

**AMBURY PROPERTIES LIMITED
REZONING SUBMISSION TO THE
WAIKATO PROPOSED DISTRICT PLAN REVIEW**



**Assessment of Environmental Effects Report and
section 32AA Evaluation**

December 2019

Document Quality Assurance

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Table of Contents

1	Introduction	9
1.1	The Submission	9
1.2	The Submitter	9
1.2.1	Background to NZCG	9
1.3	The Masterplan	10
1.4	Ohinewai Structure Plan	10
1.5	Zoning Plan.....	11
2	Report Structure	12
3	Description of the changes requested to the Proposed District Plan.....	13
3.1	District Plan Amendments Sought	13
3.1.1	Original submission – October 2018	13
3.1.2	Further submissions July and November 2019	13
3.2	Purpose/Objective of the Submission	14
3.3	Consideration of the submission	14
3.4	Stage Two of the Proposed District Plan.....	14
4	Site Description	16
4.1	Site Location and Context	16
4.2	Site Ownership	16
4.3	Existing Land Use	17
4.4	Land Uses in the Vicinity	17
4.5	Site Zoning and Features.....	17
4.6	Adjoining Designations	18
4.7	Site Topography	18
4.8	Existing Flooding	19
4.9	Site Geology	20
4.10	Groundwater.....	21
4.11	Ecological Features	21
4.11.1	Terrestrial ecology	21
4.11.2	Aquatic ecology.....	22
4.12	Receiving Environment	22
4.13	Waikato Drainage Scheme – Waikare West	23
4.14	Lower Waikato Waipa Flood Control Scheme	24
4.15	Existing Services	25
4.16	Existing noise environment.....	25
4.17	Surrounding Landscape and Character	25
4.18	Existing Transport Network	26
4.18.1	State Highway	26
4.18.2	Local road network	27
4.18.3	SH1 Huntly Bypass.....	27
4.18.4	Walking and Cycling Facilities	27
4.18.5	Public Transport	27
4.19	Historic Land Uses	28
4.20	Archeology	29
5	The Proposal	30
6	Statutory Assessment Framework	33
6.1	Framework for Zone Change Request	33
6.1.1	Section 32 RMA.....	34
6.1.2	Section 32AA RMA	35
7	Section 32AA Evaluation	36

7.1	Objective of rezoning requested by APL.....	36
7.2	Options Considered.....	36
7.3	Assessment of whether the proposed objectives are the most appropriate way of achieving the purpose of the RMA	42
7.4	Assessment of whether the provisions of the proposal are the most appropriate way of achieving the objectives of the plan.	43
7.5	Reasonably practicable options for achieving the objectives.....	43
7.6	Assessment of the Efficiency and Effectiveness of the Plan Change Provisions	44
7.7	Summary of the Reasons for Option Chosen.....	60
8	Assessment of Environmental Effects.....	61
8.1	Introduction	61
8.2	Transportation and Traffic Effects	61
8.3	Landscape and Visual Amenity Effects.....	63
8.4	Acoustic Effects	63
8.5	Wastewater and Water Supply Servicing	65
8.5.1	Wastewater.....	65
8.5.2	Water supply.....	66
8.6	Flooding.....	66
8.7	Residual Risk Effects.....	67
8.8	Stormwater Effects	68
8.9	Economic Effects	69
8.10	Social Impacts of the rezoning	71
8.11	Geotechnical considerations and groundwater effects.....	75
8.12	Ecological effects.....	76
8.13	Archaeological effects.....	77
8.14	Cultural effects.....	77
8.15	Urban Design Commentary.....	77
8.16	Positive effects (benefits)	78
9	National Policy Statements & National Planning Standards (s74(1)(ea))	80
9.1	Introduction	80
9.2	National Planning Standards 2019.....	80
9.3	NPS on Urban Development Capacity 2016	80
9.4	NPS for Freshwater Management 2014 (amended 2017).....	82
10	Regional and Strategic Planning documents (s.74(2)(a)(i))	85
10.1	Vision and Strategy for the Waikato River.....	85
10.2	Waikato Regional Policy Statement (RPS)	86
10.3	Future Proof.....	100
10.4	Waikato District Blueprints	106
10.5	Draft Waikato 2070 – Growth and Economic Development Strategy.....	108
10.6	Hamilton to Auckland Corridor Plan	109
11	Transport Strategies and Policy	111
11.1	Government Policy Statement on Land Transport 2018	111
11.2	National Land Transport Programme 2015-2018	112
11.3	New Zealand Transport Agency Statement of Intent 2018-2022	112
11.4	Waikato Regional Land Transport Plan 2015-2045 (2018 Update)	112
12	Iwi Plans (s74(2A)).....	113
12.1	Waikato-Tainui Environmental Plan – Tai Tumu, Tari Pari, Tai Ao	113
13	Part 2 RMA	116
13.1	Introduction	116
13.2	Relevant statutory provisions	116
13.3	Section 6 – matters of national importance	117
	<i>Sections 6(e), 7(a) and 8 – Maori cultural and spiritual values.....</i>	<i>117</i>
	<i>Section 6(a) – Preservation of the natural character of wetlands, lakes and their margins</i>	<i>117</i>

<i>Sections 6(b) and (c) –Protection of outstanding natural features and areas of significant indigenous vegetation.....</i>	<i>117</i>
13.4 Section 7 – Other matters.....	118
13.5 Comments.....	118
14 Consultation.....	119
14.1 Waikato Tainui	119
14.2 Waikato District Council.....	119
14.3 Waikato Regional Council	119
14.4 NZ Transport Agency.....	119
14.5 Future Proof	120
14.6 Kiwi Rail.....	120
14.7 Ohinewai Community	120
14.8 Mercury Energy.....	120
14.9 Ministry of Education.....	121
14.10 WEL Energy	121
14.11 Te Waka (Waikato Regional Economic Development Agency).....	121
15 Submissions by others	122
15.1 Further submissions made on APL’s submission	122
15.2 Further submissions received in relation to APL’s submission	122
15.2.1 Further submissions by APL	127
16 Conclusion.....	128

APPENDICES

Appendix A:	Masterplan
Appendix B:	Ohinewai Structure Plan
Appendix C:	Zoning Plan
Appendix D:	Amendments to the Proposed District Plan
Appendix E:	Records of Title
Appendix F:	Flooding Assessment Report
Appendix G:	Geotechnical Assessment Report
Appendix H:	Ecological Report
Appendix I:	Stormwater Management Plan
Appendix J:	Acoustic Assessment
Appendix K:	Landscape & Visual Assessment
Appendix L:	Integrated Transport Assessment
Appendix M:	Preliminary Site Investigation
Appendix N:	Archaeological Assessment
Appendix O:	Wastewater and Water Supply Reporting
Appendix P:	CVA Letter
Appendix Q:	Economic Assessment
Appendix R:	Urban Design Report
Appendix S:	Social Impact Assessment
Appendix T:	Stakeholder Engagement

GLOSSARY OF ABBREVIATIONS

APL – Ambury Properties Limited

KiwiRail - Rail Network Operator

LWWRCS - Lower Waikato Waipa River Control Scheme

NIMT - North Island Main Trunk Railway Line

NPS-FWM - NPS on Freshwater Management 2014 (amended 2017)

NPS-UDC - NPS on Urban Development Capacity 2016

NZCG - New Zealand Comfort Group Limited

ODP - Operative Waikato District Plan

PDP – Proposed Waikato District Plan

RMA - Resource Management Act 1991

SH1 – State Highway 1

TWGG - Tangata Whenua Governance Group

WDC - Waikato District Council

WRC- Waikato Regional Council

WSL - Watercare Services Limited

EXECUTIVE SUMMARY

Background to the Submitter

Ambury Properties Limited (APL) is the property-owning entity of New Zealand Comfort Group Limited (NZCG). NZCG is a third generation New Zealand-owned manufacturing business founded in 1935. NZCG is dedicated to building and maintaining a highly skilled and robust local manufacturing capability, using locally sourced components wherever possible.

The NZCG manufacturing operations are currently based at two locations in Auckland. APL (on NZCG's behalf) has been investigating options to consolidate all of their New Zealand operations onto one site. As part of this investigation, APL has searched extensively in Auckland and the Waikato for a suitable site.

As a major manufacturer that is importing raw materials and distributing and exporting products, NZCG wishes to be located adjacent to the North Island Main Trunk railway (NIMT) as it receives and distributes goods through both Auckland and Tauranga Ports. APL was unable to identify any suitable sites adjacent to the NIMT in the Auckland area that were suitable for its needs.

NZCG has a very strong family-based worker culture, with many families having worked for the company for several generations. NZCG has become increasingly concerned at the inability of its employees and their families to find affordable housing in Auckland and the company intends to set up a scheme to assist their families into housing ownership as part of their employment.

The Ohinewai/Huntly area is attractive to NZCG as a result of the strong local employment base. They are committed to a wide-ranging technical training programme covering IT, chemical and mechanical engineering, trades and marketing. They are keen to work with local schools, other educational institutions and Waikato-Tainui to develop the appropriate technical and professional staff skills within the local labour force and a memorandum of understanding has been developed between NZCG and Waikato Tainui (and other tangata whenua representatives) that formalises the commitment of the parties to working together.

The Site

APL has found a suitable site in Ohinewai that is well positioned within the 'golden triangle' between the centres of Auckland, Tauranga and Hamilton and with excellent access to State Highway 1 and the NIMT. The site is approximately 178 hectares in size and bounded by Tahuna Road, Lumsden Road, Balemi Road and is adjacent to the margins of Lake Rotokawau.

The Masterplan and Structure Plan

To achieve their aspirations and to facilitate and inform a suitable planning framework, APL has developed a Masterplan for the site that sets out the conceptual development form. The Masterplan provides the basis for an integrated development that will provide for industrial, business and residential activities across the site. The Masterplan has also informed the Structure Plan to be used to guide the development on the site.

The proposed development incorporates the following:

1. 63ha of industrial land, including 37ha for the NZCG Sleepyhead Factory.
2. 8.7ha of business / commercial land for a service centre, factory outlet shops, community facilities and a small amount of convenience retail.

3. 52ha of residential land for approximately 1100 homes for employees of Sleepyhead and the wider community.
4. 55ha of public open space including stormwater management areas, recreational facilities, ecological enhancement areas and other community areas.

Proposed Rezoning

To enable the vision of NZCG to be realised and to take advantage of the Proposed Waikato District Plan (PDP) process, APL has submitted on the PDP, seeking a rezoning from Rural to a mix of Industrial, Business and Residential zones applying across the Site. The Structure Plan will also be embedded into the PDP to guide the development over time.

The purpose of the submission is to provide a planning framework within the PDP that enables development to occur in Ohinewai consistent with the Ohinewai Structure Plan. More specifically, the amendments seek to provide a planning framework to enable the development of the Sleepyhead Estate.

To enable Council to assess the proposed re-zoning submission, a section 32AA evaluation has been completed that assesses the changes sought to the PDP.

The evaluation of options has concluded that APL pursuing its submission on the PDP is considered to be the most efficient and effective method of implementing the development outcomes sought by APL. The changes can be readily accounted for within the PDP via rezoning and embedding a Structure Plan and supporting changes to text within discrete sections of the PDP. The changes are generally consistent with the policy and rule framework of the PDP.

The assessment has shown that the proposed amendments and additions to the objectives, policies and methods contained within the PDP are the most appropriate way to achieve the purpose of the Resource Management Act 1991 (RMA) and the objectives of the PDP.

Assessment of Effects

Given the scale and nature of the rezoning requested by the APL submission, a complete assessment of effects in relation to the proposed changes has been undertaken as if APL's submission were a plan change request made under clause 21 of Schedule 1 of the RMA. The assessment of effects found that the development enabled by the rezoning:

- Resulted in an estimated increase of approximately 1700 peak trips on the roading network at maximum build out. The traffic generated by the proposal can be managed appropriately by upgrades to local roads, upgrades to the southbound off ramp at Ohinewai interchange; and the provision of walking and cycling infrastructure within the development and across SH1 to Ohinewai Village.
- Will change the surrounding character and landscape of the site and surrounds. However, mitigation measures proposed, including landscaping and screening, landscape buffers, open space, wetland and restoration planting areas and the inclusion of recommended bulk and location provisions, mean that the effect on landscape character and visual amenity can be mitigated to an acceptable level.
- Sits within an existing high noise environment as a result of the presence of SH1 and the NIMT and will provide for a change in acoustic environment as a result of the factory and business activities. However, the effects of noise associated with development enabled by the

proposed rezoning are acceptable and can be managed through provisions within the existing PDP.

- Can be adequately serviced for water supply and wastewater, based on a range of options that are available. They include a potential sub-regional wastewater and water treatment plants being initiated by WDC to service the corridor from Meremere to Huntly. There are also on-site wastewater disposal and water supply options that could be interim (until the municipal plants are built) or long term. (If stand-alone wastewater infrastructure is required to be established due to delays in providing municipal infrastructure, APL's preference would be to continue to be self-reliant.)
- Can be adequately managed in terms of stormwater quality and quantity. A Stormwater Management Plan has been formulated for the Structure Plan area that utilises a 'treatment train' approach that will include at-source and centralised stormwater management.
- Will not have adverse effects as a result of development being located in an existing floodplain. Modelling has shown that there is insignificant change to flood levels as a result of the proposed changes to the landform.
- Can be adequately managed if there was a stop bank breach of the Waikato River. In such an event, evacuation and/ or restrictions of access to the northern extent of the proposed factory may be required. Emergency planning for such a scenario can be addressed with further detailed design. Proposed residential development is not affected by the stop bank breach scenario.
- Provides for significant economic benefits to the local and district economy during both construction of the proposed development and its ongoing operation, as follows:
 - The initial construction of the proposed development would result in a total spend of over \$1.1 billion with a total regional economic injection of \$1.3 billion. With regard to ongoing operations, when complete, the development will inject \$193 million into the Waikato economy per annum.
 - The additional employment and housing will result in an additional \$35million of retail spend in the catchment, the majority of which is likely to be spent locally and support Huntly.
 - The development will also provide a significant number of jobs in the local area, with 1000-1500 jobs provided for by the Sleepyhead factory alone.
- Has potential district-wide social benefits arising from employment in an area of low median incomes and declining numbers of businesses in Huntly and Te Kauwhata. Furthermore, the social benefits of employment are substantial, at the individual, family and community level.
- Has potential district-wide social benefits arising from the provision of housing. The proposed development will provide affordable housing, enabling people to live, work and play in the same township. The employment-led masterplan is projected to assist to maintain the population of Huntly (which is declining) and support the housing-led development in Te Kauwhata (which has not grown at the rate expected).
- Will be located on a site that poses geotechnical challenges; however, a range of conventional options are available to remediate the site to enable the proposed development.

- Will be undertaken on a site that has low ecological values, with only some habitat potentially affected by development. Management plans can be prepared at the appropriate development stage to address such matters as erosion and sediment control, fish management, vegetation removal and dust management.
- Provides for extensive positive ecological effects, including:
 - A reduction in nutrient contamination (e.g. nitrogen and phosphorus) of surface and groundwater.
 - Decrease in soil erosion and damage to soil structure.
 - The proposed open space and stormwater management framework provides for extensive habitat enhancement, including increasing the availability of wetland habitat for wetland dependent indigenous flora and fauna.

Consistency with Planning Framework

The rezoning is consistent with the relevant planning policy framework, including the Waikato Regional Policy Statement (RPS), the National Policy Statement on Urban Development Capacity and the National Policy Statement for Freshwater Management. The site is not currently recognised in the RPS as a growth node for either industrial or residential development. This is not surprising as the impetus for this development is the relocation of a major manufacturing business out of Auckland, which was not anticipated by the land allocation projections undertaken in support of the RPS around 2010. However, it meets the criteria in the RPS that allow for flexibility in the allocation of urban growth, and is consistent with the Development Principles in the RPS.

The latest version of the Future Proof Growth Strategy (2017) recognises a need for planning instruments to be responsive to emerging opportunities that have the potential to deliver significant social, economic or social benefits. The Sleepyhead Estate is one of those opportunities.

The rezoning also responds well to the Vision and Strategy for the Waikato River (Te Ture Whaimana), as it enables the retirement of an existing dairy farm and corresponding reduction in runoff, while providing for best practice stormwater management for the proposed urban development, ecological enhancements and removal of soil contaminants.

Overall, the proposed rezoning gives effect to the RPS and is consistent with the wider planning framework, which is in a state of change, particularly through the emerging Hamilton to Auckland Corridor Plan. It meets the sustainable management purpose of the RMA.

1 Introduction

1.1 The Submission

This report supports a submission to the Waikato District Council (WDC or the Council) to the Proposed Waikato District Plan (PDP) for a change in zoning for approximately 178ha of land located in Ohinewai to provide for industrial, commercial and residential land use.

Stage 1 of the PDP was notified in July 2018, with submissions closing on the 9th of October 2018. Ambury Properties Limited (APL) lodged a submission (#764) in relation to land bounded by Lumsden Road, Tahuna Road and Balemi Road, opposing the Rural zoning proposed for the site and seeking a mix of industrial, business and residential zoning, and the inclusion of a new Structure Plan for Ohinewai within Appendix 13 of the PDP.

Further submissions were originally sought by Council to the PDP in May 2019; however, that was extended to July 2019. At that time, APL submitted a further submission providing an update to the Structure Plan.

As a result of a pre-hearing request by APL to hear and determine its submission earlier than programmed, the PDP Hearing Panel determined that all those submissions seeking rezoning at Ohinewai would be re-notified and the opportunity would be provided for further submissions to be lodged in opposition or support of those submissions. Accordingly, in November 2019, APL lodged a further submission that sought amendments to policies and methods associated with the rezoning sought.

1.2 The Submitter

APL is the property owning entity of New Zealand Comfort Group Limited (NZCG) the manufacturer of Sleepyhead, Sleepmaker, Serta, Tattersfield and Design Mobel Beds along with Dunlop Foams and Sleepyhead flooring underlay. They also produce a wide range of related products including pillows, mattresses, drapes, furniture and other soft furnishings. In addition, they manufacture a wide range of foam products for domestic, industrial and healthcare purposes.

NZCG is a third generation New Zealand owned manufacturing business founded in 1935. It is owned by two brothers who pride themselves in New Zealand-based manufacturing. NZCG is dedicated to building and maintaining a highly skilled and robust local manufacturing capability, using locally sourced components wherever possible.

1.2.1 Background to NZCG

The NZCG manufacturing operations are currently based at several locations in Auckland. APL (on NZCG's behalf) has been investigating options to consolidate all of their New Zealand operations onto one site. As part of this investigation, APL has searched extensively in Auckland and the Waikato for a suitable site.

The drivers for NZCG relocation and consolidation are:

- The existing manufacturing facilities at both sites in Auckland have significant site restrictions and are generally considered to be past their "use by" date. This is resulting in manufacturing inefficiencies that are affecting the competitiveness and effectiveness of the business. To resolve these issues, NZCG wishes to consolidate all its New Zealand operations to one site that will also allow for further expansion.

- Consolidation of their operations into one new modern plant also provides for benefits in terms of compliance with health and safety and environmental requirements. Significant efficiencies are also expected as a result of not having to utilise road transport to move raw materials and finished product between two different sites.
- As a major manufacturer that is importing raw materials and distributing and exporting products, NZCG wishes to be located adjacent to the North Island Main Trunk railway (NIMT) as it receives and distributes goods through both Auckland and Tauranga Ports. NZCG has strong exports to China and Australia.
- APL was unable to identify any suitable sites adjacent to the NIMT in the Auckland area.
- The consolidation of all of NZCG's operations onto one site leads to a requirement for a site of 30-35ha. No suitable sites of this size were identified in Auckland.
- NZCG has a very strong family-based worker culture, with many families having worked for NZCG for several generations. NZCG has been increasingly concerned at the inability of its employees and their families to find affordable housing in Auckland. The company intends to set up a scheme to assist their families into housing ownership as part of their employment. The cost of housing in Auckland meant this was not feasible.
- The Ohinewai/Huntly area is attractive to NZCG because of the strong local employment base. They are committed to a wide-ranging technical training programme covering IT, chemical and mechanical engineering, trades and marketing. They are keen to work with local schools, other educational institutions and Waikato-Tainui to develop the appropriate technical and professional staff skills within the local labour force.

APL has identified suitable landholdings on the corner of Lumsden Road and Tahuna Road, Ohinewai (Allotment 405, Lots 1 and 2 DPS 29288 and Lots 1-3 474347), hereafter referred to as the Site.

The Site is currently zoned Rural in both the Operative Waikato District Plan (ODP) and PDP.

1.3 The Masterplan

To achieve their aspirations and to facilitate and inform a suitable planning framework, APL has developed a Masterplan for the site that sets out the conceptual development form.

The Masterplan has will continue to evolve, ensuring that it responds to opportunities and constraints as they are identified. The Masterplan provides the basis for an integrated development that will provide for industrial, commercial and residential activities across the site.

A copy of the Masterplan is included as **Appendix A**.

1.4 Ohinewai Structure Plan

While the Masterplan outlines the conceptual form of the proposed development, the Ohinewai Structure Plan has been formulated as the planning mechanism to embed the development at a level appropriate for inclusion in the PDP.

A copy of the Ohinewai Structure Plan is included as **Appendix B**.

The Structure Plan will guide future development and will form part of any consenting framework for future subdivision of the site.

The Structure Plan outlines the following key aspects of the proposed development.

5. 63ha of industrial land, including 37ha for the NZCG Sleepyhead Factory.

6. 8.7ha of business / commercial land for a service centre, factory outlet shops and a small amount of convenience retail.
7. 52ha of residential land for approximately 900-1100 homes for employees of Sleepyhead and the wider community.
8. 55ha of public open space including stormwater management areas, recreational facilities, ecological enhancement areas and other community areas.

A further description of the development likely as a result of the rezoning and Structure Plan being applied across the site is set out in Section 5 below.

1.5 Zoning Plan

The Zoning Plan identifies the relevant zones within the subject site, establishing where different activities are to be located throughout the site. It is intended to inform amendments to the District Plan maps.

A copy of the proposed Zoning Plan is included as **Appendix C**.

2 Report Structure

The report is set out in a format to account for the required information and statutory tests as if the submission were a private plan change document. This will ensure that WDC have all required information to make a decision on the submission.

- Section 3 outlines the proposed changes to the PDP sought by APL's submission.
- Section 4 provides a description of the Site and landholdings subject to the rezoning.
- Section 5 outlines a high-level description of the development to be enabled by the rezoning.
- Section 6 describes the statutory assessment framework that the rezoning is set against.
- Section 7 outlines the section 32AA evaluation.
- Section 8 provides an assessment of environmental effects of the rezoning.
- Sections 9 – 13 provide for an assessment of the proposed rezoning against the relevant statutory requirements.
- Section 14 provides a summary of the consultation that has been completed for the proposed rezoning.
- Section 15 addresses the further submissions on APL's submission to the PDP.
- Section 16 outlines the conclusions of this AEE and s32AA report.

3 Description of the changes requested to the Proposed District Plan

This section sets out the components of the submission to the PDP. As this is a substantial zone change request, the information provided has been drafted on the basis that a high level of detail is required.

3.1 District Plan Amendments Sought

3.1.1 Original submission – October 2018

The original APL submission sought the following:

- a) to rezone the Property from Rural to Industrial, Business and Residential as generally shown on the structure plan;
- b) amend Objective 4.1.2(a) and Policy 4.1.3(a) to support the infrastructure, development and use of the Property as sought in this submission, as follows or with words to similar effect;
 - *“Objective 4.1.2(a) Future settlement pattern is consolidated in or around existing and planned towns and villages in the district.”;*
 - *“Policy 4.1.3(a) Subdivision and development of a residential, commercial and industrial nature is to occur within existing and planned towns and villages where infrastructure and services can be efficiently and economically provided”.*;
- c) a new policy for Ohinewai, or alternatively Policy 4.1.13 Huntly to be amended to include Ohinewai, to provide a policy framework for the subdivision, use and development of the Industrial, Business and Residential land of the Property;
- d) amendments to other objectives and policies, or inclusion of new objectives and policies, as necessary to provide for the subdivision, use and development of the Property;
- e) to include an Ohinewai Structure Plan in Appendix 13 of the Proposed Plan; and
- f) Such further relief and / or amendments to the Proposed Plan as may be necessary to support Ambury’s relief, as set out in this submission.

3.1.2 Further submissions July and November 2019

Council called for further submissions in July and November 2019. In its further submissions, APL provided further detail of the relief sought in its primary submission, including refinement of the Structure Plan and proposed plan provisions in response to further input from technical specialists. These are summarised below:

16 July 2019

- Provided an updated Masterplan, Structure Plan and Rezoning Plan reflecting changes that had been made in response to technical input from various specialist investigations that had progressed since the initial submission.
- These changes included:
 - Reduction of the Industrial zone from 89ha to 71ha;
 - Reconfiguration of the Business zone, which remained at 10.5ha; and
 - Extension of the Residential zone from 51ha to 96ha, whilst retaining the proposed yield. Undevelopable land is identified as open space in the Framework Plan.

7 November 2019

- Provided a further update to the proposed changes to the PDP that is an addendum to and does not replace the further submission lodged on 16 July 2019. These changes included:
 - Identifying Ohinewai as an industrial node in combination with Huntly;
 - Introducing a policy specific for Ohinewai that provides a broad direction on how it should develop;
 - Introducing road cross sections within the PDP that have been specifically developed for the Ohinewai Structure Plan; and
 - Introducing provisions to the Residential, Business and Industrial zones that manage the interface of the OSP with the surrounding area.

The changes to the PDP have continued to be refined since the original and further submissions in response to information provided by technical experts.

A complete set of amendments sought to the PDP is included in **Appendix D**.

3.2 Purpose/Objective of the Submission

The purpose of the submission is to provide a planning framework within the PDP that enables development to occur in Ohinewai consistent with the Ohinewai Structure Plan. More specifically, the amendments seek to provide a planning framework to enable the development of the Sleepyhead Estate development as described in Section 5. The main components of the proposal comprise:

1. NZCG to establish a consolidated factory development of 100,000m² with an associated rail siding.
2. The development of other industrial activity that is able to take advantage of agglomeration benefits and the establishment of the rail siding.
3. Commercial activity focused on factory outlets, a service centre, convenience retail and community services to support the Ohinewai community.
4. Residential development to provide affordable housing for employees of NZCG and for housing that is available on the open market.

3.3 Consideration of the submission

The submission has been lodged on the PDP in response to the public notification of the proposed plan as per Clause 5 of Schedule 1 of the Resource Management Act 1991 (RMA).

APL does not stand to gain an advantage in trade competition through the submission and has made the submission in the prescribed form.

The Council is required to consider the submission made and provide a decision on the matters raised in the submission under Clause 10 of Schedule 1. The decision must accept or reject the submission and give reasons for that decision. The decision must include a further evaluation of the proposed plan undertaken in accordance with s32AA.

To assist in the assessment of the submission, this report includes a s32AA evaluation assessing the changes sought in the submission.

3.4 Stage Two of the Proposed District Plan

The Council has undertaken a two-stage notification process for the PDP. Stage 2 relates to the management of natural hazards within the District and Stage 1 addresses the balance of the PDP. Submissions have been made to Stage 1 of the PDP.

At the time of writing, a draft version of Stage 2 has been made available for public comment on 30 September 2019. It is understood that Stage 2 of the PDP will be formally notified in the first quarter of 2020.

The APL site subject to this submission is affected by Stage 2 of the PDP due to its location in a floodplain of the Waikato River and being protected by stop bank infrastructure. Substantial investigation into the flood risk associated with the site has been undertaken and the results of this are discussed in detail in the assessment of flooding effects section of this report (refer Section 8.6).

APL will engage and actively participate in the Stage 2 process of the PDP.

4 Site Description

4.1 Site Location and Context

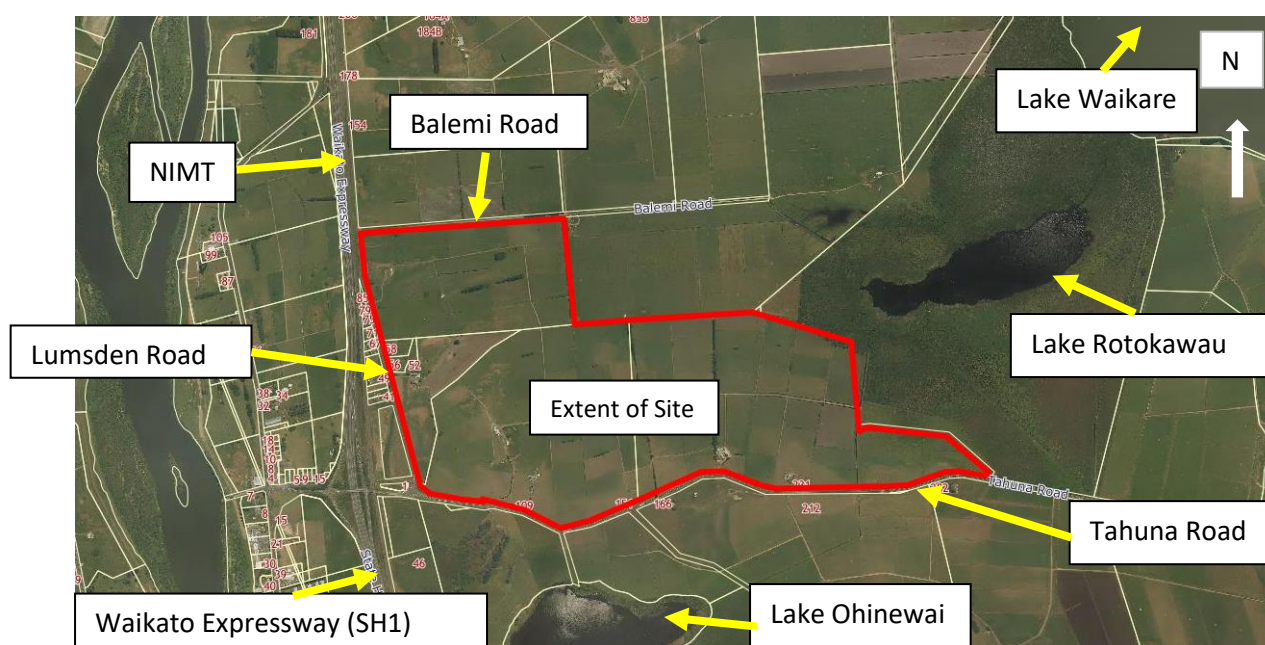
The subject site is located in Ohinewai, located approximately 40km from the Hamilton City Centre and approximately 85km from the Auckland City Centre. The site is well located within the 'golden triangle' of the centres of Auckland, Hamilton and Tauranga and is well serviced by State Highway 1 (SH1) via the Ohinewai interchange and is adjacent to the North Island Main Trunk (NIMT) railway line.

Ohinewai Village is located on the western side of SH1, with the towns of Huntly approximately 8km to the south and Te Kauwhata approximately 12km to the north.

The site is bounded by Balemi Road to the north, Lumsden Road to the west and Tahuna Road to the south. The eastern boundary is adjacent to Lake Rotokawau and its margins. The Waikato River is located approximately 1 km to the west.

A site location plan is shown below in Figure 4-1.

Figure 4.1. Site location plan



4.2 Site Ownership

The legal descriptions and landowners of the Site are set out in Table 4.1 below.

Table 4.1: Record of Title Details

Legal Description	RT Reference	Land Area	Owner
Allotment 405 Whangamarino Parish	SA42D/983	36.9553ha	Ambury Properties Limited
Lot 2 Deposited Plan South Auckland 29288	SA26D/299	61.1275ha	Graham Roger Bowers Susan Georgina Bowers JW Trustees Limited
Lot 1 Deposited Plan South Auckland 29288	SA44B/473	68.1385ha	Graham Roger Bowers Susan Georgina Bowers

			JW Trustees Limited
Lot 1 Deposited Plan 474347	650545	0.8001ha	Iain Hamish MacDonald Luressa Kay MacDonald
Lot 2 Deposited Plan 474347	650546	0.8004ha	Daniel Bruce Holmes Rebekah Joyce Holmes
Lot 3 Deposited Plan 474347	650547	10.8720ha	Bruce Alexander Holmes Juedi Anne Shirley Holmes Evans Bailey Trustees 2017 Limited

Recent search copies of the above Records of Title are contained in **Appendix E**.

4.3 Existing Land Use

The site subject to the proposed rezoning and Ohinewai Structure Plan comprises of four landholdings.

The main landholding known as 231 Tahuna Road (comprising three titles) of approximately 166 ha., is currently being used for dairy farming. There are various dwellings, milking sheds and other outbuildings located on the site.

The site includes two lifestyle block/ large lot residential properties, known as 56 and 58 Lumsden Road, with two dwellings built on each lot. A third, larger landholding of approximately 10.8ha. contains a dwelling and outbuildings and also comprises grazing and cropping.

4.4 Land Uses in the Vicinity

The predominant land use in the area is productive rural activities, with a focus on dairy farming on large landholdings directly to the north and south of the site. Lake Rotokawau Reserve is located on the site's eastern boundary beyond that are more dairy farms.

Nine dwellings (zoned Village in the PDP) are located on the eastern side of Lumsden Road, ranging from 1550m² in size to 5ha.

Ohinewai Village is located on the western side of the expressway, which includes the Ohinewai Community Hall, Ohinewai Primary School, abandoned and derelict commercial buildings, an industrial yard, residential properties as small as 1011m² and a range of rural activities including greenhouses and an orchard. In the wider Ohinewai area there is a gas distribution business, and a transportable home building company.

Further to the north on Lumsden Road is the Max Birt Sawmill, the Lumbercorp Mill and Greig Runnings' House Relocators. The vacant Waikato Wool Scourers building is also located to the northwest of the site, on the western side of the expressway.

4.5 Site Zoning and Features

The site is zoned Rural in both the ODP and proposed to be zoned Rural in the PDP.

A small portion of the north eastern corner adjacent to Lake Rotokawau is identified as an Outstanding Natural Feature and a Significant Natural Area.

Stage 2 of the PDP review that addresses natural hazards is yet to be notified. Any overlays or features identified on the site as part of the review will be addressed as part of the Stage 2 process and acknowledged or addressed as required via this rezoning process.

An extract of the PDP Planning Map is included below in **Figure 4-3**.



Figure 4-3. Proposed zoning as notified (PDP)

4.6 Adjoining Designations

The NZ Transport Agency Designation J11 (State Highway 1 Expressway) is located between the District boundary north of Meremere, to a mid-point between Ohinewai and Huntly and includes the Rangiriri and Ohinewai Bypass. SH1 runs parallel to the site in a north-south direction. Access to the State Highway is via the Ohinewai interchange.

The KiwiRail designation L1 NIMT runs between SH1 and Lumsden Road. The site will connect with the NIMT via a siding. The design of the siding is being developed in collaboration with KiwiRail and will be located in the proposed industrial zone.

4.7 Site Topography

The land is typically low lying and flat except for a ridgeline on the southern boundary (which Tahuna Road has been formed on) and two spurs which run in a north-south direction through the two southern properties (Lots 1 and 2, DP 29288).

Ground surface elevations vary between approximately RL 20 m on the southern boundary with Tahuna Road and RL 6 m at the far eastern end of the site. Except for the localised ridge and spurs, the general site grade falls very gently from west to east. Contours of the site are shown in Figure 4.4 below.

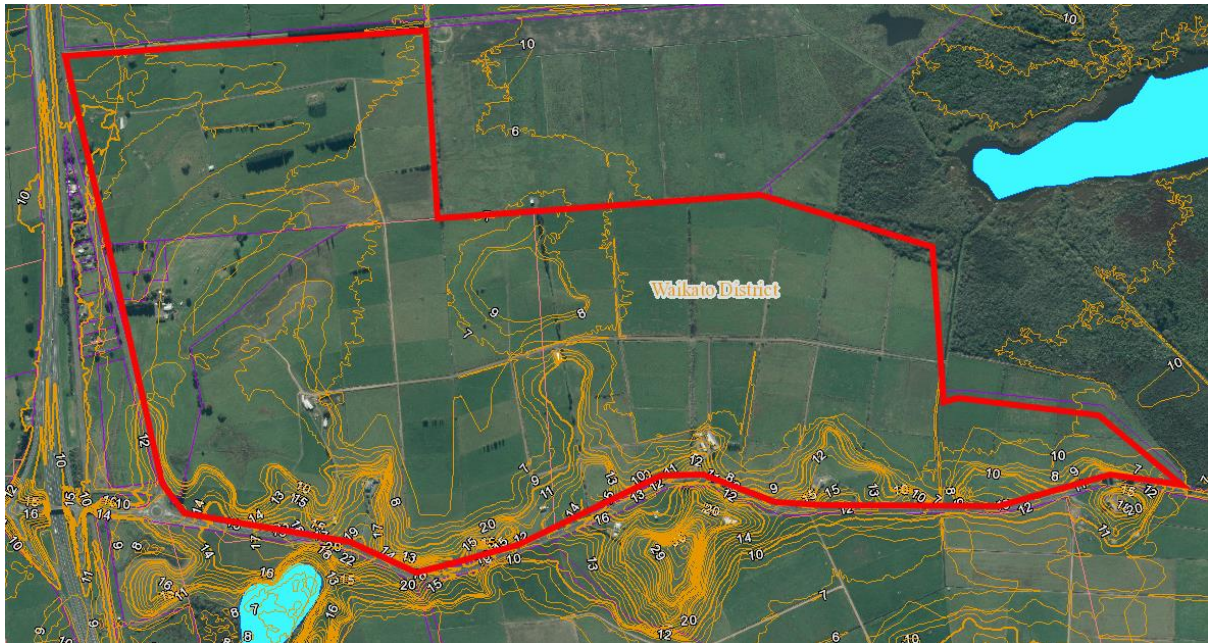


Figure 4.4. Site Contours

4.8 Existing Flooding

A flooding assessment has been completed for the site by Woods. A copy of that report is included as **Appendix F**. The report was completed in a collaborative manner, with inputs and review provided by Waikato Regional Council (WRC) officers.

That assessment in the report is based on investigations and Woods ran various modelling scenarios based on the site topography, proposed development and various storm events. Climate change was accounted for in the modelling.

As outlined in Figure 4.5 below, the Woods modelling showed that parts of the site (pre-development) are subject to flooding in the 100-year storm event.

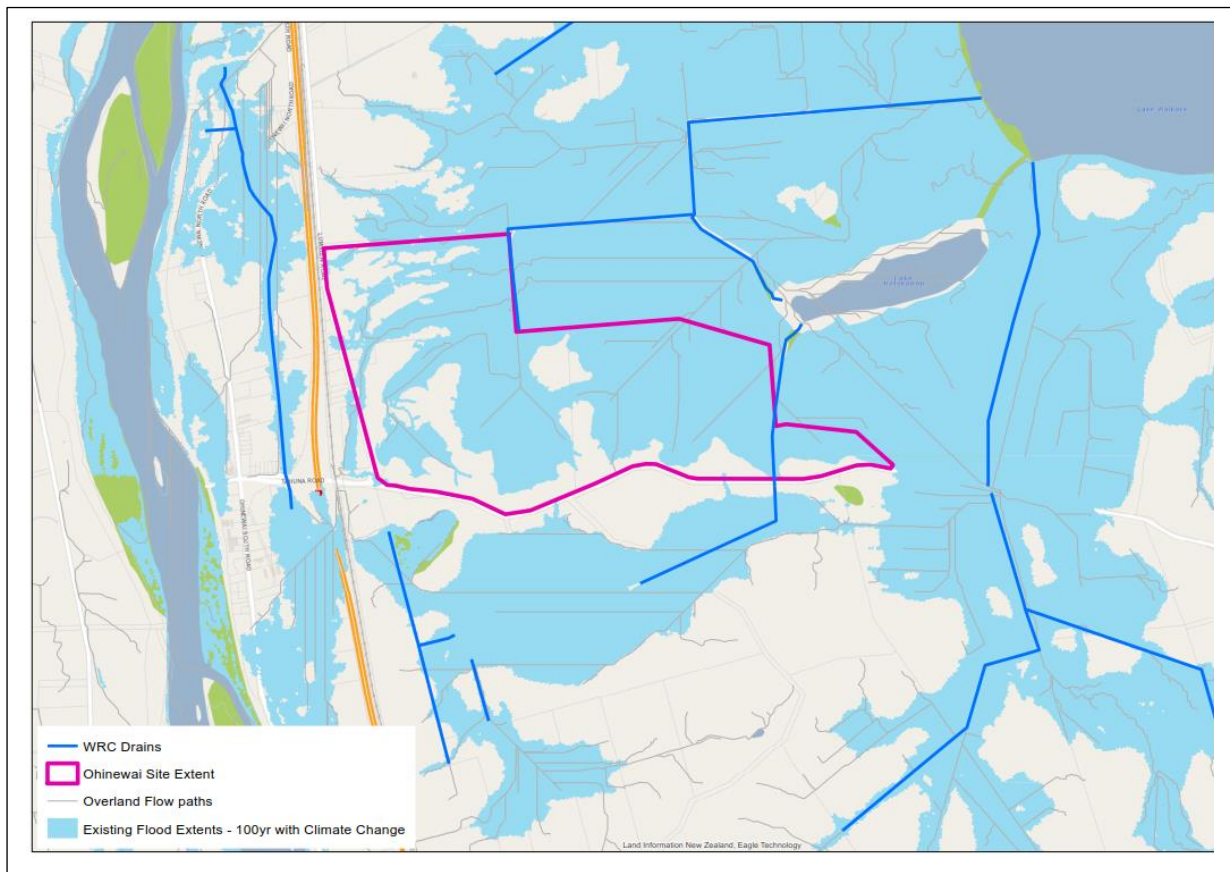


Figure 4.5. Existing flood extents

4.9 Site Geology

Initia Geotechnical Specialists have completed a geotechnical assessment report to support the proposed rezoning request. A copy of this report is included in **Appendix G**.

A summary of the findings of that report with respect to the site geology is set out below:

- The site sits over two surface geological formations based on the Tauranga Group. The Tauranga Group includes early to middle Pleistocene Age pumiceous river deposits comprising highly weathered, coarse pumiceous and rhyolitic sands and current-bedded grits, with interbedded peat and local gravels (bright yellow on Figure 4.6 below).
- More recent (Holocene Age) deposit (last 2,000-10,000 years). This is described as comprising pumice sand, silt and gravel with peat beds (light yellow on Figure 4.6 below).
- Geological investigations undertaken across the site are consistent with the geological map and the site stratigraphy can be summarized as comprising:
 - Taupo Pumice Alluvium (fine to medium sand, sandy silt), at typical thickness at 0-3m.
 - Rotokawau Formation (Peat, clayey silt and silty clay) at typical 0-10m.
 - Karepiro Formation (fine to coarse sand with common gravel beds) and Puketoka Formation (interbedded silt, medium to coarse sand, pumiceous gravel and peat) at typical 20-40m.
 - Whangamarino Formation (silty clay and clayey silt, silt with layers of peat, sand and gravel), at typical 30-80m.

- At higher parts of the site (above RL 9m), soils generally comprise of the Karapiro/Puketoka Formation, with the upper few metres typically dominated by silty sands and sandy clays.
- The lowest parts of the site (surface levels of RL 7.5 m and lower) are usually dominated by greater thicknesses of the Rotokawau Formation (thick peat and is underlain by very soft silts and clays).

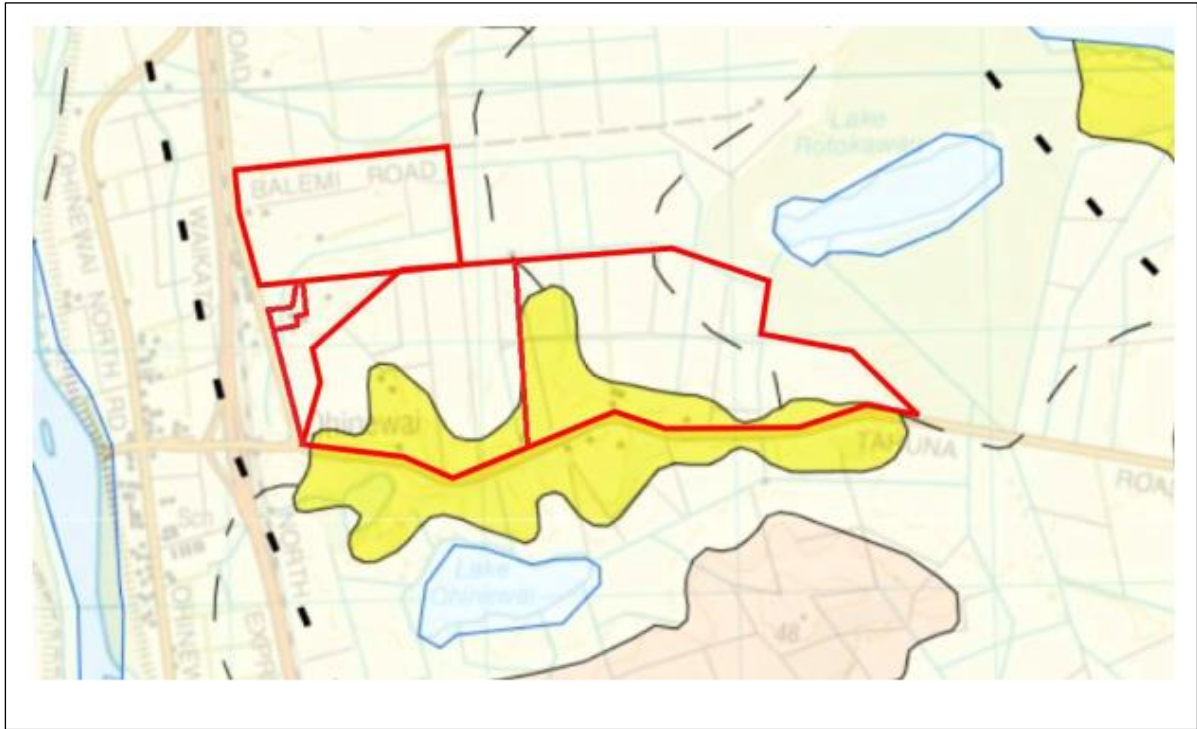


Figure 4.6 – Site Geology (From GNS GeoMaps – Initia)

4.10 Groundwater

As outlined in the Initia report (**Appendix G**), at higher levels of the site (RL 7.5-9m) groundwater was encountered at depths of 0.5-1.5m below ground level. At lower lying areas of the site (RL 6-7.5m) ground water was near surface level. Regional groundwater levels are expected to be controlled by the Waikato River (to the west) and Lake Rotokawau (to the east).

Based on site observations, groundwater levels are expected to vary between RL 6-7m across the majority of the site. Higher groundwater levels may be present at higher parts of the site, e.g., around the ridge at the southern and southwestern boundaries and the two north-south spurs where ground surface elevations are as high as RL 20 m.

4.11 Ecological Features

To inform the Masterplan and Structure Plan for the proposed rezoning and understand the potential adverse and potential positive effects as a result of the rezoning, an Ecological Assessment of the site has been completed by Ecology NZ (copy included as **Appendix H**).

A summary of the key features of the site is described below:

4.11.1 Terrestrial ecology

- Overall, the vegetation across the site was of low ecological quality with little diversity. Vegetation cover was predominantly pasture grasses with few exotic trees and hedgerows.

- Riparian vegetation existed on the margins of drainage channels, including juncus and carex species.
- Avifauna was characterized by high densities of welcome swallows and kingfisher, with an assortment of other species also present.
- Limited arboreal nesting habitat was noted with scattered, suitable exotic trees on site.
- Habitat for ground dwelling lizards was noted on site and manual searches confirmed the presence of copper skink and rainbow skink (non-indigenous plague species).
- Potential bat roosting habitat was noted within several trees across the site and there is recorded bat presence located approximately 7.5km from the site.
- Ecology NZ have noted that recent bat monitoring as part of the NZ Transport Agency's Huntly Bypass project, have shown only one bat pass being recorded between 2014-2017, indicating this area has very low bat activity and the likelihood of bats being present on site is substantially reduced.
- Nevertheless, the site may still provide some habitat for long-tailed bats.

4.11.2 Aquatic ecology

- The site contains no mapped watercourses as per the WRC online mapping; however, numerous small interconnected farm drains (artificial watercourses) are present. The small unmapped channels vary in size, with the smallest containing no water and being completely vegetated with terrestrial vegetation
- The site contains two large drainage channels that form part of a wider Waikare Drainage scheme. These are referred to as Channel A or Tahuna Drain and Channel B or Balemi Drain.
- Water quality appeared poor overall with organic soils and sediment bubbling present.
- Overall, the ecological value of Channel A and B was considered moderate, due to the expected permanent water flow, and connectivity to the wider catchment and the ecological value of the farm drain network was considered low, due to the surrounding land use, intermittent nature of the water flow, artificial nature of the drains, poor water quality, lack of habitat features, and the absence of permanent connectivity to the wider catchment.
- The perennial nature of the water flows in the drainage channels and their permanent connectivity to the downstream catchment suggests these channels could sustain a number of indigenous fish species throughout the year.
- The poor-quality habitat in the smaller channel network covering much of site, suggests that it is unlikely that anything other than highly tolerant species (e.g., shortfin eels, black mudfish and gambusia) would persist in these channels.
- Fish surveys undertaken in July and August 2019 found no fish; however, shortfin eels were found.

4.12 Receiving Environment

In the wider context, the site is located between the Waikato River to the west, Lake Ohinewai to the south, and Lakes Rotokawau and Waikare to the east. The three lakes are connected through drainage channels and Lake Waikare ultimately connects to the Whangamarino Wetlands to the north.

There is no direct connection from the site to the Waikato River, although the River is only 1km to the west. Ultimately, however, Lake Rotokawau, Lake Waikare and the Whangamarino are part of the wider Waikato River catchment.

A summary of the Ecology NZ description of the receiving environment is as follows:

- The receiving environment immediately downstream of the site consists of Lake Rotokawau and Lake Waikare with connectivity to Whangamarino wetland.
- Lake Rotokawau is a poor quality, hyper-eutrophic peat lake of approximately 22ha in size with a depth of 1.2m. Lake Rotokawau is a degraded lake significantly impacted by flood management and agricultural activities. While the lake is only moderately large and shallow it has one of the most extensive (i.e. c. 230ha) and diverse areas of wetland vegetation surrounding a lake in the Lower Waikato Basin.
- Lake Rotokawau is considered to have very good connectivity to the surrounding landscape with historical connection to Lake Waikare still in existence and managed connectivity with Lake Ohinewai (via the Tahuna Drain).
- The water levels in Lake Rotokawau are linked to Lake Waikare which has tightly controlled water levels as a result of the Lower Waikato Waipa River Control System.
- Lake Waikare is a large, poor quality, hypertrophic, riverine lake covering approximately 3442 ha with a depth of 1.8 m. Lake Waikare is a degraded lake which has been significantly impacted by flood management and agricultural activities. The lake fish population is dominated by exotic species with only a moderate diversity of native fish remaining.
- Lake Waikare is no longer connected to the Waikato River via the Onetea Stream or during flood conditions, however fish passage has been constructed to allow access between the lake and the internationally significant Whangamarino Wetland.
- Whangamarino Wetland is one of the largest swamp and raised peat dome wetland complexes in New Zealand. The wetland encompasses an area of approximately 6912 ha. A significant proportion of this (5,690 ha) has been recognised as a wetland of international importance under the Ramsar Convention.

4.13 Waikato Drainage Scheme – Waikare West

The site is located within the Franklin Waikato Drainage Scheme (Waikare West) and the site contains two channels that have been constructed as part of the that scheme (Balemi Drain and Tahuna Drain). Refer to Figure 4.5 above.

The drainage scheme is managed by Waikato Regional Council to ensure that the land within the scheme is adequately drained to support pastoral farming and to alleviate flooding. The site and surrounding area are located within the Franklin Waikato Drainage Scheme and Drainage Supervisor Area 1.

Levels of service have been agreed upon for the drainage areas that relate to their rural use and the drainage requirements that are necessary to ensure the land's productivity and accessibility without too great a financial burden on those that benefit from the drainage areas.

The operational requirements of the drainage scheme are:

¹ Waikato Regional Council Drainage GIS
<https://waikatomaps.waikatoregion.govt.nz/Viewer/?map=15b6ef59ffba4d9b9128c70da260bef3>

- Provision and maintenance of an effective land drainage network that allows landowners the ability to manage the water table on their properties.
- Provision of the land drainage service to an agreed level of service (to remove ponding from a 10% Annual Exceedance Probability (AEP) event within three days).
- Provision of one drainage outlet per property if required.
- Provision of a fair and equitable land drainage service to all ratepayers.
- Reduction of surface flooding resulting from rainfall events.
- Where gravity drainage allows, the clearance of water from the land to avoid damage to pasture.

Consultation has been undertaken with the Integrated Catchment Management team at WRC with respect to the proposed development and potential impacts on the drainage scheme. Notes from those discussions are included in the Stormwater Management Plan report included as **Appendix I**).

4.14 Lower Waikato Waipa Flood Control Scheme

The site sits within the Lake Waikare catchment that is influenced in large part by the Lower Waikato Waipa Flood Control Scheme (LWWFCS). The LWWFCS is described in the Woods Flood Assessment Report (**Appendix F**) and is summarised below:

- The LWWFCS is a comprehensive river control scheme designed to provide flood protection within the floodplains of the Lower Waikato and Waipa Rivers. The scheme comprises stop banks, pump stations, floodgates and river channel improvement work which commenced in 1961 and were completed in 1982.
- Lake Waikare acts as the first of two flood storage areas and receives flows in certain storm events.
- There is one inlet into Lake Waikare located at the Rangiriri spillway from the Waikato River. The Rangiriri spillway discharges flows from the Waikato River into Lake Waikare when the River reaches 8.8mRL. The Rangiriri spillway, in conjunction with stop banks along the segment of the Waikato River which adjoins the site have been designed to effectively manage floodwaters from the River in a controlled way.
- This will ensure that in the event of the Waikato river flooding, floodwater would bypass the site to the north at Rangiriri. The Onetea Control Gate (located at Rangiriri Spillway) operates when Waikato River level is above Lake Waikare and above 7.0mRL.
- There are two outlets from Lake Waikare, as follows:
 - The Waikare spillway into the Whangamarino Wetland; and
 - The Waikare Gate, which operates separately to the Waikare Spillway and discharges flows into the Whangamarino via the Pungarehu Canal.
- The Waikare spillway operates when the levels in Lake Waikare exceed 7.37 m. The operational level for Lake Waikare is between 5.5 – 5.65mRL as confirmed in WRC's Community Gate operation procedures (3352323) provided by WRC and included in Appendix B of the Woods Flood Report (**Appendix F**).

4.15 Existing Services

There are no existing reticulated services in Ohinewai or on the subject site.

There are various services associated with existing houses and farm buildings located across the site e.g., water pipes, overhead low voltage power lines and septic tanks and associated dripper fields. A number of water bores are located across the site. There are no gas mains located on the site.

4.16 Existing noise environment

To understand the existing noise environment for the site and surrounds, Marshall Day Acoustics (MDA) undertook site visits and analysis as part of their Acoustic Assessment of the proposed rezoning. A copy of their report is included in **Appendix J**.

A summary of their findings is described below:

- The site and closest sensitive receivers are located in a high ambient noise area due to the presence of SH1.
- An acoustic fence between SH1 and the residential properties in the Village zone (Lumsden Road) provides some screening, but the Highway is still a significant noise source.
- The NIMT railway is located approximately 20m from the residential properties in the Village zone.
- Noise measurements found that the ambient noise levels during the daytime average 68 dB LAeq. That is 18 decibels higher than the District Plan daytime noise limit of 50 dB LAeq.
- Subjectively, the existing traffic noise level is around “four times louder” than would be permitted to be generated from activity on the Ambury Properties site.

4.17 Surrounding Landscape and Character

A Landscape and Visual Assessment (LVA) has been completed by Mansergh Graham Landscape Architects (MGLA) for the proposed rezoning and a copy of that report is included as **Appendix K**.

The LVA has assessed the existing landscape character of the site and its place in the local and regional context. A summary of the findings is described below:

- Key topographical features that inform overall landscape character of the wider area include the low-lying land and water features of the Lower Waikato Valley such as the Waikato River, Lake Waikare, and the Whangamarino Wetlands.
- These features are contained by the Hapuakohe Range to the east and Taupiri Range to the south and includes the Waikato River, Lake Waikare, and the Whangamarino Wetlands. Distinctive to this landscape is the prevalence of shallow lakes, wetlands and the sporadic small hills that are evidence of the formative geological processes of the area.
- Local landscape features that inform overall character of the landscape surrounding the subject site include:
 - Lake Rotokawau and associated wetland reserve to the east (which adjoins Lake Waikare further to the northeast);
 - Lake Ohinewai to the south;
 - The low rolling hills within the predominantly flat area; and
 - Low lying wetland areas.

- The character of the landscape is further influenced by land use, land management and development patterns including:
 - State Highway 1 and surrounding local roads;
 - The NIMT railway;
 - Surrounding rural context predominantly in pasture, some of which contain scattered mature trees and shelter belts;
 - Scattered clusters of rural and rural residential houses;
 - The existing Ohinewai village development; and
 - The sawmill site and occasional intensive farm developments.
- The site is not contained within an identified Outstanding Natural Features or Landscape (ONF or ONL) but is within broad proximity to the Waikato River (ONFL) under the ODP.
- Under the PWDP, Lake Waikare, including Lake Rotokawau, are identified as an ONF, while the extent of the Waikato River proximal to the rezoning area, is identified as a Significant Amenity Landscape.

4.18 Existing Transport Network

The Integrated Transport Assessment (included as **Appendix L**) outlines a description of the transport network relevant to the rezoning and a summary of that assessment is set out below:

4.18.1 State Highway

Wider access to the site is provided from SH1 via a full-diamond Ohinewai interchange providing access north towards Auckland and south to Huntly and Hamilton. Figure 4.7 below outlines the Ohinewai Interchange in relation to the Site.

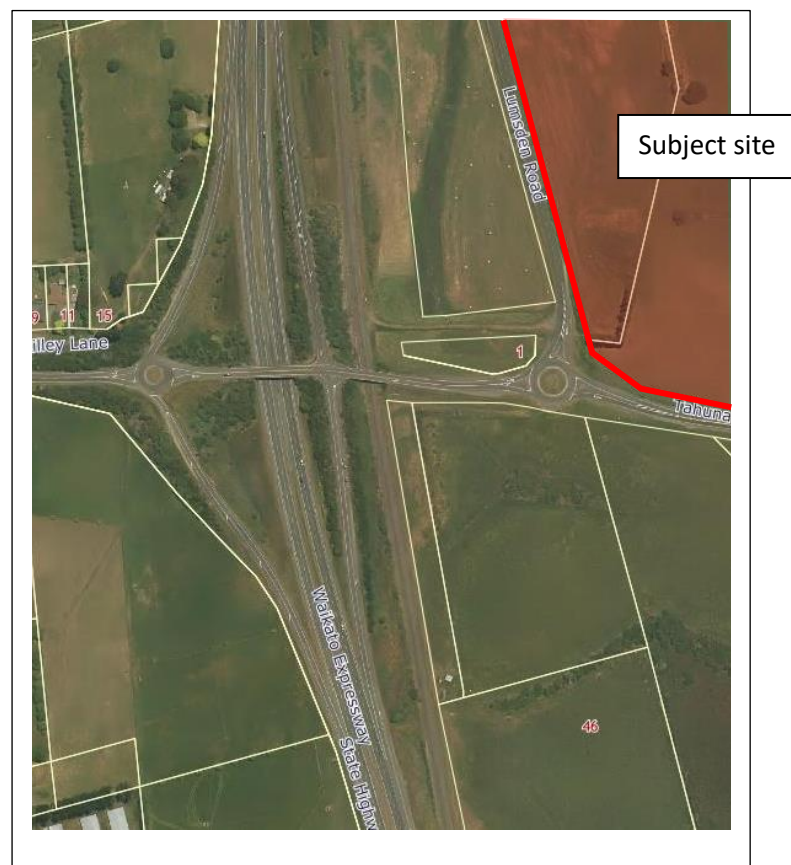


Figure 4.7 – Ohinewai Interchange

The SH1 Ohinewai Interchange ramps form part of the national State Highway network built and maintained by the NZ Transport Agency (NZTA). The on- and off-ramps each provide a single traffic lane with shoulders over a seal width of approximately 7.1m and 7.3m respectively.

The eastern intersection of the interchange is controlled with a compulsory stop on the southbound off-ramp, while the western intersection is a four-leg single circulating lane roundabout with two-way traffic flow on the Tahuna Road approaches only.

4.18.2 Local road network

The site is bounded by three existing roads: Lumsden Road (West), Tahuna Road (South) and Balemi Road (North).

Tahuna Road is classified as an Arterial road in the ODP, providing east-west connectivity within the district, including a connection between SH1 and SH27 that is also used as a detour route by the NZTA. The two-lane road currently has a sealed carriageway width of approximately 8m with 0.5m wide sealed shoulders on both sides of the road.

Lumsden Road is classified as a Local Road in the ODP. This no-exit road runs along the western boundary of the site and is accessed via Tahuna Road in the south. The road currently provides access to a number of residential properties to the west of the subject site, as well as a number of commercial and industrial activities to the north of the subject site, including two timber processing plants and a house removal company yard. The two-lane road has a seal width of approximately 6.6m.

Balemi Road runs along the northern boundary of the site. This no-exit road is accessed via Lumsden Road and currently provides access for a single farm property. The road is currently unsealed with an approximately 4.5m wide carriageway.

4.18.3 SH1 Huntly Bypass

The Waikato Expressway will connect the already completed Ohinewai section of the Expressway to the Ngaruawahia and Hamilton sections. Construction of the Huntly section of the Expressway is expected to be completed in early 2020.

This section of the Expressway will bypass the Huntly and Taupiri townships to the south of the proposed development, significantly reducing congestion within the townships, improving safety and amenity for the community and providing for travel time savings, trip reliability and safety improvements on SH1.

4.18.4 Walking and Cycling Facilities

There are no pedestrian or cycling facilities currently present in Ohinewai.

4.18.5 Public Transport

There are no specific public transport services or infrastructure serving passengers or employees to the Site. The Northern Connector Route, which services Te Kauwhata and Huntly has recently added a stop at the Ohinewai Community Hall on the west of SH1.

Historically, there was a train station located at Ohinewai between the NIMT and the expressway. With the resurrection of frequent passenger rail being trialled between Auckland and Hamilton from March 2020, there may be an opportunity to include a new passenger stop in Ohinewai, or provide a link service between Ohinewai and the Huntly Station, which is proposed to be one of the main stops on the line.

The proposed road layout within the structure plan will ensure that public transport can service the development, providing a link to Huntly and Hamilton.

4.19 Historic Land Uses

A preliminary site investigation (PSI) has been undertaken for the Site by Geosciences Limited (GSL). A copy of the report is included as **Appendix M**. To assess the potential for soil contamination on the site, GSL reviewed the current and historic certificates of title, reviewed aerial photographs and reviewed the WRC HAIL Report. A visual site walkover was also undertaken along with an interview with the current landowners.

As a result of the investigations, the PSI has identified several locations where activities or industries included in the MFE HAIL appear to currently be undertaken or have historically been undertaken on the Site subject to the rezoning. Table 2 from the report is reproduced below as Figure 4.8. Figure 4.8 outlines the current and former HAIL activities that have occurred on site and the potential hazardous substances that are associated with those activities.

ACTIVITY	POTENTIAL HAZARDOUS SUBSTANCES
Application of phosphate fertilisers to paddocks	Cadmium (homogenous distribution)
Bulk storage of phosphate fertilisers	Cadmium (hotspot)
Asbestos containing material in damaged and deteriorated condition ¹	Asbestos fibres
Historic lead-based paint use ²	Lead
Burnt and / or buried refuse and building material ³	Heavy metals, asbestos fibres, polycyclic aromatic hydrocarbons (PAHs)
Bulk fuel storage (diesel)	Polycyclic aromatic hydrocarbons (PAHs) and total petroleum hydrocarbons (TPHs)
Stock effluent dewatering ponds ⁴	Heavy metals, biological hazards (bacteria, viruses)

Notes:

1. Only suspected asbestos containing materials (ACM) identified during investigation – appropriate asbestos surveys by licensed asbestos surveyors required to confirm ACM presence / absence prior to development in accordance with the Health and Safety at Work (Asbestos) Regulation 2016;
2. Lead discharge to soil from lead-based paint likely restricted to topsoil / shallow soil horizons within a few meters of source building;
3. Nature and extent of buried materials unknown, so contaminants of concern may vary depending on material encountered during intrusive investigation;
4. Stock effluent dewatering ponds are considered low risk if properly decommissioned, however, the nature of decommissioning of the pond on Allot 405 is not known.

An extract of Figure 5 from the PSI is outlined below as Figure 4.9. This shows the location of suspected areas of contamination.

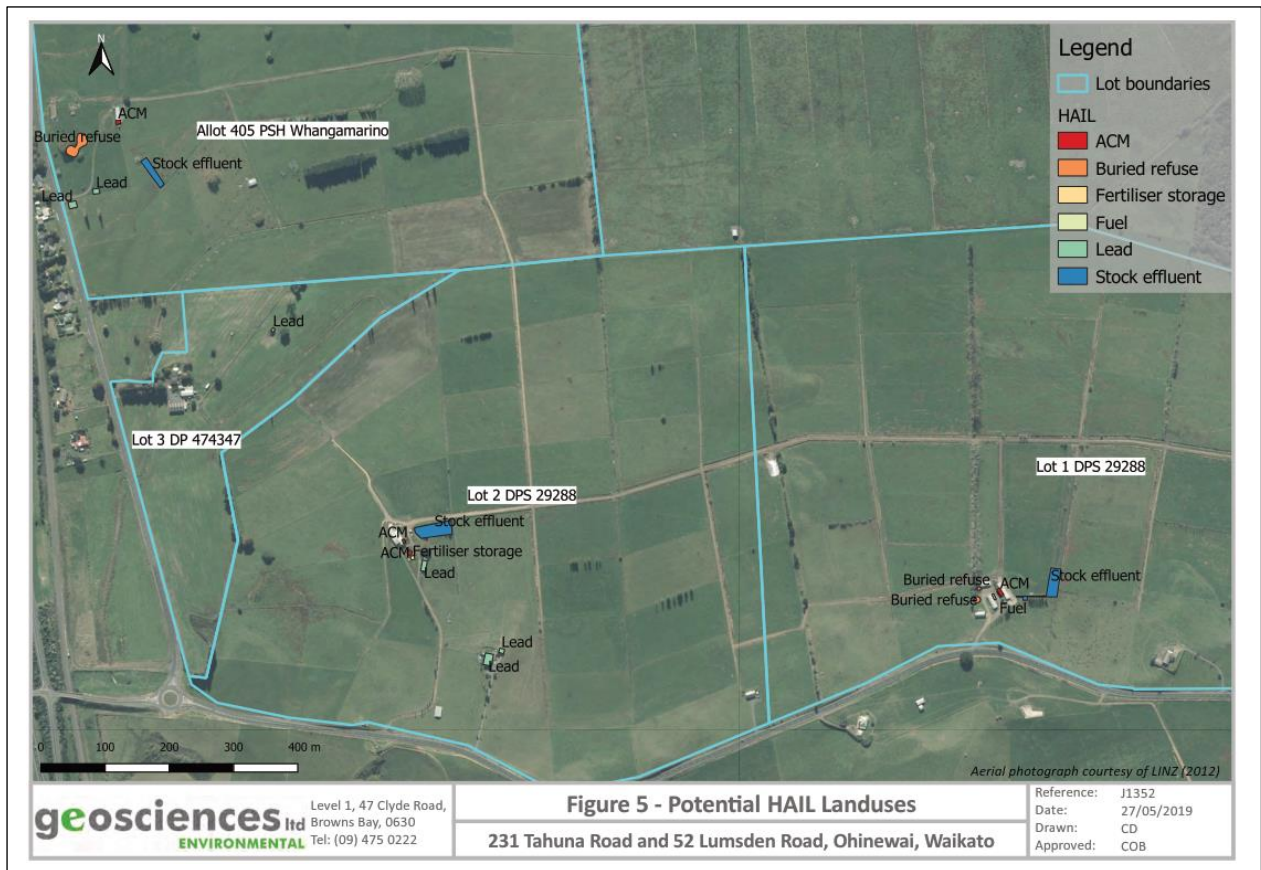


Figure 4.9 – Potential HAIL land uses

4.20 Archeology

An archaeological assessment of effects report for the site has been completed by W. Gumbley Limited (Gumbley). A copy of the report is included as **Appendix N**.

Gumbley undertook a site walkover and a review of the relevant historical documents. To summarise, the assessment has shown that within the development area, there are no recorded sites and the walkover did not identify anything of archaeological interest.

The closest recorded sites are approximately 2-3km away on the banks of the Waikato River and on the margins of Lake Waikare.

5 The Proposal

The rezoning sought by APL via its submissions on the PDP will enable development to progress across the site as per the proposed Industrial, Business and Residential Zones. Development will be further guided by the Ohinewai Structure Plan that sets out zoning, open space and transport networks and will be embedded into the PDP.

The Structure Plan has been formulated based on the Illustrative Masterplan that outlines APL's vision for the Site. While the eventual form of development will be confirmed at land use / subdivision consent stages (and be required to be consistent with the Ohinewai Structure Plan), the Illustrative Masterplan provides the concept of the development form. The key components of development are outlined below.

Sleepyhead Factory and Industrial Development

APL (on behalf of NZCG) propose to undertake development on the Site over the next 7-10 years. The key aspect of the development is to consolidate all of their New Zealand manufacturing operations into one 100,000m² factory located in the northwestern corner of the site. The factory will be the anchor tenant in a 63ha portion of the Site zoned Industrial.

To support the import and export operations of the factory, a rail siding accessing the NIMT is proposed adjacent to Balemi Road. Rail access is an important driver for APL as the site is well positioned within the 'golden triangle' with good access to both the Port of Tauranga and Ports of Auckland.

Development within the remainder of the Industrial zone will take advantage of access to the NIMT (via APL's rail siding), road access to SH1 via the Ohinewai Interchange and utilize the strategic location.

Business Zone

Commercial and a small amount of retail activities are proposed within an 8.7ha area zoned Business. This area is expected to be made up of a service station, local convenience stores and factory outlet stores.

Employment

It is estimated that approximately up to 1500 jobs may be created by the establishment of the Sleepyhead factory, with additional employment opportunities available from development in the Business zone.

While some employees will move from Auckland to stay with Sleepyhead, the development offers opportunities for the local population and strong local employment base.

NZCG is committed to a wide-ranging technical training programme, covering IT, chemical and mechanical engineering, trades and marketing. They are keen to work with local schools, other educational institutions and Waikato-Tainui to develop the appropriate technical and professional staff skills within the local labour force.

Residential zone

NZCG has a very strong family-based worker culture, with many families having worked for NZCG for several generations. NZCG has been increasingly concerned at the inability of its employees and their families to find affordable housing in Auckland. The company intends to set up a scheme to assist their families into housing ownership located adjacent to the Factory as part of their employment. Employment housing will be combined with housing available to the general market.

Approximately 900-1100 residential dwellings are proposed within the development area over the course of 7-10 years. It is expected that a mix of housing typologies will be on offer, including many medium density typologies that will be in the lower price bands. Development form will be finalised and consented at the appropriate land use / subdivision consent stage.

Open Space, Community Facilities and Ecological Enhancement

Approximately 55ha of the site is set aside as Open Space. This extensive area provides for significant amenity for not only the employees of Sleepyhead and other businesses and residents of the development but to the existing communities of Ohinewai, Huntly and Te Kauwhata. Facilities that could be established within this area are sports fields, market gardens, and small community led enterprises such as nurseries or honey production.

Stormwater management infrastructure will also be provided in this area to provide for best practice management of runoff quantity and quality.

With the retirement of the existing dairy farm on the site, the development of the Open Space area provides for an excellent opportunity to provide for ecological enhancement of the site, which is adjacent to Lake Rotokawau which is owned by iwi and administered by the Department of Conservation (DoC). It is anticipated that collaboration between Mana Whenua, DoC and key stakeholders will provide significant benefits to the ecology of the area, betterment of water-quality and provide for health and well-being of the local communities.

Transport Network

The proposed development is well-located to take advantage of existing transport infrastructure adjacent to the site. The Ohinewai Interchange provides for full southbound and northbound access to SH1 and the NIMT is adjacent to Lumsden Road.

The development takes direct access from roads intersecting Lumsden Road and Tahuna Road with five new intersections proposed. An internal road network is comprised of Local and Collector Roads that are consistent with WDC typologies.

To account for the additional traffic generated by the proposed development, network improvements are required to be constructed at various stages. The improvements required and timing is set out below:

- Upgrade of Lumsden Road from existing rural cross section to urban industrial cross section including kerb and channel and walking and cycling facilities. Required at 1st Stage of Industrial development (Years 1-3).
- Upgrade of Tahuna Road from existing rural cross section to urban industrial cross section including kerb and channel, walking and cycling facilities and geometric improvements. Required at 1st Stage of Industrial development (Years 1-3).
- Potential upgrade of Lumsden Road/Tahuna Road roundabout. Required at last stages of residential development provided trip generation is above 1400 trips per hour at peak (Years 8-10).
- Provision for walking and cycling from development across SH1 to Ohinewai Village to improve connectivity and provide active travel modes. There are two options available, with either required prior to the 1st stage of residential development (Years 1-3).
 - Option (a) – upgrade of Ohinewai Interchange (including widening or replacement of the existing NIMT bridge, widening south bound offramps to two lanes, traffic signals on the eastern intersection, and walking and cycling path through the Interchange.

- Option (b) – construct a dedicated walking and cycling bridge over the NIMT and SH1.
- Upgrade of the south-bound off ramp intersection with Tahuna Road to provide for an exclusive right turn lane. Required at final stages of development and only if Option (a) is not chosen for the provision of walking and cycling access to Ohinewai (Years 8-10).
- Implementation of a new rail siding which will connect the development to the NIMT railway.
- Realigning Lumsden Road and Balemi Road so that the proposed rail siding crosses Lumsden Road at a safe angle with low vehicle speeds.

Provision for Wastewater and Water Supply

As outlined in the Woods servicing reports included in Appendix O of this report, various servicing options are available to provide for the wastewater and water servicing needs of the proposed development.

APL has been engaging with WDC and WSL in relation to the timing within which municipal water and wastewater services will be available to the Ohinewai site. Options that are being considered for municipal servicing include upgrades to the Te Kauwhata or Huntly wastewater treatment plants (WWTP) or a new centralised sub-regional WWTP. However, there is considerable uncertainty as to the timing of the provision of such infrastructure and indications that such provision may be as much as 5-10 years away.

Woods has confirmed the feasibility of providing for wastewater needs via a series of package plants that could be developed as private wastewater infrastructure as the development is implemented. Such an option which would require significant capital expenditure is likely to be capable of providing a long-term solution but could also be proposed as an interim solution. In that regard, APL's preference would be to continue to be self-reliant provided that appropriate environmental outcomes (including an element of betterment) can be achieved. This matter is for further discussion with WDC.

As per the WWTP options, APL is exploring options for water supply from WDC / WSL and also investigating other supply options, which may transpire to be interim or permanent.

Stormwater and Stormwater Management

As outlined in the Woods Stormwater Management Plan (**Appendix I**), stormwater management will be provided via a "toolbox approach" based on applicable WRC guidelines (Technical Report 2018/01). The development will be developed with a "treatment train" philosophy, that looks to provide water quality and quantity control at source and also via collective treatment areas within the Open Space areas.

For the majority of the development, stormwater treatment will be provided at each site via devices located within the Central Park Area. Residential development in the east of the site will be managed on-site and adjacent to the Wetland Park Area.

Roads will be treated via a selection of devices within the road reserve such as swales and rain gardens. Secondary flows will also be conveyed via roads to the Central Park Area.

6 Statutory Assessment Framework

This section sets out a summary of the statutory framework required for the consideration of the submission to the Waikato Proposed District Plan.

6.1 Framework for Zone Change Request

The rezoning process is subject to a range of the provisions in the RMA, including the Purpose and Principles in Part 2 (section 5 – 8) of the Act, sections 31 (functions of territorial authorities), 32 and 32AA (requirement for evaluation reports), 74 (matters to be considered) and Part 1 of Schedule One (requirements relevant to process).

This framework has been carefully considered and the relevant considerations applied in the preparation of this report.

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

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

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

In this case, the relevant planning instruments that are required to be applied comprise the relevant National Policy Statement documents, namely, the NPS – Urban Development Capacity (NPSUDC) and NPS - Fresh Water Management (NPS-FM) and the RPS.

The issue that arises is whether any of the above exceptions apply or whether these instruments can be relied on as incorporating all relevant Part 2 matters, or, with the result Part 2 needs to be considered.

In terms of timing, the RPS was made operative on the 20th of May 2016. The PDP is required to “give effect” to the RPS and this needs to be considered in this assessment.

In terms of the issues of business and residential land allocation, integration of land use with infrastructure and meeting peoples’ needs for business land, the objectives and policies of the RPS and District Plan provide comprehensive coverage of the issues. However, the RPS, has not been updated to fully take into account the NPSUDC having only been amended to include the minimum housing targets for the Future Proof Area as Objective 3.27. which was undertaken outside of the Schedule 1 process as per the directions of the NPSUDC. The NPSUDC was published on 3 November 2016 so is predated by the RPS. The NPSUDC gives effect to Part 2 in respect of urban development capacity issues and the RPS is yet to fully take it into account.

² NZSC 38, (2014) NZLR 593

The district plan is also required to give effect to any NPS and the assessment against the NPSUDC is therefore important in respect to any aspects that are not fully addressed in the RPS. Accordingly, the assessment in Section 9.2 of this document places weight on the NPSUDC, given that it came into effect after both the RPS and the Operative District Plan and is a higher-level document.

Where there is any inconsistency between those planning instruments that the district plan is required to give effect to, this analysis has proceeded on the basis that the NPSUDC must be accorded the greatest weight due to it being a higher order policy document promulgated later in time³, and the fact that a regional policy statement is required to be “in accordance with” a national policy statement⁴. However, for completeness, in case there is any concern by the decision makers that the issues are not fully covered or are uncertain, this report includes a Part 2 RMA assessment.

Te Ture Whaimana (the Vision and Strategy for the Waikato River) forms part of the RPS. If there is any conflict between Te Ture Whaimana and a National Policy Statement, Te Ture Whaimana takes precedence. Therefore, it is a high level instrument to be considered.

6.1.1 Section 32 RMA

Section 32 of the RMA imposes on councils a duty before making a decision on a plan change application to carry out an evaluation. An evaluation under s32 is provided in Section 6 of this report. The relevant parts of s32 are as follows:

- (1) *An evaluation report required under this Act must –*
 - (a) *Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by*
 - i. *Identifying other reasonably practicable options for achieving the objectives; and*
 - ii. *Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - iii. *Summarizing the reasons for deciding on the provisions; and*
 - (c) *Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must –*
 - (a) *Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
 - i. *Economic growth that are anticipated to be provided or reduced; and*
 - ii. *Employment that are anticipated to be provided or reduced; and*
 - (b) *If practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to –*
 - (a) *The provisions and objectives of the amending proposal; and*
 - (b) *The objectives of the existing proposal to the extent that those objectives –*

³ *Infinity Investments Group Limited v Canterbury Regional Council* [2017] NZEnvC 36.

⁴ Section 61(1)(da) of the RMA.

- i. *Are relevant to the objectives of the amending proposal; and*
- ii. *Would remain if the amending proposal were to take effect*

6.1.2 Section 32AA RMA

Section 32AA of the RMA contains a requirement that a further evaluation be undertaken if changes are made to a proposed plan after the initial s32 evaluation has been completed. So far as relevant, s32AA states:

- (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 ...or the decision on the proposal, is notified; or*
 - (ii) ...[not relevant.]

Given that the APL rezoning submission post-dates the s32 evaluation for the PDP, a s32AA evaluation is necessary. We turn to that evaluation now.

7 Section 32AA Evaluation

The following sections of the report outline the required s32 assessments including outlining an options assessment, an efficiency and effectiveness assessment and summary.

As the submission seeks to make changes to the proposed district plan that has already been notified, a s32AA further evaluation report is required to be undertaken to assess the proposal. This is to be undertaken in accordance with s32(1)-(4) and be undertaken at a level of detail that corresponds to the scale and significance of the changes.

7.1 Objective of rezoning requested by APL

As noted, s32 of the RMA is a key component of the policy development process for district plan matters, including district plan reviews. It requires a robust analysis of policy options, including options assessment and consideration of costs and benefits, before settling on the preferred option. This section records the s32 evaluation that has been undertaken in order to assess the changes to the PDP proposed by APLs submission.

The first step of the evaluation is to identify the issues that the submission is intended to address (i.e. its objective). That is, the reason why the existing District Plan provisions are not appropriate or why certain amendments are required. Section 3.2 above has outlined the purpose of the rezoning, which is to provide for:

1. Industrial zoning that enables NZCG to establish a consolidated factory development of approximately 100,000m² with a rail siding.
2. The development of other industrial activities to take advantage of agglomeration benefits and make use of the proposed rail siding.
3. Commercial activity focussed on factory outlets, a service centre, convenience retail and community services to support the Ohinewai community.
4. Residential development to provide affordable housing for employees of The Comfort Group and for housing that is available on the open market, providing housing choice to those that live in the Waikato District.
5. Ancillary open space and recreational areas.
6. Provisions of necessary infrastructure and services.

7.2 Options Considered

Due to the size of the development envisaged by NZCG, it is clear that a rezoning would be required to enable development of the envisaged scale to occur.

Having come to the conclusion that the existing Rural zoning does not provide for either NZCG's operational needs or the development of the associated industrial, business and residential activities, several options were considered to address the issues.

1. Lodge resource consents (discretionary activity) for industrial development scenarios⁵, noting that subdivision of the site into multiple lots is unable to occur due to the prohibited status of subdivision resulting in more than one title⁶.

⁵ Under Rule 25.10.2 of the Operative District Plan

⁶ Under Rule 25.5 of the Operative District Plan

2. Wait for the PDP review process to be completed and then promulgate a private plan change seeking rezoning.
3. Utilise the district plan review process and make a submission on the district plan seeking a change in zoning over the site.

In accordance with s32AA(1)(b) and (c) this evaluation is required to be undertaken in accordance with s32(1) to (4) and to a level of detail that corresponds to the scale and significance of effects anticipated by the proposed changes to the PDP. The level of detail is therefore informed by the assessment of effects contained in Section 7 of this report. Table 7.1 on the following pages evaluates the three alternatives.

Table 7.1: Evaluation of Options

Alternative	Costs	Benefits
1. Do nothing and undertake development as per existing provisions. (Lodge discretionary activity resource consents for industrial development scenarios.) Retain the existing Rural Zoning over the site.	<u>Environmental</u> <ul style="list-style-type: none"> This option may allow for some industrial and commercial development as a discretionary activity but would result in the retention of the majority of the site as a dairy farm. This would continue to have a diffuse discharge to the environment as is typical of dairying. 	<u>Environmental</u> <ul style="list-style-type: none"> The retention of the rural zoning would result in limited change to the visual environment and retain the rural character of the area, modified by some industrial development.
	<u>Economic</u> <ul style="list-style-type: none"> Loss of economic development opportunities for the Ohinewai and the wider Waikato District. Opportunity cost of having undeveloped rural land. No employment opportunities at both the construction phase and operational phase of tenants/ businesses. Relying on a discretionary consenting process reduces economic certainty in the process. 	<u>Economic</u> <ul style="list-style-type: none"> Retention of the majority of the site as a productive rural farm. Some of the development, if consented, may be able to be sold as leasehold sites.
	<u>Social</u> <ul style="list-style-type: none"> Loss of opportunity for wider social benefits the completed development would bring to the area and nearby towns of Huntly and Te Kauwhata. 	<u>Social</u> <p>Would generally retain the status quo. Some jobs may be provided through consented development.</p>

Alternative	Costs	Benefits
	<u>Cultural</u> <ul style="list-style-type: none"> The retention of the status quo would have minimal cultural costs but would also reduce the likelihood of additional cultural benefits that are likely to be provided through wider development. <u>Retention of the current dairy farming on the land</u> rather than achieving environmental outcomes, including an element of betterment, that would result from ceasing farming. 	<u>Cultural</u> <ul style="list-style-type: none"> The retention of the status quo would have minimal cultural benefits.
2. Wait for the PDP review process to be completed and promulgate a private plan change seeking rezoning. <p>Provide for the proposed structure plan through a private plan change to the District Plan once it is operative.</p> <p>An application for a private plan change can only be made to an operative plan. The RMA allows Councils to reject plan changes if a plan has been operative for less than 2 years. There is likely to be a significant time delay until the plan is operative and provides the opportunity for NZCG to</p>	<u>Environmental</u> <ul style="list-style-type: none"> Changing the zoning via a private plan change would enable a range of development to occur over the site, changing the character of the site and the amenity associated with the rural environment. <u>Economic</u> <ul style="list-style-type: none"> There are substantial opportunity costs associated with delaying the proposed rezoning to be run through a private plan change process due to the length of time it is likely to take for the PDP to become operative. There are also restrictions on when a private plan change can be lodged once a plan has been made operative which would create uncertainty. If delayed a significant amount of time, the opportunity to facilitate a substantial investment 	<u>Environmental</u> <ul style="list-style-type: none"> The full development of the site would provide opportunities for betterment across the site which will have wider implications for the receiving environment including Lake Rotokawau and Waikare. The private plan change process would ensure that all environmental effects are considered. However, realisation of those benefits will be delayed for several years. <u>Economic</u> <ul style="list-style-type: none"> There are limited or no economic benefits to delaying the consideration of the proposal until the PDP is made operative.

Alternative	Costs	Benefits
<p>deliver on their aspirations. The ability of Council to decline the application due to timing adds to the uncertainty of this option.</p>	<p>in the area may be delayed or foregone due to the urgent need for TCG to find a new site.</p>	
	<p><u>Social</u></p> <ul style="list-style-type: none"> There is a social cost of community uncertainty in delaying the consideration of the proposed rezoning as consultation has already begun on the development. 	<p><u>Social</u></p> <ul style="list-style-type: none"> The development includes significant community areas that will provide social benefits to those in the area. The proposal presents a significant economic opportunity for the community, which in turn provides social benefits for the community in the form of jobs, housing and the security that they bring.
	<p><u>Cultural</u></p> <ul style="list-style-type: none"> There are limited cultural costs associated with the promulgation of a private plan change. Consultation with tangata whenua will ensure that their views and aspirations are taken into account. 	<p><u>Cultural</u></p> <ul style="list-style-type: none"> The development proposal has established a Tangata Whenua Governance Group (TWGG) which has provided valuable input into the development. Working with the TWGG and incorporating their comments has ensured that the point of view and desires of the TWGG have been incorporated where possible into the development.
<p>3. Promote a rezoning through the District Plan review process.</p> <p>This option provides a vehicle for the rezoning of the site in a timely manner.</p>	<p><u>Environmental</u></p> <ul style="list-style-type: none"> The same issues that are required to be considered and addressed in Option 2 apply here. There are no additional environmental costs. 	<p><u>Environmental</u></p> <ul style="list-style-type: none"> The environmental benefits are the same as Option 2. There are no additional environmental benefits to Option 2, but the benefits are realised much earlier.
	<p><u>Economic</u></p> <ul style="list-style-type: none"> There are economic costs associated with preparing a substantial submission on the proposed district plan, however these are likely to be smaller when compared to Option 2. It is an efficient use of the submission process. 	<p><u>Economic</u></p> <ul style="list-style-type: none"> Using the district plan review process provides a timely process to enable the development to be considered resulting. This will result in certainty of outcome sooner rather than later, allowing for earlier direction of economic investment by NZCG.

Alternative	Costs	Benefits
		<ul style="list-style-type: none"> Without the timing advantage of the PDP submission process, NCZG may have been forced to look elsewhere given the urgency of acquiring a new site.
	<u>Social</u> <ul style="list-style-type: none"> There are no identifiable social costs over and above the options. 	<u>Social</u> <ul style="list-style-type: none"> The social benefits identified above would be realised in a timelier manner than if the process was delayed.
	<u>Cultural</u> <ul style="list-style-type: none"> There are limited cultural costs associated with use of the PDP to secure the rezoning. 	<u>Cultural</u> <ul style="list-style-type: none"> The cultural benefits identified above would be realised in a more timely manner than if the process was delayed.

The table above covers the assessment of alternatives in order to meet the objectives of NZCG. On the basis of the above, **Option 3**, seek a rezoning of the site through the district plan was chosen.

7.3 Assessment of whether the proposed objectives are the most appropriate way of achieving the purpose of the RMA

Section 32(1)(a) (and therefore s32AA(1)(b)) requires an assessment of whether the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA.

Section 32 of the RMA states that “Objective” means –

(a) For a proposal that contains or states objectives, those objectives;

(b) For all other proposals, the purpose of the proposal.

The original s32 documents prepared for the PDP considered the objectives of the plan and whether they were the most appropriate way to achieve sustainable management in the Waikato District. The following considers whether the proposed changes included in the APL submission and further submissions are now the most appropriate way, and continue to achieve sustainable management.

One change is sought to Objective 4.1.2(a) to allow for growth to occur in existing and planned towns and villages in the district. The amendments sought are as follows:

Objective 4.1.2(a)

Future Settlement Pattern is consolidated in or around existing and planned towns and villages in the district.

The purpose of the RMA is contained in s5 and is to promote the sustainable management of natural and physical resources, i.e., means “managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety”, while ensuring that environmental bottom lines are achieved.

Broadening Objective 4.1.2(a) as proposed would provide for growth to occur in and around existing planned towns in accordance with the anthropocentric objectives of s5 while maintaining the quality of the environment. While the Future Proof Settlement pattern is focused on existing towns, the principles of Future Proof are also capable of being applied to planned growth areas. The location of the Ohinewai Structure Plan is adjacent to the existing and established village of Ohinewai, and is close to Huntly, however it represents a development that is a large expansion of what is currently a small village. Its scale means it is not able to be accommodated within the existing towns or the village of Ohinewai.

The purpose of the submission has been identified above as:

To provide for:

- 1. Industrial Zoning that allows the Comfort Group to establish a consolidated factory development of approximately 100,000m² with a rail siding.*
- 2. The development of other industrial activities to take advantage of agglomeration benefits and make use of the proposed rail siding.*

3. *Commercial activity focussed on factory outlets, a service centre, convenience retail and community services to support the Ohinewai community.*
4. *Residential development to provide affordable housing for employees of The Comfort Group and for housing that is available on the open market, providing housing choice to those that live in the Waikato District.*

The proposed rezoning seeks to adopt the provisions of the PDP with a small number of changes to address specifically identified effects. It is therefore considered appropriate to largely adopt the analysis undertaken in the preparation of the objectives of the PDP. An analysis of whether the proposed provisions of the proposal are the most appropriate way of achieving these objectives is undertaken below.

7.4 Assessment of whether the provisions of the proposal are the most appropriate way of achieving the objectives of the plan.

A number of changes are proposed to the provisions of the PDP to provide for the development of the Ohinewai Structure Plan.

These include:

- The rezoning of Ohinewai to provide for industrial, business and residential development.
- The inclusion of the “Ohinewai Structure Plan” providing a framework for development in Ohinewai.
- Amendments to Policy 4.1.3(a) to provide for subdivision and development of a residential, commercial and industrial nature within existing and planned towns.
- Amendment to Policy 4.1.6 to identify Ohinewai as an Industrial node in conjunction with Huntly.
- The inclusion of an additional Policy 4.1.19 to provide direction on development in Ohinewai that relates to the location, character and type of development that is to occur.
- Amendment of 14.12.5 Transportation Tables and Figures to include road cross-sections specific to the Ohinewai Structure Plan.
- Inclusion of bespoke provisions in the Business, Industrial and Residential zones for Ohinewai to manage the interface between the rural zone and existing residential activity.

The following sections provide an assessment of the proposed changes in accordance with s32AA.

7.5 Reasonably practicable options for achieving the objectives.

The following table sets out a cost benefit analysis to inform the decision on whether the options are the reasonably practicable options.

Options	Costs	Benefits
1) Adopt PDP zones as notified.	- May create less flexibility in achieving the desired outcome for the plan change.	- Straight forward option. - Uses identified zones that have been assessed as appropriate for types of activities proposed.
2) Adopt District Plan Zones with amendments that	- Can create complex rules that only apply in certain locations.	- Drafting bespoke provisions will ensure that development responds to its context rather

specifically address the proposed development in Ohinewai.		than adopting a “one size fits all” approach.
3) Embed a Structure Plan for Ohinewai in the District Plan.	- Creates another layer of assessment that adds complexity to future resource consents.	- Provides a clear direction for the location of future development in the area, providing certainty to neighbouring properties.
4) Create new zone/s for Ohinewai.	- Adds additional zoning to the district plan, creating complexity.	- Allows for bespoke planning policies and provisions to be drafted that address the context of development.

On the basis of the cost benefit analysis above, a combination of Options 2 and 3 is considered to be the most appropriate way of achieving the objectives of the plan and the proposal. The approach of adopting existing notified zones, ensures that the proposal is able to integrate into the current proposed district plan structure, enabling a clear consenting pathway.

The use of a small number of bespoke provisions will minimise departure from the general rules of the PDP but will have the benefit of ensuring that the proposed development responds to its context, minimising effects on existing landowners. The use of a structure plan provides spatial guidance for the development of the site thus creating development certainty for APL, WDC and the wider community.

7.6 Assessment of the Efficiency and Effectiveness of the Plan Change Provisions

An assessment of the efficiency and effectiveness of the proposed changes to the PDP provisions (tracked changes as outlined in **Appendix D**) is outlined in Table 7.2 below. It is noted that while the proposed rezoning seeks minimal changes to the objectives of the PDP, it does provide for the inclusion of new policies for Ohinewai and changes to the methods of implementing the existing objectives and policies, i.e. the additional of rules and the inclusion of a Structure Plan. Hence the assessment below is framed around how the proposed changes are efficient and effective in achieving the amended and existing objectives of the PDP.

Section 32(1)(b) (and thus s32AA(1)(b)) of the RMA requires an examination of the proposed provisions to ensure that they are the most appropriate way of achieving the relevant objectives. The submission is technically an amending proposal insofar as the s32 evaluation for the PDP has already been written. It follows that this the assessment must relate to the provisions and objectives of the amending proposal *and* those objectives that already exist where they are considered relevant to the proposal and will continue to remain if the proposal was to take place.

As the submission is made in the context of the PDP review process, there is no certainty as to what the final form of the PDP will be. On that basis, this s32AA evaluation provides an assessment of the provisions as notified but also as it would be amended if APL’s submissions were to be accepted.

Further, the proposed rezoning as a whole is assessed against the relevant national and regional policy documents, other relevant planning strategies and documents and Part 2 of the RMA, including its purpose, in Sections 8-13 of this report. That assessment concludes that the relief sought by the APL submission satisfies s32 and Part 2 of the RMA and gives effect to the higher order documents.

Table 7.2 – Effectiveness and Efficiency Assessment

<i>Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)</i>
<p><i>Chapter 2: Tangata Whenua</i></p> <p><i>2.11 Strategic Objective – Tautoko te Whakatupuranga</i> <i>To support Iwi aspirations to grow a prosperous, healthy, vibrant, innovative and culturally strong people.</i></p> <p><i>2.12 Objective -Whakapapa (connection to nature)</i> <i>Relationships with ancestral lands, water, sites, waahi tapu and other taonga are protected and enhanced.</i></p> <p><i>2.13 Objective-Whenuatanga (land management)</i> <i>Tangata Whenua have the ability to utilise, manage and enjoy their traditional resources in accordance with tikanga Maaori, including matauranga Maaori maintaining their relationship to ancestral land.</i></p> <p><i>2.14 Objective –Kaitiaki (steward/guardian)</i> <i>The role of Tangata Whenua as kaitiaki is recognised and maintained.</i></p> <p><i>2.15 Objective Waikatotanga (way of life)</i> <i>Cultural practices and beliefs of Tangata Whenua are respected.</i></p> <p><i>2.16 Objective-Tikanga aa-iwi o te takiwaa o Waikato</i> <i>Recognise the cultural significance of Waikato Takiwaa (district).</i></p> <p><i>Chapter 3: Natural Environment</i></p> <p><i>3.1 Indigenous Vegetation and Habitats</i> <i>3.1.1 Objective – Biodiversity and ecosystems</i> <i>Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.</i></p> <p><i>Chapter 4: Urban Environments</i> <i>4.1 Strategic Direction</i></p>

4.1.1 Objective – Strategic

- (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.**
- (b) National Policy Statement on Urban Development Capacity Minimum Targets The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.**

4.1.2 Objective – Urban growth and development

- (a) Future settlement pattern is consolidated in and around existing and planned towns and villages in the district.**

4.1.7 Objective – Character of towns

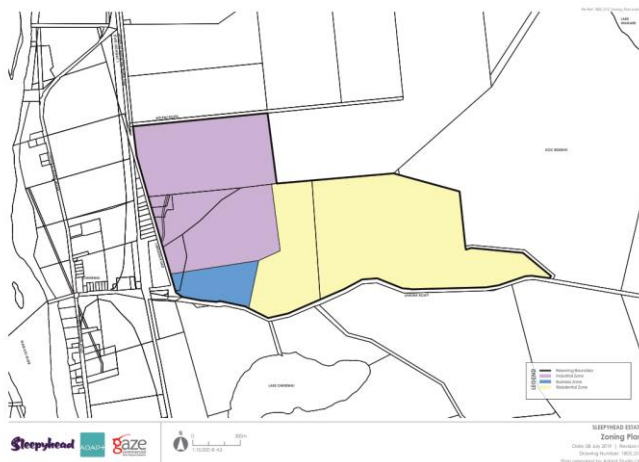
Development in the Residential, Village, Industrial and Business zones is attractive, connected and reflects the existing character of towns.

Proposed changes

Costs, Benefits, Efficiency and Effectiveness in achieving the relevant Objectives of Chapter 2, 3 and 4 of the PDP.

Embed the “Ohinewai Structure Plan” and associated zoning into the district plan.

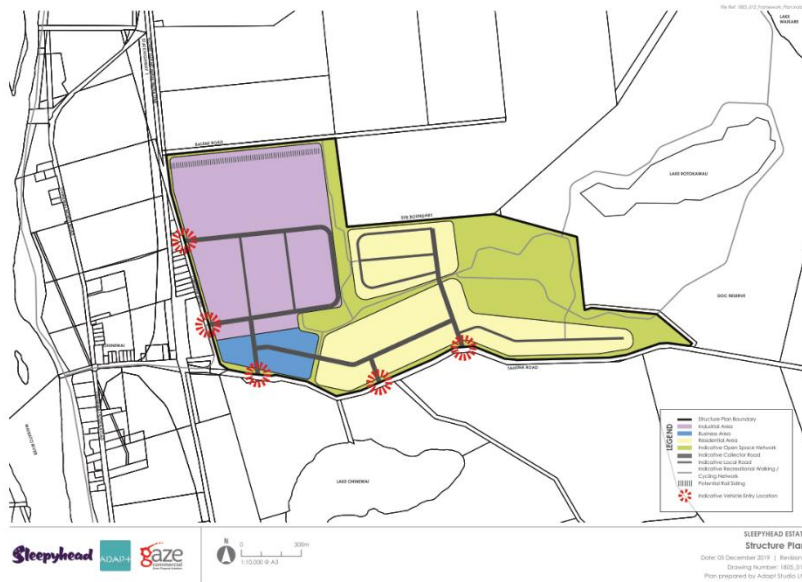
Ohinewai Proposed Zoning



Costs

- The Ohinewai Structure Plan represents a significant change for Ohinewai and would enable urban development in what is currently a rural area. This represents a significant visual change for the area.
- The Structure Plan facilitates commercial, residential and industrial development. Each of these have the potential to create adverse environmental effects if they are not managed appropriately through performance standards and assessment criteria.
- Socially, this represents a significant change for the Ohinewai community, which is likely to grow in size and change in character over the next 10 years. Whilst change is not necessarily a negative, it is a shift from the status quo.
- Development of the Structure Plan area will remove a working dairy farm from the site, reducing the amount of productive rural land in the district.

Ohinewai Structure Plan



Benefits

- To the extent that , the Structure Plan represents \$1 billion investment in the area and will provide a significant number of jobs during construction and upon completion, it represents a significant economic opportunity for Ohinewai and the Waikato District.
- The development of the site provides a significant opportunity for ecological betterment to occur on the site, removing diffuse discharge associated with dairy farming and implementing a high quality three waters management framework that will ensure that all stormwater runoff is treated to a high level.
- The development of the structure plan will provide a significant increase in vegetation on the site and enhance biodiversity on the site. In combination this will improve water flowing into Lake Rotokawau and Lake Waikare.
- Socially, the structure plan represents an opportunity to provide housing for the district including affordable housing for workers associated with the site.

Efficiency and Effectiveness

- Consultation has been undertaken as part of the development of the structure plan and the TWGG has been established and agreed with NZCG and APL via a memorandum of understanding (MoU) signed by the TWGG, NZCG and APL. This will provide the basis for the ongoing relationship between the groups over the lifetime of the development. This approach will ensure that the values of Tangata Whenua are taken into account throughout the development effectively meeting the requirements of the objectives of Chapter 2: Tangata Whenua.
- The Structure Plan embeds a green network that will form the foundation for the storm water and open space network, providing opportunities for enhancement. This network will effectively and efficiently assist in meeting the objectives of Chapter 3: Natural

	<p>Environment as generally identifies the location and scale of the green space associated with development of the structure plan, providing opportunities for betterment and enhancement of the natural environment and biodiversity values.</p> <ul style="list-style-type: none"> The Structure Plan efficiently provides for urban development as it provides a clear direction on the location, type and scale of development anticipated in Ohinewai. It represents an extension of the existing village and in combination with the changes proposed below efficiently achieves the direction of Chapter 4: Urban Environment.
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Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)

Chapter 4: Urban Environments

4.1 Strategic Direction

4.1.1 Objective – Strategic

- (a) Liveable, thriving and connected communities that are sustainable, efficient and co-ordinated.
- (b) National Policy Statement on Urban Development Capacity Minimum Targets The minimum targets for sufficient, feasible development capacity for housing in the Waikato District area are met, in accordance with the requirements of the National Policy Statement on Urban Development Capacity 2016.

Area	Minimum Targets (number of dwellings)		
	Short to Medium	Long term	Total
	1-10 years (2017-2026)	11-30 years (2027-2046)	
Waikato District	7,100	12,300	19,400

4.1.2 Objective – Urban growth and development

- (a) Future settlement pattern is consolidated in and around existing and planned towns and villages in the district.

Proposed changes	Costs, Benefits, Efficiency and Effectiveness in achieving Objectives 4.1.1 and 4.1.2
<p>Policy 4.1.3 – Location of Development (a) Subdivision and development of a residential, commercial and industrial nature is to occur within existing <u>and planned</u> towns and villages where infrastructure and services can be efficiently and effectively provided.</p> <p>4.1.6 Policy – Commercial and industrial activities (a) Provide for commercial and industrial development in the following zones; (i) Business Town Centre; (ii) Business; (iii) Industrial; and (iv) Heavy Industrial. (b) Industry is only to be located in identified Industrial Zones and the industrial strategic growth nodes of: (i) Tuakau; (ii) Pokeno; (iii) Huntly/<u>Ohinewai</u>; and (iv) Horotiu;</p>	<p>Costs</p> <ul style="list-style-type: none"> • There are minimal social costs associated with the proposed change in policies. • Providing for additional growth may result in a change to environmental effects but the proposed amendment does not remove the necessity for such effects to be considered as part of any assessment. • There are minimal economic costs associated with the change in policies as development in Ohinewai will support Huntly which has a lack of identified industrial land. • There may be cultural effects associated with additional development, however the proposed amendments do not remove the necessity for these to be considered as part of any assessment. <p>Benefits</p> <ul style="list-style-type: none"> • The proposed change allows for development to occur where it has been planned and infrastructure can be provided. This provides economic benefits by providing the opportunity for development to occur where it is planned for. • By allowing development to occur where it is planned, it means that environmental, social and cultural effects can be considered as part of any planning assessment. • The changes allow for the development of an industrial node in Ohinewai, which will bring significant economic benefits to the Waikato District. <p>Efficiency and Effectiveness The proposed changes are efficient and effective in that they mirror the proposed changes to Objective 4.1.2 and provide for development of proposed towns and villages. This is also effective in assisting to achieve the direction of Policy 4.1.2 which seeks to provide for urban development and growth in the Waikato District.</p>

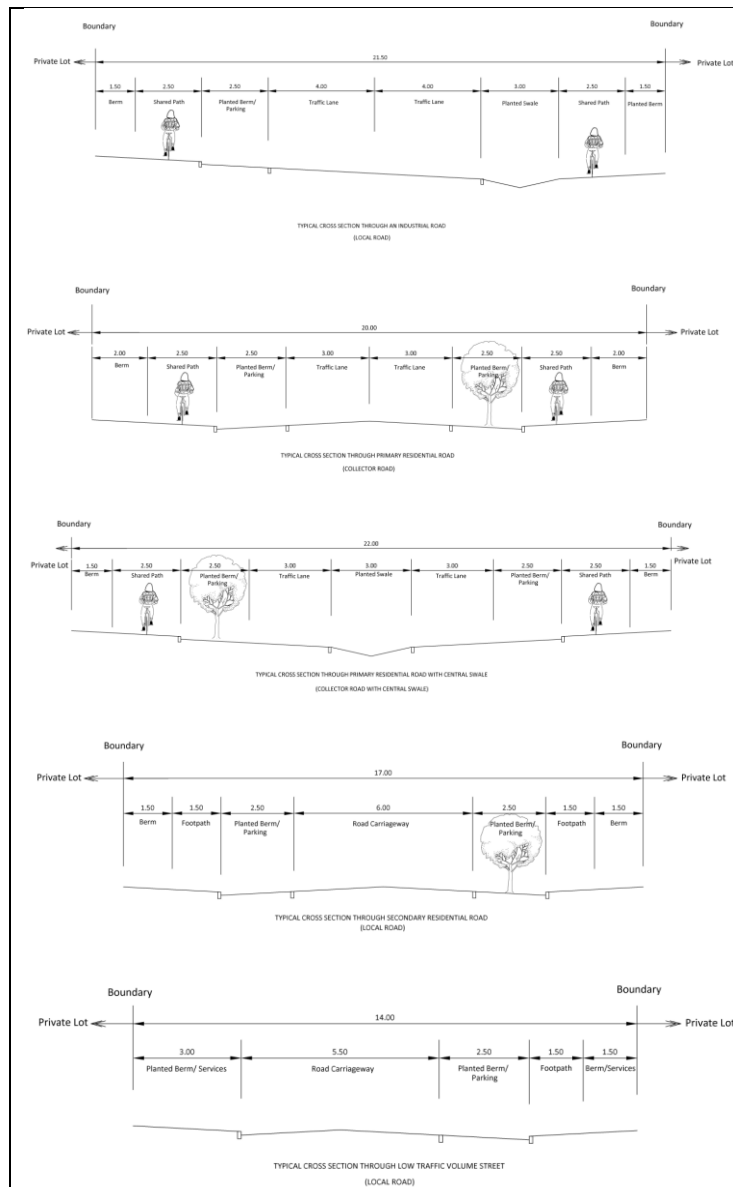
Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)

4.1.7 Objective – Character of towns

Development in the Residential, Village, Industrial and Business zones is attractive, connected and reflects the existing character of towns.

Proposed changes	Costs, Benefits, Efficiency and Effectiveness in achieving Objective 4.1.7
<p><u>4.1.19 Policy – Ohinewai</u></p> <p>a) <u>Ohinewai is developed to ensure:</u></p> <p>(i) <u>It is in general accordance with the Ohinewai Structure Plan.</u></p> <p>(ii) <u>The Rural Residential Character of Ohinewai West is maintained.</u></p> <p>(iii) <u>Large scale industrial and commercial development is located to the east of State Highway 1 / Ohinewai East.</u></p> <p>(iv) <u>Commercial development in Ohinewai East provides for factory outlet retail and small scale convenience retail and community activities. Residential development provides for growth, achieves a compact urban form and creates a high-quality urban environment by:</u></p> <p>A. <u>Providing a range of housing typologies, including medium and higher density residential development.</u></p> <p>B. <u>Implementing a high standard of urban design through lot orientation, high quality streetscapes, a high level of connectivity and a well-connected</u></p>	<p>Costs</p> <ul style="list-style-type: none"> • The policy provides for development in Ohinewai East, which will replace what is currently rural farmland, having a visual effect on nearby properties. • There will be effects associated with both the construction and ongoing operation of the development that will need to be managed to ensure that they do not overly impact on the environment, including amenity effects. <p>Benefits</p> <ul style="list-style-type: none"> • Enabling development in Ohinewai introduces the opportunity for environmental betterment associated with the development of the Ohinewai Structure Plan, particularly with regard to the open space associated with the development. • The policy seeks to retain the existing character of Ohinewai West, directing more urban development to occur on the eastern side of Ohinewai. • The development of Ohinewai provides an opportunity for significant economic benefits associated with development and employment and the provision of affordable housing. • The TWGG has been established to work with local hapu; the relationship that is being built provides the opportunity for areas and issues important to tangata whenua to be addressed. • The development of Ohinewai provides the opportunity for positive social impacts to occur, including the provision of employment and housing (including affordable housing).

<p>(v) <u>green network.</u> <u>Flood hazards and stormwater are managed to ensure that effects on sensitive land uses are mitigated.</u></p>	<p>Efficiency and Effectiveness</p> <p>The proposed additional Policy 4.1.19 provides direction on how Objective 4.17 is to be achieved for Ohinewai. The Policy effectively achieves this as it identifies the existing character of the town that is to be maintained, whilst providing for growth and development on the eastern side of the expressway.</p> <p>It is effective in that it provides a clear direction for the location and character of development, ensuring a high level of connectivity, access to green space, high quality streetscapes.</p>
<p><i>Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)</i></p>	
<p>6.1 General Infrastructure</p> <p>6.1.1 Objective – Development, operation and maintenance of infrastructure Infrastructure is developed, operated and maintained to benefit the social, economic, cultural and environmental well-being of the district.</p> <p>6.1.8 Objective – Infrastructure in the community and identified areas Infrastructure takes into account the qualities and characteristics of surrounding environments and community well-being.</p> <p>6.4 Infrastructure, Subdivision and Development</p> <p>6.4.1 Objective – Integration of infrastructure with subdivision, land use and development Infrastructure is provided for, and integrated with, subdivision, use and development.</p> <p>6.5 Transport</p> <p>6.5.1 Objective – Land transport network An integrated land transport network where: All transport modes are accessible, safe and efficient; and Adverse effects from the construction, maintenance and operation of the transport network are managed.</p>	
<p><u>14.12.5 Transportation tables and figures</u></p> <p><u>Insert the following Cross Sections after 14.12.5.21 as – Ohinewai Structure Plan – Typical Cross Sections</u></p>	<p>Costs</p> <ul style="list-style-type: none"> There are no costs associated with providing bespoke road cross sections in the Ohinewai Structure Plan. <p>Benefits</p> <ul style="list-style-type: none"> The proposed typical cross sections will provide for a high amenity street environment within the Ohinewai Structure Plan.



Efficiency and Effectiveness

The proposed cross-sections are effective as they provide a clear direction for the development of roading within the Ohinewai Structure Plan. They are efficient in that they provide a “typical cross-section” allowing for changes to be made in response to final design.

<i>Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)</i>	
<p>4.2 Residential Zone</p> <p>4.2.1 Objective – Residential Character Residential character of the Residential Zone is maintained.</p> <p>4.2.3 Objective – Residential built form and amenity Maintain neighbourhood residential amenity values and facilitate safety in the Residential Zone.</p> <p>4.2.9 Objective – On-site residential amenity Maintain amenity values within and around dwellings and sites in the Residential Zone.</p>	
<i>Proposed changes</i>	<i>Costs, Benefits, Efficiency and Effectiveness in achieving Objective</i>
<p><u>16.3.9.1 Building Setbacks – All boundaries</u></p> <p><u>P4</u> <u>(a) Within the Ohinewai Structure Plan any building must also be set back a minimum of:</u> <u>(i) 15m from the road boundary of Tahuna Road</u> <u>(ii) 15m from the boundary of the Rural Zone.</u></p> <p>RD1 (a) A <u>building</u> that does not comply with Rule 16.3.9.1 P1, P2 or P3, <u>or P4</u>.</p>	<p>Costs</p> <ul style="list-style-type: none"> The proposed setback rule would restrict development on those sites fronting Tahuna Road, representing an economic cost. <p>Benefits</p> <ul style="list-style-type: none"> The setback will ensure on-site amenity for residents, providing for separation from a high speed environment. The setback will provide a soft interface between the rural and urban boundaries. <p>Efficiency and Effectiveness The proposed setback rule is effective and efficient as it is an accepted means of establishing the location of a building through district plan provisions. It is an effective means of ensuring buildings are located appropriately to the surrounding context.</p>

<i>Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)</i>	
<p>4.5 Business and Business Town Centre Zones</p> <p>4.5.1 Objective – Commercial function and purpose (a) Commercial activity is focused within a differentiation of commercial zones and development (comprising the Business Town Centre Zone, the Business Zone, the Business Zone Tamahere and neighbourhood centres).</p> <p>4.5.25 Objective – Business Zone - Character (a) The commercial scale, form of buildings and character of the Business Zone is maintained.</p> <p>4.5.30 Objective – Business Zone and Business Town Centre Zones – Amenity (a) The amenity values of residential activities within, and activities in, adjoining zones are protected from the adverse effects of developments and activities in the Business and Business Town Centres Zones.</p>	
<i>Proposed changes</i>	<i>Costs, Benefits, Efficiency and Effectiveness in achieving Objective</i>
<p><u>17.2.10 Landscape Planting</u> <u>C1</u> (a) Any activity on a lot that fronts Lumsden Road or Tahuna Road shall provide a 3m wide landscaped strip running parallel with the road boundary excluding access. (b) Council's control is reserved over the following matters: _____ (i) type, density and height of plantings conducive to the location; _____ (ii) maintenance measures; and _____ (iii) amenity values.</p> <p><u>RD1</u> (a) Any activity that does not comply with Rule 17.2.10 C1. (b) Council's discretion is restricted to the following matters: _____ (i) adequacy of the width of landscaped strip; _____ (ii) type, density and height of plantings conducive to the location;</p>	<p>Costs</p> <ul style="list-style-type: none"> • The inclusion of changes to the performance standards to create restrictions on the development of land and require landscaping to be planted, requiring buildings to be set back from the site boundary, will increase the economic cost of the development of the site. • The restriction of business development may have economic costs for the developer as the provisions limit the amount of stand-alone convenience retail and office activities that can occur in the Structure Plan. • There are minimal social, environmental and cultural costs associated with the changes to the built form standards.

<p><u>(iii)maintenance measures; and</u> <u>(iv)amenity values.</u></p> <p><u>17.3.2 Daylight admission</u></p> <p>P1</p> <p>(a) Any <u>building</u> must not protrude through a <u>height control plane</u> rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at the <u>site boundary</u> where it adjoins a:</p> <p>(i)Residential Zone; (ii)Village Zone; (iii)Country Living Zone; or (iv)Reserve Zone.</p> <p><u>(b) Any building must not protrude through a height control plane rising at an angle of 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Business Zone along Lumsden Road and Tahuna Road.</u></p>	<p>Benefits</p> <ul style="list-style-type: none"> • The changes to the provisions to embed site specific requirements for the Ohinewai Structure Plan will ensure that development responds to its context and minimises the effects on adjoining properties. • Landscaping will soften the development in its location and reduce visual impacts of development on the wider catchment and add to the green network that will be provided as part of the structure plan. • Requiring landscaping provides the opportunity for indigenous planting to be provided promoting biodiversity values. • The retail and office provisions will ensure that the existing centres of Huntly and Te Kauwhata will not be adversely effected in relation to their form and function whilst providing a sufficient level of servicing for the local catchment. • The provisions allow for the development of an outlet and discount retail centre.
<p><u>17.3.4.1 Building Setbacks – Zone boundaries</u></p> <p>P1</p> <p>(a) Any <u>building</u> must be set back at least:</p> <p>(i) 7.5m from rear and side <u>boundaries</u> adjoining the:</p> <p>A. Residential Zone; B. Village Zone; C. Country Living Zone; or D. Reserve Zone; and</p> <p>(ii) 1.5m from rear and side <u>boundaries</u> adjoining the:</p> <p>A. Rural Zone; or B. Industrial Zone.</p> <p><u>(iii) 15m from the road boundary on Lumsden Road.</u></p>	<p>Efficiency and Effectiveness</p> <p>These changes are effective and efficient in achieving the objectives of the Business zone in that they serve to maintain, as much as possible, the amenity values of the surrounding area through the use of landscaping and building setbacks. The height in relation to boundary amendments in combination with the existing height limit allow for commercial scale buildings to be maintained whilst minimising impacts on adjoining zones.</p> <p>The economic provisions for retail and office activity ensure that the business centres role in the Waikato District is appropriate and does not impact on other centres.</p>

<p><u>17.5.11 Ohinewai Structure Plan Business Zone – Office and Retail Gross Leasable Floor Area</u></p> <p><u>P1</u></p> <p>(a) <u>Commercial/Retail activities shall meet the following:</u></p> <ul style="list-style-type: none"> (i) <u>Individual leasable retail units shall have a gross leasable floor area of no more than 400m².</u> (ii) <u>Any grocery store shall have a gross floor area of no more than 1,000m².</u> 	
<p><u>P2</u></p> <p>(a) <u>Stand-alone Office tenancies shall have a gross leasable floor area of no more than 200m².</u></p>	
<p><u>P3</u></p> <p>(a) <u>The total combined gross floor area of commercial/retail activities (including any grocery store) and stand-alone office activities within the Ohinewai Structure Plan must not exceed 2,500m².</u></p> <p><u>Caps on the gross floor area of Commercial/Retail Activity and Office Activities in the Ohinewai Structure Plan Business Zone shall not apply to Commercial Services, Service Stations or Garden Centres.</u></p>	
<p><u>P4</u></p> <p>(a) <u>Outlet and Discount Retail activities shall either:</u></p> <ul style="list-style-type: none"> (i) <u>sell goods manufactured by a manufacturing activity located within the Ohinewai Structure Plan; or</u> (ii) <u>must offer goods for sale where at least 50% of the stock must have a discount of at least 40% off the recommended retail price</u> 	

<p><u>including clearance, damaged, seconds and/or end of line goods.</u></p> <p><u>For clarity, there is no gross floor area cap on Outlet and Discount Retail activities in the Ohinewai Structure Plan Business Zone.</u></p>	
<p><u>P5</u></p> <p>(a) <u>Retail or Office activities that do not comply with 17.5.10 P1, P2, P3 or P4.</u></p> <p>(b) <u>The Council's discretion shall be restricted to the following matters:</u></p> <p>(i) <u>The adverse economic impact on the Huntly town centre;</u></p>	

<i>Proposed Provisions most appropriate to achieve the Objectives (including suggested changes)</i>	
<p>4.6 Industrial and Heavy Industrial Zones</p> <p>4.6.1 Objective – Economic growth of industry The economic growth of the district's industry is supported and strengthened in industrial zones.</p> <p>4.6.6 Objective – Manage adverse effects The amenity values of sensitive activities and ecosystem values outside of industrial zones are protected from the significant adverse effects of industrial activities.</p>	
<i>Proposed changes</i>	<i>Costs, Benefits, Efficiency and Effectiveness in achieving Objective 4.1.7</i>
<p><u>Rule 20.2.2 Landscape Planting</u></p> <p><u>P1</u></p> <p>(a) <u>In the Ohinewai Structure Plan area, a 3m landscaping strip, excluding accesses, shall be provided on the road boundary of any site.</u></p>	<p>Costs</p> <ul style="list-style-type: none"> The proposed changes will have a cost for NZCG in that they limit the amount of developable land available for buildings.

<p><u>C2</u> <u>(a) In the Ohinewai Structure Plan area any activity on a lot that fronts Lumsden Road shall provide a 15m wide landscaped strip adjoining the road boundary, excluding accesses, and any activity that fronts Balemi Road shall provide an 8m wide landscaped strip adjoining the road boundary, excluding accesses. Planting shall include sufficient species capable of reaching a minimum height of 5m within 5 years, and be capable of substantially screening development.</u> <u>(b) Council's control is reserved over the following matters:</u> <u>(i) type, density and height of plantings conducive to the location;</u> <u>(ii) maintenance measures;</u> <u>(iii) amenity values; and</u></p> <p>RD1 (a) Any activity that does not comply with Rule 20.2.2 <u>P1, C1, or C2</u>.</p>	<ul style="list-style-type: none"> • There will be an implementation and maintenance cost associated with the provision of landscaping strips and planting stipulated in the provisions. • The proposed height limit will provide for large buildings within the Ohinewai Structure Plan area, which will need to be managed through other provisions such as height in relation to boundary to ensure it doesn't adversely affect surrounding properties. <p>Benefits</p> <ul style="list-style-type: none"> • The changes to the provisions to embed site specific requirements for the Ohinewai Structure Plan will ensure that development responds to its context and minimises the effects on adjoining properties. • Landscaping will soften the development in its location and reduce visual impacts of development on the wider catchment and add to the green network that will be provided as part of the structure plan. • Requiring landscaping provides the opportunity for indigenous planting to be provided promoting biodiversity values. <p>Efficiency and Effectiveness</p> <p>These changes are effective and efficient in achieving the objectives of the Industrial zone in that they serve to maintain, as far as possible, the amenity values of the surrounding area through the use of landscaping and building setbacks. The height in relation to boundary amendments in combination with the existing height limit allow for industrial scale buildings to be maintained whilst minimising impacts on adjoining zones.</p>
<p>20.3.1 Building Height (a) The maximum height of a <u>building</u> must not exceed: (i) 15m; or (ii) 10m if located on Tregoweth Lane and within 50m of the Residential Zone in Huntly. (iii) <u>17.5m if located within the Ohinewai Structure Plan area.</u></p>	
<p>20.3.3 Daylight admission P1 (a) A building, structure, sign, or any stack or stockpile of goods or materials must not protrude through a height control plane rising at an angle of: (i) 45 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone;</p>	

<p>(ii) 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone between south-east or south-west of the building or stockpile.</p> <p>(iii) <u>30 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone along Lumsden Road.</u></p>	
<p>20.3.4.1 Building Setbacks</p> <p>(a) A <u>building</u> must be set back at least:</p> <p>(i) 5m from a road <u>boundary</u>;</p> <p>(ii) 7.5m from any other <u>boundary</u> where the <u>site</u> adjoins another zone, other than the Heavy Industrial Zone; and</p> <p>(iii) 5m from the toe of the earth bund located on Lot 17 DP 494347 (53 Holmes Road, Horotiu).</p> <p>(iv) <u>15m from the road boundary on Lumsden Road.</u></p>	

7.7 Summary of the Reasons for Option Chosen

Taking into account the above assessment, the changes proposed to the Objectives, Policies and Rules of the PDP are considered to be the most appropriate way to achieve the sustainable management purpose of the RMA.

Changes to the provisions proposed have been shown to be the most appropriate way of achieving the notified objectives of the PDP for Ohinewai.

There are costs and benefits associated with the development, the provisions and amendments proposed, in tandem with the existing provisions of the PDP will work together to ensure that the development of the Ohinewai area occurs in a way that enhances the ecological values of the site, providing for betterment through a high quality integrated green network. The urban development, including residential, business and industrial land will provide significant economic and social benefit to the area through the creation of jobs and the provision of housing, some of which will be affordable housing for workers.

The changes proposed are effective and efficient in that they build on the existing provisions of the PDP and embed site specific standards to ensure development responds to its context while achieving the broader strategic objectives of the plan.

The structure plan and rezoning provide a clear direction and certainty on the spatial arrangement of development, allocating different land use activities appropriate zoning and embedding the green network.

8 Assessment of Environmental Effects

8.1 Introduction

The submission seeks the rezoning of land to enable residential, commercial and industrial development in accordance with a structure plan. The analysis undertaken by the specialists and summarised below provides an assessment of the likely effects of the development anticipated by that rezoning.

Given the scale and nature of the rezoning requested by the APL submission, it is considered reasonable to carry out a complete assessment of effects in relation to the proposed changes as if APL's submission were a plan change request made under clause 21 of Schedule 1 of the RMA.

In accordance with clause 22, effects are described in such detail as corresponds with the scale and significance of the effects and taking into account clauses 6 and 7 of Schedule 4 which set out the matters which must be addressed in the assessment.

The key environmental effects that need to be considered as part of the rezoning request relate to:

- Transportation and traffic effects;
- Landscape and visual amenity effects;
- Noise effects;
- Infrastructure and services effects;
- Effects related to stormwater and flooding;
- Economic effects;
- Social impacts;
- Geotechnical factors and effects on groundwater;
- Ecological effects;
- Cultural effects;
- Archaeological effects; and
- Positive effects (benefits).

The assessment of effects below summarises the assessments undertaken by specialists in their respective fields. The specialists' reports are included in this report as Appendices F – S.

8.2 Transportation and Traffic Effects

The rezoning enables a change in land use from rural activities to a mixed used master planned community of industrial, business and residential activities. Accordingly, there is an expected change in the traffic generated from the development and potential effects on the existing transport network. The proposed road network as guided by the Structure Plan should also be fit for purpose.

To describe the existing and proposed transport network environment and assess the effects of the rezoning, an Integrated Traffic Assessment (ITA) has been completed by Bloxam Burnett & Olliver. A copy of the ITA is included in this report as **Appendix L**.

The proposed changes to the transport environment have been described in Section 5 above and are not repeated here. A summary of the assessment of the proposed changes in the transport network and recommendations from the ITA is outlined below.

- The proposed rail siding into the site provides for a reduction in heavy commercial vehicles (HCVs) that would otherwise use the road network to access the site.
- The realignment of Lumsden Road in the vicinity of the proposed rail spur line, enables a safe and acceptable angle of approach for the railway crossing. Active signal controls will be placed at the intersection in accordance with Kiwirail and District Council guidelines.
- The proposed new intersections located on Tahuna Road, Lumsden Road and Balemi Road have been assessed against the relevant criteria and have been assessed as being appropriate.
- The ITA recommends that given the transition from a rural land use to an urban land use, speed limit reductions and cross section improvements are appropriate on Balemi Road, Tahuna Road and Lumsden Road as follows:
 - Tahuna Road between the existing roundabout to the extent of the residential zone in the east should reduce from 100km/h to 70km/h or less.
 - Lumsden Road between the existing roundabout to the new rail spur intersection should reduce from 100km/h to 70km/h or less.
 - Balemi Road should reduce from 100km/h to 70km/h (or less) and be upgraded to a 6m carriageway.
 - These improvements are expected to be required in Years 1-3.
- The rezoning and Structure Plan enables the provision of walking and cycling links throughout the development. Links external to the development site are subject to further engagement with the Waikato District Council and NZ Transport Agency, however options have been proposed that provide for access to Ohinewai Village and School and south to Huntly.
- The rezoning of the site will generate considerable additional trips on the network of between approximately 1100 - 1700 vehicle trips during the AM and PM peaks respectively. 2% of the total peak trips will be HCVs.
- The additional trips generated by the proposal have been shown to be able to be accommodated within the surrounding road network, in particular Tahuna Road and the Ohinewai Interchange provided that intersection upgrades are completed. These include:
 - An upgrade to the Tahuna Road/ Lumsden Road roundabout is required if peak hour trips generated are +/- 1400. Estimated to occur in Years 8-10.
 - To account for safe movement of pedestrians and cyclists from the development to Ohinewai Village and School, two options are proposed. Either option is required prior to the completion of the first stage of residential development (Years 1-3):
 - Option 1 – intersection upgrade on the Ohinewai Interchange.
 - Option 2 – stand-alone pedestrian and cyclist overbridge across SH1.
 - An additional right turning lane on the southbound off ramp is required once approximately 1700 peak hour trips are generated. This corresponds to full development of the industrial and commercial areas estimated to be in Years 8-10.

With the proposed mitigation of traffic effects being addressed by the proposed staging of infrastructure upgrades, it is considered that the transportation effects of the proposed rezoning are acceptable.

8.3 Landscape and Visual Amenity Effects

The proposed rezoning will visually change the surrounding environment and the character of the surrounding area. The LVA (included in **Appendix K**) considers these changes and the effects they are likely to have on the receiving environment. The extent of landscape and visual amenity effects of the proposed rezoning is described below:

- The proposed development will not significantly intrude or obscure views of the ONF and ONL areas of Lake Waikare, Lake Rotokawau and the Waikato River from surrounding public locations, nor will it have a negative effect on the amenity values of these features.
- While the site is at relatively close proximity to Lake Waikare, it is considered that the Wetland Park open space component of the rezoning provides sufficient spatial separation from the built component of the development and the extent of restoration planting will result in enhancement of the amenity of Lake Rotokawau ONF.
- While the proposed subsequent development is considered appropriately configured from a landscape and urban design perspective, mitigation is required to reduce the effects on landscape and visual amenity to acceptable levels. These include recommendations that pertain to building height and setback, recession planes, visual mitigation planting and the landscape buffer.
- These recommendations are proposed to be included in the rezoning proposed policy framework for Ohinewai as outlined in Section 3.1 and **Appendix D** of this report.

Overall, it is considered that the combination of mitigation measures proposed, including landscaping and screening, landscape buffers, open space, wetland and restoration planting areas proposed and the inclusion of recommended bulk and location provisions mean that the effect on landscape character and visual amenity can be mitigated to an acceptable level.

8.4 Acoustic Effects

There is the potential for the rezoning to give rise to acoustic effects as a result of the implementation of the proposed development. Given the undeveloped nature of the surrounding rural environment, any effects are most likely to occur at the interface of the proposed industrial zone with the existing dwellings within the Village Zone on the western side of Lumsden Road.

To understand the potential effects and any mitigation measures that might be required, an acoustic assessment of the proposed rezoning has been completed. Marshall Day Acoustics (MDA) have prepared a report entitled: '*Ohinewai Structure Plan Proposed Rezoning Acoustic Assessment*' which address the proposed development. This report is included as **Appendix J**.

Business zone noise provisions

The proposed rezoning adopts the noise provisions of the PDP as notified and does not seek any changes to those provisions. As per Rule 20.2.3.1 P3, noise from the Industrial zone measured at any site that is not within the Industrial zone must meet the permitted noise levels for that zone. In short, this means that the level of noise generated must meet the level of acoustic amenity expected for any adjacent zone, which in the case of the APL proposed rezoning is the Village and Rural zones.

To understand the existing noise levels at the Site, MDA completed noise measurements adjacent to the north western corner of the site, where it is proposed to locate the NZCG factory.

Those measurements identified that the existing ambient and background noise levels are very high adjacent to the residential dwellings to the west of the Site. The level of ambient noise during the daytime averages 68 dB L_{Aeq} which is 18 dB higher than the PDP restriction of 50dB. The existing traffic noise levels are currently around four times louder than would be permitted from activity within the proposed Industrial zoning.

The background noise, which is the quietest period in any measurement is also high with an average of 53dB L_{A90} which is also higher than the level of noise that would be permitted to be generated by any industrial activity when measured within any site of the Village zone.

On this basis, it is considered that industrial activity compliance with the daytime noise rules in relation to the adjacent Village and Rural zones is likely to be achieved without significant noise mitigation measures being required.

The night-time requirements are more stringent, with a limit of 45dB L_{Aeq} 7pm – 10pm and 40dB L_{Aeq} 10pm – 7am the following day. The extent of the noise emissions of the proposed Industrial zone during these hours will be determined by the hours of operation of any activities that locate on these sites. Should industrial activity operate during these hours, it is possible that noise limits will be breached, and a resource consent will be required. In this scenario, there are a number of mitigation options available, including:

- Noise mitigation by bunds or barriers;
- Structural noise mitigation such as enclosing sources, loading trucks indoors or designing buildings to reduce noise emissions; or
- Restrict activity or aspects of the activity to day-time hours.

Industrial zone noise provisions

As per PDP Rule 17.2.1.1 P3, noise from the Business zone measured in any site that is not within the Business zone must meet the permitted noise levels for that zone. This means that the level of noise generated must meet the level of acoustic amenity expected for any adjacent zone, which in the case of the rezoning is the Village and Rural zones.

MDA consider that the proposed Business zone is unlikely to generate significant noise as the main noise sources will be passenger cars, delivery trucks and standard mechanical plant. The Business Zone is also sufficiently separated from the existing Village zone and nearby dwellings, ensuring ready compliance with the noise standards of the district plan.

Residential zone noise provisions

It is considered that the residential component of the rezoning will be able to comply with the Residential zone noise rules, which are the same as those for the Village Zone.

Construction noise

Construction activities that are likely across the Structure Plan area can be managed through compliance with the New Zealand Construction Noise Standard (NZS 6803:1999) and are considered to be able to be managed to reasonable levels. Work across the majority of the site can readily comply with the construction noise limits and will not result in unreasonable noise effects.

Construction activities that are particularly close to existing residential properties may need mitigation to ensure the effects are less than minor, however that can be addressed at the appropriate development stage.

Overall, the MDA acoustic report concludes:

'The risk of unreasonable noise from the proposed activity is considered low given the high ambient and background noise levels. This is likely to be further demonstrated by future environmental noise analysis as part of any application for resource consent in the proposed zones. The proposed change to the zoning on site is not considered to represent appreciable risk that the Proposed District Plan noise limits will be breached during the daytime or evening. During the night-time, activities operating on site need to be considered on a case-by-case basis to ensure that cumulative noise levels do not breach the Proposed District Plan noise limits (or are provided for by appropriate future resource consents).'

It is considered that the effects of noise associated with development enabled by the proposed rezoning are acceptable and can be managed through provisions within the existing PDP to ensure acoustic amenity is maintained for those adjacent land users.

8.5 Wastewater and Water Supply Servicing

A critical aspect in providing for development that is not located within existing urban areas is the ability for proposed development (enabled by the proposed rezoning), to be serviced by wastewater and water supply.

Woods has completed servicing strategies for the proposed Structure Plan area, to assess the demand requirements for wastewater and water, and provided an assessment of the potential options.

Copies of the Wastewater and Water Supply servicing reports are included in **Appendix O**.

8.5.1 Wastewater

In terms of wastewater, the proposal can be serviced by a number of potential means. As the Woods report has outlined, there is the potential for connections to be made to existing wastewater treatments plants (WWTPs) in the nearby area such as Huntly and Te Kauwhata, however these plants do have constraints in terms of capacity and compliance/ consenting issues.

A centralised WWTP is being explored by WDC and Watercare Services Limited (WSL) with preliminary investigations on the plant commencing late 2019. A centralized WWTP would account for Huntly, Te Kauwhata and potentially Ohinewai. WDC/ WSL have advised that any centralised plant would take some years to investigate options, design, consent and construct. Accordingly, given the development timeframes for the Ohinewai Structure Plan area, interim servicing options will be required in advance of any centralized municipal WWTP.

Woods has confirmed the feasibility of providing for wastewater needs via a series of package plants that could be developed as private wastewater infrastructure as the development is implemented. As noted, if that occurred, APL's preference would be to continue to be self-reliant provided that appropriate environmental outcomes (including an element of betterment) can be achieved.

Identification of the preferred option(s) for wastewater treatment to support the proposed development enabled by the rezoning is ongoing and is being developed in parallel to the planning process.

Input from the TWGG and key stakeholders is an important factor in selecting a suitable option as are consenting implications. However, the key conclusion in the Woods report is that suitable options for wastewater treatment are available.

8.5.2 Water supply

Woods have concluded that the Site can be serviced by a number of potential options for water supply, including the following long-term options:

- On site bore supply;
- Waikato River supply;
- Supply from local water bodies;
- Rural farm supply;
- Existing town supplies (e.g., Te Kauwhata and Huntly); and
- Centralised reticulation from existing supplies.

The confirmation of the preferred long-term option could take some years to complete due to the required consenting requirements and coordination with the WDC / WSL and other stakeholders.

To provide an assurance to APL that water supply is available to meet its development timeframes, interim strategies have been developed that account for the staged construction of the development enabled by the rezoning. The interim strategies have lower demands for water supply and hence can be met with a combination of solutions. For example, Stage 1 of the Sleepyhead Factory can be serviced by an existing bore supply. Other options include the transfer of water rights from existing rights holders.

8.6 Flooding

As described in Section 4.8 of the report above, the site subject rezoning is relatively low-lying with parts located within the 100 year event flood plain. The site is also located in an area that forms part of the Lower Waikato Waipa River Control System (LWWRCS).

The proposed rezoning will enable development within the existing floodplain and hence an assessment of the potential effects as a result is required.

Woods have completed an extensive flooding assessment of the site and of the proposed rezoning and a copy of their report is included in **Appendix F**. This assessment included close collaboration with WRC to ensure that modelling methodology was sound, WRC base model was utilized, an understanding of the Lower Waikato Waipa River Control Scheme (LWWRCS) was captured and data sharing enabled.

The assessment also included modelling of a Waikato River stop bank breach in order to inform preliminary understanding of residual risk that the site would be subject to. An assessment of residual risk is covered in Section 8.7 below.

Woods completed flood modelling on a number of scenarios to understand the potential for adverse flooding effects on the site, adjoining properties and on the downstream catchment. A detailed outline of the assumptions and methodology of the modelling is outlined in their report however, it is noted that the modelling was conservative with climate change being accounted for.

In summary, the reporting showed that as a result of proposed development that would be enabled by the rezoning:

- There is no increase in water levels or flood extents in downstream or adjoining neighbouring properties with the proposed development in comparison to the pre-development model.
- Woods state that this is a result of total site area within the proposed development of 1.79sq. km (179ha.) being insignificant when compared to the downstream floodplain extents of 34.66 sq. km (3466 ha.) and total contributing catchment to Lake Waikare being 208 sq. km (20800ha.).
- There is one exception located upstream of the site as a result of flows through an existing culvert not being accounted for in the model. That increase in flood extents is located on vacant land located between Lumsden Road and SH1. The modelled flooding can be addressed with detailed design at the time of upgrading of Lumsden Road, with an upgrade of the culvert may be required.
- As a sensitivity test, a scenario was run for the 2-year event with a lower Lake level of RL5.4m. That scenario showed increases in water levels at location 4 (the culvert described above) and location 5 that is located within the central park stormwater management area (zoned Open Space).

8.7 Residual Risk Effects

The site is located in a flood plain that is protected by Waikato River stop banks constructed as part of the LWWRCS.

Early consultation with WRC indicated that an understanding of the residual risk that the proposed development would be subject to if a stop bank failure was to occur was required. This risk assessment would then be able to inform any emergency management planning for future stages of development.

The flooding report (**Appendix F**) outlines the work that was undertaken to understand the residual risk to the development. This included modelling stop bank breach scenarios at three locations along the Waikato River and utilising a methodology that was agreed with WRC technical specialists.

The report's findings are summarised below:

- For Breach Location 1 (Ohinewai North Road): Breach flows from this location enter the proposed site from the north - western boundary corner and flooding is observed along Balemi Drain and encroaching the factory. The flood depths vary from 0.95m along the western boundary to 0.1m along the eastern boundary at Balemi Drain.
- Breach Location 2 (Ohinewai Landing Road): Breach flows are contained within the area to the west of State Highway 1 and do not affect the proposed site.
- Breach Location 3 (Ohinewai South Road): Breach flows are directed along the flow path towards Lake Ohinewai and do not affect the proposed site.
- For Breach Location 1, analysis was completed to understand the depth of flows within the subject site during the stop bank failure event. The model predicted that flood depths of up to 650 mm encroaching at the north western boundary of the site (location A), with flood depths of 600 mm at location B (corner of the proposed factory) and 100 mm at locations C (north eastern extent of site) and D (eastern extent of proposed factory). Refer Figure 4.7 below.
- The modelled depths and velocities dictate that in such an event, vehicles would not be able to access those areas from Breach Locations A and B. Breach Locations C and D would be able to be accessed, but not in fast flowing waters.

- Access to the factory from the south is not affected by the stop bank breach.
- There is no risk of flooding to the residential and commercial areas as a result of the stop bank breach.

As there is a risk of parts of the site being subjected to flood flows of reasonable depths, emergency management planning is recommended to be completed prior to the occupation of the factory. The modelling undertaken and as summarised above indicates that management measures would be required to ensure that no persons or vehicles would access the north western exterior of the factory.

Access and evacuation, if required, for factory staff would be available from the south of the factory via proposed roads and access.

Accordingly, it is considered that there is minimal residual risk provided to the proposed land use sought as a result of the rezoning. Emergency management planning can readily be undertaken, alongside other operational management plans required prior to the occupation of the proposed factory.

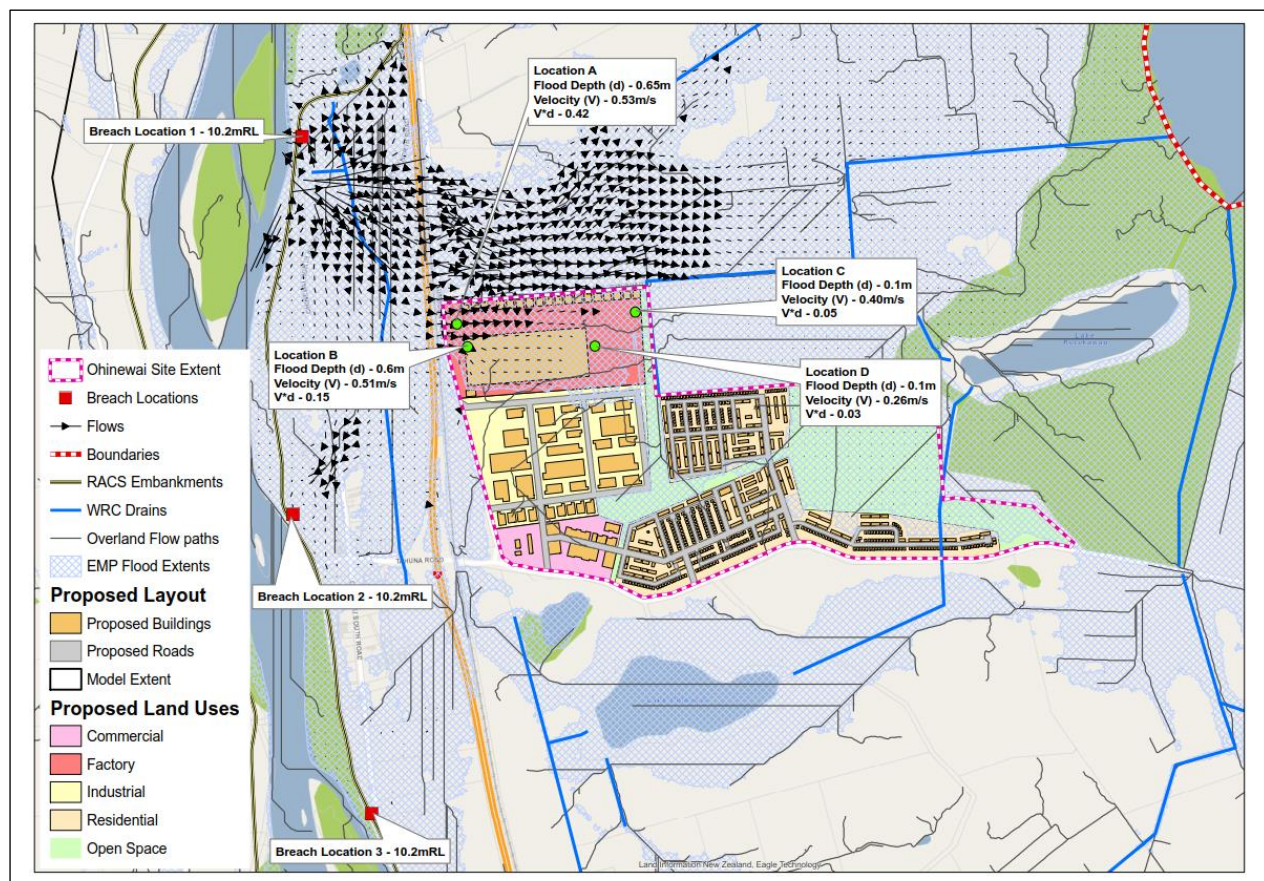


Figure 4.8 – Modelled stop bank breach location plan

8.8 Stormwater Effects

As described in Section 5 above, Woods has completed preliminary investigations and reporting on a Stormwater Management Plan (SMP) for the proposed rezoning. The SMP outlines the proposed stormwater management framework that will be utilised for the development enabled by the rezoning. The SMP takes a toolbox approach and describes the concepts of “at source” treatment and the inclusion of central park and wetland park areas in the stormwater management treatment train.

The SMP provides a framework for the management of stormwater as a result of future development enabled by the rezoning. In summary, the SMP seeks to avoid, minimise or mitigate the effects of stormwater runoff by:

- Accounting for the WRC WRC TR2018/01 – Stormwater Management Guidelines.
- Accounting for Objective 6.4.6 and Policies 6.4.7 of the PDP.
- Utilising a low impact design/ treatment train approach for stormwater management that will likely include at-source (at development lot) treatment and detention as well as downstream additional management in the form of devices located within the Central Park and Wetland Park areas.
- The treatment train approach will ensure the appropriate reduction in contaminants and temperature control.
- Overland flow paths can be accounted for within the roading network, and the Central Park and Wetland Park areas.
- The WRC Drainage scheme will not be affected by measures outline in the SMP as the Balemi Drain is likely to be decommissioned and incorporated into the Central Park area. No stormwater will be discharged into the Tahuna Drain, and the section of that drain traverses the proposed residential area, may be culverted.

8.9 Economic Effects

An Economic Impacts Assessment (EIA) has been carried out by Property Economics Limited (PEL) and has assessed the likely positive and negative economic effects relating to the proposed rezoning. A copy of that report is included as **Appendix Q**.

The EIA has considered the effects related to:

- Convenience Retail Activity;
- Discount Factory Outlet Stores;
- Residential development; and
- Industrial development.

The EIA also identifies the economic benefits that the development of the proposed rezoning will bring to the local catchment and the wider district.

The development includes two types of retail activity, convenience retail shops, designed to supply and support the local residential and business activity and Discount Factory Outlets, which will serve a much broader market.

The commercial centres of Te Kauwhata and Huntly have been assessed in relation to their size, services on offer and proximity to Ohinewai in order to identify the extent to which the development of the site may impact on those existing centres.

Because of the size and extent of retail provision in Te Kauwhata, it is considered there is no propensity for convenience retail provision in Ohinewai to attract a significant customer base from Te Kauwhata and therefore this will not undermine the role, function and viability of Te Kauwhata Centre as a whole.

Huntly is the largest commercial centre in the localised economic catchment. Due to its proximity and the retail on offer, including a supermarket, Ohinewai residents would regularly travel to Huntly for

retail and commercial services, improving the performance, vitality and vibrancy of the Huntly Town Centre. The presence of a small group of convenience retail shops in Ohinewai will not adversely affect the economic viability of Huntly. On the contrary it is considered that the injection of 1100 homes and additional employers in Ohinewai would add significant economic value to Huntly's town centre improving its economic health. Provisions are proposed that limit the extent of convenience development in Ohinewai, providing Ohinewai residents with a convenience option close to home whilst ensuring that there are no retail distribution effects on the Huntly town centre.

Due to the nature of its offering, The Discount Factory Outlet will service a much wider catchment, stretching from south of Hamilton to South Auckland. It is considered that due to size of the catchment, the discount factory outlet will operate in, there will be no adverse economic effects on any centre in the broader network.

The PEL EIA considered the Housing and Business Assessment undertaken for Future Proof, prepared to meet NPS reporting requirements in relation to the demand and capacity for residential, business and industrial land in the Future Proof sub-region. This identifies a shortfall in residential capacity in the order of 6,400 by 2046 (predominantly at the lower price points) across the Waikato District.

More specifically for Huntly, there is a long term short fall of 587 dwellings in Huntly. PEL considers that the additional development proposed in Ohinewai will add to demand for residential development in the area and will also assist in meeting the estimated long term demand for housing in the Huntly area.

Further analysis has considered the proposed price point of housing within the development. It identifies that the majority of houses in Huntly are priced below the \$500,000 with an average of \$380,000, Ngaruawahia has an average price point of \$460,000. Comparatively, Te Kauwhata has a higher average price point around \$600,000. The housing proposed at Ohinewai is around the \$500,000 price on average, placing it above Huntly and Ngaruawahia, but below Te Kauwhata.

Ohinewai's point of difference, particularly compared with Te Kauwhata, is that it will not be a dormitory town, but will offer several large employment options, creating economic efficiency for those that live and work in Ohinewai. It is considered that the combination of development proposed in Ohinewai will have positive benefits for Huntly's residential market.

A key consideration of the economic impacts of the proposed rezoning is whether the development would impact upon the role of the strategic industrial nodes identified in the RPS. This is particularly important as these are part of the settlement pattern embedded in Future Proof and the RPS. The RPS identifies that new industrial development outside of the strategic nodes identified shall not be of a scale or location where development undermines the role of any strategic industrial node. The economic assessment identifies that the NZCG's proposed mega factory would not have been foreseen in any industrial land demand projections undertaken and therefore is unlikely to detract from the forecast demand within the Future Proof area.

The addition of such a large facility in the Waikato is likely to require additional support services that positively contribute and stimulate additional demand for the identified industrial nodes. Overall, the industrial area proposed is likely to provide a net economic benefit to Huntly, Waikato District and the Region without undermining existing strategic industrial nodes.

There are four primary issues that relate to the net economic benefit of the proposed development:

- Opportunity and equity – The factory and associated housing provides an opportunity to increase employment retention within the local catchment and the district, which is vital for the economic well-being of the local and district economy. Providing employment within the catchment will increase population growth and increase productivity.
- Increased retention – Increased retention of employment results in less travel, greater levels of amenity and improved community investment.
- Operational efficiencies – Will increase labour productivity and likely improve business efficiencies, increasing the competitive environment locally and for the district. Increased densities are likely to improve infrastructure provision and lower marginal costs.
- Housing – The masterplan will provide opportunities for lower wage earners to own their own home. This is provided through the redirection of demand to an area with lower demand and therefore lower land values.

The construction of the proposed development and its ongoing operation will provide significant economic benefits to the local and district economy. The initial construction of the proposed development would result in a total spend of over \$1.1 billion with a total regional economic injection of \$1.3 billion. With regard to ongoing operations, when complete, the masterplan development will inject \$193 million into the Waikato economy per annum.

The additional employment and housing will result in an additional \$35million of retail spend in the catchment, the majority of which is likely to be spent locally and support Huntly.

The development will also provide a significant number of jobs in the local, with 1000-1500 jobs provided for by NZCG alone. Additional employment opportunities have not been included in these numbers for conservancy, however, will also be available through associated industrial development and to a lesser extent retail development.

Overall, the economic benefits of the proposal are significant and there will be no adverse economic effects.

8.10 Social Impacts of the rezoning

A Social Impact Assessment (SIA) has been carried out by Quigley and Watts Limited (QWL) and has assessed the likely social effects (positive and negative) of development enabled by the proposed rezoning in relation to the communities surrounding the proposed development. A copy of that report is included as **Appendix S**.

The SIA covers the following townships and communities:

- Huntly;
- Te Kauwhata;
- Ohinewai;
- Rangiriri; and
- The residents of Lumsden Road and Tahuna Road.

Considering the communities of interest, the assessment covers businesses, social services, health services, emergency services, education, and housing. Using predominantly face to face interviews and focus groups, with a few telephone interviews, 107 people/organisations were engaged by the social assessor:

- Health, social and emergency services e.g. General Practices, dentist, maternal health, Police, Ambulance, MSD, Matahuru Papakainga Marae, etc. (23)

- Childcare centres, primary schools, secondary schools and Wananga (17)
- Businesses (25)
- Huntly Community Board members (3), Te Kauwhata Community Committee members (2), Ohinewai Community Board members (3)
- Lumsden Road and Tahuna Road residents (10)
- Primary school children at Ohinewai School (8)
- Real estate agents, property managers, and campground managers (7)
- Mayor and senior staff from Waikato District Council (5)
- APL and associated team (4).

The social effects for each of the major topics assessed are below:

Population and employment

The total number of staff required in the development area is projected to be approximately 2,072. With 300 existing staff potentially moving south from the Auckland-based NZ Comfort Group factories, this means an uplift of approximately 1,722 staff to be hired.

Of the approximately 1,722 staff to be hired, half are projected to be hired from within the Waikato District and 20% from within the local area, including Te Kauwhata and Huntly. Most of the balance are expected to be hired from outside the Waikato District, including Hamilton City, the Waikato Region and the rest of New Zealand.

The social value of the jobs provided to individuals, their families and the community are positive. Most jobs provided by the Masterplan are above the minimum wage and are likely to be permanent positions. Overall, the social effects of employment from each of the township's existing labour pool and from migration are projected to have a major positive social effect.

Construction

Overall, this assessment concludes that construction effects from the proposed development on local housing will be negligible, with respect to accommodation in the surrounding townships. Most construction workers are expected to travel from their existing homes to work at the site because of the central location of Ohinewai to Auckland and Hamilton, and the ease of access to the Expressway. For those construction workers who do need to live close to the site, there is potential for short term accommodation on-site, and potential for short-term accommodation at the Huntly Domain campground.

Housing

Overall, the SIA concludes that the proposed development will likely have a neutral effect on the housing market in Huntly. While workers at Ohinewai may settle in Huntly, the proportion expected to do so is small. By contrast, Te Kauwhata has ample land zoned for residential growth and is viewed positively by people moving to the Waikato District. As such, the slower-growing-than-expected Te Kauwhata housing market is projected to be positively supported by Ohinewai workers who do not want to live in the masterplan site. Effects on Ohinewai housing are projected to be positive for residents on the western side of the expressway due to the reduced likelihood of industrial land use changes in what is desired to be a rural residential.

Education

The SIA considered the effects of the development on early childhood, primary and secondary schools in the area. The prospect of new students in the area was considered to be positive by most. The potential for the proposed development to bring industry training opportunities and employment is specifically noted as a positive for high schools in the area.

Childrens' voice

The SIA concludes the proposed development will have a moderate positive effect on local children. The children clearly articulated how the proposed development would lead to positive effects for themselves and others related to employment, housing, an increased population, retail, and recreational opportunities. The children had a sharper focus on environmental issues than adults and were clear there should be no pollution arising from the masterplan. One child commented on the apparent lack of facilities dedicated to older adults.

Businesses

Overall, this assessment concludes the proposed development will have a major positive effect on local businesses, especially within the context of past decreases in businesses in these towns.

Business owners foresaw employment for local families and the consequent improvement in their own businesses, and the hope for additional businesses setting up in their towns. This was true for Huntly, Te Kauwhata and Rangiriri. For Te Kauwhata especially, there is also a potential influx of employees into their township. This is further supported by business owners who did not see Huntly as a shopping destination, and local retailers who had business models which meant sales came from multiple channels.

For the District, Huntly and Te Kauwhata, interviewees saw the proposed development as a solution to the limited options for zoning further land as industrial within Te Kauwhata or Huntly. The proposed development was therefore seen as critical for supporting growth in employment district wide, especially given the context of declining business numbers in Te Kauwhata and Huntly.

Businesses were confident of the quality and size of labour pool that might be available to NZCG, especially in Huntly. Interviewees talked about the hope that the proposed development would provide for the majority of people in the District. For the minority of people for whom unemployment is driven by deep social issues, the additional jobs arising from the proposed development will not alleviate their situation. Collaborative working would be required, beyond the scope of the proposed development.

Ohinewai businesses were either neutral or, for the same reasons as above, highly supportive.

Regional interviewees wish to engage with NZ Comfort Group to maximise local employment opportunities, particularly for people in Huntly.

Health, social and emergency services

Overall, this assessment concludes the proposed development will have a neutral effect on health and emergency services, and a minor positive effect on social services.

St John, NZ Police and surrounding health care providers have indicated they have capacity or are able to service the proposed development.

The employment and housing opportunities arising from the proposed development align with Matahuru Papakainga Marae aims for employment and housing for their people. NZ Comfort Group and surrounding marae are in discussions about how to work together for these shared goals. NZ Comfort Group has the potential to provide hope for employment, and via work with the marae, iwi, MSD, schools and other stakeholders, to make a positive difference.

Lumsden Road and Tahuna Road residents

The SIA concludes the proposed development will have a neutral to minor negative effect on Lumsden Road residents (western side of road). These residents will experience social effects arising from the change of their rural outlook to massed plantings (to the east only).

For Lumsden Road residents (eastern side), the potential purchase of their properties is judged to lead to a minor negative social effect because the residents will need to resettle elsewhere but this is judged by the residents themselves to be offset by the financial compensation of purchase. If not purchased, the social effects are judged to be moderate negative for Lumsden road residents (eastern side) because of changes in their immediate living environment.

For Tahuna Road residents, due to the distance from the development, the social effect is assessed as neutral.

Community way of life

Overall, the SIA concludes that the proposed development will have a positive social effect on the western side of Ohinewai, providing future zoning decisions support aspirations for rural living on that side of the Expressway and environmental effects are managed. For residents on Lumsden Road (western side), there would be a neutral effect as they perceive little change to how they would live their life. For Lumsden Road residents (eastern side) there would be a moderate negative effect because they believe they will have to move.

For Huntly, the proposed development is projected to complement the community's aspirations. The proposed development is projected to provide a source of hope regarding local employment and business confidence. This is particularly true for those who are currently unemployed or under employed. Appropriate public transport is required for much of the employment benefit to accrue.

For Te Kauwhata, the proposed development is projected to complement the community's growth aspirations by providing a source of employment for people who might purchase within the substantial subdivisions already consented. Being locally employed, these people have a greater chance of contributing positively to Te Kauwhata, supporting the existing, well-formed social structures.

Conclusion

The proposed development has potential district-wide social benefits arising from employment. Local people look forward to the jobs and income from the development, especially those in Huntly. The employment is within an environment of low median incomes and declining numbers of businesses in Huntly and Te Kauwhata. Furthermore, the social benefits of employment are substantial, at the individual, family and community level.

Similarly, the development has potential district-wide social benefits arising from the provision of housing. The proposed development will provide affordable housing, allowing people to live, work and play in the same township. The employment-led masterplan is projected to help maintain the

population of Huntly (which is declining) and support the housing-led development in Te Kauwhata (which has not grown at the rate expected).

One potential moderate negative social effect relates to the three houses on the eastern side of Lumsden Road who may sell/move.

Overall, the proposed development is projected to positively contribute to the way of life of local communities.

8.11 Geotechnical considerations and groundwater effects

Initia geotechnical specialists have completed a geotechnical assessment report for the proposed rezoning and a copy is included in **Appendix G**.

Initia state that several areas of the site have challenging ground conditions and will present significant engineering challenges for development of the land. Those areas are generally where peat and other soft soils exist. These findings have influenced the master planning for the site, with the majority of the areas subject to the most compressible soils having been identified as areas not suitable for development and classified as Open Space.

The remainder of the site is generally considered suitable for development, including development of industrial, commercial and residential buildings and infrastructure. Initia state however that due to the majority of the site being susceptible to liquefaction, ground improvements will be required over much of the site to support future building development.

While detailed geotechnical remediation options will be addressed at the appropriate site or subdivision stage, the report outlines the key considerations to be accounted for in site development:

- Significant earthworks are required across the site, with groundwater likely to be encountered. Groundwater management will be required throughout the development works, with particular attention paid to buried services installation.
- Upper silty sands present on site will be suitable for re-use and engineered fill.
- Lime and cement stabilisation of upper soils may be required to provide for increased fill strength and mitigate risks of liquefaction.
- Excavations in lower lying parts of the site are unlikely to be suitable for engineered fill. Allowances should be made for significant volumes of unsuitable soil, however the extent of volumes are to be addressed at the appropriate subdivision or development stage.
- Significant importation of suitable fill from off-site will be required and pre-loading of fill will generally be required to account for settlement.

To account for the ground improvements required to provide for future development rezoning, Initia have provided a number of options that are available to APL in developing the site. In summary, options include:

- Pre-loading;
- Stone columns/ rammed aggregate piers;
- Deep soil mixed columns;
- Reinforced gravel rafts;
- Excavation and re-compaction; and
- Dynamic compaction.

As outlined by Initia in their reporting, while the site poses challenges, a range of conventional options are available to remediate the site to enable the proposed development. The proposed geotechnical remediation options are common in greenfields development in the Waikato. It is considered acceptable that further investigations and design is undertaken at the appropriate development stage to account for the proposed mixed use development of industrial, commercial and residential development.

8.12 Ecological effects

The proposed rezoning will enable the permanent removal of vegetation across the site, bulk earthworks, construction of stormwater infrastructure, roads and the infilling and realignment of a number of artificial drains across the site. To understand the extent and significance of the effects of the likely development, an ecological assessment of the proposed rezoning has been completed by Ecology NZ (included as **Appendix H**).

A summary of that assessment is described below:

- The terrestrial ecological values of the site were assessed as low. There is the potential for site development to affect the habitat of lizards and bats, however appropriate mitigation can be put in place at the appropriate development stage.
- There are no watercourses of significance located on the site, with ecological values of the network of artificial channels being assessed as being low.
- The two larger drains located on the site (Balemi Drain and Tahuna Drain) contained permanent water and were assessed as being of moderate ecological value. Dependent on detailed design of any drain diversions or culverting, mitigation can be provided for the loss of habitat by the creation of new wetland areas within the proposed open space areas.
- Management plans can be utilized at the appropriate development stages to confirm the extent of lizards, bats and aquatic species such as eels and mudfish. Dust and sediment control plans will also be formulated to address the potential adverse effects of extensive earthworks across the site. Such management plans will also address mitigation requirements as required.
- The change in land use to industrial, commercial and residential will result in an altered stormwater runoff regime. As outlined in the SMP for the site (refer **Appendix I**), the proposed stormwater management system for the development incorporates a toolbox approach including a 'treatment train' philosophy which aims to ensure stormwater discharged from the site achieves appropriate water quality standards.
- In addition to the potential adverse effects, it is important to consider the actual and potential positive effects attributable to the proposed rezoning and Structure Plan. These include:
 - As a result of retiring the existing farming land use, a reduction in nutrient contamination (e.g. nitrogen and phosphorus) of surface and groundwater can be realized. This provides for reduction of nutrient loading of Lake Rotokawau, Lake Waikare and ultimately the Whangamarino wetland.
 - Decrease in soil erosion and damage to soil structure.
 - The proposed open space and stormwater management framework provides for extensive habitat enhancement, including increasing the availability of wetland habitat for wetland dependent indigenous flora and fauna.

- The open space area will create an ecological buffer adjacent to the SNA surrounding Lake Rotokawau and has the unique potential to reverse current degradation and potentially expand the conservation estate through negotiated agreements or partnerships with the Department of Conservation (DOC) and/ or other stakeholders.

In conclusion, Ecology NZ have concluded that the overall level of ecological impact for the project is low. Ecology NZ also considers that there are extensive positive outcomes provided by the retiring of the existing dairy farm and extensive provision of open space and restored wetland habitat. Consequently, it is expected that no off-setting or compensatory measures will be required.

8.13 Archaeological effects

An archaeological and historic assessment of the site has been undertaken by Warren Gumbley which is included as **Appendix N**. The assessment included a desktop analysis and a walkover over the entire site which concentrated on the areas determined to be the most likely to have associated archaeological features/ sites. The survey included a visual inspection of the area, the use of a 50 mm hand-held auger to test soil and the examination of drain cuttings. The examination did not uncover any archaeological deposits.

It is possible that there are subsurface archaeological features and deposits within the proposed development area that leave no visible surface trace. However, the potential for unidentified archaeological deposits is considered very low to nil.

Requirements for discovery protocols will be made in in the event that any archaeological features are discovered.

8.14 Cultural effects

Engagement with Mana Whenua via the TWGG has been and will continue to be undertaken in relation to the rezoning and development of the site.

As outlined in the letter provided by the chair of the TWGG (**Appendix P**), a Cultural Values Assessment (CVA) is expected to be completed in early 2020.

Until such time as that CVA is completed and provided to APL, it is not considered appropriate to comment on the actual or potential cultural effects.

8.15 Urban Design Commentary

An Urban Design Assessment has been undertaken by Adapt Studios and is included as **Appendix R**. The proposed development has been informed by a masterplanning exercise, the purpose of which has been to ensure that the proposed mixed-use community is developed in a logical and efficient manner that provides a high level of amenity for its future residents. The masterplan has evolved over time in response to technical information presented by a team of experts. The masterplan represents the vision of NZCG which intends to deliver:

- A new factory facility of 100,000m² for their ongoing operational requirements;
- An industrial area that could take advantage of the site's strategic location and access to the proposed railway siding;
- A business and commercial area providing convenience retail and factory outlet shopping, allowing the purchase of goods manufactured by NZCG and others;
- A residential community that will help its staff to enter into affordable homes in close proximity to employment;

- A development centred around a series of high amenity open spaces.

The planned community combines residential development with large scale employment opportunities, with the result that those who choose to will be able to work in close proximity to their homes. This reduces reliance on long distance commuting and will ensure that the proposed development is not a dormitory suburb solely reliant on access to State Highway 1.

The masterplan has considered the relationship between the three land use activities proposed and has spatially arranged these on site to ensure that a high level of amenity is maintained throughout, utilising the multipurpose green network to separate industrial and residential activity.

Large areas of open space are also proposed in the development, providing plenty of active and passive recreational options. Everyday convenience items will be available in the business zone, increasing the level of convenience on site. For goods and services that are not available on site, access to Huntly will be straightforward as will be the cities of Hamilton and Auckland via State Highway 1, or in the future, possibly commuter rail.

An assessment of the New Zealand Urban Design Protocol has been undertaken and the proposal is considered to be aligned with the “Seven Cs”.

8.16 Positive effects (benefits)

The proposed re-zoning provides for the following positive effects:

Economic

- The addition of up to 2072 jobs within the local catchment.
- The provision of approximately 1100 homes within a master-planned community.
- A spend of \$1.1 billion with an overall regional economic injection of \$1.3 billion.
- An annual economic injection into the Waikato of \$193 million per annum.
- The potential to generate an additional \$35million of retail spend within the local catchment.

Ecological

- As a result of retiring the existing farming land use, a reduction in nutrient contamination (e.g. nitrogen and phosphorus) of surface and groundwater can be realised. This provides for reduction of nutrient loading of Lake Rotokawau, Lake Waikare and ultimately the Whangamarino wetland.
- A decrease in soil erosion and damage to soil structure.
- The proposed open space and stormwater management framework provides for extensive habitat enhancement, including increasing the availability of wetland habitat for wetland dependent indigenous flora and fauna, improving biodiversity values.
- The open space area will create an ecological buffer adjacent to the SNA surrounding Lake Rotokawau and has the unique potential to reverse current degradation and potentially expand the conservation estate through negotiated agreements or partnerships with the Department of Conservation (DOC) and/ or other stakeholders.

Social

- The rezoning will provide significant employment opportunities for the local catchment allowing more people to work closer to home.
- The development will provide additional homes in the area that are of high quality at a more affordable price point. High quality housing is correlated with improved levels of health.

- The development represents opportunities for growth in the community, particularly for facilities such as local schools and early childhood education centres and service providers such as Medical clinics.

9 National Policy Statements & National Planning Standards (s74(1)(ea))

9.1 Introduction

National Policy Statements (NPS) are prepared under the RMA. They establish objectives and policies for matters of national significance relevant to achieving the purpose of the RMA. All district and regional plans are to give effect to NPS's.

It is considered that the National Policy Statements applicable to the plan change are the NPS on Urban Development Capacity (NPS-UDC) 2016 and the NPS on Freshwater Management (NPS-FWM) 2014, amended 2017.

These are addressed below.

9.2 National Planning Standards 2019

The first set of National Planning Standards came into effect in May 2019.

The *Implementation Standard* specifies the timeframes that apply to the first set of planning standards. Different timeframes apply to different planning standards and different local authorities.

WDC must meet basic electronic accessibility and functionality requirements within one year from when the planning standards come into effect.

WDC has five years to adopt the planning standards, with seven years for the definitions standard.

With respect to the proposed rezoning, it is considered that the National Planning Standards are of little relevance as the proposed changes are aligned with the format of the PDP as notified. At a later date, the PDP (or its successor) will need to be modified by WDC to align with the National Planning Standards.

9.3 NPS on Urban Development Capacity 2016

The purpose of the NPSUDC is to improve the housing supply and affordability in New Zealand as well as ensuring adequate supply of business land. It is about recognising the national significance of:

- Urban environments and the need to enable such environments to develop and change; and
- Providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

This NPSUDC addresses development capacity for both housing and business, as it identifies that both aspects are important to achieving well-functioning urban environments. Urban planning should enable people and communities to provide for their social, economic, cultural and environmental wellbeing through development, while managing its effects. It also acknowledges that urban development is largely dependent on the provision of infrastructure and encourages integration and coordination of land use and infrastructure planning.

It is a requirement on councils under the NPSUDC to ensure that their plans provide sufficient commercially feasible land to be developed and their planning methods should promote accessibility and connectivity between housing and businesses, now and in the future.

The Waikato District (like the other Future Proof councils) is identified as a high growth urban area by MfE.

The proposal gives effect to the NPSUDC by:

- Seeking to establish an efficient mixed-use environment that includes industrial, business and residential land use that will provide a high-quality urban environment that enables people the opportunity to live, work and play in the same community.
- Providing significant investment into the Waikato District that provides economic opportunity through the establishment of business and employment in Ohinewai.
- Providing additional housing and business capacity in the Waikato District.
- Ensuring that infrastructure will be available to service development.
- The provision of housing locational choice.

Residential Capacity Assessment

The objectives and policies of the NPSUDC seek to ensure that there is an adequate supply of housing in areas of the country that are growing. The Future Proof Sub-Region, which includes Waikato District is collectively considered to be a high growth area due to the growth pressure being faced across the Waikato. Waikato District, in particular faces growth pressure from Auckland in the north and Hamilton in the south.

As a high growth area, the NPSUDC establishes more stringent requirements for provision of capacity and the level of evidence and monitoring required to understand capacity including the development of future development strategies.

The Future Proof partners have commissioned the 'Housing Development Capacity Assessment 2017' which assesses housing demand and capacity in each of the territorial authorities. The capacity assessment identifies that there is a projected shortfall of housing supply in relation to demand for Huntly in the medium to long term. When the required additional capacity of 15-20% is considered as per the directions of the NPSUDC, there is an identified shortfall in capacity in the short, medium and long term. Given the close proximity of the development to Huntly, it is well-placed to help meet the identified shortfall, rather than having all the demand directed to Te Kauwhata.

Te Kauwhata has a surplus of housing supply in the short to long term, due to the recent Lakeside Private Plan Change that provides for approximately 1600 lots, subject to the adequate provision of infrastructure.

An assessment of economic effects has been undertaken as part of the proposed development by *Property Economics*. This report has considered the Housing and Business Assessment undertaken for Future Proof, prepared to meet NPS reporting requirements in relation to the demand and capacity for residential, business and industrial land in the Future Proof sub-region. This identifies a shortfall in residential capacity in the order of 6,400 by 2046, (predominantly at the lower price points) across the Waikato District. More specifically for Huntly, there is a long-term short fall of 587 dwellings in Huntly. Property Economics considers that the additional development proposed in Ohinewai will add to demand for residential development in the area and will also assist in meeting the estimated long-term demand for housing in the Huntly area.

Further analysis has considered the proposed price point of housing within the development. It identifies that the majority of houses in Huntly are priced below the \$500,000 with an average of \$380,000, Ngaruawahia has an average price pint of \$460,000. Comparatively, Te Kauwhata has a higher average price point around \$600,000. The housing proposed at Ohinewai is around the \$500,000 price on average, placing it above Huntly and Ngaruawahia, but below Te Kauwhata. Ohinewai's point of difference, particularly with Te Kauwhata is that it will not be a dormitory town,

but will offer several large employment options, creating economic efficiency for those that live and work in Ohinewai. It is considered that the combination of development proposed in Ohinewai will have positive benefits for Huntly's residential market.

9.4 NPS for Freshwater Management 2014 (amended 2017)

The NPSFM sets out the statutory framework for the management of freshwater across New Zealand. The NPSFM requires regional councils to recognise the national significance of freshwater.

Overall, freshwater quality within a region must be maintained or improved.

The NPSFM places a focus on water quality, water quantity and integrated management of freshwater in New Zealand. The NPSFM also recognises the key importance of iwi/hapū and community interests in freshwater in addition to the need to protect the significant values of wetlands and understanding the integral role they play within ecosystems.

The NPSFM requires freshwater quality to be maintained at its current level (where community values are currently supported) or improved (where community values are not currently supported). This is to be carried out through monitoring plans at strategic sites by Regional Council.

The objectives in the NPSFM relevant to the proposal include:

Water Quantity

- **Objective AA1**

To consider and recognise Te Mana o te Wai in the management of fresh water.

- **Objective A1**

To safeguard:

- a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and*
- b) the health of people and communities, as affected by contact with fresh water;*
- in sustainably managing the use and development of land, and of discharges of contaminants*

- **Objective A2**

The overall quality of fresh water within a freshwater management unit is maintained or improved while:

- a) protecting the significant values of outstanding freshwater bodies;*
- b) protecting the significant values of wetlands; and*
- c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated.*

- **Objective A3**

The quality of fresh water within a freshwater management unit is improved so it is suitable for primary contact more often, unless:

- a) regional targets established under Policy A6(b) have been achieved; or*
- b) naturally occurring processes mean further improvement is not possible.*

- **Objective A4**

To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits.

Water Quantity

- **Objective B1**

To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the taking, using, damming, or diverting of fresh water.

- **Objective B2**

To avoid any further over-allocation of fresh water and phase out existing over-allocation.

- **Objective B3**

To improve and maximise the efficient allocation and efficient use of water.

- **Objective B4**

To protect significant values of wetlands and of outstanding freshwater bodies.

- **Objective B5**

To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing fresh water quantity, within limits.

Tangata Whenua roles and interest

- **Objective D1**

To provide for the involvement of iwi and hapū, and to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.

It is considered that the development that would be enabled by the proposed rezoning is consistent with the overarching objectives of the NPSFM for the following reasons:

- The retirement of the existing dairy focused land use will provide for the reduction of nitrogen and phosphorus from stormwater runoff from the site which will help to contribute to the enhancement of the water quality of the receiving environments of Lake Rotokawau and Lake Waikare.
- Stormwater discharges from development will be adequately treated through onsite treatment mechanisms and as such are not anticipated to have any effects on the health of people and communities as affected by their secondary contact with freshwater. Furthermore, it is considered that the proposed stormwater management framework does not provide for adverse effects on the mauri (life supporting capacity) of any freshwater body and any associated ecosystems.
- In seeking to ensure the overall quality of fresh water within a freshwater management unit, and the receiving environments within them are maintained or improved, the significant values of wetlands will be protected.

- Any required water take associated with the rezoning will be managed through the framework established in the Waikato Regional Plan.
- APL is actively engaging with iwi and hapu through the TWGG with regard to three waters on the site.

10 Regional and Strategic Planning documents (s.74(2)(a)(i))

10.1 Vision and Strategy for the Waikato River

The Vision and Strategy for the Waikato River (Te Ture Whaimana o Te Awa o Waikato) forms part of the Waikato RPS and responds to four fundamental issues in respect of the River, as follows:

1. The degradation of the Waikato River and its catchment has severely compromised Waikato River iwi in their ability to exercise mana whakahaere or conduct their tikanga and kawa;
2. Over time, human activities along the Waikato River and land uses through its catchments have degraded the Waikato River and reduced the relationships and aspirations of communities with the Waikato River;
3. The natural processes of the Waikato River have been altered over time by physical intervention, land use and subsurface hydrological changes. The cumulative effects of these uses have degraded the Waikato River; and
4. It will take commitment and time to restore and protect the health and wellbeing of the Waikato River.

It should be noted that while the development site does not discharge directly to the Waikato River, the Vision and Strategy has been considered as part of this rezoning request given that Lake Rotokawau and Lake Waikare ultimately form part of the Waikato River's catchment.

The Vision and Strategy outlines objectives and strategies to achieve the Vision for the Waikato River. The following objectives have been given particular consideration as part of this proposed rezoning:

- The recognition and avoidance of adverse cumulative effects, and potential cumulative effects, of activities undertaken both on the Waikato River, and in particular those effects that threaten serious or irreversible damage to the Waikato River;
- The recognition that the Waikato River is degraded and should not be required to absorb further degradation as a result of human activities; and
- The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length.

The following strategies to meet the above objectives have also been considered as part of this rezoning:

- Ensure that the highest level of recognition is given to the restoration and protection of the Waikato River;
- Encourage and foster a 'whole of river' approach to the restoration and protection of the Waikato River, including the development, recognition and promotion of best practice methods for restoring and protecting the health and wellbeing of the Waikato River; and
- Ensure that the cumulative adverse effects on the Waikato River of activities are appropriately managed in statutory planning documents at the time of their review.

It is considered that the proposed rezoning supports and assists the objectives of the Vision and Strategy in the following ways:

- The rezoning will retire the existing farming land use, leading to a likely reduction in nutrient runoff and avoiding further degradation of the receiving environment.

- While taking some years to fully realise, the stormwater management framework, open space and ecological enhancement opportunities provided by the rezoning will look to restore and protect the health and wellbeing of the receiving environment.
- Ongoing engagement with Mana Whenua will provide for the opportunity for wider iwi and hapu to exercise mana whakahaere and conduct their tikanga and kawa. Partnerships in restoration and enhancement programmes will be sought.
- Integration of the proposed development with works programmes outlined in the Lake Waikare and Whangamarino Wetland Catchment Management Plan can provide for whole of catchment improvements.

10.2 Waikato Regional Policy Statement (RPS)

The RPS aims to achieve integrated management and protection of Waikato's natural and physical resources by providing an overview of the resource management issues of the region, and policies and methods to achieve integrated management of the natural and physical resources of the whole region. The RPS must be in accordance with National Policy Statements, New Zealand Coastal Policy Statement and national planning standards. The main issue of relevance for this development is the management of the Built Environment (Section 6 of the RPS).

The RPS sets a number of Objectives which state the outcomes the WRC seeks to achieve. While the complete set of objectives applies to the development of Ohinewai, the following have particular relevance:

- Objective 3.1 – Integrated Management

Natural and physical resources are managed in a way that recognises:

- a) the inter-relationships within and values of water body catchments, riparian areas and wetlands, the coastal environment, the Hauraki Gulf and the Waikato River;*
- b) natural processes that inherently occur without human management or interference;*
- c) the complex interactions between air, water, land and all living things;*
- d) the needs of current and future generations;*
- e) the relationships between environmental, social, economic and cultural wellbeing;*
- f) the need to work with agencies, landowners, resource users and communities; and*
- g) the interrelationship of natural resources with the built environment.*

- Objective 3.2 – Resource use and Development

Recognise and provide for the role of sustainable resource use and development and its benefits in enabling people and communities to provide for their economic, social and cultural wellbeing, including by maintaining and where appropriate enhancing:

- a) access to natural and physical resources to provide for regionally significant industry and primary production activities that support such industry;*

- b) *the life supporting capacity of soils, water and ecosystems to support primary production activities;*
- c) *the availability of energy resources for electricity generation and for electricity generation activities to locate where the energy resource exists;*
- d) *access to the significant mineral resources of the region; and*
- e) *the availability of water for municipal and domestic supply to people and communities.*

- Objective 3.4 Health and wellbeing of the Waikato River.

The health and wellbeing of the Waikato River is restored and protected and Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy for the Waikato River) is achieved.

- Objective 3.6 Adapting to climate change.

Land use is managed to avoid the potential adverse effects of climate change induced weather variability and sea level rise on:

- a) *amenity;*
- b) *the built environment, including infrastructure;*
- c) *indigenous biodiversity;*
- d) *natural character;*
- e) *public health and safety; and*
- f) *public access.*

- Objective 3.9 Relationship of tāngata whenua with the environment

The relationship of tāngata whenua with the environment is recognised and provided for, including:

- a) *the use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and*
- b) *the role of tāngata whenua as kaitiaki.*

- Objective 3.12 Built Environment

Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes, including by:

- a) *promoting positive indigenous biodiversity outcomes;*
- b) *preserving and protecting natural character, and protecting outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- c) *integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;*
- d) *integrating land use and water planning, including to ensure that sufficient water is available to support future planned growth;*

- e) *recognising and protecting the value and long-term benefits of regionally significant infrastructure;*
 - f) *protecting access to identified significant mineral resources;*
 - g) *minimising land use conflicts, including minimising potential for reverse sensitivity;*
 - h) *anticipating and responding to changing land use pressures outside the Waikato region which may impact on the built environment within the region;*
 - i) *providing for the development, operation, maintenance and upgrading of new and existing electricity transmission and renewable electricity generation activities including small and community scale generation;*
 - j) *promoting a viable and vibrant central business district in Hamilton city, with a supporting network of sub-regional and town centres; and*
 - k) *providing for a range of commercial development to support the social and economic wellbeing of the region.*
- Objective 3.14 Mauri and values of fresh water bodies
Maintain or enhance the mauri and identified values of fresh water bodies including by:
 - i) *maintaining or enhancing the overall quality of freshwater within the region;*
 - ii) *safeguarding ecosystem processes and indigenous species habitats;*
 - iii) *safeguarding the outstanding values of identified outstanding freshwater bodies and the significant values of wetlands;*
 - iv) *safeguarding and improving the life supporting capacity of freshwater bodies where they have been degraded as a result of human activities, with demonstrable progress made by 2030;*
 - v) *establishing objectives, limits and targets, for freshwater bodies that will determine how they will be managed;*
 - vi) *enabling people to provide for their social, economic and cultural wellbeing and for their health and safety;*
 - vii) *recognising that there will be variable management responses required for different catchments of the region;*
 - Objective 3.24 Natural hazards
The effects of natural hazards on people, property and the environment are managed by:
 - a) *increasing community resilience to hazard risks;*
 - b) *reducing the risks from hazards to acceptable or tolerable levels; and*
 - c) *enabling the effective and efficient response and recovery from natural hazard events.*
 - Objective 3.26 High class soils
The value of high class soils for primary production is recognised and high class soils are protected from inappropriate subdivision, use or development.

Section 6 Built Environment

Section 6 of the RPS aims to ensure that development of the built environment is planned and coordinated, including coordination with the provision of infrastructure. It also seeks to ensure that the Future Proof land use pattern is implemented through district plan provisions in order to provide appropriately zoned and serviced land to enable development to occur now and in the future. It is considered that the RPS policies that are relevant to APL's rezoning submission on the PDP are as follows:

- Policy 6.1 - Planned and co-ordinated subdivision, use and development.
- Policy 6.3 – Co-ordinating growth and infrastructure.
- Policy 6.14 – Adopting the Future Proof land use pattern.
- Policy 6.15 – Density targets for Future Proof area.
- Policy 6.16 – Commercial development in the Future Proof area.

An assessment of these policies is set out below.

Policy 6.1 – Planned and co-ordinated subdivision, use and development

Subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner which:

- a) has regard to the principles in section 6A;*
- b) recognises and addresses potential cumulative effects of subdivision, use and development;*
- c) is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and*
- d) has regard to the existing built environment.*

Section 6A of the RPS outlines the General Development principles that should be applied

Assessment of Section 6A		
	Relevant matter	Comment
a)	<i>support existing urban areas in preference to creating new ones;</i>	<p>The proposed rezoning and Structure Plan supports the existing village of Ohinewai and the township of Huntly.</p> <p>While the scale is large comparative to the existing development in Ohinewai, it does represent the expansion of an existing village that contains a community hall and primary school and some housing.</p> <p>The development will provide support for Huntly through the provision of wider employment opportunities in the area, and by utilising Huntly's commercial, social and educational services.</p>

b)	<i>occur in a manner that provides clear delineation between urban areas and rural areas;</i>	The proposal will extend the existing development in Ohinewai and will provide a delineation between urban and rural development with green buffers around the edges. This delineation is strengthened by an open space buffer around the edges of the site where it adjoins rural land.
c)	<i>make use of opportunities for urban intensification and redevelopment to minimise the need for urban development in greenfield areas;</i>	<p>The proposal is for greenfield development, however it represents an efficient and compact urban form, as it promotes a high-quality medium density environment and provides for work-live-play opportunities.</p> <p>There are no viable opportunities in Huntly and Te Kauwhata to incorporate a mixed use development of this scale and nature, therefore there was no option but to go to a greenfields site.</p>
d)	<i>not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;</i>	<p>The proposal is adjacent to a SH1 interchange that currently has relatively low volumes of traffic, and therefore does not compromise the safe and efficient use of the interchange or the Waikato Expressway. It also makes use of the under-utilised NIMT adjacent to the site and does not compromise its operation.</p> <p>Three Waters infrastructure is not currently provided, however the development is close to Huntly and Te Kauwhata and opportunities exist to consolidate infrastructure to provide for development at a sub-regional level. Further, NZCG has the option of providing for its own wastewater and water needs.</p>
e)	<i>connect well with existing and planned development and infrastructure;</i>	
f)	<i>identify water requirements necessary to support development and ensure the availability of the volumes required;</i>	
g)	<i>be planned and designed to achieve the efficient use of water;</i>	The development will be planned to achieve an efficient use of water including retention and re-use.
h)	<i>be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;</i>	<p>Part of the site is subject to mineral rights of the Ralph Estates. However, the site is not identified as a significant mineral resource in the PDP. Furthermore, Ralph Estates would need to obtain resources consents in order to access the coal resource plus access agreements with landowners where applicable.</p> <p>The site preparation works are extensive and will ensure that the site addresses any issues</p>

		relating to flooding and residual risk as set out in the report by Woods at Appendix F .
i)	<p><i>promote compact urban form, design and location to:</i></p> <ul style="list-style-type: none"> <i>i) minimise energy and carbon use;</i> <i>ii) minimise the need for private motor vehicle use;</i> <i>iii) maximise opportunities to support and take advantage of public transport in particular by encouraging employment activities in locations that are or can in the future be served efficiently by public transport;</i> <i>iv) encourage walking, cycling and multi-modal transport connections; and</i> <i>v) maximise opportunities for people to live, work and play within their local area;</i> 	<p>The proposal provides for a compact urban form, anticipating a medium density residential development.</p> <p>Due to the mixed use nature of the structure plan, it provides both living and employment opportunities, reducing the need for private motor vehicle use within the structure plan area.</p> <p>The structure plan area is located near to a public transport route and stop, which could be easily extended in the future. The structure plan has a comprehensive walking and cycling network which will facilitate movement through the structure plan area.</p> <p>Overall, the development provides for the creation of a community with opportunities to live, work and play, also sufficiently close to Huntly to support public transport at Huntly through the commuter rail service that will commence in 2020.</p>
j)	<p><i>maintain or enhance landscape values and provide for the protection of historic and cultural heritage;</i></p>	<p>The proposed rezoning will enable development across the site that will not impact significant landscape values.</p> <p>The proposed open space and stormwater management areas provide the enhancement of the ONF on the margins of Lake Rotokawau as described in the LVA at Appendix K.</p> <p>There is no historic heritage on site and mana whenua have not advised on significant cultural sites.</p> <p>A CVA will be provided in early 2020.</p>
k)	<p><i>promote positive indigenous biodiversity outcomes and protect significant indigenous vegetation and significant habitats of indigenous fauna. Development which can enhance ecological integrity, such as by improving the maintenance, enhancement or development of ecological corridors, should be encouraged;</i></p>	<p>The Structure Plan has a comprehensive open space network and will use best practice options for the treatment of stormwater.</p> <p>Significant opportunities exist for substantial enhancement of the ecological values of the site by retiring the existing dairy farm and providing for extensive plantings within the stormwater management areas and open space, with connectivity to the adjacent wetland around Lake Rotokawau.</p>

l)	<i>maintain and enhance public access to and along the coastal marine area, lakes, and rivers;</i>	The site is adjacent to Lake Rotokawau and associated wetlands. There may be an opportunity to enhance access in collaboration with DOC.
m)	<i>avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);</i>	<p>A flooding assessment has been completed and the site development does not create any additional effects on adjacent landowners or downstream receiving environment.</p> <p>The stormwater management plan has outlined a LIUDD approach, based on the WRC toolbox guidelines.</p>
n)	<i>adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;</i>	The proposed masterplan is orientated to maximise passive solar gain with the majority of the streets in a north-south configuration. Development can include aspects such as LED lighting, rainwater harvesting and grey water recycling techniques.
o)	<i>not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;</i>	<p>The proposed structure plan includes industrial, business and residential zoning. The industrial and business zones are proposed to be located adjacent to existing residential activity in the Village zone across Lumsden Road. Provisions are proposed to minimise the effects on these neighbours.</p> <p>Potential reverse sensitivity effects on adjacent uses are to be addressed by conventional planning techniques, including setbacks and landscaping.</p>
p)	<i>be appropriate with respect to projected effects of climate change and be designed to allow adaptation to these changes;</i>	Flooding assessments have acknowledged climate change in rainfall data.
q)	<i>consider effects on the unique tāngata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. Where appropriate, opportunities to visually recognise tāngata whenua connections within an area should be considered;</i>	<p>Consultation has been undertaken with tāngata whenua and the TWWG has been established to enable that to continue in a high quality manner.</p> <p>As part of the TWGG consultation, a MOU has been signed between NZCG, APL and the TWGG.</p>
r)	<i>support the Vision and Strategy for the Waikato River in the Waikato River catchment;</i>	<p>Retiring the existing dairy farm will reduce run-off of nutrients.</p> <p>Ecological enhancements on the site will also contribute in improved water quality outcomes, and removal of contaminated soils as set out in</p>

		the Preliminary Site Investigation at Appendix M .
s)	<i>encourage waste minimisation and efficient use of resources (such as through resource-efficient design and construction methods); and</i>	Building design and development can be constructed using resource-efficient methods.
t)	<i>recognise and maintain or enhance ecosystem services.</i>	Ecology reporting has stated that significant enhancement is proposed on site and development effects on low-value habitat can be mitigated at the appropriate development stages.

The above table show the proposed rezoning and Structure Plan have a high level of consistency with the development principles of Section 6A of the RPS.

The proposed rezoning and Structure Plan has been prepared with support from a number of technical specialists that have considered the potential effects of the proposed development in its completed form. These effects are addressed in Section 8 of this report. The development considers the existing built environment, in particular those residents of Lumsden Road who are adjacent to the property. Specific provisions have been proposed to ensure buildings are set back from existing residential areas, and that the residents are not subject to overshadowing and dominance from commercial and industrial scaled buildings.

The technical reports together address the information required for new development that is outlined in Section 6.1.8 of the RPS.

Policy 6.3 Co-ordinating growth and infrastructure

Management of the built environment ensures:

- a) *the nature, timing and sequencing of new development is co-ordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:*
 - i) *optimise the efficient and affordable provision of both the development and the infrastructure;*
 - ii) *maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;*
 - iii) *protect investment in existing infrastructure; and*
 - iv) *ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;*
- b) *the spatial pattern of land use development, as it is likely to develop over at least a 30-year period, is understood sufficiently to inform reviews of the Regional Land Transport Plan. As a minimum, this will require the development and maintenance of growth strategies where strong population growth is anticipated;*
- c) *the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained; and*

- d) a co-ordinated and integrated approach across regional and district boundaries and between agencies; and*
- e) that where new infrastructure is provided by the private sector, it does not compromise the function of existing, or the planned provision of, infrastructure provided by central, regional and local government agencies.*

The rezoning has accounted for the coordinated provision of transport infrastructure, water supply and wastewater.

As outlined in the ITA, the rezoning can be well accommodated by the existing transport infrastructure of SH1, local road network and the NIMT. Only minor upgrades are required to existing infrastructure as a result of the rezoning, and will be completed prior to the completion of proposed staging of the development.

As the development progresses, coordination with the relevant agencies (e.g. NZTA, Kiwirail and WDC) will ensure the adoption of an integrated approach to the provision of the upgrades to existing infrastructure and new infrastructure such as the potential pedestrian overbridge over SH1.

The provision of suitable water supply and wastewater infrastructure for the development requires a coordinated approach given the potential for a sub-regional servicing option.

Woods has confirmed the feasibility of providing for wastewater needs via a series of package plants that could be developed as private wastewater infrastructure as the development is implemented. Such an option which would require significant capital expenditure. APL's preference would be to continue to be self-reliant provided that appropriate environmental outcomes (including an element of betterment) can be achieved.

Discussions are continuing on proposed options, and investigations and reporting has commenced. APL also have the option to provide for interim options for water and wastewater servicing to enable development on site to progress in a staged manner.

Policy 6.14 Adopting Future Proof land use pattern

Within the Future Proof area:

- a) new urban development within Hamilton City, Cambridge, Te Awamutu/Kihikihi, Pirongia, Huntly, Ngaruawahia, Raglan, Te Kauwhata, Meremere, Taupiri, Horotiu, Matangi, Gordonton, Rukuhia, Te Kowhai and Whatawhata shall occur within the Urban Limits indicated on Map 6.2 (section 6C);*
- b) new residential (including rural-residential) development shall be managed in accordance with the timing and population for growth areas in Table 6-1 (section 6D);*
- c) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D) and in accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3;*
- d) other industrial development should only occur within the Urban Limits indicated on Map 6.2 (section 6C), unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 6-2 (section 6D) shall be provided for as appropriate in district plans;*

- e) *new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;*
- f) *new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the arterial function of the road network, and on other infrastructure;*
- g) *where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern; and*
- h) *where land is required for activities that require direct access to Hamilton Airport runways and where these activities cannot be accommodated within the industrial land allocation in Table 6-2, such activities may be provided for within other land adjacent to the runways, providing adverse effects on the arterial road network and other infrastructure are avoided, remedied or mitigated.*

Policies a) – d) direct urban development to occur within the indicative urban limits and within identified growth nodes. Where this is unable to be met, policies e) through g) provide direction for the consideration of new industrial and residential development, including timing, location and the effects of development on identified strategic nodes, the road network and other infrastructure.

In terms of alternative land allocations, Policies 6.14(c) and 6.14(g) of the RPS create flexibility for land use to depart from Tables 6-1 and 6-2 provided certain criteria and principles are met. The RPS clearly envisages situations where the exact land areas contained in Table 6-2 can be varied by way of alternative land release. The alternative release criteria in Method 6.14.3 are specifically designed to address this issue.

This method has been applied several times over recent years to provide the necessary flexibility at the district level for zoned areas to depart from existing land allocations. This flexibility is essential to ensure that the strategic planning framework set out in the RPS is responsive to change and enabling of urban development, and does not have any unintended side effects of stunting economic growth or imposing excessive transaction costs or delays on land use change, by (for example) requiring a change to the RPS.

In 2018, Plan Change 11 to the Waipa District Plan added 50ha to the Hautapu Strategic Industrial node to accommodate a large industry operator that could not find a large enough site (30ha) elsewhere. The Commissioners' decision on Plan Change 11 approved the additional zoning. It effectively increased the total land allocation for the Hautapu Strategic Industrial Node of 96ha by 50ha, a 52% increase. This demonstrates flexibility given that Method 6.14.3 refers to the total allocation not being exceeded unless justified by robust evidence.

In 2016, Waikato District Council notified Plan Change 17 to its Operative District Plan. Plan Change 17 proposed to remove 13ha of industrial zoned land at Horotiu and replace it with Country Living Zone. This was effectively a reduction in the industrial land allocation. WRC tabled evidence at the Council-level hearing confirming that Method 6.14.3 did not preclude a change in land use such as this within the Strategic nodes. The Commissioners confirmed the rezoning noting in their decision that neither the RPS nor the Future Proof Strategy '...frames their provisions in absolute terms'.

Method 6.14.3 is designed to implement those parts of Policy 6.14 that provide for flexibility in the land use pattern, in particular Policy 6.14(g) which states:

‘Where alternative industrial and residential land release patterns are promoted through district plan and structure plan processes, justification shall be provided to demonstrate consistency with the principles of the Future Proof land use pattern;’

In this case the proposed rezoning leads to an alternative land release pattern by:

- Providing for 63ha of Industrial Zone outside the identified strategic node of Huntly in Table 6-2 of the RPS and outside the Urban Limits.
- Providing an additional 8.7 ha of Business Zoning outside of an existing commercial centre.
- Providing an additional 96ha of residential zoning, which includes 54.8ha of open space, outside of Table 6-1 of the RPS.

Method 6.14.3 Criteria for alternative land release states:

District plans and structure plans can only consider an alternative residential or industrial land release, or an alternative timing of that land release, than that indicated in Tables 6-1 and 6-2 in section 6D provided that:

- a) to do so will maintain or enhance the safe and efficient function of existing or planned infrastructure when compared to the release provided for within Tables 6-1 and 6-2;*
- b) the total allocation identified in Table 6-2 for any one strategic industrial node should generally not be exceeded or an alternative timing of industrial land release allowed, unless justified through robust and comprehensive evidence (including but not limited to, planning, economic and infrastructural/servicing evidence);*
- c) sufficient zoned land within the greenfield area or industrial node is available or could be made available in a timely and affordable manner; and making the land available will maintain the benefits of regionally significant committed infrastructure investments made to support other greenfield areas or industrial nodes; and*
- d) the effects of the change are consistent with the development principles set out in Section 6A.*

These criteria are addressed below.

An important aspect of the consultation undertaken with WDC as part of the development of the Ohinewai Structure Plan, has been the proposed servicing of the site by three waters infrastructure in particular. The scale of the development proposed by the Structure Plan in an un-serviced location means that the provision of infrastructure needs to be carefully considered.

The three waters infrastructure reporting provides a detailed description of the options available for servicing the site, including the provision of privately owned and managed infrastructure and / or connection to a yet-to-be-built centralised district wastewater and water treatment plant. The centralized treatment plant option is currently being explored by WSL as a solution to the treatment of wastewater from Huntly, Te Kauwhata and Meremere. The wastewater plants in each of these locations are aging and will require significant investment to enable WDC to comply with the conditions of its current discharge consents.

The proposed development in Ohinewai provides an opportunity to catalyse the development of a centralized treatment plant that addresses the requirements of Huntly, Te Kauwhata, Meremere and Ohinewai, and provides the ability to cater for future growth in the area. Should the centralised treatment plant be considered the preferred option for WSL / WDC , the proposed development in Ohinewai will assist in facilitating its development and future viability, enhancing investment in the project.

In the event that the development of such an option is delayed so that NZCG cannot connect to it at the time of development, Woods has confirmed the feasibility of providing for wastewater needs via a series of package plants that could be developed as private wastewater infrastructure as the development is implemented. As noted previously, if APL is required to expend significant sums on a stand-alone option, the company's preference would be to continue to be self-reliant provided that appropriate environmental outcomes (including an element of betterment) can be achieved. Such an option would not affect the efficiency or safety of the existing three waters infrastructure. These issues are still being explored with WSL / WDC.

The ITA has shown that the proposed development can be accommodated on the existing Ohinewai Interchange (provide upgrades are undertaken at certain stages of development), which is currently underutilized and represents an inefficient use of investment in a significant piece of roading infrastructure. The safety and efficiency of the Expressway will be maintained with the minor upgrades identified in the ITA at **Appendix L**.

Together this addresses alternative release criteria a) and c) in that the development will either maintain or enhance the function of existing or planned infrastructure, or will contribute to infrastructure investments that are being considered to support growth and development across the central Waikato District, while also supporting Policy 6.3 Co-ordinating growth and infrastructure.

Economic, infrastructure, servicing and planning evidence has been provided to support the proposed development, and the need to exceed the industrial node allocation.

In terms of criteria c), the industrial development has an unanticipated requirement for land that exceeds the allocation for the Huntly Node. The proposed development is not able to be accommodated in the Huntly Node, which is the closest industrial node, as that only has an allocation of 16 ha in Table 6-2 of the RPS in the period up to 2041. This is not surprising given the demand for this development has arisen as a result of a relocation of a major manufacturing business out of Auckland rather, than from normal industrial land take-up as allowed for in the RPS. Evidence to support this is found in the Economic Effects Assessment at **Appendix Q**.

The Structure Plan area is designed to make sufficient greenfield land available in a timely manner, so the benefits of using the existing infrastructure can be realized.

Upon a successful rezoning, NZCG will be in a position to begin site enabling works that will facilitate the wider development. The first stage of this relates to Stage One of the factory which will incorporate the foam plant and carpet underlay manufacturing.

An assessment of the development principles set out in section 6A of the RPS has been undertaken above. It concludes that the proposed development is consistent with them with the exception of promoting greenfield development outside of an identified urban limit and industrial node. The urban limits and land allocations for the industrial nodes were established in the RPS around 2010 and are now becoming dated. They did not anticipate the sustained population and economic growth experienced in the Waikato District over the last few years, nor could they anticipate the scale of a major manufacture relocating out of Auckland. It also needs to be recognised that 6A are principles, not criteria or standards, so an overall assessment of consistency is required, not an individual compliance assessment.

Overall, it is considered that the proposed Ohinewai Structure Plan meets the alternative land release criteria within the RPS.

Policy 6.15 Density targets for Future Proof area

Policy 6.15 establishes the density targets for the future proof area. These are average gross density targets that are to be achieved over time. These targets are identified below.

Development type and location	Average gross density target
Hamilton Central Business District	50 households per hectare
Hamilton Intensification Areas	30 households per hectare
Hamilton Greenfield (Rototuna, Rotokauri, Ruakura Peacocke)	16 households per hectare
Greenfield development in Cambridge, Te Awamutu/Kihikihi, Huntly, Ngaruawahia, Raglan/Whaingaroa and Te Kauwhata	12 – 15 households per hectare
Greenfield development in Waikato District rural villages where sewerage is reticulated	8 – 10 households per hectare

The proposed residential zoning of the structure plan is approximately 96ha in area, providing for approximately 1100 dwellings. This equates to a gross density of 13 dwellings per hectare. The residential zone is however proposed to incorporate a large area of open space, providing a developable area of 52ha as shown in the structure plan. This equates to a density of 21 dwellings per hectare which is higher than anticipated within Waikato's rural villages.

The proposed density is a response to the main driver of the residential development, to provide affordable housing for the employees of The Comfort Group. The density also provides for an efficient use of land. In terms of achieving an average gross density in Ohinewai, the medium density proposed by The Comfort Group will balance out the approximately 56.3ha of Country Living zone that is on Ohinewai Road South which has a gross density of 2 dwellings per ha. (minimum 5,000m² lot size).

The Shand Properties submission seeks to rezone approximately 61 ha of Country Living zone, with an anticipated yield of 100 lots. Should this submission be accepted, this would provide approximately 195 lifestyle properties in Ohinewai.

When the potential country living development is considered alongside the residential development sought by the APL submission, this would provide for an average density of 8 dwellings per hectare.

Policy 6.16 Commercial development in the Future Proof area

This policy provides direction on the allocation of commercial and business zoning throughout the sub-region, establishing a business hierarchy consisting of the Hamilton Central City, the sub-regional centres of The Base and Chartwell and the town centres of the Waipa and Waikato Districts. The key centres of relevance for Ohinewai are Huntly and Te Kauwhata. 6.16 seeks to; (a) support and sustain the vitality and viability of existing commercial centres; and (b) support and sustain existing physical resources and ensure the continued ability to make efficient use of public transport, infrastructure and community facilities.

Policy 6.16(g) sets out the requirements for new commercial centres, as follows:

Ensure new commercial centres are only developed where they are consistent with a) to f) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:

- i) the distribution, function and infrastructure associated with those centres identified in Table 6-4 (section 6D);*

- ii) *people and communities who rely on those centres identified in Table 6-4 (section 6D) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;*
- iii) *the efficiency, safety and function of the transportation network; and*
- iv) *the extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.*

An economic assessment of the proposed activities has been undertaken as part of the technical information that has informed APL's rezoning submission. This economic assessment has recommended plan provisions to ensure that the proposed commercial activities will not undermine the role and function of the Huntly and Te Kauwhata commercial centres. The proposed rezoning gives effect to these requirements, as the scale and type of activity that is provided for within the Ohinewai Structure Plan is limited to ensure that the proposed development will not impact on the hierarchy that is established in the RPS.

The proposed Industrial zone adopts the provisions of the PDP and is therefore considered to give effect to the RPS as per the evaluation undertaken by WDC in preparing the rules.

Overall, the proposed rezoning is considered to give effect to Policy 6.16 of the RPS.

Conclusion

Taking into account the assessment above, it is considered that the proposed APL rezoning at Ohinewai gives effect to the RPS in that the proposal:

- Has been developed to account for the objectives of integrated management and resource use and development;
- Responds to the Vision and Strategy the Waikato River and its catchments by retiring dairy farming from the site, providing for best practice stormwater management for the development and proposing ecological enhancements within extensive open space areas across the Site;
- Has accounted for climate change in the modelling undertaken for stormwater management and flood assessments;
- Has involved tangata whenua in the planning for the development and has formed relationships via the TWGG that will continue throughout the development timeline. Partnership is sought in employment and in cultural and environmental aspects of the development;
- Has accounted for potential natural hazards affecting the site. Flood modeling has confirmed that the development does not pose significant risk to adjacent property or infrastructure. Furthermore, a stop bank breach scenario has found that emergency planning can be completed with only minor evacuation or restricted access procedures being required for the factory. Proposed residential areas are not susceptible to flooding or stop bank breach scenarios;
- Has acknowledged the loss of the production available from the high-class soils;
- Is consistent with the development principles of 6A;
- Meets the alternative release criteria embedded in Policy 6.14;
- Assists in meeting the density targets of 6.15; and

- Does not impact on the commercial centres of the Hamilton sub-region and therefore is consistent with Policy 6.16.

10.3 Future Proof

The Future Proof Growth Strategy was developed jointly in 2009 by Hamilton City Council, WRC, and Waipa District Council and WDC, alongside tāngata whenua, the New Zealand Transport Agency and Matamata-Piako District Council. Its purpose is to provide a comprehensive and robust growth management strategy in order to ensure land use and infrastructure are managed collaboratively between the partner councils for the benefit of the whole sub-region. It was adopted in 2009 and is now embedded in a number of other statutory documents, including the RPS. Future Proof is now recognised by central Government as a best practice tool for implementing the NPS-UDC.

In 2017, Future Proof was updated as part one of a two-stage review process to recognise national and sub-regional planning change that had occurred since 2009. That review (Phase 1) responded to initiatives such as the Waikato Plan and the NPS-UDC. Because the Waikato Plan now addresses wider strategic matters, the scope of Future Proof has been narrowed to growth management and settlement pattern implementation. The vision for Future Proof is essentially unchanged, and the settlement pattern remains the cornerstone of the strategy. The settlement strategy is due to be updated as part of phase two of the review.

The Phase 1 Future Proof Strategy update, 'Planning for Growth' (November 2017) did not update the settlement strategy, and contains the same Industrial Land use allocation table as Table 6-2 in the RPS. However, it includes a new section 7.5, 'A Responsive Approach to Development'. This section refers to the difficulty of predicting future growth demands and trends, and provides further context and guidance for changes to the settlement pattern. It notes:

"With so many factors potentially influencing growth, the Future Proof Settlement Pattern needs to be agile enough to respond to change. A settlement pattern that has some built-in responsiveness provides an ability to capitalise on previously unidentified or emerging opportunities that have the potential to contribute significant economic, social or cultural benefits to our communities."

This section further reinforces the need for flexibility when applying the industrial land allocation in Table 6-2 of the WRPS, as Future Proof is a relevant document that is to be taken into account when considering the proposed rezoning and how it gives effect to the RPS. This is particularly the case as this latest Phase 1 Future Proof document updates the 2009 document. In contrast, the RPS has not been updated since it was prepared in 2009-2010. The proposed Ohinewai Structure Plan is an example of one of the previously unidentified opportunities that will contribute significant economic, social and cultural benefits as envisaged by section 7.5.

The guiding principles of Future Proof are embedded in Section 1.3 of the strategy. Those relevant to the proposal are included below.

Future Proof Principles	Comment
<i>Diverse and Vibrant Metropolitan Centre linked to Thriving Town and Rural Communities and Place of Choice – Live, Work, Play, Invest and Visit</i>	
<i>Ensure the sub-region's towns and villages retain their individual and distinct identities with</i>	The proposed expansion of Ohinewai will provide a growth opportunity that will support people to live, work, invest, play and visit. The

<i>thriving town centres that support people to live, work, play, invest and visit.</i>	wider character will change as the village grows into a town, however this will not detract the ability for Ohinewai to retain a distinct identity.
<i>Promote increased densities in new residential development and more intensive redevelopment of existing urban areas.</i>	The site promotes a medium-density residential development which is an efficient use of land.
<i>Encourage development to locate adjacent to existing urban settlements and nodes in both the Waikato and Waipa Districts and that rural-residential development occurs in a sustainable way to ensure it will not compromise the Future Proof settlement pattern or create demand for the provision of urban services.</i>	The proposed Ohinewai Structure Plan is adjacent to the existing village of Ohinewai. The development will require urban servicing, which it will be able to provide, either privately or through a municipal network, should this become available.
<i>Ensure commercial and industrial development is located in selected sub-regional areas and that it is not located where it undermines the areas of influence of the Hamilton Central City, Cambridge, Te Awamutu, Pokeno, Tuakau, Te Kauwhata, Horotiu, Ngaruawahia, Raglan and Huntly.</i>	The proposed industrial development is centered on NZCG's factory which in its finished form will have a GFA of 100,000m ² . The scale of the development when considered with its locational requirements is unable to be accommodated in any identified industrial zone. Commercial development is proposed to be restricted to ensure that it does not adversely affect the nearby town centres of Huntly and Te Kauwhata.
<i>Provide housing and lifestyle choice within defined locations, including papakāinga, with greater emphasis on good urban design outcomes. Where possible, respond to government policies on land supply and housing affordability</i>	The proposed structure plan provides for a mixed-use development with the opportunity to live and work in a master-planned community that promotes good urban design.
<i>Maintain the separation of urban areas by defined and open space and effective rural zoning.</i>	The proposal expands the existing Ohinewai village and will continue to provide a clear delineation between urban and rural activity.
<i>Recognise and provide for the growth of urban areas and villages within indicative urban and village limits.</i>	There are no village limits identified for Ohinewai.
<i>Support existing commercial centres, towns and villages within the sub-region so these places remain vibrant and valued.</i>	The structure plan will provide a different opportunity from what is currently offered in the District in relation to the mixed-use master-planned community. This has been designed to ensure that it supports and does not detract from other towns in the vicinity.
Protection of Natural Environments, Landscapes and Heritage and Healthy Waikato River as Heart of Region's Identity	
<i>Maintain and enhance the cultural and heritage values of the sub-region</i>	NZCG are continuing to consult with the TWGG to ensure the cultural and heritage values of Tāngata Whenua are taken into account.
<i>Ensure that the settlement pattern generally avoids as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems; maintain or enhance</i>	The proposed development represents a significant opportunity for environmental enhancement and betterment through a high level of stormwater treatment and extensive planting. The impacts of the development on the

<i>landscape values; and, promotes positive indigenous biodiversity outcomes and protects significant indigenous vegetation and significant habitats of indigenous fauna.</i>	hydrology of the catchment have been assessed and are considered to be acceptable.
<i>Maintain, enhance and create important ecological areas and corridors for the protection and enhancement of indigenous biodiversity.</i>	As above, the site provides a significant opportunity for betterment of the natural environment.
<i>Give effect to the Vision and Strategy for the Waikato River by restoring the health and well-being of the Waikato and Waipa Rivers, including adopting an integrated management approach.</i>	A full assessment of the Vision and Strategy has been undertaken and it is considered that the proposal gives effect to the Vision and Strategy.
Affordable and Sustainable Infrastructure	
<i>The staging and timing of the settlement pattern will align with the partners' long-term infrastructure strategies and that of any potential waters Council Controlled Organisation (CCO), as well as NZ Transport Agency plans.</i>	Discussions are ongoing with WDC and WSL with regard to the servicing of the site. The proposal may be the catalyst for the development of a central treatment plant that addresses ongoing issues in Te Kauwhata, Huntly and Meremere. Alternatively, APL may provide for its water and wastewater requirements on a stand-alone basis, preferably in the long term.
<i>Encourage development in established settlements to support existing infrastructure.</i>	As above.
<i>Protect existing and future infrastructure and transport corridors, including the Waikato Expressway, Southern Links and rail corridors, from development that could constrain or compromise the efficiency of infrastructure and transport corridor operation.</i>	The proposal makes use of the existing Ohinewai diamond interchange and will create a railway siding that utilizes the sites position next to the North Island Main Trunk Line. The ITA has shown that only minor upgrades are required for the proposed development and will be timed in relation to staging of the development.
<i>Ensure development is planned to support safe and efficient transport infrastructure, including public transport provision and reduced dependence on motor vehicles.</i>	The mixed-use masterplan provides the opportunity to reduce daily reliance on the private motor vehicle for those that live and work within Ohinewai, through the provision of an extensive walking and cycling network. The development is able to be serviced by public transport which currently services the Ohinewai community with a stop at the community hall.
<i>Recognise the need for stronger links between land-use and transport in respect of the settlement pattern and ensure capacity is matched with development potential.</i>	The ITA has shown that only minor upgrades are required for the proposed development. These will be staged to ensure capacity of the network is in sync with the development. The proposal also has potential to provide a stop for passenger rail services between Hamilton and Auckland.
<i>Ensure large scale community facilities and services are planned on a sub-regional basis to avoid duplication of resources.</i>	The masterplan includes provision for community facilities to be provided where required.
Sustainable Resource Use	
<i>Protect versatile and quality farmland for productive purposes through the provision of</i>	The proposal removes a working dairy farm from the site. The proposed development represents

<i>limited rural lifestyle development around existing towns and villages and encouraging a more compact urban footprint.</i>	a compact urban form which provides a compact urban footprint.
<i>Ensure development is directed away from potential and known hazard areas as well as areas suited to energy generation and transmission, and important mineral resources (including sand and aggregate) and access routes to these resources.</i>	<p>A comprehensive assessment has been undertaken of the potential flood risks associated with the site development.</p> <p>This assessment concluded that the proposed development provides for acceptable flooding effects that are internal to the site and can be addressed in detailed design of the relevant development stage.</p> <p>A stop bank breach scenario was undertaken and that showed that only minor emergency management requirements would be needed for the factory to enable restricted access or evacuation from specific areas of the site. No residential areas would be affected by a stop back breach.</p> <p>As previously noted, whilst part of the site is subject to mineral rights of the Ralph Estates, the site is not identified as a significant mineral resource in the PDP.</p>
<i>Ensure that planning for the future use of water maintains or improves water quality and promotes efficient use.</i>	A comprehensive stormwater treatment system will be implemented as part of the development of the site, improving water runoff quality.
<i>Promote planning for an energy efficient, low carbon emissions, sustainable environment.</i>	The proposed structure plan is oriented to provide for passive solar design and provides a comprehensive walking and cycling network throughout the site.
Tāngata Whenua	
<i>Ensure that the values, principles, aspirations, roles and responsibilities and the place of tāngata whenua are reflected and incorporated into Strategy governance and implementation.</i>	NZCG are continuing to consult with the TWWG to ensure the cultural and heritage values of Tāngata Whenua are taken into account.
<i>Recognise the unique relationship that tāngata whenua have with the whenua awa, moana, maunga, taiao katoa: the land, waterways, ocean, mountains, wider environment and other people in the sub- region. This includes, but is not limited to, the practice of kaitiakitanga.</i>	

Residential Component of Sleepyhead Estate

As part of the proposed rezoning to accommodate Sleepyhead Estate, it is proposed to rezone approximately 96ha from Rural to Residential zone. The proposed Structure Plan provides a more refined approach to the zoning and allocates approximately 44ha of the residential zone to open space including; recreational open space, stormwater management, wetlands, walking and cycling paths and

restoration planting. This leaves an actual developable area of approximately 52ha to provide for approximately 1100 dwellings. This will provide for a resident population of approximately 2500-3000 people. Overall, this represents a gross density of 21 dwellings per hectare.

This density will be achieved through a range of dwelling typologies and densities, including standalone detached dwellings, duplexes and terraced/row houses. A portion of these will be offered as affordable houses to employees of The Comfort Group as a way of providing workers an opportunity to own their own homes. The balance of dwellings will be available on the open market, ensuring a diverse community is established within the Sleepyhead Estate.

To ensure the spatial extent of residential development is consistent with the approach promulgated in the masterplan, it is proposed to embed the Ohinewai Structure Plan within the District Plan. Consistency with the structure plan would then be an element of discretion WDC is able to consider as part of any subdivision consent as per the notified plan provision 16.4.1 Subdivision. Outside of the inclusion of the Structure Plan within the District Plan, it is proposed to adopt the balance of the residential provisions within the zone on the basis that it provides for multi-unit developments and subdivision that does not meet the minimum lot size as a Discretionary activity. This approach will enable the consenting of the proposed masterplan with more detailed design work being undertaken to inform any consenting.

The open space area has been allocated in response to stormwater requirements and the significant remedial work required to provide stable developable land due to the underlying ground conditions.

The combination of the above plan provisions, the reality of the ground improvement work that is required for residential development, and the significant level of investigation that has been undertaken for the development of the site means that there is a high level of certainty development will generally occur in accordance with the structure plan.

The proposal represents a number of new houses for Ohinewai Village and a significant level of growth for the area. The proximity of Ohinewai to Huntly (8km) and Te Kauwhata (12km) means that it will provide employment and housing opportunities within this catchment.

Future Proof settlement pattern

Future Proof is the strategic growth document that provides direction for growth and development within the Waikato sub-region. It identifies the existing and future location of residential and business land and considers the mix of land-use, transportation, and other infrastructure in an integrated manner. The distribution embedded in Future Proof is the *“preferred settlement pattern scenario of achieving a more compact and concentrated urban form over time.”*⁷ For the Waikato District, the Future Proof Strategy *“aims to achieve around 80% of growth into Pokeno, Tuakau, Te Kauwhata, Huntly, Ngaruawahia, Raglan and various villages.”*⁸

This provides the opportunity for 20% of growth to occur elsewhere in the district, such as rural areas and in villages that are not specifically identified as growth nodes. Villages such as Meremere and Ohinewai do not have urban/village limits embedded in Future Proof.

Future Proof currently allocates growth on the basis of population projections out to 2045 in order to achieve a compact and concentrated urban form. The Strategy acknowledges that a more flexible approach is required, and consideration will be given to appropriate triggers for development staging

⁷ Future Proof Strategy for Growth 2017 C.4.

⁸ Ibid C.5.

to feed into the RPS and district plan reviews to give effect to the settlement pattern. This will provide a more flexible approach than relying solely on population-based staging.

Section 7.5 of Future Proof acknowledges that predicting future growth demands and trends is inherently difficult and there are always unforeseen circumstances that can influence demand for land supply. This requires the Future Proof Settlement Pattern to be agile enough to respond to any change. By establishing a settlement pattern that has some built in responsiveness, it *“provides an ability to capitalise on previously unidentified or emerging opportunities that have the potential to contribute significant economic, social or cultural benefits to our communities.”* When alternatives are considered, it is important that the guiding principles of Future Proof are not compromised. An assessment of the principles of Future Proof has been undertaken and considers that the proposal is consistent with these.

An assessment of economic effects has been undertaken as part of the proposed development by *Property Economics*. This report has considered the Housing and Business Assessment undertaken for Future Proof, prepared to meet NPS reporting requirements in relation to the demand and capacity for residential, business and industrial land in the Future Proof sub-region. This identifies a shortfall in residential capacity in the order of 6,400 by 2046, (predominantly at the lower price points) across the Waikato District. More specifically for Huntly, there is a long-term short fall of 587 dwellings in Huntly. Property Economics considers that the additional development proposed in Ohinewai will add to demand for residential development in the area and will also assist in meeting the estimated long term demand for housing in the Huntly area.

Further analysis has considered the proposed price point of housing within the development. It identifies that the majority of houses in Huntly are priced below the \$500,000 with an average of \$380,000, Ngaruawahia has an average price point of \$460,000. Comparatively, Te Kauwhata has a higher average price point of around \$600,000. The housing proposed at Ohinewai is around the \$500,000 price on average, placing it above Huntly and Ngaruawahia, but below Te Kauwhata. Ohinewai's point of difference, particularly with Te Kauwhata is that it will not be a dormitory town, but will offer several large employment options, creating economic efficiency for those that live and work in Ohinewai. It is considered that the combination of development proposed in Ohinewai will have positive benefits for Huntly's residential market.

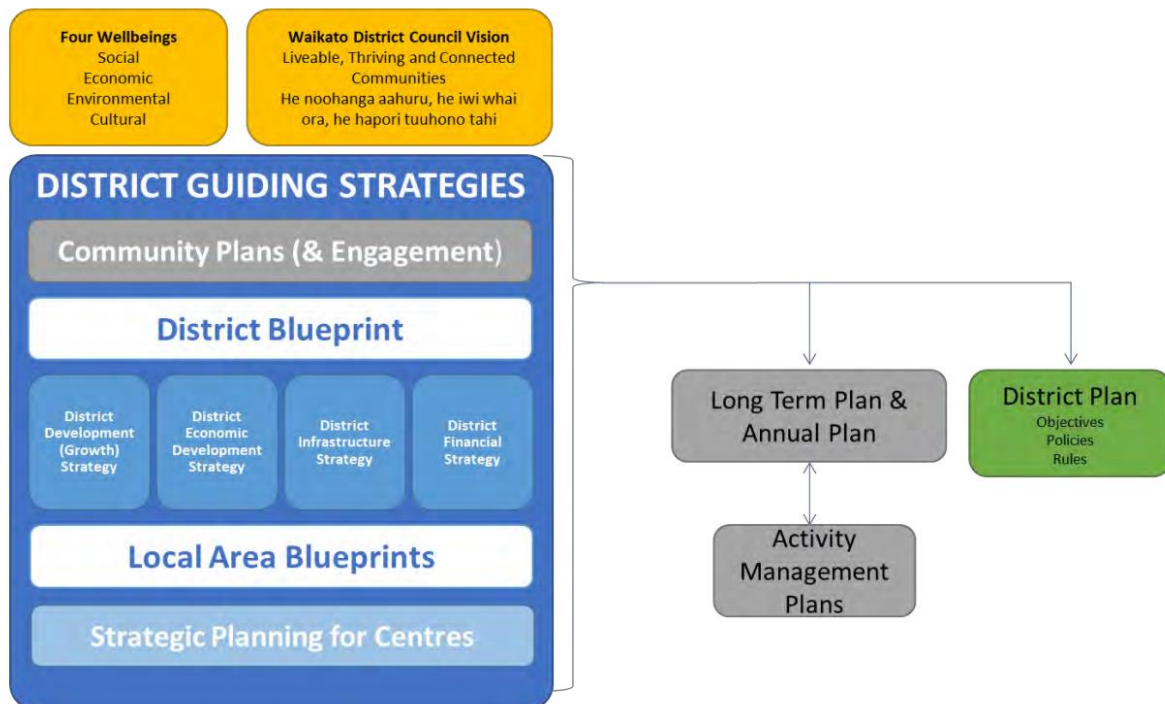
Taking the above assessment into account, the proposed rezoning and associated masterplan is considered to have regard to the guiding principles of Future Proof. The proposed Structure Plan and rezoning provides a good fit with desired outcomes because of its mixed-use nature, providing people the opportunity to live and work within the same community. The site is located on a key transport route which is planned as a mass transit corridor and provides the opportunity for connectivity with walking and cycling networks to Ohinewai west and Huntly to the south and beyond to Auckland and Hamilton with SH1 and the planned passenger train service. In relation to three waters, the proposed rezoning supports the vision and strategy for the Waikato River / Te Ture Whaimana by providing for an integrated approach to stormwater management which improves the quality of the discharge of stormwater. It also provides the opportunity to enhance public access to Lake Rotokawau, whilst at the same time providing for a range of commercial operations.

Taking the above assessment into account, the proposed rezoning and associated masterplan is considered to have adequate regard to and to comply with the Future Proof guiding principles. The proposed Structure Plan and rezoning provides a good fit with desired outcomes because of its mixed-use nature, providing people with the opportunity to live and work within the same community. The site is located on a key transport route which is planned as a mass transit corridor. It provides the

opportunity for connectivity with walking and cycling networks in Ohinewai to the west and Huntly to the south, and beyond to Auckland and Hamilton via SH1 and the planned passenger train service. In relation to three waters, the proposed rezoning supports the Vision and Strategy for the Waikato River / Te Ture Whaimana by providing for an integrated approach to stormwater management which will improve the quality of stormwater discharges. It also provides the opportunity to enhance public access to Lake Rotokawau, whilst at the same time providing for a range of commercial operations.

10.4 Waikato District Blueprints

The Waikato District Council commissioned the development of a Blueprint for the District, holding a number of “inquiry-by-design” workshops in July and November 2018. The aim of the Blueprint is to provide a high-level spatial picture of how the district could develop over the next 30 years, taking into account the desires and aspirations of local communities. It is meant to assist in achieving the overall vision for the district of “*Liveable, Thriving and Connected Communities*”. The Blueprint has the status as one of Council’s guiding strategies and informs a range of documents that will shape the future of Waikato District. Its position in the Council hierarchy of documents is included below.



ABOVE FIG. 1-2: Status of the Blueprint within the strategic planning framework

The Blueprint focuses on 9 themes across the district. These are replicated below.

1	identity	Create a world class Waikato River corridor identity and strengthen Raglan's local character
2	nature	Protect and support enhancement of the natural environment with revegetated biodiversity links and clean waterways
3	iwi	Build on the Joint Management Agreements and other agreements, celebrate Maaori culture, and promote the use of Te Reo
4	communities	Strengthen, enable and connect local communities and citizens, and support those most in need
5	growth	Direct cohesive growth outcomes which support all community needs
6	economy	Support the rural and urban economy, and attract more visitors, entrepreneurs, and employment uses
7	transport	Leverage value off accessibility, help those disadvantaged by a lack of transport options, prepare for future passenger rail
8	infrastructure	Develop and maintain efficient infrastructure that is environmentally clean and will serve the community well into the future
9	governance	Devolve some decision making, and engage more effectively at community and Hapuu level

The document addresses each theme in more detail, providing a framework for the future of the district. These have then been applied in 15 towns and villages throughout the district as "Local Area Blueprints". A Local Area Blueprint has been established for Ohinewai.

The top priorities identified for Ohinewai are:

1. Building a strong identity for the town.
2. Clarifying the future of the reserve.
3. Ensuring that possible expansion addresses its own impacts (such as traffic, noise, and visual), and ensuring it contributes positively to the local community.

The potential development of Ohinewai East to provide for residential and employment activities is identified spatially in the blueprint. The Blueprint seeks to ensure that any development addresses its impacts on the environment, including; traffic, noise, visual effects. It also seeks to ensure that the development positively contributes to the village, offering convenience retail, housing affordability, and providing improved walking and cycling connections.

While the direction of the Blueprint for Ohinewai is broad, and identifies the potential for development, the proposed rezoning is supported by a number of technical investigations that consider how the development may affect the receiving environment. In turn the rezoning provides the opportunity for convenience retail, emergency services and employment activities to locate in the area. A medium-density development is also proposed which will offer some affordable housing. As part of the development a comprehensive walking and cycling network is proposed, with connections across the expressway and main trunk line being investigated.

10.5 Draft Waikato 2070 – Growth and Economic Development Strategy

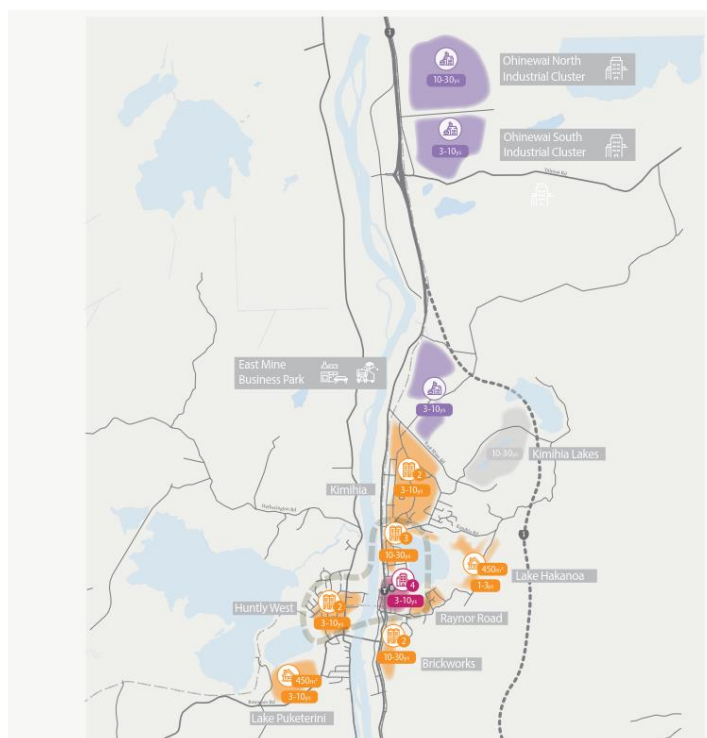
WDC has recently released a draft of its latest Growth and Economic Development Strategy, titled “Waikato 2070”. The purpose of the strategy is to guide growth in the district over the next 50 years. It is another document that has been created to assist in creating and nurturing *liveable, thriving and connected communities*. Waikato 2070 sits under the Local Government Act 2002 with submissions on the document due to be heard in 2020.

The draft strategy outlines four focus areas for the district:

- Grow our communities
- Build our businesses
- Embrace our identity
- Empower our people

These link directly to the nine initiatives identified as part of the Waikato Blueprint and the document has been informed by the Blueprint. Section 4.0 of the Growth Strategy identifies where and when growth can occur through a number of ‘Development Plans’ that have been created for different locations. A Development Plan has been prepared for the Huntly and Ohinewai Area. This is included below and identifies Ohinewai as a cluster for industrial development in two stages over the next 3 – 30 years, with the first stage being located between Tahuna Road and Balemi Road and the second stage located north of Balemi Road.

Roads & Rail	side/collector	main/arterial	highway	laneway	rail
Activity Zones	Residential	Commercial & Industrial	Town Centre (business & residential)	Special Activity Precinct	
Development time-frame	1-3% 3-10% 10-30% 30%+	1-3% 3-10% 10-30% 30%+	1-3% 3-10% 10-30% 30%+	1-3% 3-10% 10-30% 30%+	1-3% 3-10% 10-30% 30%+
Building type	Industrial	Town Centre (levels)	Town house (levels)	Residential lot size (standalone)	
Possible future mass-transit	train station	bus station			
Priority growth & investment zone					



The Growth Strategy clearly identifies industrial development occurring in Ohinewai in the short to medium term. In order for this to become a reality, a live zoning providing for industrial development in the location is required. The draft growth strategy does not include any residential development in this location. Ambury Properties Limited will be submitting on the draft growth strategy in relation to this aspect, as it is considered that residential development is essential to support a sustainable community along live-work-play principles.

10.6 Hamilton to Auckland Corridor Plan

The Hamilton to Auckland Corridor Plan (H2A) spatial plan is currently in development, the purpose of which is to identify the intent for future growth over the next 100 years along the corridor formed by the Waikato River, SH1 and the NIMT.

The growth management objectives of the draft plan are to:

Manage growth in a manner that:

- *Protects and enhances the quality of the natural environments and cultural heritage,*
- *Anticipates the transition to a low-carbon future and builds climate resilience, and*
- *Avoids increasing the impacts and residual risks of natural hazards.*

To strengthen corridor connections that:

- *Shape and guide future urban growth towards sustainable, resilient and affordable settlement patterns, and*
- *Improve access to housing, employment, public services and amenities through, along and within the corridor.*

To grow urban settlements and places that:

- *Make efficient use of existing infrastructure and resources,*
- *Are transit-oriented and connected.*
- *Provide affordable housing choices that respond to demand, including quality intensification, and*
- *Provide high quality live-work-play settlements.*

To support and underpin urban growth through investments and initiatives that are:

- *Responsive and timely, so that growth and development does not result in a reduction of services, and*
- *Delivered at the required pace and scale to fully realise development opportunities.*

The corridor has been identified as having significant but specific development potential, and while the document is only in its early stages, the Huntly/Ohinewai area has been identified as one of eleven “Main future housing and employment growth clusters” within the Corridor.

Other opportunities identified in the summary of intent document include:

- the development of new and appropriate water and wastewater solutions;
- social housing upgrades and land development;
- the management of flood hazards and stormwater improvements;
- Creation of a cross-regional open space network including cycle and bridle trails along the river; and
- Creation of a multi-modal integrated public transport system (bus/rail).

While the development of the document is in its early stages, the intent of the H2A plan is clear in that it seeks to identify opportunities for growth in the corridor where they can provide positive social, economic, cultural, and environmental outcomes.

The APL submission seeks to provide for a development that is closely aligned with the goals of the H2A Corridor Plan in providing a significant employment, housing and development opportunity within an area identified as a “main future housing and employment growth cluster”. It also provides the opportunity to catalyse the development of a central wastewater treatment plant, modernising wastewater treatment in the central Waikato District.

11 Transport Strategies and Policy

This section sets out the relevant strategic framework for transport plans and policies. Further assessment of the relevant transport strategies and policy framework can be found in the ITA (Appendix L).

11.1 Government Policy Statement on Land Transport 2018

The Government Policy Statement (GPS) outlines the Government's strategy to guide land transport investment between 2018/2019-2027/2028. It also provides guidance to decision-makers about where the Government will focus resources, consistent with the purpose of the Land Transport Management Act, which is:

"To contribute to an effective, efficient, and safe land transport system in the public interest."

Furthermore, this GPS identifies a set of national land transport objectives for a land transport system. The GPS identifies new strategic priorities and amended objectives to the previous GPS, with themes focussed on safety, mode neutrality, liveable cities, regional economic development, protecting the environment, and delivering the best possible value for money.

Accordingly, the key strategic priorities of the GPS are defined as Safety and Access, with supporting strategic priorities of Value for Money and Environment protection. These are defined further as follows:

- Safety: Delivering a land transport system free of death and serious injury;
- Access: Provides increased access to economic and social opportunities, enables transport choice (reduces the need to travel by private motor vehicle);
- Environment: Prioritises reducing greenhouse gas emissions and supports a mode shift to lower emission forms of transport (walking, cycling, public transport and electric vehicles) and public health benefits; and
- Value for Money: Delivers the right infrastructure and services to the right level, at the best cost.

Further explanation of the themes in the GPS2018 to assist with delivering the strategic priorities are:

- Addresses current and future demand for access to economic and social opportunities;
- Provide appropriate transport choices;
- Is resilient;
- Is a safe system, increasingly free of death and serious injury;
- Mitigates the effects of land transport on the environment; and
- Delivers the right infrastructure and services to the right level at the best cost.

While the investment in transport infrastructure for the rezoning is developer led, it is considered that the proposed rezoning is consistent with the GPS as it will address current and future demand for economic and social opportunities by enabling mixed use development in Ohinewai, which provides for transport choice while also being of safe design, mitigating environment effects, and being cost-effective.

11.2 National Land Transport Programme 2015-2018

The NLTP has recently been updated to account for the GPS. A new NLTP was adopted on the 31 August 2018. For the Waikato Region the NLTP spending focus that may impact on Ohinewai is the funding for the completion of the Hamilton Section of the Waikato Expressway and public transport improvements including a Hamilton to Auckland rail service.

11.3 New Zealand Transport Agency Statement of Intent 2018-2022

This statement of intent represents an update on the previous statement of intent which established new direction for the Transport Agency. Over the next three to five years the NZ Transport Agency aims to deliver the foundation of this new direction:

- One connected transport system: Transform the performance of the land transport system by integrating digital technology with physical infrastructure to create a safe, connected system that works for everyone.
- People-centric approach: Simplify our customers' lives and our partners' work with innovative services and experiences that make it easy for them to do what they need to. Aim to put people and place, rather than vehicles and networks, at the centre of our decision making.
- Partnerships for prosperity: Unlock social and economic opportunities for customers, businesses and communities through targeted partnerships.

The proposed new access arrangements for the Ohinewai Structure Plan have been assessed in the supporting ITA and are considered to be safe and efficient access solutions. The proposed access arrangements will provide sufficient capacity to cope with traffic growth while providing safe and efficient accessibility to Ohinewai and the surrounding transport network. This will support increased economic prosperity by providing safe and efficient access to the Ohinewai and the future industrial activities within the industrial and business zones.

11.4 Waikato Regional Land Transport Plan 2015-2045 (2018 Update)

The Waikato Regional Land Transport Plan 2015-2045 (Transport Plan) sets out the strategic direction for land transport in the Waikato region over the next 30 years. The Transport Plan has recently been updated, with the revised Transport Plan adopted in June 2018. The Plan sets out seven priorities for land transport in the Waikato Region. The priorities relevant in this instance are as follows:

- Protecting the function of inter and intraregional significant corridors.
- Improve network resilience of our strategic corridors.
- Maintenance of existing assets.
- Maximise efficiencies and value for money across the transport system.
- Completion of committed strategic corridor works.
- New investments in strategic Upper North Island Corridors, where there is greatest access and safety benefits, and providing transport infrastructure to high growth areas.
- Maximising economic development opportunities.

It is considered that the proposal does not conflict with the Waikato Regional Land Transport Plan and its priorities.

12 Iwi Plans (s74(2A))

Section 74(2A) of the RMA requires a territorial authority to take into account any relevant planning document recognised by an iwi authority (and lodged with the territorial authority) when changing a District Plan.

Consultation has been undertaken with Tangata Whenua and a Tangata Whenua Governance Group (TWGG) has been established which will continue to form the basis of consultation as development progresses. As part of the TWGG a Memorandum of Understanding has been signed between the TWGG and The Comfort Group. As part of this arrangement, the TWGG is preparing a Cultural Values Assessment (CVA). This will address issues related to tangata whenua in detail and will be available on its completion.

As the CVA has not been completed, the following provides an interim high-level assessment of the Waikato-Tainui Environmental Plan, taking into account the information that is currently known.

12.1 Waikato-Tainui Environmental Plan – Tai Tumu, Tari Pari, Tai Ao

This plan is designed to enhance Waikato-Tainui participation in resource and environmental management. It is developed out of Whakatupuranga 2050, a 50-year long development approach to build the capacity of Waikato-Tainui. The vision of the Waikato-Tainui Environmental Plan (WTEP) is not only to maintain the environment, but also to restore or enhance the quality of natural and physical resources.

Waikato-Tainui's goal is to ensure that the needs of present and future generations are provided for in a manner that goes beyond sustainability towards an approach of environmental enhancement.

Section D of the WTEP addresses specific elements of natural resources and the environment and sets out specific issues, objectives, policies and methods for specific environmental areas. A Cultural Values Assessment is being undertaken by the TWGG and will be provided in early 2020. This is expected to address the proposed rezoning's response to the WTEP, and in particular the relevant chapters of Section D in more detail.

In the interim, a brief assessment of the objectives of Section D has been undertaken to provide an understanding of how the proposed development aligns with the vision of Waikato-Tainui.

The table below provides a brief assessment of the objectives of each chapter.

Environmental Element Chapter	Comments
Te Wai Maaori – Fresh Water	<p>The rezoning provides for a reduction of nutrients as a result of the retirement of the dairy farm. Alongside expected enhancement plantings within open space areas, water quality on the site is expected to improve with the retirement of dairying and provide for improvements to Lake Rotokawau and Waikare.</p> <p>Construction effects can be addressed via erosion and sediment control and a strict monitoring regime.</p> <p>Stormwater discharge and runoff will be managed to address issues of water attenuation and water quality. It is proposed to establish a water treatment train that provides a high level of water treatment prior to being discharged.</p>

	Wastewater and water supply will be provided for and the options assessment and selection process will be cognizant of Te Wai Maaori.
Ngaa Repo – Wetlands	<p>The site is adjacent to wetlands that are on the margin of Lake Rotokawau. It is proposed to extend these wetlands through planting in the eastern part of the site as part of the wider development.</p> <p>These wetlands will be the final stage of stormwater treatment prior to stormwater entering the lake. The wetlands will form part of the open space network within the structure plan and greater iwi (and public) access to them will be available.</p>
Whenua – Land	<p>The site is currently dairy farmed, and is generally low lying.</p> <p>Development will retire land from dairying and provide an opportunity to enhance the site through planting and the management of stormwater. All development will be managed by best practice erosion and sediment control measures.</p> <p>There is minimal contamination on the site and this will be managed or removed using best practice.</p>
He Mahinga Ika – Fisheries	Ecological surveys have revealed the site contains tuna, however no mudfish were found. Further investigations are likely across the site, with fish management plans utilized in fish surveys and relocations.
Te Ararangi – Air	The rezoning seeks to establish industrial land including provision for the sleepyhead factory which will require a discharge consent. The consenting process and reporting will ensure that any discharge to air does not compromise human health, amenity values or property.
Te Taiao Moana – Coastal Environment	N/A
Ngaa Whakaritenga Moo Ngaa Whenua O Waikato-Tainui – Land Use Planning	<p>The overall development of the site will provide opportunities for environmental enhancement, particularly within the proposed open space network.</p> <p>The proposal provides a significant economic and social benefit for the district, including employment and housing. Through working with the TWWG, positive cultural and spiritual outcomes can be achieved.</p>
Waihangā Matua – Infrastructure	The provision of Infrastructure will be a large component of the development as this is a greenfield site. The provision of three waters infrastructure is yet to be finalised; however, the

	<p>options will be worked through with the TWWG to ensure that an acceptable option is achieved.</p> <p>Transportation infrastructure will be provided as part of the development. This will be constructed to ensure all runoff is appropriately managed via the stormwater treatment system to manage any environmental effects.</p>
Whakaputa Hiko – Electricity Generation	N/A
Keri Oopapa – Mining And Quarrying Oil & Gas Minerals	N/A
Ngaa Mahi Paarekareka me te Manaaki Manuwhiriwhiri – Recreation and Tourism	N/A

It is considered that the proposed plan change is generally aligned with the objectives of the Waikato-Tainui Environmental Plan; however, a more in-depth analysis can be provided upon completion of the Cultural Values Assessment by the TWGG.

13 Part 2 RMA

13.1 Introduction

The analysis of the *King Salmon* above suggests that none of the factors that may vitiate the integrity of higher order instruments apply. Nevertheless, out of an abundance of caution and because it is the “engine room” of the RMA, it is considered appropriate, for completeness to assess the APL rezoning proposal by reference to the purpose of the RMA (s 5), and any matters of national importance (s 6) or other matters (s 7) that might be relevant, including the principles of the Treaty of Waitangi (s 8).

13.2 Relevant statutory provisions

Section 5 of the RMA provides that the purpose of the Act is “to promote the sustainable management of natural and physical resources”. The term “sustainable management” is defined as:

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

Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

Section 6 of the RMA requires that the following matters of national importance “be recognised and provided for”:

- a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- g) *the protection of protected customary rights:*
- h) *the management of significant risks from natural hazards.*

Section 7 of the RMA requires that RMA functionaries “have particular regard to”

- a) *kaitiakitanga:*
 - (aa) *the ethic of stewardship:*
 - (b) *the efficient use and development of natural and physical resources:*
 - (ba) *the efficiency of the end use of energy:*
 - (c) *the maintenance and enhancement of amenity values:*
 - (d) *intrinsic values of ecosystems:*

- (e) [Repealed]*
- (f) maintenance and enhancement of the quality of the environment:*
- (g) any finite characteristics of natural and physical resources:*
- (h) the protection of the habitat of trout and salmon:*
- (i) the effects of climate change:*
- (j) the benefits to be derived from the use and development of renewable energy.*

13.3 Section 6 – matters of national importance

A number of matters of national importance are (or may be seen as) relevant to the APL proposal.

Sections 6(e), 7(a) and 8 – Maori cultural and spiritual values

Early engagement with Waikato-Tainui has been productive and has enabled APL to secure an effective relationship that will facilitate an understanding of their concerns and aspirations. This engagement has enabled initiatives and measures to be identified that:

- (a) Recognises and provides for the relationship of Maori with their ancestral land, water, and other taonga in terms of section 6(e) of the RMA.
- (b) Provide for the involvement of kaitiaki in the identification of cultural indicators, the development of plans and the sharing of information, etc., that will enable the tangible and meaningful exercise of kaitiakitanga.
- (c) Will provide for ongoing robust relationships signified by mutual respect and active Maori involvement that is consistent with the principles of the Treaty of Waitangi in terms of section 8 of the RMA.

A Cultural Values Assessment is being undertaken by the TWGG and will be provided early in 2020. This will assist NZCG to understand the interests of mana whenua in greater detail and develop initiatives and conditions in partnership with the TWGG.

Section 6(a) – Preservation of the natural character of wetlands, lakes and their margins

The proposed rezoning recognises and provides for the preservation of the natural character of the adjacent wetlands and lakes and their margins. The adjacent wetlands on the margin of Lake Rotokawau will be significantly extended, with additional planting and enhancement occurring on the northeastern part of the site.

Sections 6(b) and (c) – Protection of outstanding natural features and areas of significant indigenous vegetation

In terms of sections 6(b) and (c) of the RMA, the open space zoning proposed for this area will create a buffer between the residential area and the outstanding natural features and significant indigenous vegetation along the margin of Lake Rotokawau, ensuring that these areas are protected from inappropriate subdivision, use, and development. The proposed industrial, commercial and residential areas are situated on farmland that does not include any outstanding natural features or significant indigenous vegetation.

Section 6(d) – Enhancement of public access to and along the margins of lakes

The proposed rezoning provides an opportunity for greater iwi and public access to the Lake Rotokawau margin and wetlands, via the creation of additional wetland and open-space areas adjacent to the existing lake margin.

Section 6(h) – Management of significant risks from natural hazards and section 7(i) – the effects of climate change

Detailed modelling has been undertaken to assess the extent of any flooding risks and residual risks to the site, as well as potential effects on other sites. The proposal will not increase flooding risks to downstream or neighbouring properties, with the exception of one upstream site which can be addressed through detailed design at a later stage of the project. It is considered that residual flooding risks on the site itself can be effectively managed via recommended emergency management planning, leaving minimal residual risk.

This analysis has taken full account of flood levels associated with climate change.

13.4 Section 7 – Other matters

Section 7(a) and (aa) – Stewardship / kaitiakitanga

The measures being adopted to address potential adverse effects and, by retiring the land from dairy farming, reflects a commitment to not only stewardship but betterment as contemplated by the Vision and Strategy.

Section 7 (b) - the efficient use and development of natural and physical resources

The APL site is currently used for dairy farming, with its incremental economic impact alongside all other dairy farms in the region and consequential adverse effects on the environment. Utilisation of the Site in accordance with the APL submission will produce a very significant range of economic and social benefits that would not be delivered under the current zoning. To that extent, it is considered that the proposed rezoning would represent an efficient use and development of the APL site.

Section 7(c) and (g) - the maintenance and enhancement of amenity values and the quality of the environment

The project will preserve amenity values via visual mitigation measures including the use of landscaping, building setbacks, as well as restoration and wetland planting.

Other aspects of the development will enhance the quality of the environment, including the retiring of dairying which will result in significant positive effects (benefits) in terms of reducing nutrient runoff, discharging to the receiving environment.

Section 7(d) – intrinsic values of ecosystems

The reporting undertaken demonstrate a low level of existing environmental quality and diversity on the site – the proposed rezoning is either neutral or positive in terms of ecosystem values.

In terms of section 7(i), the flooding assessment carried out in respect of the site was conservative and accounts for the effects of climate change over the next 100 years, ensuring that the proposal will not increase risks from natural hazards.

13.5 Comments

Having regard to the above, it is considered that if it is necessary to consider Part 2 of the RMA, that, applying an overall broad judgement, that the proposed rezoning promotes the sustainable management of the natural and physical resources at Ohinewai and is consistent with or does not contravene any of the matters in ss 6-8 of the RMA.

14 Consultation

14.1 Waikato Tainui

The NZCG have had a number of hui with Waikato-Tainui and initially engaged with Tainui Group Holdings to discuss the relocation of NZCG to the Waikato, including possible location of development and the potential employment opportunities available for the area.

Consultation has been formalised through the establishment of a Tangata Whenua Governance Group (TWGG) which involves mana whenua from the Marae in and around Ohinewai. Regular hui have occurred between NZCG and the TWGG, with a MoU signed between the two on 20 November 2019. This MoU sets out an agreed approach to the development and how the two groups will continue to work together for the life of the project.

The TWGG are undertaking the preparation of a Cultural Values Assessment (CVA) which will then be taken into account as part of the development of the site. A letter outlining the relationship established between the TWGG and APL to date and Waikato Tainui's current position has been included in **Appendix P**.

14.2 Waikato District Council

APL initiated conversations with WDC in 2017 and has continued discussions with the organisation since. These conversations initially addressed the broad concept of the "Sleepyhead Estate" with elected members and senior council staff. More detailed discussions have since occurred, focusing on the technical delivery of the proposal and addressing issues such as three waters infrastructure.

14.3 Waikato Regional Council

An initial meeting was held with WRC on 8 May 2019 to introduce the proposal. The discussion with WRC focused on Hazards, Drainage Catchments, Consenting and the need for a best practice approach to development for three waters.

The authors of the three waters technical reporting (Woods) have worked collaboratively with Waikato Regional Council technical staff throughout the modelling process. Key assumptions and decisions have been discussed and agreed with WRC Technical Reviewers along the model build process to support effects assessment. Directions, suggestions and inputs from WRC have been incorporated in the programme which has helped achieve the expected reporting timeframes for APL and achieve a unified outcome for APL and WRC in terms of sustainable development and appropriate assessment of risk to the proposed development.

Four meetings were held, in September and October 2019 and minutes of the meetings have been recorded and shared between Woods and WRC and are included in Appendix C of the flooding report.

14.4 NZ Transport Agency

An initial meeting was held with NZTA on 8 May 2019 to introduce the proposal. This provided a high-level overview of the development. NZTA raised a number of questions regarding the impacts of the proposal on SH1, the railway line and wider road network and public transport servicing.

An additional meeting was held on 14 November 2019, which summarised the current status of the proposal and discussed transportation issues in more detail.

NZTA also suggested that the proposal was taken to the next Future Proof Implementation Committee (FPIC) to socialize the development with the Future Proof Partners. NZTA have submitted against the

proposal on the basis that it is outside of the Future Proof settlement pattern. This is addressed in Section 10.2 and 10.3.

14.5 Future Proof

The APL team presented the Ohinewai Proposal to the Future Proof Implementation Committee (FPIC) on 5 June 2019. The presentation provided an overview of NZCG aspirations for the site and informed the group of the submission that had been lodged on the Proposed Waikato District Plan.

Future Proof have submitted in support of the industrial and business component of the proposal subject to reviewing detailed information relating to the effects of the development. A detailed effects assessment is included in Section 8. Future Proof have opposed the residential component of the proposal on the basis that it is contrary to Future Proof and the RPS and will be detrimental to the revitalization of Huntly. These issues are addressed in Sections 8.9, 10.2, and 10.3.

14.6 Kiwi Rail

The proposed development and the construction of the railway siding has been discussed with KiwiRail from the conception of the proposal. KiwiRail have assisted with the design of the Railway siding providing access from the NIMT. KiwiRail have provided their support for the development, stating:

“I’ve followed this up internally and am pleased to be able to advise that there will be no issues with KiwiRail supporting your requirement to install a suitable, approved level crossing as necessary in order for the new site to be rail enabled.

Such connectivity will enable the Comfort Group to utilise rail instead of road for the movement of their freight, which then provides NZ Inc with significant other associated benefits such as reductions in CO2 emissions, safer roads with less congestion, reduced road maintenance costs etc..

We wish to support your growth and become a valuable service provider. “

A copy of the email is included in **Appendix T**.

14.7 Ohinewai Community

Two community open days have been held with regard to the proposal. The first of these provided an introduction to the concept and was presented at a community meeting on 19 June 2019 at the Ohinewai Community Hall.

The second open day, also at the Ohinewai Community Hall was held on 31 October 2019 and provided a more detailed overview of the proposed development including an update on the proposed development, transport, ecology, three waters and earthworks.

14.8 Mercury Energy

Mercury Energy have raised concerns regarding the flood hazards and residual risk associated with development in the Ohinewai area. The three waters team have engaged early with Mercury Energy to understand these issues which have been noted and addressed in Sections 8.6 and 8.7 above.

14.9 Ministry of Education

The project team met with the Ministry of Education to ensure they were aware of the proposal and were able to plan accordingly for future growth. A letter outlining their intended response, including expanding Ohinewai School is included in **Appendix T**.

14.10 WEL Energy

WEL have confirmed that they will be able to make the required staged capacity available once suitable network upgrades have been implemented. A letter confirming the above is included in **Appendix T**.

14.11 Te Waka (Waikato Regional Economic Development Agency)

NZCG met with Te Waka late in 2018. Te Waka stated that *the Huntly, Ngaruawahia and Meremere area ranks among the most deprived 20% in New Zealand, with Huntly one of the most deprived data zones in the country. “These deprivation zones are characterised for the most part by very high employment, income, health and education deprivation”. The Comfort Group’s proposed location at Ohinewai offers significant job opportunities for this area”*.

A letter supporting the concept of the proposal, contingent on there being a net positive economic impact for the region and the local community. Te Waka supported the continued investigation into the economic impacts of the proposal. A letter outlining the above is included in **Appendix T**.

15 Submissions by others

15.1 Further submissions made on APL's submission

After considering APL's request for an earlier hearing, the Hearing Panel decided that all submissions seeking rezoning in the Ohinewai area should be heard together. The relevant submitters comprise:

- a) Ambury Properties Limited.
- b) Planning Focus Limited (only to the extent it has not been subsumed by the Ambury submission).
- c) Shand Properties (only in respect of their proposals for land adjacent to Ambury's land at Ohinewai).
- d) Ohinewai Lands Limited.
- e) Ohinewai Area Committee.
- f) Ribbonwood Family Trust.

15.2 Further submissions received in relation to APL's submission

15 further submissions were lodged as part of the second notification of the Ohinewai submissions including APL's own further submission. The further submissions received from the others in relation to APL, and a response to each, are addressed below.

Further submitter	Position	Reasons for position	Response
Bruce Holmes	Oppose	Mr Holmes generally opposes the submissions in Ohinewai on the basis of traffic noise, operational noise and effects on amenity. He generally seeks further information in relation to these effects.	Discussions are continuing with Mr Holmes with respect to the provision of further information on the rezoning and the effects of the development on Mr Holmes' property.
Daniel and Rebekah Holmes	Oppose	Mr and Mrs Holmes consider themselves to be directly affected by the proposed development and have requested more information in relation to amenities, rural lifestyle, traffic and operational noise.	Discussions are continuing with Mr and Mrs Holmes with respect to the provision of further information on the rezoning and the effects of the development on Mr and Mrs Holmes' property.
David Whyte	Support	Mr Whyte appears to support the proposed development, however raises some questions with regards to connectivity between Ohinewai east and west, particularly for pedestrians and cyclists. He seeks the early modification of the overbridge to ensure that	Mr Whyte's support for the development is noted. Options for providing a walking and cycling connection across the expressway and main trunk line are currently being explored and a connection will be provided as part of the development.

		<p>connection is available as soon as possible.</p> <p>He also questions the residential density proposed, identifying that this typology is provided for in Lakeside and is not selling quickly. He suggests that a Village Zoning may be more appropriate in relation to a desirable density in the location.</p>	
Auckland/Waikato Fish and Game (AWFG)	Oppose	<p>AWFG have lodged a further submission and an addendum to that further submission as part of the renotified submissions.</p> <p>The further submissions oppose the proposed rezoning on the basis of proximity to sensitive wetlands and Outstanding Natural Features and potential effects on flood storage capacity requirements in surrounding areas.</p>	<p>The proposed redevelopment will retire dairy farming from the site and provide a significant opportunity for betterment and enhancement of the natural environment.</p> <p>A detailed assessment of the effects of the development on the flood storage capacity of the wider catchment has been undertaken, which concludes that the effects are insignificant and there will be no increase in water levels of flood extents within the proposed site or any of the neighbouring sites.</p>
Paul Alexander Tubic and Wayne Christopher Cooper	Support	Mr Tubic and Mr Cooper oppose the rezoning of Ohinewai Road South, however seek to allow the rezoning of Lumsden and Tahuna Road.	Support for the proposal is noted.
Future Proof Implementation Committee (FPIC)	Support in part	<p>FPIC seek that the employment and industrial component of the submission be allowed if appropriate further information can be provided.</p> <p>FPIC reserve the right to amend their position on receipt of detailed information from assessments being</p>	<p>A detailed assessment of the effects associated with the development is included within this report.</p> <p>With regard to the residential component of the proposed rezoning. A thorough assessment of the proposal with regard to Future Proof is included in Section 10.3. The economic effects of the proposal are addressed in Section 8.9 with the Economic Impact</p>

		<p>undertaken in relation to the proposal.</p> <p>FPIC oppose the residential portion of the submission and seek that it is declined on the basis that it is contrary to the principles of Future Proof and the Waikato Regional Policy Statement.</p> <p>FPIC are concerned that this proposal has the potential to undermine the growth and regeneration of Huntly.</p>	Assessment included in Appendix Q
Konini Farms Limited	Support	Support the Ambury Properties submission on the basis that it is good development for the area.	Support for the proposal is noted.
The Ralph Estates	Oppose	The Ralph Estates own the mineral rights beneath a portion of the land that is subject to the rezoning and oppose the proposal on the basis that the development of the site would sterilize those mineral interests.	While it is acknowledged that the Ralph Estates have ownership of any underlying coal, the area is not identified as a significant mineral resource in the PDP. Furthermore, Ralph Estates would need to obtain resource consents in order to access the coal resource plus access agreements with relevant landowners where applicable.
Richard and Shannette Marsh	Oppose	Mr and Mrs Marsh live at 75 Lumsden Road opposite the subject site and oppose the proposed rezoning as they are concerned with effects related to noise, traffic, wastewater and the effect the development will have on their rates.	<p>The proposed rezoning incorporates a landscape and amenity buffer between the existing residential properties on Lumsden Road and the Industrial and Business Zoning.</p> <p>Construction noise and vibration will be addressed at the appropriate development stage.</p> <p>The rezoning will have no effect on their residential rates nor their self contained wastewater system.</p>
Suzanne Stow	Oppose	Mrs Stow lives at 81 Lumsden Road opposite the subject site and opposes the	The proposed rezoning incorporates a landscape and amenity buffer between the

		<p>proposed rezoning on the basis of a loss of rural outlook, increased traffic volumes, noise and uncertainty regarding rates, water and wastewater and the value of her property.</p>	<p>existing residential properties on Lumsden Road and the Industrial and Business Zoning.</p> <p>Construction noise and vibration will be addressed at the appropriate development stage.</p> <p>The rezoning will have no effect on their residential rates nor their self contained wastewater system.</p>
Mercury NZ Limited	Oppose	<p>Mercury oppose the proposed rezoning on the basis that the site is located in an area with flood risks and residual risks relating to the Waikato River.</p> <p>Mercury is of the view that rezoning of land without natural hazard or flood risk information is inappropriate.</p>	<p>Substantial investigation has been undertaken with regard to the flood risk and residual associated with the site and has been addressed in the flood assessment included in Appendix F.</p> <p>The report has considered a stop bank breach scenario in three locations (Ohinewai North Road, Ohinewai South Road, and Ohinewai Landing Road).</p> <p>The model identifies that the northwestern corner is the most affected and that area of the site would be inaccessible in the stop bank breach event. However evacuation from the factory via the south is able to occur.</p> <p>The model identifies no risk to the residential or commercial zones.</p>
NZTA	Oppose	<p>NZTA is opposed to the proposed rezoning on the basis that it is outside of the settlement pattern embedded in the Future Proof Growth Strategy.</p>	<p>The Future Proof Growth Strategy provides for alternative land release where it is consistent with the principles of Future Proof. This has been addressed in detail in section 10.</p>
Ohinewai Area Committee	Oppose	<p>The OAC have lodged a neutral further submission on the proposed rezoning. They have highlighted a number of areas that they are concerned about with regard to noise, lighting and glare, air pollution, traffic and visual</p>	<p>Further information is provided in relation to the effects of the development in Section 8 of this report.</p>

		<p>and amenity effects. They also raise concerns with the impacts on the amenity and lifestyle that is currently enjoyed by the Ohinewai Community.</p> <p>The OAC also raise concerns with the proposed density of the residential component of the rezoning and its appropriateness within a rural village context.</p>	
Ohinewai Lands Limited	Support in part	<p>OLL support in part the proposed rezoning and considers that the location, extent and type of zoning for urban growth should be determined through a structure planning exercise.</p> <p>APL understand that OLL will be seeking a notation in the PDP for a 'future development area' OLL acknowledge that a further Plan Change process will be required to enable residential zoning.</p>	<p>OLL's partial support for the development is noted. A structure planning exercise has been undertaken for the APL site that has been informed by the Sleepyhead Masterplan.</p> <p>However, it is understood that OLL are no longer seeking a live zoning. The structure plan can be extended to incorporate the wider Ohinewai area if required, depending on the OLL Plan Change timeframes which are understood to be long-term.</p>
Shand Properties Limited	Support in part	<p>Shand Properties Limited support the proposed rezoning insofar that the land use would support the development of Ohinewai. They however consider that any structure plan developed should take into account the wider Ohinewai area including the existing village and Shand Properties' land to the west of the Expressway.</p>	<p>Shand Properties' partial support for the development is noted. A structure planning exercise has been undertaken for the APL site that has been informed by the Sleepyhead Masterplan.</p> <p>The ITA has modelled traffic generation from the Shand proposal and found that the Ohinewai Interchange will not be adversely affected by both proposals progressing.</p>
Waikato Tainui	Oppose	<p>Waikato Tainui oppose the submission as it is considered inappropriate.</p>	<p>Significant consultation has been undertaken with Waikato Tainui since the lodgment of the original submission with a MOU signed between NZCG and the TWGG.</p>

Waikato Regional Council	Oppose	Decisions relating to rezoning within the area covered by the H2A Corridor should be deferred until the relevant component of the corridor is complete to ensure this important strategic planning process is not undermined. They seek the notified zoning to be retained.	<p>The Hamilton to Auckland Corridor Plan is still in its early stages of development. Halting significant development opportunities to wait until the Corridor Plan is complete is inefficient and will unnecessarily slow progress.</p> <p>The site is located in the "Corridor" and represents a significant investment in the Waikato District, providing employment and economic opportunities near a community with a high level of economic deprivation.</p>
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15.2.1 Further submissions by APL

Ambury Properties lodged a further submission dated 16 May 2019 with respect to a number of the other Ohinewai submitters. It is not intended to duplicate the further submission lodged with Council; however, those of particular relevance are summarised below.

738.1 Shand Properties Limited: Support

The submission seeks the rezoning of 61ha of Rural land to Country Living. This is supported as it would support the development of Ohinewai as a mixed use village and support the larger town of Huntly.

428.1 Ohinewai Lands Limited: Support

Through consultation with Ohinewai Lands Limits (OLL), it is APL's understanding that OLL seeks to have the PDP note that a portion of its land holdings in Ohinewai is suitable for future urban development. While the Proposed Waikato District Plan does not provide for such a 'deferred urban' zoning, the intention of OLL is that having the land identified signals the intent to Council, the community and infrastructure providers. OLL accepts that a Plan Change process would be required in the future.

APL support OLL's intention, however it is understood that OLL are no longer seeking a live zoning so that any changes to the the Ohinewai Structure Plan is a matter for future consideration.

383.1 Planning Focus

The submission seeks industrial zoning of land on Ohinewai Road South. This is opposed on the basis that the proposed location is not adjacent to the Expressway interchange or the NIMT. Industrial activity in this location would have adverse amenity and potential traffic effects on Ohinewai Village community facilities, including the Primary School.

16 Conclusion

This report has outlined the proposed rezoning of land located at Ohinewai to provide for the development aspirations of APL (NZCG). The rezoning provides for a mixed-use master planned community that incorporates industrial, business and residential development with a high-quality open space network. The rezoning will enable development and provide for over 2000 jobs from a significant manufacturing facility and approximately 1100 homes at an affordable price point in an area that has limited employment and quality housing options.

The options assessment has identified that the relief sought by APL is the most efficient and appropriate means of achieving APL's objectives and the most appropriate use of the site. The changes can be readily accounted for within the PDP via rezoning and embedding a Structure Plan and supporting changes to text within discrete sections of the PDP.

The assessment has shown that the proposed amendments and additions to the objectives, policies and methods contained within the PDP are the most appropriate way to achieve the purpose of the RMA and the objectives of the PDP.

The likely and potential effects of the development of the proposed rezoning have been considered in detail including:

- Three waters including flooding and management of residual risk;
- Transportation effects;
- Acoustic effects;
- Ecological effects;
- Landscape and visual effects;
- Geotechnical effects;
- Contaminated land;
- Economic effects;
- Social impacts; and
- Archaeological effects.

The overall effects of the development are considered to be generally acceptable and, where required, plan provisions have been recommended to mitigate effects on those that have been identified to be affected by the development. Due to the location and scale of the development enabled by the proposed rezoning, these relate to building bulk and location, and landscaping and screening. These provisions will minimise, as much as possible, landscape and visual effects on the existing residents of Lumsden Road.

The proposal provides a significant opportunity for environmental betterment through the creation of wetlands, riparian planting and retiring the land from dairy farming. Once complete, stormwater runoff will be treated to a high level and improve runoff entering Lake Rotokawau which is connected to Lake Waikare and the Whangamarino Wetland.

The development of the site will result in more than \$1.3 billion injected into the economy of the Waikato Region with further economic benefits of \$193 million per annum and the opportunity to increase retail spend through the catchment by \$35 million a year.

Overall, the proposed rezoning and associated changes proposed to the district plan through the APL submission represent a significant opportunity for Ohinewai Village and the Waikato District,

providing for sustainable management as it manages the use and development of the site to provide significant economic opportunities for the community, resulting in positive social effects through the provision of employment and high quality housing.

A relationship with Tangata Whenua is being cultivated and this relationship will continue to evolve through the lifespan of the project, ensuring that cultural values are understood and taken account of during the decision-making process. There are significant opportunities for ecological betterment on the site, and the overall environmental effects of the development are able to be managed or mitigated to ensure that they are of an acceptable level.

The above reporting, including the consideration of effects and assessment of the proposal against the higher-level policy documents clearly demonstrate that the proposed rezoning and associated amendments to the Waikato Proposed District Plan are appropriate and meet all of the relevant RMA tests.