

SECTION 42A REPORT

Opening Statement

Hearing 25: Zone Extents – Mixed Use Zone-Matangi

Prepared by: Betty Connolly

Date: 3 June 2021



I Introduction

1. Good afternoon Chair, Commissioners and Submitters. My name is Betty Connolly and I am the author of the s42A report (and the s42A rebuttal report) for Hearing 25: Zone Extents – Mixed Use Zone-Matangi
2. The purpose of this opening statement is to provide you with a brief overview of the Matangi Factory Site, proposed provisions, submissions and my recommendations relating to any points of disagreement in relation to this site.

2 Matangi Factory Site

2.1 Overview

3. Matangi Factory is in the small settlement of Matangi, at the crossroads of Tauwhare Road and Matangi Road, south east of Hamilton City. The site is approximately 5.2ha in size and comprises of six record of titles.
4. The Cambridge Branch Railway Line bisects the site north/south east. The site has residential development to the south west, Rural Zoned land to the south and east and Business Zoned land to the north, on the opposite side of Tauwhare Road.
5. The site is well developed with a number of buildings with the most significant being the Heritage New Zealand Pouhere Taonga (HNZPT) Category 2 listed building recorded as New Zealand Co-operative Dairy Company Limited factory (Former), known as the Glaxo Building.
6. Apart from the factory buildings there are three dwellings, two ancillary flats, a number of relocated railway houses along with other relocated historic buildings and additional small ancillary buildings. The site is serviced by an existing trickle-feed water supply system, existing external storm water system and a completely self contained onsite wastewater system.
7. There are a number of businesses currently operating within the site, as well as residential activities occurring.

2.2 District Plan Zoning

8. The Operative Plan Zoning is Light Industrial. The Proposed Plan Zoning is a mixture of Business Zone (3,978sqm) with the remainder of the site (4.8ha approx.) as Industrial or Rural Zone.
9. The owners of the site, Mowbray Group, consider that the proposed zoning is not conducive to the outcome they wish to achieve not only for themselves as owners, but also for the wider Matangi community. Their vision for the site is to create a vibrant living precinct that complements the history and the historic buildings on the Matangi Factory site. To enable them to do this they have requested to have provisions under the Mixed Use Zone regime (to be known as Mixed Use Zone-Matangi) which will provide them the flexibility to utilise the site better, rather than the proposed mix of Industrial and Business.

3 Submissions received

3.1 Overview of submissions

10. It is not my intent to discuss these submissions in detail, as I have responded to individual submissions in my s42A report.
11. Six submissions were received five of which are either:
 - a) seeking to support the owners in achieving the intent they have for the site, or

- b) the provision of flexibility within the current zoning, or
 - c) an alternative zoning that will enable the owners of the Matangi Factory to develop the site in a way that will better utilise the land while supporting and integrating within the wider context of the village of Matangi.
12. One submission, which adjoins the property to the south, has requested that a portion of LOT 2 DPS 72565 SEC 1 SO 465505 remains as Rural Zone.

3.2 Further submissions

13. The majority of the further submissions received were in support of the changes. Those against were Hamilton City Council, HNZPT and Mercury Energy.

4 Analysis of provisions

4.1 Development of provisions

14. The submitter in consultation with Council staff, took the approach that current District Plan zoning or a mixture of zones as per the Proposed District Plan was not appropriate and instead provided evidence seeking a Mixed Use Zone as per the National Planning Standards.
15. This evidence included:
- i. Objectives and Policies
 - ii. Rules
 - iii. Definition and
 - iv. Maps
16. These provisions were further refined during the writing of the s42A report and provided to the Panel and the submitter.
17. Mr McNutt has reviewed those provisions and in rebuttal evidence has agreed with the majority of the proposed provisions apart from those noted below. I do not discuss any of the agreed provisions further.
18. Of note, HNZPT do not agree with the extent of historic heritage scheduling.

4.2 Provisions not agreed

19. **Minor Residential Unit** – Mr McNutt and I disagree as to whether this rule is applicable. On the map showing on your screen now I have highlighted the location of the existing dwellings. I have been advised that residence A and B will at some stage in the future be demolished to accommodate the proposed Commercial interface. Dwelling C is the restored Managers House and when entering the site is well positioned to enhance the impact of the heritage aspect of the surrounds, dwellings F and G are to the rear of the site, while dwellings D and E appear to form part of existing factory buildings.
20. Taking the locations of existing dwellings into account and the complexities of the rule in that it needs to be complementary to the primary dwelling, I stand by my opinion that I do not consider that providing for a Minor Residential Unit is appropriate.
21. **Site/building coverage** – I refer the Panel to the aerial of the site as showing on your screen. As can be seen the site has a high proportion of built form but it is unknown as to what this amount of coverage is. While provisions ensure that there is 20% permeable surface, when allowing for site coverage there is a need to take into account the amount of impervious surface already on site along with all built form, especially when considering the lack of reticulated services. The definition of impervious surface as per Hearing 5: Definitions is

Impervious surface Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly- compacted soil that is not vegetated and does not infiltrate runoff.

It excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck.

22. In my opinion the section of the definition relevant to this site is the wording: **driveway, vehicle access and manoeuvring area or highly compacted soil that is not vegetated and does not infiltrate runoff**. As showing on the aerial map there is a reasonable portion of the site that this definition would be applicable to.
23. Taking this into account, and considering the 20% permeable surface (a percentage of which is required for wastewater and stormwater disposal), I stand by my recommendation that 60% is an appropriate figure for site/building coverage in order to create an amenity appropriate to a Mixed Use Zone and to allow servicing.
24. **Visitor Accommodation** In my rebuttal evidence, I increased the number of buildings allowed as permitted for visitor accommodation to six buildings in total.
25. **Extent of Scheduling** I can provide no further comment on the extent of scheduling apart from that already provided in the s42A report and my rebuttal. The extent of scheduling is important as the Historic Heritage rules in the Proposed District Plan require resource consent for any development within the “historic heritage setting”. I expect Heritage New Zealand Pouhere Taonga will wish to respond.

4.3 Conclusion

26. I wait to hear evidence from submitters and welcome any questions you may have.