

M L BOURKE, HENMAR TRUST - ADDITIONAL COMMENTS FOLLOWING HEARING

Following the Hearing I have the additional comments and points of clarification that I thought may be beneficial to circulate prior to the recommencement of the Hearing to assist with your response.

1.0 PROPOSED BARDOWIE STRUCTURE PLAN – CHANGES TO HENMAR TRUST VEHICULAR AND SERVICE ACCESS AGREED AS PART OF PC11

- 1.1 The PC14 amendments to the Bardowie Industrial Precinct Structure Plan are not consequential in nature. **They are substantive and undermine the agreement the Henmar Trust reached with Bardowie Investments Ltd and Council during the PC11 Hearing**, taking away the agreed Collector Road and associated services, and the agreed round-a-bout.
- 1.2 At the Hearing when asked by the Hearing Panel whether there were any changes to the access to the Henmar Trust property on the Bardowie Structure Plan, Fonterra experts advised that there was no change. This is incorrect as illustrated in the plans from Appendix 2 – Track Changes to the District Plan attached to the Section 42A Report.
- 1.3 The changes to the Henmar Trust access have been highlighted in blue and clearly illustrate the agreed round-a-bout being removed.
- 1.4 The wording on the Structure Plans is not legible and it is requested that the plans be updated to include legible text so that it is clear what changes are proposed to the existing Structure Plan text.
- 1.5 As illustrated on the proposed Bardowie Industrial Structure Plan the agreed round-a-bout is still located on a four-lane intersection.

Appendix S20 – Bardowie Industrial Precinct Structure Plan and Urban Design and Landscape Guidelines

Replace and amend structure plan diagram as shown below

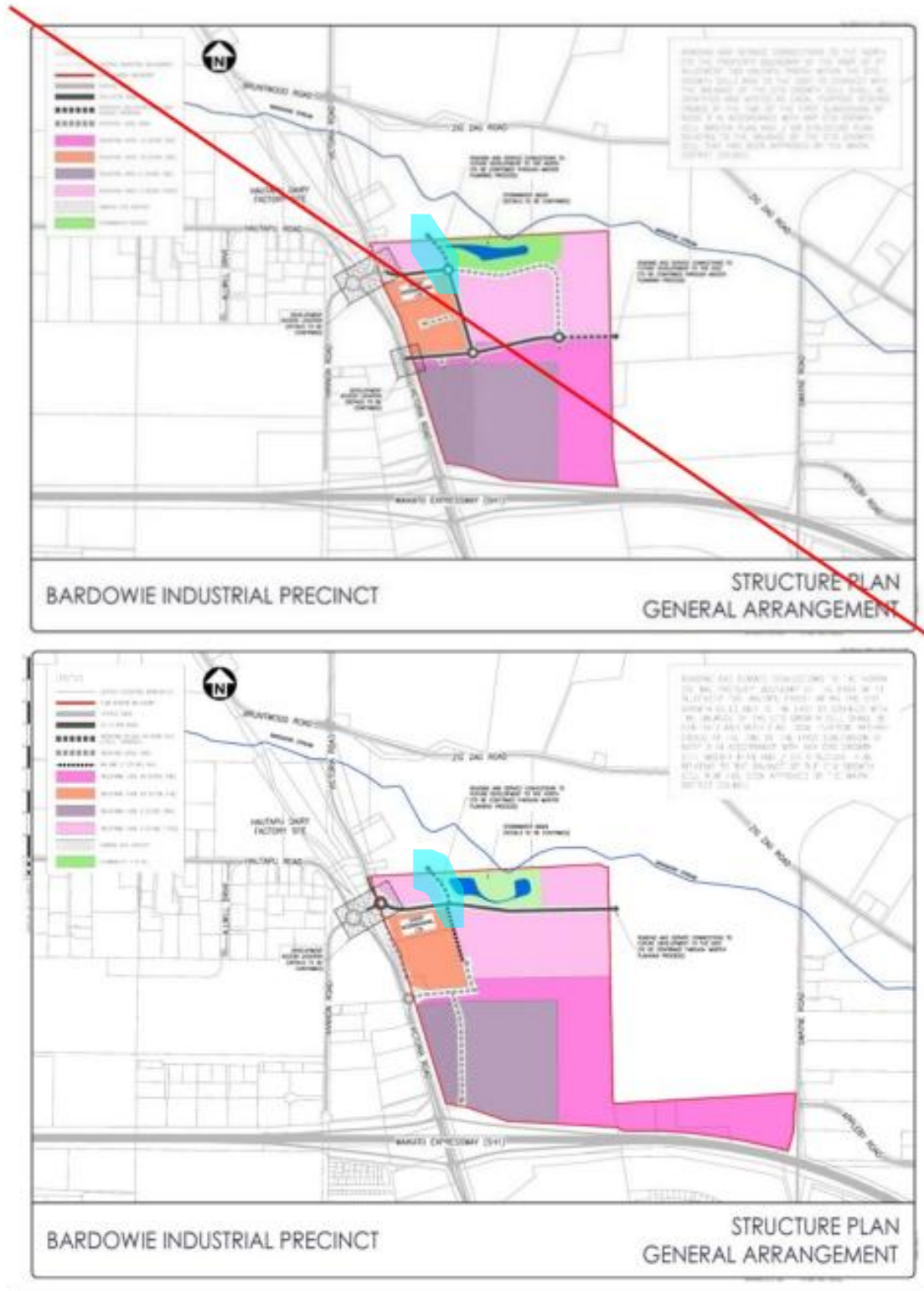


Figure 1: Section 42A Report – Appendix 2 Track Changes to District Plan – Bardowie Industrial Precinct

2.0 PROPOSED MANGAONE STRUCTURE PLAN – CHANGES TO HENMAR TRUST VEHICULAR AND SERVICE ACCESS AGREED AS PART OF PC11

- 2.1 Additionally, Fonterra through their expert evidence have sought the removal of the agreed round-a-bout to the Henmar Trust property from the Bardowie Industrial Precinct. Please refer to the plans on the following page. Alteration highlighted in blue.

Appendix S27 – Mangaone Precinct Structure Plan

Structure Plan

Figure S27. B A below is the Mangaone Precinct Structure Plan.

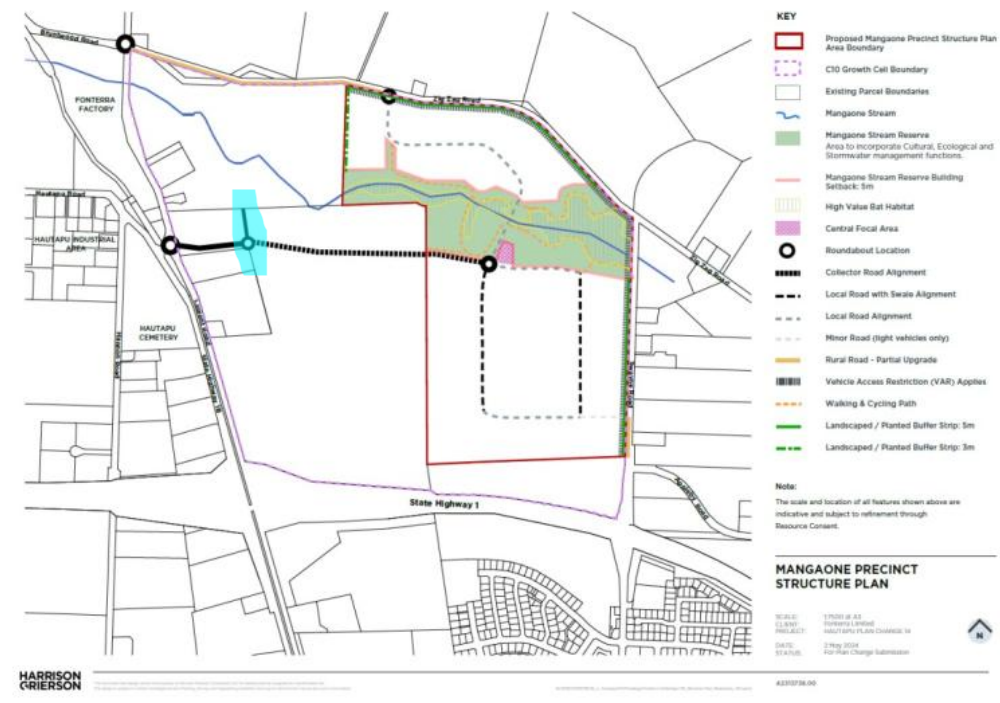


Figure 2: Section 42A Report – Appendix 2 Track Changes to District Plan – Mangaone Industrial Precinct

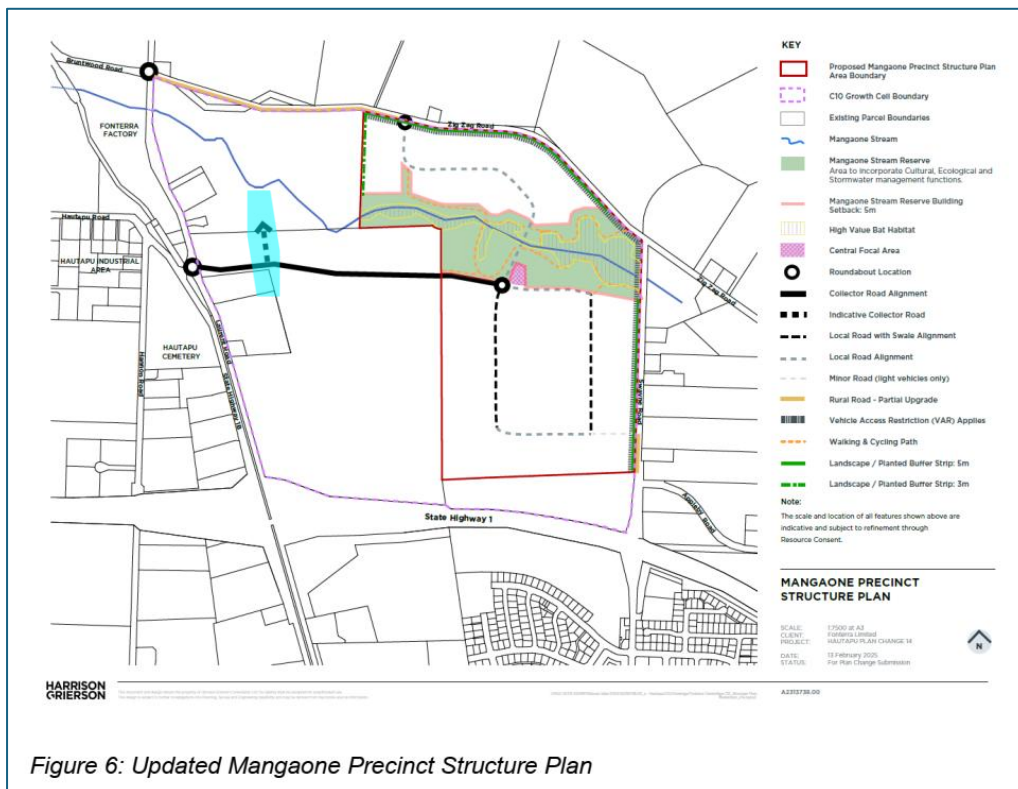


Figure 6: Updated Mangaone Precinct Structure Plan

Figure 3: Statement of Evidence M Chrisp (Fonterra) – 17 February 2025

3.0 MANGAONE STRUCTURE PLAN – LACK OF CONNECTIVITY

- 3.1 Propose that the Mangaone Structure Plan be amended to include vehicular and service connectivity to the Henmar Trust property as outlined in the diagram below and highlighted blue;

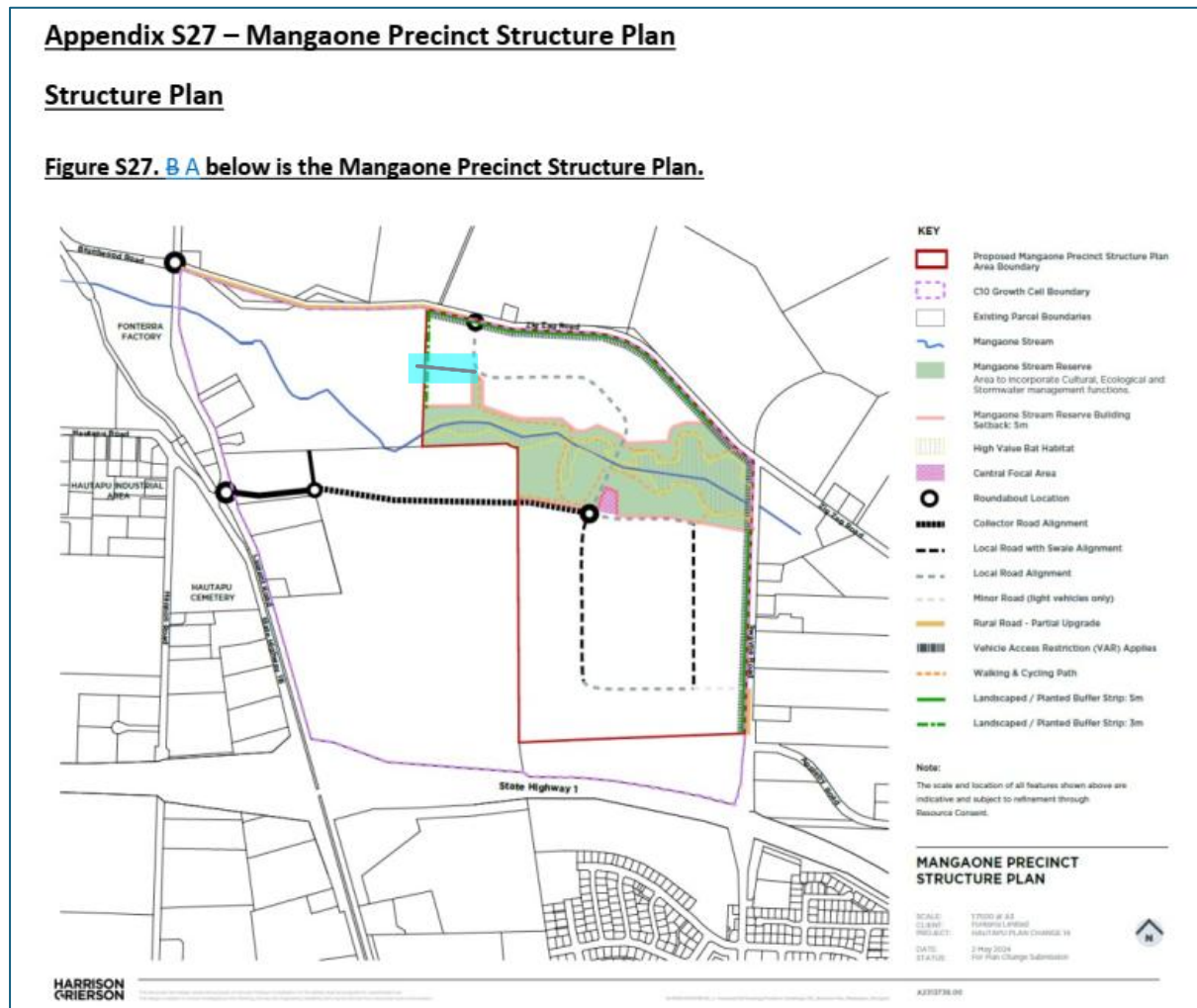
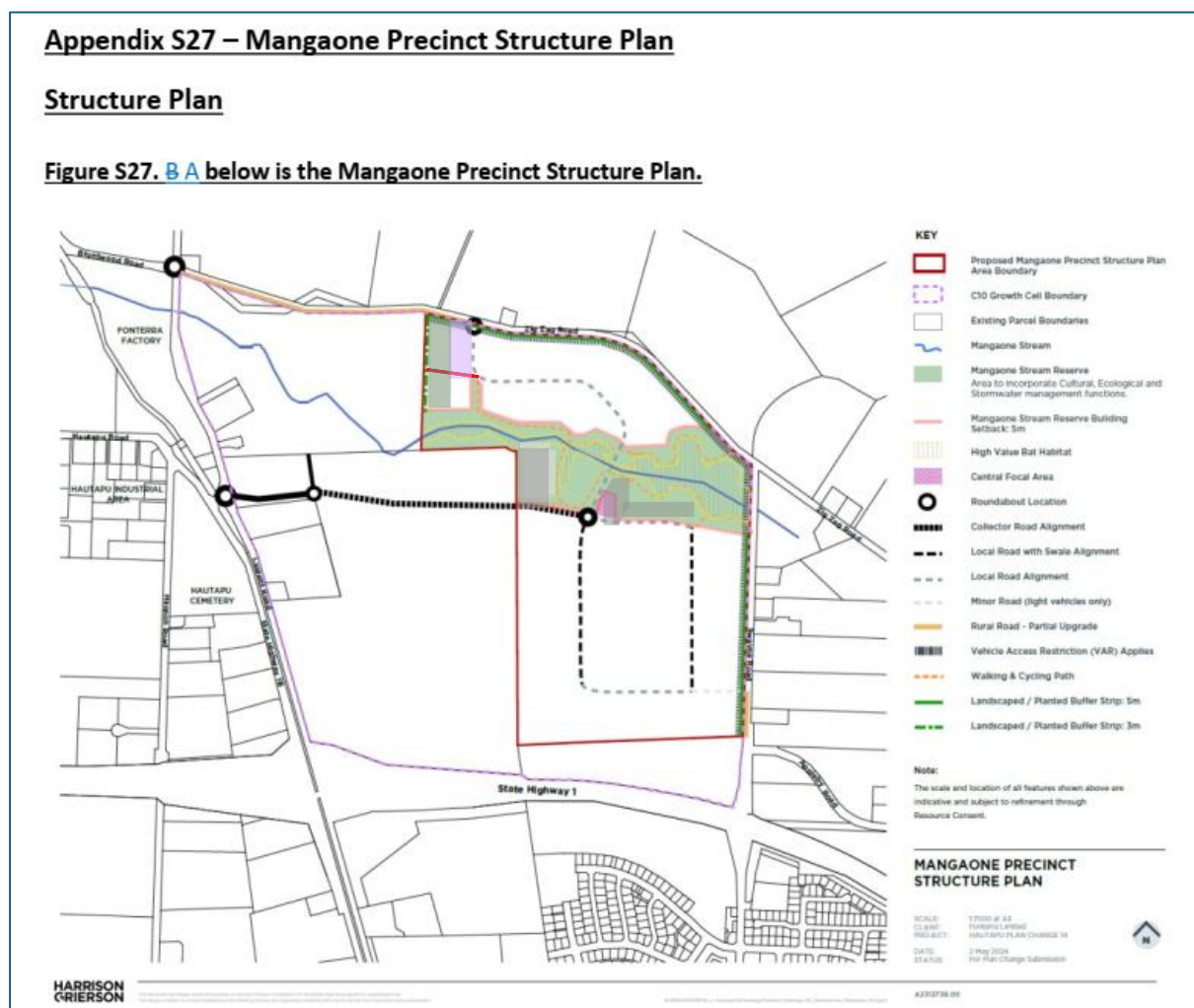


Figure 4: Updated Mangaone Precinct Structure Plan Providing Connectivity to C10

4.0 INDUSTRIAL/RURAL INTERFACE – MANGAONE PRECINCT PLAN LAYOUT

- 4.1 To protect the rural amenity of the Rural Zone it is recommended that the Mangaone Precinct Struct Plan be amended to relocate some of the proposed reserve area to be located along the Industrial/Rural Interface as was done so in PC17.

- 4.2 It is also suggested that the Central Focus Area be moved to north of the Mangaone Stream and adjoining the proposed relocated reserve area to further mitigate the actual and potential effects of Industrial Activities on this sensitive area, that is the rural/industrial interface. This would enable the internalisation of Industrial effects within the middle of the Industrial Precinct rather than using adjoining rural land to mitigate their adverse effects and creates Industrial lots on the Collector Road, reducing traffic effects on the local road network.
- 4.3 The proposed relocated stormwater reserve area is shown in dark green below, the relocated Central Focus Area is shown in purple below, and the relocated Industrial lots on the Collector Road shown in grey below.



5.0 RURAL/INDUSTRIAL INTERFACE - ACTIVITY STATUS & PERFORMANCE STANDARDS

5.1 Since it is the Fonterra land north of the Mangaone Stream that adjoins the Henmar Trust, and since this land north of the Mangaone Stream will have no neighbours on Swayne Road due to the Reserve and existing pylons, then **all amenity standards and activities** requested by the Henmar Trust in relation to their submission and further submission, could become the rules and standards for the land in the Mangaone Precinct located north of the Mangaone Stream.

Performance Standard – Building Colour & Reflectivity

5.2 At the Hearing, L Jack on behalf of Fonterra, when questioned by the Hearing Panel, whether the building colour and reflectivity standards applied to the whole of the exterior of the building, L Jack advised that she believed so and that was what she would like for the Precinct. Without referring to the specific standards, it was implied that the building colour and reflectivity standards proposed do in fact apply to the whole of the Mangaone Precinct. **This is incorrect**, as highlighted below.

Rules - Building colour	
7.4.2.17A	In the Mangaone Precinct Structure Plan Area <u>building facades facing towards a road or the Mangaone Stream Reserve shall be clad or painted using materials and colour finishes that are in accordance with the following groups of the British Standard 5252 colour chart: A11, A13, A14, B25, B27, B29 and must also have low reflectivity, with maximum reflectance level of 70 percent.</u> Activities that fail to comply with Rules 7.4.2.16, and 7.4.2.17 and 7.4.2.17A will require a resource consent for a restricted discretionary activity with the discretion being restricted over: Visual effects. These matters will be considered in accordance with the assessment criteria in Section 21."

Figure 6: Section 42A Report - Proposed Building Colour Rule for the Mangaone Precinct

5.3 As highlighted above, the proposed rule clearly only applies to building facades facing towards a road or the Mangaone Stream Reserve. The means that the proposed Plan Change allows the building façade of any building facing the Henmar Trust property to be clad or painted in any material and any colour. This could be a bright pink 20 metre high building, 5 metres from our boundary, this could be a highly reflective surface 20 metre high building, 5 metres from our boundary. The adverse amenity effects on the rural amenity of the Henmar Trust property are significant.

5.4 At the Hearing the Hearing Panel asked whether façade would apply to the whole building or such a particular wall. L Jacks indicated that she would think it apply to the whole building, however this does not cater for buildings down a right of way or access leg.

5.5 Furthermore, there is no definition of facades in the District Plan, only “front facade”. The equivalent standards for the Bardowie and Hautapu Industrial Precincts, refer to “building” which is defined in the District Plan and includes the roof etc. The District Plan definition of “building” is outlined in the snapshot below.

'Building'	means any BUILDING or structure, or part of a BUILDING or structure, whether temporary or permanent, moveable or immovable, but does not include: ■ Any BUILDING or structure less than 5m² in area, and less than 1m in HEIGHT; or ■ Any retaining wall less than 1.5m in HEIGHT, provided that any retaining wall (regardless of HEIGHT) which supports any load or surcharge additional to the load of the ground is considered to be a BUILDING; or ■ Any fence or wall less than 1.8m in HEIGHT; or ■ Any retaining wall or fence on top of a retaining wall that does not jointly exceed 1.8m in HEIGHT; or ■ Any swimming pool or spa pool less than 1m in HEIGHT above GROUND LEVEL; or ■ Any vehicle or caravan whether movable or immovable which is not used as a place of permanent residence or business, or for assembly or storage purposes; or ■ Any mast, pole or radio or television aerial which is less than 2m in HEIGHT above the point of attachment or its base support; or ■ Any uncovered part of a deck (excluding balustrades and hand rails) or terrace, platform or bridge which is less than 1m above GROUND LEVEL; or ■ Any ELECTRIC LINES or TELECOMMUNICATION LINES; or ■ Any SUBSTATION fence not exceeding 2.5m in HEIGHT.
-------------------	--

Figure 7: Waipa District Plan Definition of Building

5.6 It is requested that this standard be amended to apply to all buildings within the Mangaone Precinct, and that they are all required to have neutral palate and be low-reflectivity as it does within the Bardowie and Hautapu Industrial Precincts.

5.7 The rules for the Bardowie and Industrial Precincts read as illustrated in the snapshots below.

Rules - Building colour	
7.4.2.16	In the Hautapu Industrial Structure Plan Area buildings shall be painted or coloured in British Standard 5252 neutral colour palette groups A and B and must also have low reflectivity, with maximum reflectance level of 70per cent.
7.4.2.17	In the Bardowie Industrial Precinct Structure Plan Area buildings shall be painted or coloured in general accordance with the Urban Design and Landscape Guidelines for the Bardowie Industrial Precinct Structure Plan Area.
Activities that fail to comply with Rules 7.4.2.16 and 7.4.2.17 will require a resource consent for a restricted discretionary activity with the discretion being restricted over: ■ Visual effects. These matters will be considered in accordance with the assessment criteria in Section 21.	

Figure 8: Waipa District Plan – Industrial Zone Rules

Appendix S20 - Bardowie Industrial Precinct Structure Plan and Urban Design and Landscape Guidelines		Operative: 25/02/2025
S20.3.12.3 Material Finishes and Colours		
Design Objectives	Design Guidelines	
■ To provide colours, materials and finishes that are compatible with the character of the Cambridge area. ■ To provide a co-ordinated palette of colours, materials and finishes. ■ To provide materials that are durable and robust.	a. Reference materials to be utilised within the Bardowie Industrial Precinct are of neutral theme with strong compositional balances which are encouraged to break down mass of form as a preference to monochromatic bulk. b. Natural stone exposed aggregate concrete, steel, zinc, anthracite and stainless steel should be utilised as the primary building finishes where appropriate. c. Proportional colour schemes are to be preferentially utilised, with a guiding principle of Primary, Secondary and Accent colourways (Primary = 70%, Secondary = 20%, Accent = 5%) and cladding materials and finishes shall avoid adverse reflectivity effects. d. The Resene BS5252 Group A selections are the preferred (but not required in all instances) colour palette for the Bardowie Industrial Precinct (Appendix A). These colours reflect the primary tonal directions preferred in contemporary design materials such as natural stone, exposed aggregate concrete, steel, zinc, anthracite and stainless steel. e. The façade of buildings should be modulated — for example via stepping form, shadow lines and providing glazed areas to articulate building envelope to the extent practicable to break down the sense of bulk form and promote occupant wellness by providing natural light and outlook to natural features.	

Figure 9: Waipa District Plan – Appendix S20 Bardowie Design Guidelines

Rural Amenity – Light Spill

- 5.8 The proposed light spill standard (Rule 7.4.2.41) needs to include the adjoining Henmar Trust property. The standard as proposed only relates to adjoining residential dwellings or roads.

7.4.2.41	All external lighting shall be shaded or directed away from any adjoining residential dwellings, reserves [7/2] or roads, and adjusted and maintained to ensure that the direct luminance from the lighting source shall not exceed: a) 4 lux (lumens per square metre) at or within the notional boundary of any adjoining dwelling between the hours of 10:00pm and 7:00am; b) 10 lux at or within the notional boundary of any adjoining dwelling at all other times when lighting is required. c) 4 lux at the boundary of the Mangaone Stream Reserve as identified on the Mangaone Precinct Structure Plan. [7/2] <u>This rule only applies to land within:</u> (i) <u>Area 6 – Hautapu Industrial Structure Plan Area; and</u> (ii) <u>Mangaone Precinct Structure Plan Area.</u>
----------	---

Figure 10: Section 42A Report – Appendix 2 Track and Change to Waipa District Plan

Rural Amenity – Air Discharge Consent

- 5.9 I have helped farm this land since 1968 and I lived for 32 years in the house located at 35 Zig Zag Road. This house would be approximately the same distance away from the Proposed Mangaone Precinct as it is from the Fonterra Dairy Factory. For many years I have experienced the adverse effects of air discharges and noise generated by an industry of national significance, and I disagree with any expert witness who says that there are NO sensitive receptors on the Henmar Trust land in relation to the Proposed Mangaone Industrial Precinct.
- 5.10 Only assessing air discharges as they affect the Fonterra Dairy Factory is in my opinion and experience totally unsatisfactory and irresponsible. It will be those living and working in the rural zone who will be most adversely affected by the industrial discharges to the air that they breathe.
- 5.11 Activities associated with industry are not listed. These associated activities often need consents e.g. air consents in relation to the crushing of rocks to obtain a product necessary to their industry.

- 5.12 This can be easily addressed by amending Rural 7.4.1.3(f) and relevant policies and assessment criteria to include *“any actual or potential adverse effects on the local environment, adjoining properties, and adjoining zones.”*

6.0 STORMWATER

- 6.1 PC14 proposes to flood the Henmar Trust property.
- 6.2 You can not increase flood levels by 5cm without increasing the width of the flooding on Henmar Trust land due to the contour of the environment. The Mangaone Stream does not have steep banks to contain its flooding effects, therefore any increase in flooding height will result in increased flooding of Henmar Trust land.
- 6.3 The use of the Kiwifruit Block for Industrial purposes was **NOT** assessed as part of PC11 that created the Bardowie Industrial Precinct or the Discharge Consent for the Bardowie Industrial Precinct.
- 6.4 Request that the existing stormwater flows to the Mangaone Stream will not exceed post development, as was requested as part of PC11, please see extract from the District Plan below.

<i>Stormwater</i>	
S20.2.6	The stormwater generated from the Bardowie Industrial Precinct will be managed at the site by the adoption of a water sensitive design approach whereby the stormwater solutions are integrated within the built form and landscape. For example, soakage basins can be designed to provide for a variety of functions such as lower wetter areas planted with native species which can take the form of a wetland, as well as potentially slightly higher areas which could be grassed and used for recreational and amenity benefits.
S20.2.7	Soakage potential across the Bardowie Industrial Precinct Structure Plan Area can be maximised either by way of larger scale soakage basins with an array of underdrains or under hardstand areas using modular crate systems with close to 100% void space to reduce footprint and increase storage.
S20.2.8	To ensure no adverse impacts on the Waikato Regional Council rural drainage network, 10-year ARI runoff volumes will be contained within the communal basins using a combination of live storage and infiltration.
S20.2.9	10 year and 100-year ARI flows will be managed safely within the site so as to ensure no unacceptable risk to people, property, the environment and road users.
S20.2.10	The existing 100-year ARI flows to the Mangaone Stream will not be exceeded post development using a series of attenuation basins and swale conveyance and storage.

Figure 11: Waipa District Plan – Appendix S20 Bardowie Design Guidelines

7.0 TRAFFIC EFFECTS

- 7.1 Since 1968 I cannot recall there ever being a vehicle entrance onto Zig Zag Road for the land on the northern side of the Mangaone Stream, so any vehicle movements from this area of land has to be included in any traffic assessments.
- 7.2 It is planned in the Mangaone Precinct Structure Plan to create a round-a-bout on Zig Zag Road, and to create a new heavy vehicle entrance onto Zig Zag Road with a “pou whenua” at the entrance.
- 7.3 The creation of such a significant entrance needs to connect to the whole of the C10 Growth Cell, and this is why there needs to be a connection from this local road and services in the land north of the Mangaone Stream, to the Henmar Trust property.
- 7.4 According to the Mangaone Precinct Structure Plan this local road is going to have no swales to divert the stormwater to stormwater ponds. This provides the opportunity for stormwater ponds to be created either side of a road connecting to the Henmar Trust land. This would be a very similar situation to Figure 6 in Paragraph 67 – “Hautapu Industrial Structure Plan” recently adopted by Council.