion (f) and (g), accordingly.
Colour	(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	Delete an unnecessarily restrictive clause to the matter of discretion.	Accept, with amendments	(a) Alternative colour finishes and their effectiveness to address the visibility of the proposed structure individually and cumulatively. <u>within the Height Control Zone within the Development Concept Plan</u>
Odour	Title	Revise the title of the matter of discretion to incorporate all relevant emissions to air.	Accept, with amendments	<u>Emissions to Air (Odour and Dust)</u>
Odour	New matter of discretion for dust.	To ensure that the effects of dust and particulate matter are recognised as matters of discretion.	New Matter of Discretion	<u>b) The effects of dust or particulate matter originating from the DCP site including, but not limited to, its composite material and quantity.</u>

Miscellaneous matters

Item	Proposal	Comment	Relief Sought	Changes Sought
DCP Title	Milk Processing Factory, SH 26, Tatuani	Substitute "Factory" with "Site" to ensure consistency of terminology in District Plan	Accept, with amendments	Milk Processing Factory Site, SH 26, Tatuani
Sheet 7 Attachment B: Development Concept Plan – Planting Plan	Planting Area F on the key	The inclusion of Planting Area F on the key appears redundant due to the inclusion of Planting Area E/F. Building Area E is behind Building Area F, which is located beside State Highway 26. Therefore, the development of either Building Area E or F would require landscaping planting. The existing key entry for Planting Area E/F enables this.	Accept, with amendments	Remove "Planting Area F" from the key.
Sheet 7 Attachment B: Development Concept Plan – Planting Plan	Key	To ensure all features on the map are also referenced on the map's key. Remove reference to "Attachment B:" from the title of Sheet 7 as it will be a component part of the DCP and not an attachment.	Accept, with amendments	1) Include on the key the boundaries for Development Areas 1-3 which are shown on Sheet 7. 2) Include on the "Proposed Planting" key, the planting feature, resembling small crosses, within Planting Areas A and F. Please see Attachment 1 for details. 3) Remove reference to

				"Attachment B:" from the title of Sheet 7.
Sheets 8, 9 and 10 Attachment C: Development Concept Plan – Planting Cross Sections		Remove reference to "Attachment C:" from the title of Sheets 8, 9 and 10 as they will be component parts of the DCP and not attachments.	Accept, with amendments	Remove reference to "Attachment C:" from the title of Sheets 8, 9 and 10.
Sheet 11 Attachment D: Development Concept Plan – Planting Schedule		Remove reference to "Attachment D:" from the title of Sheet 11 as it will be a component part of the DCP and not an attachment.	Accept, with amendments	Remove reference to "Attachment D:" from the title of Sheet 11.
State Highway 26/Brown Road intersection	N/A	Clear vegetation to improve visibility onto SH 26 from Brown Road.	Accept, with amendments	Request Tatua to undertake vegetation clearing as necessary to improve visibility at the State Highway 26/Brown Road intersection, and include a provision to maintain sightlines at this location.
District Plan map 25	Include a border around the Tatua DCP boundary on District Plan map 25.	A border indicating the physical extent of each DCP is to be included on District Plan maps for all existing and future DCP sites to ensure their location and spatial area is clearly represented.		Include a border around the Tatua DCP boundary on District Plan map 25.

Matamata-Piako District Council staff note that the suggested changes to the DCP application are, in most cases, minor and that they should be able to be addressed through further discussions with the Applicant.

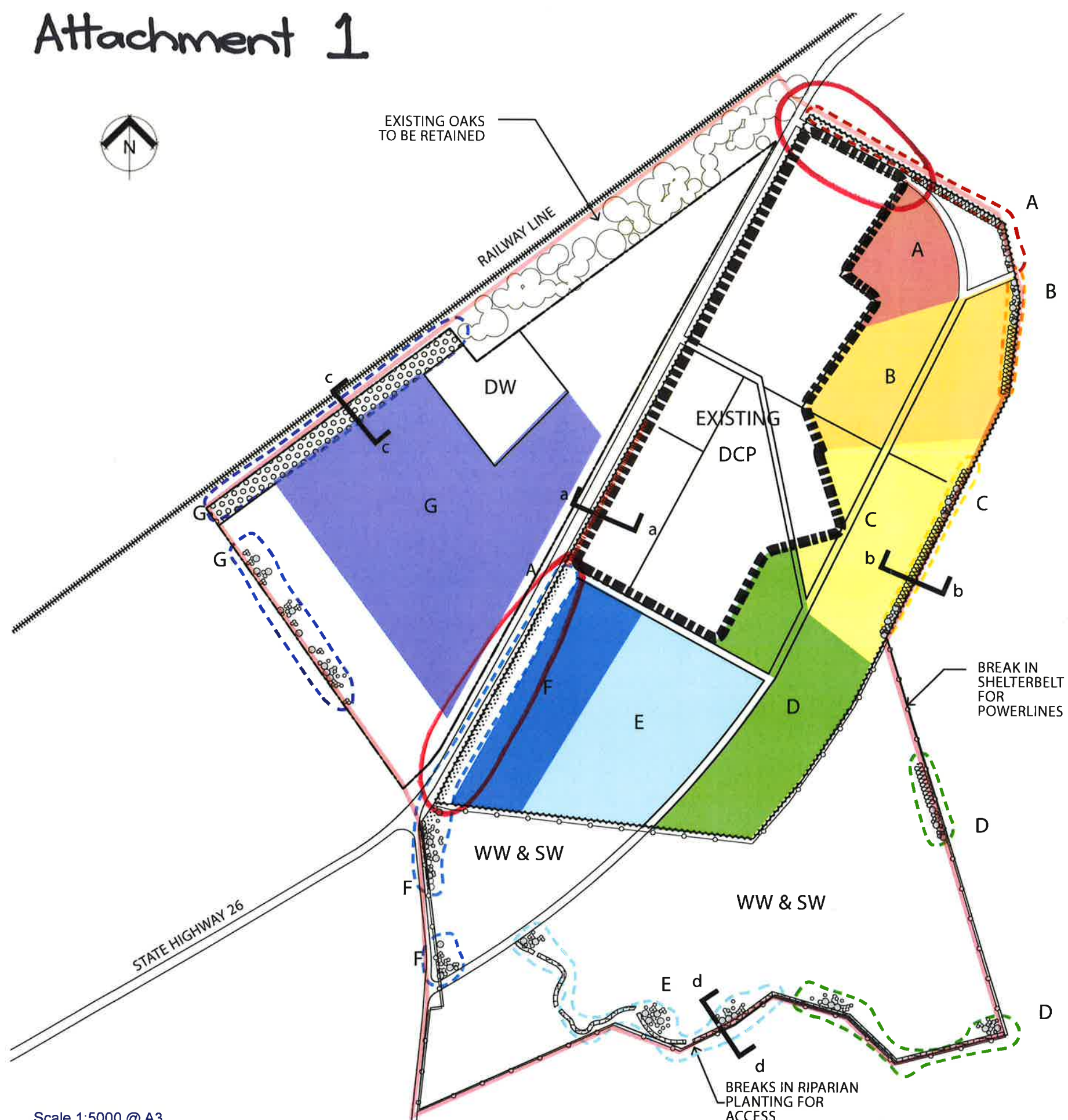
Matamata-Piako District Council staff wish to be heard in support of this submission.

Regards

Dennis Bellamy

**Group Manager Community Development
Matamata-Piako District Council**

Attachment 1



Scale 1:5000 @ A3

KEY

A	Building Area A	A	Planting Area A
B	Building Area B	B	Planting Area B
C	Building Area C	C	Planting Area C
D	Building Area D	D	Planting Area D
E	Building Area E	E or F	Planting Area E/F
F	Building Area F	F	Planting Area F
G	Building Area G	G	Planting Area G
	DCP Boundary		

PROPOSED PLANTING

aa		Amenity Planting
bb		Shelterbelt Planting
cc		Northern Boundary Grove
dd		Riparian Planting
dd		Woodlot Planting
x		Cross sections (see Attachment C)

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 in Attachment C.

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).